

# Democracy and Governance in Pakistan

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# Contents

Preface	
1. Introduction	7
2. The Era of Praetorianism (1958-71)	43
3. The Era of Populism Zulfi Bhutto (1971-1977)	81
4. Third Man on Horseback Muhammad Zia-ul-Haq (1977-1988)	101
5. The Rule of Troika in the Name of Democracy (1988-1999)	133
6. Bonapartism Re-Visited Musharraf Ruling the Roost (1999-2007)	171
Selected Bibliography	210

## Preface

There is no gainsaying the fact that democracy is both a challenge and an opportunity for Pakistan. It sounds even more relevant if we finger through this book written with so much richness of insight by Professor Dr. Tahir Kamran. Professor Dr. derserves high appreciation of his matchless effort in producing such a subtle book of history in so much concise manner. It is indeed an invaluable contribution to Pakistan generally and the civil society and the student of history particularly. It can also be useful for those who are directly responsible for turning Pakistan into a fireball of hatred, deprivation and anguish.

Coming to the question why democracy is a challenge and an opportunity for Pakistan. SAP-PK thinks that democracy is a challenge for Pakistan because there are multi-ethnic, multi-religious and multi-cultural groups juxtaposed with their own unique history, needs, problems and aspirations. It is a challenge because there are several conflicts arising out of the same uniqueness which the "politics of elimination" of the military and civil establishment deliberately created to wield more and more powers. It is a challenge because the same people have lost their hope overtime after years of betrayal by the military, politicians and bureaucracy, to the consequence that they are no longer interested in even one of the significant practices of democracy, i.e., 'elections' and now we need no less than year 71 or an October earthquake to see them at the same note. It is a challenge because years of exposures to dictatorial regimes and lessons of intolerance towards women, religious minorities and neighboring countries pushed down their threats through ideological apparatuses of the state have shaped their minds in the directions where the debate of human rights becomes irrelevant and lawlessness is the existing law.

Now comes the second part of the same question as to why democracy is an opportunity for us. SAP-PK thinks that the

answer to this question is in fact carved on the other side of the same coin. And that is that one should learn from his/her follies. The history proves that we were free to make mistakes. The question is whether we are ready to accept them. This book takes stock of many follies that ruler of this unfortunate country made one after another under the impression of prolonging their indispensable rule 'and benefiting Pakistan'. And those follies were not follies just because 'they' made them, but because only a few people made them and they did not bother to consult millions of people. The 'opportunity' is therefore rooted in this realization that people matter and or very reason of the existence of this country. Had the rulers trusted our people in the true spirit of the letter, socio-economic and political conditions of this country would have been different. They, and we as nation, must understand that ethnic, cultural and religious diversity is our strength. This diversity must be acknowledged and respected both in approach and actions. We must understand that countries become zones of opportunities when they chose ballot over bullet, debate over coercion, tolerance and consensus over intolerance and self-serving attitude. Pakistan has still that streak which can push people back to exercise the former choices. But that all begins by accepting people as supreme. Supremacy of people makes countries sovereign.

Mohammad Tahseen  
Executive Director

# Introduction



Democracy is a form of government in which the people govern themselves or elect representatives to govern them. Fundamentally the notion of democracy emanated from Europe particularly after the treaty of West Phalia (Germany) in 1648 though ancient Greece is generally believed to be the locale of its origin. After the French Revolution in 1789, democracy found a socially conducive ambience as the institution of monarchy and the supremacy of Church were not only called into question but denounced and displaced. Hence democracy in its essence came up as a secular concept. However, in Europe it was after 1848 that autocratic dispensation was dealt a fatal blow and democracy entwined with the spirit of nationalism started flourishing. Nevertheless, democracy did not have a smooth sailing until the mid twentieth century. It had to contend with Nazi, Fascist and totalitarian challenges which it eventually managed to overcome in 1945 obviously at a tremendous cost, and 'the norms of rationality, bureaucracy and institutionalized, impersonal authority, born in Western enlightenment and nurtured by the modern state, would eventually spread across the globe'.<sup>1</sup>

In a culturally and ethnically plural country like Pakistan democracy is *sine qua non* for its territorial and political integrity. The equitable distribution of economic as well as environmental resources like water, gas etc. among the provinces is possible only through democracy. Historically speaking Pakistan was conceived as a parliamentary democracy with federal structure on the pattern of Westminster. However, democracy could not strike root in the sixty years of Pakistan's history. Consequently, federalism though sustained itself but just barely. Ideological confusion hampered the growth of democracy as Pakistani nation state, a purely Western/modernist construct was ascribed an Islamic meaning. The notions like nation, nationality or nationalism are rooted in European political and cultural context. However, Muslims of India appropriated it without resolving the core issue of territoriality and the sanctity that

nationalism accords to it that runs counter to the concept of *Umma* or *Milat* as projected in the Islamic political thought. Hence Nationalism/nation was propounded in a novel connotation, which seems to be a theoretical quandary of immense proportion leading to a state of ambivalence.

Objective Resolution in 1949 was a significant stride towards the state of ambivalence, this resolution allowed undue space to the religious element into the social and political setting of Pakistan. Thereby the plural and secular spirit of democracy was mauled and badly distorted. Consequently political instability and authoritarianism became an abiding feature. It led to a socio-political menace of religious fundamentalism and sectarian chasm in the 1980s and 90s. Political and cultural diversity did not find articulation in an immensely centralized state structure.

Right from the outset democracy was hobbled because of the self aggrandizement of the ruling elite. Muslim League leadership itself was an impediment in the smooth nurturing of democracy. Most of its leaders in West Pakistan belonged to landed aristocracy therefore not distant from the masses. Generally Muhammad Ali Jinnah's early demise is considered as a bad luck and one of the major reasons for the aborted growth of democracy. Historical facts however fail to corroborate such a view point. Vesting of the executive powers in the Governor General proved anomalous to say the least. In such a circumstance the Prime Minister became a superfluous entity. Similarly, Muhammad Ali Jinnah reposed greater trust in the bureaucrats instead of his political comrades which invigorated apolitical elements in Pakistan. Consequently neither the free and fair elections could be held nor could constitution be framed and promulgated. Constitution making and elections would have scuttled the unbridled powers of bureaucracy, represented by Malik Ghulam Muhammad, Ch. Muhammad Ali and Sikan-der Mirza. That trio along with Gen. Ayub Khan ruled the roost in 1950s. That decade can decidedly be designated as the decade



of the bureaucratic rather than democratic/civilian rule. Having said all that, one must not lose sight of the fact that oligarchic rule that Pakistan witnessed comprised military and West Pakistani feudal politician, bureaucrat being most powerful. Hamza Alvi's concept of 'overdeveloped state' is very pertinent in understanding the role of two colonial institutions and their role in impeding the process of democracy.

Ayub Khan's autocratic rule inverted the relationship between civil bureaucracy and Army. In the 1950s bureaucrats were preponderant with Army acting in a subsidiary role. However, during Ayub era army assumed greater importance. The Army-bureaucracy nexus sustained nevertheless. Conversely politicians were given a rough shod. In thousands they were EBD. Introduction of basic democracies and 1962 Constitution were the means to perpetuate the personal rule of Ayub Khan. When he had to contest elections against Fatima Jinnah in 1965, he managed and manipulated them with the help of state machinery. Besides, muzzling of the press and particularly suppression of the leftist political forces had an adverse fall out in the long run. Ayub Khan was indeed provided a prototype for the subsequent Army autocrats to emulate.

The autocrats whether civilians or otherwise need pliable judiciary. Therefore the doctrine of necessity remained an anathema precluding Pakistani judiciary to be independent and pro-people. From the days of Justice Munir to Justice Irshad Ali Khan, Pakistani courts have been validating the arbitrary acts of Army Generals usurping power at the detriment of constitutional rule. Justice Rustum Kyani, Justice Cornelius and Iftikhar Chaudhry are the exceptions who had the gumption to stand firm in the face of such indiscretion. Ironically majority of Judges found no qualms of conscience in taking oath under the Provisional Constitutional Orders.

Ambivalence about the role of religion in the public and political life has caused conceptual and ideological confusion among the masses. Conceived as a nation state for the Muslims

of India, Pakistan became 'ideological' state with religion as the fundamental rationale for its existence. That amalgam of modernity (democracy as a Western construct) and tradition (articulated in Islam steeped in its primordial context) has provided a rationale to the cleric of Lal Masjid and Maulana Fazl Ullah in Swat to challenge the writ of the state in the name of religion. Continuous mention of Pakistan founded in the name of Islam has given clerics a free hand to propagate the medieval ideas and notions in the name of Islam. They also opt to prevent such 'audacities' to happen which they perceive as un-Islamic. Referring to history one might say such tendencies flourished slowly but steadily over a period of time. The first stride towards that direction was taken immediately after the birth of Pakistan.

Objective Resolution provided a firm foundation for such a dispensation whereby religious fundamentalism could proliferate. The preponderant misnomer in the public discourse among the liberal section of Pakistani public that Deobandi Ulema had been in opposition to the creation of Pakistan needs to be revisited. Deobandi opinion regarding the creation of Pakistan was in fact divided. Abul Kalam Azad and Hussain Ahmed Madni opposed Pakistan but Shabbir Usmani, Zafar Ansari, Mufti Shafi and Ashraf Thanvi espoused the creation of a separate state for the Muslims. These Maulanas and the religious outfits remained the main stream voices of considerable reckoning throughout the history of Pakistan. Jamiat Ulema-e-Islam and Jamaat-e-Islami are the two exponents of the politics of strong religious orientation. However they found a centre stage in the 1980s at Gen. Zia-ul-Haq's behest. Afghan Jihad enhanced their role in the political and public life as they had been financed by Saudi funding. Later on the spate of sectarianism and suicide bombing was the culmination of those Islamists who could hardly withstand the religious difference. In this circumstance democracy can not strike roots and exactly this happened in Pakistan.

Pakistani civil society is rudderless to say the least. In the sheer absence of the freedom of expression that feeds into the

ranks of the civil society Pakistani people which are more of a collectivity of humans, yet to be gelled together into a nation. As a consequence fissiparous tendencies particularly in smaller provinces gained strength thereby posing a continuous threat to the federal structure of the state. Another factor for the civil society to flourish is the social and cultural plurality.

Governance, in simple terms, is the process by which decisions are made and implemented. Political theorists study governance at international, national and local levels. In the recent years good governance is regarded as a yard stick of the development particularly in the third world economies. The tangle however is that good governance is considered by some as an independent criterion of democracy. Hence the decision making in the realm of economy becomes, specifically in the case of Pakistan, the sole preserve of apolitical actor, mostly the economic wizards, having no stakes whatsoever in Pakistani polity. This monograph seeks to explore the dynamics of governance at national level by highlighting roles of political as well as apolitical actors involved in the formulation and implementation of decisions.

In the postcolonial states, like Pakistan, instruments of governance were defined by the state; primarily due to, in Hamza Alvi's term, "over-emphasized state structure". Theoretical features of good governance: like participation of all stakeholders, transparent and census-oriented decision making, accountability, rule of law; in order to minimize corruption and incorporate the marginalized groups- can hardly be observed in the fractured political fiber of the country. Problems of governance can only be understood by studying the genealogy of democracy in the country, which was mostly ruled by the under-representative or undemocratic structures.

With the over-developed state structure the prescribed aims and objectives of good governance could not be ensured which are accountability, transparency, minimal role of the state in the economic activity, rule of law. To secure good governance the

free will of the people to reflect in the state policies is primary requisite. As democracy does not have a smooth sailing in Pakistan therefore good governance remains as an unrealized dream. Burgeoning defense expenditure and virtual immunity of the Army from any measure of accountability and its continual interference in the affairs of the state is an impediment of substantial magnitude in the realization of good governance. Moreover the monopoly of the state over the decision making process is yet another factor hobbling the onward movement towards achieving the desired goal. Democracy can be the only panacea for all these ailments, plaguing the polity and economy of the beleaguered state of Pakistan.

In the lines to follow, all these facets would be subjected to analytical inquiry. All the major events in the political and constitutional history of Pakistan would be analyzed meticulously. Contemporaneous spate of fundamentalism and the danger that it poses to democracy and good governance would also be addressed and appraised.

## Impediments in the Evolution of Democracy

Pakistan, as a post colonial state, has a chequered history with a few interludes of democratic rule during the sixty years of its existence. Parliamentary democracy collapsed four times primarily due to mismanagement, disproportionate development of institutional matrix and the mounting political ambitions of the Army Generals. Ian Talbot terms Pakistan's political history as "a fruitless search for stability with frequent changes of Government and regime"<sup>2</sup>. Talbot also mentions the experiments that the state of Pakistan made during the first two decades of its existence, with "two constituent assemblies, one constitutional commission and three constitutions."<sup>3</sup> Nevertheless Pakistan's quest for political stability and the lasting democratic set up remained a distant dream. However, while studying Pakistan's experience regarding democracy one cannot do without looking

into the colonial perspective, which was underpinned by the steel frame of bureaucracy. It was in the words of Mohammad Waseem "bureaucratic paternalism"<sup>4</sup> that was central to the British imperial project in the Sub-Continent. Procedural safeguards were put in place to preclude 'any infringement of the bureaucrats' monopoly over the articulation of public interests by the non-officials'.<sup>5</sup> Simply put, the controlling mechanism established by the British civil servants always tended to rein in, the representative institutions despite their embryonic form. The same mechanism came to Pakistan as the colonial bequest, viewing politicians and representative form of government as corrupt, inefficient 'irrational and uninformed'. Therefore, colonial legacy and its overall impact in the post independence era would be the first query to be unravelled in the lines to follow.

Another moot issue is the nexus of Islam with the state of Pakistan and the zestful projection of it. Any alternative interpretation of Pakistan's genesis is regarded as taboo thus any possibility of academic review or debate on that particular issue is hardly possible. Conceived as an ideological state with supposedly Islamic character gave rise to political ambivalence but also provided an ample space to the clerics in the political arena of Pakistan. That ambivalence is compounded further when parliamentary democracy is also fore-grounded as a prerequisite for the sustenance of Pakistani state. Hence the parliamentary democracy would function within the iron girdles of ideological framework. Islam was tipped, by some quarters, as a distinct code of life, with its peculiar system of government denouncing democracy as an alien system. Mercifully however, such view could not muster the popular support. Thus far the democratic experience predicating on Islamic ideology has led to the cultural and social fissure in the society that is essentially plural, the fact that would be explicated down below.

To emphasize the ideology as a *raison detr'e* for Pakistan's creation, a new epistemic discourse was propounded in the realm of History to conjure up Muslim separatism as a primor-

dial construct. Ishtiaq Hussain Qureshi, Sheikh Muhammad Ikram and Khurshid Kamal Aziz acted as vanguard in providing a separatist prism to the events of South Asian History. In that scholarly endeavour, the underpinning rationale punctuating the separatist thematic they centred the argument on three variables acting as the wedge namely Islam, Urdu and the divergence of the Hindu *welt.an.schau.ung*. Hence Islam as an identity marker was accorded extra ordinary salience in the struggle for Pakistan by the League leadership and thereby Islam became a rallying cry for the Muslims of various hues vis a vis the composite nationalism of Indian National Congress. As a corollary the notion of Two Nation Theory, embedded in religious exclusivism attained complete legitimacy. That ideological orientation was deployed as a ruse by the apolitical elements in Pakistan to hobble the institution of democratic dispensation in the country. Hence the relationship between the democracy and the ideology steeped in religion are antithetical to each other as Pakistan's political history succinctly demonstrates. That is fundamentally the reason that the "Pakistan's historical realities are complex and messy and suit neither the rantings of Islamic ideologues nor the precision of political science theorising about an ideal type category of the post-colonial state". That indeed is a paradox whereby the modern nation state is equated with the ideology that seemed to be mutually exclusive. That sort of a mis-match has not only stunted the development of the democratic institutions but also impeded the smooth functioning of the state apparatus that needs to be addressed in this narrative.

Right from the outset, Pakistan was overtaken by the centripetal forces, generally known as the 'establishment', comprising civil bureaucracy and Army, which constituted in the words of Hamza Alvi, the over-developed state structure. The establishment asserted its role to ensure strong power centre at the detriment to the provincial and regional actors, who were consigned to the margins of Pakistani polity. One fall out of such a trend has led to the friction between the Punjab and the smaller

provinces because the establishment has usually been perceived to be the 'centrist' orientation. It has led to the problems of integration particularly East Pakistan. These problems did not end here. Sindh and Balochistan too have not reconciled to the centrist approach. The establishment, comprising Punjabi bureaucrats and Army Generals have given currency to such expressions like 'the Punjabisation of Pakistan'. Such political and administrative arrangement ought to be brought under the scholarly spotlight.

Some political analysts argue that the democratisation of the state and the society did not initiate together. The political culture that triggers peculiar change in the society enabling it as a consequence to take control over the state remained underdeveloped. Conversely the state had been exercising its control over the society and the representatives of the society could not act as the supervisory body over the arbitrary functioning of the state, a point that would need further unpacking.

Before taking up these questions one by one, it seems pertinent to furnish a few basic facts about Pakistan to put it in perspective. Contemporary Pakistan's population was estimated at 128 million in 1994 with almost 3 percent growth rate, one of the highest in the world. With 803,943 square miles of area, Pakistan is located in the west of India and to the east of the Persian Gulf. Its spatial proximity to Russia and China makes it strategically very important among the comity of nations. "Its geopolitical position particularly during the cold war era gave it greater international interest than its size and economy would otherwise warrant".<sup>6</sup> In socio-economic terms Pakistan is an emerging middle income state where agriculture is fast losing its predominance as a mean of income generation. However, agriculture still remains "the principal natural resource"<sup>7</sup> with 25 percent of the country's total area under the plough largely because of one of the most extensive canal irrigation network in the world.

Pakistani society is best with patriarchal social and cultural

patterns coupled with strong Islamic values orchestrated by the state and the religio-political parties and pressure groups. Although the puritanical religious proclivities manifesting in Deobandi and Ahl-e-Hadith traditions are fast proliferating in the country yet Islam in Pakistan is far from monolithic or “for that matter monochrome”. Instead Islam in Pakistan has various sectarian and mystic shades. Sectarianism, for last quarter of a century, has become a great social bane, which had not only a local but also international dynamics.

Biraderi or kinship group holds a lot of importance as a social institution and locus of political authority in central Punjab and to a certain extent in Sindh. Patrilineal descent is central to the configuration of a Biraderi however bonds of marriage, reciprocal obligation and the common political interests also play a significant part in determining its contours. Biraderi solidarity is the strongest among the peasant proprietors of the Punjab “although ‘tribal’ and landed elites deploy its idiom for political mobilisation”.<sup>8</sup> Pakistani politics inheres ‘the unequal rural power relationships’ manifesting in the prevalent feudal system which, according to a few scholars, impact the power politics more than either Islam or biraderi. Feudalism is a principal cause of the yawning social and economic gap between the landed aristocracy and the rural masses in general. Landholding elite draw their legitimacy from the Muslim League’s strategic alliances with big *zamindars* in 1946 elections. Ever since landed elite forms the most important locus of political authority.

Language has been a source of political mobilization as well as an important identity marker in South Asia. Muslim separatism in the nineteenth century colonial India was firmly embedded in the Urdu-Hindi controversy which was triggered off in 1867 in Banaras. A Quotation from Mohammad Waseem’s book will be quite pertinent here “from Sir Syed onwards the UP’s Muslim leadership was increasingly wedded to the principle of safe-guarding its rights through collective presentations to the government in the background of Urdu-Hindi controver-



sy and communal strife for jobs in general.”<sup>9</sup> With the emergence of Urdu Defence Association at the behest of Mohsin-ul-Mulk Urdu became a major symbol of Muslim identity. Ayesha Jalal is of the view that all India Muslim League for its part has always played down the linguistics specificities of the Muslim the majority provinces. Having asserted distinctive Muslim political identity the League sought to strengthen the religious bond through the medium of the Urdu language at the supra-regional level.<sup>10</sup> After the creation of Pakistan, Urdu was projected as a vehicle to advance the ambitions of the centrist forces. That was one of the reasons that smaller provinces developed strong reservations for Urdu. According to Talbot “attempts at strengthening Urdu as part of nation building enterprise proved counter productive as was demonstrated most clearly in East Bengal”.<sup>11</sup>

Although Urdu holds the position of primacy however, Pakistan is bestowed with rich and diverse culture articulated through myriad languages and dialects. These languages are not only cultural insignia of the particular area where they are spoken but they have a political dimension also. Consequently Pakistan has witnessed many events that had led to ethnic and linguistic confrontation as well as bloodshed. The riots in East Bengal in the 1952 and Urdu-Sindhi controversy leading to murderous riots in June 1972 exemplify that trend.

## The Colonial Legacy and the Post Colonial State of Pakistan

The Colonial legacy still resonates in the political culture of Pakistan. R. S. Rajan seems spot-on when he says, “Colonialism is not simply a matter of legacy but of active, immediate and constitutive determinants”.<sup>12</sup> Although some Western scholars argue that without the colonial intervention the seed of democracy would not have sprouted in the third world societies.<sup>13</sup> Thus the societies according to them were completely divested

of any potentiality to germinate democratic institutions on their own. The examples of the countries in South and West Asia ruled by absolute rulers that did not directly experience colonialism but could not become democracies by their inner dynamics are cited to support this contention. Nepal, Thailand and Iran are quoted as an example. On the other hand the colonial rule has managed to produce a few stable democracies 'usually in small size British colonies such Jamaica.'<sup>14</sup> Some third world scholars particularly Indians argue to the contrary. According to their contention third world societies would have evolved their own modernity and developed democratic institutions had colonialism not scuttled their democratic potential. One tends to concur with Dr. Inayatulla when he says that "colonialism unleashed complex forces both favourable and unfavourable for the democratisation of the colonised states and societies. A certain combination of these forces is interacting with local conditions fostered democracy while a different combination stifled it."<sup>15</sup> Ayesha Jalal on the other hand gives her insightful opinion about difference, brought about by colonial period. She therefore, argues that:

the British effort to stretch the ambit of imperial control through rule bound institutions based on Western concept of contractual law and impersonalized sovereignty rather than on the personal patronage of rulers was without historical precedent in the Sub-Continent, so too were the consequences. A political unity conceived and constructed in cold-blooded fashion and frozen in the impersonal rationality of bureaucratic institutions, could neither reflect nor capture the internal dynamics of a society accustomed to direct personalized rule.<sup>16</sup>

The direct and personalized rule as referred to, by Ayesha Jalal had an agency in the bureaucratic dispensation, which provided substance to the very centralized administrative structure of Pakistan. Resultantly Pakistan resorted to draw heavily on "colonial state's methods of bureaucratic control and centraliza-

tion.”<sup>17</sup> India Act of 1935 added further strength to the steel frame of the British Raj which was subsequently altered to serve as the constitutional framework for Pakistan. The Westminster prototype of parliamentary democracy, in principle, called for a separation between ‘bureaucracy and representative political executive’. However, the bureaucratic authoritarianism nestled in the colonial state largely remained intact. Therefore, it seemed exceedingly difficult from the very beginning to establish the supremacy of legislative over executive. Pakistani political elite also shirked from undertaking a radical reorganization of the administrative structure of the colonial days to establish the supremacy of elected bodies. Therefore, the alliances of convenience with the bureaucracy were forged on the grounds of pragmatism and need to afford the administrative continuity to grapple with the massive dislocation and law and order problems that followed in the wake of partition in the northern, north western and eastern part of the Sub-Continent.<sup>18</sup>

While telescoping the democratic experience of Pakistani state in juxtaposition to India, Asma Barlas laments over the failure of the former in fomenting the democratic institutions although both the states “acquired almost identical administrative structures from the Raj”.<sup>19</sup> Hence she does not take into account the subtleties embedded in the historical, cultural and communal plurality that profoundly impacted the colonial mode of Governance in India. Hamza Alvi is in complete discord with such line of argument and he links Pakistan’s ‘overdeveloped state structure’ with the preceding colonial practices, aimed at the maintenance of law and order instead of facilitating the popular representation. Similarly Khalid bin Sayeed’s term of ‘viceregalism’ affirms the continuity between the colonial and the post-colonial dispensations with respect to Pakistani state. Ian Talbot while identifying the difference in the administrative measures, deployed in the North-Western areas and the rest of India refers to the arbitrary methods enforced in the areas that subsequently constituted Pakistan. He recounts those coercive

measures that were at the heart of the colonial technology of control. These strictures recounted below precluded the progressive spread of representative institutions.

Preventive detention (originating in the Bengal State Prisoners Regulation III of 1818); prohibition of political actions seen by magistrates as prejudicial to public order (Section 144 of the Criminal Code of Procedure) and control of Press (1931 Indian Press Emergency Powers Act) figured quite prominently. Besides, the Pakistani state reinstated the Emergency powers of Section 93 (as Section 92A) of the 1935 Government of India Act, enabling the centre to dissolve a Provincial Government. Similarly Public and Representatives Office (Disqualification)<sup>20</sup> Act usually known as PRODA was also promulgated in 1949 by Liaqat Ali Khan's ministry was the colonial legacy.

All these rather stringent measures were indicative of the grave security concerns of the British regarding North Western India. With the sole exception of Eastern Bengal, rest of Pakistani areas were conquered because of the strategic reasons instead of in pursuance of any economic interests as it was in the case of Southern or Eastern India. Among the territories constituting Pakistan, Sindh was the first to fall to the British in 1843. That 'act of imperial private enterprise' was conceived and subsequently realized by Charles Napier by displacing Sindh's Talpur rulers. Similarly stiff resistance from the Khalsa Army notwithstanding, British annexed the whole of Punjab in 1849. The main motive behind the annexation of the Punjab was indeed defence related. British paternalism began with the Board of Administration, with Lawrence brother and Mansel, an expert in revenue administration. Immediately after the annexation the force of 8,000 strong police men was raised to keep tabs on the trouble makers. Besides, the district administrators were fully invested with both administrative and judicial powers. They were also supposed 'to win allegiance of the rural population by their example of hard work and fairmindedness'.<sup>21</sup>

Historically it had been serving as the gateway for the suc-

cessive wave of invaders from the North West from the time immemorial. During Ranjit Singh's reign North West Frontier was coalesced with the Punjab. That region remained the part of the Punjab until the onset of the twentieth century when in 1901 the settled districts of the trans-Indus region were conjured up into a separate province from the Punjab. NWFP was kept as a minor province till 1930-32 when it was finally accorded the devolution of powers as set down in the system of diarchy in the 1919 Government of India Act. These reforms did not, however, mean much for the frontier province because till 1940s the Governor had been acting like a tiny autocrat, prohibiting all demonstrations and processions.

Reverting to the perceived security threat from the imperialist designs of Russia, in the second half of the 19th century impelled British to transform the Punjab into a military bastion. The cantonments, strategic roads and the railways, the hill-top forts and the crenellated double decker iron bridge on the narrow Indus gorge at Attock<sup>22</sup> provide explicit testimony to the Punjab's strategic importance for the British. Punjab's role during the War of Independence (1857) facilitated the re-imposition of British authority in the area of Gangetic plain that was seething with revolt and rebellion. Thereafter the British came to value the landed elite of the Punjab as their collaborators, providing human fodder to the imperial military machine as and when needed. As Clive Dewey, Ian Talbot and David Gilmartin point out in their researches "the Punjabisation of the Indian Army from the 1870s onwards possessed its underpinning in the social-Darwinist 'martial castes' theory, but was primarily motivated on the pragmatic grounds of the Punjab's stability in 1857 and its proximity to the frontier through a Russian invasion was feared".<sup>23</sup> The people of the Punjab and particularly those inhabiting the North-Western districts of Jhelum, Chakwal, Rawalpindi and Attock were deemed ideally suited to Army. By 1875, one third of Indian Army consisted of Punjabis, the proportion however increased to three-fifth by 1914. Land lords, as

alluded earlier, were the major source through whom the recruitment for the Army had been conducted. Therefore land holding class and the Armed forces established a nexus that had a great bearing on the socio-political life of the areas, constituting Pakistan in 1947. Hence, the cooption of the local landed elites not only scuttled the political institutionalisation but cultivated and sustained the culture of clientelism. That, as a result, placed insuperable impediments in the growth of democratic institutions and in instituting the socio-economic reforms to become hazardous because of the dominant landed political interests. The nexus, therefore, between landlords and the Army has been one of the most important determinants Pakistani politics right from the very outset.

NWFP attained extra ordinary salience for the imperial interests of the British because of its close proximity to Afghanistan, a site for a constant imperial conflict between Britain and Russia in the 19th century. Same was the reason that galvanized the British attention towards Balochistan where its influence increased steadily after 1854. In the course of next thirty years British dug its heel in, very firmly in Balochistan particularly by according Kalat and its erstwhile feudatories, the status of protected states. Geographical re-configuration was also carried out in 1872 by clearly defining the hitherto undecided boundary-line between Iran and Balochistan. After four years as a result of a treaty Khan of Kalat allowed the British to station its troops in Quetta. Hence forth it became an important cantonment for carrying out military operations during second Afghan War. Shortly afterwards, Khan of Kalat ceded the whole of Quetta district to the British. Further more, British assumed control over the strategically crucial regions of Sibi and Pishin during the Afghan war in 1878-80. That expansion continued throughout the remaining years of the 19th Century. Strategically important Bolan Pass came under British suzerainty in 1883 and those areas traversed by Mushkaf-Bolan and Noshki Railways were passed over to them in 1894 and 1903 respectively.<sup>24</sup>

That imperial expansion had a lasting impact on post-colonial Balochistan. The precedence of executive and military interests over the democratic institutions has far stronger reverberation in Balochistan than any other province of Pakistan. The power of administrative machinery was enhanced beyond measure by striking alliance with the local *Sardars*. Although it was not typical to Balochistan yet “strategic imperatives and a less egalitarian society than in the Frontier enabled it to flower more fully in the region by bolstering the Sardar’s position through the formalisation of the tribal council’s (*jirga*) power”.<sup>25</sup> Thus the democracy was confined only to the municipality of Quetta till the creation of Pakistan. Ironically the *Shahi Jirga* comprising fifty four Sardars and five members of the Quetta Municipality took the decision to join Pakistan.

## Democracy in Pakistan A Historical Appraisal of Centralization

Pakistan’s political history right from the outset has been bedevilled with the charismatic personality, imagined as a personification of ‘the world spirit’ in Hegelian terms. Therefore Muhammad Ali Jinnah, the founder of Pakistan, fitted into that role quite immaculately and ensconced himself in the position of centrality but at the detriment of the political and constitutional institutions. Jinnah’s preference for the office of the Governor General over the premiership had a profound bearing on the future politics of the country. He, in fact was the most powerful Governor General of any country in the world. Cambell Johnson notes in his diary about Jinnah’s first act after putting forward his name as Governor General that was “to apply for powers under the 9th schedule rather than Part II of the 1935 Act which gave him at once dictatorial powers unknown to any constitutional Governor General representing the King.”<sup>26</sup> His status as a founder of the newly born republic had given him unequivocal acceptance and authority vis a vis any constitutional or leg-

islative body. *The Dawn* Dehli stated in one of its editorials, "Whatever the constitutional powers of the Governor General of a Dominion may nominally be, in Quaid-e-Azam's case no legal or formal limitations can apply."<sup>27</sup> Similarly Khalid bin Sayeed sheds light on Jinnah's revered persona in the following words:

He was the Quaid-e-Azam- the Great Leader of the national movement. And now that he had won Pakistan within the incredible period of seven years, he had achieved something which no other Muslim leader had even dreamt of. Muslims, especially in Northern India, regarded him as a successor of great Mughal Emperors, Emperors like Babur and Aurangzeb. Indeed soon after the announcement of the Partition scheme on 3rd June 1947, he was hailed in New Delhi by Muslims as the Emperor of Pakistan. Dawn wrote a few years after his death: 'The populace had already begun to greet the Quaid-e-Azam as Shahinshah-e-Pakistan'. Had he so desired, 80 million willing hands would have rejoiced to put a crown upon his head'.<sup>28</sup>

People of Pakistan wanted him to act like a king than a democratic leader. In their political vocabulary and comprehension the all powerful king or *Shahinshah* like the earlier Mughals, the wellspring of all powers could be a true leader. They therefore wanted Jinnah to restore the past glory of the Muslims, which was vanished from the eighteenth century onwards. He could fulfil their expectations by following the footsteps of the Muslim Kings. Vast majority of the populace was not well conversant with the concept of a democracy or a representative form of government. Lack of clarity and understanding about democracy among the people was the foremost impediment in the establishment of the democratic order. Jinnah being a staunch constitutionalist wanted to tread Westminster path therefore he had envisaged the model of a parliamentary democracy for Pakistan. However he assumed the mantle of a Governor General that had generated some contention among the political analysts. Jin-



nah's vying for the office of the Governor General also caused considerable concern in England because he was an active politician as *Economist* telescopes this fact quite lucidly:

The constitutional theory of a Governor General in a Dominion is that he represents the King and bears the same relation to the Ministers forming the Government as the King does to his Ministers in the United Kingdom. It is recognised that the rights of a Dominion include the right of recommending a person for appointment as Governor General. But that the Governor Generalship should be held by an active party politician, who frankly states his intension of continuing his political leadership after assuming the office, is an innovation which radically alters the nature of the Dominion bond. The development is the more serious because Mr. Jinnah's rule gives promise of being a very thinly veiled dictatorship. His motive in demanding the office of the Governor General is no doubt to obtain the position which belongs to it in the eyes of the Indian masses. The Viceroy as Governor General has been hitherto, even though to a restricted degree in recent years, the supreme executive ruler and his Ministers have been simply the members of his Executive Council. By force of mental habit the man in the street will continue to think of the Governor General as being more important than his Prime Minister.<sup>29</sup>

It virtually happened in subsequent years that the Governor General overshadowed the Prime Minister because the former wielded the executive powers which not only reduced the Prime Minister into a rubber stamp but it also bequeathed an appalling legacy, which was detrimental in the extreme for the growth of parliamentary democracy. The Governor General drew its authority from the section of Indian Independence Act which vested in him unlimited powers to amend the constitution by a simple degree. That, however, was intended purely to be transitional provision to help find instant solution to insurmountable

problems that the newly founded state was facing. Such powers were 'to last for only seven and a half month until 31st March 1948'. Under the government of India Act 1935 the Governor General was empowered to choose and appoint its ministers and he could also dismiss them. Similarly he had a definite say in the matters of defence ecclesiastical and external affairs and also in the administration of tribal areas. The functions and powers vested in the Governor General are listed below:

1. Maintenance of law and order
2. The safeguarding of the financial stability and credit of the federal government
3. The safeguarding of the rights and interest of minorities
4. The prevention of commercial discrimination and action which would subject goods of United Kingdom or Burmese origin imported into India to discriminatory or penal treatment.
5. The protections of the rights of Indian States, etc.<sup>30</sup>

Ironically, the span of these discretionary powers was extended by another year. That became a practice in the subsequent years Hamza Alvi opines "these powers were regularly invoked by those who acted in the name of Jinnah, ignoring the Cabinet and the Constituent Assembly, encroaching, without challenge, on their legitimate functions and powers".<sup>31</sup> Hamza also contests much prevalent view that Jinnah was personally in command of affairs of the state. The fact according to Hamza is that by the time of the partition Jinnah was a very sick man, indeed a dying man, in such a debilitating state of health he could not attend to "the hurly-burly of the crises ridden affairs of the Pakistan state in those difficult and exciting days, now to pull together his crumbling body which was in the hand of men whom he had come to despise and publicly criticise".<sup>32</sup> In these circumstances all the crucial decisions including constitutional amendments were being promulgated in his name. When some members of the Constituent Assembly showed their reservations about being bypassed on so many matters of great importance the

Prime Minister Liaquat Ali Khan told the Assembly; “under the present constitution man who has been vested with all powers is the Governor General. He can do whatever he likes”.<sup>33</sup>

The three reasons can be advanced for the bureaucracy seizing power; a) Jinnah’s fatal illness, b) mediocrity and incompetence of leaders other than him, and c) Muslim League’s inability to hold together the diverse political and ethnic entities. During the pre-independence days, Muslim League’s core leadership barring M. A. Jinnah hailed from Muslim minority provinces, particularly United Provinces and Bihar. The provinces like Bengal and the Punjab had meagre representation among the ranks of Muslim League. It was primarily because Karshak Praja Party and the Unionist Party did not leave much space for political action for in these provinces until towards the fag end of colonial era. After independence the central leadership of the founder party found itself totally deprived of the electoral base. Nevertheless Muslim League kept on claiming for itself a role ‘as a unifying national party’.<sup>34</sup> Further more its leadership started equating the party with the nation, “if you destroy the League you destroy Pakistan”.<sup>35</sup> Jinnah even suggested that there was no need for any other party other than Muslim League.<sup>36</sup> All said and done, in the absence of a representative institutional framework, the top leadership of the Muslim League “relied extensively of the bureaucracy in the formulation and the execution of policy”.<sup>37</sup>

Exactly like the League leaders Pakistani Central Government had a large number of officers from the minority provinces. Shortly afterwards, Punjabis also managed to carve out space for themselves into the glorious cadres of civil service. Hence Muhajir-Punjabi alliance came to act as the fundamental instrument of centralization in the state apparatus. That centralization was forged ostensibly to ward off the ‘perceived’ security threats mostly on the part of the ruling elite. Omar Noman refers to the major consequences emanating from such a perception. “Externally Pakistan joined military alliances under the

American umbrella as protection against Indian military intervention. Internally, Jinnah accumulated power at the centre." While summing up that situation he says, "A powerful Central Government would bind diverse elements into a national framework. However, the power of the Central Government was divorced from any representative base".<sup>38</sup> Another factor that contributed significantly to the failure of democracy and the delay in the constitution making was Muslim League's sluggish attitude on constitutional issues. From 1948 to 1954, the Constituent Assembly met, on average, for only 16 days a year to frame a constitution. "The average attendance consisted of forty-six members, hardly an indication of urgency".<sup>39</sup>

League's failure to emerge as an integrative force in a multicultural and ethnically plural society and state was predicated to a large extent on its exclusionary approach. Its central elite deployed Islam and Urdu as symbols to forge unity among the disparate groups and factions. These instruments of homogeneity proved counter productive particularly with reference to Bengal. Tahir Amin's assertion that the founding father of Pakistan wanted to build a strong nation based on the principle of 'one nation, one culture, one language'<sup>40</sup> seems quite pertinent and reflects the centrist mindset that was at work immediately after Pakistan's creation. One can gainsay the fact that the slogan of Islam was used profusely for the political mobilization in the length and breadth of the country. Mosques and shrines were the sites for the political activity where Clerics and Pirs exhorted upon the public to espouse the Muslim League's demand for Pakistan.

Right after Pakistan came into being, large number of Ulema from East Punjab, United Provinces and Bihar migrated to Pakistan. The seminaries upholding the puritanical version of Islam were shifted to the major cities of Pakistan. Ulema like Shabbir Ahmed Usmani, Mufti Muhammad Shafi, Muhammad Hassan, Yusuf Banori, Idrees Kandalvi and Khair Muhammad Jullunduri migrated to the newly founded state. Khair-ul-Madaris,

Jamia Salafia, Faisalabad and Madrissa Banori Town, Karachi were a few of the countless seminaries which were relocated after independence, with the optimism that Pakistan would be an Islamic state. Many of them subscribed to Deobandi school of thought. It had tangible bearing on the state policy. Objective Resolution was an evident testimony to their influence on the government and the functionaries of the state. The enunciations in the Objective Resolution like "the sovereignty rests with Allah" and He delegates the sovereignty to the people, are in contravention to the dictates of democracy. Besides, such clauses provide a sufficient *niche* to the clerics in the realm of state craft and politics because of their supposed expertise on ecclesiastical commands of Allah. Anti-Qadiani Movement in 1953 was the corollary of the religious activism spearheaded by the Ulema and subsequently it culminated into their denunciation as non-Muslims in 1974. Besides, it also provided a back-ground to policy of Islamization subsequently pursued by General Zia-ul-Haq which was punctuated with statutory laws like Hudood Ordinance or blasphemy law during Nawaz Sharif era. The repercussions unfolded from the 1980s onwards were the astronomical rise in sectarianism and militancy exemplifying in suicide bombing and target killing.

Other variable that helped centralization and transcendence of regional fault lines was the Urdu language. As stated earlier the bulk of Muslim League leadership came from the either UP or Bihar, which had been the breeding ground for the Muslim separatism in Colonial India, Urdu, with particular emphasis on its Persian script was deemed as extremely important symbol of Muslim and Pakistani identity. Since the days when the Urdu-Hindi controversy had flared up in UP during the closing decade of the nineteenth century, Muslim *Ashraaf* used Urdu as a symbol to bring the ethnically and culturally divergent Muslim together. When Pakistan was founded as a multi-ethnic and multi-cultural state with Punjabis, Sindhis, Pathans, Mohajirs, Balochis and above all Bengalis constituted around 55.6 percent

of its total population. The fact of Bengali majority sent tremors among the ranks of West Pakistani ruling elite comprising Muslim League politicians, Bureaucrats and military officers. Hence, Urdu was deployed 'as a unifying symbol of the state' at the expense of other languages including Bengali. "In the first educational conference held from 27 November to 1st December 1947, the cardinal points of the language teaching policy included making Urdu the lingua franca of Pakistan and to instruct it as a compulsory language. That policy of deploying Urdu as an instrument for integration, however, boomeranged and evoked violent responses particularly in East Bengal (1948-52) and in Karachi (1972), in which scores of people lost their lives."<sup>41</sup>

Language issue got vitiated when Jinnah, while on his official tour of East Bengal, proclaimed that 'the state language of Pakistan is going to be Urdu and no other language' a statement which incurred trenchant response from Bengali educated classes. Despite that stir, Jinnah reiterated his position on the issue of language when he explicitly stated that 'without one State language, no nation can remain tied up solidly together and function.'<sup>42</sup> When Bengali bourgeoisie showed its reservation on Jinnah's unequivocal support of Urdu as a national language and also criticized his 'invalidation of a resolution of the East Bengal Assembly demanding a national status for Bengali'<sup>43</sup> Jinnah dismissed the Bengali reaction nonchalantly calling it a manifestation of provincialism, one of the curses that Pakistanis must guard against. Similarly Prime Minister Liaquat Ali Khan shot down a motion in the Constituent Assembly in February 1948 pleading equal status for Bengali and Urdu. Pakistan, to him 'has been created because of the demand of a hundred million Muslims in this Sub-Continent and a language is Urdu'.<sup>44</sup> Further more attempts were made by a language committee appointed by the East Bengal Government to change the character of the Bengali language because its script had to be de-Sanskritized. Hence the proposal to change the script into the *Nastaliq* Perso-Arabic script met with the vociferous condemna-

tion by the Bengali students in particular.

In order to counter the Bengali majority the 1954 provincial elections were nullified and then all the three provinces namely Punjab, Sindh and North West Frontier along with Balochistan and tribal areas were lumped together into One Unit called West Pakistan in 1955. Hence West Pakistan province was carved out. Now two provinces namely East Pakistan and West Pakistan were given equal representation, thus denying Bengalis their majority in the parliament. Whosoever spoke against One Unit was sorted out forthwith by the Bureaucrat masquerading as Pakistan's Governor General, Malik Ghulam Muhammad. In November 1954, he dismissed Abdul Sattar Pirzada's Sindh ministry because of the same reason. NWFP ministry also met the same fate. Ghulam Muhammad intervened in the Punjab when Feroze Khan Noon had reservation on some aspects of the One Unit.<sup>45</sup> As regards the political deprivation of the Bengalis, the ruling elite of Pakistan, the bureaucrats among them being the most prominent and powerful had particularly been indifferent to the protests and pleadings of the Bengalis against the centrist policies. Change however came but for worse. However before proceeding further, it seems appropriate that the rise of bureaucracy and the tightening of its stranglehold should be dwelled at.

In fact the power transferred to the bureaucracy not as result of any 'overt coup' but quite imperceptibly. In view of the enormous difficulties the state of Pakistan has to grapple with some institutional changes were made, enabling the bureaucracy to operate independently of the political leadership. The most significant of the all such changes was the subordination of the entire bureaucracy under newly created post of the Secretary General. Hamza contends that the post of the Secretary General was created at the instance of Mr. Jinnah probably advised by the first incumbent of that post himself. Hence, it was proposed that an official 'controlling the entire government machinery working directly under Jinnah as Governor General was needed

for speedy decisions'. Ch. Muhammad Ali was appointed as Secretary General, undoubtedly a very capable Punjabi officer with substantial experience in the finance department of Government of India. As a Secretary General, Chaudhry Muhammad Ali was accorded a direct access to all the federal secretaries and all the files. In order to institutionalize his role and position, he set up a 'planning committee' with the secretaries of all the ministries were its members. Hamza Alvi succinctly explains the functions of the planning committee in the following words:

Through the mechanism of the planning committee, presided over by the Secretary General, the entire state apparatus was able to function as a unified machine under a single head. Thereby it was no longer segmental in structure but was internally unified... The Planning committee was in effect a 'parallel Cabinet' of bureaucrats, with a bureaucrat functioning in effect as 'Prime Minister'. Given this mechanism, the Cabinet was bypassed and its proceedings were reduced to meaningless ritual. Important issues were decided in advance in the Planning committee and the ministers and the Cabinet acted as mere rubber stamps, ratifying bureaucratic decision with, at best, some minor amendments. Decisions on some large issues were not even referred to the Cabinet on the principle that ignorance is bliss.<sup>46</sup>

So, in many ways it was the continuation of the colonial legacy whereby the bureaucrats used to despise the political leaders. The Constituent Assembly debates in 1956 provided an ample testimony to bureaucratic indifference which has become an ethos on which the Pakistani civil servants were trained and raised in these debates. Many provincial ministers complained about several officers who refused to carry out their orders because the ministers have no powers to hold those offices accountable. In such situation where military/bureaucratic oligarchy had become so powerful ministers of course could not do



much, unfortunately Pakistan's political scenario was bedevilled with the paucity of effective political leadership. In fact, Jinnah himself did not allow potential rivals of any weight and standing to spring up. As a result political leadership of Pakistan after him was spineless and devoid of any foresight which also had a negative fall out on the party organization of Muslim League. Hence, democracy in Pakistan rested on the shaky and shifting foundations. Pakistan Army was weak and wanting in organization it had British officers as the Commander-in-Chief namely General Messervy and General Gracey, General Ayub Khan was elevated as the first Pakistani Commander-in-Chief in 1951. He was a close friend and confidant of General Sikander Mirza, Secretary of the Ministry of Defence who later became the first President of Pakistan. Wily and Shrewd Skindar Mirza belonged to the political service of India but he was trained at Sandhurst. At Sandhurst, during the course of their training both Ayub Khan and Sikander Mirza became friends and that bond lasted till the third week of 1958 when Sikander Mirza was deposed from the presidency of Pakistan and sent packing to UK by the former. Reverting to the earlier years of Pakistan, the portfolio of Defence Minister was retained by Prime Minister Liaquat Ali Khan. Hence, without having a full fledged Minister, every thing pertaining to defence ministry was left to Sikander Mirza. As Ayub Khan's private secretary has noted:

The defence portfolio had always been held by the Prime Minister himself who, being the leader of the ruling political party had mostly been busy in consolidating his party position or in attending to the ever increasing parliamentary wranglings... [He] never found time to attend to the real problems of the Defence Ministry.<sup>47</sup>

When Ghulam Muhammad dismissed the then Prime Minister Khawaja Nazim-ud-Din in April 1953, it was the first public manifestation of the power that bureaucracy wielded behind the façade of parliamentary institutions. Ghulam Muhammad, a bureaucrat from Indian Audit and Account service, took over as

Governor General after Liaquat Ali Khan was assassinated in 1949. The significance of his dismissal of the Prime Minister "lay in how it served to demonstrate the absence of an effective link between the Prime Minister and the institutions of party and parliament".<sup>48</sup> The unceremonious exit of Nazim-ud-Din did not bring any omen for the Governor General. However it did provoke a belated response from the politicians and the Assembly attempted to curb the powers of the Governor General in 1954 so that the powers to dismiss Prime Minister could be wrested away from him. The Assembly also repealed the PRODA legislation which was introduced by Liaquat Ali Khan in 1949 to rein in the politicians. That move by the politicians proved to be a bit too ambitious. On 24 October 1954, the Governor General dissolved the Constituent Assembly.

The next four years, Pakistan's political system was taken as a hostage by the Civil Service which in cahoots with the military controlled and regulated the key decision-making process. In 1956, Sikander Mirza succeeded Ghulam Muhammad as the Governor General of Pakistan. That was the period known for the political intrigues and conspiracies and exhilarated the process that led to the military rule in 1958. Omar Noman sums up the political events of that period: "Khan Sahib was appointed Chief Minister of the province of West Pakistan. Sections of the Muslim League leadership did not approve of the appointment on the ground that this ex-congress leader had opposed the creation of Pakistan. In response, President Mirza encouraged Khan Sahib to form a new party, the Republican Party. The formation was followed by defections from members of the Muslim League, eager to cross over to a party which had the blessing of the Civil Service. Within a few months, the Republican Party ousted Muslim League at the centre, forming an alliance with Suhrawardy's Awami League. Later, there was a Republican-Muslim League alliance against the Awami League. Thus, a series of short lived government was formed. The legislature continued to operate, but its primary function was that of

validating decisions taken outside the Assembly. Political parties, deprived of real power in the legislature, were reduced to the status of bickering factions controlled by the executive."<sup>49</sup>

## Economic Development

At the outset Pakistan had 23 percent of the land mass and 18 percent of the population of the whole Sub-Continent. It had less than 10 percent of the industrial base and a little over 7 of the employment facilities. Pakistan bequeathed 17.5 percent of the financial assets and 30% of defense forces of the undivided India. It had a paltry rupee 200 million as its opening cash balances. 'Pakistan after December 01, 1947 when the division of military personnel was completed had to cough up an estimated rupee 35 to rupee 50 million a month for the upkeep of its defense forces alone. Guarding the strategically vulnerable North Western and North Eastern frontiers was well beyond its capacity however, in the initial years Pakistan defense expenditures was 'higher than that of undivided government of India'.<sup>50</sup> Such exorbitant defense expenditure impelled the centre to appropriate the resources from the provinces. It was in 1950-51 however that Pakistan government allocated for the first time the meager amount worth Rs. 1 cor for provincial development.

In the first decade after independence the economic policy had three main characteristics; a.) utmost emphasis was placed on setting up import substituting industries, consumer goods, thereby were being substituted by domestic production however, all the machinery required for capital intensive industrialization had to be imported as there was a complete absence of capital goods sector in the country. c.) the allocation for the human resource development was incredibly parsimonious therefore the sectors like education and health were utterly neglected.

At the time of independence there was hardly any large scale industry in the areas constituting Pakistan. The industrial-

ization during the colonial period was largely clustered around the port cities like Bombay, Calcutta, Ahmedabad and the Madras etc. As a result of that practice the areas falling in India after 1947 retained the industrial base. Sindh and Punjab had usually been playing 'a complementary role in the integrated Indian economy. On the eve of the Independence, out of top fifty seven Indian companies only one was owned by a Muslim.<sup>51</sup> These areas provided raw material for the industrial units located in Indian territory.'<sup>52</sup> East Bengal exemplifies that statement as it supplied jute to the jute industry in West Bengal.

Emergence of an economic group, whom Akbar Zaidi terms as 'Mercantile Capitalists' came as a big break in terms of Pakistan's economy. That group made a windfall profits from Korean War bonanza (1949) in the early 1950s and invested the same money afterwards on industry. Akbar Zaidi writes:

The industrialization process that took place in Pakistan in the mid and the late 1950s was ably nursed through by the bureaucracy, which played perhaps the key role in establishing industrial units in the country. State owned institutions like PICIC and PIDC were fundamental in encouraging the development of industry in key sectors. Moreover, a trade policy that had a formative influence on industry was also actively perused, so that a particular type of industrialization process could take root.<sup>53</sup>

Hence, Zaidi tends to give full credit to the bureaucrats and calls that particular development as 'bureaucracy-led and assisted industrialization'. For him the civil service was the only organized and modern institution to run the country in the first decade after Pakistan's independence, he thus discounts 'a large number of land owners, mostly feudals, and an equal number of sardars and tribal leaders'.<sup>54</sup> Zaidi's conclusion however raises more questions than it answers. One can contest him by saying that bureaucrats, by accumulating the economic resources further entrenched their control over the state apparatus.

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Not only the event is commemorated each year by a Remembrance Day but it also proved to be a beginning of the end."Tahir Kamran, "Islam, Urdu and Hindu as the other: Instruments of Cultural Homogeneity in Pakistan" in Bipan Chandra &Suchita Mahajan, eds., *Composite Culture in a Multicultural Society in Pakistan* (New Delhi: Pearson Longman, 2007), p.109.

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## The Era of Praetorianism (1958-71)





The decade of 1940s crystallized the communal fault lines, thus Pakistan came up as a separate state for the Muslims of the Sub-Continent on 14th August 1947. For over a decade its leadership kept on groping for political stability however bureaucracy and military coalesced to form an oligarchy and the political leaders of the country were consigned to the margins of the polity. After the demise of the founder Muhammad Ali Jinnah in April 1948, ruling oligarchy tightened its hold on the governmental machinery and ensured that 'fissiparous tendencies' are curbed with iron hands. The coterie of individuals colluding to grab their undue share of the pie, were Ghulam Muhammad, Chaudhry Muhammad Ali, Sikander Mirza and Gen. Ayub Khan. However, Ghulam Muhammad and Chaudhry Muhammad Ali were shoved to the back-ground by the wily Sikander Mirza in cahoots with Ayub Khan. Resultantly the political edifice of the country was, as if resting on the shifting sands; no government in such circumstances could bide enough time to establish itself on the firm footing. Ibrahim Ismael Chundrigar lasted only for a few months in office. The case of Feroze Khan Noon was no different either. Ian Talbot's comment on such a situation seems to hold a lot of water. He says, "Prime Ministers moved through the revolving doors of office with increasing rapidity as power slipped from Karachi to Army Headquarters in Rawalpindi".<sup>55</sup> Indeed with every day passing by, the Pakistani state inched closer to the *Martial Rule* as Ayesha Jalal puts it. Probably no one knew it to be an inevitable fact of Pakistan's political history.

'The kaleidoscopic politics of Pakistan' in the 1950 was punctuated by the instant realignment of the political loyalties resulted into unstable political climate. Despite political instability and ever increasing control being exercised by the oligarchy, the pressure continued to mount incrementally throughout 1957 and 1958 for holding the elections as provided under the 1956 Constitution. If elections were held then the projections suggested hardly any thing favourable for the rul-

ing oligarchy. Awami League was expected to sweep the polls in East Pakistan. Similarly the Muslim League under Qayyum Khan 'would have a solid majority in the West Pakistan.' Hamza Alvi thinks, "What the elections promised, with virtual certainty, was a democratically elected government in Pakistan strongly committed to the US alliance. One thing was, however, certain. President Sikander Mirza would have to go, for neither party would tolerate him".<sup>56</sup> Therefore the only way out for Sikander Mirza and the oligarchy was to resort to preemptive strike, hence the Parliament was dismissed and the constitution was abrogated. Sikander Mirza successfully torpedoed the election plan of the politicians. Therefore he and not Ayub Khan proclaimed the Martial Law on 7th October 1958. That coup dismantled the apparatus of constitutional government which, given the prospects of general elections, could throw up a new political leadership that would not be pliable enough. Such a prospect could put an end to the political manipulation of the Governor General and then, after 1956, President Mirza. So, it was not a military coup, as Hamza contends, although Martial Law was proclaimed.<sup>57</sup> Hence the country was ushered into the political *cul de sac* of praetorianism for almost fourteen years. Economic modernism and political conservatism were the two contradictory principles on which Ayub's state policy was hinged. He believed in absolute centralization of the state structure which implied all powers to be vested in his person. Khalid Mahmud is not off the mark when he says, "The rise of civil-military bureaucracy as a 'power-centre', culminating in Ayub 1958 coup and followed by an era of 'controlled democracy' was a death blow to whatever pretence of 'autonomous provinces constituting a federation' the country's ruling elite had".<sup>58</sup> However before analyzing his policy of centralization and its fall-out, it would be pertinent to shed some light on his profile as an Army Officer who gradually started nursing political ambitions. Thus he became the autocrat, with unbridled powers.

## Ayub's Profile

General Ayub Khan (1906-1975), a Hindko speaking Pathan from Haripur, was made first Pakistani C-in-C of the country's Army in January 1951 when he stepped into the shoes of outgoing General Sir Douglas Gracey. Ayub Khan, Salon among the Subalterns, in the words of Ian Talbot, was quickly promoted in super session to few of the distinguished senior officers like Gen. Akbar Khan. The reasons like administrative skills and presumed apolitical posture may also be attributed to his rapid rise to the position of power. He was given extension as C-in-C in 1954. His apolitical posture is a fact that can easily be contested because he had not only been privy to the political<sup>59</sup> intrigue since the days of Ghulam Muhammad but he was also undoubtedly one of the architects of Pakistani political landscape in 1950s. Concurrently he became Pakistan's Defense Minister when he already was C-in-C of the armed forces. Then he was powerful enough to veto any policy which he thought colliding with the interests of armed forces. Whatever may be the case he emerged as the most powerful man in political sphere in the 1950s, and 1960s. Besides Ayub Khan played an important role in aligning Pakistan's external and internal policies with the US interests.

The dominance of the military after independence was aided in Pakistan, as elsewhere in the developing world, by the support provided by the United States. An Authoritarian Survey of American Foreign Policy argued that "in many of the countries to which we extend foreign aid, the Army is the best organization in the country and frequently one of the most forward looking. In my own experience, this is conspicuously so in Pakistan...the American military assistance programme is increasingly aware of these possibilities and ... had tended to bring military and economic elements in closer contact." In a similar vein, an American President's committee concluded that "the military officer's corps is a major relying point in the

defense against communist expansion and penetration." The external linkages are worth emphasizing, since they determined the manner in which the Ayub regime justified its role in the society. The self perception of the government was provided by the ideological constructs of the modernization theory. The military was projected as modernizers of traditional society. In common with most self images, it was a flattering view."<sup>60</sup> Hence the military with the US support had become the senior partner in its nexus with the civilian bureaucracy took over the mantle of ensuring centralization in Pakistan. That aspiration on the part of military found its realization in the 1962 Constitution that has been discussed below in some length.

## Constitution 1962

In his book, *Friends not Masters*, Ayub Khan raises serious doubts on the ingenuity of Chaudhry Muhammad Ali who was the architect in Chief of the 1956 Constitution. To him that constitution was in complete disjunction with the genius of the Pakistani people. Therefore he felt a dire need of another constitution for the people and the country which had not yet been ripe for democracy as practiced in the West. Consequently, a new document was prepared and it was promulgated in 1962. The fundamental feature of that constitution was concentration of all powers in the hands of Ayub. Hence that constitution warranted a Presidential system of government with extremely powerful President and the federal government. The provinces lacked sufficient autonomy, making it virtually impossible for the Provincial Governments to function in an autonomous manner. That constitution provided one list of subjects, i. e. the federal list that had 49 items. The enhanced powers vested in the President and circumscribed role for the legislatures compromised whatever autonomy was granted to the provinces.<sup>61</sup> Pervaiz Iqbal Cheema and Rashid Ahmad

Khan also corroborate that contention when they say:

Under the 1962 Constitution, Ayub Khan introduced Presidential form of government with much greater concentration of powers in the hands of President than are normally allowed under a genuine Presidential government. As a former Chief Justice of Pakistan has remarked under 1962 Constitution, Pakistan practically ceased to be a federation, as the Centre personified by the President enjoyed overwhelming authority over the provinces in important spheres.<sup>62</sup>

Many analysts equated him with *Lyallpur's Ghanta Ghar*, a metaphor for the omnipotence accorded to Ayub Khan by that constitution. Justice M.R.Kyani among them was the most trenchant; calling it "constitution of the President, by the President, for the President". It was the sole prerogative of the President to appoint Provincial Governors as his agent, whose prime duty was to keep him informed about the political developments in the provinces. The Provincial Assembly was indirectly elected; comprising 'a bunch of hand-picked yes-men' getting that coveted position on the recommendation by the Deputy Commissioners. That Assembly was not more than a rubber stamp.<sup>63</sup> Once again for execution of the policies, Ayub reposed unequivocal faith on bureaucracy that was the mean for effective functioning of the governing machinery.

Routine decision making too was delegated to bureaucracy, while Army maintained a low profile and opted not to meddle in the affairs of civil administration. Hence there was hardly any deviation from the state structure whose foundations were laid by the British. Like Viceroy in the Colonial era, Ayub Khan counted root and branch on the steel framework of civil services.

The Constitution of 1962, contained such features, reminiscent of the British Raj, which succinctly stated that "Resolution and courage would be provided by the top leadership----me", and "Strong Central Government with dominant executive

would be independent of the 'whims of the legislature' " and to avoid these whims, members of National Assembly were chosen on 'personal merit'. The 1962 Constitution did not warrant any space to the political parties. It called for "A form of federation with provinces enjoying such autonomy as it is consistent with the unity and interests of Pakistan as a whole". Article 131 gave sanction to any step taken in the national interest. Omar Noman is spot on when he says:

The regime made confusion with the establishment of institution without the process of political institutionalization. Latter implies legitimacy for the formal structures of public authority. Their establishment without consent may be counter-productive. Instead of neutralizing political tensions, these institutions become a symbol of mass alienation. Under such circumstances, their significance lies not in the ability to incorporate specific groups but in their capacity to exclude critical sections of the population. Same happened in Ayub's regime. Only those sections of the society were incorporated which were patronized by the govt. and crucial communities were excluded. His structure had inbuilt capacity to exclude opposition. Such exclusion forced political communities to adopt violent means to register protest.<sup>64</sup>

## Political Policies

Far greater emphasis was placed on the execution of the policies than their formulation. The cardinal feature of the political policy formulation was the exclusion of the politicians from the political centre stage. He was quite categorical in blaming the 'unruly' politicians for all the malaise in the country. One way of keeping politicians at bay and ensuring safe stay of Ayub Khan in the President's office was to formulate a policy of political exclusion. This was done in the form of Elective Bodies Disqualification

Order (EBDO) authorizing newly established tribunals to put on trial the politicians for "misconduct". "Prosecution could be avoided if the accused agreed not to be a candidate for any elective body for a period of seven years. About 7,000 individuals were relegated to ignominy through EBDO in 1959. Hussein Shaheed Suhrawardy, Qazi Isa and Sahibzada Hassan Mehmud opted to face the trial hence they were arrested and faced prosecution"<sup>65</sup>

Ayub made full use of media in order to malign the politicians and afterwards without much success to trumpet the achievements of his regime. On 16 April 1959, a Martial Law Ordinance empowered government to take-over newspapers 'which published or contained matters likely to endanger the defense, external affairs or security of Pakistan'. Concurrently the Public Safety Ordinances already on the statute book to control news items was re-enforced in letter and spirit. On 28 March 1963, the Press and Publication Ordinance was promulgated 'to make the press conform to recognized principles of journalism and patriotism'.<sup>66</sup> Subsequently the Pakistan Times and the Imbroz were seized by the government. The Progressive Papers Limited was taken over because of its alleged leftist leanings. On 28 March 1963, publication of any news related to strike and industrial unrest was banned. In the same year, every newspaper was forced to publish press notes issued by the central and Provincial Governments. In order to curb the dissenting voices A National Press Trust was conjured into existence, which was financed by 24 industrialists and patronized by the state. The avowed purpose of its establishment was to foster and promote favourable sentiments for the Ayub regime. During the election campaign of 1964-65, the only available media, Radio Pakistan, adopted a policy of "blackout on the opposition viewpoint" and tried to reduce the coverage of Fatima Jinnah. Lahore radio station launched a programme *Massi Mehru* to ridicule women's participation in the elections.

Academia also was subjected to the strict vigil by the state

authorities. They were not allowed to publish their work, which had dissenting substance in it. Government did not brook any criticism. Such members of literati or intelligentsia were posted out to the remote places; Safdar Mir was one such example. None of the academics or the member of the faculty with the overt leftist leanings could be employed in the universities. If there were public manifestation of dissent on the part of the academia, they were meted out with the punitive action. Writer's guild was also conjured into existence with implicit motive of controlling the writers and the members of literati. Qudrat Ullah Shahab was particularly instrumental in putting it together with the likes of Jamil-ud-Din Aali. Through Writer's guild the state patronage was accorded to the literati, which proved quite detrimental for the intelligentsia in general and for the literature of the resistance in particular. Only a few voices were raised against the state's bid to control the writers and poets through devious means. Josh Malih Abadi and Habib Jalib were one of the dissenting voices in that regard.

Ayub's period is marked by perfect execution of policy. No hard thinking, however, had gone into the formulation of these policies. Control through the civil servant was the corner-stone of Ayub Khan's policy that also formed the basis of the system of Governance. He firmly believed in controlling all forms of political, social and cultural expressions. Even the judiciary was not spared. Law reforms that were instituted had virtually subjected the courts under the super-ordination of executive. Precedence of intervening in the business of the courts had already been set from Ghulam Muhammad's days. At the district level judiciary and executive instead of separating were converged in the office of Deputy Commissioner. Regarding the higher rung of judiciary, controlling mechanism from the state functionaries had become a norm. Judges were interviewed by Provincial Governors and the President to ascertain their loyalty towards the government.



## Bengali Under-Representation in the National Politics

Pakistan's political problems were rooted in structural imbalance between a Bengali majority and Punjabi-Muhajir dominance. During the decade of fifties, Bengalis negotiated with other stakeholders in the power politics and aspired to have a share in the Central Government. Constitution of 1956, despite several pitfalls did provide a framework in which the disparate groups and factions could be accommodated to a certain extent. However that constitution did not afford an ideal arrangement. Therefore Bengalis were frustrated as Military-Bureaucracy oligarchy ruled the roost leaving a little space in the matrix of power for Bengalis but they were not desperate, still looking for the light at the end of the tunnel. In 1959, elections were planned to be held, and they had a hope to have a democratic dispensation in which they would be the partners. However as mentioned earlier, Sikander Mirza's coup dashed all their hopes to the ground and the derailment of the political process was the fallout. Military- bureaucracy oligarchy was further strengthened at Bengalis expense. Non-representative set-up was imposed on them throughout Ayub's regime in 1960s. They were also under-represented in the services.

Exasperated over the draconian rule of an autocrat, in 1966, the mainstream political parties of East Pakistan presented a notion that in Pakistan there had existed two nations. That was indeed a clarion call, for the ruling oligarchy and also for the President but it responded with non-chalance. What ensued was a national conference in February 1966, held in Lahore, where all the opposition parties convened a conference to discuss their differences and common interests. The central issue however was the Tashkent Declaration, which most of the assembled politicians characterized as Ayub Khan's unnecessary capitulation to India. More noticeable issue however was the under-representation of politicians from the East Wing. About 700 persons attended the conference; twenty-one among them were from the Eastern

Wing. They were led by Sheikh Mujibur Rahman of the Awami League, who presented his controversial six-points, which encapsulated their political and economic program for East Pakistan. The six points consisted of the following demands that (a) the government be federal and parliamentary in nature, (b) its members would be elected by universal adult suffrage with legislative representation on the basis of distribution of population; (c) that the federal government would have principal responsibility for foreign affairs and defense only; (d) that each wing have its own currency and separate fiscal accounts; (e) that taxation ought to be levied at the provincial level, with a federal government funded by constitutionally guaranteed grants; that each federal Unit is authorized to control its own earnings of foreign exchange; and (f) each Unit is permitted to raise its own militia or paramilitary forces; on average 4,946 riots were reported in East Pakistan till 1966.

## Institutional Structure

### System of Basic Democracies

Ayub regime lasted for more than a decade, in the course of which the institutional matrix of the country, which was in its embryonic form in the 1950s, was tangibly re-defined with two prime objectives in sight: First, self-perpetuation in the corridors of power, second, to establish a "direct relationship between the bureaucracy and the rural elite (feudal lords)" by formulating a "network of allies for the government, based on the access to state's resources".<sup>67</sup> This new re-structuring, according to Omar Noman, was "a particular form of representational dictatorship"<sup>68</sup> based on a system of basic democracies introduced in October 1959. The country, therefore, was divided into 80,000 geographical units with each constituency comprising an average of 1000 electorate. Talbot while exploring the nitty-gritty of the newly founded system links it up with the colonial system of patronage, he therefore says, "Depoliticization marked a return to

the colonial administration's idea of political tutelage through indirect elections and official nomination of representatives. This approach was formalized in the Basic Democracies scheme".<sup>69</sup> Through the mechanism of the rewarding privileges and creating new elites state wanted to create legitimacy for the regime but reversely it exacerbated the social, economic and societal tensions.<sup>70</sup> Ayesha Jalal identifies the civil servants as the linchpin of the whole system of the Basic Democracies. They, according to her, were primarily responsible for selecting the candidates. In that exercise of selecting the representatives of the people, the rural elite got strengthened even further. Here is a quote from Ayesha Jalal's book *The State of Martial Rule*, "It was the bureaucracy particularly the CSPs that assigned the privilege to nominate half of the members of district and divisional councils in the newly introduced system of Basic Democracies. This arrangement in nomination virtually tipped the balance in favor of the rural politician. The role of industrial labour and intelligentsia, considered to be most volatile sections of the urban societies, was disenfranchised. The basic democracies order was opposed by the urban section of the society but it was incorporated in the Constitution 1962".<sup>71</sup> On Feb 6, 1960 the basic democrats were asked a simple question: "Do you have confidence in President Ayub Khan"? Thus Ayub Khan legitimized his position as the President of Pakistan by securing 95.6 percent votes.

## Economic Development or Differential Economic Patronage

Economic development, to Ayub Khan, was the panacea to all the problems that Pakistan had been plagued with. Therefore he launched a comprehensive scheme of economic development which commended by many. However, even a cursory look at the development that Pakistan notched up in the 1960s lead us to believe that economic development can only be sustained if it is coupled with political liberalism and stability, which is achieved

only through democracy. Democracy manages to preclude the emergence of monopoly groups; hence wealth does not concentrate into a few hands. Democracy therefore ensures relatively judicious distribution of the fruit of the development as its impact permeates down to the middle and lower middle echelons of the society. Thus Ayesha Jalal makes sense when she points towards the politico-economic contradiction that emanated out of the system of basic democracies, she opines somewhat categorically:

The exigencies hence adopted to make the BD system acceptable to whole of society in order to retrieve legitimacy for the regime was essentially pregnant with politico-economic contradiction. To quell any form of resistance from the disenchanted strata of the society the economic progress was considered as the viable solutions. But the BD system was concomitant with differential economic patronage to the narrowly defined political constituency. The assumption that rapid economic growth would trickle down to rest of the society, did not prove to the mark.<sup>72</sup>

Many portrayed Pakistan's development experience during the Ayub regime as an exemplary success story. In terms of growth indicators, the economy's performance was breath taking as Pakistan's development efforts yielded outstanding results. As a result of the second five year Plan the large scale manufacturing sector grew at the rate of 16.2 percent, the highest in the world. During the third five year's Plan, that rate got slowed down to 7.7 percent, still a good performance by the international standard. Even the agricultural sector, regarded as the 'sick-man' of economic development in the 1960s, achieved a respectable growth rate of 3.8 percent per capita income, which grew at the marginal rate of 2.8 percent in the fifties. The second five year Plan placed greater reliance "on market mechanisms and fiscal and monetary policies, instead of direct price, profit and allocation controls." The basic assumption of the Plan called for "the implementation of the

industrial development programme reliance will be placed primarily on private enterprise."<sup>73</sup>

In order to improve the investment climate in the country and particular to boost the morale of the private sector Ayub government adopted a number of policy measures. Investors were provided considerable cushion of fiscal incentives. Trade unions were proscribed and anybody inciting or effecting labour strikes could be charged and sentenced up to two years of imprisonment. A process of dismantling of direct controls on foreign exchange and investment sanctioning was initiated. A considerable increase in the rate of capital inflow into Pakistan was made possible. Hence increase from 2.5 percent of GNP in the mid-fifties to about 7 percent in the mid-sixties was notched up. The market for manufactured goods was made available by expanding the domestic demand instead of resorting to the policy of import substitution as it was the case in the fifties. However, after 1965 during third five year Plan period things started going awry. In the wake of 1965 war with India, all foreign aid to Pakistan was suspended, although it was resumed a year later but its volume was considerably reduced than that envisaged in the third Plan. The situation could not be improved as large amount of foreign exchange was apportioned for expending on the defense purposes after the war. Things changed from bad to worse because of the severe droughts in 1965 and 1967 led to the need for food imports, thereby putting further pressure on Pakistan's foreign exchange reserves.

Such exigencies put a check on the industrial growth, a rise in prices and the re-imposition of controls because of the foreign exchange constraint. The emphasis on the manufacture of capital goods, as outlined in the Third five year Plan had to be abandoned and greater focus was riveted on export oriented consumer goods industries.

The economic policies pursued by the government, which culminated into the rapid growth rate, gave rise to the tremendous political and economic tension. That tension led to the major

political unrest against the Ayub regime particularly in the winter of 1968. Urban areas were the hub of the mass protest movement spearheaded by the students, the industrial labour class and the lawyers. These demonstrations were triggered off by substantial increase in the prices of the consumer goods, and fed on the immense resentment against the increasing inequalities throughout Pakistan. Ayub's growth strategy was held responsible for these inequalities not only between income groups but also between regions.

Ayub regime's industrial strategy, with its emphasis on private initiative as means of accelerating development drew considerable flak. Izzat Majeed quotes a social scientist in order to demonstrate the wider impact of the two five year Plans. He writes, "The two five year Plans written under the supervision of Harvard University experts and implemented during the Ayub regime produced a plethora of meaningless growth rates by means of the establishment of 'import substitution' consumer goods industries under the patronage of, and in partnership with foreign monopoly capital. This type of lopsided industrialization fed on cheap labour provided by the impoverished masses, while social inequalities were maintained and deepened."<sup>74</sup> All said and done the Ayub regime emphasized the rapid economic growth without considering the issues of equality. The Bengalis termed it the consequence of ethnic composition of military and bureaucratic elite. In fact it was not a coincidence that the beneficiaries were either Muhajirs or Punjabis. National integration had to be constructed on the basis of policies and institutions. Ayub's policies seriously hampered this process of national integration.

<b>Growth Rates</b>	<b>1959-1964</b>	<b>1964-70</b>
Per capita income	3.5	3.7
Agriculture	3.7	6.3
Large-Scale manufacturing	16.9	9.9

Source: *Pakistan Economic Survey in Omar Noman, Pakistan: A Political and Economic History Since 1947* (London and New York: Kegan Paul International, 1990), p. 37.

Ayub Khan's policy of land reforms could not bring the social and political change as it was successfully circumvented by the landed elites. The Land Reforms Regulation was brought into force on 7 February 1959 which had been indeed a serious attempt at land reform in West Pakistan, which was dominated by the landlords. It was hailed by many as 'radical measure'. The high ceiling was 500 acres of irrigated land or 1000 acres of un-irrigated land. However, intra-family transfers along with numerous other irregularities severely restricted the amount of land which was resumed. Revenue officials nullified sales to tenants and 'landlords still charged rent on land that tenants had purchased!' Consequent to such anomalous conduct of those responsible for its implementation, the reforms failed to yield desired results. Big land holdings continued to exist and their owners kept on ruddering the destiny of this hapless country.

### Reaction of Ayub's Policies

In October 1968, the government sponsored a celebration called the Decade of Development. Instead of reminding people of the achievements of the Ayub Khan regime, the festivities highlighted the frustrations of the urban poor afflicted by inflation and the costs of the 1965 war. For the masses, Ayub Khan had become the symbol of inequality. Bhutto capitalized on this and challenged Ayub Khan. In East Pakistan, dissatisfaction with the system went deeper than opposition to Ayub Khan. In January 1969, several opposition parties formed the Democratic Action Committee with the declared aim of restoring democracy through a mass movement". Pakistan People's Party in fact mobilized discontented modern urban groups and traditional feudal forces against the regime.

By 1968 it was obvious that except for the military and the civil service, Ayub Khan had lost most of his support. Ayub Khan's illness in February 1968 and the alleged corruption of

members of his family further weakened his position. In West Pakistan, Bhutto's PPP called for a "revolution"; in the east, the Awami League's six points became the rallying cry of the opposition.

"On March 25, 1969, Martial Law was again proclaimed; General Agha Mohammad Yahya Khan, the Army Commander-in-Chief, was designated Chief Martial Law Administrator (CMLA). The 1962 constitution was abrogated, Ayub Khan announced his resignation, and Yahya Khan assumed the presidency. Yahya Khan soon promised elections on the basis of adult franchise to the National Assembly, which would draw up a new constitution. He also entered into discussions with leaders of political parties."<sup>75</sup>

## Praetorianism Continues

Yahya Khan is the most controversial and maligned figure in the political history of Pakistan. Not only he is jeered and condemned for some of his personal oddities but also for the alleged role, he played in the separation of East Pakistan. It is in fact the discourse of history that is constructed solely around the 'personality' which is regarded as the major factor to move the wheel of history forward that leads us to believe that such a momentous event of history was the doing of only one man. All nuances and subtleties of the historical process are conveniently overlooked. The role of Yahya Khan in effecting such an ominous change from Pakistani standpoint cannot be vindicated however it is also not justifiable to put all the blame of such event onto him as myriad currents and cross-currents wove the complex cobweb of historical course culminating into the dismemberment of Pakistan. That contention can be corroborated by what Lawrence Ziring says, "Yahya Khan has been widely portrayed as a ruthless uncompromising insensitive and grossly inept leader...while Yahya cannot escape responsibility for



these tragic events, it is also on record that he did not act alone...All the major actors of the period were creatures of a historic legacy and a psycho-political milieu which did not lend itself to accommodation and compromise, to bargaining and a reasonable settlement. Nurtured on conspiracy theories, they were all conditioned to act in a manner that neglected agreeable solutions and promoted violent judgements".<sup>76</sup>

Yahya was bequeathed a legacy of extreme centralization of which the concentration of power was the corollary and the political and economic mess of crescendo proportion. That precarious situation was compounded because the pendulum of divisive tendency had already swung and reached the extreme end. Yahya did not have the political acumen and insight nor the energy and the will to redeem a country that was stuck in the quagmire of knotty tangles. All said and done, Yahya regime was not a departure from the past rather it was a continuation. Hamza Alvi sums it up quite remarkably, "General Yahya Khan stepped in where Ayub Khan had left off. It was a much chastened military leadership, although it was clear that Yahya Khan represented a continuation of Ayub Khan, who personally had to go because he had come to symbolize a hated regime."<sup>77</sup> Before unraveling the liet motif of the study, the democracy and the Governance during the days of Yahya's regime, it seems worthwhile to relate the profile of Gen. Yahya Khan.

### Yahya's Profile

M.Yahya Khan was born in Chakwal on 4th February 1917 to a Shia Qizilbash family of Persian decent who could trace its military links to the time of Nadir Shah. His father Saadat Ali Khan hailed from Peshawar. Yahya did his graduation from the Punjab University with flying colours. Then he joined Military Academy Dehra Dun and got commission in Indian Army in 1938 as officer in the 4th Infantry Division. His early postings

were in North West Frontier Province. During the 2nd World War (1939-1945), he took part in military action against the axis power in North Africa, Iraq and Italy. In the course of a military campaign he was once captured by axis forces but successfully escaped from the prisoner camp in Italy in his third attempt. After Independence, he rendered meritorious services in reorganizing the Pakistan's Armed forces. His role in setting up the Pakistan Staff College at Quetta is indeed commendable. He commanded an infantry division during September 1965 war against India. It was in 1966 that Yahya Khan was elevated to the rank of a General and Commander-in-Chief of Pakistan Army. In the wake of wide spread turmoil and agitation, Ayub Khan ran out of all options but to relinquish power for Gen. Yahya Khan to take-over. He, immediately after coming to power declared Martial Law in the country on March 25, 1969 and assumed the title of Chief Martial Law Administrator. Only six days later, he, though reluctantly assumed the office of President as well.<sup>78</sup> Constitution was abrogated, and National as well as Provincial Assemblies were dissolved.

On March 29, 1970, through an Ordinance the interim Constitution in the form of the Legal Framework Order was drafted. It in fact provided a modus operandi for the holding of the forthcoming elections. Yahya Khan made a commitment to return to the civilian rule under a re-drafted constitution. He also agreed that representation in the Assembly should be determined by population distribution, ensuring that East Pakistan would have more seats than West Pakistan. He promised free and fair elections on the basis of universal 'one man one vote' principle. On 7th December 1970, the first elections since the creation of Pakistan were held for which Yahya deserves a due credit. However these elections could not restore political normalcy in the country. Instead political turmoil was compounded because the elections threw up a split mandate. The Awami League under the leadership of Shiekh Mujibur Rahman swept 160 out of 162 seats allocated to East Pakistan. Iron-

ically Awami League could not secure even a single seat from the Western Wing. Zulfiqar Ali Bhutto's Pakistan People's Party emerged as the single largest party from Punjab and Sindh and won 81 National Assembly seats, all from the Western Wing. Thereby, neither Bhutto nor Mujib was ready to accept his adversary as the Prime Minister of Pakistan, which vitiated the political climate of the country. Both of them remained obdurate over the convening of the session of the National Assembly thus the impasse continued. Now it was up to Yahya to take a decisive action but he messed up the situation even further. Political agitation became a recurrent feature in East Pakistan. The coercive policies of Pakistani state and Indian intrusion aggravated the situation. This resulted in war between India and Pakistan in 1971 that culminated into the dismemberment of Pakistan. Yahya had to resign and put in a house arrest by his successor Z.A. Bhutto. He breathed his last on 10th August, 1980 in Rawalpindi.

### Problems inherited from Ayub

Anarchy and chaos reigned supreme when Gen. Yahya Khan took over as the Chief Martial Law Administrator of Pakistan. The situation was far grimmer than that of October 1958 when Sikander Mirza proclaimed Martial Law. Then people were virtually sick and tired of the ineptness of the politicians and the lack of political stability that was also adversely affecting the state of Pakistan's economy. Therefore people heaved a sigh of relief when Martial law was enforced. Quite conversely when Gen. Yahya seized power, the political leaders had salvaged their lost reputation to a substantial extent and also regained the mass support. Further more, during the last five months of Ayub's rule complete erosion of the political institutions spawned disorder of the worst kind. Left-right confrontation, regional emotionalism and other political issues like demand for maximum autonomy in East Pakistan had added into the

criticality and complexity of Pakistani polity.

Ian Talbot rivets his entire focus on two factors considering them at the heart of the precarious situation that prevailed during the concluding phase of Ayub era:

a) The 1965 war 'underscored the geographical isolation and vulnerability of the Eastern Wing'.<sup>79</sup> During the seventeen day military campaign, East Pakistan 'was left to fend for itself in defense and economic matters'. Only one infantry division aided by a squadron of Korean War, vintage US-built F-86 Sabre jets was what had been available for East Pakistan to feel content with, against vastly superior adversary. Thus the demand for an independent defense capability started finding resonance among the Bengalis. Quite contrary to what is being propagated in the Pakistani textbooks and media, the Operation Gibraltar failed to achieve the desired target, of liberating Kashmir. Besides, the vulnerability of Pakistan armed forces was starkly exposed as on the eastern border of West Pakistan, Lahore was almost lost to Indian troops but for the gallantry of Aziz Bhatti who lost his life but saved Punjab's capital. All said the 1965 war 'undermined the myth of the West Pakistan martial caste's military prowess' which must have encouraged Bengali enthusiasts to expedite their movement for the East Pakistan's autonomy. Lastly the depression which was spawned by the war led to 'the further diversion of resources to the West Pakistan military' resulting in the yawning economic gap between the two wings.

b) Agartala Conspiracy Case: In January 1968 a case was instituted against thirty five 'conspirators' who were allegedly working 'to bring about the secession of East Pakistan with the Indian help'. Sheikh Mujibur Rahman was the most prominent among them. That case came to be known as the Agartala Conspiracy Case "since it was at Agartala that the accused were alleged to have met Indian Army Officers."<sup>80</sup> Later revelations pointed to secret discussions of Mujib with local Indian leaders but it was in July 1962. Thus Ayub Government had some rea-

sons to proceed against the champions of provincial autonomy enshrined in famous six points. According to Talbot, however, the Agartala contacts did not provide solid evidence, suggesting Mujib at the behest of India hatched secessionist conspiracy in East Pakistan. Therefore the trial against the accused proved to be extremely counter-productive particularly in such a volatile political atmosphere.

Mujibur Rahman was already behind the bars since May 1966 causing indignation among the Bengali bourgeoisie. However when the reports of police torture were revealed to the public, Mujib and his co-defendants took on the status of martyrs. "Moreover, the hearing in open court presented Shiekh Mujib with the perfect platform to argue the Awami League cause."<sup>81</sup> One mistake after the other on the part of the government undermined the credibility of the Agartala conspiracy case. In East Pakistan the powder keg was virtually ignited when one of the defendants, Sergeant Zahurul Haq was tortured to death while in custody. In these circumstances, the students were in the vanguard of the protests in East Pakistan, conjuring up in the process 'an Action Committee with its own 11-point Programme'. In order to placate the dissenting elements from East Pakistan, Ayub withdrew the case and decided to convene a round table conference. Mujibur Rahman went to participate in the round table conference but on the question of provincial autonomy he staged a walk out. Hence Round table conference failed to achieve what it was convened for. Consequently the situation kept on deteriorating, thus providing no light for the Ayub regime at the end of the tunnel. Change of the Horse Man seemed quite imminent.

The situation was not very conducive in West Pakistan either. The sentiments against One Unit scheme had been smoldering for long. Ruling elite comprising Punjabis and Muhajirs did not pay any heed to the demands of those asking for decentralization. Resultantly not only Bengalis committed themselves to tread the separatist path but ethnic rivalry plagued

West Pakistani political scenario, posing a challenge of immense proportion to Yahya the very moment he assumed his office.

Conclusively a lengthy quote from Wikipedia sums up the thorny issues that Yahya had to grapple with, it says, "Yahya inherited an extremely complex problem and was forced to perform the multiple roles of care-taker head of the country, drafter of a provincial constitution, resolving the One Unit question, satisfying the frustrations and the sense of exploitation and discrimination successively created in the East Wing by a series of government policies since 1948. All these were complex problems and the seeds of Pakistan Army's defeat and humiliation in December 1971 lay in the fact that Yahya Khan blundered unwittingly into the thankless task of fixing the problems of Pakistan's political and administrative system which had been accumulating since for 20 years and had their actual origins in the pre-1947 British policies towards the Bengali Muslims".<sup>82</sup>

## The Martial Law Administration

For the Administration of the Martial Law Pakistan was divided into two zones. West Pakistan was Zone A. Similarly East Pakistan had been declared as Zone B. After the break up of One Unit on 1st July, 1970, new zones were brought into being in the newly-created provinces namely Punjab, Sindh, North-West Frontier Province and Balochistan. Each zone was administered by Deputy Chief Martial Law Administrator, who up till August 1969 acted as its Governor. Those zones were subdivided into sectors and sub-sectors whose administration was assigned to military officers. Yahya set up a Council of Administration comprising three Deputy Chief Martial Law Administrators namely Lt.-Gen. Abdul Hamid Khan, Air Marshal Noor Khan, and Admiral S.M. Ahsan. Yahya Khan himself was its chairman and his Principal Staff Officer, Maj-Gen. Syed Ghu-

lam Muhy-ul-Din Pirzada, as its Secretary.<sup>83</sup> The Council of Administration remained functional till 3rd August 1969. The four officers constituting the Council acted as eminence grise for Yahya. "They controlled the whole administration, central and provincial, through the office of the Chief Martial Law Administrator."<sup>84</sup> However on 3rd August Yahya appointed a Cabinet which continued to function till February 1970. Despite that Cabinet the four Generals remained through out in a privileged position. They were the key decision makers.

While scrutinizing the careers of the Ministers demonstrate quite clearly that the military-bureaucracy nexus was still calling shots despite the fact that it contributed significantly to Ayub Khan's down-fall. Hasan Askari Rizvi furnishes us this detail, "Four of the eight ministers were former senior bureaucrats (Two of these four had been Police Chiefs of their Provinces). Two of the other four were former politicians who held Cabinet posts before Ayub Khan took over in 1958. The seventh was a retired Major-General and a graduate of the R.M.A.Sandhurst. The eighth minister was a former Chief Justice of Pakistan. Except the two former politicians, the rest of them held important official posts in the past."<sup>85</sup>

Yahya Khan also established a National Security Council, chaired by himself with Maj-Gen. Ghulam Umar as its Secretary. The span of its activity, however, remained very limited. As the situation in East Pakistan became turbulent leading to a civil war, National Security Council became dormant. Nevertheless Maj-Gen Umar drew quite close to Yahya Khan in due course.

### Appeasement by an Autocrat

Commander of the 10th Division stationed at Lahore, Major-General Wasi-ud-Din held view in 1963 was that: "The only thing for the Central Government to do is to recognize and admit the mistakes it has made in the Eastern Wing since Parti-

tion and through sympathy and understanding' try to deal with the East Wing problems. Forceful or repressive measures will not only fail, but will only contribute to a further deterioration in the political situation there".<sup>86</sup> That quote is a clear reflection of the symptoms which were quite visible even in 1963. Autocratic attitude and the policy of extreme centralization had started giving rise to the sense of alienation particularly in East Pakistan. Other than the microscopic minority in the ruling civil-military oligarchy, large segment of the society was rendered utterly disenfranchised. They had virtually no role in the decision making process during Ayub Khan's eleven years rule. Needless to emphasise however, situation had not been any different even before 1958. Sensing the urgency, Yahya Khan undertook the policy of appeasement in order to placate the alienated sections, Bengalis in particular. Therefore in his broadcast to the nation on 28 July 1969, Yahya expressed his firm intention to redress Bengali grievances, the first major step in this direction being, the doubling of Bengali quota in the defence services. At that time East Pakistanis had just seven infantry battalions. "Yahya's announcement, although made with the noblest and most generous intentions in mind, was late by about twenty years. Yahya's intention to raise more pure Bengali battalions was opposed by Major General Khadim Husain Raja, the General Officer Commanding 14 Division in East Pakistan suggesting that the Bengalis were "too meek"."<sup>87</sup>

### Appeasement with Social Reform

Yahya Khan's main objectives as he stated many a time was to restore law and order, facilitate installation of constitutional government and return to the barracks. However, he wasted away lot of time in unnecessary ventures some of which caused confusion and social conflict.<sup>88</sup> He tried to introduce new set of reforms in various sectors for which no planning had been done. Therefore, all such recommendations gave rise to fierce



controversies. "The draft education policy proposed radical reforms calling for: universal literacy by 1980; nationalization of private educational institutions including foreign missionary institutions; replacement of English by Bengali and Urdu as official languages by 1975; teaching of Islamiyat up to class X; and drastic amendments in the University Ordinance."<sup>89</sup> Waseem observes that the "policy remained operative for window-dressing purposes only, while its substance soon melted away".<sup>90</sup>

Yahya was conscious about two groups who actively participated in anti- Ayub protests that were students and workers. During Ayub days, labour was divested of the right to strike and trade unions were also banned. That was one of the reasons that labour was quite vociferous in protesting against Ayub Khan's arbitrary policies. In order to redress that grievance of labour Air Marshal Noor Khan announced a new labour policy whereby the right of collective bargaining was restored, and in case of the failure of bilateral negotiations the right to strike and lock out was also restored. The newly drawn up labour policy further simplified the method of recognition of trade union, provide regulations for their proper functioning reduce administrators powers of prosecuting the union in the court of law in cases of default and extended legal protection to the office bearers of the union. Welfare fund with rupees one hundred million as seed money was instituted. The main objective of that policy was to appease labor; however, one must not be led to believe that government had withdrawn its control over the labor. Planning commission termed these proposals too 'radical'. It was also of the opinion in the words of Waseem, "the government has legislated the important sphere of industrial relations without effecting an agreement between employers and employees on the basic tenets."<sup>91</sup> Hence, the policy failed to address the workers problems.

The Yahya Khan regime was aware of the role that the economic planning and development policies played in bringing

down Ayub government. Therefore, several measures were taken to promote 'social justice and egalitarianism' in order to prevent concentration of wealth in a few hands and the springing up of the monopolies as well as restrictive trade practices (control and prevention ordinance, 1970) was promulgated. The previous economic policy aimed at "production maximization" which was replaced in favor of social welfare orientation. Unfortunately the proposals of planning commission could not be materialized owing to lack of funds.<sup>92</sup> A new financial institution, Equity Participation Fund was set up with its headquarter at Dhaka. It was supposed to supplement the capital resources of small and medium sized enterprises in the private sector in East Pakistan and also in the under developed region of West Pakistan. The head office of the Industrial Development Bank was also shifted to Dhaka.

The fourth five year Plan (1970-75) was a clear reflection of the Government's desire to undertake a wider distribution of resources and fruits of economic development.<sup>93</sup> In that Plan 52.5% of the total fund and resources were allocated to East Pakistan as against 36% in the Third five year Plan. However, the fourth five year Plan fell prey to the political controversy and the conflict, "even before the commencement of the plan, several political quarters demanded its postponement due to what was described as shortfall in all sectors of East Pakistan in third five year Plan. It was demanded that these shortfalls should be rectified prior to the introduction of new Plan."<sup>94</sup> Another contention was that the new Plan ought to be introduced by the elected government after 1970 elections. Such contentions and arguments were set aside by the military leadership and Plan was introduced. It was however, disrupted because of the insurgency and the military actions in East Pakistan.

In order to put a curb on growing nepotism, favoritism and corruption in the civil administration and to rehabilitate its neutrality many Martial Law regulations were enforced. Members of the public were encouraged to launch campaigns against the

cases of bribery, smuggling, black marketing or any other form of corruption to the military authority. Yahya also tried to cut higher civil services down to its size. Under the Martial Law regulation no. 58, 303 class-1 civil officers were suspended on the charges of misuse of power during the last eleven years. Although they were provided opportunity to defend themselves but barring handful few rest of them were either dismissed or compulsorily retired from service. The state structure was liberalized by relying on professionals in order to reduce the influence to bureaucrats in the policy making process. All that notwithstanding, there remains no doubt that under the Yahya regime the real power rested at the centre which was the secretariat or CMLA headquarter. Lt.Gen Pirzada was calling shots. Once he observed with respect to the civil services, "we (the Army) took the blame last time (during Ayub Khan's Martial Law) when every thing was done by the civilian (i.e. bureaucracy). This time we will do every thing and take the credit too."<sup>95</sup>

The abolition of One Unit scheme, elevating Balochistan to the provincial status on July 1st 1970 are some of the creditable measures that Yahya regime undertook, despite Waseem's observation that these measures undermined Yahya regime's relationship with the Punjabi elite.<sup>96</sup> With the abolition of One Unit, the principle of parity between East Pakistan and West Pakistan automatically stood nullified. During the tenure of Yahya Khan, the states of Chitral, Swat and Dir were merged with West Pakistan. These states until that time were being ruled by their princes despite their accession to Pakistan.

Immediately after assuming power, Yahya Khan made a promise of holding free and fair elections. In order to fulfill this promise he appointed justice Abd-us-Sattar judge of the Supreme Court of Pakistan as Chief Election Commissioner on 28th July 1969 to prepare 'electoral rolls and delimit constituencies'.<sup>97</sup>

Yahya Khan promulgated Legal Framework Order on 30th March 1970. It was meant to provide the guide lines for the gen-

eral elections and the salient features that the future constitution must embody. These features are given as under;

1. Pakistan would be a federal republic, known as the Islamic Republic of Pakistan, ensuring its independence, territorial integrity and national solidarity;
2. Islamic ideology would be preserved;
3. the head of the state would be a Muslim;
4. democratic principles would be ensured by holding national and provincial elections on the basis of population and adult franchise
5. fundamental rights would be guaranteed;
6. independence of judiciary would be secured
7. provinces would have maximum autonomy consistent with independence.<sup>98</sup>

The points emphasized in the Legal Framework Order are given as under:

**ROLE OF PRESIDENT:** The biggest controversial issue regarding LFO was the unbridled powers of the President. The Constitution could be valid only if authenticated by the President.<sup>99</sup> In case President does not authenticate the Constitution then not only it would be considered nullified but the National Assembly would also be dissolved. The political analysts were critically disposed to the President's discretion to "decide any question or doubt as to the interpretation of the LFO"<sup>100</sup> which could not be even challenged in any court of Law. Therefore, it was contrary to the principles of democracy. Omer Noman seems justified when he says that "Yahya had no intention of surrendering complete power to civilians, hoping to retain a permanent role for the Army in a new constitutional structure".<sup>101</sup>

**ROLE OF PARLIAMENT:** National Assembly was supposed to frame constitution within 120 days, a time period which, to many was highly insufficient for such a momentous task. Total members for the National Assembly were to be 313. The National Assembly seats allocated for East Pakistan were 169.

Punjab had 85 seats whereas Sindh, NWFP and Balochistan had 28,19,5 seats respectively. Tribal areas had 7 seats for National Assembly. The break up of the seat for five Provincial Assemblies is given in the Schedule, given below:

COMPOSITION OF PROVINCIAL ASSEMBLIES

Province	General Seats	Women Seats	Total
East Pakistan	300	10	310
Punjab	180	6	186
Sindh	60	2	62
NWFP	40	2	42
Balochistan	20	1	21

Five principles were deemed obligatory to be incorporated in the future constitution. 1. Islamic ideology and Muslim head of the state. 2. free and transparent periodical elections based on universal adult franchise, 3. independent judiciary and guaranteed fundamental rights of the citizens, 4. maximum provincial autonomy in a federal system and 5. adequate powers to the Central Government to ensure the territorial integrity of the country.

ISLAM AS AN INSTRUMENT OF LEGITIMACY: Islamic ideology was emphasised as the rationale of Pakistan. Few conservative Generals like General Sher Ali and Umer promoted ideology quite vehemently. They also tried to popularise two nation theory to counter the politics of left, particularly in the 1960s which was termed as un-Islamic.<sup>102</sup> The LFO also laid down the condition that the Head of the State had to be the Muslim.

LFO was in fact a strategy of appeasement toward political parties. According to Ayesha Jalal "the LFO was a part of a well planned strategy to preempt a constitutional framework un-acceptable to the military establishment and its bureaucratic allies. So, even if the regimes assumption that the elections would not throw up a clear majority for any party proved to be

mistaken, the LFO was an insurance against shifts in the balance of power within the existing state structure...the Yahya regime had no intention of transferring power to any political configuration-whether from eastern or the western half of the country-which aimed at circumscribing the interest or reducing the dominance of the two main institutions of the Pakistani state."<sup>103</sup>

### Failure of Appeasement Strategy Crises in East Pakistan

**ELECTIONS OF 1970:** In December 1970, the results of the elections saw Pakistan split into its Eastern and Western halves. In East Pakistan, the Awami League (led by Mujibur Rahman) won almost all the seats but two (160 out of 162), ironically however it could not secure even a single seat in West Pakistan. The case of the West Pakistan was no different; the Pakistan People's Party (led by Zulfikar Ali Bhutto) won the lion's share of the seats. It bagged 81 seats but from East Pakistan it could not get any seat. The Awami League secured 75.11 percent of the total votes cast in East Pakistan. It merely got 0.07%, 0.25%, 0.22% and 1.06% of the votes cast in Punjab, Sindh, NWFP and Balochistan respectively.<sup>104</sup> This led to a situation where one of the leaders of the two parties would have to give up power and allow the other to be the Prime Minister of Pakistan. The situation also spawned agitation, especially in East Pakistan when it became apparent that Sheikh Mujib was being denied his legitimate claim to be the Prime Minister of Pakistan. Political impasse ensued with no amicable settlement in sight. Waseem believes that Yahya was expecting hung Parliament which could provide military an opportunity to "act as broker".<sup>105</sup> By 1970 it was clear that "the institutional stakes of the military and the bureaucracy within the existing state structure were much greater than those of the social groups represented by the Awami League and the PPP."<sup>106</sup>

## Military Alliance with Minority

Victory of Awami League was surprising for the intelligence agencies. Yahya assumed the role of arbiter. Hawkish figures in the Army did not believe Mujib. "Z.A.Bhutto allied himself with the hawks in the Army, threatening to break the legs of party members who dared to attend the inaugural session of the National Assembly scheduled for the 3rd March 1971".<sup>107</sup> Bhutto said in an interview "a separation of East Pakistan might not be an undivided disaster after all, because we are a very unwieldy country now and the only way to keep together would be to have a type of loose constitutional arrangement that would provide a dangerous precedent for West Pakistan, where the Baloch would demand the same thing. We might be better off with a smaller but more manageable and more compact Pakistan."<sup>108</sup>

Awami League six-point formula was nothing less than a nightmare for Yahya Khan and his advisors. It was becoming clear as the light of the day that Mujib would not agree to any thing less than a constitution, fully reflective of Awami League's six point agenda. Nevertheless, Yahya Khan and his coterie of advisors were adamant to bring Mujib down for a compromise. Fortuitously for them Bhutto's stance on six-point formula came to them as a big relief. Hence, Yahya Khan postponed the National Assembly session scheduled on 1st March, 1971 saying the biggest political party from West Pakistan was not taking part in the inaugural session. He also claimed the postponement of the session would give more time to the political leaders to work out a political settlement. Subsequently, he announced 25th March, 1971 as a new day for the Assembly session. The postponement gave rise to a serious political turbulence in East Pakistan. A call for civil disobedience "brought about the complete closure of government, semi-government offices, all business concerns, the High Court and banks; transport came to a grinding halt"<sup>109</sup> That situation heralded a beginning of an end. Slogan of outright

independence was raised by the hard core Awami League leaders. From March 1971 onwards Awami League unleashed a reign of terror on the non-conformists and particularly on the members of Urdu speaking community. Awami League leaders took over the reins of power in their own hands. The writ of the state had virtually collapsed. Yahya in that circumstance decided to use coercive power of the state to crush Awami League's burgeoning power. On 25th March he ordered Army to strike and put down what he described 'an armed rebellion'. Hence the Operation Searchlight was kicked off on 25th March 1971. "Full scale military terror (was deployed) in defence of a unitary state and a vice-regal tradition on the part of a regime that preferred, in the long run to lose half the country than to come to terms with the democratic aspirations of the (Bengali) majority of the Pakistani population."<sup>110</sup> The Awami League was proscribed as a political party and all the prominent leaders including Mujib were put behind the bars.

The Operation Searchlight was a long drawn and bloody engagement between Bengalis and the Army. Militant wings of Awami League were very active and their ranks swelled when a large number of personnel from the East Pakistan Rifles, East Pakistan Regiment and the Bengali Police deserted, some of them ran away with the arms. In addition to that the East Pakistani public had turned against Pakistan Army. Such a situation proved very conducive to the guerillas of Mukti Bahini who retreated to the rural areas and offered refuge by the Bengali people whenever Army launched an operation. The Indian support to Mukti Bahini added to the vulnerability of Pak-Army. Hasaan Askari states, "India jumped on the political crisis in East Pakistan as the 'chance of the century' to humble her traditional adversary".<sup>111</sup>

Furnishing minute details about the Bengali insurgency and Indian support to the separatist movement does not fall within the



scope of the study. Suffice it to say however, the outcome of that bloody struggle was the separation of East Pakistan. Conclusively speaking it was the policy of centralization of the Central Government that led to such a horrific finale.

Between 1958 and 1971 two military rulers tried consolidating state authority and implementing externally stimulated development strategies without being inconvenienced by unstable ministerial coalitions which had so characterized Pakistan's first decade after independence. Both relied on the support of a predominantly Punjabi Army and civil bureaucracy and, through the extension of differential patronage, on social and economic groups with political bases that were neither very extensive nor wholly independent as to pose a serious threat to the stability of the regimes... the collapse of the two regimes is a resounding comment on the limitation of state consolidation under military and bureaucratic auspices as well as the resilience of political opposition whether organized or semi organized in societies subjected to systematic de-politicization." <sup>112</sup>

Military is uncompromising regarding any intervention by civilian in their organizational and professional autonomy. The Services Chief resists any ministry defence tempting with their personal recommendations including promotion, transfer and postings. (Hasan Askari Rizvi, "Civil Military Relations in Pakistan," Herald (May 1989): p. 40)

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The Era of Populism<sup>113</sup>  
Zulfi Bhutto (1971-1977)



*From Napoleon I imbibe the politics of power; from the pamphlet (Karl Marx's Communist Manifesto) I absorbed the politics of power. (Zulfiqar Ali Bhutto)*

**B**orn on July 5th 1927, Zulfiqar Ali Bhutto, the scion of a wealthy and well known landlord family from Sindh was son of Sir Shah Nawaz Bhutto. Bhutto was born at a time when the struggle for India's independence was approaching a climax. The Muslims of the Sub-Continent had started voicing their concerns with increasing authority and confidence. The Shah Nawaz Bhutto's residence in Bombay was a popular meeting place for leaders, thus giving Bhutto an opportunity to learn the gospel of politics directly from the first rate practitioners of that age.

After schooling in Karachi, he went to University of Southern California in the United States and then transferred to University of California, Berkeley, from where he graduated with a BA in Political Science. Subsequently, he obtained a law degree from the University of Oxford in England. Thereafter, he was offered a teaching position in the faculty of Law at the University of Southampton. He lectured there for some time but preferred to come back. He taught constitutional law at the Karachi University but only briefly. He also practiced as a barrister at the Sindh High Court in Karachi from 1954 to 1958.

Bhutto was a landlord and could have expected to protect the interests of his class. He was a Sindhi, and was to be looked upon to stand up for Sindh. Contrarywise, education in the Western elite institutions inculcated in him the deep understanding of such ideologies like socialism, democracy, equality and rights of the downtrodden. He was educated in the early 1950s when Khrushchev's Russia was rapidly catching up the capitalist United States, and US and UK governments had accepted the importance of the "welfare state system." This was also the time when the civil right's movement in the United States was advancing rapidly, and the world was celebrating the success of the several

national freedom movements. This was bound to make Bhutto lean favorably towards socialism, worker's control over the means of production, and against oppression of whether feudals or capitalists. Leading economists and social scientists were portraying the state as benign, while landlords and capitalists were all portrayed as either motivated by self interest or selfishness only or by the outright desire to be evil. Consequently the state was the only tool that could be entrusted with the responsibilities of production and distribution of rewards.

On October 22, 1958, Bhutto joined the Ayub Khan's Cabinet as the Minister Incharge of fuel, power and natural resources. In January 1963, he was entrusted the more important and high profile Ministry of Foreign Affairs. In both these positions Bhutto's stance was clear from the actions and initiatives that he took. The successful negotiations of an oil exploration agreement with the USSR in 1961, and development of ties with Socialist China were indicative of the direction that he wanted Pakistan to take. In a realm of foreign policy he tried his best to wean Pakistan away from West. Rafique Afzal calls him as "one of the architects of the famous Beijing-Jakarta-Islamabad axis" hence he was "the prime mover in Pakistan of the idea of holding the second Afro-Asian Conference".<sup>114</sup> Such initiatives brought him closer to the socialist elements in the country, which later helped him in developing a PPP constituency among the working classes of Pakistan-especially the unskilled and semi-skilled sections of the proletariat.

He was not merely a minister in Ayub's Cabinet. Among the multiple facets of his personality, the organizational ability figured quite prominently in him. Ayub, in recognition to that ability of Bhutto, appointed him as the Secretary General of Convention Muslim League after the 1965 Presidential elections. Bhutto reached the zenith of fame and popularity during 1965 war, particularly when he vehemently pleaded Pakistan's case before the Security Council. However, Tashkent Declaration in 1966 sowed the seed of discord between Ayub and Bhutto. Parting of the ways

came about immediately afterwards and he tendered his resignation from Secretary Generalship of Convention Muslim League in March 1966.<sup>115</sup> He also quit his post as foreign minister. In November 1967, he founded the Pakistan People's Party at a convention of political workers in Lahore.<sup>116</sup> The party leadership adopted a tricolour with green, black and red patches as People's Party's standard. Three catchy slogans epitomized party's seventy two page manifesto that were, "Islam is our faith; democracy is our polity and socialism is our economy".<sup>117</sup> Rafique Afzal succinctly summarizes the mission statement of the party that "emphasized the need to improve the lot of the poor by restructuring the current "colonial" and "capitalistic" system through a socialist programme. It called for the creation of a new constitution by a new Assembly; nationalization of basic industries, banks and insurance companies; reforms to better the conditions of both urban labour and rural peasantry; a non-aligned foreign policy; withdrawal from the defence pacts, SEATO and CENTO, immediately, and from Commonwealth at a "proper time", solidarity with Afro-Asian and Latin American countries, particularly the Muslim ones; dissociation from the Tashkent Declaration; and settlement of the Kashmir and other disputes with India."<sup>118</sup> Some of the important developments during Bhutto's rule are mentioned as under:

1. Mr. Bhutto organized the second Islamic Summit in 1974 at Lahore.
2. Simla Agreement Signed. Pakistan got back 5000 square miles of territory occupied in 1971 war.
3. National Book Foundation was established on 24th September, 1972
4. Establishment of NDFC on 5th February, 1973.
5. Establishment of Quaid-e-Azam University on 9th February, 1973.
6. Establishment of Port Qasim Authority on 27th June, 1973.
7. Identity Cards for Citizens on 28th July, 1973.



8. He laid foundation stone of Pakistan Steel Mill on 30th December, 1973.
9. Establishment of Allama Iqbal Open University on 21st May, 1974.
10. Bhutto inaugurated Pakistan's First Seerat Conference on 3rd March, 1976.
11. Mr. Bhutto proposed a Third World summit on September, 1976.
12. Banned alcohol, gambling and other un-Islamic activities, also declared Friday as weekly holiday instead of Sunday.
13. Zulfikar Ali Bhutto withdrew Pakistan from Britain's Commonwealth of Nations and U.S. dominated SEATO.

Bhutto was a spell binding orator. He had the knack of casting a spell on those among the audience, in his generally very large public rallies. Besides his oratory that enthralled and inspired many, Zulfi Bhutto was also a prolific writer. Numerous books and pamphlets vouch for his immense potential as a pen pusher with popular appeal. Some of his books are listed below:

- *Peace-Keeping by the United Nations* (Karachi: Pakistan Publishing House, 1967)
- *Political Situation in Pakistan* (New Delhi: Veshasher Prakashan, 1968)
- *The Myth of Independence* (Lahore and Karachi: Oxford University Press, 1969)
- *The Great Tragedy* (Karachi: Pakistan People's Party, 1971)
- *Bilateralism: New Directions* (Islamabad: Government of Pakistan, 1976)
- *The Third World: New Directions* (London: Quartet Books, 1977)
- *My Pakistan* (New Delhi: Biswin Sadi Publications, 1979)
- *If I am Assassinated.....?* (New Delhi: Vikas, 1979)
- *My Execution* (London: Musawaat Weekly International, 1980)
- *New Directions* (London: Namara Publishers, 1980)

## PPP in Power

Pakistan People's Party under Bhutto swept to power in the first general elections which were held on 9 December 1970 for the first time in the twenty three years' history of Pakistan. It could not, however, forge any political agreement with Awami League, "which as the mouthpiece of Bengali nationalism had won all but handful of seats in the Eastern Wing".<sup>119</sup> The widening fissure between PPP and Awami League formed the background to the launching of Operation Searchlight, a military action against the Bengali insurgency on 25 March 1971. Military action in East Pakistan ended in a disaster as the separatist movement brewing up in East Pakistan fructified in the formation of Bangla Desh in December 1971. Thus the civilian rule could at last be established but at a price of the dismemberment of Pakistan. The Pakistan Army was thoroughly discredited and the morale of the masses was at its lowest ebb when Zulfikar Ali Bhutto took over the reins of the government in December 1971. Mohammad Waseem's analysis seems quite apt and perspicacious; according to him, "Bhutto's assumption of power in West Pakistan represents a break not only with East Pakistan but also with the first generation of leadership in the post independence period. A whole new stratum of political leaders emerged to take up responsibilities under the PPP rule from 1971 to 1977. This transition was, however, not limited to the age factor alone. A far more significant change had taken place in the form of shift from the status quo orientation of the previous rulers of Pakistan to a commitment to economic and administrative change. In that sense, the second generation leadership managed to recreate some of the dynamism of the independence movement in terms of mass mobilization."<sup>120</sup>

In the first broad-cast to the nation Bhutto while trying to cultivate the much needed optimism said, "We are facing the worst crisis in our country's life, a deadly crisis. We have to pick up the pieces, very small pieces, but we will make a new Pak-

istan, a prosperous and progressive Pakistan, and a Pakistan free of exploitation. A Pakistan envisioned by the Quad-e-Azam....That Pakistan will come, it is bound to come. This is my faith...but...I need your co-operation. I am not magician...without your co-operation I simply cannot succeed. But with your co-operation...I am taller than the Himalayas...You must give me time, my dear countrymen, and I will do my best".<sup>121</sup>

That speech had a clear reflection of the challenges that were staring in the eyes of the beleaguered Pakistani people and state. To institutionalize the supremacy of the democratic forces was indeed a daunting task because the interests of the military-bureaucracy oligarchy were so entrenched that reining in, seemed indeed difficult yet imperative for the democracy to flourish.

### Resistance from Army

Even after the crisis of East Pakistan, the Army was still reluctant in relinquishing power for the popular government to take over. Omer Noman reveals, "The PPP regime had to confront an abortive coup plan involving approximately 40 officers. Friction with the military also arose, in 1972, over refusal of a general to supply troops to quell striking policemen engaged in a pay dispute in Punjab."<sup>122</sup> One must, however, bear in mind that Bhutto's reforms of the military and bureaucracy were also meant to accumulate power within the office of Prime Minister subsidizing military-bureaucratic elite along with Parliament and the Cabinet. It was natural as he had "served his political apprenticeship in Ayub's government".<sup>123</sup>

The Army top brass was thoroughly rinsed. In a cleansing campaign 43 senior Army Officers, associated with Yahya regime, were sent packing during the first four months of Bhutto's assumption of power. The removal of Lt. General Gul Hasan Khan, Chief of Army Staff, and Air Marshall Rahim Khan, Chief of Air Staff epitomized "the most dramatic assertion of

civilian supremacy over the military".<sup>124</sup> Civilian superemacy vis-à-vis possible military takeover in the future was accorded constitutional safeguard. The 1973 Constitution outlines the framework of federal, democratic structure. A number of its clauses were "specifically designed to discourage future military intervention."<sup>125</sup> Article 271 of the constitution prescribed the death penalty for its subversion, an attempt to block any prospects for Army take-over in the future. Any attempt to subvert the constitution could invoke the charge of a high treason enshrined in the Article 245.<sup>126</sup> Apart from these measures Bhutto undertook the task of re-structuring of the military high command in order to reduce its longer term influence. Hence, not only the powers were dispersed but also the tenure of the Chief of the Staff was cut down to three years.<sup>127</sup>

Bhutto wanted Army not to meddle in the civilian affairs altogether. He was also quite apprehensive about the eruption of any movement against PPP regime. He loathed dissent like any other autocrat of the third world countries. In order to put curb on any political mobilization against his regime, he propounded a scheme of constituting a security force so that the involvement of the Army in ensuing law and order could be precluded. He therefore said, "People come out on the streets on the least pretext. They violently defy established authority ... the situation deteriorates so much that it becomes necessary to call upon the armed forces to intervene. Once the armed forces intervene they play the game according to their own rules. It is necessary for a civilian government to avoid seeking the assistance of the armed forces in dealing with its responsibilities and problems... generally the police and other law enforcing agencies failed to control a really serious agitation. We must make provisions for a first class force."<sup>128</sup>

Consequently Federal Security Force was conjured into existence in October 1972 with its headquarters at Lahore. FSF was accorded legislative sanction through an act of Parliament in June 1973. Army supreme command was not appreciative of the

establishment of such a force that ostensibly may acquire the potential to act parallel to Army itself. One indication of Army top brass displeasure was its blatant refusal to impart necessary training to FSF. It also blocked the acquisition of tanks and other equipments.<sup>129</sup>

Despite Army's chagrin, FSF started functioning as "an additional coercive force". In fact it became an instrument to intimidate the parliamentary opposition and gagging the dissenting voices. In May 1973 the FSF disrupted rallies of political parties opposed to People's Party. In 1975, a few members of the National Assembly were thrown out of the premises by FSF and Prime Minister had to acknowledge that they are a group of degenerated thugs.<sup>130</sup>

On the one hand Bhutto tried to confine the role of the Army so far as the matters of the state craft were concerned but on the other hand he appeased armed forces which were in fact a contradiction in terms. In order to do that he not only increased defense budget<sup>131</sup> but also exempted military officers from land reforms. The size of the armed forces also went up quite considerably. "Perhaps more significant than the financial concessions to the military elite was the embargo on a public discussion of the military debacle in East Pakistan."<sup>132</sup> Similarly Hamood-ur-Rehman Commission, set up to inquire into the causes of the separation of East Pakistan, its report was not made public till recently. Bhutto employed anti-Indian rhetoric with profusion that gave way to jingoism thus the skewed image of the Army was somewhat salvaged. His resolve to fight for one thousand years or enunciation to eat grass but make atomic bomb is a clear illustration to his militaristic mode of thinking.<sup>133</sup>

Bhutto also tried hard to clip the wings of bureaucracy whom its many critics called the 'Sultans of Pakistan' and 'the best organized political party in Pakistan'.<sup>134</sup> While announcing the civil service reforms, Bhutto emphatically said "No institution in the country has so lowered the quality of our national life as what is called "Naukarshahi". It has done so by imposing a

caste system on our society. It has created a class of Brahmins or mandarins, unrivalled in its snobbery and arrogance, insulated from the life of the people and incapable of identifying itself with them".<sup>135</sup> Immediately after assuming power he sacked some leading bureaucrats. Just hours before his address to the nation in December 1971, he fired Roadad Khan and put Ayub Khan's close associate, Altaf Gauhar behind the bars. That came about in spite of the assurances that he made, that no vindictiveness would be observed to the "bureaucrats who has misbehaved with me in the past".<sup>136</sup> Bhutto had a keen desire to re-structure the elite cadre of the civil service. Omer Noman states about the organization of this service, and the changes that were made so as to give it a new orientation:

Recruitment procedures and the restrictions on selection to this service were similar to those employed by the colonial government. In practice this ensured the selection to the top echelons of the Civil Service remained under the control of the few entrenched families. Approximately 500 bureaucrats of the CSP cadre had stood at the helm of an administrative machinery of over 500,000 members. The annual intake to the elite crops was restricted to around twenty individuals. The system incorporating the elite status of the CSP was replaced by the linear All Pakistan Unified Grades structure. The entire bureaucratic machinery was amalgamated into a hierarchal, but mobile, framework of twenty-two pay scales. Separate provision for entry into elite crops was terminated.<sup>137</sup>

The initial phase of these reforms saw "the dismissal of 1,300 Civil Servants in 1972, under a Martial Law Ordinance."<sup>138</sup> Then the bureaucratic structure was compartmentalized into central and provincial services but the decisive blow to the entrenched bureaucratic interest was dealt when the abolition of the elite Civil Service of Pakistan (CSP) cadre came about on 20 August 1973.<sup>139</sup> Nevertheless to say however that the key positions in

the Central Secretariat continued to be held by the members of the District Management Group, which was different in name only, otherwise its power and pelf was almost the same as that of the CSP cadre. Bhutto initiated a scheme of lateral entry, administered by Establishment Division instead of the Federal Service Commission to bring in technocrats and specialists with an intention to enhance the efficiency of the government functionaries. Critics however, claimed that "this raised an 'Army of stooges' who were the sycophantic appointees, relatives and hangers-on of federal ministers."<sup>140</sup> Subsequently Bhutto was left with no other option but to rely on bureaucracy particularly during the latter part of his rule. The policy of nationalization made it virtually imperative for Bhutto to bank on bureaucrats who could provide an administrative oversight to a large number of institutions. Hence Bhutto's policies helped bureaucracy to strengthen itself instead of curtailing its overriding authority and influence. Saeed Shafqat states, "Nationalization of industries strengthened and intensified the role of bureaucracy during 1973-74 to 1977-78 investment in large scale public sector increased from 332.3 million rupees to 5463 million rupees. The investment in the large scale private sector during the same period rose from 697.3 million rupees to 1118 million rupees, much lower as compared to the previous regime. Public sector could not generate capital neither production proved to be burden on tax payers."<sup>141</sup>

### Nationalization: Two Phases

Bhutto was markedly influenced by ideology of socialism therefore he had promised redistributive reforms so that the plight of the under-privileged and marginalized sections of the society could be ameliorated. But after the assumption of power, he "preferred to wield state authority to punish recalcitrant segments of dominant social groups and rewarding those prepared to join the PPP".<sup>142</sup> Similarly, Khalid bin Sayeed noted that

“Bhutto was primarily motivated by *animus dominandi*, that is, through the aggrandizement of his own power, he wanted to control every major class or interest by weakening its power base and by making it subservient to his will and policies”.<sup>143</sup>

Hence there was no departure from the past practice of the Pakistani rulers who tended to accumulate all power in their own persons. All the demands and expostulations for the provincial autonomy proved to be nothing but the cry in the wilderness. In this regard Bhutto failed to be an exception. The legacy therefore continued whereby the whole state structure used to revolve around a single person. The policy of nationalization too was a mean to the same end. The first phase of the nationalization was carried out by the influence cast by the ideology of the left. It began in January 1972 resulting in the nationalization of 31 industrial units. Consequently the credit polices were restructured that affected top 22 families which had emerged on the economic horizon of Pakistan in 1960s. According to Khalid bin Sayeed, it was the manifestation of “state capitalism”.<sup>144</sup>

## Land Reforms

While outlining the aims and objectives of his land reforms, Bhutto declared in March 1972 that his land reforms would “effectively breakup the iniquitous concentration of landed wealth, reduce income disparities, increase production, reduce unemployment, streamline the administration of land revenue and agricultural taxation, and truly lay down the foundations of a relationship of owner and mutual benefit between land owner and tenant.”<sup>145</sup> The People’s Party in her manifesto emphasized that “the break up of the large state to destroy the feudal land owners in national necessity that will have to be carried through by practical measures.”<sup>146</sup>

Salient features of the land reforms are as follows:

1. Ceilings on land holdings: 150 acres Irrigated, 300 acres



Unirrigated or equivalent of 12000 Produced Index Units (PIUs) plus 2000 (Pius) for tractors and tube well owners.

2. No compensation to land owners, land redistributed without charge to landless tenants cultivating resumed land.
3. Untenanted resumed land redistributed without charge to small owners/tenants withholdings below subsistence.
4. Share system remains unchanged.
5. Land revenue, water rates, and seed costs born by land lords and cost of fertilizers and pesticides to be shared equally.
6. Tenants eviction decided by revenue courts if tenants failed to pay rent, failed to cultivate land, sublet tenancy, or rendered land unfit for cultivation."

The land reform had its second phase too. The salient features of land reforms act 1977 are mentioned below.

1. "Land holdings: 100 acres irrigated, 200 acres un-irrigated or 8000 PIUs equivalent.
2. Compensation to land owners on resumed land at Rs. 30 per PIU,
3. Redistribution as in 1972"<sup>147</sup>

## Critique

Land reforms did not yield the desired result. Land lords continued to be the most important determinant of the politics in Pakistan. People's Party swept into power with the socialist slogans. It made promises of redistributing resources but those promises could not be translated into reality. While commenting on the failure of reforms S. Akbar Zaidi writes "although a lot of propaganda was issued about the success of 1972 reforms, as the resumed land was far less than in 1959, only 5548 persons benefited from the redistribution of 308,390 acres during 1972-8. Only 1% of the land-less tenants and small owner benefited by these measures of the land resumed in 1959, 6% still need to be distributed even after 38 years, and 39% of area resumed under

the 1972 reforms is still held by the government despite the presence of a large number of landless cultivators."<sup>148</sup>

On 1st March, 1973, the ceiling was further reduced from 500 acres to 150 acres of irrigated land and 1000 acres to 300 acres for semi-irrigated land. All lands in excess of 100 acres allocated to Government.

Economic policies during the Bhutto regime were the clear resonance of centralized control by Islamabad, yielding mixed results. Such a policy formulation was not expected of a leader who was democratically elected and representative of the popular voice. Overall impact of the policy of central control was very adverse rather detrimental not only for Pakistan's economy but the polity as well.

Bhutto's socialist economic model sent jitters among the capitalist- industrial class, which discouraged further investment in the country.

- a. Banks were nationalized and the creation of the disbursement of credit was controlled. Credit was used to create new social classes and strengthen the ruling elite.
- b. Incentive was given to the middle class farmers and peasants.
- c. Penetration of banks disrupted the traditional agrarian structure and aggravated the tenant-landlord un-easy relationship.
- d. Agriculture got disrupted because of labour export to the Middle East. Between 1972 - 1977, 33,000 Pakistani workers had been sent to Saudi Arabia, 12000 to Libya, Dubai and 5000 to Abu Dhabi, Jordan, Bahrain and Iran. According to the unofficial estimates Middle East had around one million Pakistanis.
- e. Remittances increased from 508.8 million rupees in 1971-72 to 5500 million rupees in 1976-77.
- f. Disrupted traditional patron client relationship and intensified the social tension in the rurer structure. Such a situation was resented by landed aristocracy. Thus econom-

ic changes altered the rurer structure and the situation became potentially explosive.

Generally speaking the Bhutto era was replete with difficulties and challenges particularly in terms of economy. Economic trends at the international level were hardly conducive for any third world economy to grow and prosper. Akbar Zaidi's contention also proves the same point. He says, "a number of events that took place outside the control of the government were largely responsible for the poor performance of the economy after 1974 for instance;

- i. "Devaluation of Pakistani rupee: initial outcome was highly positive with exports growing with more than hundred percent (May 1972).
- ii. In August 1973 massive floods hit Pakistan which led to the import of food grains in considerably large quantity.
- iii. In October 1973 four fold increase in international petroleum prices: imports cost much more: prices of fertilizers, essential input and oil soared troumendously; excessive inflation went up domestically.
- iv. In 1974-77, world recession followed by OPEC price-hike as a result demand for Pakistani exports remained severely depressed which affected industrial output.
- v. In 1974-75 huge failure of cotton crop by as much as 25% at a time when international cotton prices had risen: affected industrial output.
- vi. In 1976-77 worst floods in Pakistan's history wreaked havoc: agricultural crops were destroyed forcing the state of Pakistan to further import food items: excessive expenditure on public good measures, all affecting industrial output."<sup>150</sup>

Bhutto's masterstroke was the framing of the constitution for Pakistan. It was for the first time that the politician of all the hues got together and in 1973, a Constitution was approved unanimously. There was hardly any other occasion in the entire history of Pakistan when all the politicians agreed. That of course was the statesmanship of Zulfikar Ali Bhutto. Undoubt-

edly the 1973 Constitution was a consensus document endorsed by all the political leaders including “hardcore votaries of regional autonomy”, with the trappings of a federal system. However, the constitutional provisions could not deter Bhutto from trampling down the provincial rights in the name of the national interest. Thus he resorted to a brazen act of dismissing the Provincial Governments in NWFP and Balochistan. Those governments were headed by a coalition of whom National Awami Party and Jamiat Ulema-e-Islam were the constituents. Khalid Mahmud sheds light on the impact of that arbitrariness in these words, “The question of safeguards for provincial autonomy, which one believed had been amicably settled by consensus Constitution, once again came to the fore as the centre was accused of arbitrary use of discretion and high-handedness in dealing with a popularly-elected Provincial Government which defied the centre’s diktat. The regional forces, which could have been inducted into mainstream politics, were driven to desperation, particularly in Balochistan, where they took up arms to fight the national Army”.<sup>151</sup>

Bhutto himself hailed from Sindh which was a smaller province, where fissiparous tendencies were fairly crystallized ever since the onset of One Unit scheme in 1950s. However, Bhutto was no different from his predecessors, obsessed with ‘personalized power and wary of building institutions, which could limit his discretion. The authoritarian streak in him, symptomatic of his feudal upbringing, made him intolerant of dissent’.<sup>152</sup> That can be pinpointed as the main cause for his exit from power and eventual tumbling out of this world in 1979.

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- 122 Noman, *Pakistan*, p.58.
- 123 Bose and Jalal, *Modern South Asia*, p. 182.
- 124 “They were said to be interfering in the affairs of the Hamoodur Rehman Commission inquiry into the 1971 military debacle. The catalyst to their removal was their unwillingness to make the Army and the Air Force available to the civil government during the Police strike.” See for details Rizvi, *Military and Politics of Pakistan*, p.213.
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- 126, 127 Ibid.
- 128 Noman, *Pakistan*, p.59.
- 129, 130 Ibid.
- 131 “Pakistan’s defence expenditure rose by over 200 per cent dur-

ing Bhutto era. Throughout this period \$8 for every Pakistani citizen was being spent on the armed forces." Talbot, *Pakistan*, p.223.

132 Noman, *Pakistan*, p.60.

133 Bhutto inaugurated Pakistan's first nuclear plant on 28th November 1973. He also visited almost all the Muslim countries, committing Pakistani soldiers to fight against the Jews.

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Third Man on Horseback<sup>153</sup>  
Muhammad Zia-ul-Haq  
(1977-1988)



## Zia's Profile

Muhammad Zia-ul-Haq was born into a modest middle-class Arain clan in Jullundur, on 12 August 1924 as the second child of Muhammad Akbar, who was a GHQ employee in Delhi and Simla. Zia-ul-Haq married Shafiqah Jahan in August 1950 and had five children. His two sons had a career into politics. He completed his initial education in Simla and then at St. Stephen's College, Delhi. He obtained commission in the British Indian Army in the 13th Lancers, in 1943 and served in Burma, Malaya, and Java during World War II. After Pakistan gained its independence, Zia was posted to the Armoured Corps Centre at Nowshera. He was trained in the United States in 1962-1964 at the US Army Command and General Staff College Fort Leavenworth, Kansas. During the Indo-Pakistani War of 1965, Zia was a Tank Commander.[1] Nothing of any consequence with respect to his gallantry as a soldier is so far recorded. Throughout his career, however, he availed of a number of important assignments. Immediately after his promotion to the rank of a brigadier in 1969 he was sent to Jordan from 1967 to 1970, helping in the training of Jordanian soldiers, as well as leading the training mission into battle during the 'Black September' operations in Jordan, a strategy that proved crucial to King Hussein's sustenance in power. On 1 April 1976, Prime Minister Zulfikar Ali Bhutto appointed Zia-ul-Haq as Chief of Army Staff, in supersession to half a dozen officers. Interestingly the traits of Zia-ul-Haq which convinced Bhutto of his eligibility for the position of Chief of Army Staff- "his piety, patriotism and professionalism- turned him in the circumstances of the 1977 PNA Nizam-e-Mustafa agitation from an apolitical soldier into a successful coup-maker."<sup>154</sup>

## Popular Unrest and Coup

Prime Minister Bhutto began facing considerable criticism and increasing unpopularity as his term progressed. Initially he tar-



geted a leader of the opposition Abdul Wali Khan and his party National Awami Party (NAP). Despite the ideological similarity of the two parties, the clash of egos both inside and outside the National Assembly became increasingly fierce, starting with the Federal Government's decision to oust the NAP Provincial Government in Balochistan for alleged secessionist activities. Later on that clash culminated in banning of the party and arrest of much of its leadership after the death of a close lieutenant of Bhutto's, Hayat Muhammad Khan Sherpao in a bomb blast in Peshawar.

Dissidence also mounted appreciably within the PPP, and the murder of Ahmed Raza Kasuri's father led to public outrage and intra-party hostility as Bhutto was accused of masterminding the crime. Powerful PPP leaders such as Ghulam Mustafa Khar openly condemned Bhutto and called for protests against his regime. The political crisis in the NWFP and Balochistan gathered further intensity as civil liberties remained suspended, and an estimated 100,000 troops deployed there, were accused of abusing human rights and killing large number of civilians. On January 8, 1977, nine opposition political parties came together to form the Pakistan National Alliance (PNA). Bhutto called fresh elections, scheduled to be held on 7th March 1977. PNA participated in those elections with zeal and zest. They managed to contest the elections jointly even though there were grave splits of opinions and views within that electoral alliance. PNA lost very badly but refused to accept the results, alleging that the election was rigged. First, they claimed rigging on 14 seats and, finally, the tally of seats where election rigging was suspected went up to 40 seats in National Assembly. They proceeded to boycott the provincial elections. Despite this, there was high voter turn-out in national elections; however, as provincial elections were held amidst low voter turn-out and an opposition boycott, the PNA declared the newly-elected Bhutto government as illegitimate. Firebrand Islamic leaders cringingly expostulated the Army to step in and overthrow the Bhutto's regime. Political and civil disorder ensued, which led to wide-

spread unrest. On July 5, 1977, in a military coup, Operation Fairplay was orchestrated by General Zia, consequently Bhutto and members of his Cabinet were arrested. Hence praetorianism re-surfaced with a bang that lasted for no less than eleven years. Later on he also assumed the office of a President. Despite the dismissal of Bhutto government, President Fazal Ilahi Chaudhry was persuaded to continue in office as a figurehead. After completing his term, and despite General Zia's insistence to accept an extension as President, Mr Chaudhry stepped down, and General Zia thereby assumed the office of President of Pakistan on September 16, 1978. He thus cemented his position even further as the undisputed ruler of the country. Over the next six years, Zia issued several decrees which amended the constitution and greatly enhanced his power. Most significantly, the Revival of Constitution of 1973 Order granted Zia the power to dissolve the National Assembly virtually at will.

After ruling Pakistan for slightly more than eleven years General Zia-ul-Haq died in a plane crash on August 17, 1988. After witnessing a tank parade in Bahawalpur, Zia had left by C-130 Hercules aircraft however shortly after take-off, the control tower lost contact with the aircraft. Witnesses, who saw the event happening claimed afterwards, it was flying erratically. Immediately afterwards, the aircraft nosedived and exploded on impact, killing General Zia and several other senior Army Generals, as well as American Ambassador to Pakistan Arnold Raphel and General Herbert M. Wassom, the head of the U.S. Military aid mission to Pakistan. A common suspicion within Pakistan, although with no proof, is that the crash was a political assassination carried out by the senior arm of the American Central Intelligence Agency (CIA) or Soviet KGB. Other groups who have fallen under suspicion include the Afghan Communists and Shi'ite separatist groups. Other more direct accusation point the finger at rival India whose RAW intelligence agency have covertly carried out several assassinations within the country. But still many political and higher military figures openly

say that this crash was actually an assassination carried out by CIA to kill Zia and their own Ambassador, after they had done all the work ordered by USA so that American government could hide the facts about the Soviet-Afghan war.

### Postponement of Elections and Call for Accountability

After assuming power as Chief Martial Law Administrator, General Zia promised to hold National and Provincial Assembly elections within the next 90 days and to hand over power to the representatives of the people. He therefore declared, "My sole aim is to organise free and fair elections which would be held in October this year. Soon after the polls, power will be transferred to the elected representatives of the people. I give a solemn assurance that I will not deviate from this schedule."<sup>155</sup> He also stated that the constitution of Pakistan had not been abrogated but temporarily suspended. However, in October 1977, he announced the postponement of the electoral plan and decided to start an accountability of the politicians. The accountability was mostly People's Party centred. According to Zia, he changed his decision and rescinded his promise due to the strong public demand for the scrutiny of political leaders who had engaged in malpractice in the past. Thus the "retribution first, elections later" policy was adopted. Thus politicians were the losers again.

A Disqualification Tribunal comprising a judge of a High Court and a military officer not below the rank of a Brigadier was formed, and 180 persons who had been Members of Parliament were charged with malpractice and disqualified from participating in politics at any level for the next seven years. A White Paper was issued, incriminating the deposed Bhutto government on several counts. Nusrat Bhutto, the wife of the deposed Prime Minister, filed a suit against General Zia's military regime, challenging the validity of the July 1977 military

coups. The Supreme Court of Pakistan ruled, in what would later be known as the Doctrine of Necessity, that, given the dangerously unstable political situation of the time, General Zia's overthrowing of the Bhutto government was legal on the grounds of necessity. The judgment not only validated the overthrow of Bhutto regime but also helped strengthening Zia's hold on the government. On April 4, 1979, the former Prime Minister Zulfikar Ali Bhutto was hanged, after the Supreme Court upheld the death sentence as passed by the Lahore High Court. The High Court had awarded him the death sentence on charges of the murder Ahmed Raza Kasuri's father, a dissident PPP politician from Kasur. The Supreme Court upheld Lahore High Court's decision four to three in favor of execution. Despite many clemency appeals from foreign leaders requesting Zia to commute Bhutto's death sentence, Zia dismissed the appeals as "trade union activity" and upheld the death sentence. The hanging of an elected Prime Minister by a military man was condemned by the international community and lawyers and jurists across Pakistan. Many consider the event to be the cause of enmity between Zia and Zulfikar and also the American Backing for Zia-ul-Haq to hang Zulfikar Ali Bhutto.

### Army Back to the Position of Power

Concurrently Zia made military as the highest decision making body by setting up a military Council, consisting of the Chairman, Joint Chiefs of Staff Committee and the Service's Chiefs. General Zia-ul-Haq himself was the Chairman of the Council, Joint Chiefs of Staff Committee: General Muhammad Sharif, Gen. Mohammad Iqbal, General Mohammad Rahimuddin, Chief of Naval Staff: Admiral Mohammad Sharif, Admiral Karamat Rehman Niazi, Chief of Air Staff and Air Chief Marshall Zulfikar Ali Khan were its members. Some other senior Army Officers were also put on the important positions whereby they could give their input in policy making. They were assisted by

civilian bureaucrats. Since Zia took over the reins of power bureaucracy-military nexus dominated the decision making. That pattern continued even after the first Cabinet was sworn in, in 1978. Pakistan was divided into five zones, each zone being headed by a Martial Law Administrator.<sup>156</sup> Each zone was further sub-divided into sub-zones. In order to establish a firm writ of the military regime, stringent Martial Law regulations were issued. To deal with the recalcitrants, Martial Law Courts and Summary Military Courts were set up. The judgement of these courts could not be challenged in any civilian court.

The role of military was enhanced considerably in Pakistani polity during the Zia era as it assumed the charge of guarding ideological frontiers. General Zia enunciated that "Pakistan's armed forces were responsible for not only safeguarding the country's territorial integrity but also its ideological basis".<sup>157</sup> He explicated that statement by saying that the ideology and the Islamic character of Pakistani state is as important as the geographical frontiers and territorial identity that needs to be preserved. Several other military officers like Gen. Rahimud Din Khan and Gen K.M Arif adhered to the same views. "This means that the Military Commander's wish to reserve the right to step into domestic politics on the pretext of protecting Islam and Ideology of Pakistan".<sup>158</sup>

Later on Gen. Zia thought of providing a constitutional cover to such act like military sharing decision making power with the political elite in the matters of national interests. He also propounded a constitutional provision that could empower the Military Commanders to step in, in the case of national emergency. All such proposals met with unequivocal opposition from the political circles. Zia instituted National Security Council, which could make "recommendations relating to the issue of a proclamation of emergency under Article 232 of the Constitution, security of Pakistan and any other matter of national importance that may be referred to it by the President in consultation with the Prime Minister."<sup>159</sup> NSC had eleven members.

Apart from the all powerful President, the Prime Minister, the Chairman of Senate, the Chairman Joint Chiefs of Staff Committee, the Chiefs of Staff of the Army, the Navy and Air Force, and the Chief Ministers of the four provinces. It was meant not only to vest unbridled powers and a direct role to the Military Commanders in the political and constitutional set-up, but reinforced the powers of the President. Mercifully NSC could not sustain itself in the face of trenchant opposition from the political and civilian circles.

Many Army Officers both serving and retired found their way into coveted civilian cadres. They held top slots in the Federal or Provincial governments or autonomous corporations. General Fazle Raziq and Gen. Safdar Butt became the Chairmen of WAPDA (Water and Power Development Authority). Many of them were also nominated to the Central Superior Services like District management, the Foreign Service of Pakistan or the Police service. "During 1980-85, 96 Army Officers were inducted into the selected cadres of Central Superior Services on permanent basis, while 115 were re-employed on contract."<sup>160</sup> Until 23rd March 1985 when Muhammad Khan Jonejo took oath as a Prime Minister, all the Provincial Governors were Army Generals. Besides, huge number of Army and Airforce Officers and the subaltern staff got postings overseas particularly in Saudi Arabia, Jordan, Libya, Oman and UAE. The main associations for the retired military personnel like the Fauji Foundation, the Shaheen Foundation and the Bahria Foundation underwent huge expansion as employers and also as an agency to oversee the interests of ex-servicemen.<sup>161</sup>

Bureaucracy, by and large welcomed 1977 *coup d'etat*. However Zia instead of relying solely on bureaucracy resorted to inducting military men into civil service. Although he constituted a Civil Services Commission in February 1978 under the chairmanship of Justice Anwarul Haq to put forward some recommendations in order to improve the service structure of the bureaucrats. Later on the policies formulated on the basis of the

recommendation of the Commission aimed at preservation of status quo, which favored the District Management Group, the most. Mohammad Waseem states about the increasing number of the state functionaries, "A relatively free hand in recruitment to new jobs under the Martial Law regime turned the ministries and departments into virtual employment agencies and almost doubled the number of civil servants between 1977 and 1987, with serious repercussions both for expenditure and production patterns." Thus we can draw a conclusion from Waseem's observation that the administrative and economic policies of Zia regime were status quo oriented "reflecting an uninterrupted rule of the bureaucratic core of the state, with a much larger share of higher positions going to the military than under Ayub or Yahya".<sup>162</sup>

### Movement for the Restoration of Democracy

Zia and his cronies embarked on an agenda of self perpetuation. The biggest possible threat, Z. A. Bhutto had been removed already. The process of accountability was ceased from 4th April 1979 onwards, once the biggest political adversary was out of the way. Now Zia overtly started aligning himself with rightist parties, *Jamaat-e-Islami* is perceived to be the biggest beneficiary from his so-called policy of Islamization. The state propaganda machinery devised systematic means and methods to 'de-politicize' Pakistani society. The political parties mostly with 'left from the centre' leaning along with certain sections from lawyers and students launched a movement against Zia's military regime in February 1981. Eleven parties got together in the Movement for the Restoration of Democracy (MRD).<sup>163</sup> As it is evident from the first joint statement of MRD leaders, they "demanded the withdrawal of Martial Law and that "free, fair and impartial elections" to the National and Provincial Assemblies should be held under the 1973 Constitution with the objective of transferring power to the elected representatives."<sup>164</sup>

MRD as a resistance movement to the military regime started building up as a serious threat to Zia in early 1981. Bad luck for MRD that in March 1981 the plane of Pakistan International Airlines was hijacked by a dubious group Al-Zulfiqar which undermined the movement despite the condemnation by PPP of that act. The fact that Murtaza Bhutto, the eldest son of Z.A. Bhutto supposedly led the operation had a boomerang effect on the movement. MRD nevertheless gathered momentum yet again in August 1983 but its impact was confined only to Sindh. Punjab, Balochistan and NWFP remained largely indifferent to the call of MRD. The smoldering discontent and intense alienation permeated the interior Sindh, which not only gave rise to unabated spate of violence but "manifested strong ethnic and regional sentiments".<sup>165</sup>

Military regime although abstained from the strategy of total suppression of dissent if it was not very trenchant. Harsh criticism was however muzzled through strict censorship wherein the views of the dissenting politicians could not be published. Through the imposition of heavy financial and legal penalties precluded the private printers to print their views in the form of booklets or pamphlets.<sup>166</sup> The politicians were not allowed to travel to other cities and particularly to other provinces. Hence they could not maintain contact with the general masses. With particular reference to Balochistan, one can say that after the abortive military adventure by Bhutto, Zia managed to bring normalcy to the province. On assuming power, General Zia had to confront a difficult situation like armed secessionist uprisings in Balochistan. Tribal unrest and feudal clashes had become the order of the day. The General Zia took a prompt decision and granted a general amnesty to those who laid down their arms hence some order had been restored through appeasement in the turbulent Balochistan. Zia also withdrew troops from the province, ending much of the civil disobedience as a consequence. One must, however, bear in mind that the long term solution to the problems plaguing



Balochistan could not be provided under the military regime. Despite the veracity of this fact, MRD could not make substantial impact at the grass root level in other provinces than Sindh. The political activists were not permitted to hold closed-door meetings. Many political leaders and activists were confined to their homes through house arrests which proved very detrimental to the movement.

Two other factors played significant role in hampering the spread of MRD. First was the betterment in the economic situation not only because of the development which had been maintained in the 1980s but mostly because of the remittances sent back by expatriate Pakistanis working in the Gulf states. The prosperity brought about by the Gulf bonanza was enough to dissuade people to side with the politicians espousing for the democratic dispensation in the country. The Soviet invasion of Afghanistan and the influx of Afghan refugees provided yet another pretext for the military regime to perpetuate its hold on power. "Any attempt to launch political agitation was discouraged on the ground that it could undermine the nation's ability to deal effectively with the political and strategic fall-out of the Soviet presence in Afghanistan."<sup>167</sup> Zia regime also managed to mobilize *Deobandi* Ulema and religious parties as a counterweight to the Leftist groups and parties struggling for the change of the government. In order to counter those propagating the fruits of democracy Zia planned to conjure up an alternative political institution by the name of *Majlis-e-Shura*. Most of its members were intellectuals, scholars, Ulema, journalists, economists and professionals belonging to different fields of life. The *Shura* was to act as a board of advisors to the President, with no legislative powers. Khawja Muhammad Safdar from Sialkot was its chairman. All 284 members of the *Shura* were to be nominated by the President. These were merely shananingans to gain political mileage; however the factor that helped Zia at the international level was its unequivocal support to USA in Afghan war thus his position was well- entrenched in Pakistan.

## Fighting the War by Proxy in Afghanistan and its Economic Implications

On December 25, 1979, the Soviet Union, a superpower at the time, invaded Afghanistan. General Zia, as the President of neighboring Pakistan, was asked by several Cabinet members to refrain from interfering in the war, owing to the vastly superior military power of the USSR at the time. General Zia, however, was ideologically opposed to the idea of communism taking over a neighboring country, and made no secret about his intentions of monetarily and militarily aiding the Afghan resistance (the Mujahideen). Pakistan's Inter-Services Intelligence and Special Service Group now became actively involved in the conflict, and in cooperation with the Central Intelligence Agency and the United States Army Special Forces supported the armed struggle against the Soviets.

President Zia's international standing greatly rose after his declaration to fight the Soviet invaders, as he went from being portrayed as just another military dictator to a champion of the free world by the Western media. Indeed, Pakistan-US relations took a much more positive turn. U.S. President Jimmy Carter and his Secretary of State, Cyrus Vance, cut off U.S. aid to Pakistan on the grounds that Pakistan had not made sufficient progress on the nuclear issue. Then, on December 25, 1979, with the Soviets invading Afghanistan, President Jimmy Carter offered Pakistan \$325 million in aid over three years. Zia rejected this as "peanuts." Carter also signed the funding in 1980 that allowed less than \$50 million a year to go to the Mujahideen. After Ronald Reagan came to office, after defeating Carter for the US Presidency in 1980, all this changed, due to President Reagan's new priorities and the unlikely and remarkably effective effort by Congressman Charles Wilson (D-Tx) and CIA Afghan Desk Chief Gust Avrakotos to increase funding clandestinely to the Mujahideen. Therefore, aid to the Afghan resistance, and to Pakistan, increased substantially, finally reaching

\$1 Billion dollars (US). The United States, faced with a rival superpower looking as if it were to create another Communist bloc, now engaged Zia to fight a US-aided war by proxy in Afghanistan against the Soviets.

In 1981, Ronald Reagan succeeded Jimmy Carter as President of the United States of America. Reagan was completely against the Soviet Union and its Communist satellites, dubbing it "the Evil Empire". Reagan now increased financial aid heading for Pakistan. In 1981, the Reagan Administration sent the first of 40 F-16 jet fighters to the Pakistanis. But the Soviets kept control of the Afghan skies until the Mujahideen received Stinger missiles in 1986. From that moment on, the Mujahideen's strategic position steadily improved. Accordingly, the Soviets declared a policy of national reconciliation. In January they announced that a Soviet withdrawal was no longer linked to the makeup of the Afghan government remaining behind. Pakistan, with the massive extra-governmental and covert backing from the largest operation ever mounted by the CIA and financial support of Saudi Arabia, therefore, played a decisive part in the eventual withdrawal of Soviet troops from Afghanistan in 1988.

### Referendum of 1984, Elections of 1985 and the Eighth Amendment

General Zia eventually decided to hold elections in the country. But before handing over the power to the public representatives, he decided to secure his position as the head of the state. Thus, a referendum was held in December 1984, and the option was to elect or reject the General as the future President. The question asked in the referendum was whether the people of Pakistan wanted Islamic Sharia law enforced in the country. According to the official result, more than ninety seven percent of the votes were cast in favor of Zia-ul-Haq. Thus he was elected as President for the next five years. However, they were marred by allegations of widespread irregularities and technical violations of

the law and ethics deemed obligatory for holding of the elections or referendum in any democratic polity.<sup>168</sup>

After being elected President, Zia-ul-Haq decided to hold elections in the country in February 1985 on a non-party basis. Most of the opposing political parties decided to boycott the elections but election results showed that many victors belonged to one party or the other. To make things easier for himself, the General nominated the Prime Minister from amongst the Members of the Assembly. To many, his nomination of Muhammad Khan Junejo as the Prime Minister was because he wanted a simple person at the post who would act as a puppet in his hands. Before handing over the power to the new Government and lifting Martial Law, Zia got the new legislature to retroactively accept all of Zia's actions of the past eight years, including his coup of 1977. He also managed to get several amendments passed, most notably the Eighth Amendment,<sup>169</sup> which granted "reserve powers" to the President to dissolve the National Assembly. However, this amendment considerably reduced the power he'd previously granted himself to dissolve the legislature, at least on paper. The text of the amendment permitted Zia to dissolve the Assembly only if 1) the Cabinet had been toppled by a vote of no confidence and it was obvious that no one could form a government or 2) the government could not function in a constitutional manner.

## Junejo Sent Packing

As time passed, the legislature wanted to have more freedom and power. By the beginning of 1988, rumors about the differences between Prime Minister Junejo and President Zia were rife.<sup>170</sup>

On May 29, 1988, President Zia dissolved the National Assembly and removed the Prime Minister under article 58(2) b of the amended Constitution. Apart from many other reasons, Junejo's decision to sign the Geneva Accord against the wishes

of General Zia, and his open declarations of removing any military personnel found responsible for an explosion at amunitions dump at *Ojhri* in Rawalpindi earlier in the year, proved to be some of the major factors responsible for his removal.

After eleven years, General Zia-ul-Haq once again promised the nation that he would hold elections within the next ninety days. The late Zulfikar Ali Bhutto's daughter Benazir Bhutto had returned from exile earlier in 1986, and had announced entering the elections. With Benazir's popularity growing, and a decrease in international aid following the Soviet withdrawal from Afghanistan, Zia was trapped in a politically difficult situation.

## Economic Policy

S. Akbar Zaidi in *Issues in Pakistan's Political Economy* observes many similarities between the decades of the 60s and 80s, in fact, "Zia reaped many rewards that resulted in the initiatives of his predecessor, and fortuitous circumstances, too, helped in establishing and maintaining an economy with very high growth".<sup>171</sup> Under Zia, Zulfikar Ali Bhutto's nationalization policy was gradually reversed, and the process of privatization was set in motion. Immediately after taking over, Zia picked up two people from the private sector namely General Habibullah of Gandhara Industries and Mustapha Gokal, a shipping magnate to restore the confidence of the private sector and to get expert industrial input into policy making. Both of these individuals were victimized during previous regime. However they were soon frustrated because of their inability to influence the policy making. Their bid for speedy privatization was stalled by the civil servants like Ghulam Ishaq Khan and A.G.N.Kazi, who preferred gradual course of action.<sup>172</sup> They feared disruption if the process of privatization was to be unleashed at once. Besides many large scale, capital intensive projects started under Bhutto had not yet been completed, thus the talk of a hasty privatiza-

tion seemed them to be premature. During that period economic and financial policy and planning were in the hands of the civil servants.

Despite these bureaucratic snags, the agri-processing industry that was nationalized in 1976 was given back to the actual owners. Zia government also encouraged the private sector to invest in such industries like cement, fertilizer, tractors and automobiles etc. An Efficiency Improvement Programme that included Balancing, Modernization and Replacement (BMR) had been introduced to enhance the output of the public sector. One Window Operations were also started to circumvent the bureaucratic red tape in setting up industrial units. Through fiscal incentive, export promotion and import liberalisation, Zia regime tried to bring back the confidence of the private investor.<sup>173</sup>

Despite these incentives and inducements, the confidence level of the investors was still very low, even at the end of the fifth five year Plan. Therefore substantial amount of investment went to the real estate, resulting in phenomenal increase in landed property in the cities. Further schemes were introduced like speedy selective divestiture of public sector industries through stock markets. The foreign exchange bearer certificates and whitener bonds were also issued to legitimize the black money so that investment could move out of property, hoardings, and foreign accounts into productive sectors. Bond schemes had some success but the desired results remained distant largely because of the credibility deficit that marred the efforts of the Government.<sup>174</sup>

Agriculture also remained under-developed. In the fifth and the sixth five year Plans, goals and targets that were set, could not be achieved. Growth rate in fifth five year Plan had to be 6 percent but it did not go beyond 4.4 percent. Similarly the increased oilseed production was another such target that could not be achieved. The increase in cotton and sugarcane production too remained a distant dream. Same was the fate of Govern-

ment's ambition to diversify agriculture by promoting major crops. The main reason for the shortfall in agricultural production was the sky rocketing of the fertilizer prices because of the increase in the price of energy sources. The world recession also dampened the growth of the export crops particularly cotton and rice. Besides the inordinate delay in implementation of Plans to ensure availability of high yield seeds was also the cause of the short-fall.

### Zia's Islamization of Economy

Within the framework of Islamization of economy, the National Investment Trust and the Investment Corporation of Pakistan were asked to operate on equity basis instead of interest. Interest-free counters were opened at all the 7,000 branches of the nationalized commercial banks on January 1, 1980. But interest-bearing National Savings Schemes were allowed to operate in parallel.<sup>175</sup>

**ZAKAT AND USHR ORDINANCE:** The Zakat and Ushr Ordinance was promulgated on June 20, 1980 to empower the government to deduct 2.5% Zakat annually from mainly interest-bearing savings and shares held in the National Investment Trust, the Investment Corporation of Pakistan and other companies of which the majority of shares were owned by the Muslims. Foreign Exchange Bearer Certificate scheme that offered fixed interest was exempted from the compulsory Zakat deduction. Zakat and Ushar ordinance drew sharp criticism from the Shia sect, which was later exempted from the compulsory deduction of Zakat. Even Sunnis were critical of the compulsory deduction and the way Zakat was distributed.<sup>176</sup>

**LAND REFORMS:** On December 13, 1980, to the surprise of General Zia, the Federal Shariah Court declared the land reforms of 1972 and 1977 in consonance with Islamic injunctions. Then the Ulema were brought in who traditionally supported the landlord class. Three Ulema were inducted into the

Federal Shariah Court and two into the Shariah Appellate Bench of the Supreme Court which reversed the FSC judgment in 1990. After the imposition of Martial Law, many landlords were reported to have told their tenants to seek the protection of their benefactor, namely, Bhutto. Thousands of tenants had been forcibly evicted from the land in various districts. The Martial Law regime made it clear that it was not committed to redistributive agrarian policies and described the land reforms as ordinary politics to reward supporters and punish enemies.

Demands for higher wages, better working conditions, social security, old age benefits and compensation for accidents, were no justification for protests and strikes. Industrialists were assured that any kind of industrial unrest resulting from strikes or any other trade union activity would be suppressed. Maximum punishment to the offenders was three years rigorous imprisonment and/or whipping. On January 2, 1978 police mercilessly killed 19 workers as the management of the Colony Textile Mill in Multan sought assistance from the police in its dispute with the striking workers.

Although General Zia ostensibly favored egalitarianism and industrialization but no practical steps were taken to facilitate industry. The major sources of earning had been either the US aid or remittances from Gulf countries. Between 1977 and 1986, Zia could proudly point to an average annual growth in the GNP of 6.2%, one of the highest in the world at that time.

**NUCLEAR PROGRAMME:** President Zia remained committed to the attainment of nuclear capability for Pakistan. Accordingly, the country was made a subject of attack on platforms of international organizations for not signing the Nuclear Non-Proliferation Treaty (NPT). Zia deftly neutralized international pressure by tagging Pakistan's nuclear programme to the nuclear designs of neighbouring India. President Zia then drew a five-point proposal as a practical rejoinder to world pressure on Pakistan to sign the NPT, the points including the renouncing of the use of nuclear weapons. Despite this, he also openly



funded a uranium-enrichment plant based in Kahuta under Dr. Abdul Qadeer Khan.

ISLAMIZATION: On December 2, 1978, General Muhammad Zia-ul-Haq delivered a nationwide address on the occasion of the first day of the Hijra calendar. He did this in order to usher in an Islamic system to Pakistan. In the speech, he accused politicians of exploiting the name of Islam.

After assuming power the task that the government set for itself, was its public commitment to enforce *Nizam-e-Islam* (Islamic System) a 180 degree turn from Pakistan's predominantly Anglo-Saxon Law. As a preliminary measure to establish an Islamic society in Pakistan, General Zia announced the establishment of Shariah Benches. But General Zia did not mention that the Shariah Benches' jurisdiction was curtailed by the following overriding clause: " (Any) law does not include in the constitution, Muslim personal law, any law relating to the procedure of any court or tribunal or, until the expiration of three years, any fiscal law, or any law relating to the collection of taxes and fees or insurance practice and procedure." It meant that all important laws which affect each and every individual directly remained outside the purview of the Shariah Benches. However, he did not have a smooth sailing even with the clipped Shariah Benches. The Federal Shariah Bench declared *rajm*, or stoning, to be un-Islamic; Zia-ul-Haq reconstituted the court, which then declared *rajm* as Islamic.

DEFINITION OF MUSLIM: By amending the constitution, General Zia also provided the following definition of a Muslim and a non-Muslim:

- (a) "Muslim" means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of the Prophet-hood of Muhammad, the last of the prophets, and does not believe in, or recognize as a prophet or religious reformer, any person who claimed to be a prophet in any sense of the word or of any description, whatsoever, after Muhammad (PBUH).

■ (b) “ “Non-Muslim” means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist, or Parsi community, a person of the Qadiani Group or the Lahori Group (who call themselves Ahmadis), or a Bah?’, or a person belonging to any of the scheduled castes” .<sup>177</sup>

HUDOOD ORDINANCE: Under offenses against Property (Enforcement of Hudood Ordinance 1979),<sup>178</sup> the punishment of imprisonment or fine, or both, as provided in the existing *Pakistan Penal Code* for theft, was substituted by the amputation of the right hand of the offender from the joint of the wrist by a surgeon. For robbery, the right hand of the offender from the wrist and his left foot from the ankle should be amputated by a surgeon. Hudood is the word often used in Islamic social and legal literature for the bounds of acceptable behaviour.

In legal terms, Islamic law being usually referred to as *Sharia*, the term is used to describe laws that define a level of crime classification. Crimes classified under *Hudood* are the severest of crimes, such as murder, theft, and adultery. There are minor differences in views between the four major Sunni *makatab* about sentencing and specifications for these laws. It is often argued that, since Sharia is God’s law and states certain punishments for each crime, they are immutable. However, with liberal movements in Islam expressing concerns about the validity of Hadith, a major component of how Islamic law is created, questions have arisen about administering certain punishments. Incompatibilities with human rights the way Islamic law is being practised in many countries has led many to call for an international moratorium on the punishments of Hudood laws until greater scholarly consensus can be forged. It has also been argued by some that the Hudood portion of Sharia is incompatible with humanism or human rights.

PROHIBITION ORDER: Drinking of wine (i.e. all alcoholic drinks) was not a crime at all under the Pakistan Penal Code. In 1977, however, the drinking and selling of wine by Muslims was banned in Pakistan and a sentence of imprisonment of six

months or a fine of Rs. 5000/-, or both, was provided in that law. Under the Prohibition Order, these provisions of law were replaced by the punishment of eighty stripes, for which an ijma of the companions of Muhammad (PBUH) ever since the period of the Second Caliph Umar was cited. However, the law does not apply to non-Muslims, who can possess a license to drink and/or manufacture alcoholic beverages from the government. The most famous of these is the Murree Brewery.

ADULTERY (ZINA) ORDINANCE: Under the Zina Ordinance<sup>179</sup> the provisions relating to adultery were replaced as that the woman and the man guilty would be flogged, each of them, with a hundred stripes, if unmarried. And if they are married they would be stoned to death. It was argued that the section 497 of the Pakistan Penal Code dealing with the offence of adultery provided certain safeguards to the offender in as much as if the adultery was with the consent or connivance of the husband, no offence of adultery was deemed to have been committed in the eye of law. The wife, under the prevailing law, was also not to be punished as abettor. Islamic law knows no such exception.<sup>180</sup>

Women bore much of the burden of Zia's Islamization and its inconsistencies. The Zina Ordinance prompted bitter international criticism about the perceived injustices and miseries brought about by the Zina Ordinance. Women rights groups helped in the production of a film titled "Who will cast the first stone?" to highlight the oppression and sufferings of women under the Hudood Ordinances. In September 1981, the first conviction and sentence under the Zina Ordinance, of stoning to death for *Fehmida* and *Allah Bakhsh* were set aside under national and international pressure.

In many cases, under the Zina Ordinance, a woman who made an allegation of rape was convicted for adultery whilst the rapist was acquitted. This led to a growing demand by jurists and women activists for repealing the Ordinance. In 1983, *Safia Bibi*, a 13-year-old blind girl, who alleged her employer of rape, and his

son was convicted for adultery under the Zina Ordinance whilst, the rapists were acquitted. The decision attracted so much publicity and condemnation from the public and the press that the Federal Shariah Court of its own motion, called for the records of the case and ordered that she should be released from prison on her own bond. Subsequently, on appeal, the finding of the trial court was reversed and the conviction was set aside.

In early 1988, another conviction for stoning to death of *Shahida Parveen* and *Muhammad Sarwar* sparked bitter public criticism that led to their re-trial and acquittal by the Federal Shariah Court. In this case the court took the view that notice of divorce by *Shahida's* former husband, *Khushi Muhammad* should have been given to the Chairman of the local council, as stipulated under Section-7(3) of the *Muslim Family Laws Ordinance, 1961*. This section stated that any man who divorced his wife must register it with the Union Council. Otherwise, the court concluded that the divorce stood invalidated and the couple became liable to conviction under the Zina ordinance.

The International Commission of Jurists mission to Pakistan in December 1986 called for repealing of certain sections of the Hudood Ordinances relating to crimes and "Islamic" punishments which were discriminatory towards women and non-Muslims. The commission cited an example that a Muslim woman can be convicted on the evidence of a man, and a non-Muslim can be convicted on the evidence of a Muslim, but not vice versa.

BLASPHEMY LAWS: The Pakistan Penal Code (PPC) and the Criminal Procedure Code were amended, through ordinances in 1980, 1982 and 1986 to declare anything implying disrespect to Prophet Muhammad (PBUH), *Ahl-e-Bait* (family of the prophet), *Sahaba* (companions of the prophet) and *Sha'ar-e-Islam* (Islamic symbols), a cognizable offence, punishable with imprisonment or fine, or with both.

These laws to this day are controversial and under fire by human rights organizations all over the world and have been

### RELIGIOUS OFFENCES AND PUNISHMENTS

PPC	Description	Penalty
298A	Use of derogatory remarks etc., in respect of holy personages	3 years imprisonment, or with fine, or with both
298B	Misuse of epithets, descriptions and titles etc., reserved for certain holy personages or places, by Ahmadis	3 years imprisonment and fine
298C	An Ahmadi, calling himself a Muslim, or preaching or propagating his faith, or outraging the religious feelings of Muslims, or posing himself as a Muslim	3 years imprisonment and fine
295	Injuring or defiling places of worship, with intent to insult the religion of any class	Up to 2 years imprisonment or with fine, or with both
295A	Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs	Up to 10 years imprisonment, or with fine, or with both
295B	Defiling, etc., of Quran	Imprisonment for life
295C	Use of derogatory remarks, etc; in respect of Prophet Muhammad (PBUH)	Death and fine

Source: [http://en.wikipedia.org/wiki/Zia-ul-Haq%27s\\_Islamization](http://en.wikipedia.org/wiki/Zia-ul-Haq%27s_Islamization)

questioned by Liberals and Moderates in Pakistan as well. The US Assistant Secretary of State, Robin Raphel, testifying before the Senate Foreign Relations sub-committee, on March 7, 1996, said that the United States recognize that the religious parties in Pakistan have “street power” and not “ballot power” and this is a major constraint for the Benazir Bhutto’s government to repeal blasphemy laws. She revealed that more than 150 blasphemy cases have been lodged in Pakistan since 1986. Most of these have been brought against members of the Ahmadi community. None of the cases against Ahmadis have resulted in convictions. During the same period, at least nine cases have been brought against Christians and nine against Muslims. There have been convictions in some of these cases, but no one has been executed under the law’s mandatory death penalty. Some convictions have been overturned and several individuals are currently appealing their convictions.

**PRAYER TIMINGS:** Instructions were issued for regular observance of prayers and arrangements were made for performing noon prayer (Salat Al Zuhur) in government and quasi-government offices and educational institutions, during office hours, and official functions, and at airports, railway stations and bus stops. Today, in practice, people are usually free to skip prayers in government institutions.

**REVERENCE FOR FASTING ORDINANCE:** An “Ehtram-e-Ramazán” (reverence for fasting) Ordinance was issued providing that complete sanctity be observed during the Islamic month of Ramazan, including the closure of cinema houses three hours after the Maghrib (post-sunset) prayers.

## Conclusion

Islamization was sometimes used as a political process. Zia’s interpretation of Islam had contributed quite considerably to the rise of fundamentalism, obscurantism and retrogression. Since the death of General Zia in 1988, inconsistency and instability

has prevailed in Pakistani laws. Instability means that the law is frequently changing or is under threat of change because of differences of opinion among the ruling factions. Three of the most obvious inconsistencies in Zia's Islamic law are:

- Those between legal norms and socially observed norms;
- Those between statutory legal norms and the norms applied in practice in the courts (e.g. Hadd is difficult to implement as confession, retraction of confession and strict standards of proof make it difficult to execute);
- Those between different formal legal norms (e.g. non-compliance with the *Muslim Family Laws Ordinance* is compromised by the courts but is strictly punished under the *Zina Ordinance*). Another example of this contradiction is that the constitution assures women equal status on the one hand but, on the other hand, they are greatly discriminated in criminal law.

### Sectarian Militancy: The Most Prominent of Zia's Legacies

Pakistani polity signifies cultural, ethnic and sectarian plurality. Extending over four provinces namely Punjab, Sindh, Balochistan, North Western Frontier Province and also the Federally Administered Tribal Agency, Pakistan finds itself embroiled in not only inter-provincial disputes but also intra-provincial disquiet. However for the last two decades, the Pakistan state has also been plagued by rising levels of sectarian violence. In the period 1990-97 alone, there were 581 deaths and 1,600 injuries. Violent episodes varied from assassinations to bomb blasts at places of congregational worship. Individuals have moved from sectarian militant organisations to *jihadist* outfits. This factor along with the instability arising from sectarian terrorist outrages resulted in a Pakistan Government ban on the Sipah-e-Sahaba Pakistan (SSP) (subsequently renamed as Millet-e-Islam).

mi) and its rival Shia organisation Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ) on 3 February 2002). Earlier, in 2001, the first anti Shia militant organization Lashker-e-Jhangvi was also banned.

In order to put the sectarian profile of Pakistan into perspective, 96 percent of people living in Pakistan are Muslim and according to a rough estimate 80 percent among them adhere to the Sunni sect whereas 15 to 20 percent are Shia. However, the historian Qasim Zaman contends that the Shia population varies from 14 to 15 percent. Sunnis are further subdivided into four broad categories: Deobandis, Barelvis, Ahl-e-Hadith and the followers of Jamaat-e-Islami. The latter Islamist organisation sprang up into existence in 1942. Maulana Abul Aala Maududi being its founder, both the Deobandi and Barelvi sects owe their origin to the religious educational movements in the 19th century which came up in response to the modern educational and social institutions set up by the colonial state. The Barelvi movement upholds a traditional attachment to Sufism. This has resulted in conflict with the Deoband movement which espouses a puritanical understanding of Islam that is hostile to Sufi practice. The Ahl-e-Hadith also dates from this era. It had a much smaller following; nevertheless its importance can hardly be understated because of its ultra-orthodox and puritanical ideas. These were inspired by the Wahabi Movement in the 18th century. It categorically rules out all the four schools of jurisprudence.

The Shia community in Pakistan is also subdivided. The Athna Asharis or the twelvers (since they believe in twelve Imams) are in overwhelming majority vis a vis the adherents of other sub sects like Ismaelis (followers of Agha Khan), Daudi Bohras (followers of Syed Burhanuddin) and Sulemani Bohras (followers of Masood Salehbahi). Like Barelvis, Shias venerate saints and shrines as well as other aspects of Sufi Islam. The shias are mostly concentrated in Karachi, Southern Punjab and the Northern Areas. Until the Iranian revolution in 1979, the Shias in Pakistan were politically quiescent. However Zia-ul-



Haq's Sunni brand of Islamisation and the Iranian Revolution of Ayotullah Khomeni spurred them into political activism. Hence their first political party was founded by the name of Tehrik Nifaz-e - fiqhe Jafaria in 1979. Its militant wing by the name of Sipah-e- Muhammad was formed in 1994 in response to the activities of Sipah-e- Sahaba and Lashkar-e-Jhangvi.

Compared to rival sects, Deobandis have emerged as the most articulate and politically dominant representative of orthodox Sunnism. Their sophisticated organizational structure, the extensive network of *madaris* and publishing activities, has established their influence among the Pakistani urban middle classes. Their influence cuts across provincial and *biraderi* (kinship) divides, despite their puritanical and exclusionary exegesis of Islam. The political aspirations of Deobandis are articulated through the Jamiat Ulema-e-Islam (JUI).

Support lent to the Deobandi religio-political leadership by military dictators was yet another cause for the upsurge of this particular version of Islamic orthodoxy. Even prima facie secular General Ayub Khan, the first military ruler of Pakistan, (1958-1969) sought the views of JUI on his proposed Constitution of 1962. JUI in turn demanded restrictions on Shia mourning processions and also to confining their activities to the Imambaras (Shia mosques). It was also during Ayub's regime that more than 100 Shias were massacred in Tehri village, in Khairpur district, Sindh. However, the first institutional link between the Deobandi *Ulema* and Pakistan Army was established in the days of General Yahya Khan's rule (1969-1971) that used them to counter the regime's political foes. During the final phase of the East Bengal struggle, the Yahya regime also encouraged acts of terror to be conducted with impunity by vigilante groups of Jamaat-e-Islami, Albadr and Alshams. Deobandis flourished during Zia-ul-Haq's 11 years of military regime particularly when *jihad* was being waged in Afghanistan against the Soviet occupation (1980-1988), Deobandi Ulema were the biggest beneficiaries as they were not only the agency for the

recruitment of the fighting force, but also Zia's Islamization policy afforded them greater space within the corridors of power. This period saw a flood of weapons into Pakistan which were to be used in mounting acts of violence by ethnic militants, sectarian organisations and in Karachi by drug mafias.

The assassination of the founder of SSP Haq Nawaz Jhangvi in December 1989 sparked a rising tide of sectarian violence. Haq Nawaz Jhangvi (1946-1989) had been Naib Amir (Vice President) of Jamiat Ulema-e-Islam, Punjab until September 1985 when he founded SSP. Thereafter the confrontations between the militant offshoots of JUI and TNFJ became a recurring phenomenon in Pakistan. There was a brief lull in the sectarian violence in the period immediately after the October 1999 military coup, but this has proved momentary. There have been a number of serious episodes of violence involving LJ even after its banning as part of the Musharraf crackdown on 'terrorism' since 9/11. LJ was implicated in the April 2006 Nishtar Park, Karachi massacre which killed at least 50 people including the top leadership of the Bareilvi organisation Sunni Tehreek.

Although LJ and SSP are now officially defunct, the underlying sentiment amongst sections of the population is supportive of a radical interpretation of Islam. In the North West Frontier province anti-western sentiment continues to rise. While Islamic radicalism may bring unified support for *jihadi* causes, it is also highly sectarian in its influence. A tinder box situation thus prevails with respect to episodes of sectarian violence. Especially as large numbers of weapons remain in circulation, despite Government attempts to reduce them. Relatively new phenomenon of suicide bombing is the corollary of the religious extremism that has virtually baffled the state agencies of Pakistan. The terrorism which is an internationalized phenomenon now is a sordid reminiscence of Zia-ul-Haq's rule.

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The Rule of Troika  
in the Name of Democracy  
(1988-1999)



Zia-ul-Haq's demise on 17th August 1988 marked a fortuitous beginning for another democratic stint in Pakistan. Ghulam Ishaq Khan, the manager of the economy during the autocratic rule of General Zia-ul-Haq, and the Chairman of Senate from 1985 onwards assumed the reins of power as a President. A pashtun civil servant from Mardan, Ghulam Ishaq Khan was born in 1915. He was Punjab University graduate, entered the North West Frontier Province civil service and functioned in various capacities before the birth of Pakistan. Immediately after independence he became Home Secretary of NWFP. In 1956 he moved to Lahore after One Unit scheme was promulgated and held a prized post of Secretary for Development & Irrigation, West Pakistan Government. He became chairman of newly constituted Water & Power Development Authority in 1961. Later on he served as Secretary Finance and in 1970-71 he was made Cabinet Secretary. At the time of coup in 1977, he was Secretary General Defense. Zia elevated his status and he became a Federal Minister thus playing a significant role in putting together the economic policy of the military regime. When the non-party elections were held in 1985, Ghulam Ishaq Khan was made its Chairman obvious at the behest of his mentor, Gen. Zia-ul-Haq. Zia's sudden demise saw him rising to the coveted position of President of Pakistan. From there onwards he formed a leading part of the troika. He remained in office until 17 July 1993 when he had to resign as a result of a stand-off between him and Nawaz Sharif. Ghulam Ishaq Khan died on 27 October 2006.<sup>181</sup>

The other member of the troika was Chief of Army Staff General Mirza Muhammad Aslam Baig who was promoted and made Chief of Army Staff after Zia's death. Hence the two offices of President and Chief of Army Staff diverged after a long time. Aslam Baig was born in 1931 in Azamgarh (UP). He got his early education from his home town and commissioned into the Pakistan Army in 1952. Initially he served in Baloch infantry regiment then joined the Special Service Group in 1961.

He participated in 1965 and 1971 wars. After a spell at National Defense College, he was elevated to the rank of Major-General in 1978. Baig had a big break during the Zia era. He was posted as Chief of the General Staff from 1980 to 1985. Then he was made a Corp Commander with a big responsibility to monitor the big part of Afghan-Pakistan border. He rose to the rank of Vice-Chief of Army Staff in 1987. Mirza Aslam Baig played an important role in the smooth transition to democracy in 1988 as Commander-in-Chief of the Armed Forces, the post that he held till his retirement on 15 August 1991. Needless to say that he was extremely important in the troika. Ghulam Ishaq Khan could not have dismissed Bhutto Government without his support. He also picked up disagreement with Nawaz Sharif over the first Gulf war in 1991. "This undermined the Prime Minister's position vis a vis his former Army backers as well as triggering intense conflict between the ISI and civilian Intelligence Bureau security agencies".<sup>182</sup>

The third and relatively inconsequential partner in the ruling troika was the publicly elected Prime Minister, who had far more responsibilities but correspondingly very little powers. Prime Minister's hitherto lying vacant slot was filled in by Benazir Bhutto in the wake of 1988 national elections, which was the weakest link in the ruling troika after Zia-ul-Haq's death. She was accepted as the Prime Minister by the other stakeholder in the state apparatus with the pinch of salt. It would be pertinent to mention that Hamza Alvi regards four centres of power instead of three emerging after 1988. He considers USA as the most powerful of the rest.<sup>183</sup> However, despite the primacy that the USA holds in that period of Pakistan's history, the troika will remain our main focus of enquiry in the lines to follow.

Despite all odds pitted against her, Benazir became the first female Prime Minister of any Muslim country. At the time of swearing in, she was merely 35 hence the youngest Prime Minister at the time. Benazir, the eldest of Zulfikar Ali Bhutto's four children was born on 21 June 1953. She was educated from the

top universities of the world like Harvard and Oxford. Her father envisaged for her a career in Foreign Service that exactly was the reason that she accompanied Z.A. Bhutto on such occasion like Simla Agreement. However it was not meant to be her destiny. Her father's deposition from office and later on execution at the hands of Zia regime gave a new twist to her career. She along with her mother Nusrat Bhutto campaigned for her incarcerated father during 1977-79. From 1977-1984 she endured a long spell of detention in the course of which her health deteriorated to a considerable extent. She has given a detailed account of these traumatic days in her acclaimed autobiography, *Daughter of the East*.

Benazir remained in exile for two years in England. When she came back in April 1986, she was accorded a rousing welcome. In July 1987, she tied a knot with Asif Ali Zardari, a scion of Hakim Ali Zardari from Nawab Shah District of Sindh. She had three children Balawal, Bakhtawar and Asifa. Benazir had two stints as a Prime Minister, first from 1988 to 1990 and second from 1993 to 1997. Most of her remaining life after 1997, she spent in exile, residing in Dubai. In 2007, however, after striking a controversial deal with Gen. Pervaiz Musharraf, she managed to stage a come back to Pakistan under a great threat of life. She escaped a suicidal attack in Karachi just after her return to Pakistan in October 2007. But on 27th December 2007 she succumbed to another blast in Rawalpindi, leaving a big leadership vacuum in the body politic of Pakistan.

After the death of Zia, military "opted to distance itself from explicit involvement in politics and decided to hold election in the country" nevertheless "it continued to guide the direction of electoral competition."<sup>184</sup> Inter Services Intelligence masterminded the scheme of bringing about an electoral alliance against People's Party. Hence they cobbled together with enviable success, all such political forces that represented Zia-ul-Haq's political and ideological legacy, and thus were quite wary of the prospect of PPP's triumph in the elections. Consequently



the emergence of the *Islami Jamhuri Ittehad* came to pass in 1988. Pakistan Muslim League was the party of central importance in that alliance. However the pro-Zia elements successfully contrived the ouster of Muhammad Khan Junejo from the position of political significance. Fida Muhammad Khan was made the President of the newly conjured up PML and Mian Nawaz Sharif became its Secretary General. Subsequently PML Junejo faction was also merged into the main body of the Muslim League. Probably the fear of People's Party had forced that marriage of inconvenience that lasted for some time in spite of a few rough patches kept on coming up to the surface, but adroitly managed by the powers stage managing the contemporary political events. All said and done Zia legacy was active, very much alive and kicking at the behest of the establishment.

Earlier, Zia-ul-Haq, after dissolving the National and Provincial Assemblies on 29th May, had declared that the elections would be held on non party basis on 16th October 1988. However, the full bench of the Lahore High Court declared the act of dissolution by Zia-ul-Haq as unconstitutional. Moreover, while using its discretionary jurisdiction under Article 199 of the constitution, the court stalled the restoration of the assemblies and thus facilitated the process of elections. However, Mohammad Waseem considers the decision of the Supreme Court in favor of party based election as the watershed in the political development of Pakistan.<sup>185</sup>

## Elections and Bibi as Prime Minister

PPP entered into electoral campaign with a lot of expectations attached with Benazir Bhutto as a "confrontational leader of a resistance movement and a crusader of the restoration of democracy." She was, therefore supposed to "galvanize support base into electoral victory"<sup>186</sup> All these expectations with too many odds put in her way, made things too daunting for Benazir Bhutto. On top of all that, she could not secure a sufficient number of

seats in the elections to make a huge difference. Out of total 207 seats PPP managed to win only 92 that made it largest party in National Assembly with 38.52 percent of the total votes, cast in its favour.<sup>187</sup> Generally speaking, the voter turn-out in 1988 elections remained low down to 40 percent as compared to 63 percent in 1970, 55 percent in 1977 and 52 percent in 1985.<sup>188</sup> The production of identity cards at the time of the polling also prevented as many as 12.8 percent voters to cast their votes, a factor that went against PPP. Mohammad Waseem delves into the causes of PPP's poor electoral performance in the Punjab, which had been its power base during Z.A. Bhutto's time. He also refers to the large collectivity of individuals who thrived because of the patronage of Zia regime's drive for Islamization. "The accumulated patronage of eleven years created a widely dispersed lobby of religious elements against the PPP, whom they tried to paint as an un-Islamic party. Their support came from the refugees from East Punjab, especially those from the business community, who feared the prospects of a fresh wave of labour militancy in the case of PPP victory".<sup>189</sup> Consequently the advent of IJI comprising various factions of Muslim Leagues and eight other parties became possible in which Mian Nawaz Sharif made a decisive contribution. He had an uncanny knack of "striking a deal with the prospective political partners, and willingness to put maximum governmental pressure in pursuit of political and factional objectives."<sup>190</sup> Zahid Hussain notes with respect to the provincial elections in the Punjab while referring to some observers that "apart from other factors the complacent attitude of the provincial PPP has also been a cause for the party's setback in the Provincial Assembly elections. While they took it easy after the victory in the National Assembly polls, the IJI got busy in whipping Punjabi nationalism."<sup>191</sup> The President and the caretaker Chief Ministers of the four provinces made the task for the PPP to contest elections even more daunting.

The PPP was the largest party in the Centre and as the majority party in Sindh. Importantly it got seats in all the provinces. The

IJI faced a complete rout in Sindh where it could not bag even a single seat although its performance in the Punjab particularly in the provincial elections enabled it to form the government. Not only many of the big names of Pakistani politics stumbled like Muhammad Khan Junejo, Pir Pagara, Ghulam Mustafa Jatoi, Ghous Bux Bizenjo, Sher Baz Khan Mazari, Mairaj Mohammad Khan, Shah Ahmed Noorani, Asghar Khan, Fatehyab Ali Khan, Hamid Nasir Chhattah and Fakhar Imam. Thus the political leadership in the wake of 1988 elections comprised the generation of mid-night children, Benazir Bhutto, Nawaz Sharif, Altaf Hussain and Fazl-ur-Rehman were born after the partition of India.

PPP could not muster up enough seats to form the government on its own however it emerged as the largest party. President Ishaq Khan delayed the process of transition as he dragged his feet in accepting Benazir's leading parliamentary position. Hence PPP and IJI, both started their frantic efforts to woo smaller parties and independents. Eventually international as well as domestic pressure mounted on the President to nominate Benazir as Prime Minister. Abbas Nasir opines in Herald that "from the very outset... the Army had very reluctantly allowed Ms. Bhutto to take office, and monitored every move and mistake she made during her 20-month rule." He goes on to say in the same narrative "The defense establishment would have never allowed Benazir to come to power, had it not been for the pressure exerted by the US. Reluctantly, the Army bowed to this pressure- probably because Washington controlled its purse strings"<sup>192</sup> The United States played pivotal role in installing Benazir Bhutto in Prime Minister's office. Robert Oakley mediated the deal with other state actors and brokered an arrangement between President, military and Benazir Bhutto. The daily Jang saw the role of US ambassador quite crucial in 'smoothing the way for Benazir Bhutto by mediating with the military.'<sup>193</sup>

That was not the only gauntlet, she had to pick up. The arbi-

trary rule spanning for more than a decade had a lasting imprint on every aspect of national life. Her government inherited a bankrupt economy, an ethnically polarized and strife torn society, rampant corruption and a tense geopolitical situation.<sup>194</sup> The burden of debt was back breaking along with crippling military expenditure which had an undermining impact on already dwindling state of economy. So in such a precarious state of economic resources, there hardly left any room for much needed industrialization for the paucity of resources. The provision of basic welfare necessities for the common man, the much trumpeted slogan of PPP seemed quite hard to be realized. However Benazir was bound by the amended constitution which was tailor-made to perpetuate the quasi-military rule. Despite having a majority in parliament, she was hardly in control of the situation. IJI government had been formed in the largest province of the Punjab therefore she had been drawn into the unremitting confrontation which eventually saw her out of power equation in 1990. Although Aslam Baig raved and ranted about military's having stepped out of politics, "the shadow of the Generals remains omnipresent".<sup>195</sup> The Financial Times noted that: 'General Aslam Beg, the Army Chief of Staff, has already emerged as an influential backseat driver in the government...General Beg's public statements are seen as key policy statements in Pakistan.' That also is an open secret now that military dictated its terms before agreeing to let her assume the office of Prime Minister. The retention of Sahibzada Yaqub Ali Khan as the foreign minister, continuity in Zia regime's Afghan policy and assurance that the defense budget would not be curtailed were said to be the main points that Generals had put on the table.

The problems faced by the newly installed government were exacerbated as the Senate was conspicuously dominated by IJI which made the process of legislation, extremely difficult for the party in power. One must bear it in mind that the eighth amendment had vested almost equal powers in the Senate to

that of the National Assembly. Besides these conditionalities, she also agreed to support Ghulam Ishaq Khan as a President. On top of all she made assurances to abide by the agreements signed by the interim government with International Monetary Fund (IMF).

### Worsening of Relations with Army

Despite the circumscribed role, she could not pull on with the military establishment for long. Saeed Shafqat says that Benazir's relations with the most powerful institution of the country got worsened because of four reasons. (a) The curtailment of ISI's involvement in the politics was the principal reason that vitiated the relationship between the two. In May 1989, ignoring the advice of Aslam Baig she removed the powerful Gen. Hameed Gull and posted him as the Corp Commander Multan. He was the one who cobbled various political factions into IJI and had earned the reputation of the key strategist of the Afghan policy during Zia era. Now with the change in US policy towards Afghanistan Hamid Gull had become a liability that had to be dumped. Therefore Benazir took the initiative and replaced Hamid Gull with a retired Lieutenant General Shamsur-Rehman Kallu, Director General, ISI. The military command considered it an undue interference in their professional affairs and also the violation of the commitment. (b) The second point of contention was with regard to the appointment of Joint Chiefs of Staff Committee. The eighth amendment had vested the power of appointing JCSC in the President. However Benazir Bhutto contested the position that the President had taken. Consequently the appointment of Admiral Iftikhar Sarohi became highly controversial as Benazir was of the opinion while drawing on the executive order and the Army act that she was authorized to retire the chairman JCSC. Eventually she had to retreat as these powers were held by the President. Hence, "her assertion annoyed and antagonized the President and the mili-

tary, and both grew suspicious of Benazir Bhutto's intentions, reinforcing the perception among the military elite that the Prime Minister was deviating from her commitment not to interfere in military affairs."<sup>196</sup> (c) The Pakka Qila incident which occurred on 27th May 1990 widened the gulf between Army and Benazir further. The Pakka Qila is Muhajir settlement in Hyderabad where according to the sources of PPP government some terrorist had taken refuge. It therefore tried to smoke them out and launched an armed action against them with the result that at least 30 people got killed. That action was carried out by police force which did not have enough resources to bring it to its logical end. Police sources claimed afterwards that the culprits were provided protection by the ISI. The incident afterwards was seen as an ethnic conflict in which the Sindhi police massacred the Muhajir. Hence both at the personal and institutional levels the gory incident marked the severing off, of the relationship between Aslam Baig, himself a Muhajir and the Prime Minister. (d) It is no hidden secret that Pakistan Armed forces scrupulously guard "the proceedings, decisions and recommendations of the board"<sup>197</sup> but in June 1990, Benazir Bhutto tried to influence the working of the Army's selection board. She, in fact wanted to extend the term of Lieutenant General Alam Jan Mehsud, Corps Commander in Lahore. The board did not agree and Mehsud was replaced with Lieutenant General Ashraf Janjua. The interference from the Prime Minister on that occasion acted as a last straw on the camel's back, so far as the military high command was concerned.

### Center-Punjab Confrontation

Zia-ul-Haq pursued the policy of restricting the support base of PPP in the Punjab. He patronized various religious groups, traders, merchants and business groups and consolidated a coalition of interests who were anti-PPP.<sup>198</sup> The elections, held in 1985 on non-party basis further eroded PPP's support base.

When Zia-ul-Haq dissolved the National and Provincial Assemblies in May 1988, he retained Nawaz Sharif as Chief Minister of the Punjab who according to Saeed Shafqat was “a symbol of the new realignment of socio-economic groups that Zia had very carefully nurtured and encouraged in the province.”<sup>199</sup> In the 1988 elections Nawaz Sharif with the covert support of Military bureaucracy nexus managed to ward PPP off the Punjab province, securing 108 seats out of 240 in the Provincial Assembly. PPP could bag 94 seats and 32 independent candidates made their way into the Punjab legislative Assembly. Hence with the support of the independents, IJI was able to form the government in the Punjab, leaving Benazir to contend with, “in addition to a skeptical military, an adversarial party and leadership that like her, was young but, unlike her had been well entrenched in the power structure.”<sup>200</sup> Here it seems pertinent that Nawaz Sharif ought to be introduced as he figured very prominently in the power equation in the days to come.

Mian Nawaz Sharif, a scion of a Kashmiri family who migrated to Lahore from Amritsar on the eve of Partition was born in 1949, in Lahore. His father Mian Muhammad Sharif was a person of extra-ordinary business acumen that he also bequeathed to his sons. Nawaz Sharif was educated at Government College Lahore and after passing out from there he joined his family business. He is mostly cited as the first industrialist politician that rose to prominence in Pakistan. Particularly during the Zia era, he was successful in building up a powerful political base for himself in the Punjab as Finance Minister (1981-85) and Chief Minister from 1985 onwards till he became Prime Minister in 1990. He re-organized Muslim League into a party reflecting the wishes of Punjabi middle classes. Nawaz Sharif had two stints as Prime Minister but like Benazir could not complete the five year term even once.

Right after assuming power in the Punjab in 1988, his approach and attitude was undoubtedly confrontational. How-

ever Benazir also did little to improve the situation riddled with suspicion and ill will. Her inability to seek conciliation with Nawaz Sharif, added to her problems. Punjab's Chief Minister was quite vociferous in his demand for the provincial autonomy and to realize that he set up provincial banks and an environment was created which proved detrimental for the nascent democracy in Pakistan. As the Centre-Punjab confrontation intensified, Benazir Bhutto's image got tarnished thus weakening her government's ability to cultivate harmonious relations with the Provincial Governments. Same was the case regarding its dealing with MQM in Sindh. Pucca Qila incident in Hyderabad drove a wedge between the two parties that proved extremely detrimental for PPP itself but also for Sindh province. In such circumstances punctuated with mutual hostility among the political actors, the President and the Army found it very easy to assert that the Benazir's regime was not capable to manage the affairs of Pakistan and handed over an excuse to dismiss her government.

### Zardari<sup>201</sup>, A Point of Controversy

In addition to all the odds piled up against her, Asif Zardari chose not to remain anonymous and apolitical like Mr. Thatcher therefore he proved to be an additional baggage for Benazir. His presence on the foreign tours and official briefings seemed absolutely unnecessary rather superfluous hence not approved by the bureaucratic-military establishment. Similarly public at large looked askance at the way Mr. Zardari had been conducting himself. On several occasions Benazir was told that her husband's presence was not welcome particularly on official briefings thereby putting Benazir in a state of embarrassment. Besides Zardari took little time in developing "the reputation of a swindler, who was using the office of the Prime Minister to make shady deals, indulged in selling permits, licenses for industries and gave patronage to friends."<sup>202</sup> Such negative



public perception of Zardari being called as Mr. ten percent, significantly contributed in tarnishing the image of Benazir. Zardari's conduct and public perception went a long way in not only hastening the downfall of Benazir Bhutto but also the PPP's reputation as a political party was significantly.

### (Mis)Managing of the Economy

Benazir Bhutto led government failed to devise any coherent policy to address the outstanding economic issues. PPP had abandoned the socialist principles and showed clear inclination to follow privatization but the vision seemed to be blurred and lacking proper direction. In order to streamline the process of privatization a high powered committee was set up under the chairmanship of Sardar Farooq Ahmed Khan Leghari, which assigned Pakistan Industrial Development Corporation the task of reinvigorating industrialization, facilitating decentralization and encouraging privatization.<sup>203</sup> Thereafter an extremely ambitious plan was announced which was expected to fetch the state coffer around Rs.12 billion in five years. Hence five sick units were identified in the public sector which had incurred huge losses to the Government. (a) Pak-Iran textile mills, Balochistan (b) Dir Forest Industries Complex (c) Shahdadkot textile mills, Sindh (d) Larkana Sugar Mills Sindh (e) Harnai Mills Balochistan were the sick units, the government wanted to privatize. The losses that these units had incurred were to the tune of Rs.1.9 billion whereas the total losses of the PIDC were around 2.5 billion.<sup>204</sup> It seemed as if PPP government was serious in creating conducive environment for the sale of the sick units to the private entrepreneurs. But unfortunately PPP government could not devise a systematic privatization policy which compounded the problems. Besides, unemployment, inflation and stagnation in the industrial enterprises were the issues needing immediate attention of the government. Ironically Benazir Bhutto squandered her

energies on confrontational politics instead of resolving these problems. Despite these problems PPP government successfully attracted foreign investment. Saeed Shafqat states:

“In 1989 a number of multinational corporations began to open projects in oil exploration, textile, and fruit preservation industries. For Example, Cargil U.S made an investment of 6.4 million dollars for a frozen concentrate juice plant, near Sargodha, scheduled to begin operations in the fall of 1990 and pioneer Seed began construction of a hybrid seed plant, near Lahore, with a 15 million investment. Both Dawood/Hercules a Pak-American joint venture in fertilizers also expanded its operations by investing 325 million dollars in the existing Urea fertilizers plant. And in oil exploration and drilling Occidental, Union Texas, AMOCO and Caltex made fresh investments or expanded their existing operations.”<sup>205</sup>

Despite these marginal gains, the Bhutto government failed quite comprehensively to live up to the expectations during its twenty months tenure. Partly it was because of ‘the unrealistic hopes built around it, given the economic and institutional constraints which hedged about restoration of democracy.’<sup>206</sup> Finally on August 6, 1990 the twenty month honeymoon between the PPP government and the establishment was all but over. President Ishaq Khan administered the last rites at the *Aiwan-e-Sadr* at 5 pm. “The Empire- which allowed the PPP to take office following polls in November 1988- has finally decided to strike back.”<sup>207</sup> Shortly afterwards Ghulam Mustafa Jatoi, the leader of the opposition, took oath as the nominated care-taker Prime Minister. Thus his long standing ambition was fulfilled. Four ministers Ghulam Mustafa Khar, Rafi Raza, Sartaj Aziz and Illahi Bux Soomoro were sworn in simultaneously. In Sindh, Governor Fakharudin G. Ebrahim refused to dissolve the Provincial Assembly therefore he was replaced with Mahmoud A. Haroon who then signed the dissolution

order. Jam Sadiq Ali assumed the office of a Chief Minister. Amir Gulistan Janjua sent Aftab Sherpao government and legislature of NWFP packing and Mir Afzal Khan, an industrial tycoon and former Z.A Bhutto government minister, took over as the care-taker Chief Minister of the province. In Balochistan Mir Hummayun Khan Marri, the son in law of Nawab Akbar Khan Bugti became the new Chief Minister after the latter sent an advice to the Governor Gen. (retired) Musa Khan to dissolve the Balochistan Assembly. In Punjab 'a more dignified and, perhaps cosmetic exit'<sup>208</sup> was facilitated. Nawaz Sharif was not sacked, instead he was given time to advice dissolution to Mian Muhammad Azhar, the newly appointed Governor. Ghulam Haider Wyne, a close associate of Mian Nawaz Sharif was put in charge of the Punjab as Chief Minister.

The factual detail given above signifies the establishment's resolve to ensure that PPP does not return to power. Every body in the care-taker set up hailed from anti-PPP camp. Subsequently the policies that the interim government pursued were hostile towards Benazir and the PPP which considerably 'tarnished the nonpartisan image of the interim government'.<sup>209</sup> Few analysts therefore strongly contested the fairness of the elections and the allegation of rigging resonated in the pro-PPP circles. All these suspicions notwithstanding, the elections demonstrated very clearly that Punjab was no longer the bastion of the People's Party. The Peoples Democratic Alliance of which PPP was the mainstay could secure 44 seats in the National Assembly as against 106 seats of IJI out of a total of 207 seats.<sup>210</sup>

### Nawaz Sharif in Power, 1990-1993

Despite the goodwill from the establishment, Nawaz Sharif had to confront many issues of grave nature after he assumed office as the Prime Minister. Apart from the continuation of confrontational politics there was a crisis situation in Sindh and dwindling economy along with the malaise of corruption

draining the national exchequer. The economic planning and policy formulation was virtually dictated by IMF and World Bank particularly after the drying up of US aid and a sharp decline in remittances from the Gulf.

In order to meet the economic challenge he embarked on the policy of economic liberalization with far more earnestness than PPP had done. Therefore the control over the foreign currency entering Pakistan was abolished in February 1991. Besides numerous policy measures were taken to encourage the foreign investment in the country.<sup>211</sup> By October, the same year eighty nine state enterprises were put for sale.<sup>212</sup> However one must not forget mind that immediately after assuming power Nawaz Sharif Government had to increase the oil prices by over 40 percent.<sup>213</sup> It resulted from the Gulf crisis that had not only political but economic repercussions on Pakistan. In addition to these problems, the disparate character of the coalition partners like PML and ANP, the JI and both MQM and the JUP sailing in the same boat, looked too unnatural to last very long.

Ian Talbot considers Nawaz Sharif more successful than his predecessor in pushing forward the process of legislation and in forging a good understanding with various groups and factions representing different units within the federation. The Council for Common Interest was convened and the financial assets were divided between the provinces. Reasonable level of progress was made in March 1991 on the resolution of the dispute over the Indus waters.<sup>214</sup> The relationships of the centre and the provinces were quite harmonious which acted as a stabilizing factor at the crucial time of the Gulf war.

Such measures like fixing a monthly minimum wage of Rs.1,500 for unskilled workers in July 1992 brought Muslim League and Nawaz Sharif a considerable popularity. Similarly he announced on February 1991 that 3.75 million acres of land in the Sukkur and Ghulam Muhammad Barrage areas of Sindh would be distributed to landless haris, each having 15 acres.<sup>215</sup> The most controversial of all the measures was the Yellow Cab

scheme, announced in April 1992. In order to purchase the yellow cab the loan upto Rs.300,000 was promised to the unemployed. According to Waseem around 40,000 households were benefitted from the loans, sanctioned for 95,000 taxis, buses and coaches etc.<sup>216</sup>

In the first tenure of Nawaz Sharif private sector got a big boost. Not only a private airline was created but the privatization commission was also set up under General Saeed Qadir to put up the sick units in the public sector for sale to the private entrepreneurs. Hence Muslim Commercial Bank was sold off to the Chinioti-Punjabi Mansha-Saphire group.<sup>217</sup> A lot of hue and cry was raised on the transparency of such measures. Similarly the co-operative scandals resulting from the collapse of the cooperative societies in which depositors lost Rs.20 billion. Most of the societies incurring huge bad debts like the National Industrial Credit and Finance Corporation (NICFC) and the Services Co-operative Credit Corporation belonged to the Provincial Assembly Members of the ruling IJI. Such scams proved disastrous for the Nawaz Government's credibility. It also provided a ruse to the opposition to undertake destabilizing methods. Benazir sent a telegram to President Ghulam Ishaq Khan pressing on him to sack Nawaz Sharif.<sup>218</sup> In November 1992 she also orchestrated a long march on Islamabad and immediately afterwards a train march just to see Nawaz Sharif led IJI government unraveled. That indeed was 'a strange turn of events', Benazir had been hobnobbing with the same 'President' who represented 'establishment' and importantly enough had also dismissed her government. That in fact reflects the particular mentality typifying the Pakistani political culture which is punctuated with confrontation rather than accommodation. It gives rise to the ubiquitous streak of 'political intolerance of opposition'.<sup>219</sup> There was a flip side of the coin as well. Benazir Bhutto was branded 'kafir' by the Minister of Religious Affairs and Jam Sadiq Ali termed her terrorist. The Government also left a little space for accommoda-

tion as PPP stalwarts and activists were hounded and victimized. Hence a scope for 'constitutional niceties' was rather limited. The 'politics of malice' reached the culminating point when on 27 November 1991, "five masked men broke into Karachi residence of Veena Hayat, a close friend of Benazir Bhutto and daughter of the veteran Muslim League leader Sardar Shaukat Hayat. She subsequently brought a charge of gang rape and claimed that the men had been sent by Irfan Ullah Marwat, the son-in-law of President Ghulam Ishaq Khan and Advisor on Home Affairs to the Sindh Chief Minister Jam Sadiq Ali."<sup>220</sup> That case became a rallying point for different political parties and groups to come together however the representatives of the establishment including the President were unbudged. Jam Sadiq Ali had virtually unleashed the reign of terror on the PPP worker with the tacit approval of Ghulam Ishaq Khan. That strategy of incriminating PPP workers and activists reduced the ethnic violence to a certain extent but the rural Sindh had witnessed the unremitting spell of lawlessness with dacoits operating there with impunity. Not only were the Pakistani citizens targeted but also foreigners. In early 1991, Japanese students and Chinese engineers were picked up by the kidnapers. In Karachi also the split within the MQM fuelled extra-ordinary spate of violence as MQM was divided into two groups. MQM Haqiqi (Genuine) was the splinter group led by Aamir Khan, Afaq Ahmed and Bader Iqbal. Those were the days of extreme difficulties for the Muttahida Qaumi Movement (previously it was Muhajir Qaumi Movement). But the turbulence spawned, hard on the heels of Jam Sadiq Ali's death on 4 March 1992 and the replacement of General Aslam Baig with Asif Nawaz Janjua as COAS when the military crack down (operation clean up) commenced from May 1992 onwards. The Tando Bahawal incident, notwithstanding, in which a few innocent lives were lost, the operation clean up helped, curbing the menace of dacoity in the rural Sindh. However the deployment of the Army in Karachi had

its greatest impact, as MQM was caught unawares. Nevertheless many of its activists went underground and the legislators tendered their resignations from the legislative assemblies, both national as well as provincial.<sup>221</sup>

The operation clean up had a corrosive consequence on Nawaz regime. Nawaz Sharif was quite uneasy about the military operation in Sindh, which considerably strained his relations with the President and the COAS. Issues like Gulf War, differences on the controversial Shariat Bill, mounting economic crisis and unraveling of IJI coalition drove the wedge deeper among the members of the troika. Finally Nawaz Sharif's efforts to extend the powers of the Prime Minister marked the parting of the ways. Rapprochement with Benazir was also a potent factor. Furthermore the independent policies on Kashmir and Afghanistan soured the relations but the selection of the Waheed Kakar as a new COAS after Asif Janjua's demise brought further acerbity in the relationship. But Nawaz Sharif's intention of reviewing the eighth amendment and his silence on the issue of Ghulam Ishaq Khan's re-election brought the tension to the breaking point. Nawaz Sharif's bold televised address to the nation on 17th August 1993 hastened his exit, in which he levelled charges against the President of conspiring against him. Consequently the inevitable then happened transforming Nawaz Sharif from a cowardly businessman to a defiant politician. His government was dismissed by the wily Ghulam Ishaq Khan. Balkh Sher Mazari was appointed a care-taker Prime Minister with a huge Cabinet, mostly PPP stalwarts including Asif Zardari, Aitzaz Ehsan and Jahangir Badar finding their way into the corridors of power from backdoor. Mohammad Waseem says regarding the size of the Cabinet, 'It was compared with the Qissa Khawani Bazar at peak business, with its ministers remembered as wheeler dealers, smugglers of drugs and arms, and a variety of sycophants, agents, "Saints and Sinners" led by an acting Prime Minister, "every inch an elegant hair dresser".<sup>222</sup>

## History Repeated Itself

On 19th April Nawaz Sharif filed a petition against the dismissal of his government and the dissolution of the legislatures. Surprisingly twenty one days subsequent to the dismissal of the Nawaz government, Supreme Court full bench presided over by the Chief Justice Nasim Hassan Shah gave its verdict against the establishment. The Supreme Court "historically reversed the trend of the courts siding with executive authority by declaring in a 10-1 verdict that the dissolution was 'not within the ambit of powers conferred' on the President by the constitution."<sup>223</sup>

The decision had a stunning affect on the custodians of Pakistani frontiers, both physical as well as ideological. Although judiciary gave a favourable decision but Nawaz Sharif's ordeal was not over yet. His long time friends in politics had become his inveterate foes now. His erstwhile companion and speaker of the Punjab Assembly for several terms Mian Manzoor Ahmed Wattoo in cahoots with Altaf Hussain, the Governor of the province did not allow Mian Nawaz Sharif to capitalize on the courts verdict in his favour. That deadly duo patronized by President skillfully managed to prevent Nawaz Sharif in digging in his heels in the Punjab, his bastion of political power. The political crisis therefore had given rise to the constitutional crisis. When Nawaz Sharif tried to bring Punjab under the control of the Central Government, the President disallowed such a move as no constitutional provision warranted that. The situation now asked for the intervention from the most powerful member of the troika, the COAS. As a consequence the deal brokered by General Waheed Kakar made both Ghulam Ishaq Khan and Nawaz Sharif quit from the respective offices, making a way for World Bank/IMF sponsored 'financial wizards' Moin Qureshi to step in, ostensibly to put Pakistan's beleaguered economy on the right track. The blue eyed boy of the establishment and the ideologue of right wing politics of extreme opportunism Mr. Waseem Sajjad became the President.



The primary role of the interim set up, as it had unfolded later was to implement the economic policies that formed the part of structural adjustment programme, usual prescription of the World Bank and IMF for the failing Third World economies. Holding of the elections came lower on its priority list. The economic reforms drawn up for Pakistan ostensibly 'to restore Pakistan's credibility with Western lending agencies in order to secure further IMF and World Bank financial flows.'<sup>224</sup> Operational autonomy for the State Bank of Pakistan, introduction of agricultural income tax, a six percent devaluation of the rupee and withdrawal of the subsidies on such items like flour, ghee and fertilizers formed the main agenda of that set up. That was, essentially done to keep budgetary deficit under control. However price rise in the essential items was the immediate outcome of those policies, which had been very unpopular. The release of the list of more than 5,000 bank loan defaulters and beneficiaries of loan write-offs was another measure that merits mention. Many among the political and industrial elite were those whose names had been published in the list of defaulters. The loan defaults and write-offs were to the tune of Rs.62 billion which hampered the prospects of the foreign investment in the country. These measures had just a temporary affect if at all they had any.

### Benazir Yet Again

After the National Assembly and Provincial Assembly polls scheduled on 6 and 8 October respectively the interim set up completed its tenure. PPP emerged the single largest party with 86 seats whereas Pakistan Muslim League (Nawaz Group) secured 73 seats. Despite striking regional voting variations in the Punjab the fact of Nawaz Sharif's increasing influence was again corroborated. In the central districts of the province PPP faced the horrid situation as it could not win even a single seat in the Punjab's major cities of Lahore, Faisalabad, Rawalpindi, Multan, Gujranwala, Sialkot and Sargodha. Poor party organi-

zation in the Punjab, lack of competent leadership and the erosion in its support base which traditionally had been the poor sections, contributed to its poor performance. Moreover as Mohammad Waseem contends, the Yellow Cab scheme and much trumpeted project of Lahore-Islamabad Motorway markedly increased the vote bank of PML (N).<sup>225</sup> Despite Nawaz League's popularity, Pakistan Muslim League (Junejo Group) managed to win six seats in the National Assembly elections and eighteen in the provincial polls. Hence PPP was enabled to keep Nawaz Sharif out of power in the Punjab as it successfully put log a coalition with PML (J) with Manzoor Wattoo as the Chief Minister. In Balochistan Jamhoori Watan Party of Akbar Bugti and PKMAP were successful but only in the Baloch and Pakhtoon belts respectively. Aftab Sherpao with unequivocal support from the centre successfully upstaged the Sabir Shah led Muslim League Ministry in NWFP. With all the nefarious tactics in the lexicon of the politics, Sherpao brought in no-confidence motion with the help of independent candidates. Despite PPP majority in the Sindh Assembly with Abdullah Shah as the Chief Minister, Karachi remained an anathema for PPP with MQM in the opposition camp. Karachi therefore kept burning during the three years of Benazir Bhutto's reign.

Despite many odds stalked against Benazir, she assumed office of the Prime Minister in a much stronger position in 1993 than five years earlier. Her position was strengthened because the most important province, Punjab had been under her control. Many political analysts were led to believe that Benazir would complete five years tenure when her close companion, the tested and tried Farooq Ahmed Khan Leghari had a last laugh in the 13 November Presidential election. Farooq Leghari trounced acting President Waseem Sajjad by 274 to 269 votes.<sup>226</sup>

Sardar Farooq Ahmed Khan Leghari was born in 1940 to a landowner from the Baloch Leghari tribe of Dera Ghazi Khan. Educated at Oxford, he entered Superior Services in Pakistan before joining politics. He came to the political limelight as a

PPP loyalist. After 1988 elections he led the PPP parliamentary party in the Punjab but soon after he preferred to take over the Ministry for Water and Power at the centre. After Benazir's dismissal, he acted as deputy opposition leader before briefly serving as a Minister in October 1993 following the dismissal of Nawaz Sharif. He got elected as President in November 1993. Leghari seemed at first to play second fiddle to Benazir Bhutto as toppling of Sabir Shah's government in the Frontier and the formation of Manzoor Ahmed Wattoo's Government in Punjab indicated that he was a party loyalist head of the state. Leghari's image was considerably stigmatized by claims that he was involved in the Mehran Bank scandal.

During the summer of 1996 his relationship with Prime Minister Benazir Bhutto became sour to the background of institutional collapse and a worsening economic situation. The situation worsened following her veiled attack on Leghari after Mir Murtaza Bhutto's death. The Prime Minister was nevertheless shocked when Leghari moved to dismiss her government on 05 November 1996. The President acted within his constitutional powers and promised that elections would be held within the statutory ninety-day period. Leghari appointed Meraj Khalid, one of the founding members of the PPP, as care-taker Prime Minister. Despite some anxieties, the general elections were duly held in February 1997.<sup>227</sup>

The way Benazir started her second stint as a Prime Minister showed maturity and greater finesse in forging the relations with other political figures and political parties. She also demonstrated far more accommodation for her coalition partners as in the case of the PML (J) in the Punjab. Moreover, Nawabzada Nasarullah Khan was made Chairman of the Kashmir Committee; Fazl-ur-Rehman became Chairman of the Foreign Affairs Committee and Malik Qasim, Chairman of the Anti-Corruption Committee in the National Assembly. Malik Qasim also at the behest of the PPP became the leader of the House in the Senate. Similarly, Mustafa Jatoi's son was inducted in the Sindh Cabinet

as a minister; Balkh Sher Mazari's son was also given a ministerial slot in the Punjab Cabinet. Mustafa Khar's as well as Nasrullah Khan's son too became ministers in the Punjab.<sup>228</sup> However her policy of conciliation failed to cast any affect on Nawaz Sharif. Hence the mutual animosity between the two continued unabated. Thus Benazir Bhutto's government started instituting cases of misdemeanor, corruption and misconduct against the PML (N) leaders. Saeed Shafqat reveals that by December 1995, about 140 cases had been instituted against Nawaz Sharif and his kins. However Bhutto regime was cautious enough not to 'pursue a large-scale arrest of PML (N) leaders and workers'.<sup>229</sup>

This time Benazir was more prudent in her dealings with the Army. She avoided any possibility of confrontation with the military top-brass. It would not be out of place to quote Saeed Shafqat once again to prove the point:

...the retirement of JCSC Chairman, General Shamim Ahmed was managed smoothly and efficiently, unlike the Sarohi affair. Similarly, the selection of Chiefs of Air Staff, Naval Staffs were made without causing any ripples. On 12th January 1996, General Jahangir Karamat took over the command of Pakistan Army upon the completion of the term of General Abdul Waheed, the first time that the senior most General has become COAS. His appointment was acclaimed by all shades of political parties and opinion builders in the country. In November 1994, when the military decided to wind up its "operation clean up" in Sindh, Benazir Bhutto was prompt in giving her approval. The military's withdrawal from Karachi, and now she could confront the MQM by saying that she has acceded to their demand.<sup>230</sup>

Besides, Benazir Bhutto strived to the optimum to protect Army's corporate interests. She also launched a vigorous campaign to procure arms and munitions from various sources and particularly from the US. The Brown Amendment was hailed as a meritorious feat of PPP's government. She resisted the pres-

asures from IMF and World Bank to impose cuts on the Defense spending, therefore in 1993-94 and 1994-95, defense expenditure exceeded even one quarter of the total budget.

Despite Benazir Bhutto's endeavors to ingratiate Army Generals, she could not complete the stipulated duration of five years. What seemed almost impossible if not improbable by the early 1996 was looking quite imminent during the later half of the year. Benazir and President Farooq Leghari had started treading divergent paths. Their deteriorating relationship was foreboding ill for the future of the PPP regime. Zaffar Abbass reported in Herald to the similar effect:

As the PPP completes its third year in power, close to the longest stint of any government since 1985, it looks abundantly clear that it will take a miracle to keep the Bhutto administration afloat for more than two years. Already, the government appears to be standing on the shaky ground, with a rapidly deteriorating economic situation, the increasingly bitter tussle between the government and the judiciary, the opposition's vicious anti-government campaign and the apparent uneasiness of the Army top brass. The death in controversial circumstances of the PM's only surviving brother, Murtaza Bhutto, was the latest in the series of blows on both the political and emotional levels for the beleaguered Ms Bhutto. Making matters worse is President Farooq Ahmed Khan Leghari's recent near declaration of war, a development that has completely changed the political climate.<sup>231</sup>

The factors like deteriorating situation in Karachi and worsening state of economy and lack of any vision to resolve the problems impeding the attainment of good governance became the causes of Benazir's fall from grace. The volatile political situation along with the economic crunch played a significant role in Benazir's down fall. Foreign investment gradually dried up. The publication of the Berlin based Transparency International's

report, which put Pakistan as the second most corrupt country in the world did irreparable damage to the Pakistan's reputation as an investment friendly country. IMF also showed reluctance to provide funds which made things from bad to worse. The charges of corruption and lack of transparency accompanying the sale of United Bank Ltd. in April 1996 was another such case which put government into a disrepute. Consequently, privatization process was put to a halt. The impending sale of 26 percent of Pakistan Telecommunications had to be postponed for indefinite period of time.<sup>232</sup> Foreign exchange reserves fell to a critical level. Resultantly, Bhutto government resorted to short-term loans at high interest rates and along with that not only taxes were raised but depreciation in rupee was also brought about, in an October mini budget. Moreover, in the budget presented on 13 June, 1996 the allocation for defense was increased by 14 percent on the previous year which reached up to the staggering figure of Rs.131.4 billion.

Besides the economic challenges, confronting PPP government, all was not well on the political front. The real nemesis for PPP was the Punjab yet again. Mian Manzoor Ahmed Wattoo, the Chief Minister of the province had started feeling a bit edgy and irked by the presence of Faisal Saley Hayat as a Principal Advisor at his head. The dissensions came to the surface when Wattoo tried to break free from the shackles of PPP's appointee, in the Punjab. Ian Talbot reveals that Wattoo had started hobnobbing with PML (N) though surreptitiously, eventually leading to the no-confidence motion against him in the Punjab Assembly. Consequently he was ousted and replaced by Sardar Arif Nakai, a veteran politician from District Kasur. Later's appointment as the CM of the Punjab sowed the seeds of dissension between the President Leghari and the PM. President Leghari was interested to see Makhdom Altaf filling the coveted slot. According to some sources President was visibly upset over such a development in the most important province. Similarly another important turning point came in the form of the Shafi

Mohammadi affair. The President was really very keen on the proper implementation of the Supreme Court judgment on the judge's case. He was annoyed when Shafi Mohammadi, the Shariat Court Judge, "launched a scathing attack on the Supreme Court Chief Justice".<sup>233</sup> Leghari was of the view that Mohammadi was perceived as PPP loyalist and instigated by the government. That added a considerable acerbity in the relationship between Leghari and the Prime Minister. Despite these divergences President Leghari abstained to pick up an open confrontation with the PM. Such a situation of uneasy calm did not last very long particularly when he came across 'the government's proposed Pakistan Petroleum Limited deal in which business tycoon and hotelier Sadruddin Hashwani was to be a major beneficiary. Thereafter, he returned a draft ordinance aimed at setting up a multi-billion dollar lottery to raise funds for Pakistan's 50th Independence Day celebrations, objecting that the deal did not look transparent and asking it to go through parliament.'<sup>234</sup>

Benazir was ill at ease with President's newly founded independence. She retaliated by including Nawaz Khokhar, a political turn coat as Cabinet minister while knowing full well that President despised him for his alleged role in implicating him in the Mehran Bank scandal. Concurrently the economic situation had become grave and many serving as well as retired World Bank officers of Pakistan origin descended on Islamabad to hold covert meetings with the people who really mattered. The rumor mills therefore started churning out stories about the new possibilities that the establishment had started exploring. Some sources said that a serious exercise was planned and a list of top bankers and technocrats had been drawn up. Thus a new interim set up comprising technocrats was the subject of speculation. Politicians were projected as chronically corrupt and self serving lot. However, that scheme was trenchantly opposed by the both leaders of the mainstream parties namely Nawaz Sharif and Benazir Bhutto. Therefore this idea fizzled out even at the stage

of its conception. Sacking of some of the corrupt officials and ministers was also a moot point; vitiating already antagonistic relations between the President and the Prime Minister. Murtaza Bhutto's assassination on 21 September 1996 in extremely mysterious circumstances completely drove them apart. That gory incident was a sad commentary on the law and order situation obtaining particularly in Sindh. It hastened the process that culminated into the dismissal of Benazir Bhutto Government as the President was accused of Murtaza's murder, which of course was the fateful development.

Once again Prime Minister proved to be a weaker link in the ruling troika. One must not, however lose sight of Benazir Bhutto's inadequacies. Aamer Ahmed Khan was spot on, when he commented, "From her ill-planned Doves of Democracy Movement to the uncertain majority which she rode to her first stint as the Prime Minister, Ms Bhutto did everything that General Zia had wanted his hand-picked politicians to do. Every step she took disgraced the political process, from bribing elected representatives to secure their support in the National Assembly to letting her husband run amok in the PM's secretariat."<sup>235</sup>

The care-taker set up was headed by Malik Meraj Khalid, a veteran politician from Lahore. Malik Meraj Khalid was born in 1916 in the outskirts of Lahore. He started his political career as a member of Majlis-e-Ahrar. Later on he was quite active during Ayub era when he joined the Convention Muslim League. Afterwards he joined Zulfiqar Ali Bhutto and was among the founding members of PPP. After his election to the National Assembly in 1970 he became federal Minister for Agriculture. For a brief period, he also served as Chief Minister of the Punjab. In 1988, when democracy was restored he was elected Speaker of the National Assembly. Thereafter he could not secure any niche in the Parliament as he kept losing elections. His acceptance of a rectorship of the Islamic University Islamabad virtually marked the end of his political career. However he entered into lime-light again after he was made



care-taker Prime Minister following the dismissal of Benazir Bhutto on 5 November 1996. His affectiveness as a PM was questionable as most of the discretionary powers rested with the President.

The care-taker Cabinet included such persons like President Laghari's brother-in-law, Dr. Zubair Khan as Commerce Minister. Zulfiqar Ali Bhutto's renowned 'talented cousine' Mumtaz Bhutto was made the Chief Minister of Sindh. Shahid Javed Burki, was given the portfolio of finance, who was instrumental in introducing major economic and financial reforms. He undertook several measures to stabilise the foreign exchanges and bring down fiscal deficit to the 4 percent of GDP as demanded by IMF. Moreover, "broadening of the tax base to include agricultural incomes, changes in the management of the state owned banks, and the establishment of a Resolution Trust Corporation to deal with bad debts"<sup>236</sup> were the important steps that had been taken by the care-taker government.

Two institutional reforms merit mention here (a) the introduction of adult franchise in Pakistan's Federally Administered Tribal Areas, (b) The formation of a Council of Defense and National Security (CDNS). Out of both these reforms, the first one was a step in the right direction however the establishment of CDNS was meant to assign a permanent role to Army brass in the decision making process. By doing so the two members of troika namely President and COAS could have legitimize their role in the affairs of the government.

## Elections and PML (N) Swept into Power

Uncertainty about the fate of the elections, restrictions on posters, party flags and loudspeakers, the influenza epidemic in the Punjab and the date of the polls falling in the month of Ramadan, made the whole process of the elections, very dull and full of lethargy. Nevertheless PML (N)'s crushing victory was the outcome of the elections, held on 3 February 1997. PML

(N) captured 135 seats in the National Assembly and notched up an absolute majority, which was a rare happening in the entire history of Pakistan. Punjab remained PML (N)'s forte in the elections however it was successful in making inroads into Sindh also, where it won 15 seats. PPP on the other hand could win paltry 19 National Assembly seats. It also conceded number of National and Provincial Assembly seats in the districts of Nawabshah, Khairpur and Jacobabad. In the Punjab Provincial Assembly it could secure only 3 seats out of total 240 seats. Aamer Ahmed Khan reported in Herald:

The inevitable happened on February 3. Misused and abused for over 10 years by Ms Benazir Bhutto, the vote bank of the People's Party refused to show up on Election Day. A party which was always good enough for at least 40-odd seats in the National Assembly, because of its consistent ability to poll over 35 percent of country's active electorate, was cut down to mere 18 NA seats against PML's 136. Foul, cried Ms Bhutto, but unlike 1990, there was no one to listen to her. For good reason, the February 3, polls was not simply a defeat for the PPP in terms of numbers; it was a death of a culture that had led an extremely tortured existence ever since Ms Bhutto's return from exile in 1986.<sup>237</sup>

Apart from the ascendancy of PML (N), Ian Talbot detects two other long-term trends. (a) the electoral malaise of the Islamic parties. Jamaat-e-Islami and Jamiat Ulema-e-Pakistan had boycotted the elections and Fazl-ur-Rehman's Jamiat Ulema-e-Islam could win only two National Assembly seats. (b) Ethnic/regional identities continued to be strong. MQM held its ground in urban Sindh despite state repression and captured twelve National Assembly and twenty eight Sindh Provincial Assembly seats. Similarly Awami National Party won thirty one Provincial Assembly seats in NWFP and Jamhoori Watan Party and Balochistan Nationalist Parties accounted for eighteen Provincial Assembly seats in Balochistan Province.

Hence PML (N)'s triumph notwithstanding, ethno-nationalist identities had a substantial presence in Pakistan calling for the recognition of pluralism through devolving power and resources.

Despite 'heavy mandate' a phrase that had got currency during that time, Nawaz Sharif had a few insurmountably difficult tasks to grapple with. Apart from his relationship with President Leghari who had once been his political adversary, more crucial issue was the dwindling economy. The installment of the loan which had to be repaid by June 1997 was to the tune of \$1.2 billion. Besides, an increasing trade imbalance and soaring prices had in fact boxed the Prime Minister in. It also did not seem likely that 'Pakistan would meet the IMF target of current account deficit of 4.4 percent of GDP for 1996/7.'<sup>238</sup> Nawaz Sharif responded to these challenges by embarking on a number of populist measures like '*qarz utaro, mulk sanvaro*' (retire debt, develop the country) scheme. In that Pakistani expatriates and the Diaspora were asked to rescue Pakistan from 'the flagging foreign exchange situation by depositing a minimum of \$ 1,000 as an interest-free loan in Pakistani banks for two to five years.'<sup>239</sup> That appeal yielded positive result but obviously it could not address Pakistan's deep seated economic problems. On 28th March Finance Minister Sartaj Aziz announced an economic reform package whereby the austerity measures, demanded by IMF Standby Arrangement were jettisoned in favour of 'supply-side economics'. Through that policy the tax-cuts and higher support prices had been put in place in order to enhance agricultural and textile production. Such an initiative was taken mainly as a result of the suspension of IMF agreement a few days earlier. In July there came a light at the end of the tunnel for Pakistan government, and it 'was allowed to enter into a medium-term Enhanced Structural Adjustment Facility (ESAF).'<sup>240</sup> It certainly helped reducing the balance of payment vulnerability however far reaching economic reforms were the need of the time like widening the tax base or such measures

which could result in greater direct investment and also enhance exports as well as the agricultural production.

However political situation had become quite eventful as Nawaz Sharif introduced the Thirteenth Amendment on 1 April, stripping the President of the power under Article 58-2(b) which had enabled the President to dismiss the Prime Minister and dissolve the National Assembly. In fact the tensions between the President and the Prime Minister had come to the fore, over the appointment of the Sindh Governor. PML (N) wanted the nominee of the MQM to be appointed whereas the President insisted on Lieutenant-General Moenuddin Haider to be the Governor of Sindh. The tension was aggravated further when Nawaz Sharif was impelled to award Senate ticket to President's relative, Maqsood Leghari. Government's introduction of 'supply-side economics' was yet another factor that enhanced the estrangement between the two. Now that Nawaz Sharif was the most powerful Prime Minister since Zulfikar Ali Bhutto, he could pick up a fight with the President and he did that. Consequently President Leghari had to tender his resignation on 2 December 1997. Nawaz Sharif was triumphed. When Rafiq Tarar, a friend of his father Mian Sharif took over as the President, Nawaz Sharif's position seemed to have become unassailable. Here it would be appropriate to introduce Rafique Tarar.

Rafiq Tarar was born at Pirkot on 02 November 1929. He was a little known figure before becoming President of Pakistan on 31 December 1997. His nomination for the post by the ruling PML (N) had come as a surprise even to Cabinet members. Indeed, it was rumoured that he owed his elevation to the support from 'Abbaji' Mian Mohammad Sharif, patriarch of the Sharif family.

Tarar came from a modest background, was educated at college in Gujranwala before entering Law College in Lahore from where he obtained his LLB in 1951. He established legal practice in Gujranwala before rising to the post of Chairman of Punjab Labour Court in 1970. He entered the High Court four years

later, and became the Chief Justice of the Lahore High Court in 1989. He reached the pinnacle of his legal career two years later when he joined the Supreme Court, escaping the limelight since he dealt mainly with criminal cases rather than the politically contentious constitutional cases that have featured so prominently in Pakistan's history. He was also not very prominent member of the Senate, which he entered on the PML (N) ticket in March 1997 following his retirement from the judiciary. Some commentators have depicted Tarar as a conservative who is hostile in his attitude to the minorities, and whose elevation exemplifies Pakistan's 'creeping fundamentalism'.<sup>241</sup>

After Farooq Leghari was ousted, Nawaz Sharif now locked his horns with Judiciary. Ian Talbot takes down the whole issue of that confrontation. "The conflict was rooted in the encouragement to judicial activism given by the March 1996 verdict in the Judges Case. When Chief Justice Sajjad Ali Shah took notice on his own initiative of cases involving the government's handling of a wheat-shipping contract from the United States, and opened cases which had been pending concerning the alleged illegal distribution of residential plots by the Prime Minister, the conflict became sharper."<sup>242</sup> When the Supreme Court disapproved the parallel justice system of summary trial courts, in August 1997 under Anti-Terrorist Law, the conflict got further intensity. After several vicissitudes Justice Sajjad Ali Shah was also made to depart and Justice Saeeduz Zaman Siddiqi took over the Chief Justice of Pakistan Supreme Court. Hence, Nawaz Sharif was at the acme of his power and authority after having done away with the President and then the Chief Justice. However his rough dealing with Army yielded entirely different result.

General Jahangir Karamat's resignation at the behest of a civilian Prime Minister was the freakish moment in the entire history of Pakistan. The moot issue was National Security Council, which Jahangir Karamat vehemently espoused that eventually led to the differences between him and the Prime Minister. Consequently the aberration took place and COAS tendered his

resignation. So far only civilian/elected Prime Ministers had been sent packing by the military-bureaucracy oligarchy. That particular development was indicative of the emergence of a new political trend on Pakistani horizon, the civilian supremacy over Army, which until now had been an unrealized dream. However all came back to square one on 12th October 1999 when he tried to sack his own hand picked General Pervez Musharraf. Musharraf was appointed COAS at the expense of Ali Quli Khan, the senior most in the hierarchy.

The tension between the military top brass and the Prime Minister was brewing up for quite some time. Nawaz Sharif's initiative to bring about rapprochement between Pakistan and India sowed the seed of discord which had exacerbated substantially in the aftermath of Kargil operation. However the sad denouement for the nascent democracy came when Nawaz Sharif tried to sack Pervez Musharraf, while he was on a visit to Sri Lanka. The military top brass assumed the reins of power yet again, which has been discussed in the next chapter.

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- 181 A major source for that account, the author used Talbot, *Pakistan*, pp.428-29.
- 182 Ibid, p.421.
- 183 Hamza Alvi, "Authoritarianism and Legitimation of state power in Pakistan", p.66.
- 184 Saeed Shafqat, *Civil-Military Relations in Pakistan: From Zulfikar Ali Bhutto to Benazir Bhutto* (Boulder, Westview Press, 1997), p.225.
- 185 Waseem, *Politics and the State in Pakistan*, p.425.
- 186 Shafqat, *Civil-Military Relations in Pakistan*, p.226.
- 187 The PPP got exactly as many votes in 1988 as it managed to get in 1970. However it got fewer seats because of the electoral alliance between its opponents in 1988. In that election IJI got 54, the MQM 13 and JUI got 7 seats whereas 27 members got elected as independents.
- 188 For details see Talbot, *Pakistan*, pp.294-95.
- 189 Waseem, *Politics and the State in Pakistan*, pp. 434-435.
- 190 Ibid, p.435.
- 191 *Herald* (Karachi, January 2008), p.80.
- 192 *Herald* (Karachi, January 2008), p.87.
- 193 *Independent*, 01 December 1988, London; *Jang* (Urdu), 2 December 1988, quoted in Hamza Alvi, "Authoritarianism and Legitimation of state power in Pakistan".
- 194 *Herald* (Karachi, January 2008), p.79.
- 195 Shafqat, *Civil-Military Relations in Pakistan*, .p.229.
- 196 Ibid,p.230.
- 197 Ibid,pp.230-31.
- 198 Shahid Javaid Burki, "Pakistan's Cautious Democratic Course" in *Current History*, March, 1992, pp.117-122.
- 199 Shafqat, *Civil-Military Relations in Pakistan*,p.231.
- 200 Ibid.
- 201 "Highly controversial spouse of Benazir Bhutto, whom she married in December 1987. He is the son of Sindhi landowner and business man Hakim Ali Zardari. According to Benazir Bhutto, Zardari has been the victim of a massive disinformation campaign

designed to discredit her politically. Zardari has been variously described as a wife-beater, "Mr. Ten per cent" and the "Billion dollar man". Opponents' claim that his corruption brought down both the Bhutto governments and that his political influence contributed to the estrangement between Benazir and her mother Nusrat.

Before his marriage Zardari was known more as a playboy than as a politician, although he had unsuccessfully contested the 1985 party-less elections. He played an important role in distributing PPP tickets at the same time of 1988 elections and was subsequently alleged to have accumulated a fortune through the sale of licenses and permits. He spent the best part of two and a half years in prison on series of charges of which he was eventually cleared and was elected for the Karachi Lyari National Assembly constituency in 1990. while in prison. After the PPP returned to power in 1993, he was again accused of receiving huge commissions and kickbacks. The criticism generated by his appointed as the Minister of Investment in August 1996 has been cited by some analysts as an important factor in the dismissal of the Bhutto Government." Talbot, *Pakistan*, p.445.

202 Shafqat, *Civil-Military Relations in Pakistan*, p, 233.

203 Ibid.

204 Ibid.

205 Ibid, p.234.

206 Talbot, *Pakistan*, p.310.

207 "The Empir Strikes Back" in *the Herald* (Karachi, 1990).

208 Ibid.

209 Shafqat, *Civil-Military Relations in Pakistan*, p. 235.

210 Ibid, p.236.

211 See *Dawn*, 8 February 1991.

212 Talbot, *Pakistan*, p.315.

213 *Dawn*, 16 November 1990.

214 M. Waseem, 'Pakistan's Lingering Crisis of Dyarchy', *Asian Survey* 32, no.7 (July 1992), p.626.

215 *Dawn*, 8 February 1991. quoted in Talbot, *Pakistan*, p.319.

216 M. Waseem, *The 1993 Elections in Pakistan*, p.122.

217 Talbot, *Pakistan*, p.320.



- 218 *Dawn*, 8 November 1991.
- 219 Talbot, *Pakistan*, p.321.
- 220 Ibid.
- 221 The writer has drawn on the chapter 10 of the book of Talbot, *Pakistan*.
- 222 Waseem, *The 1993 Elections in Pakistan*, p.47.
- 223 S.Yasmeen, "Democracy in Pakistan: The Third Dismissal", *Asian Survey* 34, no.6, p.581, quoted in Talbot, *Pakistan*, p.328.
- 224 Talbot, *Pakistan*, p.331.
- 225 Waseem, *The 1993 Elections in Pakistan*, pp.168-9.
- 226 Ibid, pp.191-204.
- 227 For the information about Farooq Leghari the writer has drawn on Talbot's book *Pakistan*.
- 228 Shafqat, *Civil-Military Relations in Pakistan*, pp.240-41.
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- 230 Ibid, pp.241-42.
- 231 Zaffar Abbass, 'The Final Countdown' in *Herald*, October 1996.
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- 234 Ibid.
- 235 Aamer Ahmed khan, "The Great Debacle", *Herald*, March 1997.
- 236 Talbot, *Pakistan*, p.350.
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- 239 Ibid, pp.359-60.
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- 241 Ibid, p.444.
- 242 Ibid, p.361.

**Bonapartism Re-Visited  
Musharraf Ruling the Roost  
(1999-2007)**



## Biographical Sketch of Musharraf

Musharraf was born in Delhi into an educated Syed family. His father Syed Musharraf-ud-Din was a career diplomat. The family moved to Pakistan at the time of Partition (1947). Pervez Muhsrraf was brought up in Turkey from 1949-56. After completing his education in Pakistan at St. Patrick's High School, Karachi, and Forman Christian College, Lahore, Pervez Musharraf joined the Pakistan Military Academy in 1961 and was commissioned in an elite Artillery Regiment in 1964. He saw action in the 1965 war as a young officer in the Khem Kiran, Lahore and Sialkot sectors with a self propelled Artillery Regiment. He was awarded the *Imtiaz-e-Sanad* for gallantry. He later volunteered and served for seven years in the Special Service Group "Commandos". He also participated in the 1971 war as Company Commander in a Commando Battalion. General Musharraf has had the privilege of commanding two self-propelled Artillery Regiments.<sup>243</sup> As a Brigadier, he had the distinction of commanding an Infantry Brigade as well as Armored Division Artillery. On promotion to the rank of Major General on 15th January 1991, he was given the command of an Infantry Division and later of a prestigious strike Corps as Lieutenant General on 21st October 1995. General Musharraf served on various important staff and instructional appointments during his career. These include Deputy Military Secretary at the Military Secretary's Branch, member of Directing Staff both at the Command and Staff College, Quetta and the National Defence College. He has also remained the Director General Military Operations at the General Headquarters. A graduate of Command and Staff College, Quetta and the National Defence College, General Pervez Musharraf also distinguished himself at the Royal College of Defence Studies, in the United Kingdom.<sup>244</sup>

General Pervez Musharraf was promoted to the rank of General on 7th October 1998 and appointed Chief of Army Staff. He was given the additional charge of Chairman Joint Chiefs of

Staff Committee on 9th April 1999. On 12 October 1999, Prime Minister Nawaz Sharif ordered Musharraf's dismissal and replacement by a family loyalist, ISI Director, Lt-General Khwaja Ziauddin, to the coveted position of COAS. Musharraf, who was out of the country, was returning to Pakistan on a commercial airliner. Senior Army Generals refused to accept Musharraf's unceremonious dismissal. Sharif ordered the Karachi airport authorities to block the landing of the airliner, which then circled the skies over Karachi. In a *coup*, the Generals ousted Sharif's administration and took over the airport. The plane landed with only a few minutes of fuel to spare, and Musharraf assumed control of the government. Prime Minister Nawaz Sharif was put under house arrest and later sent to exile. The existing President of Pakistan, Muhammad Rafiq Tarar, remained in office until June 2001. Musharraf formally became President on June 20, 2001, just days before his scheduled visit for the Agra Talks with India.<sup>245</sup>

General Musharraf laid all the blame squarely on Nawaz Sharif's government for mis-governance of the country. He said: "You are all aware of the kind of turmoil and uncertainty that our country has gone through in recent times. Not only have all the institutions been played around with and systematically destroyed, the economy too is in a state of collapse."<sup>246</sup>

He further said, the armed forces were facing incessant public clamour, across the political divide, to redress the fast deteriorating situation in the country. "These concerns were always conveyed to the Prime Minister in all sincerity, keeping the interest of the country foremost. My singular concern has been the well being of the country alone."<sup>247</sup> And then, General Musharraf addressed the real issue, namely, that Nawaz Sharif was trying to undermine the Army. Musharraf stated: "All my efforts and counsel to the government it seems were of no avail. Instead, they now turned their attention on the Army itself. Despite all my advices (sic), they tried to interfere with the armed forces, the last remaining viable institution-our concerns

were conveyed, in no uncertain terms, but the government of Nawaz Sharif chose to ignore all these and tried to politicize the Army, destabilize it and tried to create dissension in the ranks."<sup>248</sup>

As if to remind the people of Pakistan that their future was safe only in the hands of the armed forces, the Army Chief (Chief Executive) said: "Dear brothers and sisters, your armed forces have never, and shall never, let you down. Inshallah, I request you all to remain calm and support your armed forces in the re-establishment of order to pave the way for a prosperous future for Pakistan. May Allah guide us on the path of truth and honour."<sup>249</sup>

In the next few days, the Army took steps to consolidate its hold over the country. On October 13, all the four Provincial Governments were dismissed. On October 14, the troops took control of the Parliament building to prevent the holding of the National Assembly session on October 15, as requisitioned by the opposition members earlier.

As expected, General Musharraf proclaimed a state of emergency in the country on October 15. Spelling out his priorities, he said that top priority would be given to economic revival, national integration, and good governance. General Musharraf appointed himself the "Chief Executive", suspended the Constitution and Parliament, and ordered that the President act only under the orders of the Chief Executive.<sup>250</sup>

The Army, in effect, clamped Martial Law in the country though the term "Martial Law" was not deployed in deference to the concerns of the international community, in the proclamation and an accompanying Provisional Constitutional Order.<sup>251</sup> According to this Order, the courts were barred from issuing any order against the Chief Executive and any person exercising his powers. No judgment could be pronounced by the Army Court tribunal against the Army Chief or any authority designated by him. Fundamental rights not in contravention to the proclamation or any further orders would continue to be in force.<sup>252</sup>

This proclamation was issued by General Musharraf "in pursuance of the deliberations and decisions of the Chiefs of Staff of the Armed Forces and Corps Commanders of the Pakistan Army." The accompanying order stated that despite the suspension of the Constitution, Pakistan would remain subject to the orders of the Chief Executive, be governed "or nearly as may be, in accordance with the Constitution."<sup>253</sup> The period for the military rule was not specified. The complete military dictatorship had thus established itself once again. It was all back to square one.

### Responses on Nawaz Sharif's Exit

The exiled opposition leader Benazir Bhutto blamed Nawaz Sharif for provoking the military coup against his own government. Ms. Bhutto said Nawaz Sharif had sought to politicize the Army and the Army had therefore risen against him. "Ever since Nawaz Sharif took over, he sought to dismantle democracy," said Ms. Bhutto who was in London. "The people believe that the man is violating every rule of law and there is no one to stop him. The armed forces had to protect themselves as an institution," said Ms. Bhutto in an interview with Sky TV.<sup>254</sup>

Ms. Bhutto had gone to the extent of defending the Army probably in the hope that the Army would allow her to return home without letting any harm to come to her. She was under warrant of arrest because of the corruption cases instituted by the previous regime. The Lahore High Court had sentenced her to five years' imprisonment in April 1999. However, the military regime rejected her plea for a safe passage, for the reason that a pardon to her could harm the Army's image of neutrality.<sup>255</sup>

People on the streets of Karachi greeted the ouster of Nawaz Sharif who had been blamed by the city's influential ethnic party, the MQM, for persecuting its supporters. "The cruel and fascist ruler has gone," said Javed Akhtar, a supporter of MQM. "We have seen pressures from successive govern-

ments, but Sharif was ruthless," Akhtar said. "Now at least our boys will be safe and there will be hope for bringing peace to the city," said another MQM supporter Khalid Mehmood. Farooq Sattar, an important MQM leader held Sharif's government responsible for what happened. The deposed Prime Minister went "too far in his authoritarian rule," he said.<sup>256</sup> Residents in several neighborhoods were said to have distributed sweets, while people played pro-MQM songs.

The most significant, however, was the attitude of the Grand Democratic Alliance (GDA) which is a multiparty alliance of political and religious parties including the Pakistan People's Party (PPP) of Benazir Bhutto, the Movement for Justice of Imran Khan and Karachi based Mohajir Quami Movement. The GDA welcomed the dismissal of Nawaz Sharif's regime and backed the seven point agenda of Pervez Musharraf on October 21. The GDA took this position after its meeting in Lahore on October 20 under the chairmanship of the veteran politician Nawabzada Nasarullah Khan. The GDA statement said: "The Nawaz Sharif government had paralyzed each and every institution of the state through conspiracies", and expressed the hope that the Musharraf regime would launch a "ruthless" accountability drive to extirpate corrupt politicians.<sup>257</sup>

However, an exception to the general political welcome accorded to the military coup was the Jamaat-e-Islami. In a statement issued on October 15, the Jamaat while urging the armed forces to give priority to making "corrupt rulers" accountable, criticized Pervez Musharraf's decision to declare a state of emergency and said that it could not support the Martial Law and the suspension of fundamental rights. Making a point about its own agenda, the Jamaat said: "Whatever is happening in the country is because it never had a chance to have a real Islamic system."<sup>258</sup> The statement issued by Jamaat's Secretary General, Syed Munawar Hassan, further said that the Jamaat would continue its struggle for an Islamic revolution in Pakistan.

The reaction of even the Pakistan Muslim League headed by Nawaz Sharif was not as violently critical of the military take-over as would have been expected. The PML in a statement issued on October 21, demanded the immediate release of Nawaz Sharif as well as the restoration of democracy. But, briefing the reporters after a meeting of the senior party leaders, Raja Zafarul Haq, the former religious affairs minister said that the Pakistan Muslim League wanted to avoid a policy of confrontation with the Army. He also demanded that the party be given immediate access to the detained former Prime Minister. Despite repeated questions from reporters, Raja Zafarul Haq refused to condemn the Army's action and simply described it as "regrettable".<sup>259</sup>

A week later, the PML-N found itself in disarray with leaders unable to determine the next course of action. The reports of widespread defections from the party were rampant. Several closed door meetings in Islamabad amongst party leaders produced little in terms of strategy. According to a report of October 28, the former Interior Minister, Chaudhry Shujaat Hussain told media persons in Islamabad that the Army take-over "maybe a good thing", and there was consensus in the party not to take on the Army in a head-on confrontation over the coup.<sup>260</sup> A senior PML-N leader and former Minister Mr. Abdul Majid Malik even condemned the appeal made by Hussain Nawaz, the son of Nawaz Sharif, to Prime Minister Atal Behari Vajpayee to save his father. Malik said that he could have appealed to America and England but "to appeal to the Indian Prime Minister is an insult to us."<sup>261</sup>

In the immediate context, it was the excesses of Nawaz Sharif's authoritarianism which had led the people and the political class to welcome his dismissal. In the context of Pakistan's history, however, the nation as a whole had got immunized to the choice between democracy and dictatorship. Even the best of democratic leadership elected with overwhelming electoral support had behaved as the worst dictators; such was the grip of a



deeply feudal mindset over the behavior of the Pakistani political class. Having said that, democratic dispensation only provides the panacea for the political ills and it can only ensure good governance.

Fourteen days after the military coup, Nawaz Sharif was presented before an investigation team of civil and military experts on October 26, for his role in denying permission to a PIA plane carrying Musharraf and 200 passengers to land at Karachi airport on October 12. These investigations were meant to be a prelude to the framing of charges against Sharif and others, whom Musharraf wanted to remove from his political path. The expectation was that besides the plane hijacking case, Nawaz Sharif would also be proceeded against, for his role in trying to create fissures in the Pakistan Army and trying to politicize its command structure.

Finally on November 10 Nawaz Sharif and four others were charged with attempted murder, hijacking and criminal conspiracy.<sup>262</sup> The defendants in the case, registered at the Karachi airport police station on the midnight of November 10 included Nawaz Sharif, his adviser on Sindh affairs-Ghous Ali Shah, former Inspector General of Police, Sindh-Rana Maqbool, former PIA chairman-Shahid Khakan Abbasi, and former Director-General of Civil Aviation-Aminullah Chaudhry.

The military regime was quick in adopting the necessary means and methods so that Nawaz Sharif could be convicted as soon as possible. The first important step in this direction was to get the former Chairman of the Civil Aviation Authority, to turn approver. It was reported on November 24 that Aminullah Chaudhry had turned approver and agreed to give evidence against his co-accused Nawaz Sharif in the treason and hijacking case. Aminullah Chaudhry stated that Nawaz Sharif had ordered him not to let the plane carrying Pervez Musharraf and 200 other passengers land at Karachi on October 12, 1999. Chaudhry in turn asked for pardon under the code of criminal procedure.<sup>263</sup>

The next important step taken by the military government

was to amend the Anti-Terrorism Act of 1997 on December 2. Under this amendment, the anti-terrorism court would henceforth be able to hear cases under several additional sections of the Pakistan Penal Code (PPC), bringing under its purview offenses like hijacking and criminal conspiracy. The court was also authorized to award death sentence for even abetment. That's how stage was set for the political leader to be completely ensnared.

On December 8, a charge sheet was filed against Nawaz Sharif and six others in Karachi. The charge sheet accused Sharif of waging war against the state, attempt to murder, hijacking, kidnapping and criminal conspiracy. The charge sheet was submitted in the court of Justice Shabbir Ahmed of the Sindh High Court who was appointed to a special Anti-Terrorist Court (ATC) to hear the case against Sharif and his associates.

Finally, on January 18, 2000, the Anti-Terrorism Court formally began proceedings against him on the charges of kidnapping, attempted murder, hijacking and terrorism. All these charges carried the death penalty or life imprisonment. The accusation of treason was not among the charges filed against Nawaz Sharif, at least to begin with. The prosecution concluded its case by February 19. Out of the 54 witnesses, listed by the prosecution when the trial began, 26 actually gave evidence and the rest were dropped.

On the other side of the battle lines, the Pakistan Muslim League (PML-N) filed a suit in the Supreme Court on November 22, 1999 challenging the Army take-over and demanding that the elected government be reinstated. The petition was filed by 12 persons including the former National Assembly Speaker, Ilahi Bux Soomro, the former Senate Chairman, Wasim Sajjad, and the former PML leader in the Senate, Raja Zafarul Haq. The 67 page petition said the "constitutional deviation" of October 12 was "wholly contrary to the constitution, the laws of Pakistan and the principles of democracy."<sup>264</sup>

In his testimony before the Anti-Terrorist Court on March 8,

2000, Nawaz Sharif alleged that the military coup of October 12, 1999 was linked to his call for withdrawal of Pakistani troops from Kargil. Nawaz Sharif said that the coup was a "preconceived conspiracy". Elaborating that point, he said: "I could not give more details on the Kargil issue. But I will tell the court in private about this." He said that his policy on the Kargil issue was meant to "save the nation and its dignity. I saved the nation but unfortunately I could not save myself."<sup>265</sup>

The Judgment came on April 6, 2000. The Anti-Terrorist Court declared the former Prime Minister Nawaz Sharif guilty of attempted hijacking and terrorism and sentenced him to two life imprisonment terms of 25 years each which would run concurrently. Judge Rehmat Hussain Jaffery of the ATC announced the judgment also ordering seizure of all the assets and property of Nawaz Sharif. The judge further directed Sharif to pay Rs. 1 million fine for the above charges and Rs. 2 million as compensation to the passengers of the PIA plane PK 805. All the six co-accused were acquitted for lack of evidence that they were part of the conspiracy to hijack the plane. The judge however acquitted Nawaz Sharif on the remaining two charges of attempted murder and kidnapping.<sup>266</sup>

Not satisfied with the "lenient" sentence awarded to Nawaz Sharif, the military regime filed an appeal in the Sindh High Court on April 18 seeking death penalty for Nawaz Sharif on charges of hijacking and terrorism, whereas Nawaz Sharif had already filed an appeal in the same court pleading for acquittal. The Sindh High Court admitted the prosecution's appeal seeking conversion of Sharif's life imprisonment sentence into death penalty.<sup>267</sup>

The story of the struggle for power in Pakistan was unfolding exactly according to the script written by the traditional power center, which is the Army. General Pervez Musharraf had enough reasons to be satisfied with the verdict of the Anti-Terrorist Court, although he would certainly keep trying that the life imprisonment was converted into a death sentence. The

Supreme Court ruling on May 12, 2000 that the military take-over in October 1999 was justified under the “doctrine of necessity”, further strengthened his position. The Court gave the Army a three year deadline to restore democracy. In a decision strikingly similar to the one handed over when the government of the then military strongman, General Zia-ul-Haq was challenged, the Supreme Court while justifying the military coup under the “doctrine of necessity” said that “sufficient evidence of corruption of the former government was presented by the state.”<sup>268</sup>

It may be noted that the ruling was given by the judges of the Supreme Court who pledged allegiance to the military government in January. This move resulted in the ouster of the then Chief Justice Saeeduz Zaman Siddiqi and several other judges who refused to accept the validity of the military government. In January 2000, six out of thirteen judges of the Supreme Court had refused to take oath under the Provisional Constitution Order (PCO).

In a separate judgment delivered on July 22, the accountability court sentenced Nawaz Sharif to 14 years imprisonment and barred him from holding public office for 21 years in a corruption case.

## Seven-Point Agenda and Political Support

Soon after his take-over, the Chief Executive promised to act upon a seven-point agenda which include:

- Rebuild National confidence and morale
- Strengthen the Federation, remove inter-provincial disharmony and restore National cohesion
- Revive the economy and restore investor confidence
- Ensure law and order and dispense speedy justice
- Depoliticize State institutions
- Devolution of power to the grass-roots level
- Ensure swift and across the board accountability<sup>269</sup>

In an effort to drive maximum focus from the seven points, a four point strategy was later developed. The idea was to concentrate, prioritize and accomplish tangibles. The key goals were:

1. Economic revival
2. Poverty alleviation
3. Political restructuring
4. Devolution of power to grass root<sup>270</sup>

Unlike General Zia-ul-Haq, Pervez Musharraf did not make any promise about the future course of action, on October 12, 1999. On October 29, when Musharraf met a fact finding team of the visiting Commonwealth foreign ministers, he told them that he could not give any assurance when democracy would return to the country. Talking to reporters after the meeting, he said: "The reason was, I have set myself certain objectives and I am targeting those objectives."

However, General Musharraf remained under tremendous international pressure for restoration of democracy and was censured strongly for overthrowing a democratic government, both by the Commonwealth and the SAARC. Two days before the visit of President Clinton, on March 23, 2000, General Musharraf announced that he would hold local bodies' elections later in the year, as the first step towards the return to "real democracy." Addressing a press conference, Musharraf revealed that the first round of local elections would be held between December 2000 and May 2001. A second round of local elections at the district level would be held in July 2001, effectively putting municipal governments back in power. Justifying his decision, he said, "Democracy starts here at the district and local governments. From here, we will move up step by step to provincial and federal elections in due course."<sup>271</sup>

General Musharraf's promise of restoring "real democracy" through local elections was seen by many as a gimmick to consolidate his personal power on the same pattern as Ayub Khan had done by putting in place the Basic Democracies in 1962.<sup>272</sup> Musharraf explained at length about his scheme of holding elec-

tions at local bodies' level, a scheme to devolve power to people at the grass root level. Faced with trenchant criticism within the country and abroad, he repeatedly promised to hold general elections after first holding local elections in July 2001, as he did during his visit to Thailand on April 3, 2000 as a part of his five-nation South East Asian tour to cement ties and seek foreign investment.<sup>273</sup>

The effectiveness of General Pervez Musharraf's commitment to democracy can be gauged from the fact that on July 15, 2000 he issued a decree reviving the Islamic provisions of the country's suspended constitution. It was the second time within two months that Musharraf had met the fundamentalist clergies' demands. In May, he had withdrawn a proposed change to the application of the blasphemy law that human rights groups said was often used to target non-Muslim religious minorities. The decree was considered necessary "to re-affirm the continuity and enforcement of the Islamic provisions" of Pakistan's Constitution. Islamic groups also urged the restoration of the Islamic provisions of the constitution which Musharraf had suspended after the coup. Among other things, these provisions branded Ahmediya sect as non-Muslims and also disallowed any law that contravened the basic Islamic principles.<sup>274</sup>

In 53 years of Pakistan's history, the military directly ruled the country for 26 years and remained indirectly in control for the rest of the period. It was during the Army rule that the country was dismembered. They concluded by saying: "It is, therefore, vital for the integrity, solidarity and survival of the country that without further delay the Army returns to the barracks and the governance of the country is handed over to the duly elected representatives."<sup>275</sup>

## Referendum

To bring legitimacy to his rule, a referendum was held. Although various independent Gallup surveys ahead of the referendum

indicated a decline in General Musharraf's popularity graph, and all national and international media organizations as well as independent observers reported a lackluster turnout in the referendum, the Election Commission of Pakistan (ECP) nevertheless reported the turnout to be as high as 71 percent. According to the official figures released by the ECP, some 97.5 percent of people gave a verdict in favour of General Musharraf; while a mere 2.5 percent rejected his candidature.<sup>276</sup>

As per the 1998 census, there were then 61.2 million people 18 years of age and above in the country, a number estimated to have increased to 61.9 million at present. A total of 87,074 polling stations and 163,641 additional polling booths were set up across the country and 414,356 public sector employees appointed to carry out electoral duties on polling day.<sup>277</sup> The entire country was designated one constituency and all citizens aged 18 and above could cast their vote after their identity was ascertained through any reasonable means. "A total of 43,907,950 votes were polled, out of which 42,804,030 were in the affirmative, while the rest - 833,676 - said 'no'. These numbers translate into a 71 percent voter turnout - the highest in the history of Pakistan," announced Chief Election Commissioner, Justice (Retd) Irshad Hasan Khan.<sup>278</sup>

Although General Musharraf's victory was a foregone conclusion, the entire exercise had been carried out to ensure that the turnout would be large enough to put the desperately-sought seal of legitimacy on his office. To this end, the government resorted to every possible gimmick in the book; from hobnobbing with corrupt and criminal political elements in the country and holding public meetings at state expense to placing the entire state machinery at the disposal of a few individuals in order to guarantee him a thumping majority.<sup>279</sup> As if this were not enough, the voting age was reduced to 18 years for the referendum and then, in one cavalier stroke, the precondition of confirming voters' eligibility through national identity cards and electoral lists had also been waived.<sup>280</sup> Last, but not least, hun-

dreds and thousands of Nazims and councilors were threatened with withdrawal of government support if they did not muster support for the referendum within their constituencies.<sup>281</sup>

Employing logic remarkably similar to US President George Bush's 'you are either with us or with the terrorists' rhetoric, General Musharraf launched his referendum campaign by drawing unambiguous battle lines between himself and his opponents. "We have to draw a clear line from today and see who is supporting our reforms and who is against our policies,"<sup>282</sup> he announced at his first public meeting in Lahore to which, according to credible reports, thousands of public sector employees had been forcibly bussed.

Under normal circumstances, candidates in elections bear the electioneering expenses themselves. It was argued that as the government in this case was itself holding the referendum, it should be responsible for the expenses incurred in the process. According to reports, the government spent at least 100 million rupees for over a dozen public meetings held by General Musharraf across the country. Sources in the federal ministry of finance stated that it had released a special grant of 25 million rupees for each province to be used for the printing and display of posters, banners, placards, hoardings, flags and other such paraphernalia during these rallies.<sup>283</sup> Besides, huge expenses were incurred by the federal government for putting up the promotional ads in the national and vernacular press and in running the election campaign in the electronic media.

Despite the lack of data as to the exact number of eligible voters in the wake of the right of franchise being extended to everyone over the age of 18, the ECP claimed that the turnout was as high as 71 percent. Independent observers, however, taking into account the irregularities in the course of the polling, estimate the figure at between 10 to 15 percent.<sup>284</sup> The opposition parties meanwhile insisted the turnout was no more than six percent and demanded that General Musharraf must consider this as a verdict against him and step down. Analysts, mean-



while, cite various reasons for the low turnout in the referendum, the principal one being the boycott by the mainstream political parties - even the MQM withdrew its support to the referendum at the last minute - and the general public's lack of interest in day-to-day governance as another.<sup>285</sup>

## 2002 Elections

On 12 May 2000, while complying with the advice of the Supreme Court of Pakistan Musharraf decided to hold national elections by 12 October 2002. Elections for the national and provincial legislatures were held with no party winning a majority. Subsequently in November 2002, Musharraf handed over certain powers to the newly elected Parliament. The National Assembly elected Mir Zafarullah Khan Jamali as Prime Minister of Pakistan, who in turn appointed his own Cabinet.

Mir Zafarullah Khan Jamali was born on January 1, 1944 in Naseerabad, Balochistan Jamali and was the first Baloch Prime Minister of Pakistan. He completed his primary education in Balochistan, and his secondary education at Aitchison College in Lahore. He obtained a master's degree from the Government College of Lahore in History.

In the 1970s he was a member of the Provincial Cabinet in Pakistan People's Party's government. In the 1980s he worked as a minister of various departments in the government of General Zia-ul-Haq. He was almost appointed to the position of Prime Minister at numerous times in the 1980s, but never succeeded. However, he had the opportunity to act as the Chief Minister of Balochistan on more than one occasions.

In the 1990s he was an important member of the Pakistan Muslim League (N). However, after the removal of Nawaz Sharif, Jamali joined the new faction of Muslim League, the PML-Q that was conjured up to support General Pervez Musharraf.

He was elected as Prime Minister by the Parliament of Pakistan on November 21, 2002. His election as Prime Minister came

about after weeks of political negotiations as no party could have won the majority in the parliament. Jamali secured the position of the Prime Minister after a few members of the Pakistan People's Party defected to the Pakistan Muslim League (Q) to support him.

As Prime Minister, he was seen as being close to President Musharraf, and supported the political and economic policies of the establishment. Jamali oversaw a broad political coalition, and promised to work towards restoring democracy to Pakistan. However, he could not sustain his position and resigned on 26 June 2004 after many aspirants were vying desperately to unseat him. Many analysts have speculated that it was a result of deteriorating relations with Chaudhry Shujaat Hussain who replaced him as the interim Prime Minister.

On January 1, 2004 Musharraf secured a confidence vote in the Electoral College of Pakistan, consisting of both houses of Parliament and the four Provincial Assemblies. Musharraf received 658 out of 1170 votes, a 56% majority,<sup>286</sup> but many opposition and particularly the members of Parliament from the religious parties walked out as a protest. As a result of this vote, according to Article 41(8) of the Constitution of Pakistan, Musharraf was "deemed to be elected" to the office of President. His term was therefore extended up to 2007. Unlike 2002 referendum which had been severely criticized by the critics, his election through the electoral-college received greater acceptance within and outside Pakistan.

As described earlier, Prime Minister Jamali failed to hold on to power for long. Consequently he had to tender his resignation on 26 June 2004, and the National Assembly elected Shaukat Aziz, a former Vice President of Citibank and head of *Citibank Private Banking*. Ch. Shujaat Hussain came in as an interim Prime Minister before Shaukat Aziz finally took over. The new government was mostly a plaything in the hands of Musharraf, who remained President, Head of State and also the central figure in the new government.

## 17th Amendment

The Constitution (Seventeenth Amendment) Act, 2003 was an amendment to the Constitution of Pakistan passed in December 2003, after over a year of political wrangling between supporters and opponents of Pakistani President Pervez Musharraf. The role of Mutahida Majlis-e-Ammal was quite dubious in the passage of that amendment.

This amendment made many changes to Pakistan's Constitution. Many of these changes dealt with the office of the President and the reversal of the effects of the Thirteenth Amendment. Summarized here are brief descriptions of the major points.

- President Musharraf's Legal Framework Order (LFO) was largely incorporated into the constitution, with a few changes.
- Article 63(1) (d) of the Constitution to become operative after December 31, 2004. The intent of this was to prohibit a person from holding both a political office (such as that of the President) and an "office of profit" - an office that is typically held by a career government servant, civil or military - such as the office of the Chief of Army Staff. Although this was supposed to separate the two types of office, a loophole - "... Other than an office declared by law..." - allowed Parliament to pass an ordinary law later in 2004 - permitting the President to hold on to the office of Chief of Army Staff, an option that President Musharraf then exercised.
- Should the President win a majority in a vote of confidence in the Electoral College within 30 days of the passage of this amendment, he shall be deemed to be elected to the office of President. (On January 1, 2004, Musharraf won 658 out of 1,170 electoral-college votes - a 56% majority - and was thereby deemed to be elected President.)
- The President regains the authority to dissolve the National Assembly - and thus effectively to dismiss the Pak-

istani Prime Minister - but the power to do so is made subject to an approval or veto by the Supreme Court of Pakistan.

- A Governor's power to dissolve a Provincial Assembly is similarly subject to Supreme Court approval or veto.
- Article 152-A, which dealt with the National Security Council, was annulled. (The legal basis for the NSC is now an ordinary law, the National Security Council Act of 2004.)
- Ten laws had been added by the LFO to the Sixth Schedule, which is a list of "laws that are not to be altered, repealed or amended without the previous sanction of the President." After this amendment, five of those laws will lose their Sixth Schedule protection after six years. Laws to be unprotected include the four laws that established the system of democratic local governments. (Those in favor of this change have argued that it would enable each province to evolve its own systems. Opponents fear that authoritarian Provincial Governments could disempower or even dismantle the system of local democracies.)<sup>287</sup>

### Devolution Plan (Education and Health)

The concept of devolution of power at the gross root level was floated in late 1999. The then newly constituted National Reconstruction Bureau (NRB) initiated a debate and a process of consultation with stakeholders including politicians, media and civil society eventually resulted in the promulgation of the Local Government Ordinance and holding of multistage elections to local bodies.<sup>288</sup>

Now that the structure of political decentralization had been partially established, it was yet to be seen as to whether it had the capacity to deliver. After almost two years of its working made it quite evident that the system could not deliver according to the expectations.<sup>289</sup> Many reasons for the inefficient public service delivery through the devolution process have been

spelt out. The most important among them was the vague rules of business. Nobody knew about his /her rights and responsibilities. Due to ambiguous rules of business, the tensions started cropping up between district Nazims and District Coordination Officers (DCOs) and Nazims and District Police Officers (DPOs). It was just fortuitous that in some districts, the devolution system yielded positive results and Nazims and other district officers managed to establish some rapport. But in most cases, the system has come to a standstill. There are no institutional arrangements and things were running on an adhoc basis.<sup>290</sup>

Critics of the system also blamed civil service inertia for being responsible for the system failure. Partly it was true that the devolution process deprived the bureaucracy of the absolute powers they had been enjoying previously. But tension between Nazims and district officers, looking after various departments at the Civil Secretariat, was caused primarily because Provincial Governments recruited those officers and districts had no say in hiring and firing of these officials. Moreover, some of the officials having no truck with the district Nazims still served under them.<sup>291</sup>

The relations between provincial and local governments were also not very smooth. The tension between *Mutahida Majlis-e-Aamal* (MMA) government in NWFP and the district governments in the province is the case in point where in President Musharraf had to intervene to save the system from a possible collapse.<sup>292</sup> Although, the devolution plan says that local governments would work in provincial framework, yet provinces felt that devolution had curtailed the already meager quantum of autonomy they had been enjoying.

The devolution plan included constitution of community citizen boards (CCBs) to mobilize resources in local context and cater to governance issues and citizen accountability. The role of CCBs is to ensure greater citizen involvement at the level of the local government and to make the local governments amenable to citizen priorities. The CCBs were supposed to mobilize one

fifth of the cost for improvement of service delivery in a public facility, or for the management of new development initiative and rest of the four fifth was to be provided by the local government.<sup>293</sup> The twin role of CCBs had an inherent conflict as they were considered as development partners and the watchdogs of the process simultaneously. The 20:80 partnerships could actually cause a rupture in the traditional power structures, as the fear that the local elite would intrude in the decision making which had been the sole preserve of bureaucracy. Besides, these boards were not constituted in most of the places. Therefore, local governments did not spend money allocated to CCBs due to their non-existence.

The same is the fate of Public Safety Commissions (PSCs). Highhandedness on the part of police not only continued unabated, it increased quite noticeably and Nazims started feeling helpless to help resolve the police related problems of the people.<sup>294</sup>

The devolution plan vested the responsibility of developmental work in the local governments. Although, in well functioning democracies, parliamentarians are likely to be engaged in legislation, yet they are genuine stakeholders in the development process. Some of the parliamentarians hold that in case they are not involved in the development programme under the devolution plan, they would not be able to retain their seats in the parliament.<sup>295</sup>

Fiscal decentralization is another thorny issue in terms of relations between province and district government. Different systems have been in operation in the provinces. For example, in Punjab, district allocations are one-line items in the provincial budget and not much tiers are involved in fiscal transfers.<sup>296</sup> Whereas, in Sindh, not only is the Accountant General office involved in disbursing the payments allocated by the Provincial Government, but also, the allocations come under specified heads of accounts which make it quite tedious for the districts to utilize funds. In neither case were the districts raising resources locally.<sup>297</sup>

Newly formed district governments were substantially dependent upon federal transfers. This arrangement was also quite contentious as districts complained of delays in payments due to procedural bottlenecks. Delayed payment of funds in turn hampered implementation of development projects.

Crisis Group argued in March 2004 that the rationale for President Musharraf's devolution plan was a ruse to bring legitimacy to his rule.<sup>298</sup> As the military-led government entered its sixth year, the imperatives of regime survival had become more pressing. Therefore the Musharraf government distorted its own devolution plan further through the rigged polls. Such political engineering spawned divisions at local and provincial levels, which in turn engendered greater political violence. At least 60 people lost their lives, and more than 500 sustained injured during the local elections.<sup>299</sup>

The military government in fact presented a plan for devolution as an effort to improve public services and to attract pecuniary support from the donors. But far from being a technocratic solution to the problems of local governance or an effort to empower people, the devolution process was merely a political gimmick to prolong military power.<sup>300</sup> In the absence of representative rule, ethno-regional and political disaffection continue posing serious risks to the country's political development and economic viability.<sup>301</sup>

The electoral process had worsened already strained relations between the central government and the four provinces, leading to a low-level insurgency over political issues and resource allocation in Balochistan.<sup>302</sup> Divided along ethnic lines, the smouldering embers of violence could conflagrate Karachi. These elections weakened and divided the political parties, had reduced political participation of women, and exacerbated the local clan and ethnic rivalries. Constant erosion of the political space for secular democratic parties provided a big boost to the extremist and religious groups and factions in Pakistan.<sup>303</sup>

According to a report published in the Dawn on Aug 8 2004: The representatives of civil society and non-governmental organizations rejected devolution plan calling it a "destruction plan".<sup>304</sup> They maintained that it had eroded line of command at provincial and local government levels. They claimed that that the devolution plan, introduced by National Reconstruction Bureau (NRB), is misleading, conceptually wrong, eroding political sense and creating total chaos in the society.<sup>305</sup>

Experts were of the view that the plan lacked political legitimization and was an attempt to erode political system from the country at grass-root level. They opined that this system had created unrest in the total hierarchy of local government system and nobody knew to whom he or she would report.<sup>306</sup>

The group of experts, dealing closely with local government representatives, was of the view that the system introduced by the devolution plan was a mixture of decentralization and delegation of power rather than devolution of power at grass-root level. "This is why the positive impact are unseen and a tug-of-war among legislators, union councils, Nazims and bureaucrats has been started by introducing this system," reported a group in discussion.<sup>307</sup> Experts were of the view that devolution of power required autonomy at three levels-political, administrative and financial - and all these three prerequisites had been denied in this system. The majority of workers of non-government organizations from rural areas said that the concept of citizen community boards created another chaos at grass-roots level.<sup>308</sup>

"Neither there is a political will nor the capacity been developed and invested so far in the district level. Millions of rupees have been lying unutilized with the district governments because nobody knows who is responsible for allocating them, who is responsible for developmental project planning and who would be responsible for accountability of these funds."<sup>309</sup>



## Police Order

The legal framework of the police underwent a major change as a consequence of Devolution of Power Plan. The Devolution of Power Plan called for the devolution of the authority of the Provincial Government to the Districts and the introduction of Public accountability of the police.

As the Devolution of Power Plan prescribed, the office of the District Magistrate was abolished in 2001 and a system of Public Safety Commissions was introduced.<sup>310</sup> These changes were incorporated into a new Police Law, promulgated in 2002. Apart from Public Safety Commissions, the Police Order 2002 also provided for a professional Police Complaints Authority, enhanced powers for the Inspector General of Police and separation of the watch & ward and the Investigation functions of the Police.<sup>311</sup>

The Dawn, (03 Jan 2005) Lahore reported: "The Police Order 2002 will take a long time in its implementation in the country even after the recent amendments made to it."<sup>312</sup> According to several senior government officials, many important areas of the order have either been deliberately left uncovered or because of natural hurdles which remained there despite the recent amendments to the law.

The National Assembly speaker nominated elected members of the National Public Safety Commission while the process of selecting six independent members was still under way. Quoting the reliable sources, the newspaper further writes, "The provincial public safety and complaint commissions are yet to be established while the district public safety commissions have been partially set up in all the provinces. Punjab has 31 of them out of 34 districts, Sindh 12 out of 16 districts, Balochistan 20 out of 26 districts and the NWFP 22 out of 23 districts. Under Articles 97 and 908 of the law, six members of the federal police complaints authority are to be appointed by the government on the recommendations of the Federal Public Service Commission. But it is still in the process of selecting the members. The imple-

mentation of the law requires seriousness from all stakeholders, which is missing. Only the power side of the law has been implemented but those holding it now are still reluctant to allow people to watch their performance," a senior official said.<sup>313</sup>

## National Accountability Bureau

The National Accountability Bureau (NAB) was created under the National Accountability Ordinance, 1999 as the successor organization of Ehtesab Bureau. The NAB conducted its country-wide operations from Islamabad till March 2000, when the regional offices were instituted. Policies, structures and processes went through transition as the organization evolved over the years. With the approval of the National Anti Corruption Strategy (NACS) in 2002, two new functions of awareness and prevention were also entrusted to NAB, in addition to Enforcement.<sup>314</sup> Subsequently, Anti Corruption Operations (ACO) and Economic Crime Wing (ECW) of the Federal Investigation Agency (FIA) were transferred to NAB along with manpower, budget and workload. These changes and the evolving nature of the organization led to several attempts to restructure the organization from time to time.<sup>315</sup>

With the change of guard in November 2005, a need for a fresh look and review of the existing policy, structure, and processes was felt. A new operational methodology and organizational structure have since been adopted. NAB's main tasks have been devised along functional lines by reorganizing them into four main divisions i.e. Operations; Prosecution; Awareness & Prevention; and Human Resource & Finance Divisions. Salient features of the above and other reform measures are briefly discussed under the following headings.<sup>316</sup>

NAB had been an effective instrument for the President and the establishment to sort out politicians if they try to act independent of the set of norms, set by the state functionaries. Moreover NAB had played a vital role in cobbling together the ruling

coalition, headed by PMLQ, by threatening those politicians with dubious credentials to support Musharraf's lackeys in power. Hence these politicians not only escaped accountability but got yet another opportunity to make hay.

## Second Stint of Presidency

On November 28, 2007 President Pervez Musharraf was retired from Army as Chief of Army Staff. He took oath for the second term as Civilian President of Pakistan on November 29, 2007.

NRO: The National Reconciliation Ordinance, promulgated on Oct. 5, 2007. President General Pervez Musharraf claimed that it would promote a positive political environment and uproot the politics of vendetta and victimization in the country. "After discussion with political leaders and my colleagues in the government, we decided to offer a general comfort to politicians for creating a better political atmosphere in the country," Musharraf said.<sup>317</sup> The era of 1988 to 1999 was full of vendetta and political confrontation, victimization and registration of cases against each other, Musharraf said, "We want to end this culture. We decided to wind up those cases which were pending for the last 15 years and some of them were never initiated. This is the reason why we offered this pardon."<sup>318</sup> Musharraf clarified that the Ordinance was not party-specific but to promote an environment of reconciliation and a positive politics in the country. He pointed out that a committee had been formed to review the cases to determine whether they were genuine or not. The cases which were not genuine will be dropped while the genuine cases would be taken up for investigation. The National Accountability Bureau (NAB) would be there and take fresh corruption cases with proper evidences, Musharraf said, adding that the NAB had played a big role by recovering a huge amount of money from politicians, bureaucrats, businessmen, bankers and

armed forces personnel. He noted that NAB had instilled a “fear of God” in the minds of high and mighty persons.<sup>319</sup>

He disclosed that the proposed parliamentary ethics committee, which was mentioned in the Ordinance, would keep strong check on the political victimization, if any, and ensure transparency in the election process.<sup>320</sup>

The ordinance eased the home coming of Benazir Bhutto former Prime Minister from her self exiled in London to lead her Pakistan People’s Party in coming Parliament elections as its chairperson. Prime Minister Shaukat Aziz said in a statement that the national reconciliation agreement, which was approved earlier by the Cabinet, would bring harmony to Pakistan’s long-standing political chaos.

**ECONOMY:** After nuclear tests were carried out in 1998, during Nawaz Sharif era, the United States and the North Atlantic Treaty Organization imposed economic sanctions on Pakistan. When Musharraf came to power in the coup d’état the following year Pakistan was expelled from the Commonwealth. This initially compounded the economic problems, and many experts claimed Pakistan was a failed state, as it was close to bankruptcy and investor confidence was at an all-time low. However, after 9/11 when Musharraf promised support in the hunt for Osama bin Laden, international sanctions were lifted.<sup>321</sup>

Musharraf then appointed Shaukat Aziz, a former Citibank executive, as Finance Minister. World powers weighed in for debt rescheduling to reward Pakistan due to the “war on terror”, which helped in saving hundreds millions of dollars, in addition to securing new loans. As a result, foreign exchange reserves increased exceeding \$16 billion in 2006, but at the same time foreign debt hit an all time high touching \$40 billion.<sup>322</sup> The government claimed in 2006 that the economy had grown in several sectors and that per capita income of Pakistan was more than doubled in the last seven years.

**CORRUPTION:** According to a combined poll conducted by *Dawn News*, *Indian Express* and CNN-IBN, the majority believed that the corruption during Musharraf era had increased. An Asian Development Bank report on the state of the country during the 60th Independence Anniversary described Pakistan as a country with “poor governance, endemic corruption and social indicators that are among the worst in Asia”.<sup>323</sup>

The allegations had been in circulation that corrupt servicemen weren't being prosecuted and their corrupt practices condoned because of the junta's clout. Pakistani media too alleged that individual corruption of the previous governments was substituted by institutionalized corruption of the Pakistan Army, awarding land deeds and a life of luxury to its officers.<sup>324</sup> Ayesha Siddiq Agha's book 'Military Inc' reveals the commercial character of Pakistan Army which has been evolved into the largest corporate body of the country.<sup>325</sup>

Later in 2007, Musharraf government squandered away hundreds of millions of rupees from the national exchequer to hire teams of expensive lawyers to represent his government in courts. In one such case regarding the privatization of Pakistan Steel Mills Corporation, whose worth was stated to be rupees 600 billion, and which was sold out for mere rupees 20.6 billions,[50] the government had spent rupees 90 million (£900,000), with Sharifuddin Pirzada alone getting 6.6 million rupees (£66,000).<sup>326</sup>

**MUSHARRAF AND JUDICIARY:** On March 9, 2007, Musharraf suspended the Chief Justice of Pakistan, Justice Iftikhar Muhammad Chaudhry. In an interview about the matter given to Geo TV, Musharraf stated that Justice Chaudhry himself wished to meet with him and Musharraf then presented him with evidence related to the charges made against Chaudhry for abuse of office.[51] Other sources maintain that Chaudhry was summoned by the General at his Army residence in Rawalpindi and asked to explain his position on a list of charges brought against

him from several quarters. Chaudhry was urged to resign, but he refused and therefore was detained. It was not confirmed by the affidavit presented by him in Supreme Court while affidavits by other people in the same case contradict that version saying that he (Chief Justice) asked for an appointment with the President and was not asked to resign. Meanwhile, another senior judge, Justice Javaid Iqbal, was appointed as the acting Chief Justice of the Supreme Court.

Musharraf's moves sparked protests among Pakistani lawyers and civil society. On March 12, 2007, lawyers across Pakistan began boycotting all court procedures in protest against the Justice Chaudhry's suspension. In all the major cities thousand of lawyers attired in their professional outfit took out rallies and processions, condemning the suspension as unconstitutional. Gradually the support for the ousted Chief Justice gathered momentum and by May, protesters and opposition parties took out huge rallies against Musharraf and his tenure as Army Chief was also challenged in the courts. Rallies held by the MQM and other political parties left more than 40 people dead in firefights in the streets of Karachi on 12 May, and the offices of AAJ TV were caught in the crossfire and sustained damage. Opposition parties have accused the government and Rangers of not doing enough to stop the violence.

On July 20, the Supreme Court reinstated Chaudhry. It also dismissed misconduct charges that Musharraf filed against him. However, on 3 November the Emergency was promulgated by the President, hence Justice Iftikhar Chaudhry along with several other members of Judiciary including Justice Rana Bhagwan Das was ousted again, resulting in a clamour of unprecedented proportion from general public and members of the civil society. Still the fate of that issue hangs in the balance.

**LAL MASJID SIEGE:** Lal Masjid issue is another sour point which infact proved to be a big embarrassment for Musharraf regime. However, one must not forget that the blame for that

unfortunate incident to happen can not be squarely put on Musharraf as Lal Masjid issue had quite a history and a peculiar perspective that went back to Zia era. The founder of the Masjid Maulana Abdullah was Zia-ul-Haq's friend and avid supporter of Sipah-e-Sahaba Pakistan. That Masjid exists at the central location in Islamabad. Clerics of that Masjid had been quite active in providing support to the Taliban in Afghanistan and were ardently advancing the cause of Deobandi puritannical brand of Islam. In 2007 Lal Masjid clerics were noticed for the first time, challenging the writ of the state. Gradually the situation started turning from bad to worse that eventually led to open confrontation between Ghazi brothers and the state agencies.

The defining moment came when the standoff between the Pakistani government and the clerics of the Lal Masjid in Islamabad finally broke down on the morning of July 8, 2007, when the official government delegation led by Shujaat Hussain declared that the negotiations with the militants holed up in the mosque came to fruition however no agreement could be reached. Therefore the clerics refused to accede to the demands of the state agencies. Hence the stand off persisted for several days with Abdul Rashid Ghazi, the deputy cleric of the mosque held the fort. Militants and several hundred of students including minor girls were inside the premises of the Mosque. When no break through could be achieved through negotiations the troops were given the go ahead to storm the complex, which they did. Code named "Operation Silence", the objective was to capture or kill the militants if they resisted - as well as rescuing all the students kept as hostages. Substantial number of people lost their lives including a military colonel. In the wake of that incident Pakistan came under the unending spate of suicide bombings. That was the reason that The Economist characterized Pakistan as "the world's most dangerous place" not only in its lead story but splashed on its title page. Newsweek also cast Pakistan in the same light couple of months ago.<sup>327</sup>

Pakistan institute for Peace Studies reported that in 2007 the country experienced 1503 incidents of violence involving terrorist attacks as well as political and sectarian clashes. These resulted in 3448 deaths and 5353 injuries and represent an increase of 128 and 491.7 percent over the 2006 and 2005 figures respectively. There were 60 suicide attacks causing 770 deaths and 1574 injuries. The casualty figure from 12 political clashes stood at 64 killed and equal numbers injured. Security personnel were specifically targeted in several terrorist attacks killing 232 soldiers, 163 par militia and 71 policemen. The Lal Masjid operation was carried out in July and in that month 15 suicide attacks were known to have occurred in the NWFP, Islamabad and Punjab in which 191 persons lost their lives and other 366 were injured.<sup>328</sup>

FOREIGN POLICY: Following the September 11, 2001 attacks, Musharraf sided with the United States against the Taliban government in Afghanistan after an ultimatum by U.S. President George W. Bush. Musharraf agreed to give the United States the use of three airbases for Operation Enduring Freedom. Secretary of State Colin Powell and other officials met Musharraf to work out the modalities of collaboration in the prosecution of the 'war on terror'. On September 19, 2001, Musharraf addressed the people of Pakistan and stated that, while he opposed military tactics against the Taliban, Pakistan risked being attacked by India and the U.S if it had not cooperated.<sup>329</sup> In 2006, Musharraf reiterated that this stance was pressured by threats from the U.S., and revealed in his memoirs that he had "war-gamed" the United States as an adversary and decided that it would end in a loss for Pakistan.

Musharraf was Chief of the Army Staff at the time of Mujahideen incursion into India from Pakistan-administered Kashmir in the summer of 1999. Although Pakistan claimed that these were Kashmiri freedom fighters based in Indian-controlled Kashmir, later developments showed that they were Pak-



istani para-military soldiers backing up the separatists on the mountain top. After fierce fighting, Pakistani soldiers were pulled back due to the pressure exerted from the international community and heavy loss of life.<sup>330</sup>

However, in *Battle Ready*, a book co-authored by ex-CENT-COM Commander-in-Chief Anthony Zinni and novelist Tom Clancy, the former alleges that Musharraf was the one who pushed Sharif to withdraw the Pakistani troops after being caught in a losing scenario. According to an ex-official of the Musharraf government, Hassan Abbas, Musharraf planned the whole operation and sold the idea to Sharif.<sup>331</sup> The view that Musharraf wanted to attempt the Kargil infiltrations much earlier was also revealed by Bhutto in an interview with a leading daily newspaper, where he had supposedly boasted that “he would hoist the flag of Pakistan atop the Srinagar Assembly” if his plan was executed.<sup>332</sup> Pakistan Muslim League (Nawaz), a leading Pakistan party added that Musharraf had planned the Kargil intrusions but panicked when the conflict broke out with India and decided to alert Sharif. Since the Kargil incident occurred just after the Lahore Peace Summit earlier that year, Musharraf is often regarded with skepticism in India.

In the middle of 2004, Musharraf began a series of talks with India to resolve the Kashmir dispute. Leaders of both the countries also discussed the following issues: Wullar Barrage and Kishanganga power project, Baglihar Dam on the Chenab River being built by India in Jammu and Kashmir, disputed Sir Creek estuary at the mouth of the Rann of Kutch, Siachin glacier, issues of Gurdaspur and Ferozepur’s status, Hindu-Muslim relations, autonomy for the Sikhs in Indian Punjab, minority rights, Indian contentions that Pakistan is sponsoring “cross-border” terrorism. In 2007, Musharraf stated, after a meeting with Indian Prime Minister Manmohan Singh, that the current push to normalize relations between the two states is “irreversible.”<sup>333</sup>

On July 22, 2004, *The Guardian* reported that Omar Sheikh, a British-born Islamist, had, on the instructions of General Mah-

moud Ahmad, the then head of Pakistan's Inter-Services Intelligence (ISI), wired \$100,000 before the 9/11 attacks to Mohammed Atta, the lead hijacker. When Ahmed was exposed by the *Wall Street Journal* as having sent the money to the hijackers, Musharraf forced him to retire. The 9/11 commission did not investigate this funding out of lack of credibility. In September 2007, in the aftermath of the Lal Masjid incident, al Qaeda leader Osama bin Laden urged his followers to fight a holy war against Musharraf and the Pakistani Army.<sup>334</sup>

One of the most widely-reported controversies during Musharraf's administration arose as a consequence of the disclosure of nuclear proliferation by Dr. Abdul Qadeer Khan, the metallurgist known as the father of Pakistan's bomb. Musharraf has denied knowledge of or participation by Pakistan's government or Army in this proliferation and has faced bitter domestic criticism for singularly vilifying Khan, a former national hero. Khan has been pardoned in exchange for cooperation in the investigation, but is still under house arrest.<sup>335</sup>

Musharraf admitted that his popularity was on a decline a survey conducted by the *Dawn*, showed that about 54.5 percent of urban Pakistanis believed that military should have no role in politics while 65.2 percent wanted Musharraf to step down. *The Economist* also stated that the General was destabilizing Pakistan by imposing Emergency. The paper also suggested that it was a high time for the General to make exit from the corridors of power and to allow the democratic process to run its course.<sup>336</sup>

The conclusion that can be drawn from the big mass of details of Musharraf era is the ubiquitous presence of apolitical factor which determines the fate of Pakistani politics. Right from the outset military and bureaucracy have been flouting the general will articulated through ballot. However, Musharraf decided to bring about a diversion in that established norm whereby military and bureaucracy complemented each other while managing the affairs of the state, keeping the politicians at the reasonable distance. Thus the split between the two apo-

litical determinants of the politics ended what was being considered by many as the natural alliance. The civil service was radically restructured in such a way that it ceased to hold the power and pelf of the yore. In its stead, far greater role was assigned to the consultants who had substantial experience of working for the International Banks or the monetary institutions. Particularly for last three years Shaukat Aziz and Pervez Musharraf had been guiding the ship, later off course wielding the omnipotence. Both of them had no political credentials to boast of. As usual, the Musharraf regime treated politicians with some measure of disdain. The media trial was unleashed to stigmatize them. In fact some inherent antipathy for the politicians might have instigated him to elevate a professional banker to the coveted position of a Prime Minister. Such institutions like NAB and RAB etc. were meant to keep politicians to the position of marginality.

Musharraf was the kingpin in the system. All powers emanated from him. Legislative Bodies were merely a pliable plaything in his authoritarian hands. The unequivocal support from the Army and the unflinching trust that US had reposed in him, buttressed his position to an unlimited extent. Therefore he preferred the military action instead of negotiated settlement of the outstanding issues. Whether it was Akbar Bugti led insurgency in Balochistan or Lal Masjid issue in capital Islamabad, the only recourse known to him has been the use of a brute force. Hence Pakistani people witnessed authoritarianism of the severest kind in the days when it had become a rarity. Political opportunism and underdeveloped political institutions also contributed to the sustenance of his rule. Large number of politicians became turn coats mostly to escape NAB's prosecution. Thus politicians were not the ones who led agitation against Musharraf's arbitrary rule, instead the lawyers embarked on that course and still treading it valiantly.

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