

QUAID-I-AZAM UNIVERSITY

PARLIAMENTARY DEMOCRACY IN PAKISTAN: 1988-1999

**A DISSERTATION SUBMITTED TO THE FACULTY OF SOCIAL
SCIENCES IN CANDIDACY FOR THE DEGREE OF DOCTOR OF
PHILOSOPHY**



BY

QURAT-UL-AIN BASHIR

ISLAMABAD, PAKISTAN

SPRING 2015

CANDIDATE’S DECLARATION

I hereby declare that the dissertation presently submitted bearing the title “Parliamentary Democracy in Pakistan: 1988-1999” is the result of my own research and has not been submitted to any other institution for any other degree.

Qurat-ul-Ain Bashir

Ph. D. Candidate

SUPERVISOR’S DECLARATION

I hereby declare that the Ph. D. Candidate Qurat-ul-Ain Bashir (Reg. No. 03120813002) has completed her dissertation titled “Parliamentary Democracy in Pakistan: 1988-1999” under my supervision. I recommend it for submission in candidacy for the degree of Doctor of Philosophy in History.

Prof.Dr. Javed Haider Syed

Dedicated to the innocence of poor people of Pakistan, who are victims in the hands of power players, who struggle for democracy but celebrate the takeover by army

A house divided against itself cannot stand.

Ballots are the rightful and peaceful successors to bullets.

Abraham Lincoln

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http://www.brainyquote.com/quotes/authors/a/abraham_lincoln.html[Accessed on: December 24, 2011]

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LIST OF SHORT NAMES FOR IMPORTANT PERSONALITIES

Name	Referred as
Aftab Ahmad Kahn Sherpao	Sherpao
Asif Nawaz Janjua	Janjua
Assad Durrani	Durrani
Benzir Bhutto	Benazir
Chaudhry Muhammad Ali	Muhammad Ali
Farooq Ahmed Khan Leghari	Leghari
General Zia-ud-din Butt	General Butt
Ghulam Ishaq Khan	Ishaq Khan
H. S. Suhrawardhy	Suhrawardhy
Khawaja Nazimuddin	Nazimuddin
Liaquat Ali Khan	Liaquat
Mian Manzoor Watto	Watto
Mir Zafarullah Khan Jamali	Jamali
Moeen Ahmed Qureshi	Qureshi
Mouvli Tamizuddin	Tamizuddin
Muhammad Khan Junejo	Junejo
Murtaza Ali Bhutto	Muratza
Najam Sethi	Sethi
Nawaz Sharif	Nawaz
Pervez Musharraf	Musharraf
Quaid-i-Azam Muhammad Ali Jinnah	Jinnah

Shahbaz Sharif

Shahbaz

Sheikh Mujib-ur-Rehman

Mujib

Waheed Kaker

Waheed

Yosuf Raza Gillani

Gillani

Yunus Habib

Habib

Zulfiqar Ali Bhutto

Bhutto

ACKNOWLEDGEMENTS

I owe a debt of gratitude to many people who were so generous with their time and expertise, but it is Prof. Dr. Javed Haider Syed, my supervisor and mentor, that I am deeply indebted and whom I must thank first. It was his kindness that he allowed me the opportunity of his supervision, in spite of his academic responsibilities. It was only possible through his special guidance that I was able to explore and select such a dynamic and challenging topic for research. His valuable help in adopting appropriate research methodology and vision has always been a source of inspiration to me.

I wish to express my appreciations to all the Parliamentarians and civil-military bureaucracy who led me through the years of history that they witnessed themselves. They went out of their way in providing me with necessary details of the topic which enabled me to study the topic objectively. Due to their interviews I was finally able to formulate my own personal opinion and visionary perspective regarding the topic. I acknowledge their patience in answering my hard questions. I am especially thankful to Principal Staff Officers of all the politicians for arranging interviews for me.

I am also thankful to my elder sister Roshni Bashir who was tremendously supportive in every possible way and deserves my special regards. My mother (may her soul rest in peace), who passed away just fifteen days before my admission to M. Phil, inspired me to work harder as her absence always reminded me her wish that I should go for higher studies. I could not find words to thank her enough. And, of course, I want to thank my father especially.

In the end I wish to extend my gratitude to those who are better than me in intellect and capabilities but the life was kind enough to give me the opportunity. I must also be grateful to those who were supportive in such a gracious manner that they remained unnoticed.

The expertise in the thesis belongs to those listed above. Any errors are mine.

Qurat-ul-Ain Bashir

ABBREVIATIONS

AIML	All India Muslim League
AKMC	Azad Kashmir Muslim Conference
AL	Awami League
ANP	Awami National Party
APC	All Party Conference
APMO	All Pakistan Mohajir Student Organization
APNS	All Pakistan Newspapers Society
AQP	Awami Qiadat Party
BNM (H)	Balochistan National Movement (Hasil Group)
BNM (M)	Balochistan National Movement (Mengal Group)
BNP	Balochistan National Party
CBR	Central Board of Revenue
CCI	Council of Common Interests
CDNS	Council of Defence and National Security
CEC	Chief Executive Committee
C-in-C	Commander in Chief
CNN	Cable News Network
COAS	Chief of the Army Staff
Con ML	Council Muslim League
Conv ML	Conventional Muslim League
COP	Combine Opposition Party
CPNE	Council of Pakistan Newspapers Editors
CSP	Civil Services of Pakistan
CTBT	Comprehensive Nuclear Test-Ban Treaty

CWOG	Common Wealth Observer Group
DG	Director General
DMG	District Management Group
DSP	Deputy Superintendent of Police
EBDO	Elective Bodies (Disqualification) Order
ECMT	European Community Monitoring Team
FATA	Federally Administrated Tribal Areas
FGCM	Field General Court Martial
FIA	Federal Investigation Agency
FSF	Federal Security Force
GDA	Grand Democratic Alliance
GHQ	General Head Quarters
HJ	Hizbe Jihad
HRCP	Human Rights Commission of Pakistan
IB	Intelligence Bureau
ISDF	Islamic Democratic Front
IDF	Islamic Deeni Front
IFC	International Finance Cooperation
IJI	Islami Jamhoori Ithad
IJM	Islami Jamhoori Mahaz
IJT	Islami Jamiat Talba
IPG	Independent Parliamentary Group
ISI	Inter-Services Intelligence
JCSC	Joint Chiefs of Staff Committee
JI	Jammat-e-Islami

JMP	Jamiat Mashaikh Pakistan
JUAH	Jamiat Ulema-i-Ahle Hadith
JUI	Jamiat-e-Ulema-e-Islam
JUI (F)	Jamiat-e-Ulema-e-Islam (Fazal-ur-Rehman Group)
JUI (H)	Jamait ul Ulema-i-Islam (Hazarvi Group)
JUI (Ha)	Jamait ul Ulema-i-Islam (Haqiqi Group)
JUI (S)	Jamait-ul-Ulema-i-Islam (Samiul Haq Group)
JUM	Jamiat Ulema e Mashaiq
JUP	Jamait-e-Ulema-e-Pakistan
JUP (N)	Jamiat-e-Ulema-e-Pakistan (Noorani Group)
JUP (Ni)	Jamiat- Ulema-e-Pakistan (Niazi Group)
JUP (S)	Jamait-e-Ulema-e-Pakistan (Sahebzada Group)
JWP	Jamhoori Wattan Party
KT	Khaksar Tehrik
LFO	Legal Framework Order
LOC	Line of Control
MDM	Muttahida Dini Mahaz
MJAH	Markazi Jamaat Ahle Hadith
MJSA	Markazi Jamaat Sawad-i-Azam
ML (Q)	Muslim League (Qaiyum Group)
MLPP	Muslim League Parliamentary Party
MNA	Member of National Assembly
MPA	Member of Provincial Assembly
MQM (A)	Mohajir Qaumi Movement (Altaf Group)

MQM (H)	Mohajir Qaumi Movement (Haqiqi)
MQM	Mohajir Qaumi Movement
MRD	Movement for the Restoration of Democracy
MSFR	Ministry of State and Frontier Regions
MUF	Muttahida Ulema Forum
NAP	National Awami Party
NAP (W)	National Awami Party (Wali Group)
NDA	National Democratic Alliance
NDA	National Democratic Alliance
NDF	National Democratic Front
NDI	National Democratic Institute for International Affairs
NDP	National Democratic Party
NFC	National Finance Commission
NIP	Nizam-i-Islam Party
NPP	National Peoples Party
NPP	National Peoples Party
NPT	National Press Trust
NTDP	National Tribunal for Disadvantaged Persons
NWFP	North West Frontier Province
OIC	Organization of Islamic Countries
OSD	Officers on Special Duty
PAI	Pakistan Awami Ittehad
PAT	Pakistan Awami Tehrik
PCNP	Pakistan Christain National party

PCNP	Pakistan Christian National Party
PCO	Provisional Constitutional Order
PCP	Pakistan Christian Party
PDA	Pakistan Democratic Front
PDP	Pakistan Democratic Party
PIF	Pakistan Islamic Front
PKMAP	Pakhtun Kawah Milla Awami Party
PKMAP	Pakhtun Kawah Milla Awami Party
PLF	People's Lawyers Forum
PMKP	Pakistan Mazdoor Kisan Party
PML	Pakistan Muslim League
PML	Pakistan Muslim League
PML (C)	Pakistan Muslim League (Chatta Group)
PML (J)	Pakistan Muslim League (Jinnah)
PML (J)	Pakistan Muslim League (Junejo)
PML (N)	Pakistan Muslim League (Nawaz)
PML (P)	Pakistan Muslim League (Pagaro)
PML (Q)	Pakistan Muslim League (Qasim Group)
PML	Pakistan Muslim League
PNA	Pakistan National Alliance
PNP	Pakistan National Party
PNSF	Pakistan National Students Federation
PODA	Public Offices (Disqualification) Order
PONM	Pakistan Oppressed National Movement
PPO	Press and Publication Ordinance

PPP	Pakistan People's Party
PPP (SB)	Pakistan People's Party (Shaheed Bhutto)
PSF	Pakistan Solidarity Front
PSF	Peoples Students Federation
PTC	Pakistan Telecommunication Corporation
PTI	Pakistan Tehreek-e-Insaaf
PTV	Pakistan Television
PYO	People's youth Organization
RCO	Revival of 1973 Constitution Order
RP	Republican Party
SAARC	South Asian Association for Regional Cooperation
SAP	Special Action Programme
SDP	Sindhu Desh Party
SGS	Societe General Surveillance
TI	Tahrik-i-Istaqlal
TNFJ	Tahrik-e-Nafazi Fiqah Jafria
TUP	Tehrik Ulema-i-Pakistan
USA	United States of America
UAE	United Arab Emirates
UDF	United Democratic Front
UF	United Front
WAPDA	Water and Power Development Authority

GLOSSARY

<i>Ahle Tashih</i>	People belonging to Shia sect of Islam
<i>Amer Bil Ma'roof wa Nahi Anal Munkar'</i>	Enjoy good and forbid evil
<i>Amir</i>	Leader
<i>Amir-ul-Momineen</i>	Leader of the Faithful
<i>Bait-ul-Mal</i>	State Treasury
<i>Dako Raj</i>	Lawlessness
<i>Danda</i>	Force
<i>Hafeez-i- Quran</i>	A person who has memorized complete Quran by heart
<i>Jihad</i>	Islamic holy war
<i>Junta</i>	A Military government that has taken power by force
<i>Khudai Khidmatgars</i>	Literal meaning Servants of God. A regional organization formed by Abdul Ghaffar Khan in 1929.
<i>Lambardar</i>	A village headman
<i>Lifafa</i>	Literal meaning envelope. It has connotations of bribe or kickback
<i>Lota</i>	A person who changes his party or political loyalties just for getting personal benefits and not for the purpose of ideology
<i>Lotaism/ Lotacracy</i>	The practice of changing parties and political loyalties to gain personal interests

<i>Mohajir</i>	Migrants
<i>Molvi</i>	Clerics
<i>Mujahedeen</i>	Islamic Fighters
<i>Peshwa</i>	Spiritual Leader
<i>Qabza</i>	Illegal Possession
<i>Raj</i>	Rule
<i>Riba</i>	Usury
<i>Sahab</i>	Used to call men respectfully
<i>Salat</i>	Prayers offer by Muslims five times a day
<i>Shariat</i>	Teachings of Islam
<i>Sunnah</i>	Teachings of Holy Prophet (PBUH)
<i>Sunni</i>	People belonging to Sunni sect of Islam
<i>Tehsil</i>	Tehsil is the smallest administrative unit of land in Pakistan
<i>Ulema</i>	Islamic Religious Scholar
<i>Umra</i>	Holy Journey to Macca to carry religious practices by Muslims
<i>Waaq-a-Bul Katal</i>	One who deserves death penalty as per Islamic law
<i>Zakat</i>	The percentage of wealth that has to be given in charity to the deprived people of the society by every well-

to-do Muslim as a religious duty at the end of each year.

ABSTRACT

The dissertation entitled “Parliamentary Democracy in Pakistan 1988-1999” presents a comprehensive account of four elected governments during the period 1988 and 1999 - a period of topical significance sandwiched between two long military rules (Zia: 1977-88 and Musharraf: 1999-2008). The emphasis of the study is on uncovering the factors that created bottlenecks in the democratic process and premature dissolution of the elected governments. The focus is on working relationship between elected and non-elected institutions as well as on functioning of the elected institutions. The elected institutions variables include the Parliament, Provincial Assemblies, Local Bodies and Federal/Provincial Governments. The non-elected institutions variables comprise Media, Caretaker Governments, Military, Bureaucracy and Judiciary. It also takes into account human rights, law and order situation and executive-judiciary relationship.

Besides introduction and conclusion, the thesis includes five chapters. The first chapter is a brief review of the political history of Pakistan during the period 1947-1988. It is intended to provide background framework to facilitate discussion and analysis of the theme of the thesis, namely, uncovering the factors that impeded the functioning of the elected governments during 1988-1999. This eleven year period is covered under four chapters; each coinciding with elections, and formulation and dissolution of Assemblies and governments (i.e., 1988-90; 1990-93; 1993-96; and 1996-99). The chapters provide details of political trends; power game; and factors that led to frequent derailment of democratic process.

Besides published material, interviews of some important politicians and civil-military bureaucrats are used to gain first hand knowledge as also to understand and analyse the issues. This is not only intended to obtain information but also to seek ideas and suggestions for ensuring sustained and effective working of parliamentary democracy in the country.

Chapter 1

Introduction

The foundation of Pakistan is embedded in democratic principles as it is the realization of the will of the people to have a separate homeland. As Quaid-i-Azam Muhammad Ali Jinnah, the architect of Pakistan as early as 1943 pin-pointed: “democracy is in our blood, it is in our marrow”.¹ He visualized the constitution of the new state as a consummate amalgamation of democratic principles and Islamic values.² A constitution that could guarantee justice, integrity and rule of law in the emerging state.³ Jinnah in his first address in the Constituent Assembly of Pakistan laid the basic principle of democracy when he said: “Now, I think we should keep that in front of us as our ideal and you would find in the course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.”⁴ Jinnah strived to change the mindset of Muslims from a minority to a nation state committed to the principles of unity, faith and discipline.⁵ He was determined to strengthen the political institutions on democratic principles, knowing fully well that in prevailing conditions one will have to go an extra mile to ensure a real democratic setup in Pakistan. It may be recalled that some territories that now comprise Pakistan did not become part of British India till the mid-nineteenth

¹ Safdar Mahmood, *Political Roots and Development: 1947-99* (Karachi: Oxford University Press, 2003), 354. Mohammad Khalid, *Welfare State: A Case Study of Pakistan* (Karachi: Royal Book Company, 1968), 126.

² A. H. Kardar, *Pakistan's Soldiers of Fortune* (Lahore: Ferozsons Pvt. Ltd., 1988), 16.

³ Khalid, *A Case Study of Pakistan*, 126.

⁴ Taken from the address of Jinnah in the Constituent Assembly of Pakistan at Karachi on August 11, 1947. Rafique Afzal, comp. *Quaid-i-Azam Mohammad Ali Jinnah: Speeches and Statements: 1947-48*, 2nd ed. (Islamabad: Ministry of Information and Broadcasting, Directorate of Films and Publications, 1989), 47.

⁵ Mirza Arshad Ali Beg, *Democracy Displaced in Pakistan: Case History of Social Pollution* (Karachi: Research and Development Publications, 1998), 34.

century and consequently the influence of Parliamentary democracy in these was brief.⁶ Moreover, due to geo-political considerations, these areas were partly exempted from participatory politics that was introduced in other parts of British India.

Notwithstanding Pakistan's commitment to democracy, its history is replete with periodic and long military rules and autocratic governments. Even periods of democratic rules were not smooth sailings; elected governments being toppled on one pretext or the other. In this context the period from August 1988 to October 1999 (which is sandwiched between long military rules of Zia-ul-Haq and Pervez Musharraf) stands out as a test case. Thus the thesis attempts to uncover the factors that created bottlenecks in the democratic process and premature dissolution of the elected assemblies and governments during the period. The focus is on working relationship between elected and non-elected institutions as well as on functioning of the elected institutions.

Historical Perspective:

Pakistan inherited a set up comprising Governor General, Constituent Assembly, Cabinet and Judiciary. The Provincial set up consisted of Governors, Assemblies (except in Balochistan which was under the Centre) and Cabinets. The powers embedded in the office of Governor General were constitutional and wide-ranging; a legacy of British India.⁷ One of the critical tasks before the new nation was to frame a constitution that is based on the aspirations of the people and geo-political realities.⁸ This task was assigned

⁶ Craig Baxter et al, *Government and Politics in South Asia* (Lahore: Vanguard, 1988), 392.

⁷ Subrata Kumar Mitra, *The Post-Colonial State in Asia: Dialectics of Politics and Culture* (Lahore: Sang-e-Meel Publishers, 1988), 39.

⁸ Victoria Schofield, ed., *Old Roads New Highways: Fifty Years of Pakistan* (Karachi: Oxford University Press, 1997), 3. John Galvani, "Introduction to Pakistan" *MERIP Reports*, no. 16 [April 1973]: 3, <http://www.jstor.org/stable/3011523>

to the Constituent Assembly which comprised of representatives of Muslims of Sub-continent and minorities. It was a representative political body responsible for legislation and formulation of constitution for the new state. Bureaucracy and military had no political role.

The declared commitment to democracy warranted that the affairs of the state should have been conducted on democratic lines with each state functionary working within its domain. In reality this did not happen. Institutions transgressed their limits and democratic traditions were not nurtured. In between the assassination of its first Prime Minister, Liaquat Ali Khan, (14 August 1947-16 October 17, 1951) and imposition of Martial Law on October 7, 1958, six Prime Ministers (Khawaja Nazimuddin, Muhammad Ali of Bogra, Chaudhuri Muhammad Ali, H. S. Suhrawardhy, I.I. Chundrigar and Feroz Khan Noon) had served the country while the office of Governor General was held by Ghulam Muhammad (October 1951-August 1955), and Major General (Retired) Iskandar Mirza (August 1955-October, 1958) in succession.⁹ The change of Premiers was made by the Governor General/President by manipulation and in connivance with members of the Assembly and support of bureaucracy. This practice violated the norms of democracy and one man (Governor General/President) became the hub of power. In this period, unstable governments kept busy in political maneuvers to

⁹ Iskandar Mirza had taken the oath of Acting Governor General on August 7, 1955, as Ghulam Muhammad was sent to medical leave. On October 6, 1955 Ghulam Muhammad was succeeded by Iskandar Mirza, as Ghulam Muhammad resigned from his office. Iskandar Mirza had served the office of Governor General from October 6, 1955 to March 23, 1956. After the promulgation of 1956 constitution on March 23, 1956 he had sworn in as first President of Pakistan because in the constitution the office of Governor General was replaced by the office of President. He remained in the office of President from March 23, 1956 to October 27, 1958. Hasan Askari Rizvi, *The Military and Politics in Pakistan* (Lahore: Sang-e-Meel Publications, 2000), 325-326.

get stability and hence the affairs of the state were not managed properly.¹⁰ During the term of Ghulam Muhammad strong autocratic rule emerged in which constitutional and political powers were misused. The civil-military bureaucracy played a critical role in decision making and the powers of bureaucrat-military elite strengthened. The government of Nazimuddin was dismissed on April 17, 1953 in spite of the fact that he had confidence of the legislature. Subsequently the first Constituent Assembly was also dissolved on October 24, 1954. The office of Governor General became more influential.¹¹ After the dismissal of Nazimuddin's cabinet, Ghulam Muhammad appointed another cabinet with Muhammad Ali of Bogra as its Premier. This cabinet was declared as a "Cabinet of Talents" and most of the ministers were not members of the Assembly. The cabinet had nine members including General Ayub Khan and Major General (Retired) Iskandar Mirza, which meant a strong presence of military-bureaucracy in the cabinet.¹² The induction of Ayub Khan in the cabinet paved the way for military's open involvement in the political affairs.

The Second Constituent Assembly (1955) passed the 1956 Constitution and Iskandar Mirza assumed the office of the first President. During the tenure of Iskandar Mirza (1955-1958) the overthrow of Prime Ministers was more frequent. From September 1956 to October 1958, three coalition governments changed hands at the Centre, as no party had a majority in the Assembly. During the period of coalition government Iskandar Mirza was more powerful. By 1958 the military had great influence in politics. Sir Alexander Symon, the British High Commissioner in Karachi had reported

¹⁰ Mushtaq Ahmad, *Politics Without Social Change* (Karachi: Space Publishers, 1971), 11.

¹¹ Surendra Nath Kaushik, *Pakistan Under Bhutto's Leadership* (New Delhi: Uppal Publishing House, 1985), 41-42.

¹² Keith Callard, *Pakistan: A Political Study* (Karachi: Oxford University Press, 1968), 23.

to home about the possibility of direct assumption of political power by the military in Pakistan. On September 27, 1958 Iskandar Mirza told Symon that “democracy would not work in Pakistan” and that “time had come for him to act.” On October 7, 1958, Iskandar Mirza proclaimed Martial Law when elections were very near (scheduled for February 1959).¹³ Another factor being linked with the military takeover was that Army Chief Ayub Khan’s extended tenure was due to expire in 1959 and Prime Minister Feroz Khan Noon was reluctant to authorize his extension; relations between them were strained. The conflict between political and military leadership ended with the imposition of Martial Law in 1958;¹⁴ the power shifted to military leadership.¹⁵ Throughout the tenures of Ghulam Muhammad and Iskandar Mirza, the vice-regal system of government prevailed;¹⁶ political confusion and instability continued and bureaucracy used in facilitating change in governments. With the imposition of Martial Law, the political power was completely in the hands of military and supported by bureaucracy, landlords and business community.¹⁷

Ayub Khan (October 1958-March 1969) introduced wide ranging reforms, basic democracy system and presidential form of government. He promulgated the 1962 Constitution including indirect elections for President and Assemblies. He believed in

¹³ Hussain Haqani, “History Repeats Itself in Pakistan”, *Journal of Democracy* 17, no. 4 [October 2006], Baltimore: The Johns Hopkins University Press, 116-117. Verinder Grover and Ranjana Arora, ed., *Political System in Pakistan: Role of Military Dictatorship in Pakistan Politics*, vol. 5 (New Delhi: Deep and Deep Publishers, n.d), 244. Mansoor Akbar Kundi, *Politics in Pakistan: Bending the Rules* (Karachi: Maktaba-e-Faridi, 2005), 11-14, 55.

¹⁴ Ayesha Siddiqa, *Military Inc.: Inside Pakistan’s Military Economy* (Karachi: Oxford University Press, 2007), 71.

¹⁵ Kaushik, *Bhutto’s Leadership*, 47-48.

¹⁶ The British had introduced the patriarchal bureaucratic-military structure in India during the British Raj to strengthen their rule. In this system the native officers were delegated minimum decision-making powers. The British civil servants and military officers had great power over the native officials even after the set up of elective offices in 1882. Hussain Haqani, “Itself in Pakistan”, 115-116.

¹⁷ Kaushik, *Bhutto’s Leadership*, 45.

centralized government with extended role of military and civil bureaucracy; considered people as uneducated, divided and unsophisticated to have democratic institutions; and showed disregard towards politicians and political parties. He thus installed a military-bureaucracy dominated set up under the cover of guided democracy.¹⁸

The Praetorian rule that commenced with Ayub Khan continued during Yahya Khan's military regime (1969-1971) too. On March 25, 1969 Ayub Khan resigned in the wake of nation-wide agitation against him; handing over power to Yahya Khan instead to the Speaker of the National Assembly as provided in 1962 Constitution. Yahya Khan was sworn in as President and Chief Martial Law Administrator; immediately after assuming power he suspended the 1962 constitution and proclaimed Martial Law.¹⁹ Ayub Khan had appointed, a Services Reorganization Commission under the chairmanship of Chief Justice A. R. Cornelius. The Commission had submitted its report in 1962, suggesting substantial changes in the structure of the services and proposed to abolish the privileged position of Civil Services of Pakistan (CSP) in the bureaucracy. Due to influence of top bureaucracy the report was not made public. In 1969 the report was declassified; Yahya Khan intended to implement the recommendations, but due to opposition of powerful bureaucracy against the report, nothing happened.²⁰

The tenure of Yahya Khan (25 March 1969- 20 December 1971) though brief was eventful and tragic culminating in the dismemberment of the country. After surrender of Dhaka (16 December, 1971) he handed over the power to Zulfikar Ali Bhutto, whose Peoples Party had emerged as majority party in West Pakistan in December 1970 national

¹⁸Grover and Arora, *Role of Military Dictatorship in Pakistan Politics*, 247-148.

¹⁹Ibid., 250-251.

²⁰Rizvi, *Politics in Pakistan*, 186-187.

elections. It was the army supported by civilian bureaucracy that brought Bhutto into power; notwithstanding his political standing. During the tenure of Bhutto (1971-1977), package of reforms was introduced in 1973 that included changes in the structure of the bureaucracy and civil service law.²¹ The purpose of these comprehensive changes was to create public friendly efficient administration, as also, to keep bureaucracy in check. These measures to produce legal structure for the institution of civil service, remained unrealised with the *coup d'état* by General Zia-ul-Haq on 5 July, 1977.²²

Bhutto attempted to reduce the political power of army through policies and actions. The changes were incorporated in the administrative structure of the military high command.²³ Strict actions were taken against the top command that conducted the 1971 Indian War and key senior officials of armed forces were removed, including, Lt. General Gul Hassan Khan, Chief of Army Staff (COAS) and Air Marshal Rahim Khan, Chief of Air Staff. In Bhutto's era, the top brass of armed forces had temporarily accepted the civil rule under the changed political situation. But Bhutto was incapable of

²¹ The structural reforms were following; do away with the service labels, elimination of classes vis a vis; Class 1, 2, 3 and 4, the fusion of all services and cadres into Single Unified Grade Structure, the introduction of unified 23 grade National Pay Scales, provision for lateral entry into government service for talented individuals from the private sector, eligibility for horizontal movement from one post/cadre to another and introduction of scientific career planning on the basis of merit, job description and evaluation. Hamid Khan, *Constitutional and Political History of Pakistan* (Karachi: Oxford University Press, 2001), 881.

²² Ibid., 881-883.

²³ The salient features of administrative changes were; the designations of the heads of the armed forces were changed from Commander in Chief (C-in-C) of Army, the C-in-C of Navy and the C-in-C of Air Force to the Chief of Army Staff, the Chief of Naval Staff and the Chief of Air Staff respectively. The aforementioned three Chiefs were put under the command of Joint Chiefs of Staff Committee (JCSC) accompanied by the President as Commander in Chief. The tenures of Chiefs of Staff was initially reduced to four years, later in 1975 it was fixed at three years. The office of JCSC was permanent to develop an integrated defence system. The Naval Headquarters were shifted from Karachi to Islamabad in order to bring about cooperation between the three Services and the civil administration. In May 1976, the government of Pakistan had issued a *White Paper on High Defence Organization*, which had described government's defence and strategic policy accompanied by institutional arrangements about defence affairs. It suggested integrated defence approach with the ultimate responsibility of national defence resting with the Prime Minister. Ibid., 213-214.

establishing the civilian supremacy over military as he was dependent on military to obtain his personal political objectives. He partially succeeded in sending the army to barracks but by 1976 the military recovered from the setbacks of 1971 (dismemberment of East Pakistan and surrender of Pakistan army to India). Bhutto also failed to produce political institutions, as he had to face and resolve infinite challenges.²⁴

The Martial Law by Zia, in 1977 had once again led Pakistan to be a Praetorian state. In Zia's regime (1977-1988), the bureaucracy got strength, as the reforms related to institution of bureaucracy were undone by him. This attempt of Zia was endorsed by the former CSP class, which had personal grudge against the reforms. They were posted on important positions and became the main stay of Zia regime. Military regimes did not possess public support and were dependent on the civil services to administer the affairs of the state. Thus, during military regimes, civil bureaucracy consolidated its position and power. In Zia's era several military officials were inducted into civil bureaucracy, in particular in District Management, Police and Foreign Service groups.²⁵

During 1947 and 1988 three *coup d'etat* transpired (i.e.; October, 1958; March, 1969; and July 1977) which weakened the edifice of democracy and obliterated all democratic development.²⁶ Democracy was a fresh experience and it was requisite to comprehend it by means of tendering and practice over time to make it functional, but the civil-military bureaucracy preempted its growth. Martial Laws strengthened the roots of tyranny in politics of Pakistan; it also brought such constitutional amendments that caused the redistribution of power tilted in favour of the President. Therefore, whenever

²⁴Ibid., 212-213, 230. Kundi, *Bending the Rules*, 66. Siddiqi, *Inside Pakistan's Military Economy*, 27, 53.

²⁵Khan, *Political History of Pakistan*, 883.

²⁶ Ibid., 272-273.

civilian government assumed power, the Premier who was supposed to be powerful in Parliamentary government, remained feeble and vulnerable.

The elections held in 1988, 1990, 1993, 1997 led to the formation of governments in the Centre by the Pakistan People's Party (PPP), the Islami Jamhoori Ittehad (IJI), the PPP and the Pakistan Muslim League (Nawaz) PML (N), respectively. The repeated dissolution of governments and deposition of premiers from power had confirmed that there were imbalance of power tilted in favour of President and establishment at the cost of elected governments.²⁷ Throughout the political history of Pakistan the role of civil-military bureaucracy and intelligence agencies (especially ISI) in politics is evident and significant in directing the internal politics.²⁸ Time and again, the discontinuity of democratic process had laid under threat the future of democracy. In the light of brief historical backdrop of democracy in Pakistan, this investigation attempts to expose the reasons that interrupted each government from completing five years of its term which is the central theme of the study.

Statement of the Problem:

Pakistan became an independent state in August, 1947 on the premise that it will be governed on democratic principles. Yet since its inception the elected institutions were unable to play their proper role in politics and decision making. The elected institutions

²⁷ Sugata Bose and Ayesha Jalal, *Modern South Asia; History, Cultural, Political Economy* (Lahore: Sang-e-Meel Publications, 1998), 236. Rizvi, *Politics in Pakistan*, 277.

²⁸ In order to see the role of intelligence agencies in politics of Pakistan see Altaf Gauhar: "How Intelligence Agencies Run Our Politics", *The Nation*, Islamabad, August 17, 1997. Ardeshir Cowasjee, "Forgetting History", *Dawn*, Islamabad, May 15, 2011.

did not get the opportunity to establish a stable political system due to supremacy and interference of hierarchical institutions. In political sense civil-military bureaucracy remained more powerful than legislative assemblies. The elected governments were weak and under the influence of the establishment as democratic traditions were not nurtured. Repeated Martial Laws and bureaucratic interferences created undemocratic traditions even in politics. In the period under study (1988-1999), in particular, the free will of elected institutions was missing and elected governments and assemblies faced premature suspension.

In the light of above statement the study aims at investigating and analyzing the factors responsible for repeatedly disruption in the democratic process in Pakistan. It discusses the role of political and non-political stakeholders in the matter with reference to the performance of four democratic governments during 1988 and 1999. The thesis basically attempts to investigate the behaviour and role of elected and non-elected institutions which made the democratic governments vulnerable and weak.

The study investigates the reasons which obliged the governments to surrender their rights to the establishment and promote power-politics, causing power-imbalance and political instability. The theme of the thesis will be discussed in the light of following:

1. Role of establishment in democratic process
2. Relationship between elected and non-elected institutions and its impact on democratization.

3. Effects of tussle for power (between institutions/personalities) on functioning of governments.

To find answer to these questions, the framework will include working relationship between elected and non-elected institutions. The variables of elected institutions are the parliament, provincial assemblies and local governments; whereas of non-elected institutions are media, caretaker governments, military, bureaucracy and judiciary. The relationship between these variables would serve as a tool to examine that if the institutions were functioning within their constitutional boundaries or not; and what part they played in power politics.

These two parameters are taken on the premise that democracy assures smooth working relationship between institutions therefore the nature of democracy could easily be studied. If conflicts among institutions are resolved by undemocratic means, the democratic process would derail.

Significance and Scope:

The study is significant as this phase of Pakistan's political history is rich in content. Profound political events and developments transpired in this period that would enable to explore various elements of Parliamentary democracy; such as the still unanswered question why democracy could not stabilize in this period. The study strives to respond to this key question in the light of political experiences of this era, and to describe the political history of Pakistan from a historian's eye.

Substantial scholarly work is done on the political history of Zia era, yet the governments that came to power after him are not studied in detail. In particular, the

period of four consecutive civilian democratic governments is not analysed in a comprehensive way. In scholarly writings relationships between various institutions and interlinked factors have not been discussed in depth; and in particular, the last period (1997-1999) is scantily discussed. The present research is an endeavor to bridge this gap.

The study presents a comprehensive history of parliamentary form of governments. It has a broad canvas, encompassing overall understanding of the issues. The role of establishment in undermining the democracy in this period is an established fact. Hence the study goes a step forward to analyse and highlight the nature and impact of that role.

The scope of the research is mainly related to the democratic process in Pakistan from 1988 to 1999. It also provides background of relationship between elected and non-elected institutions and the pattern of fall of governments since 1947. The stance of elected and non-elected institutions towards constitutional and political developments, law and order situation, analysis of elections and human rights condition have also been discussed. The discussion on law and order is essential as it is a lucid indicator of good governance and functioning of the government.

This period (August 1988-October, 1999) is selected for study as democratic institutions were repeatedly toppled and re-installed (four elections and elected governments in eleven years) and, therefore, helps in establishing the pattern of politics and in bringing forth the reasons that restrain the democracy to strike its roots. It constitutes a model for understanding the power-tussle between elected and non-elected institutions witnessed since 1947.

Review of Literature:

There is inadequate scholarly work on the topic with limited perspective and theories. It is difficult to find one scholarly comprehensive book about the era (1988-1999). Most of the writings are descriptive and have gaps. Majority of the scholarly writings have following frameworks: elite politics, political economy or performance of the government. The performance of the government is examined either on one or a few fronts. The substantive basic ideals of democracy are ignored in academic writings. Such aspects as election campaigns, caretaker governments and local bodies elections remain unexplored.

The existing literature related to the topic can be divided into four categories. First category is about the literature penned by those politicians, civil-military officials and judges who remained in offices during the period under study. Interestingly, the literature written by them is more detailed and relevant than scholarly works. But their writings are partial and aimed at justifying their own performance. Their frameworks incorporate political, constitutional and historical developments. The literature by lawyers and judges are mostly about the constitutional amendments.

Some of the books that provide first hand information about the era are cited in chronological order: Roedad Khan -*Pakistan-A Dream Gone Sour* (1997);²⁹ Iqbal Akhund -*Trial and Error: The Advent and Eclipse of Benazir Bhutto* (2000);³⁰ Sajjad Ali Shah -*Law Courts in a Glass House: An Autobiography* (2001);³¹ Nasim Hasan Shah -

²⁹ Roedad Khan, *Pakistan-A Dream Gone Sour* (Karachi: Oxford University Press, 1997).

³⁰ Iqbal Akhund, *Trial and Error: The Advent and Eclipse of Benazir Bhutto* (Karachi: Oxford University Press, 2000).

³¹ Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001).

Memoirs and Reflections (2002);³² Ajmal Mian -*A Judge Speaks Out* (2004);³³ Benazir Bhutto -*Benazir Bhutto: Reconciliation: Islam, Democracy and the West* (2008);³⁴ Sartaj Aziz -*Between Dreams and Realities: Some Milestones in Pakistan's History* (2009);³⁵ Pervez Musharraf -*In the Line of Fire: A Memoir* (2006).³⁶

Besides these some biographies are also penned that provide primary information in the form of interviews of the leading personalities involved in decision-making and legislation during the period under study, such as Muhammad Ali Shaikh's *Benazir Bhutto: A Political Biography* (2000).³⁷

The second category includes scholarly works which are about one aspect of democracy, for instant, elections, political parties etc. They mainly deal with the Martial Law era in comparison with Pakistan's experience of democracy. The major works of this category are: Yaseen Rizvi -*Elections 93: Pakistan* (1993);³⁸ Navid Zafar and Ishtiaq Hussain, comp. -*Election 93: Facts Figures Feats* (1994);³⁹ Mohammad Waseem -*The 1993 Elections in Pakistan* (1994);⁴⁰ Zafarullah Khan -*Political Parties in Pakistan: Disabled by Design* (2004).⁴¹ Besides, there are some important books related to constitutional history, such as Hamid Khan's two books, namely, '*Eighth Amendment*'

³² Nasim Hasan Shah, *Memoirs and Reflections* (Islamabad: Alhamra Publishing, 2002).

³³ Ajmal Mian, *A Judge Speaks Out* (Karachi: Oxford University Press, 2004).

³⁴ Benazir Bhutto, *Benazir Bhutto: Reconciliation: Islam, Democracy and the West* (London: Simon and Schuster UK Ltd, 2008)

³⁵ Sartaj Aziz, *Between Dreams and Realities: Some Milestones in Pakistan's History* (Karachi: Oxford University Press, 2009).

³⁶ Pervez Musharraf, *In the Line of Fire A Memoir* (London: Simon and Schuster UK Ltd, 2006).

³⁷ Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography* (Karachi: Orient Book Publishing House, 2000).

³⁸ Yaseen Rizvi, *Elections 93: Pakistan* (Islamabad: privately printed, 1993).

³⁹ Navid Zafar and Ishtiaq Hussain, comp. *Election 93: Facts Figures Feats* (Islamabad: Modern Book Depot, 1994).

⁴⁰ Mohammad Waseem, *The 1993 Elections in Pakistan* (Lahore: Vanguard Books Pvt Ltd, 1994).

⁴¹ Zafarullah Khan, *Political Parties in Pakistan; Disabled by Design* (Islamabad: Freedom Publishers, 2004).

Constitutional and Political Crisis in Pakistan' (1994); and '*Constitutional and Political History of Pakistan*' (2001).⁴²

The third category covers literature on civil-military relations, interference of military in politics, Martial Laws, influential elite groups in politics and drawbacks of democratic institutions and role of bureaucracy. Notable books in this category are: Saeed Shafqat -*Civil Military Relations in Pakistan: From Zulfikar Ali Bhutto to Benazir* (1997);⁴³ and Hasan Askari Rizvi -*The Military and Politics in Pakistan: 1947-1997* (2000).

The fourth category is general history, in which the era under study is discussed briefly. These books provided limited information, as the era is not a main part of the study. Some important books in this category are: Ali Nawaz Memon -*Pakistan: Islamic Nation in Crisis* (1997);⁴⁴ Lawrence Ziring -*Pakistan in the Twentieth Century: A Political Study* (1997);⁴⁵ Ayesha Jalal -*Modern South Asia; History, Cultural, Political Economy* (1998); Kalim Bahadur -*Democracy in Pakistan: Crises and Conflicts* (1998);⁴⁶ Safdar Mahmood -*Political Roots and Development: 1947-99* (2000);⁴⁷ Stephen Philip Cohen -*The Idea of Pakistan* (2005);⁴⁸ Tahir Kamran -*Democracy and Governance in Pakistan* (2008);⁴⁹ Maleeha Lodhi -*Pakistan's Encounter with Democracy* (1994).⁵⁰ Some

⁴² Hamid Khan, *Eighth Amendment-Constitutional and Political Crisis in Pakistan* (Lahore: Wajidalis, 1994).

⁴³ Saeed Shafqat, *Civil Military Relations in Pakistan: From Zulfikar Ali Bhutto to Benazir* (Boulder: Western Press, 1997).

⁴⁴ Ali Nawaz Memon, *Pakistan: Islamic Nation in Crisis* (Lahore: Vanguard Books Pvt Ltd, 1997).

⁴⁵ Lawrence Ziring, *Pakistan in the Twentieth Century: A Political History* (Karachi: Oxford University Press, 1997).

⁴⁶ Kalim Bahadur, *Democracy in Pakistan: Crises and Conflicts* (New Delhi: Har-Anand Publications Pvt Ltd, 1998).

⁴⁷ Safdar Mahmood, *Political Roots and Development: 1947-99* (Karachi: Oxford University Press, 2000).

⁴⁸ Stephen Philip Cohen, *The Idea of Pakistan* (Lahore: Vanguard Books, 2005).

⁴⁹ Tahir Kamran, *Democracy and Governance in Pakistan* (Lahore: South Asia Partnership, 2008).

⁵⁰ Maleeha Lodhi, *Pakistan's Encounter with Democracy* (Lahore: Vanguard, 1994).

other books also deal with the performance of a few aspects of governments such as ‘*Advance Towards Democracy: The Pakistan’s Experience* (1991)’ by Anees Jilani.⁵¹

Among the available books, Lawrence Ziring’s book, ‘*Pakistan in the Twentieth Century: A Political Study*,’ is political history of Pakistan giving an interesting account of struggle and emergence of Pakistan. The book lays emphasis on socio-political and economic issues, politicians personal affairs, corruption, foreign intervention and foreign relations that impeded the process of democratization in Pakistan. Pakistan’s experiment with democracy during 1988-1999 is not dealt in depth; only certain selective political-economic developments are discussed. The style of writing is simple and articulate but details about political alliances are inadequate. In its index, the pages related to United Front (UF) and United Democratic Front (UDF) has been cited under the heading of UDF which cause confusion for a reader. If pages for the UDF have to be searched then pages about the UF also appear, besides, index does not provide the information that the book contains details about the UF. On the whole the book provides good understanding about politics in Pakistan. It rightly argues that Pakistan is not a nation-state and it has to acquire this condition so as to end the political turmoil (P. 614). Ziring’s argument is like the opinion of M. P. Singh and Venna Kukreja that “a nation still in the making” even after the passage of more than half a century (p. 9).⁵² The 1988-1999 period is discussed as political biography of Benazir and Nawaz rather than political history of Pakistan. This book does not discuss the reasons behind dissolution of elected governments. In fact, it is

⁵¹Anees Jilani, *Advance Towards Democracy: The Pakistan’s Experience*(Lahore: Progressive Publishers, 1990).

⁵²Veena Kukreja, and M.P. Singheds., *Pakistan: Democracy, Development and Security Issues*(Karachi: Paramount Publishing Enterprise, 2005).

a collection of scholar's opinions about process of democratization in Pakistan. The book talks more about pre-1988 than the topic under study.

Ayesha Jalal's '*Modern South Asia; History, Cultural, Political Economy*', is a good source of information about different aspects of modern South Asia. In the context of the subject of the study, Jalal points out that the military remained in the background of dismissal of the governments (1988-1999). She outlines the reasons of indirect involvement of the military (p. 236). The involvement of the army, however, is evident as COAS remained in touch with the important figures in the executive and the judiciary. General Baig and General Waheed played key role in toppling the governments and running the affairs of the state.⁵³ This book on South Asia is more detailed in terms of description and analysis than Jalal's earlier work, namely, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (1995). In the former study she had not observed fundamental structural differences between Pakistan and India and nature of civil-military relations.⁵⁴

Kalim Bahadur's *Democracy in Pakistan: Crises and Conflicts*, considers the emergence of establishment in Pakistan as a new phenomenon. Bahadur explains that in post-1988 period the revival of establishment transpired with change in its composition. In his view, the establishment is comprised of following cliques: armed forces elite, civil

⁵³ Shaikh Rasheed Ahmad, the Awami Muslim League, Personal Interview, Rawalpindi, 13 January 2011. Nawabzada Haji Mir Lashkari Khan Raisani, PML (N), Personal Interview, Islamabad, 23 December 2010.

Shaikh Rasheed Ahmad was right-hand man of Nawaz. He was elected as MNA in 1988, 1990, 1993 and 1997. In first tenure of Nawaz he served as Federal Minister for Tourism and Industries, and Advisor to Prime Minister on Information and Broadcasting. He was also an important member of the Cabinet in second tenure of Nawaz.

Nawabzada Haji Mir Lashkari Khan Raisani is former President of PPP (Balochistan). In 2012 he resigned from PPP due to political differences and joined PML (N) in 2013.

⁵⁴ Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (New Delhi: Cambridge University Press, 1995).

bureaucracy, top Punjabi feudal lords (p. 26). He considers that eighth amendment had changed the character of constitution from Parliamentary system to Presidential system (p. 28). He states that even after the repeal of 58 (2) (b) in 1997 the process of democratization and institutionalization in Pakistan remained weak (p. 29). Interestingly, the army elites had played an important role in the politics in this period whereas the Naval and Air Force Chiefs did not intervene in the affairs of government at all. He himself does not provide any information to prove the involvement of Naval and Air Force Chiefs in politics. In fact he has over-simplified the structure of establishment.

Hasan Askari Rizvi's book, '*The Military and Politics in Pakistan: 1947-1997*', explains the role of military and establishment in politics of Pakistan and highlights the factors due to which their involvement in politics became possible. The striking feature is statistics about the tenures of Prime Ministers, Presidents, Governors, Chief Ministers, and Chiefs of Armed Forces etc from 1947 to 1997. The period mentioned in the title of the book needs review as the book provides adequate information about 1947-1985 period whereas the later years (1986-1997) are cursorily discussed. At several places wrong dates are mentioned. The numbers and explanation of constitutional articles are incorrect. However, the book is a useful source of information on Martial Laws (1958-1969, 1969-1971 and 1977-1988) and their impact on politics and society. According to Rizvi:

The post-1988 pattern of civil-military relations enables the military to influence the nature and direction of political change as an autonomous actor by virtue of its organizational strengths and its significant presence in all sectors and of the government and the society. The best safeguard against the military's expanded role is the removal of causes that produce intervention. As these

causes persist in Pakistan and the participatory institutions and processes have not been firmly established, the military will continue to overshadow the political process. (p.229)

Scholars like Ayesha Jalal, Saeed Shafqat, Hussain Haqani and Hamza Alvi do not endorse his conclusion and understand that by design military has acquired multiple roles since inception of Pakistan and undermined the political system for its own benefits.⁵⁵ The framework of the book explains the causes that facilitated the military elite to intervene in politics but it does not underscore the artificial propagandas and situations brought about by the military. It is a formal descriptive history of civil-military relations.

Hamid Khan's '*Constitutional and Political History of Pakistan*', is a consummate source to have substantial understanding of pre-partition India and to look into the constitutional and political history of Pakistan in a chronological order. The courts' rulings related to constitution, in most of the cases, have been quoted exactly from the original texts in preference to put them in plain words for the reader. In general, the study is a constitutional history with legal references. Overall it is one of those academic endeavors that scrutinize the relationship between judiciary and politicians with a neutral approach.

Muhammad Ali Shaikh's '*Benazir Bhutto: A Political Biography*' is a noteworthy account about Benazir as a politician. The writer interviewed the political personalities and the kin of Benazir, who shared their viewpoints and provided with some new insight. It highlights the dilemmas faced by the Benazir governments and endorses her towering

⁵⁵Siddiq, *Inside Pakistan's Military Economy*, 65.

image. He is partial and strongly tilted in favour of Benazir and does not underscore her faults as a politician. On the other hand the writer castigates Nawaz Sharif and holds him responsible for toppling of his own governments. In fact, the purpose of the book seems more to pour scorn on Nawaz than to write on Benazir. The book lacks analysis but is a useful source of information from personal interviews. The dates of interviews are not mentioned and at many places important developments are discussed without citing dates. This confuses the reader. As a whole it is an interesting document to read about Benazir's family history, childhood and political career. The book brings to light only those political developments that prove Benazir a great leader as well as a miserable woman.

Iqbal Akhund's book, *'Trial and Error: The Advent and Eclipse of Benazir Bhutto'* for the most part deals with the tribulations faced by the PPP in the first and second governments of Benazir. The book narrates the plights faced by the Benazir's governments, which has helped in understanding the issues. The author emphasizes the dilemmas but does not elaborate the government's strategy to tackle them. The role of the opposition is not underlined; descriptions of events lack details and some important political developments are not incorporated. Principally those events are covered that reflect positive stance in relation to Benazir. The book has justified the poor performance of the PPP governments and projected a high image of Benazir, since the author has been one of her senior advisors.

Sajjad Ali Shah's work under the caption *'Law Courts in a Glass House: An Autobiography'*, provides understanding of the issues related to judiciary-government confrontation, in particular, from 1988-1997. The study spells out crucial judicial decisions in plain language, enabling the reader to comprehend the technically worded

court rulings. The language of the book is straightforward by means of which language of legal profession turned out to be explicit. It is full of interesting facts and information which are not covered in earlier writings. Being personally involved, he narrates details of those discussions that were held between him and people in power. The book reveals important events while democracy was subverted in the period under study and thus fills many gaps in the political history of the period.

The scope of the book is not exclusively confined to history but extends to some controversial matters relating to his career; for instance, his out of turn appointment, tussle within the judiciary on the issue of appointment of judges and annulment of thirteenth amendment. It also underscores the confrontation between the judiciary and executive on issues relating to appointment of judges, size of the Supreme Court Bench, contempt of court cases and annulment of thirteenth amendment. However, at some places the incorrect dates are cited; and while defending himself against criticism his expression is biased.

Stephen Philip Cohen's '*The Idea of Pakistan*', is an interesting account of Pakistan's society and state. The study systematically examines different aspects of social and political development, though not in a chronological order. The book covers military, Islam, economy, regionalism, demography and politics. It does not discuss much about the idea of Pakistan than about its performance. The book highlights process through which changes in power structure occurred, with military, bureaucracy and landlords being hub of the political power. He believes that the military is one of the components of "oligarchy" or "establishment" of approximately 500 individuals that deal with affairs of state (p. 69). He defines establishment as an amalgamation of top military brass, the

bureaucracy, the judiciary, and other elites that share a world view. He thinks that in civilian rule, the military actually remained politically more powerful than elected representatives. He explains the influence and role of the army in politics as follows: “The army lacks the capability to fix Pakistan's problems, but it is unwilling to give other state institutions and the political system the opportunity to learn and grow; its tolerance for the mistakes of others is very low, yet its own performance, when in power, has usually dug the hole deeper.” (p. 130).

Tahir Kamran’s book, entitled ‘*Democracy in Pakistan*’, incorporates the political history of Pakistan from 1947-2007. The book attempts to explore why democracy did not stabilize in Pakistan. Kamran seeks to answer this question through secondary sources. He does not analyze the political history of Pakistan by means of primary sources and the book is a collection of past academic literature, contributing nothing new to the existing writings about democracy. It does not highlight the functioning of democratic institutions and focuses more on power structure. The book is a brief political history of Pakistan and is lacking in necessary details.

Sartaj Aziz’s book, ‘*Between Dreams and Realities: Some Milestones in Pakistan’s History*’, is a brief history of political process in Pakistan. The book outlines the issues that encumbered the political developments since the inception of Pakistan and is a consummate source of knowledge on the role of civil-military bureaucracy as well as power tussle during 1988-1999. The language is apt and explanation is succinct. The book underlines some of the issues related to four civilian-governments under study however it veils despicable events of Nawaz governments. It describes selected events and does not refer to those issues that could be contemplated as negative aspects of

Nawaz's government (of which he was a member); for instance, the rowdyism on the Supreme Court on 28 November 1997 which is important development, is not even been mentioned. At some places the book intends to create gaps.

Review of Urdu Literature:

In general, literature in Urdu language is anecdotal and does not provide reference/source of the information. Yet some credible literature in Urdu language is available about this era. Literature in Urdu language is integrated in it along with the reference work written by the contemporary scholars, politicians, lawyers and bureaucrats. The first and second chapters contain references from Urdu literature in a bid to highlight some good Urdu works.

Some of the important Urdu books are cited in chronological order are: Ahmad Salim -*Tootati Banti Assemblan Aur Civil-Military Bureaucracy* (1990);⁵⁶ Muhammad Farooq Qureshi -*'Nawaz Sharif: Aik Hukmaran-Aik Sayasatdan'* (1994);⁵⁷ Ghafoor Ahmad -*'Wazir-i-Azam Benazir Bhutto: Namzadgi Say Bartarfi Tak'* (1995);⁵⁸ Sardar Muhammad Chaudhry -*'Nawaz Sharif: Tehri Rahon Ka Seedha Musafir'* (2000);⁵⁹ Murtaza Anjum -*'Siyasat, Aain Aur Adalat'* (2001);⁶⁰ S. M. Zafar -*'Meray Mashoor Muqadmay'* (revised ed.) (2002);⁶¹ Makhdoom Sayed Ghyur Abbas Bukhari -*'Benazir:*

⁵⁶ Ahmad Salim, *Tootati Banti Assemblan Aur Civil-Military Bureaucracy* (Lahore: Jang Publishers, 1990).

⁵⁷ Muhammad Farooq Qureshi, *Nawaz Sharif: Aik Hukmaran-Aik Sayasatdan* (Lahore: Qomi Publishers, 1994).

⁵⁸ Ghafoor Ahmad, *Wazir-i-Azam Benazir Bhutto: Namzadgi Say Bartarfi Tak* (Lahore, Iqra Enterprise, 1995).

⁵⁹ Sardar Muhammad Chaudhry, *Nawaz Sharif: Tehri Rahn ka Seedha Musafir* (Lahore: Qaumi Publishers, 2000),

⁶⁰ Murtaza Anjum, *Siyasat, Aain Aur Adalat* (Lahore: Fateh publishers, 2001).

⁶¹ S. M. Zafar, *Meray Mashoor Muqadmay* (revised ed.) (Lahore: Bright Books, 2002).

Beti Say Qaid Tak'(2004);⁶² Javed Hashmi –‘*Han! Main Baghi Hoon*’ (2005);⁶³ and Yosuf Raza Gillani –‘*Chah-e-Yosuf Say Sada*’ (2006).⁶⁴

Muhammad Farooq Qureshi’s work entitled ‘*Nawaz Sharif: Aik Hukmaran-Aik Sayasatdan*,’ covers the period from 1988 to 1993. The book is about the conspiracies and controversial occurrences against Nawaz. It tenders explicit cum implicit accounts of political developments. The work over-states the performance of the government as well as power game that brought fall to Nawaz’s first government. It draws attention to the external factors that contributed to government’s weakness. At some places incorrect dates are mentioned. Inappropriate language against Benazir is used at places which lowers the credibility of the book.

Makhdoom Sayed Ghyur Abbas Bukhari’s book titled ‘*Benazir: Beti Say Qaid Tak*’ covers both terms of Benazir’s government in addition to her role as the leader of the opposition and struggle for democracy in the course of Zia’s rule. The main focus of the book is on Benazir as a politician. The events are described comprehensively but at some place the book looks like a historical fiction; the author imagining what possible emotions of Benazir could have been after the occurrence of some important events. The book strives to convince reader that Benazir was a seasoned and pragmatic politician. Emotional language is used to sway the people in favour of Benazir.

⁶² Makhdoom Sayed Ghyur Abbas Bukhari, *Benazir: Beti Say Qaid Tak* (Lahore: Multi Media Affairs, 2004).

⁶³ Javed Hashmi, *Han! Main Baghi Hoon* (Lahore: Sager Publishers, 2005).

⁶⁴ Yosuf Raza Gillani, *Chah-e-Yosuf Say Sada* (Lahore: Nigarshat Publications, 2006).

Hypothesis:

Pakistan's feeble democracy is due to the power tussle between:

- executive (Prime Minister and President), and
- executive and establishment (civil-military bureaucracy and intelligence agencies).

The non-elected institutions had cosmic authority over elected institutions and command over democratic process. The establishment was a government within a government, creating imbalance in distribution of power. The establishment always disapproved any idea that intended to restrict its authority and bureaucratic red tape inhibited the government's effective functioning.

In Parliamentary form of government delegation of power means responsibility but in Pakistan the authority was repeatedly misused. The void in leadership and institutional imbalance made the establishment more potent in politics. In fact, the establishment invariably governed the country and was *de facto* ruler. The genuine transfer of power to elected governments did not come about at any point of time.

The establishment took a dim view of restoration of democracy in 1988 which implied restricting its direct involvement in affairs of government. In military regime the establishment played a key role which it manipulated to continue even during the elected governments later. The establishment, on purpose, undermined the elected governments by non-cooperation, bad advice and putting hurdles in reinforcement of democracy. The military-civil bureaucracy collaborated in bringing down the elected governments. The process of democratization disrupted with the strengthening of non-elected institutions at the cost of elected institutions. Non-democratic institutions became

hub of power politics; compelling elected institutions to become a part of their power game and centre of conspiracies and undemocratic practices.

Methodology:

The research design is qualitative in nature. The methodology used in this research is investigative, analytical and descriptive. The historical narration style is applied as the study relates to historical events. The chapters contain analytical interpretation of the process of democratization highlighting those turning points in the political history that caused set-backs to development of democracy in Pakistan.

The study contains data collected from newspapers, official reports, National Assembly records, in-person broadcasted and published interviews of politicians and civil-military bureaucrats, autobiographies, articles in journals and magazines, and archival material declassified by Radio Pakistan.

Interviews of legislators of the time belonging ruling and opposition parties have been taken with the intent to have first-hand knowledge of the problems faced by government and opposition. These are also aimed to identify the role of establishment transfer of power to elected institutions. The National Archives, National Assembly of Pakistan, Election Commission of Pakistan, public libraries and personal repositories were main sites to sort out the relevant data.

Organization:

The study comprises seven chapters, including the introduction and conclusion. The second chapter that follows this introduction deals with the political history of Pakistan

from 1947 to 1988. In general, this chapter gives details of phases of parliamentary democracy, martial laws and presidential democracy during the period. It underscores the bumpy ride of political institutions, political instability and frequent interference in and overthrow of governments. Third, fourth, fifth and sixth chapters are devoted to the four successive civilian governments of the period 1988-99, (i.e., third chapter: 1988-1990; fourth chapter: 1990-1993; fifth chapter: 1993-1996; and sixth chapter: 1997-1999). Each tenure is taken up separately so that circumstances and events of each are discussed and analysed in detail. The seventh chapter is conclusion.

Chapter 2

Pakistan under 1947-1988: Challenges

The Chapter discusses political history with special reference to process of democratization in Pakistan from inception to 1988. It also outlines the factors that tilted the political power in favour of the establishment.

Why Democracy for Pakistan:

The wave of democracy that forcefully hit Europe at the end of the World War I touched the shores of Asia in mid-twentieth century. The World War II replaced dictatorships by democracy in such important countries as Germany, Italy and Japan. The second half of the century experienced wide spread decolonization following struggles for self rule and independence. In the beginning of 1960s, more than 120 episodes of democratization took place in about 90 countries. The social, religious and political conditions in which democratization was introduced in Europe and Asia were more or less similar.¹

Democracy, though difficult to practice, is one of the best available systems to govern. According to J. S. Mill, ‘democracy is difficult to establish in societies having disorder, disobedience, segmentation, passive and parochial interests, selfishness, and incapable controlling body’.² Democracy can flourish in a country having democratic norms and values. It entails attempts for building consensus among all the stakeholders, groups and elites in a society. Patience, tolerance and faith in democratic doctrine are its

¹ K. K. Aziz, *Party Politics in Pakistan: 1947-1958* (Islamabad: National Institute of Historical and Cultural Research, 1976), 249. For further details about democracy and delocalization see Ehtan. B. Kapstein, and Nath Converse, “Why Democracy Fails”, *Journal of Democracy* 19, no. 4 [October 2008], Baltimore: The Johns Hopkins University Press, 57-68.

² J. S. Mill, *Utilitarianism, on Liberty and Consideration on Representative Government*, ed. H. B. Acton (London: Everyman’s Library, 1972), passim.

pre-requisites. Democracy assists the communities in responding to a continuously changing world: that is conscious of and responsive to the needs of all the communities to achieve common goals, and empower individuals within the community and in international community. Democracy helps nations to accommodate diversified cultures and religions. It enhances the participation of citizens in policy making, gives unified direction in public actions and builds institutional apparatus.³ Democracy is more meaningful for the third world countries as it is intended to promote human values and wellbeing through such elements as good governance, justice, security, tolerance, equality of man and opportunities, human rights, freedom of ideas, press and speech. The most acknowledged definition of democracy is “government of the people, by the people and for the people”.⁴

The foundation of Pakistan is embedded in democratic principles as it reflects the collective will of the people for a separate homeland. Yet its history is replete with periodic and prolonged military rules and autocratic governments. Even democratic rules were subjected to non-democratic interventions. Many factors can be linked to this situation. Pakistan lacked democratic experience through which it could initiate an effective process of democratization.⁵ In the beginning there was little positive growth in politics as political development depends on political institutions and traditions which were non-existent, fragile and instable. Effective leadership helps in developing

³ Ralph Braibanti, *Chief Justice Cornelius of Pakistan: An Analysis with Letters and Speeches* (Karachi: Oxford University Press, 2000), 90-95.

⁴ Mubashir Hassan, *Pakistan Kay Jaali Hukmaran* (Urdu) (Lahore: Classic, 1988), 24-27.

⁵ Soofia Mumtaz et al, eds., *Pakistan: The Contours of State and Society* (Karachi: Oxford University Press, 2002), 212.

appropriate political system in accord with the requirements of the country.⁶ But in Pakistan the role of political leaders also remained marginalized due to frequent intervention of non-political stakeholders, personality-clashes and lack of commitment of leaders to democratic norms.

I. INCEPTION TO MARTIAL LAW (AUGUST 1947-OCTOBER 1958):

The aspiration of the Muslims of India for a separate homeland 'Pakistan' was realised on August 14, 1947. The country preferred the parliamentary form of government as envisaged in the Indian Independence Act of 1947⁷ which was based on the Government of India Act of 1935. The Act provided interim arrangement⁸ and was to be replaced by a new constitution to be framed by the Constituent Assembly.⁹ In the Interim arrangement the Governor-General had substantive powers, including appointment of high officials (politics, judiciary and military), dismissal of the Federal Legislature, and imposition of emergency in the country. The Council of Ministers was constituted to advise the Governor-General on important issues.¹⁰ The Constituent Assembly was formed which also included those members who were elected from constituencies that did not become part of Pakistan after partition.¹¹ Elections were, therefore, necessary for transferring

⁶ Pandav Nayak, ed., *Pakistan: Society and Politics*, South Asian Studies Series, 6 (New Delhi: South Asian Publishers Pvt Ltd, n. d), 166.

⁷ Rafique Akhtar, ed., *Pakistan Year Book 1974* (Karachi: East and West Publishing Company, n.d), 41. Hafeez Malik, ed., *Pakistan: Founders' Aspirations and Today's Realities* (Karachi: Oxford University Press, 2003), 127. The Independence Act of 1947 empowered the Constituent Assemblies and the Legislatures to exercise entire powers that had contained by Central Legislature beside the power of framing the new constitution.

⁸ Mushtaq Ahmad, *Politics Without Social Change* (Karachi: Space Publishers, 1971), 27.

⁹ Malik, *Aspirations and Today's Realities*, 127.

¹⁰ G. W. Choudhry, *Democracy in Pakistan* (Vancouver: University of British Columbia, 1963), 33-34.

¹¹ Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (Lahore: Sang-e-Meel Publishers, 1995), 48.

power to the elected representatives of the nation.¹² However, in the first decade no general elections were held and this turned out as one of the early obstacles in establishing democracy.

Initial Encounter with Democracy:

Though politicians played a key role in Pakistan Movement, it was the civil bureaucracy that ran the administration and also having a say in political matters in the initial period. Out of five provinces, four (East Bengal, West Punjab, Sindh and North-West Frontier Province (NWFP)) had governors, assemblies and ministries, while Balochistan was under the Centre under the Agent to the Governor General (AGG). In the provinces most of the ministers were inexperienced as they had assumed the office for the first time.¹³ Governors of three provinces, namely East Pakistan (East Bengal), West Punjab and NWFP were British and former civil servants. In provinces governors and bureaucrats enjoyed substantial powers as compared to the ministers.¹⁴ In the Centre Jinnah was handling all important matters as Governor General and Chairman of the Constituent Assembly.¹⁵

The political leadership lacked administrative experience and were heavily dependent on bureaucracy in performing its responsibilities, especially just after partition.

¹² Norman D. Palmer, *Elections and Political Development: The South Asian Experience* (Karachi: Oxford University Press, 1975), 11.

¹³ The names of Governors were Sir Fredrick Bourne (1947-1950), Sir Francis Mudie (1947-1994) and Sir George Cunningham (1947-1948) respectively. Ibid., 62. Hasan Askari Rizvi, *The Military and Politics in Pakistan: 1947-1997* (Lahore: Sange-e-Meel Publishers, 2000) 332, 334, 335.

¹⁴ For detailed account of federal and provincial governments (1947-1957) concerned Keith Callard, *Pakistan: A Political Study*, (London: George Allen and Unwin Ltd.), 342-346.

¹⁵ Lawrence Ziring, *Pakistan: The Enigma of Political Development* (Kent, Westview Press, 1980), 72-73.

The political role of bureaucracy became possible due to flaws in political leadership.¹⁶ When Martial law was imposed (October 1958), bureaucracy facilitated the army in administering the affairs of the country.¹⁷

Bureaucracy was a skilled and organized institution comprising officers of Indian civil, police and accountant services. When the popularity and influence of PML declined the bureaucracy emerged as a significant institution. Later it got the support of the military bureaucracy also. Ghulam Muhammad, who was a former bureaucrat, came to power with the support and consent of (General) Ayub Khan.¹⁸

The Muslim League and Pakistan:

Jinnah promoted the traditions of parliamentary form of democracy. After being sworn as Governor General of Pakistan he left the presidency of All India Muslim League (AIML). He decided that ministers would not hold any office in the Muslim League and the League would be an independent body keeping an eye on the activities of the ministers and parliamentary party. However, the constitution of the PML was amended, removing the ban on the ministers from holding the party office.¹⁹ Under

¹⁶ The institution of bureaucracy was strengthened in Indian sub-continent in 1919 when first time Indian Ministers were appointed on provincial level. The bureaucracy was confined to train Provincial Ministers politically. It was also decided that in case of dissent between Secretary and Minister of a department, Secretary could take instruction directly from the Governor of the Province. This created imbalance of power between both the institutions. Even if Minister complained against the Secretary then query conducted by the team comprised of bureaucrats and finding of the query was always partisan. Shahid Massod, *Views on News* (Lahore: Marwa, 2004), 98.

¹⁷ Ibid. Javed Ashraf, Senator Pakistan Muslim League (Quaid-e-Azam) PML (Q), Personal Interview, September 16, 2011. Javed Ashraf has served as Director General Military Intelligence (1990-91), Master General of Ordinance (1991-1992), Director General Inter Services Intelligence (1993-95), Corps Commander Gujranwala (1995-1996), Federal Secretary Science and Technology (1996-97), Secretary and Chairman Pakistan Railways (1999-2000) and Federal Minister for Communications and Railways (2000-2002). Currently he is a senator.

¹⁸ Abdul Malik, *America, Fauj Aur Siasiatdan* (Urdu) (Lahore: Dar-al-Shahoor, 2001), 499.

¹⁹ Safdar Mahmood, *Political Roots and Development: 1947-99* (Karachi: Oxford University Press, 2000),

section 9 of the Independence Act 1947, Governor General had authority to amend the constitution with a simple decree; yet Jinnah had assured the people that democracy had no danger from his office.²⁰

Democracy on Rough Road:

During the tenure of Liaquat Ali Khan as Prime Minister the PML did not encourage criticism of its policies from the opposition side.²¹ Even Prime Minister Liaquat stated that “Don’t oppose the League ... If you destroy the League you destroy Pakistan.”²²

Liaquat was assassinated in Rawalpindi on October 16, 1951.²³ Nazimuddin resigned from the office of Governor General and became Prime Minister. Ghulam Muhammad, who was a Minister in Liaquat’s cabinet, replaced him as Governor General.²⁴ It is said that Ghulam Muhammad’s nomination was due to the conspiracy architected by the three ministers namely, Ghulam Muhammad, Khawaja Shahabudin and Gurmani along Ayub Khan, the Commander-in-Chief of the Pakistan Army. Ghulam Muhammad was a former civil servant and neither had a constituency nor any political background.²⁵ His induction strengthened the civil- military bureaucracy.²⁶ The intervention of army in the politics was also strengthened by appointment Ayub Khan as

356. Zarina Salamat, *Pakistan 1947-58: An Historical Review* (Islamabad: National Institute of Historical and Cultural Research, 1992), 103.

²⁰ Mushtaq Ahmad, *Pakistan At the Crossroads* (Karachi: Royal Book Company, 1985), 73.

²¹ Rizvi, *Politics in Pakistan: 1947-1997*, 62.

²² Callard, *A Political Study*, 38.

²³ Meran Malik, *Jo Dekha Aur Parkha* (Urdu) (Rawalpindi: Malik Publications and Law Book Center, 1999), 246. Craig Baxter and Syed Razi Wasti, ed., *Pakistan: Authoritarianism in 1980s* (Lahore: Vanguard Publishers, 1991), 2.

²⁴ Mushtaq Ahmad, *Government and Politics in Pakistan*, 3rd ed. (Karachi: Royal Book Company, 1970), 27.

²⁵ A. H. Kardar, *Pakistan’s Soldiers of Fortune* (Lahore: Ferozsons Pvt. Ltd., 1988), 15.

²⁶ Ibid.

minister (1954) and who was reportedly asked by Ghulam Muhammad in 1954 to takeover.²⁷

On April 17, 1953 the government of Nazimuddin was removed by the Ghulam Muhammad and Muhammad Ali of Bogra the then Pakistan's Ambassador's to the United States of America (USA) was invited to take over the office of Prime Minister. This change had the support of civil-military bureaucracy.²⁸ Ghulam Muhammad also dissolved the Constituent Assembly on October, 1954 when it was about to vote on the draft of the constitution and had decided to restrict the powers of Governor General and provide them to the cabinet.²⁹ In fact, the Independence Act of 1947 did not empower the Governor General to dissolve the Constituent Assembly.³⁰ The dissolution followed the declaration of state of emergency in the country.³¹ In East Pakistan, the United Front (UF) was happy at the dissolution of the Assembly and deemed it a fortune sign for the re-establishment of Parliamentary system in East Bengal.³²

The Governor General justified the dismissal of Constituent Assembly on the ground that the drafting of the constitution was not prompt and that the constitution making had lingered on purpose to avoid elections. He also criticized the Assembly for

²⁷General Mohammad Ayub Khan, *Message to the Nation* (Karachi: Ferozsons, October 8, 1958), 4-5. Khalid Bin Sayeed "Collapse of Parliamentary Democracy in Pakistan" *Middle East Journal* 13, no. 4 [Autumn, 1959]: 390, <http://www.jstor.org/stable/4323166>

²⁸Jalal, *Democracy and Authoritarianism*, 52. Ardath W. Burks, "Constitutional Making in Pakistan", *Political Science Quarterly* 69, no. 4 [December 1954]: 541. Latif Ahmed Sherwani, "The Constitutional Experiment in Pakistan", *Asian Survey* 2, no. 6 [August 1962]: 9, <http://www.jstor.org/stable/3023613>

²⁹Jalal, *Democracy and Authoritarianism*, 52.

³⁰Muhammad Waseem, *The 1993 Elections in Pakistan* (Islamabad Vanguard, 1994), 32.

³¹Choudhury, *Pakistan*, 48.

³²The UF was the merger of numerous factions and parties. Its had three main components vis-à-vis ; the Awami League (AL), the Krisak-Sramik Party, the Nizam-i-Islam Party.

being unrepresentative of the nation.³³ Ghulam Muhammad's arbitrary use of power resulted in constitutional crisis.³⁴ The President of the Constituent Assembly, Mouvli Tamizuddin filed a reference against the action of the Governor General in the Sindh High Court. The Court upheld the appeal of the Tamizuddin and ruled that the dismissal of the Constituent Assembly by the Governor General was unconstitutional. The government took the matter to the Federal Court, which under the Chief Justice of Pakistan, Muhammad Munir, upheld the action of the Governor General citing 'principle of necessity'. This judgement of the Supreme Court set a (bad) precedence for derailing the democracy and justifying take-overs. Controlled media, vehement civil-bureaucracy and partisan judiciary worked together to decide in favour of the Governor General.³⁵

The dictatorial rule of Governor General was supposed to end with the set up of Second Constituent Assembly in July 1955. Yet as no party had a clear majority in the Assembly, the Governor General was able to manipulate the members to form the government of his liking. This had serious impact on the legislature and political leaders of the Assembly; the politicians remained in the background and the head of the state emerged as centre of authority.³⁶

Later, Governor General Iskandar Mirza, being a former civil servant himself, chose Chaudhry Muhammad Ali, another bureaucrat for the premiership.³⁷ Iskandar Mirza was made the first President of the Republic of Pakistan on purpose; his own

³³Jalal, *Democracy and Authoritarianism*, 52. Ali, *Parliamentary Democracy*, 23. For details about PRODA consult Rizvi, *Politics in Pakistan: 1947-1997*, 65.

³⁴ Baxter and Wasti, *Authoritarianism in 1980s*, 3.

³⁵Jalal, *Democracy and Authoritarianism*, 52.

³⁶ Rizvi, *Politics in Pakistan 1947-1997*, 68.

³⁷ Khalid B. Sayeed "The Political Role of Pakistan's Civil Service" *Pacific Affairs* 31, no. 2 [June 1958]: 134, <http://www.jstor.org/stable/3035208>

insistence and bureaucracy's interest to be close to power since elections for the National Assembly were near and it had no intention to abdicate power fully in favour of the public representatives.

Muhammad Ali resigned in September, 1956 and H. S. Suhrawardhy assumed the office of Prime Minister heading a coalition of Awami League and Republican Party. Suhrawardhy was of the opinion that under 1956 Constitution the President did have the discretionary powers earlier enjoyed by the Governor General and politicians were now genuine power in politics. But he soon realized that the President still held power. Suhrawardhy had support of 26 members in Coalition government of Suhrawardhy Awami League (AL)-Republican Party (RP).³⁸ On October 10, 1957 the RP withdrew its support and Suhrawardhy advised the President to summon the National Assembly to figure out if he had the confidence of the majority of members. The President declined the constitutional request. Suhrawardhy himself mentioned: "He [the President] immediately wrote back a letter refusing to call a meeting of the National Parliament stating that he knew about the position of the parties and called on me to resign by 2 O'clock in the morning otherwise he would take action."³⁹ The action of the President was dubious and ultra-constitutional.

In fifties the ministerial crisis at the Centre and Provinces occurred frequently and ministries were unable to stay in power for appreciable period.⁴⁰ The PML was the main party, dominating the political scene from 1947 to 1954 and gradually losing ground.

³⁸ The RP was formed by Khan Sahib with the support of Iskandar Mirza and Governor Gurmani. A majority of the party were ex-ML members. Members of the RP were offered ministries and other benefits by the founders. Sayeed, "Pakistan's Civil Service", passim.

³⁹ Sayeed, "Pakistan's Civil Service", 136.

⁴⁰ Sayeed, "Democracy in Pakistan", 391.

The reasons were: power politics among its leaders, lack of charismatic leadership, insufficient realistic party programme and factions within the party.⁴¹ The factionalism in the PML was encouraged by bureaucracy. The bureaucracy clearly understood that strong political party traditions could challenge its power.⁴²

Dismissal of Provincial Assemblies:

Changes in government in the provinces were more frequent than in the Centre. Just a few days after independence, on August 22, 1947 the provincial government in the NWFP was replaced. Similar episodes occurred in the Punjab, Sindh and East Bengal later.⁴³ In January, 1949, the Chief Minister of the Punjab, Nawab Iftkhar Hussain of Mamdot was deposed. The Punjab government was dissolved because of the revolt initiated by Mumtaz Daultana and his confidants subsequent to six months of partition. The Sindh Assembly was dismissed about ten months before the episode of dismissal of the Punjab Assembly; Pir Ellahi Bukhsh had manoeuvred to take over the Muhammad Ayub Khuhro's ministry. Interestingly Sindh had six Chief Ministers during six years.⁴⁴

In East Pakistan the ministry of Fazal-ul-Haq was set up as a result of provincial elections 1954 but just after coming to power the Centre had dismissed his ministry and Governor was assigned to run the affairs of the province. The Provincial Assembly in East Pakistan did not convene till May, 1956 even the provincial budget was ratified by the President's executive order. The Centre meddled unreasonably in provincial politics

⁴¹ Anwar H. Syed, "Factional Conflict in the Punjab Muslim League, 1947-1955", *Polity* 22, no. 1 [Autumn 1989]: 51, <http://www.jstor.org/stable/3234846>. Callard, *A Political Study*, Chapter, 2. Also see K. Aziz, *Pakistan 1947-1958*, 80-94.

⁴² Syed, "Punjab Muslim League, 1947-1955", 49.

⁴³ Ahmad Salim, comp. *Che August Kay Bad: Intkhabe Marko Aur Mahlati Sazisho Ki Kahani* (Urdu) (Lahore: Nigarshat, 1990), 13.

⁴⁴ Mahmud Ali, *Pakistan's Experiment on Parliamentary Democracy*, revised ed. of *What Then Must We Do?* (Islamabad: The Concept Publication Trust, 2004), 21.

of both the wings. The Centre sacked the cabinets, imposed Chief Ministers; not a good step for the growth of democracy.⁴⁵

Law and Order Situation:

Nazimuddin, who had assumed the office of Prime Minister after the assassination of Liaquat did not show any proficiency in handling the issues related to politics and law and order. In the Punjab the anti-*Ahmadis* or anti-*Qaidianis* movement was in full swing. Soon communal riots, destruction, burning of shops and looting erupted in Lahore. To tackle the situation Martial Law was imposed in Lahore in 1953. This was the first time when military got a semi-political role. Economy had also affected due to immature politics.⁴⁶ Martial Law Administrator, Major General Azam Khan had control over all the issues either related to sewerage, politics health or ethics of the municipality.⁴⁷

By then the issue that whether Urdu or Bengali would get the status of national language became further complicated.⁴⁸ In East Pakistan several demonstrations happened in favour of adopting Bengali language as one of the national languages. In 1952, in one of the demonstrations few deaths resulted and from this politics slipped into the hands of bureaucrats.⁴⁹ The law and order situation in both the wings had revealed the weaknesses of political institutions strengthening the hands of bureaucracy in administrative as well as political affairs.

⁴⁵ Rizvi, *Politics in Pakistan 1947-1997*, 69.

⁴⁶ Baxter and Wasti, *Authoritarianism in 1980s*, 2.

⁴⁷ V. D. Chopra, comp., *Pakistan Aur Asiaie Aman* (Urdu) (New Delhi: Patriot Publishers, 213.

⁴⁸ Taken from the speech of Jinnah at the Dacca University Convocation. Rafique Afzal, comp. *Quaid-i-Azam Mohammad Ali Jinnah: Speeches and Statements: 1947-48*, 2nd ed. (Islamabad: Ministry of Information and Broadcasting, Directorate of Films and Publications, 1989), 194.

⁴⁹ Baxter and Wasti, *Authoritarianism in 1980s*, 2.

Delay in Constitution Making:

Constitution was an immediate need for laying down the foundation of democratic institutions. Pakistan required a constitution that could satisfy the aspirations of all provinces, accommodate ethnic diversities, and resolve socio-economic problems in a country which had no democratic political set-up. The Constituent Assembly was unable to frame the Constitution in time. In seven years it convened only 16 sessions, with average attendance of 37- 56 in a house of 79 members.⁵⁰ Given the demographic, social and geo-political conditions of Pakistan, constitution making was not an easy task. In a country based on Ideology, with two Wings located thousands miles apart, one Wing small in size yet big in population, and with hardly any democratic traditions, the task needed time and determined efforts. Thus the approval of the Constitution in March 1956, with the support of members from both Wings, though delayed, was a significant achievement. If Martial Law was not imposed in October, 1958 and elections were held as scheduled, the country would have a different history.

The 1956 constitution though produced by the government headed by a bureaucrat, Chaudhry Muhammad Ali, had the support of politicians of both the Wings. It had resolved sensitive issues such as 'principle objectives', 'Islamic character of state' and 'Parity between the two Wings (equal seats for two Wings despite East Pakistan having larger population)'. It was essential that adoption of Constitution should have immediately followed by holding national elections, but these under one pretext or the other; bureaucracy being one of the culprits. After the passage of the Constitution, conflicts among various groups emerged, old political parties like Muslim League

⁵⁰ Aziz Beg, *Battle of Ballot or War of Attrition* (Islamabad: Babur and Amer Publications, 1978), 67.

divided into groups, new parties like Republican Party formed, and political alliances established. The President played an active part in grouping and regrouping of political groups in the Assembly to dislodge the Prime Minister and replace by his choice.⁵¹

Martial Law and Abrogation of 1956 Constitution

On October 7, 1958, President Iskandar Mirza abrogated the 1956 Constitution, dissolved the assemblies (National Parliament and two Provincial Assemblies), banned political parties and imposed Martial Law.⁵² Army was behind this move as Ayub Khan himself later revealed: “I said to the President: ‘Are you going to act or are you not going to act? It is your responsibility to bring about change and if you do not, which heaven forbid, we shall force a change.’”⁵³ The episode of 1958 Martial Law was the cogent orientation of the army’s political designs. Iskandar Mirza was the eventual political-cum-bureaucratic figure who had functioned for the army to get it in politics.

With the abrogation of the Constitution a debate on the validity of the parliamentary system started; an important insight being that it failed as it did not get a chance to function.⁵⁴ The Constitution Commission set up in 1961, cited the absence of effective leadership and lack of strong character as the *raison d’être* for topple of the system.⁵⁵

⁵¹ Khalid Bin Sayeed, *The Political System of Pakistan*, (Boston: Houghton Mifflin Company, 1967), 83.

⁵² Baxter and Wasti, *Authoritarianism in 1980s*, 3. Waseem, *Election in Pakistan*, 33. Mustafa Chowdhury, *Pakistan-Its Politics and Bureaucracy*, 2nd ed. (New Delhi: Associated Publishing House, 1988), 102. Jalal, *Democracy and Authoritarianism*, 53. Sayeed “Parliamentary Democracy of Pakistan”, 401.

⁵³ Sayeed, *System of Pakistan*, 93.

⁵⁴ Manzooruddin Ahmed, ed., *Contemporary Pakistan: Politics, Economy, and Society* (Karachi: Royal Book Company, 1980), 51.

⁵⁵ *Report of the Constitution Commission, Pakistan* (Karachi: Government of Pakistan, 1961), 13.

The decline of democracy in Pakistan was also fore-seen by political scientists in the light of kaleidoscopic political scene of the first decade of independence. Professor Keith Callard and Professor William Cantwell Smith described in their writings the reasons behind this hypothesis. Callard depicted, “If representative government collapse, it will be because its legs are not strong enough to sustain its own body ... Pakistan, by its constitution, is publicly committed to the operation of democratic institutions. It is too early to say whether these institutions are likely to mature”.⁵⁶ Smith also maintained the same point of view.⁵⁷

II. PAKISTAN UNDER AYUB KHAN:

President Iskandar Mirza proclaimed Martial Law on October 7, 1958 with Ayub Khan, the Commander in Chief of the army since 1951, as the Chief Martial Law Administrator.⁵⁸ Ayub Khan was associated with political issues since Ghulam Muhammad-Iskandar Mirza era.⁵⁹ Within three weeks he became President also by removing Iskandar Mirza. He justified this action as follows:

We have been getting reports from all over the country that people were feeling uneasy that if two men were at the helm of affairs, policy would not always be clear and might consist of compromises. Besides, Mirza was too much connected with the politicians and the country's past difficulties. He was as much responsible for political deterioration as any one else.⁶⁰

Ayub Khan introduced a multi-purpose Basic Democracy system in which the member would function as local bodies and also as electoral college for election of

⁵⁶ Callard, *A Political Study*, 329.

⁵⁷ William Cantwell Smith, *Modern Islam in Pakistan* (Princeton: Princeton University Press, 1957), chap. 5 passim.

⁵⁸ Ahmad, *Politics in Pakistan*, 177. Rizvi, *Politics in Pakistan 1947-1997*, 326.

⁵⁹ Hamid Yusuf, *Pakistan in Search of Democracy: 1947-77* (Lahore: Afrasia Publishers, 1980), 58.

⁶⁰ Ahmad, *Politics in Pakistan*, 178.

president and members of assemblies. After consolidating his political position he held a referendum on February 14, 1960 through Basic Democrats to legitimise his position and to formulate a new constitution. The figure of votes cast was 78,720, out of which 75,282 were in support of Ayub Khan.⁶¹ It is alleged that the Electoral College was swayed by the bureaucracy to vote for Ayub Khan.⁶²

Ayub Khan government was authoritatively centralized in law and policy making. The status of provinces was reduced to administrative units and Centre had power to formulate policies for the units. Martial Law, ordinances and regulations under it were the law that was unassailable in any court.

Ayub Khan laid responsibility on politicians in particular and society in general for the malfunctioning of the 1956 Constitution. He argued that politicians and people were not experienced and trained enough to understand the parliamentary system and its requisites. So the military government took up the task to draft the constitution intimate to the genius of the people.⁶³

The Public Offices (Disqualification) Order, (PODA) 1959, was enacted to disqualify the offended politicians from the public offices for the period of fifteen years. About six hundred members of former Central and Provincial Assemblies from West Pakistan were tried under it. The procedure of inquiries was slow, tiring and descriptive. In 1959, the Elective Bodies (Disqualification) Order (EBDO) was enacted to try those who held public offices and guilty of misconduct or corruption. In fact EBDO was

⁶¹ Sayed Mujawar Hussain Shah, *Federalism in Pakistan: Theory and Practice* (Islamabad: National Institute of Pakistan Studies, 1994), 57.

⁶² M. L. Qureshi, *Planning and Development in Pakistan: Review and Alternatives 1947-1982* (Lahore: Vanguard Books Ltd, 1983), 7.

⁶³ Ziring, *Political Development*, 36.

extension of PODA. In EBDO the expression “misconduct” engulfed; bribery, corruption, nepotism, favouritism, and wilful mal-administration.⁶⁴ Later these politicians were called EBDOed and further disqualified after the renewal of political activities so that they would not adhere with any political party.⁶⁵ This showed Ayub Khan’s harsh attitude about the politicians and Parliamentary system which he did not want to prosper. Ayub Khan hastily disqualified the politicians to purge all the possible politicians who could give him hard time in the elections.

Fundamental rights were suspended and the press was brought under government control through National Press Trust (NPT) and Press and Publication Ordinances (PPO).⁶⁶ Criticism was permissible but it was elucidated that criticism designed against the government would be considered destructive and degrading; only constructive criticism was permitted.⁶⁷ To supplement these actions, two provincial ordinances vis-à-vis; West Pakistan Press and Publications Ordinance of 1963 and the Press and Publications (East Pakistan Second Amendment) Ordinance, 1963. These ordinances empowered government to shut down the presses that print affronted literature and also to take over the journal and newspapers were promulgated. It elaborated that if the publication included any sign or expression, directly or indirectly to create abhorrence between the two wings or government and perpetuate adversities then it would be revoked.⁶⁸

⁶⁴Karl von Vorys, *Political Development in Pakistan* (New Jersey: Princeton University Press, 1965), Chap.11 passim. Rizvi, *Politics in Pakistan 1947-1997*, 101.

⁶⁵Vorys, *in Pakistan*, 260.

⁶⁶Ahmad, *Social Change*, 43.

⁶⁷Ahmad, *Politics in Pakistan*, 179.

⁶⁸Sayeed, *System of Pakistan*, 123.

On March 1, 1962, the second Constitution of Pakistan was promulgated by Ayub Khan as fulfilment of the vow he had made at the time of takeover. The Constitution was presidential with substantial powers for the Head of the State. The council of ministers was to assist the President; its members could attend and partake in the legislature but could not vote.⁶⁹ Ministers were responsible to the President and not to the legislature. The President was supposed to be elected by the Electoral College comprised of elected members of the Basic Democracies. The National Assembly had the authority to reconsider the ban on the political parties since 1958. The National Assembly was also entitled to lift the ban and construct the framework under which political parties could operate.⁷⁰ The 1962 Constitution contained many weaknesses. It did not envisage balanced sharing of powers between executive and legislature; it was a one-man show since major powers were vested in the Head of the State;⁷¹ it was not formulated by the representatives of the nation but was tailor made to ensure the continuity of Ayub Khan in presidency;⁷² and based on indirect elections for the President and members of assemblies.⁷³ The Basic Democracies system was initially meant to disseminate power to the grass root level but was used to have the support of people to his regime and as Electorate College.⁷⁴ Ayub Khan was unwavering committed with the scheme of Basic Democracies and deemed it as “foundation-stone of a new political system”.⁷⁵

⁶⁹Susheela Kaushik, “Constitution of Pakistan at Work”, *Asian Survey* 3, no. 8 [August 1963]: 384, <http://www.jstor.org/stable/3023649>

⁷⁰Kaushik, “Pakistan at Work”, 384.

⁷¹Mushtaq Ahmad, *Pakistan at the Crossroads* (Karachi: Royal Book Company, 1985), 103.

⁷²Qureshi, *Review and Alternatives 1947-1982*, 6-7.

⁷³Kalim Bahadur, *Democracy in Pakistan: Crises and Conflicts* (Delhi: Har-Anand Publications Pvt Ltd, 1998), 24. Amir Abdullah Khan Rokari, *Main Aur Mera Pakistan* (Urdu), 3rd ed. (Lahore: Jang Publishers, 1994), 25.

⁷⁴Ahmed, *Politics, Economy, and Society*, 48-49.

⁷⁵Herbert Feldman, *The Herbert Feldman Omnibus*, “Revolution in Pakistan: A Study of the Martial Law Administration” (Karachi: Oxford University Press, 2001), 145.

Following the promulgation of new Constitution elections for the National Assembly and two Provincial Assemblies were held on April, 28 and May, 6 1962 respectively, with Basic Democrats serving as Electorate College. In these elections candidates did not have direct access to the public and the Election Commission set meetings by which electorates could get *au fait* with the candidates. The political parties were banned yet the participation of politicians in the elections was overwhelming.⁷⁶

In the National Assembly both treasury and opposition benches underwent bizarre feeling in the absence of political parties and stipulated their revival. At last, the bill was tabled and agreed in the National Assembly that revived political parties. The parties permitted to function on two conditions vis-à-vis; must be founded on Islamic ideology and must not admit any person as its member who has convicted for “misconduct”.⁷⁷ The reaction to these conditions was strong; ex-politicians pledged that they would not collaborate for the revival of political parties prior to the restoration of democracy.⁷⁸

In October 1962, Suhrawardhy formed the National Democratic Front (NDF) with the backing of 54 leaders from both the units to counter Ayub Khan. In January, 1964 the NDF was joined by three opposition parties vis-à-vis, the National Awami Party (NAP), the Council Muslim League (Con ML) and the AL. The main demand of the alliance was full democracy for Pakistan.⁷⁹ The leaders of the alliance were detained when they met at Larkana House in January 1963. The allegation was that they had gathered to conspire

⁷⁶M. Rafique Afzal, *Political Parties in Pakistan 1958-1969*, vol. 2, ed. 3rd (Islamabad: National Institute of Historical and Cultural Research, 2000), 234-237.

⁷⁷Mohammad Khalid, *Welfare State: A Case Study of Pakistan* (Karachi: Royal Book Company, 1968), 163.

⁷⁸Ibid.

⁷⁹Rizvi, *Politics in Pakistan 1947-1997*, 133.

against the state. After that revitalization of the NDF did not come to pass and it broke down.⁸⁰

Ayub Khan had no understanding in relation to the role and significance of political parties. He instanced on the system of Advisory Councils instigated by Hazrat Umar (the second caliph). Hazrat Umar had shaped the council of prudent and decent persons having pious character and unaffiliated with any organization and political party, so they did not carry out any agenda and functioned in national interests.⁸¹ Worthwhile, Ayub Khan might only need the Parliament to implement his blueprint pertaining to politics, reforms etc.⁸²

The 1962 constitution guaranteed the presidential elections in three years. The presidential election was delayed till Basic Democrats elections to certain the success of Ayub Khan in the election.⁸³ Basic Democrats were actual strength of Ayub Khan as they were fated to be together. The opposition to Ayub Khan was resolute to scrap Basic Democracies but Basic Democrats supported Ayub Khan in presidential elections.⁸⁴

The National Assembly elections under the Basic Democrats occurred on March 21, 1965. According to the results Conventional Muslim League (Conv ML) gained 80 percent seats and opposition secured 10 percent of the total seats. The Provincial elections happened on May 13, 1965. The Combine Opposition Party (COP) boycotted the provincial elections in West Pakistan for some of its members opted to contest

⁸⁰ S.H. Hashmi, ed., *The Governing Process in Pakistan: 1958-69* (Lahore: Aziz Publishers, 1987), 203-204.

⁸¹ Feldman, *Feldman Omnibus*, 144-145.

⁸² Sayeed, *System of Pakistan*, 105

⁸³ Ibid., 216.

⁸⁴ Rizvi, *Politics in Pakistan 1947-1997*, 131.

independently or under their parties' labels. In the Provincial elections the Conv ML was an implicit success in West Pakistan but in East Pakistan it failed to have a majority.⁸⁵

Presidential Elections 1965:

The presidential election was scheduled in January, 1965. The presidential election was impossible without financial support from the industrialists. It was indirect investment which later brought surplus bonuses in so many forms to them.⁸⁶

Ayub Khan was candidate of the Convention Muslim League which was government party and Miss Fatima Jinnah was nominated by the COP.⁸⁷ Ayub Khan was surprised and worried by her nomination as he was expecting that she would not enter active politics.⁸⁸ Ayub Khan was elected President by managing to get 49,951 votes (i.e.; 63.31 percent of the total votes) while Miss Jinnah got 28,691 votes (i.e.; 36.36 percent of

⁸⁵The opposition parties formed an alliance in July 21, 1964 under the name of COP to vote down the Ayub Khan. The joint front was the coalescence of five political parties, vis-à-vis; the Con ML, the AL, the NAP, the Jamaat-i-Islami (JI) and Nizam-i-Islam Party (NIP). The heads of these parties were Khawaja Nazimmuddin, Nawabzada Nasrullah Khan and Sheikh Mujib-ur-Rehman, Maulana Abdul Hamid Khan Bhashani, Mulanan Moododdi and Chaudhri Muhammad Ali respectively; they all had been vanguard leaders in the struggle for restoration of Parliamentary system. The alliance had different types of parties such as extreme right (JI), extreme left (NAP), central-left (AL) the central-right (NIP) and centre (Con ML). The official PML was astringent over the formation of COP as it was alike the *Jugto* Front (United Front) which constituted assortment of heterogeneous political parties and vote downed the PML government in East Pakistan in 1954 and later dismantle down to quarrels. Ayub Khan explained COP "five cats tied with their tails". The alliance's programme which formed after subscribed to all the parties was primarily concerned with reinstatement of Parliamentary system, eradication of the President and the presidential system imposed on the country. Sayed, *System of Pakistan*, 217. Ahmad, *Social Change*, 80. Rizvi, *Politics in Pakistan 1947-1997*, 134. Afzal, *Pakistan 1958-1969*, 257-264. Sharif al-Mujahid, "Pakistan's First Presidential Elections" *Asian Survey* 5, no. 6 [June 1965]: 283, <http://www.jstor.org/stable/2642126>

⁸⁶ Ahmad, *Politics in Pakistan*, 301-303.

⁸⁷ Khalid, *A Case Study of Pakistan*, 165.

⁸⁸ Ziring, *Political Development*, 182-184.

the total votes).⁸⁹ Ayub Khan's success was mainly due to support of bureaucracy, army and Basic Democrats.⁹⁰

Post-Presidential Election Scenario:

The political leadership was not happy with the results of Presidential elections and the new government. In May 1967 a united alliance of five opposition parties named as Pakistan Democratic Front (PDF). In public meetings the PDF criticized the government for corruption, smuggling and dependence on American aid. Ayub Khan admonished the PDF in these words: "If the Opposition had their way, Pakistan will cease to exist".⁹¹

In 1967 politicians, labour and the public simultaneously revolted against Ayub Khan. Labour unions held strikes, politicians organized public meetings and sectarian riots broke out. Section 144 of the 'Criminal Procedure Code' and Defence of Pakistan Rules of the 'Defence of Pakistan Ordinance 1965' were used to control the situation. The Section 144 constrained the holding of public meetings and processions, carrying of fire-arms and other weapons for the period of two months. The Rule 32 and 47 of the Defence of Pakistan Rules was employed to seize the persons whose activities could be hazardous to the security of the country and who had done "prejudicial acts". Section 144 was very often used in both the Wings to restrict political activities. The press and Radio were fully used in favour of Ayub Khan. Through radio campaigns 90 percent population

⁸⁹ Rizvi, *Politics in Pakistan 1947-1997*, 132. Sayeed, *System of Pakistan*, 221.

⁹⁰ Ibid., 133.

⁹¹ The alliance was joined by the AL, the Con ML, the Nizam-i-Islam Party (NIP), Jamaat-i-Islami (JI) and the NDF. Sayeed, "New Challenges to the Political System", 99.

cum area was covered in East Pakistan and 60 percent population and 25 percent land was covered in West Pakistan.⁹²

Throughout Ayub Khan period, press was under control of the government; press the opposition was suppressed. Consequently, there was confrontation between the journalists and the opposition. On November 25, 1968, the Pakistan Union of Journalists with the collaboration of Pakistan Federation of Unions of Journalists observed a Journalism Day with the aim to inform the people that the government was not allowing them tell truth to the world. Throughout the regime press was prohibited from reporting the stories related to unrests.⁹³

In 1968 anti-Ayub Khan feelings spread widely, people demonstrated and defied the autocratic rule of Ayub Khan. These protests created serious law and order situation. He was forced to resign on 25 March 1969,⁹⁴ transferring power to the Army Chief, (General) Yahya Khan, in defiance of his own Constitution which required handing over power to the Speaker of the National Assembly. Ayub Khan's era started and ended with Martial Law.⁹⁵

III. PAKISTAN UNDER YAHYA KHAN:

General Agha Muhammad Yahya Khan took over as on March 25, 1969 and imposed Martial Law. In his maiden addressed to the nation he revealed his intentions in these words:

⁹² Ibid., 100-102.

⁹³ Muneer Ahmad, *Political Sociology: Perspectives in Pakistan* (Lahore: Punjab Adbi Markaz, 1978), 16.

⁹⁴ Malik, *Today's Realities*, 131.

⁹⁵ Mushahid Hussain and Akmal Hussain, *Pakistan: Problems of Governance* (New Delhi: Vanguard Books Pvt Ltd, 1993), 125.

I wish to make it absolutely clear that I have no ambition other than the creation of conditions conducive to the establishment of a constitutional Government . . . smooth transfer of power to the representatives of the people, elected freely and impartially on the basis of adult franchise.⁹⁶

Yahya Khan proclaimed that the elections would be held in October 1970 after constitution making.⁹⁷ With this announcement political activity restored and political parties started to propagate their views.⁹⁸ He called upon the entire political leadership to work together to find solutions of major problems faced by the country. His government maintained neutrality towards all political parties.⁹⁹ The regime neither banned any political party nor passed any ordinance to limit their activities.¹⁰⁰ A new Assembly was to be elected which was given a deadline of 120 days for constitution making. Yahya Khan elucidated that if the Assembly did not meet the dead line then it would be dissolved and new elections would hold.¹⁰¹ Yahya Khan also took two decisions of far reaching political significance, namely, breaking up one unit of West Pakistan and restoring the former four provinces; and holding National Assembly elections on ‘one-man-one-vote basis’ and disbanding the principle of parity between East and West Pakistan; the later being a major departure from the two earlier Constitutions of 1956 and 1962.

⁹⁶ *Dawn*, Karachi, March, 27, 1969.

⁹⁷ Tom Stacey, *The East Pakistan Tragedy* (London: Tom Stancey Ltd., 1972), 30.

⁹⁸ M. Rashiduzzaman “The Awami League in the Political Development of Pakistan” *Asian Survey* 10, no. 7 [July 1970]: 585, <http://www.jstor.org/stable/2642956>

⁹⁹ Stacey, *Pakistan Tragedy*, 29-30.

¹⁰⁰ *Morning News*, Karachi, March 29, 1970.

¹⁰¹ Craig Baxter “Pakistan Votes–1970” *Asian Survey* 11, no. 3 [March 1971]: 201-202, <http://www.jstor.org/stable/3024655>

The Legal Framework Order (LFO) pronounced on March 30, 1970¹⁰² laid down five principles for the new constitution, namely, Islamic ideology, territorial integrity, free elections, independence of judiciary and federal system.¹⁰³ The subject related to procedure of voting in the National Assembly was excluded from LFO.¹⁰⁴ The federal system guaranteed autonomy to the provinces, sufficient legislative, administrative and financial powers for the Centre and full participation of all religions in the national affairs. However, the President had the sole power to validate and interpret the constitution.¹⁰⁵ The LFO clearly explained that the National Assembly would not be an autonomous body and would be under the control and authority of the President.¹⁰⁶ Besides the President had the power to interpret the LFO and that interpretation could not be challenged in any court. The politicians had reservations on some clauses of the LFO, in particular, on giving unlimited powers to the President and making the National Assembly vulnerable and ineffective.¹⁰⁷

December 7, 1970 is considered as a historic event since it was for the first time that direct and relatively clean elections were held for the National and Provincial Assemblies. In elections the AL secured a reasonable majority (160 seats) whereas the PPP managed to bag 88 seats in the National Assembly.¹⁰⁸ The general elections produced three centres of power; the PPP in West Pakistan, the AL in East Pakistan and the NAP (W) and the JUI (H) in NWFP and Balochistan. The AL got the majority votes

¹⁰² Jalal, *Democracy and Authoritarianism*, 61.

¹⁰³ Rizvi, *Politics in Pakistan: 1947-1997*, 188-189.

¹⁰⁴ *Morning News*, Karachi, March 29, 1970.

¹⁰⁵ Rashiduzzaman "Political Development of Pakistan", 585-586.

¹⁰⁶ Kaushik, *Bhutto's Leadership*, 59-60.

¹⁰⁷ Rizvi, *Politics in Pakistan 1947-1997*, 189. For analysis on LFO see Sirdar Shaukat Hayat Khan, *The Nation That Lost its Soul: (Memoirs of a Freedom Fighter)* (Lahore: Jang Publishers, 1995), 280-281.

¹⁰⁸ *The Bangladesh Papers* (Lahore: Vanguard Books Ltd., n.d), 130.

on the national level. The party position in the Provincial Assemblies was such that AL was majority party in East Pakistan, the PPP emerged as majority party in the Punjab and Sindh, while in NWFP and Balochistan the NAP (W) and the JUI (H) were in majority.

Disagreements arose over the transfer of power between the AL and the PPP. Tajuddin Ahmed, the General Secretary of the East Pakistan AL in a rejoinder to Zulfikar Ali Bhutto, argued that the AL had the capability and talent to frame the constitution and establish government at the Centre since it has absolute majority.¹⁰⁹ Yahya Khan's public statements had assured the nation that the shift of power would transpire soon.¹¹⁰ Bhutto was defending his mandate by stating that no constitution is possible without the cooperation of his party.¹¹¹ Besides he *ad infinitum* urged the constitution in time.¹¹² Bhutto and Sheikh Mujib-ur-Rehman had diverging policies for future of the country.

The inaugural session of the National Assembly was scheduled on March 3, 1971. Bhutto wanted to defer the session which was acceded by Yahya Khan.¹¹³ Yahya Khan stated that the session was postponed to negotiate and convince Mujib on matters relating to constitution making.¹¹⁴ Perhaps Yahya Khan wanted to gain time for the groundwork of military operation in East Pakistan launched on 25 March, 1971.¹¹⁵ The outcome of all these political developments was dismemberment of Pakistan in December 1971. With the separation of East Pakistan the PPP emerged as the sole political force.

¹⁰⁹*The Bangladesh Papers*, 133.

¹¹⁰*Dawn*, Karachi, January 12, 1971.

¹¹¹*The Pakistan Times*, Lahore, December 22, 1970.

¹¹²*Dawn*, Karachi, December 25, 1970

¹¹³*Ibid.*, 12.

¹¹⁴ Baz Muhammad, *Constitution Making in Pakistan 1947-1985* (Karachi: Royal Book Company, 1995), 65.

¹¹⁵ Ahmed, *Politics, Economy, and Society*, 12.

IV. PAKISTAN UNDER ZULFIQAR ALI BHUTTO:

On December 20, 1971 Bhutto was sworn in as Chief Martial Law Administrator and President. Bhutto inherited serious political, social, ideological and economic issues. The urgent tasks before the government were: redefining Pakistan, formation of Provincial Assemblies, to improve trusty rapport among civil bureaucracy, military and newly elected Parliamentarians,¹¹⁶ drafting of permanent constitution¹¹⁷ and lifting of the Martial Law.¹¹⁸

In March 1972 Bhutto talked with the NAP (W) and the JUI (H) on matters related to the interim constitution.¹¹⁹ An agreement was reached on March 6, 1972 titled as “Tripartite Accord”.¹²⁰ The rationale of the accord was to facilitate constitution making. The Accord, however, became a bone of contention between the PPP, the NAP (W) and the JUI (H). The NAP (W)-JUI (H) insisted on their getting due share of power in the Centre. Differences cropped up on the interpretation of two principle matters, namely, time for lifting of Martial Law and vote of confidence. The controversy further aggravated when Bhutto delayed the appointments of new Governors in NWFP and Balochistan.¹²¹ Bhutto did not intend to share power with other stake holders; the alliance ended within a year.¹²²

¹¹⁶ W.H. Wriggins, *Pakistan in Transition* (Islamabad: University of Islamabad Press, 1975), 182-183.

¹¹⁷ Satish Kumar, *The New Pakistan* (New Delhi: Vikas Publishers, 1978), 43.

¹¹⁸ Mubashir Hasan, *The Mirage of Power: An inquiry into the Bhutto Years 1971-1977* (Karachi: Oxford University Press, 2000), 86.

¹¹⁹ Ibid.

¹²⁰ The accord was among three parties; the PPP, the NAP (W), the JUI (H). Kumar, *New Pakistan*, 10-13.

¹²¹ Rafi Raza, *Zulfiqar Ali Bhutto and Pakistan 1947-1977* (Karachi: Oxford University Press, 1997) 153-154.

¹²² Stanley Wolpert, *Zulfi Bhutto of Pakistan: His Life and Times* (New York: Oxford University Press, 1993), 211.

The Martial Law was lifted in April 1972 and substituted by the interim constitution which was unanimously supported by all the elected representatives. The PPP formed its government at the Centre, Punjab and Sindh. The two important opposition parties [NAP (W) and the JUI (H)] in the National Assembly established their own coalition governments in NWFP and Balochistan. The advancement in permanent constitution making took place by signing a Constitutional Accord for the permanent constitution by the leaders of all the parties. The national consensus on the subject of constitution making was a landmark development for unity of the nation.¹²³

Horse-trading (selling and buying of political loyalties) was commenced by the Centre in an attempt to substitute the NAP (W)-JUI (H) coalition governments in NWFP and Balochistan by the PPP dominated coalition. The federal government asked the civil servants for non-cooperative attitude with coalition governments of the NAP (W)-JUI (H). The Centre attempted to elevate the ethnic squabbles and lawlessness in these federating units to get the pretext of dissolving their governments.¹²⁴

In May 1972, two important incidents took place in Quetta and Dir which had serious impact on Centre-province relations.¹²⁵ In 1973, the federal government took

¹²³ Zulfikar Ali Bhutto "Pakistan Builds A new", *Foreign Affairs* 51, no. 3 [April 1973]: 542, <http://www.jstor.org/stable/20037999>

¹²⁴ Tahir Amin, *Ethno-National Movements of Pakistan: Domestic and International Factors*, reprinted ed. (Islamabad: Institute of Policy Studies, 1993), 127.

¹²⁵ The Governor of NWFP, Arbab Sikandar claimed that 40 men had brought to Balochistan by Qaiyum Khan. These men arrived in Balochistan on the occasion of a state visit by Princess Pehalvi of Iran. The Balochistan government had taken away the arms but the same situation reestablished on the intervention of Bhutto. These men had a truck with fitted loud speaker. The loud speaker was used to spread anti-NAP (W) feelings which led to series of clashes. Governor of Balochistan, Ghaus Baksh Bizenjo commented on it as "neither an isolated event nor an accident". He said some factors "taking undue advantage of their affiliation with the country's ruling party" so as to widen the gap between the Centre and the provincial government.

In another incident which took place in Dir, four men were wounded and two were assassinated. The incident took place when Wali Khan, Khan Sahabuddin Khan of Jandool and Provincial Minister for Information and Agriculture Afzal Khan were stopped on the road and fire was opened. It was an

military action in Balochistan.¹²⁶ The Centre also deferred the by-elections on two seats in NWFP (Sawat and Peshawar) because of bad law and order situation without consulting the NWFP government.¹²⁷ Both Governor and Chief Minister of NWFP claimed that neither of them was consulted by the Centre.¹²⁸

Baloch activists started guerrilla action against federal troops. The Centre deployed 8000 army and paramilitary forces duly equipped with the helicopter gunships and armoured vehicles. The operation was nuisance and more or less 7000 families took asylum in Afghanistan.¹²⁹ The tension between the NAP (W) and the PPP intensified later to military action. Consequently assaults and assassinations prevailed as noticeable trait of the period, as attempts were made at the lives of lawyers, opposition leaders and journalists frequently.¹³⁰

Bhutto sacked the NAP (W)-JUI (H) government in Balochistan on February 15, 1973 subsequently NAP (W)-JUI (H) ministry resigned in NWFP as a protest.¹³¹ Akbar Bugti was installed as the Chief Minister of Balochistan and Bhutto reckoned his government “democratic”.¹³²

assassination attempt on Sahabuddin Khan of Jandool for reason of personal animosity. Wali Khan accused Qaiym for the furious attempt of murder. Kumar, *New Pakistan*, 163-164.

¹²⁶ Wolpert, *His Life and Times*, 211.

¹²⁷ Kumar, *New Pakistan*, 165. L. F. Rushbrook Williams, *Pakistan Under Challenges* (London: Stanley International, 1975), 97.

¹²⁸ Williams, *Under Challenges*, 220.

¹²⁹ Stephen Philip Cohen, *The Idea of Pakistan* (Lahore: Vanguard Books Publishers, 2005), 220.

¹³⁰ Lawrence Ziring, *Pakistan in the Twentieth Century: A Political History* (Karachi: Oxford University Press, 1997), 381.

¹³¹ *Jang* (Urdu), 16 July 1973, Rawalpindi. Haider, *Trail*, 87.

¹³² Wolpert, *His Life and Times*, 211.

The opposition formed an alliance named 'United Democratic Front (UDF)' in Rawalpindi in March 1973.¹³³ The UDF demanded a number of changes in the proposed constitution bill, which were later reduced to eleven points. Bhutto endeavoured to tackle the opposition by violence; the public meeting at Liaquat Bagh, Rawalpindi on March 23, 1973 was battered by the law enforcing agencies and the PPP supporters. After this episode the UDF had threatened the Centre that it could boycott the National Assembly proceedings.¹³⁴

Bhutto embarked on negotiations with the opposition leaders with the exception of Wali Khan and Pir of Pagara. Bhutto purposefully avoided meetings with Wali Khan and Pir of Pagaro to splinter the opposition against him. He also conciliated with the religious parties, the JUI (H), the Jamiat-e-Ulema-e-Pakistan (JUP) and the JI. He consented on some demands of the opposition which he had declined since six months earlier.¹³⁵

On April 9, 1973 the third meeting on the constitution bill was convened in the absence of the opposition. Later opposition returned to the Assembly when Bhutto accepted all the eleven points of the UDF and finally the consensus reached on the constitution without any vote against it.¹³⁶

¹³³The major objectives of the popular alliance was vis-à-vis; reinstatement of democracy, discharge of political prisoners, check on dictatorship and realization of Islamic and Parliamentary constitution. The UDF was amalgamation of seven opposition parties vis-à-vis ; The NAP (W), the Pakistan Muslim League (Pagaro) (PML) (P), the (JUI) (H), the Jamiat-e-Ulema-i-Pakistan (JUP), Jamaat-e-Islami (JI), the PDP, the Khaksars and the independents. Mahmood, *Development: 1947-99*, 150. Hassan Askari Rizvi, *Military, State and Society in Pakistan* (Lahore: Sang-e-Meel Publications, 2003), 156. Verinder Grover and Ranjana Arora, ed. *Political System in Pakistan, Vol. 3, Political Parties, Elections and Regionalism in Pakistan* (New Delhi: Deep and Deep Publications, 1995), 231-232.

¹³⁴ Williams, *Under Challenges*, 144-145.

¹³⁵ Wolpert, *His Life and Times*, 212-213.

¹³⁶ Williams, *Under Challenges*, 145-146.

With the resumption of Parliamentary system under the 1973 Constitution, Bhutto took over the office of Prime Minister and got Fazal Elahi Chaudhry elected as President.¹³⁷ Just after set up of government it had to deal with the demands of the UDF.¹³⁸ The UDF declared August 24, 1973, a deadline for acknowledgement of its seven demands.¹³⁹ After the deadline the UDF had launched civil disobedience movement but it soon collapsed due to lack of co-ordination and floods.¹⁴⁰

The opposition had proposed the third amendment, demanding the change in clause 7 and 10 about safeguards against arrest and punishment, inapplicable to a person acting in a manner prejudicial to the security, safety or integrity of Pakistan. The amendment also proposed for clause 7 (b) of Article 232 which was about the proclamation of the emergency. But a day prior to the tabling of third amendment bill, the government introduced two bills aimed at stamping out its opponents. The first bill sanctioned the arrests of members of National and Provincial Assemblies even during the course of session of their respective Assemblies. The second bill banned a party from 'operating in a manner prejudicial to the sovereignty or integrity of Pakistan.' The opposition staged walk outs over the bills of amendments.¹⁴¹

Bhutto managed to keep the major opposition parties and personalities out of his way through authoritative means. The NAP (W) emerged as the third power in Centre in general elections 1970, yet it was banned by him to force Wali Khan out of politics. The

¹³⁷ Rizvi, *Politics in Pakistan 1947-1997*, 325, 327.

¹³⁸ Following were the demands: lifting of emergency, the release of political prisoners (including students and labour leaders), freedom of press, pulling out of cases against students and labour leaders, repeal of the Press Ordinance and reasonable fall in the prices of indispensable commodities. Kumar, *New Pakistan*, 49.

¹³⁹ Ibid.

¹⁴⁰ Ibid., 55.

¹⁴¹ Sayyid A. S. Pirzada, *The Politics of the Jamiat Ulema-i-Islam Pakistan 1971-1977* (Karachi: Oxford University Press, 2000), 124-125

Federal Security Force (FSF) was set up with the intent to wipe out the opponents.¹⁴² Besides, Bhutto had engaged the army to “douse the fires he or his followers had either fanned or set”.¹⁴³ Dalali camp in Azad Kashmir was set to fix the opposition through torture in case the admonitions of the government did not work.¹⁴⁴ Bhutto manipulated the important political personalities by keeping record of their character lapses.

The press was under governmental control; and it took stern actions against those who were following an independent approach. An independent newspaper ‘*the Sun*’ of Karachi was barred under the section 7 of the West Pakistan Press and Publication Ordinance of 1963. The *Sun* had written about the language controversy in Sindh which caused the annulment of its license.¹⁴⁵

The NWFP Assembly adopted a resolution recommending the Centre to abolish the NPT. Many news papers endorsed the resolution. *Nawa-i-Waqt* (Lahore) stated: “When the list of those who have destroyed democracy in this country is prepared, the name of the National Press Trust would come at the top.”¹⁴⁶ The NPT which was set up with the objective of national outlook and for promotion of healthy journalism in 1964 was always used as strength of dictators. Bhutto had earlier opposed this organization but in his government he did not abolish it, as he also needed partisan media.¹⁴⁷

¹⁴² Mohammad Waseem, *Politics and the State in Pakistan* (Lahore: Progressive Publishers, 1989), 319.

¹⁴³ Ziring, *A Political History*, 393.

¹⁴⁴ Jahan Dad Khan, *Pakistan: Leadership Challenges*, (Karachi, Oxford University Press, 1999), 148-149.

¹⁴⁵ Kumar, *New Pakistan*, 166-167.

¹⁴⁶ *Ibid.*, 166.

¹⁴⁷ Raza, *Bhutto and Pakistan*, 151. The NPT was formed under the direction of Ayub Khan in 1964. The NPT had the ownership of following newspapers vis-à-vis ; *Morning News* (Karachi), *The Pakistan Times* (Lahore), *Imroz* (Lahore and Multan) and *Mashriq* (Lahore, Karachi and Peshawar)

In 1976 Bhutto promoted Zia-ul-Haq as Chief of the Army Staff (COAS). Zia was surprised over his out of turn appointment. There had been seven senior capable Lieutenant Generals on top of Zia who could be elevated to the exalted position.¹⁴⁸

Bhutto required great power which could only be fulfilled by the highly centralized Presidential system.¹⁴⁹ But the opposition parties were determined to challenge the PPP in 1977 elections. The opposition parties established an alliance known as Pakistan National Alliance (PNA) with the objective to overwhelm the PPP in 1977 elections.¹⁵⁰ Bhutto was sure that the PPP would get two-third majority easily. The win in the elections was guaranteed on the basis of survey reports conducted by Intelligence sources.¹⁵¹

The National and Provincial elections were held on 7 and 10 of March 1977 respectively. In the National Assembly elections the PPP and the PNA obtained 155 seats and 36 seats out of 200 seats respectively.¹⁵² The PNA blamed PPP of rigging the elections and insisted on fresh National Assembly elections. The government did not agree with the request of PNA and Provincial elections were also held according to the schedule. The PPP swept the Provincial Assembly elections in all the provinces. The PPP

¹⁴⁸The seven Lieutenant Generals on the basis of seniority were; Lieutenant General Muhammad Sharif, Lieutenant General Muhammad Akbar Khan, Lieutenant General Aftab Ahmad Khan, Lieutenant General Azmat Baksh Awan, Lieutenant General Agha Ibrahim Akram, Lieutenant General Abdul Majeed Malik and Lieutenant General Ghulam Jilani Khan. "Muhammad Zia-ul-Haq", http://en.wikipedia.org/wiki/Muhammad_Zia-ul-Haq [Accessed on: December 24, 2011]. Ziring, *A Political History*, 404, 455.

¹⁴⁹ Ziring, *A Political History*, 413.

¹⁵⁰ Lawrence Ziring, *Pakistan: At the Crosscurrent of History* (Lahore: Vanguard, 2004), 156. The PNA was the incorporation of nine parties vis-à-vis ; Tahrik-i-Istaqlal (TI), JI, the the Jamait-ul-Ulema-i-Islam (Mufti Mehmood), JUI (M), JUP, Pakistan Muslim League (Pagaro) PML (P), National Democratic Party (NDP), PDP, Khaksar Tehrik (KT) and Azad Kashmir Muslim Conference (AKMC).

¹⁵¹ Khan, *Leadership Challenges*, 152.

¹⁵² Rizvi, *Politics in Pakistan 1947-1997*, 232-233.

had won 232 out of 240, 100 out of 100, 34 out of 40 and 69 out of 80 seats from the Punjab, Sindh, Balochistan and NWFP respectively.¹⁵³

The official media was extremely partial, criticising the opposition all the time.¹⁵⁴ After the elections of 1977 official media presented Bhutto as awe-inspiring and painted opposition as foes of democracy. The opposition had complained against it but to avail.¹⁵⁵

After the National Assembly elections in March 1977, the PNA boycotted the Provincial Assembly elections. On March 12, 1977, Bhutto declared that he agreed to have a word with the leaders of opposition on the issues connected to current elections.¹⁵⁶ But the PNA had declined the offer because the terms of dialogue were not lucid and for Bhutto 1977 elections were a settled matter.¹⁵⁷ In spite of disagreements dialogues continued. During the course of negotiations, Bhutto was engaged in amending the constitution to make referendum possible on the question that whether he would remain in his position or not. The amendment was made, however, referendum could not be held and finally the third Martial Law imposed on July 5, 1977.¹⁵⁸

V. PAKISTAN UNDER ZIA-UL-HAQ:

Zia seized power on July 5, 1977 through Martial Law and suspension of the Constitution. The Assemblies and Senate were dismissed but Fazal Elahi Chaudhary

¹⁵³*Dawn*, Karachi, March 12, 1977. *The Times*, Rawalpindi, March 12, 1977.

¹⁵⁴The political parties that endorsed the PPP got privileged dealing from media vis-à-vis; the Jamait-e-Ulema-e-Pakistan (Sahebzada Group) JUP (S), the Jamait-ul-Ulema-i- Islam (Haqiqi Group) (JUI) (Ha) and the JUI (H). The speeches and statements of the leaders of these parties had been regularly on air both at radio and television. *Summary of White Paper on Misuse of Media: (December 20, 1971-July 4, 1977)* (Islamabad: Government of Pakistan, 1978), 26-27.

¹⁵⁵*Ibid.*, 51.

¹⁵⁶Wolpert, *His Life and Times*, 283.

¹⁵⁷ Saleem Yunis, *Sayasi Aiathad Aur Pakistani Sayisat Per On Key Asrat: (1947-1992)* (Urdu) (Lahore: Jang Publishers, 1993), 118.

¹⁵⁸Rizvi, *Politics in Pakistan 1947-1997*, 235. Ziring, *A Political History*, 423.

continued as President.¹⁵⁹ After the enforcement of Martial Law the Chief Justices of High Courts were promoted as the *ad hoc* Governors of provinces. The decision was made in consultation with the Chief Justice of Pakistan Justice Yaqub Ali Khan.¹⁶⁰

The 1973 Constitution made certain that the military should not engage itself in future politics. Article 6 of the Constitution envisaged that anyone who would endeavour to abrogate or undermine the Constitution forcibly would be considered equivalent to high treason. The Article 12 (2) explained that the armed forces are under the control and authority of the Centre. The Article 243 elucidated that armed forces had to swear to the allegiance to the Constitution. The article 244 explicated that the armed forces would act on the commands of the federation.¹⁶¹ But this document was desecrated by the military with the support of bureaucracy.

Zia met Justice Yaqub Ali Khan in the chamber of Supreme Court to get support of judiciary about restoration of democracy; the real motive being the endorsement of his unlawful action by judiciary. Zia assured Yaqub Ali Khan that Martial Law was temporary and elections would be held within the time frame of 90 days. Yaqub Ali Khan advised Zia that Constitution must not be distorted, military courts must not set up, Martial Law administration must not meddle in the government system, the President should not be deposed and, after elections, power should be transferred to the civil administration and army should revert to barracks. Zia assured the Yaqub Ali Khan that he would follow all his suggestions. Later when Yaqub Ali Khan was about to commence

¹⁵⁹ Abdul Hafeez Khan, *The Conspiracies Against Pakistan and the Women in the Lives of Politicians* (Karachi: Royal Book Company, 1991), 82; Sattar Tahir, comp., *Martial Law Ka White Paper* (Urdu) (Lahore: Classic Publishers, 1987), 10.

¹⁶⁰ Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001), 110.

¹⁶¹ Rafi Raza, ed., *Pakistan in Perspective 1947-1997* (Karachi: Oxford University Press, 2001), 33-34.

the hearing related to the captivity of Bhutto, the Martial Law Order was issued which amended the terms of service of the Chief Justice and he got retired.¹⁶² Later the institution of Judiciary that guides the executive and legislature and halts ultra-constitutional decisions was totally ruined.¹⁶³

Nusrat Bhutto filed a constitutional petition in which she defied the validity of the Martial Law.¹⁶⁴ The Supreme Court decreed that the imposition of Martial Law was valid on the basis of “doctrine of necessity”.¹⁶⁵ The Supreme Court reviewed that the political developments subsequent to the elections of 1977 had brought the nation on the brink of collapse. Further it stated that the Constitution did not tender the solution so in these circumstances the Martial Law was valid.¹⁶⁶

The PNA proposed that Bhutto should be tried for murder of Nawab Ahmed Khan prior to the October elections. Asghar Khan suggested that Bhutto should be tried first even if the elections had to be delayed. The PNA supported Zia against Bhutto and no opposition party had objected to his arbitrary actions. The PNA collectively assented to the execution of Bhutto. It was malleability of judiciary throughout Zia era and in former regimes (dictatorships or elected democracy) that facilitated the governments in their ultra constitutional aims.¹⁶⁷

Zia promised elections and restoration of democracy within 90 days and no restrictions on the authority of the judiciary. But later he took the plea that all political

¹⁶² Gauhar Sultana Uzma, *Jamhoriyat Kay Katil Kon?* (Urdu), (Lahore: Jang Publishers, 1993), 151-152.

¹⁶³ Bilal Ahmad, *Jamhorait Aur Ghair Sayasi Qowatay: (Taraqi Pazir Duniya May Jamhoriyat Ka Bohran)* (Lahore: Book Home, 2005), 11.

¹⁶⁴ Sajjad, *An Autobiography*, 110.

¹⁶⁵ *Ibid.*, 106.

¹⁶⁶ Hafeez Khan, *Women in the Lives of Politicians*, 83.

¹⁶⁷ Grover and Arora, *Elections and Regionalism in Pakistan*, 49-50.

leaders had a word with him and they insisted on delaying elections. He banned political activities and postponed elections without giving a schedule.¹⁶⁸

The structure of the interim government consisted of President Fazal Elahi as constitutional Head of the State and a Military Council to decide the crucial matters of the country. The Council comprised Chairman Joint Chiefs of Staff Committee and the Services Chiefs. The senior generals were also associated in the process of decision making which were assisted by the senior civil bureaucrats.¹⁶⁹

Zia distorted the spirit of 1973 Constitution by introducing critical amendments. He attempted to eliminate the culture of political parties by means of Article 14 of the Provisional Constitutional Order (PCO) 1979 related to the registration of political parties. The Article allowed those political parties to partake in political activities that had registered themselves by October 11, 1979. It further provided that after this order, no political party could be formed without the permission of the Election Commission. The article authorized the President to ban any political party which he deemed was working against the canons of Islam or national interests in consultation with the Election Commission. It may be pointed out that in 1987 this Article was challenged by Benazir Bhutto in the Supreme Court and that on 20 June 1988 the Supreme Court declared it null and void. Political parties greeted the verdict. This verdict enabled the democracy to grow and make possible the sense of people's participation in the government apparatus.¹⁷⁰

¹⁶⁸Ibid., 16-18.

¹⁶⁹ Rizvi, *Politics in Pakistan 1947-1997*, 239-240.

¹⁷⁰ Murtaza Anjum, *Siyasat, Aain Aur Adalat* (Lahore: Fateh Publishers, 2001), 53-54.

The second PCO of 1981 produced more stern amendments in the Constitution. The PCO contained 17 articles.¹⁷¹ The Article 6 of the Constitution relating to abrogation of the Constitution or attempt to do so through exercise of power or by any other ultra constitutional means, was suspended.¹⁷² The paramount reason of amendments in the 1973 Constitution was to make presidency the core of authority.

Zia had damaged the free will of judiciary. Judiciary validated all the regulations, orders and other laws produced by the Martial Law authorities and all Martial Law orders were not allowed to be challenged in any court.¹⁷³ The Supreme Court and civil courts were made ineligible to perform hearings against Martial Law.¹⁷⁴

Zia and politicians had differences on the nature of government. Zia deemed Islamic democracy as the proper form of government while politicians endorsed the Parliamentary system. Neither politicians nor Martial Law authorities gave any regard to put the ideals of democracy into action.¹⁷⁵

Zia elected himself as the President for five years through the referendum held on December 19, 1984. The referendum asked the voters: Do they endorse the process of Islamization? ‘Yes’ meant vote for Zia as President. Majority marked ‘yes’ which was construed as mandate to Zia being President for following five years; a unique method of election indeed.¹⁷⁶ Presidential referendum was given constitutional cover and Zia was

¹⁷¹ Sajjad, *An Autobiography*, 121.

¹⁷² Sultana Uzma, *Katil Kon?* (Urdu), 154.

¹⁷³ Sajjad, *An Autobiography*, 121.

¹⁷⁴ Sultana Uzma, *Katil Kon?* (Urdu), 154.

¹⁷⁵ Grover and Arora, *Elections and Regionalism in Pakistan*, 45-46.

¹⁷⁶ Raza, *Perspective 1947-1997*, 36. Mahmood, *Development: 1947-99*, 373.

permitted to hold the office of COAS following the termination of Martial Law. Press and opposition leaders strongly deplored the referendum.

The Revival of 1973 Constitution Order, (RCO) was issued in 1985 which authorized the President to appoint the Prime Minister, Governors, Judges of the Supreme Court, High Courts and Federal Shariat Court, Chairman of Joint Chiefs of Staff Committee and Chiefs of Staff of armed forces. In addition he was also given the authority to dissolve the federal government and National Assembly under Article (58) (2) (b).¹⁷⁷ The RCO retained Parliamentary system besides amending and replacing 65 articles. All actions, orders, regulations, laws, and the verdicts of the military courts were also validated by including the article 270-A.¹⁷⁸

The political alliance known as Movement for the Restoration of Democracy (MRD) was merger of nine political parties that strongly opposed Zia's regime.¹⁷⁹ In 1984, Zia struggled hard to deal with the opposition by releasing important leaders of PPP and the MRD.¹⁸⁰

Several times the MRD attempted to pressurise Zia to restore democracy. On August 14, 1983 the MRD called on the movement for the reinstallation of democracy. To stop the call of the MRD movement Zia vowed elections after eighteen months but the MRD did not cancel the movement. It primarily remained restricted to Sindh and ended

¹⁷⁷ Hafeez Khan, *Women in the Lives of Politicians*, 86-88. Rizvi, *Politics in Pakistan 1947-1997*, 263.

¹⁷⁸ Rizvi, *Politics in Pakistan 1947-1997*, 263.

¹⁷⁹ Shahid Javed Burki, "Pakistan under Zia, 1977-1988" *Asian Survey* 28, no. 10 (October 1988): 1091, <http://www.jstor.org/stable/2644708>

¹⁸⁰ Richter, "Digging In", 148.

in the clashes between the law enforcing agencies and the large crowds that attended the public meetings.¹⁸¹

In 1985 Zia announced non party based elections. The contestants were prohibited to hold public meetings and the use of loud speaker was disallowed too.¹⁸² The opposition considered party less elections as an instrument of Zia to paint his regime as democratic and not to foster the civilian leadership.¹⁸³ The political parties did not take part in 1985 elections but later they realized their mistake and took part in the bye elections.¹⁸⁴

The non-party based elections of National and Provincial Assemblies were held on 25 and 28 of February 1985 respectively. The first session of the National Assembly was convened on March 20, 1985. From then onwards Zia expertly launched horse-trading regarding the office of Prime Ministers and the Chief Ministers. Muhammad Khan Junejo was the proposed nominee of Pir Mardan Shah of Pagaro. Although members of the National Assembly were elected through non party elections, Junejo evolved a group entitled as the Muslim League Parliamentary Party (MLPP) which was later joined by bulk of MNAs belonging to the Punjab, besides an Opposition Parliamentary group was also formed. Zia expounded that although he was opposed to the party government but he agreed to the formation of the MLPP in order to provide

¹⁸¹ Hafeez Khan, *Women in the Lives of Politicians*, 85.

¹⁸² Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography* (Karachi: Orient Books Publishing House, 2000), 95.

¹⁸³ Rasul B. Rais, "Pakistan in 1987: Transition to Democracy", *Asian Survey* 28, no. 2, part. 2 [February 1988]:128, <http://www.jstor.org/stable/2644814>

¹⁸⁴ *Ibid.*, 129.

chance to the Parliamentary democracy. Later the Senate was elected through Electoral College which constituted the members of the Provincial Assemblies.¹⁸⁵

Critics put up a theory around the notion of “invisible” power structure to understand the politics of Zia. The thesis elucidated that factually Zia had produced facade Parliamentary democracy with vital powers completely in his hand and least effective powers embedded in the office of Prime Minister. They had put their points in two steps. First; Zia picked up Junejo and he got elected to the National Assembly as an individual rather than the member of Pakistan Muslim League (PML) which was majority party in the Parliament. Junejo was junior partner to Zia in the business of establishing facade democracy. Secondly; Zia did not renounce the office of COAS even after he got himself elected as President in the referendum. Through amendments in the 1973 Constitution he created disequilibrium in the structure or power between the President and the Prime Minister. And then he armed himself with extended powers through the amendments.¹⁸⁶

On March 23, 1985 Junejo was sworn in as the Prime Minister and pledged to the nation the restoration of democracy, abolishing of Martial Law, justice, rule of law and end of sectarianism and corruption.¹⁸⁷ Junejo assumed that soon after passing the Political Parties Act from the Parliament a call would be sent to the President to end Martial Law. He further said; “a political party would be formed which would be the “governmental

¹⁸⁵ Hafeez Khan, *Women in the Lives of Politicians*, 90.

¹⁸⁶ Rais, “Transition to Democracy”, 127-128.

¹⁸⁷ Muhammad Ali Chirag, *Tareekh-e-Pakistan* (Urdu) (Lahore: Sang-e-Meel Publications, 2001), 490.

party” running the affairs of the country.”¹⁸⁸ Every member of the Parliament wished for the immediate ending of the Martial Law.

In March 1985, fifty-six amendments were introduced in the constitution, out of which only one was linked with Islam or Islamic form of government. Remaining amendments were aimed to enhance the powers of Zia. The fundamental human rights were suspended plus Assemblies and courts were without any say and role.¹⁸⁹

The foremost assignment for the National Assembly was to incorporate the RCO in the 1973 constitution. Some key amendments were integrated in the form of eighth amendment in the Constitution. In addition Zia also proposed the formation of National Security Council as a component of the Constitution but took it back as it was unanimously vetoed by the National Assembly.¹⁹⁰

On December 30, 1985 Martial Law was lifted and tailor-made version of 1973 constitution installed.¹⁹¹ Junejo exerted his constitutional authority in the area of foreign policy which was disliked by Zia.¹⁹² Benazir returned from exile with warm welcome by people; and MRD’s pressure on Junejo for holding of new party based elections increased. Zia was also not happy with the performance of Junejo’s government.¹⁹³ On April 10, 1988 the incidence of blast in the Ojhri camp (ammunition depot) in Rawalpindi took which caused loss of life and property. Politicians asked the for punishment against those army officers whose negligence caused the sad incidence. Zia

¹⁸⁸ The *Pakistan Times*, Rawalpindi July 18, 1985.

¹⁸⁹ Sultana Uzma, *Katil Kon?* (Urdu), 158-159.

¹⁹⁰ Hafeez Khan, *Women in the Lives of Politicians*, 90.

¹⁹¹ Rizvi, *Politics in Pakistan 1947-1997*, 265.

¹⁹² Ahmad Salim, *Tootati Banti Assemblan Aur Civil-Military Bureaucracy* (Urdu) (Lahore: Jang Publishers, 1990), 325. Philip Cohen, *Idea of Pakistan*, 145.

¹⁹³ Rizvi, *Politics in Pakistan 1947-1997*, 265-266

realized that earlier Junejo's government had removed and replaced some senior officers, so this time it might blame and pressurise him to leave the office of Army Chief.¹⁹⁴

Differences between Zia and Junejo continued to grow; consequently on May 29, 1988 Zia, by using the sword of Article 58 (2) (b), dissolved the Parliament, dismissed the Junejo's cabinet and announced fresh elections.¹⁹⁵ Only the Senate was not dismissed. Junejo became unacceptable to Zia when he asserted his authority; for a person who had governed the country for eight and a half years with unparalleled powers, it was not possible to share power to the Prime Minister. The wide divergences that erupted between the President and the Prime Minister since March 1985 augmented with time and consequently the government was toppled.¹⁹⁶ The dilemma of Junejo government was that for three years it struggled to retrieve its constitutional powers which was resisted by Zia and finally ended in dismissal of his government.¹⁹⁷

On June 1, 1988 the interim government was set up. The PML had major share in the interim cabinet. Zia vowed elections within the time phase of 90 days and later proclaimed that elections would be held on non party basis. Political parties in general and the MRD in particular persistently insisted on party base elections.¹⁹⁸ Before the elections, Zia died in a plane crash on August 17, 1988.¹⁹⁹ After his demise, the Chairman Senate Ghulam Ishaq Khan took oath of caretaker President. The Vice COAS

¹⁹⁴ Ibid.

¹⁹⁵ Benazir Bhutto, *Daughter of the East* (Karachi: SZABIST, 1988), 366.

¹⁹⁶ Salim, *Civil-Military Bureaucracy*, 322.

¹⁹⁷ Ahmad, *(Taraqi Pazir Duniya May Jamhoriyat Ka Bohran)*, 13.

¹⁹⁸ Chirag, *Pakistan*, 496.

¹⁹⁹ Parveen Shaukat Ali, *Politics of Conviction: The Life and Times of Muhammad Zia-ul-Haq* (Lahore: The London Centre for Pakistan Studies, 1997), 205.

(General Aslam Baig) was promoted as COAS. The President pronounced emergency without suspension of the human rights.²⁰⁰

CONCLUSION:

The period (August 1947-August 1988) was eventful politically. A country whose political foundation was to be laid on parliamentary democracy, remained under dictatorial rule for over 26 years; even when the country was practicing parliamentary democracy the style was autocratic and under intense influence of military and civil bureaucracy, for most of the time. Delay in Constitution making coupled with frequent interventions by the head of the state (Governor General/President) supported by top civil and military bureaucracy in the first decade, did not allow the democracy to flourish. The adoption of the 1956 Constitution and scheduling of general election in 1959 had rekindled the hopes; but these were countered by the imposition of Martial Law and dictatorial rule that lasted for thirteen years. The period was practically ruled by military with active support of bureaucracy; politicians were marginalized. Bhutto began his rule on the crutches of military and support of bureaucracy and later on made administrative changes to keep both under control. Yet his style of government and circumstances forced him to lean heavily on them. Again the Zia era was a military rule depending heavily on civil servants. During all these years repeated attempts were made to discredit the politicians, minimize their role and promote authoritarian one-man show, but people and political leaders resisted them.

²⁰⁰ Waseem, *State in Pakistan*, 435. For complete text of Ishaq Khan's speech see *The Pakistan Times*, Islamabad August 18, 1988.

During initial year's bureaucracy remained hub of political power with the support of military. But later on due to law and order problems the military got more importance and became more politically powerful than bureaucracy. Basically military had transformed it self on the pattern of bureaucracy. In Pakistan bureaucracy was most skilled institution and was guiding the politicians in the affairs of politics. With the passage of time bureaucracy started to influence political decisions and taking control of the country. Military also realized that it is inevitable for the existence of Pakistan and could become a stakeholder in power politics. When military worked with bureaucracy it started to assert its role and finally became senior partner in power play. The bureaucracy-military partnership was inevitable as when military came to power it required a group that could replace political parties.

The judiciary had, on the whole, a positive contribution in promoting democracy. Yet some of its decision, in particular the application of the "doctrine of necessity" (first used by Justice Munir in 1954) had provided legal cover and justification to non-constitutional acts and dismissal of elected bodies. But later judiciary was also victimized by the political bureaucracy and military dictators to get judicial cover for their dictatorial regimes.

In the earlier period the press was relatively free but with the first Martial Law began a long phase of press control and pressurisation. A big part of print media was owned by Government's NPT and a number of others were under government influence. Yet there were some, which despite victimisation, continued with their independent policies and support to democracy and rights of people.

Initially the role of opposition was limited by the PML as it did not encourage criticism on its policies. The opposition parties were practically non-existent in dictatorial regimes as it was one man rule and opposition was just a pretext to give elected status to their regimes. The tradition of constructive criticism from the opposition side did not flourish during the civil governments as they also considered opposition a hurdle in their performance. Some times immature role of opposition had caused problems for the civil governments that encouraged establishment to gain power.

Working relationship between elected and non-elected institutions did not develop due to imbalance of power. The will of the civil governments were not free and they were dependent on establishment to run the affairs of the state. Even when civil governments were in place, the lust for power lured them on undemocratic practices and means. During the period, democratic values and norms did not get a chance to grow due to frequent interruptions and long dictatorial rules.

Chapter 3

First Tenure of Benazir Bhutto: 1988-1990

The decade of eighties witnessed gradual shift from presidential to parliamentary form of government; in particular after the death of Zia-ul-Haq in an air crash in August, 1988. The amendment in Article 91 (2) made in 1985 had authorized the President to appoint a Premier till March 20, 1990. This amendment enabled Ghulam Ishaq Khan, who had assumed the office of the President after the death of Zia, to hold elections of National and Provincial Assemblies on the 16 and 19 of November 1988.¹ On October 3, 1988 the Supreme Court decided that elections should be held on party basis since party less elections were violation of the human rights.²

Following the announcement of election dates and the ruling of the Supreme Court, political activity gained momentum. On October 6, 1988 nine right wing parties led by Pakistan Muslim League formed the Islami Jamhoori Ittehad (IJI) to oppose the Pakistan People's Party (PPP) in the elections.³ The IJI was comprised of nine rightist political parties: the PML (Fida Faction), the Jammat-e-Islami (JI), the National People's Party (NPP), the JUI (Darkhwasti Group), the Markazi Jamiat-i-Ahle Hadith (Lakhvi Group), the Jamiat-ul-Mashaikh (Sahabzada Fazle Haq Group), the Fakhr Imam Group,

¹ Rafi Raza, ed., *Pakistan in Perspective 1947-1997* (Karachi: Oxford University Press, 2001), 45.

² *Nawa-i-Waqt* (Urdu), Rawalpindi, October 3, 1988,

³ Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography* (Karachi: Orient Books Publishing House, 2000), 109.

The role of establishment in politics, in this decade, in Pakistan was immense. The establishment was anti-PPP and considered the PPP threat to its interests. Senator Wasim Sajjad, Pakistan Muslim League (Quaid-e-Azam) PML (Q), Personal Interview, Islamabad, October 22, 2011. Wasim Sajjad was elected as Chairman Senate in 1988, 1991. On several occasions he served as the acting President of Pakistan in the absence of the President. He served as acting President in 1993 when the National Assembly was dissolved due to confrontation between Nawaz and Ishaq Khan, and in 1997 when Farooq Ahmad Khan Leghari resigned. Currently he is a senator.

the Hizb-e-Jihad and the Independent Parliamentary Group (IPG).⁴ One of the main purposes of IJI was to make every endeavour to cause enormous problems for the PPP in the elections. General Hamid Gul (Chief, ISI) was said to be the architect of IJI with the support of two army officers (Brigadier Imtiaz and Major Aamir). The IJI combined divergent ideologies having common feelings of antagonism towards PPP.⁵

The Election Commission asked the political parties to submit applications for their symbols of preference till October 10, 1988. The Election Commission received 77 applications and allocated symbols to 37 political parties including non-Muslim parties; eleven applications were rejected and 29 parties did not pursue their applications. The symbols were publicized by means of media (electoral and print).⁶

Electoral Scene:

In October 1988 Ishaq Khan promulgated the Ordinance XIV 1988 prohibiting any person to vote would not produce the identity card; any other identification such as passport was not acceptable. The PPP challenged the Ordinance in the Lahore High Court considering it against Article 52 of the Constitution related to citizen's right to vote. The PPP also pointed out induction of right wing parties in the caretaker government had created problems for the opposition parties to obtain identity cards for their supporters and that thousands of fake identity cards had been issued to the supporters of the right wing parties that had enabled them to vote twice. The Court decided the Ordinance

⁴Dawn, Karachi, October 7, 1988. Dawn, Karachi, October 11, 1988. Hamid Khan, *Constitutional and Political History of Pakistan* (Karachi: Oxford University Press, 2001), 706. Sayed Qasim Mahmood, ed., *Encyclopedia Pakistanica* (Urdu) (Karachi: Shahkar Book Foundation, 1998), 205.

⁵ Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography* (Karachi: Orient Books Publishing House, 2000), 109.

⁶*Report on the General Elections 1988*, vol. 1 (Islamabad: Election Commission of Pakistan, n.d), 162, 164.

unlawful after examining the evidences provided by the petitioner. The government challenged the Lahore High Court decision which was suspended by the Supreme Court; to which many voters had not participated in elections.⁷

Election Campaigns:

The news of general elections was hailed by the nation. Political parties enthusiastically participated in the election campaigns.⁸ It was alleged that IJI had openly used of the 'Punjabi card' in the final phase of campaign.⁹ In election campaigns the PPP and IJI made offensive attacks on the leaders of each other. Both the parties had almost similar manifestoes and programmes but they embodied two completely unlike legacies - the IJI of Zia and PPP of Bhutto.¹⁰

The candidates had paid huge amounts of money to the organizers for set up of public meetings and rallies. The approved official expenditure for the whole election campaign was 500,000 rupees however the candidates spent more than this amount.¹¹

In election campaigns Benazir Bhutto promised to solve the problems of poverty, injustice, hunger and exploitation. She avowed that she did not believe in the politics of vengeance. The important part of her promises was balance of power between the federation and the federating units and strengthening of provincial governments and local institutions.

⁷ Dorab Patel, *Testament of a Liberal* (Karachi: Oxford University Press, 2000), 181. Christina Lamb, *Waiting for Allah: Pakistan's Struggle for Democracy* (Calcutta: Viking, 1991), 66.

⁸ Mahmood Mirza, "Intikhabi Manshoron Kay Chand Aham Nakat Ka Tajzia" *Nawa-i-Waqt* (Urdu), Lahore, November 13, 1988.

⁹ Shahid Nadeem "The Two Faces of Punjab", *The Herald*, Karachi, January 1989, 57.

¹⁰ Safdar Mahmood, *Political Roots and Development: 1947-99* (Karachi: Oxford University Press, 2000), 388.

¹¹ Lamb, *Pakistan's Struggle for Democracy*, 63.

The IJI used religious cover to its election campaign. Nawaz Sharif presented himself as the patronage and custodian of “Ziaism”. By “Ziaism” he meant that he would follow the principles of Zia relevant to the politics and state. But, later when public showed disapproval towards “Ziaism” he abandoned it. The IJI used religion to defeat the PPP. Some IJI leaders tried to influence the voters by projecting the notion that voting a woman is forbidden in Shariah.¹²

Partisan Attitude of the Caretaker Administration towards the PPP:

General Aslam Baig Chief of Army Staff (COAS) convened a meeting on October 24, 1988 to discuss arrangements of elections; the Chief of ISI, the Chief of the IJI, Federal Interior Minister, Ghafoor Ahmad of the JI and four caretaker Chief Ministers who were loyal allies of the IJI were notable guests of this meeting.¹³ The COAS’s preference to discuss the task of conducting free and fair election only with the rightist parties and supporters of the IJI was meaningful and showed that the government had exercised all its authority against the PPP. In the presence of partisan administration the success of the PPP as a mainstream party was shocking.¹⁴

General Election’s Result and Formation of Federal and Provincial Governments:

In these elections many politicians had left their old political parties and changed their political affiliations. In the National Assembly elections no party got clear majority in total seats of 204; highest share being 45.59 percent of PPP. The party position was: PPP

¹² Shaikh, *A Political Biography*, 111.

¹³ Ibid., 112. Ghafoor Ahmad, *Wazir-i-Azam Benazir Bhutto: Namzadgi Say Bartarfi Tak* (Urdu) (Lahore, Iqra Enterprise, 1995), 94.

¹⁴ Makhdoom Sayed Ghayur Abbas Bukhari, *Benazir: Beti Say Qaid Tak* (Urdu) (Lahore: Multi Media Affairs, 2004), 142.

(93), IJI (54), Jamiat-e-Ulema-e-Islam (Fazal-ur-Rehman Group) JUI (F) (7), the Mohajir Qaumi Movement (MQM) (13), the Pakistan Awami Ittehad (PAI) (3), the Awami National Party (ANP), (2) and the Balochistan National Alliance (BNA) (2). Other smaller political parties either managed to gain one seat or were completely wiped out from political scene.¹⁵

In the Punjab Assembly elections the PML, the PPP, Independents, the Pakistan Democratic Alliance (PDA), the Pakistan Awami Ittehad (PAI), the National People's Party (Khar) NPP (K) and the JUI (F) obtained 108, 94, 32, 2, 2, 1 and 1 seat respectively. In the Sindh Assembly the PPP, the MQM, independents, the IJI and the Punjabi-Pakhtun Ittehad (PPI) succeeded to get 67, 26, 5, 1 and 1 seats respectively. In Balochistan and North-West Frontier Province (NWFP) Assemblies no party managed to have majority. In NWFP Assembly the IJI, the PPP, independents, the ANP, the JUI (F) had won 28, 20, 15, 12 and 2 seats respectively while in Balochistan Assembly the JUI (F), the IJI, independents, the BNA, the PPP, the Pakistan National Party (PNP) and Watan Party managed to have 11, 8, 7, 6, 3, 2 and 1 seat respectively.¹⁶ The IJI formed government in the Punjab with Nawaz Sharif as Chief Minister. In Balochistan and NWFP weak coalition governments were installed. In Balochistan the broad based coalition was set up with Mir Zafarullah Khan Jamali of the IJI as its Chief Minister. In NWFP the coalition government of ANP and PPP was set up with Aftab Ahmad Sherpao of the PPP as its Chief Minister. In Sindh the PPP and the MQM were coalition partners

¹⁵1997*General Elections: Comparative Statistics for General Elections 1988, 1990, 1993 and 1997*), vol. 2 (Islamabad: Election Commission of Pakistan, n.d), vi. *Report on the General Elections 1993: (With Comparative Results of General Elections 1985, 1988 and 1990)*, vol. 2 (Islamabad: Election Commission of Pakistan, n.d), vi. Mohammad Waseem, *Politics and the State in Pakistan* (Lahore: Progressive Publishers, 1989), 443.

¹⁶*Dawn*, Karachi, November 21, 1988.

and with Qaim Ali Shah of the PPP was Chief Minister.¹⁷ The elections had provided split mandates in centre and provinces. The PPP considered the Punjab as its hub of power but the Punjab Assembly results showed otherwise situation. Benazir accused the IJI for selective rigging in the Punjab.¹⁸ Evidence showed that 1988 elections were rigged and manipulated in few constituencies and not in the entire country.¹⁹

The ambiguous result of elections enhanced the importance of independent members in the National and Provincial Assemblies. Immediately after elections the PPP and the IJI engaged in maneuvers to prove their majority in the National and the Punjab Assemblies. While PPP was celebrating its victory, the IJI was busy in seeking the support of independents.²⁰ The PPP was the only party that won seats in all the provinces but did not get clear absolute representation in any of the province except in Sindh.²¹

Army, a powerful institution at the time, had reservations on the transfer of power to the PPP. Thus Benazir could form the government only after a deal was struck between the army and PPP. According to Javed Ashraf the deal was made, as at that point, Benazir was young and immature and there was general impression that she would try to take revenge from the army. The deal covered the following points: Benazir would not take revenge from Zia's family; whatever had been done on Kashmir and Afghan policy would not be undone; and army should be kept on board regarding decisions on foreign

¹⁷ *Dawn*, Karachi, December 3, 1988. *Dawn*, Karachi, December 6, 1988.

¹⁸ Waseem, *Politics and the State*, 455.

¹⁹ Shaikh Rasheed Ahmad, Awami Muslim League (AML), Personal Interview, Rawalpindi, January 13, 2011. Senator Haji Mohammad Adeel, ANP, Personal Interview, Islamabad, January 19, 2011. Haji Mohammad Adeel has served as Finance Minister and Deputy Speaker in the NWFP Assembly in the first and second tenure of Nawaz respectively. He is one of the important leaders of the ANP in this era. Currently he is a senator.

²⁰ Lamb, Pakistan's *Struggle for Democracy*, 49-50.

²¹ Omar Noman, *Pakistan: A Political and Economic History since 1947* (London: Kegan Paul International, 1988), 218.

policy.²² The leaders of the PPP, however, revealed that only two terms were imposed for transfer of power to them vis a vis; do not interfere in army affairs and do not take any revenge from the armed forces. The high army officials had denied having any deal with the PPP and stated that it had recommended nothing more than some suggestions.²³ This deal took place on the behest of the establishment.²⁴ The PPP agreed with the proposals for two reasons; firstly, it believed that with the passage of time political process would get strength; and secondly, the nation was eager to have the PPP government.²⁵

The army wanted PPP to form a coalition government with IJI which was declined by the PPP leadership. The two other matters attributed to the deal were that Sahibzada Yaqub should be given the office of Foreign Minister and Ishaq Khan should be nominated for the Presidency.²⁶ The army choice of Sahibzada Yaqub was for the reason that it did not authorize the PPP to execute the nuclear policy and foreign policy, especially connected to the Kashmir issue and India.²⁷

Benazir met with Ishaq Khan and Aslam Baig when transfer of power was being delayed without any reason. At this point of time transfer of power was not possible

²² Senator Javed Ashraf, Pakistan Muslim League (Quaid-e- Azam) PML (Q), Personal Interview, Islamabad, September 16, 2011.

²³ Ahmad Salim, *Chay August Kay Baad: Intakhabi M'arkoon Aur Mehalati Sazishoon Ki Kahani* (Urdu) (Lahore: Nagarshat, 1990), 14-15

²⁴ Senator Safdar Abbasi, PPP, Personal Interview, Islamabad, January 10, 2011. He has been Political Assistant to Benazir (1986-1988) and Political Secretary to Prime Minister Benazir Bhutto in 1988. Currently he is a senator.

²⁵ MNA Aftab Ahmad Sherpao, the Pakistan Peoples Party (Sherpao) PPP (S), Personal Interview, Islamabad, May 12, 2011. He has served as Chief Minister of NWFP in both the terms of Benazir. Currently he is a MNA.

²⁶ Muhammad Farooq Qureshi, *Nawaz Sharif: Aik Hukmaran-Aik Sayasatdan* (Urdu) (Lahore: Qoumi Publishers, 1994), 18-19.

²⁷ MNA Aftab Ahmad Sherpao, Personal Interview. Maroof Raza ed., *Generals and Governments in India and Pakistan* (New Delhi, Har-Anand Publications Pvt Ltd, 2001), 100.

without the assent of army.²⁸ Ishaq Khan deliberately delayed the transfer of power as it was hard for him to acknowledge the PPP in place of the IJI.²⁹ The international community, which had anticipated reinstallation of democracy, also put pressure on the President. Ishaq Khan finally nominated Benazir as the Prime Minister on December 1, 1988.³⁰ She was the first democratically elected Prime Minister of Pakistan and any Muslim country.³¹ On December 2, 1988, an agreement was reached between the PPP and the MQM; and Benazir became Prime Minister with the support of MQM and 21 members of Tribal Areas. On the same day Ishaq Khan was appointed as the President.³²

Benazir addressed the National Assembly on December 2, 1988, in which she criticized the constitutional amendments in 1985 as a conspiracy to keep the PPP out of politics and promised the restoration of 1973 constitution.³³ She also announced the release of political prisoners, complete freedom for media, equal opportunities for men and women, and lifting ban on student and trade unions that was enforced by the Martial Law regime.³⁴

The PPP government faced several problems at the time of takeover including control of establishment, legacy of Zia, weak economy,³⁵ international pressure on

²⁸ Razi ud Din Razi and Shakir Hussain Shakir, *General Mirza Aslam Baig: Martial Law Aur Jamhoriyat* (Urdu) (Multan: Kitab Nagar, 1989), 80-82.

²⁹ MNA Aftab Ahmad Sherpao, the PPP (S), Personal Interview, May, 12, 2011.

³⁰ Tahir Kamran, *Democracy and Governance in Pakistan* (Lahore: South Asia Partnership, 2008).140. Mahmood, *Pakistanica*, (Urdu), 317.

³¹ *Mohtarma Benazir Bhutto: Prime Minister Islamic Republic of Pakistan – A Profile* (Government of Pakistan, Islamabad, n.d), 2.

³² *Dawn*, Karachi, December 3, 1988. R. A. Singh, *Military Governance in Pakistan* (Delhi: Raj Publications, 2007), 100.

³³ *The National Assembly of Pakistan Debates: Official Report*, vol. 2, no. 5, December 12, 1988, 188-189.

³⁴ *Dawn*, Karachi, December 3, 1989.

³⁵ Nawabzada Haji Mir Lashkari Khan Raisani, PML (N), Personal Interview, Islamabad, December 23, 2010.

nuclear programme and Afghanistan issue.³⁶

The MQM was a balancing factor between the PPP and opposition. Though less in number, it yielded considerable political power in the National Assembly. In pursuance of MQM-PPP Accord, the MQM put forward many demands which the Government could not meet without annoying Sindh which was core-power of the PPP. Some of the demands insisted by the MQM were highly controversial, for instance, the return of Pakistanis (*Biharis*) from Bangladesh to Pakistan. According to the MQM sources this Accord was in the interest of people of Pakistan but the PPP was reluctant to implement it. On October 23, 1989 the accord was terminated after eleven months.³⁷

On December 12, 1988 the presidential election was held. The election was contested by four candidates including Ishaq Khan, Nawabzada Nasrullah Khan, Ahmad E. H. Jaffar and Mohammad Nauroz Khan Malik. Ishaq Khan won the election securing 348 votes against 91 for Nawabzada Nasrullah Khan, six for E. H. Jaffar and one vote for Mohammad Nauroz Khan Malik. On the same day Benazir won the vote of confidence in the National Assembly; 148 votes were cast in her favour and 55 against.³⁸ On December 3, 1988 oath taking ceremony, signing of roll of members and elections of Speaker and Deputy Speaker took place. Malik Meraj Khalid was elected as Speaker obtaining 134 votes against 72 for Shaikh Rasheed Ahmad.³⁹

The PPP government endeavoured to revive the economy, eradicate

³⁶ Senator Safdar Abbasi, Personal Interview.

³⁷ MNA Haider Abbas Rizvi, MQM, Personal Interview, February 2, 2011. Haider Abbas Rizvi is the former deputy parliamentary leader of MQM in the National Assembly of Pakistan and a senior leader of MQM.

³⁸ *Dawn*, Karachi, December 13, 1988.

³⁹ *The National Assembly of Pakistan Debates: Official Report*, vol. 1, no. 3, December 3, 1988, 32-35.

unemployment, and repeal the eighth amendment to restore the original version of 1973 Constitution.⁴⁰ But the government remained unable to restore 1973 constitution due to strong opposition from the establishment.⁴¹

The first task before the government was to present the federal budget for the fiscal year 1988-1989 as, during the caretaker administration and in the absence of National Assembly, the President had approved the budget for four months only. On December 4, 1988, Minister for Finance, Economic Affairs, Planning and Development Ehsan-ul-Haq Piracha presented the budget prepared by the caretaker government with few modifications in the National Assembly.⁴²

The PPP did not get power in ideal circumstances. The considerable section of the civil-military bureaucracy of Zia era was still in position. The provinces of Balochistan and the Punjab had anti-PPP governments of anti-PPP that were causing problems for the PPP-led Centre.⁴³ The PPP had to evolve working relationship with the Senate where IJI and its allies had majority. Till 1991 Senate elections the PPP remained a small faction in this House⁴⁴ ; making it difficult for PPP to pursue legislative work in the Senate.⁴⁵

In the formation of PPP government the United States of America (USA) had played an important role. The US envoy Robert B. Oakley met with the President, military chiefs and political parties to bring the PPP and military closer. The USA acted as a mediator for the transfer of power. Robert B. Oakley visited Pakistan just after

⁴⁰ Kalim Bahadur and Uma Singh, *Pakistan: Transition to Democracy* (Delhi: Patriot Publishers, 1989), 12.

⁴¹ MNA Aftab Ahmad Sherpao, Personal Interview.

⁴² *The National Assembly of Pakistan Debates: Official Report*, vol. 2, no. 3, December 8, 1988, 78-80.

⁴³ Noman, *Pakistan: A Political and Economic History*, 221.

⁴⁵ Kamran, *Democracy and Governance*, 141.

elections, and it was reported that he gave future policy guidelines to Benazir which she had accepted without any hesitation.⁴⁶ Even the cabinet was chosen with the consent of the President,⁴⁷ USA and the army. Later the Assistant Secretary of Defence Richard Armitage and his counterpart Richard Murphy in State Department arrived to give final shape to the understanding.⁴⁸

Dissolution of Balochistan Assembly:

The Governor of Balochistan, Gen. Muhammad Musa, dissolved the Balochistan Assembly on 15 December 1989, on the advice of the Chief Minister Mir Zafarullah Khan Jamali.⁴⁹ The Opposition asserted that the Prime Minister was behind this dissolution. The allegation was firmly denied by Benazir and she invited the opposition for dialogue on the issue.⁵⁰ The background of the issue was that the Speaker of the Provincial Assembly had casted his vote open-handedly in the elections of Chief Minister. The difference between minority and majority was just of one or two votes. In this critical situation Benazir sent her special envoy, Syed Yousuf Raza Gillani to Quetta. On December 3, 1988 Gillani wrote a letter to Fazal-ur-Rehman to convey Benazir's concerns on Balochistan. This letter did not reach Fazal-ur-Rehman in time and meanwhile Jamali had advised the Governor to dissolve the Balochistan Assembly.

The dissolution was challenged in the Balochistan High Court on the ground that Jamali did not get majority vote in the Balochistan Assembly which meant that he had

⁴⁶ Subrata Kumar Mitra, ed., *The Post-Colonial State in Asia: Dialectics of Politics and Culture* (Lahore: Sang-e-Meel Publishers, 1988), 64-65.

⁴⁷ MNA Aftab Ahmad Sherpao, Personal Interview.

⁴⁸ Mitra, *Dialectics of Politics and Culture*, 64-65.

⁴⁹ *The Nation*, Lahore, December 16, 1989.

⁵⁰ Bahadur and Singh, *Transition to Democracy*, 12-13.

not attained a vote of confidence so he was not in a position to advise the dissolution of the Assembly. On January 23, 1989 the full bench of Balochistan High Court decided that the dissolution was illegal as according to the Assembly record Jamali had obtained 22 votes with the casting vote of the Speaker.⁵¹ Hence Jamali had failed to obtain majority votes in the house of 44.⁵² The Court stated that Jamali had not taken the vote of confidence according to the clause 130 (3) so Jamali was not in a position to propose the dissolution. The dissolution was anti constitutional hence the Assembly was restored.⁵³ On January 26, 1989 a tripartite accord among the IJI, the BNA and the JUI (F) was concluded for formation of Balochistan government with Akbar Bugti as its Chief Minister.⁵⁴ The COAS had advised Benazir not to involve herself in the matter of Balochistan and not to back up any party or individual in the entire matter.⁵⁵

Law and Order Situation in Sindh:

Since 1983 the law and order in Sindh was terrible but after the Movement for the Restoration of Democracy (MRD) a long “*dako raj* phenomenon” cropped up. The PPP government was unable to normalize the law and order situation in Sindh as ethnic violence erupted⁵⁶ and army had demanded substantial powers to tackle the situation. The PPP declined to provide these powers to army as it believed that use of force would further deteriorate the situation.⁵⁷

⁵¹ *Dawn*, Karachi, January 24, 1989. Tajam-ul-Hussain Anjum, *Pakistan: Tarikh-o-Siasi Jaizay: 1947-1992* (Urdu) (Lahore: Nazir Ahmad Publishers, 1993), 624-626. Abbas Nasir and Talat Aslam, “Images of the Decade”, *The Herald*, Karachi, January 1990, 37.

⁵² Nawab Akbar Bugti, interview by Zahid Hussain, *The Herald*, Karachi, February 1989, 127.

⁵³ *Dawn*, Karachi, January 23, 1989.

⁵⁴ *Dawn*, Karachi, January 26, 1989.

⁵⁵ Munir Ahmad, *Bhutto: Khandan Ka Katal* (Urdu) (Lahore: Takhliqat Publishers, 1998), 326.

⁵⁶ Senator Safdar Abbasi, Personal Interview.

⁵⁷ Kalim Bahadur, *Democracy in Pakistan: Crises and Conflicts* (Delhi: Har- Anand Publications Pvt Ltd,

The Sindh situation brought the government at the verge of fall.⁵⁸ The differences between the PPP and the MQM increased which resulted in more ethnic violence in Sindh. The PPP and army had different plans to deal with the situation. They had no confidence in each other since the beginning of Clean-Up Operation in the Pucca Qilla in Hyderabad on May 26, 1990. The provincial government began the operation as it had the information that illicit arms and ammunition were dumped there. When police raided the Qilla the cadres went into their hideouts and a procession of women and children with Holy Quran on their heads came forward.⁵⁹ During the operation army had entered into the city without the call of the civil government and confronted the police and Sindh administration.⁶⁰ The PPP leaders criticized the army for supporting the women and children that refused to obey the curfew whereas army had blamed the PPP for its plans to crush *Mohajirs*.⁶¹

Constitutionally army could only operate in Sindh under the Article 147 which stated that the provincial government with the assent of the federal government could ask the army for help. The other circumstance in which army could intervene in the province was under the Article 245.⁶² On the government's request when army is called under this article it was a kind of Martial Law as the High Courts ceased to have jurisdiction in that

1988), 124-125.

⁵⁸ Wakil Anjum, *Qaumi Sanehaat Per Bananay Walay Commission, Tribunal Aur Committian: Haqaeq Pay Parda Kion Daal Dayti Hain?* (Urdu) (Lahore: Jahangir Book Depot, n.d), 205,

⁵⁹ *Dawn*, Karachi, May 27, 1990. Shaikh, *A Political Biography*, 182. Salim, *Intakhabi M'arkoon Aur Mehalati Sazishoon Ki Kahani* (Urdu), 16-17.

⁶⁰ Iqbal Haider, Personal Interview, Karachi, October 16, 2011. Iqbal Haider has served as Advisor to the Chief Minister Sindh (January 1989 till February 1990), Minister for Law, Justice and Parliamentary Affairs (November 1993-December 1994). He also held the office of Attorney General of Pakistan in second tenure of Benazir Bhutto.

⁶¹ *Dawn*, Karachi, May 27, 1990. Shaikh, *A Political Biography*, 182. Salim, *Intakhabi M'arkoon Aur Mehalati Sazishoon Ki Kahani* (Urdu), 16-17.

⁶² Makhdoom Ali Khan, "Indefinite Articles", *The Herald*, Karachi, August 1990, 35. Shaikh, *A Political Biography*, 183.

region till the army would exercise its power.⁶³ Army demanded powers under the Article 245⁶⁴ and Benazir was willing to cooperate under the Article 147.⁶⁵ The federal government did not intend to provide powers under the Article 245 as it could cause arrest of its provincial ministers as they were accused of being the aides of dacoits.⁶⁶

The National Assembly debated the law and order situation in Sindh. The opposition criticized the government for its failure to normalize the life in Karachi.⁶⁷ The atmosphere of the National Assembly remained tense during discussions on Sindh situation and the sessions mostly ended in walkouts from the opposition.⁶⁸ According to PPP sources “If Benazir was given authority to tackle with the MQM on her own without interference of Aslam Baig, she would have been able to ensure normal law and order in Sindh.”⁶⁹

The law and order situation was also serious in other provinces. In NWFP the life and property of the people were insecure. Abductions, burglaries, robberies and assassinations were prevalent. Arms were available in abundance and easily and were freely used in family and tribal disputes. In Balochistan the ethnic repugnance between Pakhtuns and Baloch was increasing. Economic conditions and ethnic adversities in Balochistan needed ultimate solutions. In the Punjab national unity was lost. The Punjab was segregated into ethnic groups like Saraiki and Punjabi.⁷⁰ It was alleged that the law and order situation in the province had aggravated due to support of the Punjab

⁶³ Shaikh, *A Political Biography*, 183-184.

⁶⁴ Ahmed Rashid, “The Battle for Islamabad”, *The Herald*, Karachi, August 1990, 32.

⁶⁵ Maleeha Lodhi “Beg-Bhutto: Collision Course?”, *Newsline*, Karachi, August 1990, 32.

⁶⁶ Rashid, “for Islamabad”, 32.

⁶⁷ *The National Assembly of Pakistan Debates: Official Report*, vol. 2, no. 5, March 29, 1989, 380-381.

⁶⁸ Iqbal Haider, Personal Interview.

⁶⁹ Ibid.

⁷⁰ *The National Assembly of Pakistan Debates: Official Report*, vol. 3, no. 9, June 13, 1989, 1468-1469.

government to illegal activities. The Punjab government patronised the police which resulted in misuse of its powers.⁷¹

The year 1989 was full of constitutional and political crises. Opposition parties were criticizing the PPP's performance on all the fronts; including Benazir's foreign tours to Bangladesh, Britain, China, France, Malaysia, Saudia Arabia, Turkey and USA.⁷² On March 23, 1989 the size of federal cabinet almost doubled; the number of federal ministers rose from ten to twenty and the ministers of state from seven to twenty. In the extended cabinet Nusrat Bhutto had the portfolio of senior minister. Before this expansion a number of ministers had three or more ministries; Aitzaz Ahsan had Ministry of Defence, Law and Parliamentary Affairs; Jahangir Badar had the portfolios of Housing, Construction and Science and Technology; Rao Sikandar Iqbal was in charge of Ministry of Food, Agriculture and *Imdad-e-Bahmi*; and Sayed Amir Haider Kazmi had the responsibilities of Ministry of Health, Special Education and Social Welfare.⁷³

Press Ordinance:

In May, 1988, the Federal Shariat Court⁷⁴ ruled several provisions of the Press Ordinance contrary to Islam and decided if the ordinance were not amended then it would lapse after the expiration of three months. Incidentally, the Press Ordinance 1988 was never brought before the National Assembly by the PPP government; though it was re-issued several times i.e., in January 1989, May 1989, November 1989, April 1990 and

⁷¹ Abbas Nasir, "Law and Disorder", *The Herald*, Karachi, February 1990, 33.

⁷² Nasir and Aslam, "the Decade", 37.

⁷³ Hafeez Gahur, *Pakistan Ka Hukmaran: Aik Sachi Aur Karwe Kitab* (Gahur Publications, n.d), 268-272.

⁷⁴ The process of freedom of press commenced in 80ies, when the Shariat Court had decided that press laws are discriminatory and any law against freedom of speech is against *shariat*. After that decision the institution of press gained freedom, discriminatory provisions were removed and licenses were issued for opening of news channels and publication of newspapers. Senator Wasim Sajjad, Personal Interview.

November 1990.

A long list of rules was issued for newspapers, publishers and editors. In some cases the forfeit of publications happened first and victim was asked to explain his action afterwards. In 1989 the Council of Newspaper Editors suggested the government to implement the code of ethics and form a press court of honour to tackle the punitive clauses of the Ordinance. The PPP Government did not listen to these suggestions.⁷⁵

The radio and television were politically partisans and supported government point of view. Even important politicians of the opposition like Wali Khan, Nawabzada Nasrullah Khan, Ghulam Mustafa Jatoi, AbdulSatar Khan Niazi, Omar Farooq and Chaudhary Shujat Hussain had criticized the partisan role of the media towards the opposition.⁷⁶

Centre-Punjab Relations:

By February 1989 confrontation between the Centre and the Punjab increased.⁷⁷ Nawaz was against the initiation of People's Programme by the Centre and asked the President to get it closed.⁷⁸ The Punjab and Federal governments also had serious disagreement on the wheat issue; blaming each other for the deteriorating wheat situation.⁷⁹ With the appointment of Nawaz as President of the IJI on February 11, 1989, confrontation between Centre and Punjab intensified.⁸⁰ Benazir even connived to initiate vote of no-confidence against Nawaz. The Punjab PPP on March 6, 1989 requested the

⁷⁵ Attar Chand, *Pakistan: In Search of Modernization* (New Delhi: Anmol Publishers, 1992), 398-399.

⁷⁶ Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 22.

⁷⁷ Nasir and Aslam, "the Decade", 37.

⁷⁸ Ihtashamul Haque, "The Meeting Season", *The Herald*, Karachi, May 1989, 36.

⁷⁹ Altaf Khan "Battle Stations", *The Herald*, Karachi, May 1989, 50-51.

⁸⁰ *Dawn*, Karachi, February 12, 1989.

Speaker of the Punjab Assembly Mian Manzoor Watto to summon the session in order to table a no-confidence motion against Nawaz. The request was signed by the 80 MPAs; the support of some members was obtained through horse-trading. Ishaq Khan called Benazir to meet him immediately to tackle the situation. On March 6, 1989 Benazir met Ishaq Khan, who in the presence of Aslam Baig, told her that the members of the PPP were involved in horse-trading and federal ministers were staying in the Punjab conspiring to oust Nawaz from office that such conduct would further harm relations between Centre and Punjab. Benazir asserted that no member of her party was a candidate for the office of Chief Minister in Punjab and that it was the improper and bad behaviour of Nawaz which was responsible for this. Ishaq Khan and Aslam Baig advised Benazir to stop conspiring against Nawaz and in return they would try to convince the IJI to collaborate with federal government.⁸¹ Later Nawaz met Benazir and both agreed to cooperate in national interest. The PPP acknowledged the mandate of the IJI in the Punjab and the IJI accepted the prerogative of the PPP to rule in the Centre.⁸²

The reconciliatory situation did not last long and confrontation restarted when he announced the launching of the Punjab Bank and Punjab Television Network to make Punjab more self-governing.⁸³ Nawaz went beyond all the constitutional confines in asserting the notion of full autonomy. In fact he intended to set a precedence of rejection of federal authority for the smaller provinces.⁸⁴

⁸¹ *The Nation*, Lahore, March 7, 1990. Ahmad, *Khandan Ka Katal* (Urdu), 327-329.

⁸² MNA Shahid Khaqan Abbasi, PML (N), Personal Interview, Islamabad, September 14, 2011. Shahid Khaqan Abbasi held the office of Chairman of National Assembly Standing Committee on Defence (1990-1997). He won the general elections in 1988, 1990, 1993 and 1997.

⁸³ Asghar Shad, *Benazir Bhutto: Pakistan Aur Jamhooriyat* (Urdu) (Rawalpindi: Sana Publishers, 2001), 123.

⁸⁴ Iqbal Akhund, *Trial and Error: The Advent and Eclipse of Benazir Bhutto* (Karachi; Oxford University Press, 2000), 292.

Nawaz advised the federal officials in Punjab not to cooperate with the Centre otherwise they would not be allowed to serve in Punjab. Benazir declared these orders a mutiny against federal authority.⁸⁵ The Punjab government was constantly demanding provincial autonomy.⁸⁶ In fact the Punjab could not claim that the Federal Government was discriminating against it as Punjab was the most prosperous province and had considerable representation in national politics, bureaucracy and armed forces.⁸⁷

On the other side, Benazir also used the federal government's authority against Nawaz, including corruption cases against MPAs to persuade them to oppose Nawaz.⁸⁸ It was said that the main cause for the federal-Punjab confrontation was that Nawaz lacked adequate political experience and he believed that the Punjab was the most powerful province and he that could get his way by using power.⁸⁹ This also inhibited proper working relationship between federation and federating units. Nawaz was also influenced by pro-confrontation forces.⁹⁰ The relationship deteriorated to the extent that Nawaz declined to abide by the federal government transfer orders of the Chief Secretary.⁹¹ The President however supported Punjab government and the issue ended with the withdrawal of transfer orders by the Federal Government.⁹²

Another controversy arose when the IJI objected to the cultural policy of Benazir; asserting that the policy was contrary of Islamic values. The IJI expressed feelings of

⁸⁵ Shad, *Benazir Bhutto: Pakistan Aur Jamhooriyat* (Urdu), 123.

⁸⁶ Kamran, *Democracy and Governance*, 144.

⁸⁷ Paula R. Newberg, "Pakistan at the Edge of Democracy", *World Policy Journal* 6, no. 3 [Summer, 1989]: 572-573, <http://www.jstor.org/stable/40209119>

⁸⁸ Mahmood, *Political Roots and Development*, 390.

⁸⁹ Nawabzada Haji Mir Lashkari Khan Raisani, Personal Interview.

⁹⁰ Senator Safdar Abbasi, Personal Interview.

⁹¹ Waseem, *Politics and the State*, 455.

⁹² Abbas Nasir, "The New Deal", *The Herald*, Karachi, April, 1990. 30.

mistrust in the PPP policies; and even went to the extent of saying, after the SARC (South Asian Association of Regional Cooperation) Conference, that Benazir had plan to sell out Pakistan to India.⁹³

The Centre-NWFP Relations:

The relations between the PPP and NWFP were strained. Wali Khan accused Benazir for turning back from the undertaking which she had made at time of formation of coalition government in NWFP;⁹⁴ agreeing to have Governor from the ANP and Chief Minister from the PPP, but later it did not appoint Adbul Khaliq, who was nominated by ANP, as Governor.⁹⁵ Wali Khan had facilitated the PPP at the Centre on the basis of this understanding. As Benazir backed out of her commitment, he distanced himself from her party;⁹⁶ on June 4, 1989 the ANP-PPP alliance was ended.⁹⁷ The ANP entered into another alliance with the IJI on June 14, 1989, agreeing to collaborate with the IJI Parliamentary Party when a no-confidence motion against NWFP government would be moved.⁹⁸

According to the ANP source, the Alliance broke as Sherpao kept ANP ministers under his control and they were not free to run their ministries themselves; the ministers were bound to consult Chief Minister Sherpao even on minor issues. The PPP being a major party did not adhere to the policy of consensus therefore the ANP parted its way

⁹³ Waseem, *Politics and the State*, 455.

⁹⁴ Shaikh, *A Political Biography*, 155.

⁹⁵ Senator Haji Mohammad Adeel, Personal Interview.

⁹⁶ Ahmad, *Khandan Ka Katal* (Urdu), 326. Shaikh, *A Political Biography*, 165.

⁹⁷ *Dawn*, Karachi, June 5, 1989.

⁹⁸ *Dawn*, Karachi, June 15, 1989.

with the PPP and entered into an alliance with the PML.⁹⁹ But Sherpao believed that the role of the Chief Minister was important in the provincial set up and the alliance with the ANP was of political nature and not on policies. He also stated that ministers were exercising their constitutional powers freely and the PPP's agreement on having Governor of ANP's choice was not fulfilled as Aslam Baig and Ishaq Khan had reservation about the ANP on the basis of its past anti-Pakistan reputation.¹⁰⁰

In June 1989 the opposition had pressurized the government by floating the idea of vote of no-confidence against the Deputy Speaker of the NWFP Assembly. The opposition was not in the position to bring about no-confidence motion and it was just an attempt to undermine the government.¹⁰¹ Benazir managed the issue of NWFP Assembly (June 13, 1989) by inviting Wali Khan and his spouse on lunch to discuss the threat of no-confidence move. Begum Naseem Wali agreed to support the PPP and immediately detached her party from the opposition maneuvers.¹⁰² Interestingly on one hand the ANP assured the PPP that it would not attempt to remove Sherpao government and, on other hand, it agreed with the IJI to provide its support in case the no-confidence move tabled against Sherpao's government.

Enigma of Eighth Amendment:

Eighth Amendment of Zia regime had disturbed the concept of balance of power introduced in the 1973 constitution. The PPP government refused to reconcile itself with the Eighth Amendment; a factor that had spoiled the relations between Benazir and

⁹⁹ Senator Haji Mohammad Adeel, Personal Interview.

¹⁰⁰ MNA Aftab Ahmad Sherpao, Personal Interview.

¹⁰¹ Ibid.

¹⁰² *Dawn*, Karachi, June 14, 1989. Shaikh, *A Political Biography*, 165.

Ishaq Khan. Benazir's reconciliation with the Eighth Amendment later was unbelievable.

The issue of annulment of Eighth Amendment was a bone of contention between the opposition and the PPP. Benazir expressed Eighth Amendment as, "the blackest spot in the grim legacy inherited by the democratic government." Shujat Hussain of the IJI affirmed that "controversial bill was an 'improvement in the constitution' ".¹⁰³ Some components of the alliance had endorsed the consultation with the PPP over the said issue whereas others opposed any settlement with the PPP.¹⁰⁴

With this the PPP had given up the idea to end the Eighth Amendment due to which tension started to decrease between Ishaq Khan and Benazir. On the eve of Pakistan Day (March 23, 1990) both seemed stress-free and confident. After fifteen months of rule the PPP abandoned its attempts to assert its rule and became submissive under the President. The PPP learnt from the history that it has to pay the price of rule which was to work under the confinements of Eighth Amendment.¹⁰⁵

The National Assembly strongly urged for the abrogation of Eighth Amendment and proposing draft to be discussed in the National Assembly to decide about the future of Eighth Amendment. About Eighth Amendment Bill there was a general perception in the National Assembly that it was invalid since it was proposed and agreed by the ultra constitutional Assembly in the course of Zia era. In the lower house three perceptions prevailed on the issue of Eighth Amendment: (i) should be entirely done away with (ii), should persist with it; and (iii) to arrive at consensus over the structure of power allocation between the President and the Prime Minister as referred to in the 1973

¹⁰³ Zahid Hussain, "Making Amends", *The Herald*, Karachi, February, 1989, 18-19.

¹⁰⁴ Ibid.

¹⁰⁵ Nasir, "New Deal", 28-29.

Constitution.¹⁰⁶ The PPP was not in a position to annul Eighth Amendment as it was lacking two-third majority in both the Houses.¹⁰⁷

Demand Regarding Formation of National Government:

Gen. Aslam Biag addressed the officials of armed forces two months prior to Benazir's removal from the government. The main emphasis of the address was that country was facing immense challenges and armed forces should perform their duties sincerely to meet the national challenges. Meanwhile the formulation of national government, comprising all political parties to cope with the political crises, was being demanded by the political parties and different political groups.¹⁰⁸

Anti –Government Stance of the Opposition:

The approval of the federal budget for the fiscal year 1989-1990 was a serious challenge for the PPP. In the first budget session the opposition contrived two plans vis a vis; the sanction of budget should not happen and to dissolve the government. This stage was crucial on part of the government as Benazir had to visit USA and if budget did not pass then it could make the visit not as advantageous as it could be. But all attempts of the opposition were ineffective and budget eventually got approved.¹⁰⁹

On June 4, 1989 Ishaq Khan met with Nawaz and Ghulam Mustafa Jatoi (the Chief of the National People's Party (NPP)). In the evening of the same day a political alliance known as Combined Opposition Parties (COP) was formed with Ghulam

¹⁰⁶*The National Assembly of Pakistan Debates: Official Report*, vol. 3, no. 9, June 13, 1989, 1466-1467.

¹⁰⁷Nawabzada Haji Mir Lashkari Khan Raisani, Personal Interview. Senator Safdar Abbasi, Personal Interview.

¹⁰⁸Shad, *Benazir Bhutto: Pakistan Aur Jamhooriat* (Urdu), 123

¹⁰⁹Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 156-157.

Mustafa Jatoi as its chief. It was an alliance of opposition parties having contempt for the PPP as common feature. Almost all political parties/groups in the lower house were included in alliance.¹¹⁰ With the formation of the COP the strength of the opposition members increased to 100.¹¹¹

After the termination of PPP-MQM accord, the MQM had fully cooperated with the IJI against the PPP. On January 26, 1990 a huge rally was organized in Karachi to demonstrate the magnitude and strength of the opposition alliance. Pir Fazle Haq of the Jamiat Ulema-e-Mashaiq (JUM) predicted in the Rally that Nawaz would be the next Prime Minister. This predication became true and just after fourteen months of the PPP rule Nawaz became the Prime Minister. In the rally several speakers had used unparliamentarily language against Sheikh Rasheed, Altaf Hussain and Azeem Tariq.¹¹²

The opposition also tried to use the Kashmir issue for ousting the Benazir government. It politicized the Kashmir issue complaining that the government was not adopting a tough stance to counter the actions of the Indian authorities. The COP accused the PPP for selling out Kashmir to India. The COP planned move to pressurize the government by raising Kashmir backfired when the government had announced strict policy on Kashmir issue. The defeat of the opposition on Kashmir issue was confirmed by one of the bigwigs of the COP on the request to keep his name anonymous. He said; “We did work out a plan of action against the Bhutto government, but I must admit that we failed, and failed terribly.”¹¹³ Indian higher authorities had blamed Pakistan that it

¹¹⁰ *Dawn*, Karachi, June 5, 1989.

¹¹¹ Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 23.

¹¹² *Dawn*, Karachi, January 27, 1990. Zafar Abbas, “A Show of Strength”, *The Herald*, Karachi, February 1990, 29-30.

¹¹³ Ihteshamul Haque, “Taking Charge”, *The Herald*, Karachi, February 1990, 43-44.

was setting up for another episode of Bangladesh as it offered strong armed assistance to the Kashmir insurgency. The Kashmir subject was talked in the high level meetings attended by Benazir, Ishaq Khan, Aslam Baig, Sahibzada Yaqub and Defence Minister. The Foreign Minister had denied the Indian claims of arming the Kashmiris.¹¹⁴

Deposition of Qaim Ali Shah:

On February 9, 1990 the MQM had observed strike against the PPP which ended in burning of houses, shops, banks, restaurants and five workers of the PPP alive in a Suzuki Pickup. The army was deployed to tackle the situation but it only patrolled on the streets.¹¹⁵ On February 24, 1990 the Chief Minister of Sindh Qaim Ali Shah tendered his resignation which was accepted by Benazir.¹¹⁶ The main criticisms of Qaim were that he did not control the law and order situation; he lacked initiative to address the problems faced by the legislators of Sindh Assembly in their respective constituencies; he was too dependent on advisors and special assistants; and he was inaccessible to the Member of Provincial Assembly (MPAs).

Benazir had asked Qaim to leave the office without seeking any explanation. She summoned a meeting of PPP's MPAs to decide about next Chief Minister of Sindh. The name of Aftab Shahban Mirani was proposed for the Chief Ministership and in a special

¹¹⁴Ibid.

¹¹⁵ "I personally witnessed all those areas at the risk of my life. At that time I was Information Adviser to the Chief Minister of Sindh. I was horrified to see that the army trucks instead of stopping the terrorists from burning the banks, shops etc were seeking passage away from them. Army did not interrupt or confront any terrorist. While the army was patrolling the MQM terrorists opened fire on them due to which couple of soldiers had lost their lives but the army did not open fire on the MQM terrorists.

I came back to the Chief Minister House and met with Corps Commander Gen. Asif Nawaz Janjua. I told him about army's attitude and he responded; I have sympathies with you but Aslam Baig has given instruction to do patrolling and nothing else". Iqbal Haider, Personal Interview.

¹¹⁶*Dawn*, Karachi, February 25, 1990.

session of the Sindh Assembly he was unanimously elected;¹¹⁷ and on February 25, 1990 Mirani took oath as new Chief Minister of Sindh.¹¹⁸ The change brought harmony and peace.¹¹⁹

Sindh had been under the control of two parallel forces, namely, the MQM and PPP. The MQM was effective and established power in Sindh. It did not let Qaim to solve the problems of Sindh. The disagreements were not only between the PPP and the MQM but students' organizations also caused problems. The students' organizations, namely, All Pakistan Mohajir Student Organization (APMSO) and People's Youth Organization (PYO), were staunch rivals and were causing severe problems for Qaim making Karachi a lawless city.¹²⁰ According to Iqbal Haider; "MQM did not want peace in university campuses and wanted their monopoly in academic institutions".¹²¹

With the coming of Shahban Mirani the law and order situation had improved. Ishaq Khan greeted the change in Sindh government and meeting with the MQM delegation in Karachi in February dispelled the propaganda that the PPP was a pro-Sindh Desh Party (SDP). Positive attitude of Ishaq Khan towards the PPP swayed the MQM to talk with Mirani on the matters of mutual concern.¹²²

The administration in Sindh was under the control of Centre.¹²³ The federal government had not allowed the Sindh government to exercise its due share of power. All important decisions like recommendations of Chief Minister and his cabinet, transfer and

¹¹⁷ Abbas Nasir, "Sindh: A Government at Last?", *The Herald*, Karachi, March 1990. 36-38.

¹¹⁸ *Dawn*, Karachi, February 26, 1990.

¹¹⁹ Iqbal Haider, Personal Interview.

¹²⁰ Nasir, "A Government at Last?", 36-38.

¹²¹ Iqbal Haider, Personal Interview.

¹²² Ibid.

¹²³ MNA Haider Abbas Rizvi, Personal Interview

posting of officers at all levels, appointment of judges, etc., were made through the Centre.¹²⁴ The federal government was criticized for persistent interventions in matters of Sindh. Aitzaz Ahsan explained the federal government intervention in these words: “all People’s Party governments are under the discipline of the Party organization of which the Prime Minister, the Co-chairperson, is the active head. Directions to Party members, be they federal or provincial ministers, are thus quite in order.”¹²⁵ According to Safdar Abbasi the situation in Sindh was affecting federation and being the Premier and inhabitant of Sindh it was her responsibility to look into the law and order of Sindh.¹²⁶

Army-Government Relations:

Benazir acknowledged the efforts of army for the restoration of democracy. On 23 March, 1989 she announced the “Medal of Democracy” for the armed forces.¹²⁷ The medal was essential to appease the army as “without the support of army no government could be toppled in Pakistan” and Benazir wanted to complete her term.¹²⁸ She praised the role of army and stated that the Medal was for the aspiration of the armed forces for supporting the process of democratization fully. The supporters of Zia regarded it as an act of flattery by Benazir; Newspapers criticized this action.¹²⁹ This medal was an attempt to appease Aslam Baig, Ishaq Khan and legacy of Martial Law which were powerful and were not letting the government to exercise its constitutional authority.¹³⁰

The army and ISI always controlled Afghan and Kashmir policies. The ISI

¹²⁴ Akhund, *The Advent and Eclipse of Benazir Bhutto*, 293.

¹²⁵ Aitzaz Ahsan, interview by Ihteshamul Haque, *The Herald*, Karachi, March 1990, 44d.

¹²⁶ Senator Safdar Abbasi, Personal Interview.

¹²⁷ Zafarullah Khan, *Political Parties in Pakistan; Disabled by Design* (Islamabad: Freedom Publishers, 2004), xii.

¹²⁸ Iqbal Haider, Personal Interview.

¹²⁹ Razi and Shakar, *Martial Law Aur Jamhoriyat*, (Urdu), 84-86.

¹³⁰ MNA Aftab Ahmad Sherpao, Personal Interview.

repeatedly mentioned to foreign minister and foreign secretary that these issues were our mandate to decide.¹³¹ On March 6, 1989 the Afghan *mujahideen* had attacked Jalalabad with the support of ISI. This attack was planned by the ISI but Benazir was not informed about it. Benazir kept silent and let the press to bring critical articles against the ISI. The newspaper articles had played an important role to uncover the role of army in Afghan policy.¹³²

On May 24, 1989 Benazir replaced Director General of the ISI Major General Hamid Gul by Lieutenant General (Retired) Shamsur Rehman Kallue. Hamid Gul was promoted as Lieutenant General and posted to Multan.¹³³ This action of Benazir was of great significance as it was contrary to the desire of the President. Picking a retired army officer to head ISI also annoyed the General Head Quarters (GHQ).¹³⁴ The role of ISI in overthrow of government was obvious as it could cause widespread rumors against the government.¹³⁵ The ISI also had a key role during Martial Law because when Army Chief took over he had no political party therefore he used ISI in politics.¹³⁶

The president, premier, armed forces, intelligence agencies, industrialists, feudal autocracy, bureaucracy and politicians were strong power centres in politics of Pakistan. Primarily, in Pakistan there were three power centers vis a vis; the Prime Minister, the President and the COAS. Governments were sustained if troika was in harmony with

¹³¹ MNA Shahid Khaqan Abbasi, Personal interview.

¹³² Babar Ali, "Benazir: Five Months On", *Economic and Political Weekly* 24, no. 22 [June, 1989]: 1217, <http://www.jstor.org/stable/4394894>

¹³³ *Dawn*, Karachi, May 25, 1989.

¹³⁴ Nasir, "New Deal", 30.

¹³⁵ MNA Aftab Ahmad Sherpao, Personal Interview.

¹³⁶ Javed Ashraf, Personal Interview.

each other.¹³⁷ Due to power centers “Benazir did not intend to have confrontation with any power center and attempted to keep army on its side.”¹³⁸

No-Confidence Motion Opposed to Benazir:

The COP’s presence in the National Assembly was a threat for the PPP. On 23 October, 1989 the COP officially tabled the no-confidence motion against Benazir signed by 86 Members of National Assembly (MNA)- at that time she was in Kuala Lumpur attending the Commonwealth meeting.¹³⁹ The MQM was also associated with the IJI in supporting the no-confidence motion; a marriage of convenience to obtain important votes of the MQM in favour of no-confidence motion. It was alleged that Aslam Baig had tendered his services to get MQM on board as he was intimate with Altaf Hussain. He made phone calls to Altaf Hussain to discuss the plan about defeat of Benazir in the no-confidence motion. The role of Aslam Baig in soliciting the support of the MQM was later revealed by Chaudhry Nisar Ali Khan (one of the confidants of Nawaz and top ranked leader of the PML).¹⁴⁰ According to MQM, Aslam Baig had not contacted the Party but Brigadier Imtiaz had offered money.¹⁴¹ The COP was confident about its success in the motion. Leaders of the COP had warned the government that if unfair means were used against the motion then countrywide anti-government demonstrations would be called.¹⁴²

On October 31, 1989 Benazir and Ishaq Khan met¹⁴³ to discuss the arrangements about no-confidence motion. The total strength of the House was 237. Wali Khan of the

¹³⁷ Shaikh Rasheed Ahmad, Personal Interview. Ali Nawaz Memon, *Pakistan: Islamic Nation in Crisis* (Lahore: Vanguard Pvt Ltd, 1997), 72.

¹³⁸ Iqbal Haider, Personal Interview.

¹³⁹ *Dawn*, Karachi, October 24, 1988.

¹⁴⁰ Shaikh, *A Political Biography*, 173.

¹⁴¹ MNA Haider Abbas Rizvi, Personal Interview.

¹⁴² *Dawn*, Karachi, November 1, 1989.

¹⁴³ Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 158.

ANP and Mumtaz Tarar of the PPP were out of the country whereas Malik Meraj Khalid (Speaker) had to chair the session. The PPP claimed to have the support of 131 MNAs.¹⁴⁴ In no-confidence resolution horse-trading was done by the COP and the PPP; horse-trading became possible due to large number of independent members in the National Assembly.¹⁴⁵

The resources of the Punjab and Balochistan were employed by the IJI in no-confidence motion and the Chief Ministers of both the provinces supported the no-confidence motion.¹⁴⁶ The Punjab administration stopped some of the MNAs of the PPP from departing for Islamabad; they were later arrested under various charges. Just before voting on no-confidence motion eight MNAs of the PPP (belonged to the Punjab) were missing. It was alleged that they were under the custody of the Punjab government. Besides four MNAs of the Federally Administered Tribal Areas (FATA) were retained at the Shalimar Hotel (Lahore) and later shifted to the residences of the IJI leaders; they finally supported the no-confidence move.¹⁴⁷

The IJI also persuaded the PPP's legislators to support its move. The Intelligence Bureau (IB) had tapped the record of meetings that transpired between the leaders of the IJI and the PPP (September 28- October 6, 1989) to get their support in favour of no-confidence motion. The IB had preserved the records of meetings in twelve cassettes. The record proved that the top leadership of the Intelligence was also involved in the

¹⁴⁴ *Dawn*, Karachi, November 1, 1989.

¹⁴⁵ Patel, *Testament*, 183.

¹⁴⁶ Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 158.

¹⁴⁷ Shaikh, *A Political Biography*, 173-174.

conspiracy to dissolve the Benazir government.¹⁴⁸

The IJI transported 90 MNAs in Murree before the day of voting. Some MNAs of the PPP were also transported like Fazaldad and Atta Muhammad. The required number for success of no-confidence motion was 120 whereas the IJI had 90 MNAs with them. Nawaz had asked Shahid Khaqan Abbasi to organise their stay in Murree.¹⁴⁹

On November 1, 1989 voting took place on the no-confidence motion. The total attendance in the National Assembly was 232 and the PPP won by a margin of 12 votes. After voting Benazir addressed the National Assembly in which she stated; “a no-confidence motion is not a joke. It shakes the entire nation and not only does it shake an entire nation, the working of the machinery of that nation, but it also gives rise to fears about democratic institution and indeed about its implications on the integrity and the unity of Pakistan. Therefore, I would appeal to the opposition not to oppose us for the sake of opposition”.¹⁵⁰ She also said, “I have no rancour, nor any ill will, against those who have moved the no-trust motion against me.”¹⁵¹

After no-confidence motion the opposition became more active against the PPP. The IJI had 55 members in the House of 237 and it claimed 107 votes against the ruling party in no-confidence move.¹⁵² The vote of confidence in favour of Benazir had fulfilled the legal requirement that elected legislative body had faith in her leadership.¹⁵³

¹⁴⁸ Ibid., 172. Munir Ahmad, *Ghadar Kon?* (Urdu) (Lahore: Gora Publishers, 1995), 29. Muneer Ahmad, *Pakistan Mein Intelligence Agencies Ka Sayasi Kirdar*, (Urdu) (Lahore: Takhliqat, 2006), 122-250. Last cited book contains complete text of transcripts of cassettes.

¹⁴⁹ MNA Shahid Khaqan Abbasi, Personal interview.

¹⁵⁰ “Mohtarma Benazir Bhutto's Address to National Assembly”, <http://www.youtube.com/watch?v=muxW0ltJcdM&feature=related> [Accessed on: December 24, 2011].

¹⁵¹ *Dawn*, Karachi, November 2, 1989.

¹⁵² Mushtaq Ahmad, *Benazir: Politics of Power* (Karachi: Royal Book Company, 2005), 77.

¹⁵³ Iftikhar Gilani, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 38.

The success against the no-confidence motion was due to unity within the PPP.¹⁵⁴

The COP criticized the government that it did not pass any legislature nor it formulated any policy even though the first year of its rule was about to conclude. It asked the government to immediately announce its policies on health, education and economy. It also criticized the government for not ensuring proportional share to the opposition on electronic media and for using governmental media for its publicity.¹⁵⁵

Tactics to Pressurize the Government:

The Senate pressurized the government by passing Shariat Bill and referring it to the National Assembly for consideration in the coming session (scheduled on August 9, 1990) the National Assembly.¹⁵⁶ The President too anticipated that lower house would pass the bill by following the example of the upper house.¹⁵⁷ The PPP was in disagreement with the Senate over the bill and a number of opposition members supported the PPP stand on the bill since Darul Uloom Haqania at Akoara Khatak could not be accredited as a law making body (as proposed in the bill). They argued that the Constitution assured equal constitutional and civil rights to all citizens and that no one religious faction should be allowed to force its rulings and conditions on others. The IJI continuously adopted silence on the issue; it neither embraced the bill nor countered it. The bill could not be discussed in the Assembly since Ishaq Khan dissolved it on August 6, 1990.¹⁵⁸

¹⁵⁴ MNA Aftab Ahmad Sherpao, Personal Interview.

¹⁵⁵ *Dawn*, Karachi, November 16, 1989.

¹⁵⁶ Meer, *Benazir Ka Jamhoori Daur Aur Fauji Ashrafia* (Urdu), 46-47.

¹⁵⁷ Ayaz Amir, "Call of the Shariat", *The Herald*, Karachi, August 1990, 42-43.

¹⁵⁸ Meer, *Benazir Ka Jamhoori Daur Aur Fauji Ashrafia* (Urdu), 47.

The devolution of the power was an important part of the PPP's election manifesto but after coming to power it was unable to implement it.¹⁵⁹ The Benazir style of government was personal. She had appointed many advisers for their loyalty to the PPP.¹⁶⁰ On November 13, 1989 the federal cabinet resigned. The resignation was planned to cope with the situation which emerged with the defeat of no-confidence motion. The members removed from the cabinet showed total confidence in the leadership of Benazir. It was an intelligent move to exhibit the unity inside the Party and to counter the criticism of the opposition that she had given power to non-elected persons than to the elected members. The outgoing ministers were asked to continue with their ministries until appointments were made in their place.¹⁶¹

Judicial Crisis:

During caretaker government Ishaq Khan had made about 50 appointments in superior judiciary which included judges with strong anti PPP sentiments.¹⁶² The Supreme Court had ruled that judges in the High Court and Supreme Court could not be appointed without consultation with the Prime Minister. As factually the caretaker government had no Premier, Benazir discussed the legal position with the Chief Justice of Pakistan, Muhammad Haleem, and cancelled the appointments.¹⁶³ Ishaq Khan took it seriously and Benazir was made to reinstate the judges and accept them as permanent judges.¹⁶⁴

The disagreement between Ishaq Khan and Benazir on the question of

¹⁵⁹ Akhund, *The Advent and Eclipse of Benazir Bhutto*, 291-292.

¹⁶⁰ Hamid Yusuf, *Pakistan in Search of Democracy: 1947-97* (Lahore: Afrasia Publishers, 1999), 232.

¹⁶¹ *Dawn*, Karachi, November 14, 1989.

¹⁶² Nasir, "New Deal", 32.

¹⁶³ Shaikh, *A Political Biography*, 128.

¹⁶⁴ Iqbal Haider, Personal Interview. Shaikh, *A Political Biography*, 128.

appointments of superior court judges cropped up again. The PPP's view was that the President was bound to act on the advice of the Prime Minister or the cabinet as they were representatives of the nation.¹⁶⁵ But Ishaq Khan's perception was that he had privileged to select the judges at his discretion. The matter came up before the two-member bench of Lahore High Court which, without hearing the point of view of the federation, ruled in favour of the President.¹⁶⁶ The decision was based on the premise that when there was conflict between the general provision and special provision of the Constitution, the special provision would prevail. Article 48 stipulated that the advice of the Premier is binding on the President which was general provision; and such condition was not referred in the Article 193 which was a special provision in respect to the requirements and *modus operandi* for appointment of judges of High Courts.¹⁶⁷

The PPP disagreed with this interpretation of the constitution and filed a petition against the ruling of Lahore High Court before the full bench of the Supreme Court (consisting 11 judges).¹⁶⁸ The President of the Sindh High Court Bar Association elaborated to the Court that the Article 48 (1) did not bound the President to decide on the advice of the Premier/Cabinet in case of appointments of the judges of High Courts and Supreme Court. He further explained that in this particular case the nature of the President action was of *quasi* judicial character. He explicated that the Objectives Resolution guaranteed the independence of judiciary thus executive has no role/say in the

¹⁶⁵ *Dawn*, Karachi, November 22, 1989.

¹⁶⁶ Nasir, "New Deal", 32.

¹⁶⁷ Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001), 141.

¹⁶⁸ Full bench of the Supreme Court was comprised of following judges; the Chief Justice Muhammad Haleem, Justice Mohammad Afzal Zullah, Justice Nasim Hasan Shah, Justice Abdul Qadir Shaikh, Justice Shafiur Rehman, Justice Zafar Hussain Mirza, Justice Ghulam Mujaddid, Justice Saad Saud Jan, Justice Usman Ali Shah, Justice Ali Hussain Qazilbash and Justice Naimuddin. *Dawn*, Karachi, November 14, 1989.

appointment of judges of superior courts.

The Attorney General Yahya Bakhtiyar arguments were based on the Objectives Resolution. He asserted that the Premier was chosen by the elected Assembly as its leader and according to the Objectives Resolution the Prime Minister was an appropriate and competent person to advise the President on the appointment of judges.¹⁶⁹

Ultimately the matter was decided out of the court by signing the agreement which stated that the advice of Premier is obligatory on the President in the appointment of superior courts judges. After this agreement the federal government approached the Supreme Court for the withdrawal of plea. To some extent this action of the federal government affected the confidence of Ishaq Khan.¹⁷⁰

Switch of Loyalties towards the PPP:

The PPP wanted to repeal the Eighth Amendment in order to deal with Ishaq Khan but he expressed his determination to go to any extent to ensure its continuation. This caused tension between Ishaq Khan and the PPP; which also affected the performance of government as bureaucracy started to create hurdles on Ishaq Khan's indications.¹⁷¹ The government tried to control bureaucracy through selective promotions and appointments; it had removed more than 60 senior bureaucrats from key positions and made them Officers on Special Duty (OSD). Benazir aimed to reduce the political influence of bureaucracy and through a Placement Bureau had employed twenty six thousand persons

¹⁶⁹*Dawn*, Karachi, November 22, 1989.

¹⁷⁰Nasir, "New Deal", 32.

¹⁷¹*Ibid.*, 33.

on different jobs without consulting the Public Service Commission.¹⁷²

In the National Assembly positive conditions for the PPP emerged when three MNAs from FATA joined it and 12 MNAs of IJI also agreed to join the ruling party. The top leadership of the IJI which previously considered the PPP as unimportant party was worried over the changing political scenario, within IJI and on the national level, and Nawaz consulted the presidency to stop the MNAs from joining the PPP. He said; “Can I hope the President will intervene to stop this horse trading.”¹⁷³

Legislative Performance:

The performance of the legislature was poor. In the whole term only 11 sessions of the National Assembly took place.¹⁷⁴ The Parliament did not meet regularly and most of the time, when it met, the session was adjourned for want of quorum. Sometimes even the members who had moved the motion were not present the motion was taken up in the Assembly. MNAs were arrested during the session and their immunity of not been arrested during the ongoing session was ignored. The question hour was important in legislative functioning but the legislators did not acknowledge it. Supplementaries were raised frequently just to criticize the government. The course of debates was characterized by accusations and counter accusations. The members were not allocated sufficient time to express their views on legislation.¹⁷⁵

The government claimed that 12 acts were passed by the Parliament in 1989 and

¹⁷² Yusuf, *Pakistan in Search of Democracy*, 232.

¹⁷³ Nasir, “New Deal”, 35-37.

¹⁷⁴ Soofia Mumtaz et al, eds., *Pakistan: The Contours of State and Society* (Karachi: Oxford University Press, 2002), 227-228.

¹⁷⁵ Ahmad, *Politics of Power*, 94-95.

more or less 20 to 30 bills were pending with the standing committees of the Senate and the National Assembly at the time of dissolution of Assembly. It declared that the average of the bills passed during its rule was higher than the previous government (i.e., Junejo's government in which the average of legislation passed was two bills each year).¹⁷⁶

Opposition Department Afterwards March 20, 1990:

According to the Revival of 1973 Constitution Order (RCO) the National Assembly was authorized to elect the Premier after March 20, 1990.¹⁷⁷ The opposition demanded the government to contact the court for holding of fresh elections.¹⁷⁸ The opposition claimed that according to the Article 91-2 (A) the term of the existing Premier nominated by the President would end on the night of March 20, 1990 and after that the supremacy of the Parliament would be restored. The situation before the said date was that the Premier was the nominee of the President and had to take the oath before the formation of the cabinet. After March 20, 1990 the power of the President to nominate the prime minister ended and he was bound to summon the special session of the Assembly to ascertain the majority. Besides the Article 130 -2 (A) suggested that Provincial Chief Ministers did not need a fresh election after March 20, 1990 and could stay in office. The Article 91-2 (A) lacked this provision so the Premier was bound to seek fresh elections by secret ballot.¹⁷⁹ The government understood the Article 91-2 (A) as: "The provision that was being rallied upon only gives a cut off date for the President's discretionary powers for the

¹⁷⁶ Iftikhar Gilani, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 38.

¹⁷⁷ Hasan Askari Rizvi, *The Military and Politics in Pakistan: 1947-1997* (Lahore: Sange-e-Meel Publishers, 2000), 264.

¹⁷⁸ Iftikhar Gilani, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 38-39.

¹⁷⁹ Chaudhry Abdul Ghafoor, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 39.

appointment of the prime minister.”¹⁸⁰

The President had discouraged the opposition on the issue of fresh elections. The opposition while defending the attitude of the President said that he did not mention that the fresh elections were not mandatory and that he simply suggested that the interpretation of court on the related provisions should be obtained.¹⁸¹

Dissolution of Assemblies with the Axe of 58 (2) (b):

On August 6, 1990 *Nawa-i-Waqt* and *The Nation* had published the news that the assemblies would be dissolute today.¹⁸² Benazir government was unaware of any such development. Benazir considered it disinformation and a conspiracy of the IJI.¹⁸³ It is said that in fact the decision to oust the PPP government was taken in the corps commanders’ meeting that held in Rawalpindi on January 21, 1990.¹⁸⁴

The PPP contacted the President through Happy Minwalla. The ambassador Robert B. Oakley of United States of America (USA) also met the President to confirm the news. Robert B. Oakley told Happy Minwalla that stories and rumours about sacking of the government were anecdotes and were denied by Ishaq Khan. However, at 5.00 p.m of 6 August 1990, a press conference was convened in the Presidency in which Ishaq Khan announced the dissolution of government.¹⁸⁵

On the same day, Ishaq Khan issued the dissolution order of National Assembly

¹⁸⁰ Iftikhar Gilani, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 38.

¹⁸¹ Chaudhry Abdul Ghafoor, interview by Nasir Malick, *The Herald*, Karachi, April 1990, 40.

¹⁸² *Nawa-i-Waqt* (Urdu), Rawalpindi, August 6, 1990. *The Nation*, Lahore, August 6, 1990.

¹⁸³ Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 24.

¹⁸⁴ Akhwand, *Pahla Daur Kia Khoia, Kia Payia?* (Urdu), 296. Akhund, *The Advent and Eclipse of Benazir Bhutto*, 305.

¹⁸⁵ Maleeha Lodhi, “A Shadow Military State?: The Inside Story of Bhutto Fall”, *Newsline*. Karachi, August 1990, II.

under the Article 58 (2) (b) of the Constitution. The NWFP and Sindh Assemblies were also dissolved.¹⁸⁶ Following accusations were made against the dismissed government: horse trading,¹⁸⁷ corruption,¹⁸⁸ nepotism,¹⁸⁹ administrative malfunctioning, disrespect towards the Senate and courts of law, political confrontation,¹⁹⁰ infringement of constitutional provisions¹⁹¹ Emergency was imposed under the Article 232 (1) but the Constitution was not suspended. The emergency was justified on the grounds that the internal and external forces had endangered Pakistan and to cope with the situation imposition of the emergency was necessary.¹⁹²

Benazir enquired from Ishaq Khan that he had guaranteed no such action then why it happened. Ishaq Khan replied that recently he had decided to depose her government.¹⁹³ Benazir had described his action as “constitutional coup d’etate”¹⁹⁴ and severely criticized him for dismissal of her government. Later on the Punjab Assembly and Balochistan Assembly were dissolved too.¹⁹⁵

The conciliation committees the Centre and the Punjab which met on January 9, 1990 had agreed to stop floor-crossing and to bring out a constitutional amendment for it.

¹⁸⁶ *Dawn*, Karachi, August 7, 1990. Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 162.

¹⁸⁷ Raza, *Pakistan in Perspective*, 45.

¹⁸⁸ Baxter, and Kennedy, 1997, 28-29. *Nawa-i-Waqt* (Urdu), Rawalpindi, August 7, 1990. Sayyid A. S. Pirzada, “Facts and Fiction about Rigging in 1990 Elections in Pakistan”, *Pakistan Journal of History and Culture* XXV, no. 2 [July-December 2004]: 117.

¹⁸⁹ Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 27.

¹⁹⁰ Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 162.

¹⁹¹ Raza, *Pakistan in Perspective*, 45. Muhammad Munir, *The Constitution of the Islamic Republic of Pakistan: Being a Commentary on the Constitution of Pakistan, 1973* (Lahore: PLD Publishers, 1999), 321-322. Jam Muhammad Dawood, *The Role of Superior Judiciary in the Politics of Pakistan* (Karachi: Royal Book Company, 1994), 84.

¹⁹² *Nawa-i-Waqt* (Urdu), Rawalpindi, August 7, 1990. Munir, *The Constitution of the Islamic Republic of Pakistan*, 502.

¹⁹³ Ahmad, *Khandan Ka Katal* (Urdu), 385.

¹⁹⁴ “Benazir Bhutto Deposed As Prime Minister”, http://www.youtube.com/watch?v=kjrd9HKY_Sg&feature=related [Accessed on: December 24, 2011].

¹⁹⁵ *Nawa-i-Waqt* (Urdu), Rawalpindi, August 7, 1990. Shaikh, *A Political Biography*, 189.

During the session of the Assembly, the committee again met on July 22, 1990 and assigned Malik Muhammad Qasim to draft a bill to halt floor-crossing. It was also agreed that the opposition would be granted appropriate exposure on the television. The Speaker of the National Assembly also participated in the meeting. It was expected that in the next session of the committees a number of important matters would be taken up to enhance understanding between the Centre and Punjab. But prior to the session of the committees the National and Provincial Assemblies were dissolved.¹⁹⁶

The PPP decided to file a petition against the order of dissolution. The order of dissolution of National Assembly was contested in all the four High Courts¹⁹⁷ vis a vis; Lahore High Court, Sindh High Court, Balochistan High Court and Peshawar High Court under the Article 199.¹⁹⁸ Two petitions were filed in the Sindh High Court; one challenging the validity of the dissolution order of National Assembly and the other the dissolution order of the Governor of Sindh and the President in relation to the dissolution of Sindh Assembly and National Assembly respectively. The petition filed in Quetta High Court was move to the Sindh High Court¹⁹⁹ while the writ petitions pending in Peshawar High Court were shifted to the Lahore High Court at the command of the Supreme Court.²⁰⁰ In Lahore High Court the petitions was heard by the full bench which validated the dissolution order on October 14, 1990.²⁰¹ In Sindh High Court the petitions were heard by the full bench comprised of four judges and the Chief Justice.²⁰² The hearing of petitions that commence on September 24, 1990 was concluded on October

¹⁹⁶ Abbas Bukhari, *Beti Say Qaid Tak* (Urdu), 165-166.

¹⁹⁷ Dawood, *The Role of Superior Judiciary in the Politics of Pakistan*, 87.

¹⁹⁸ Shaikh, *A Political Biography*, 196.

¹⁹⁹ Dawood, *The Role of Superior Judiciary in the Politics of Pakistan*, 92.

²⁰⁰ Ibid., 89.

²⁰¹ *Dawn*, Karachi, October 15, 1990.

²⁰² Dawood, *The Role of Superior Judiciary in the Politics of Pakistan*, 92.

14, 1990 and the decision was reserved by the Court. The ruling was announced on October 18, 1990²⁰³ and the petition was dismissed by the unanimous order of the Court.²⁰⁴ It was decided that the federation and Sindh had not carried out their mandates according to the provisions of the Constitution and in this case the call to the electorate was necessary.²⁰⁵

The PPP leaders claimed that the President was only responsible for dissolution of Benazir's government. Lt. General Alam Jan Mahsood revealed that at start of 1990 army decided to overthrow Benazir's government. In August 1989 Benazir was in disagreement with army and the President (when she decided to retire the Naval Chief, Admiral Iftikhar Ahmed Sirohey on the suggestion of General Nasirullah Baber and Iftikhar Gilani). It was elucidated by one of the senior bureaucrats that Nasirullah Baber and Iftikhar Gilani had dragged Benazir into an "unnecessary conflict" with the President and the army. He stated that Iftikhar Gilani had informed her that "no constitution could make the President the appointing authority (for the services chiefs) and that this power of retirement belong to the Prime Minister."²⁰⁶ It was mentioned by a high official in the PPP government that President invited Iftikhar Gilani and urged that the Premier "should not insist on her position". He agreed with Ishaq Khan, yet proposed to Benazir that she should remain resolute on her stance. The advice of the cabinet members made a major contribution in putting Benazir government in a mess. Aslam Baig's role in the whole term of Benazir was in dubious. The PPP stressed that the Army Chief was consulted and

²⁰³ *Dawn*, Karachi, October 19, 1990.

²⁰⁴ Dawood, *The Role of Superior Judiciary in the Politics of Pakistan*, 92.

²⁰⁵ *Ibid.*, 102.

²⁰⁶ Zahid Hussain, "The Ides of August", *Newsline*, August 1992, Karachi, 69.

he agreed on the retirement of the Naval Chief but afterwards he behaved as if he was ignorant about it.²⁰⁷

It is pertinent to note here that according to the provision 243 (1) of the Constitution the federal government should have the control and command of the armed forces; however in reality it was the other way as army was running the political system. The army always wanted to have an individual in authority that could preserve its benefits and did not intrude in its business.²⁰⁸ Ishaq Khan was with the army. He and Aslam Baig did not allow Benazir to exercise her authority and to complete her term, as they were constantly under threats.²⁰⁹ It was the army and bureaucracy that bypassed the Constitution and controlled the constitutional powers which should have been exercised by the elected people.

Conclusion:

The people had attached high hopes and expectations with the restoration of democracy in 1988. They were, however disappointed. During the period (December 1988-August 1990), establishment continued to interfere and influence the elected government and did not allow it to exercise its legitimate power. The Benazir government also indulged in mis-adventures and confrontation with the President, opposition and army. The President and army lacked faith in Benazir and were not comfortable with her approach. Despite repeated efforts of reconciliation, the difference between her and President, army and opposition enlarged that culminated in her dismissal. Throughout this era power game continued involving blackmailing, horse trading, floor crossing, manipulation, corruption

²⁰⁷ Ibid., 69-70.

²⁰⁸ Raza, *Governments in India and Pakistan*, 103.

²⁰⁹ Iqbal Haider, Personal Interview.

and coercion. The imbalance of power between elected and non-elected seemed on purpose with a view to keep power with the establishment and to make democratic institutions weak. Bad law and order situation and deteriorating centre-province relations were other important factors that let the army to get strength. The opposition and judiciary also had a hand in strengthening the position of establishment. Press did not have complete freedom of expression for most of the time, though it was better than during previous governments.

The lack of confidence between government and establishment, bad law and order situation in Sindh strengthened the non-elected institutions politically. The democratic and non-democratic institutions were confused in terms of their responsibilities; President and military were running the affairs of the country while government was waiting for its turn. The democracy in this era was controlled and weak; shadows of Zia legacy were hanging around.

Chapter 4

First Tenure of Nawaz Sharif: 1990-1993

This chapter discusses the parliamentary government in 1990-1993. The major highlights of the chapter are: caretaker set up, elections, challenges faced by the government on national and international fronts, hasty legislation, trend of political alliances in 1990 elections, Gulf issue, government-opposition relationship, law and order, press, human rights, role of judiciary, performance of the Parliament and hurdles in the way of democratization. In following chapter the pattern of power and governance would be highlight in order to know the advancement/ change in status of democracy in that government.

Caretaker Government:

On August 6, 1990 Ghulam Muatafa Jatoi was sworn in as caretaker Premier and Senator Sartaj Aziz, Elahi Baksh Soomro, Rafi Raza and Ghulam Mustafa Khar took oath as the members of caretaker cabinet.¹ The National Assembly and Provincial Assemblies elections were announced on October 24 and October 27, 1990 respectively.² The response of political parties on the dissolution of previous Assemblies was mixed as most of them endorsed presidential step, few considered it necessary and the Jamiat-e-Ulema-e-Pakistan (Noorani Group) JUP (N) was the only party that condemned the dissolution.³

The formation of caretaker government was criticized by all the important

¹ Munir Ahmad, *Bhutto Khandan Ka Katal* (Urdu) (Lahore: Takhliqat Publishers, 1998), 386. *Dawn*, Karachi, August 7, 1990.

² Makhdoom Sayed Ghayur Abbas Bukhari, *Benazir: Beti Say Qaid Tak* (Urdu) (Lahore: Multi Media Affairs, 2004), 166. Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001), 141. *Dawn*, Karachi, August 7, 1990.

³ *Dawn*, Karachi, August 10, 1990.

political parties, including Pakistan People's Party (PPP), Jammat-e-Islami (JI), Jamiat-e-Ulema-e-Islam (Fazal-ur-Rehman Group) JUI (F), JUP (N). Mulana Shah Ahmad Noorani even went to the extent of saying that under the caretaker government the free and fair elections were impossible as its members were contesting the elections themselves.⁴ On the direction of the caretaker Premier had directed the Interior Ministers to set up special courts for the trial of previous government on corruption and nepotism.⁵ These special disqualification courts were created under the 1977 act of the Parliament to try the Parliamentarians for their misconducts.⁶

In the White Papers the PDA criticized the interim government for the set up of "Election Information Cell" in the presidency. The Cell functioned under the supervision of the civil servants and military officials. General Raffaqt was a key figure of the Cell.⁷ The presence of Cell in presidency was a proof of President being biased.⁸

The caretaker government mainly constituted anti-PPP individuals. The media was used by the caretaker government to project negative image of previous government; emphasizing that the PPP would have no role in the future set up, so it was of no use to vote for the PPP. The caretaker government had following four priorities on its agenda: completion of process of accountability; eradication of corruption and bribery;

⁴ *How an Election was Stolen: The PDA White Paper on the Pakistan Elections 1990* (Islamabad: Midasia, 1991), 39-42.

⁵ Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography* (Karachi: Orient Books Publishing House, 2000), 189. *Dawn*, Karachi, 8 August, 1990.

⁶ Sayyid A. S. Pirzada, "Facts and Fiction about Rigging in 1990 Elections in Pakistan", *Pakistan Journal of History and Culture* XXV, no. 2 [July-December 2004], Islamabad: National Institute of Historical and Cultural Research, 118.

⁷ *PDA White Paper on Elections 1990*, 48-49.

⁸ Muhammad Farooq Qureshi, *Nawaz Sharif: Aik Hukmaran-Aik Sayasatdan* (Urdu) (Lahore: Qumi Publishers, 1994), 30.

assurance of justice and reinstatement of law and order.⁹

The role of the army in the 1990 elections was noticeable. Lt General Assad Durrani, the Chief of the Inter-Services Intelligence (ISI) in 1990, admitted later that Aslam Baig consigned him the job to distribute funds among politicians who were opposing PPP in the 1990 election. Hamid Gul also accepted that he was architect of the Islami Jamhoori Ittehad (IJI) which was hostile to Benazir Bhutto.¹⁰

Negative atmosphere was created against the PPP before elections and state machinery was mobilised to defeat the PPP in the elections. PPP candidates and workers were pressurized, harassed and detained. Even in Nawabshah, which was a stronghold of PPP, anti- IJI candidates and their relatives were detained. The Sindh High Court granted relief to the affected which did not please the government.¹¹ The Accountability Cell filed several references in the disqualification tribunals against Benazir including grant of consultancy of Karachi Electric Supply Corporation and allotment of land for the construction of a hotel in Islamabad. She was acquitted of all the charges after two years of hearings.¹²

The Politics of Alliances:

Muhammad Khan Junejo wanted that the PML should take part in the elections on its own and Nawaz Sharif shared this view. The military intelligence, ISI, Ghulam Ishaq Khan and Aslam Baig, however, suggested that all the member parties of the IJI should contest the elections from a single platform and with single symbol otherwise the chances

⁹ *Nawa-i-Waqt* (Urdu), Lahore, August 18, 1990.

¹⁰ Shaikh, *A Political Biography*, 199.

¹¹ Ibid. , 145.

¹² Ibid. ,148, 199-200.

of the PPP success would increase.¹³ Benazir also realised that she required an alliance against the IJI to counter it effectively in the elections. She contacted Malik Muhammad Qasim of the Pakistan Muslim League (Qasim Group) PML (Q) who concurred to team up with Benazir in the elections. Benazir also had dialogue with the Tahrik-e-Nafazi Fiqah Jafria (TNFJ) and Tahrik-e-Istaqlal (TI) to join the alliance. These efforts resulted in the formation of the Peoples Democratic Alliance (PDA) on September 10, 1990 to confront the IJI in the coming elections. Benazir also tried to associate the Mohajir Qaumi Movement (Altaf) (MQM) (A) in the alliance but it collaborated with Nawaz.¹⁴

Ghulam Mustafa Jatoi suggested that accountability of previous Members of National Assembly (MNAs) and Members of Provincial Assembly (MPAs) should take place;¹⁵ while Benazir demanded the accountability since the set up of 1985 Parliament. Benazir also stressed on the accountability of Ishaq Khan.¹⁶

The Pakistan Democratic Alliance (PDA) declared that partisan caretaker government was set up to overcome the PPP in the elections. Before election seventeen references were filed against the PPP out of which seven were against Benazir.¹⁷ Ghulam Mustafa Jatoi used his authority to favour his intimate associates and friends. He sanctioned the allotment of 52 residential plots out of which three were provided to his relatives and sixteen to his servants.¹⁸

Election Campaigns' Scenario:

¹³ Ahmad, *Khandan Ka Katal* (Urdu), 393.

¹⁴ Ibid. , 388-389. *Dawn*, Karachi, September 11, 1989.

¹⁵ *Dawn*, Karachi, August 10, 1990.

¹⁶ Ahmad, *Khandan Ka Katal* (Urdu), 390.

¹⁷ *PDA White Paper on Elections 1990*, 74. Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 29.

¹⁸ *The Muslim*, Islamabad, January 11, 1991.

Benazir was busy in election campaigns besides appearing before the courts.¹⁹ She openly criticized the President in her election campaigns. The IJI had projected Benazir as traitor; alleging that she had compromised on issues of paramount importance such as Kashmir and Nuclear programme. The IJI also described her as agent of India and United States of America (USA).²⁰

Nawaz made use of government machinery all through election campaigns. The government helicopter was at his disposal and caretaker Chief Minister of the Punjab Ghulam Haider Wayne had accompanied him throughout the course of campaigns. The Deputy Commissioners and Superintendents of Police used to welcome him on public meetings. Administrative resources were also used extensively during the public meetings of Ghulam Mustafa Jatoi and Jam Sadiq Ali.²¹ In this election every political party tried to make use of government machinery, take control of media, appoint people of their choice in administration, get funds and use government vehicles. If the caretaker government was neutral, such wide use of government machinery would not have taken place.²²

The national wealth was ruthlessly used in pre-poll rigging. The Punjab government received 350 million rupees under the pretext of development of the province, which in fact was used to get support for the IJI. A conference of *lambardars* was called in Lahore to ensure the success of the IJI and each *lambardar* was offered 121/2 acres of land and remunerations for his services. The religion was brought into the

¹⁹*The Pakistan Times*, Islamabad, October 10, 1990.

²⁰*The Pakistan Times*, Islamabad, October 5, 1990. *The Pakistan Times*, Islamabad, October 6, 1990. Pirzada, "Rigging in 1990 Elections in Pakistan", 118.

²¹Sardar Shaukat Ali, *Pakistan: Issues of Government and Politics*, (n.p, n.d), 72.

²² Senator Wasim Sajjad, Pakistan Muslim League (Quaid-e-Azam) PML (Q), Islamabad, October 22, 2011.

politics to tarnish the image of Benazir in forthcoming elections and *moulvis* were asked to support the dissolution of the Benazir. For instance, the imam of Badshahi Mosque, Lahore, Molvi Abdul Qadir Azad, a government official of grade 18 was induced by the provincial government through bribe to declare that any body who supported Benazir would be thrown in hell on the Day of Judgement. In the Constitution and election laws, it was forbidden to influence the voters and punishment was set in case of breaking the law. But the *moulvi* was never accused for providing the *fatwas* against any party.²³

The IJI had presented itself as an anti USA party all through its elections campaigns.²⁴ Before the elections a serious situation developed as the USA suspended the release of economic and military aid to Pakistan which could have adversely affected the fulfillment of promises that Nawaz had made during the election campaigns in respect of economic growth, one million jobs,²⁵ a minimum wage of 3,000 rupees, etc.²⁶

October 22, 1990 was the last day of election campaign and the IJI and PPP had demonstrated their strength and popularity through public meetings and rallies in Lahore. It was reported that the presence of people in the PPP public meeting and rallies was more than that of the IJI.²⁷

Elections: An Analysis:

²³Shaukat Ali, *Issues of Government and Politics*, 71.

²⁴*The Pakistan Times*, Islamabad, October 16, 1990. Zaffar Abbas, "Can He Deliver?" *The Herald*, Karachi, November/ December 1990, 26.

²⁵ Abbas "He Deliver?", 34.

²⁶ Nawaz Sharif, interview by Sheery Rehman, *The Herald*, Karachi, November/ December 1990, 36.

²⁷ Ahmad, *Khandan Ka Katal* (Urdu), 401. *Dawn*, Karachi, October 23, 1990.

International observers including from National Democratic Institute (NDI), France and SAARC had visited Pakistan to witness and analyze the environment and electoral process.²⁸ The NDI was large deploying their observers in all the big cities including Faisalabad, Islamabad, Karachi, Lahore, Multan, Nawabshah, Peshawar, Quetta, Rawalpindi and Sukkur.²⁹

The speculations about the rigging of the coming elections were widely made before elections. These doubts appeared due to absence of impartial interim administration. There were some circumstantial facts that illustrated rigging in elections. The international observers had reported considerable less turn out in elections than official reports;³⁰ the difference between the official and observers figures was an indication of rigging. Mir Taj Muhammad Jamali (the member of the IJI) admitted the rigging in the general elections in Balochistan by the Awami Jamhoori Party (AJP) but his claim was not supported by the election result. The AJP had contested on six seats of the National Assembly but won only two seats. Similarly in the provincial elections only nine of its candidates succeeded. If rigging had taken place then the AJP should won sufficient seats to form government in the province. However, the possibility and allegations of rigging on local level could not be ruled out.³¹

The highlights of the 1990 election results are:

1. the PPP obtained 36.7 percent of all votes cast in 1990 as against 38.7 percent in 1988 elections

²⁸ Pirzada, "Rigging in 1990 Elections in Pakistan", 117.

²⁹ Ibid., 129.

³⁰ S. Akbar Zaidi, "The Fall of the Peoples' Empire", *The Herald*, Special Issue; Elections 90, Karachi, November/December 1990, 8.

³¹ *PDA White Paper on Elections 1990*, 96. Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu) 30.

2. the IJI got 37.3³² percent votes in 1990 compared to 30.6 percent in 1988 elections
3. votes obtained by the independents fell to 10.6 per cent in 1990 compared to 13.4 percent in 1988.³³
4. Only 4,86,48,960 electorates had used their right to vote in order to elect 204 Members of National Assembly (MNAs) out of 207.³⁴

In North-West Frontier Province (NWFP) many popular and influential political personalities (Benazir, Wali Khan, Mulana Fazl-ur-Rehman, Aftab Khan Sherpao, Latif Afridi, Afrasiyab Khattak and Mulana Gauhar Rehman) were defeated. Wali Khan and Fazl-ur-Rehman had lost election for the first time in their political career. Wali Khan and Fazl-ur-Rehman got defeat in their home constituencies i.e. Charsadda and Dera Ismael Khan respectively.³⁵

The PDA criticised the election results and issued a White Paper discussing rigging on the day of poll, post polling scrutiny, and the role of President, the caretaker cabinet and Election Commission. The PDA accused that the Election Commission and caretaker government were partial and connived to defeat the PDA.³⁶

The Election Commission firmly denied the rigging allegations and demanded evidence in support of allegations.³⁷ The Commission pointed out that the accusations were after thoughts as during polling Benazir did not complain about rigging

³² Safdar Mahmood, *Political Roots and Development: 1947-99* (Karachi: Oxford University Press, 2000), 393.

³³ Zaidi, "Peoples' Empire", 8-9.

³⁴ Pirzada, "Rigging in 1990 Elections in Pakistan", 118.

³⁵ S. A. Jafri, "Crash of the Titans", *The Herald*, Karachi, November/ December 1990, 70.

³⁶ *PDA White Paper on Elections 1990*, 15-82.

³⁷ *Dawn*, Karachi, October 28, 1990.

but when the election results turned out to be against the PDA she started complaining about manipulation of elections.³⁸ It added that neither any polling agent nor any presiding officer came up with evidences in support of rigging. Benazir had provided list of those constituencies that could be rigged but did not ask the national press or the human rights groups to check her claim. In fact no political party or candidate was able to produce substantial evidence in support of rigging.³⁹ The PDA demanded the opening of ballot boxes and recounting of ballot papers within 24 hours of elections to examine the serial numbers in those constituencies of National and Provincial Assemblies where result certificates had not been provided to the independent and PDA candidates. However, it was strange that the ballot papers were without serial numbers.⁴⁰ The leadership of the PDA came up with divergent claims about the rigging. On different occasions the PDA had provided different numbers of rigged constituencies, i.e., 45 to 50 constituencies; 70 constituencies; 81 constituencies; 165 constituencies; and so forth.⁴¹ Benazir even asked for re-elections in 100 constituencies.⁴² The PPP had blamed IJI and caretaker government for rigging whereas the MQM had blamed the PPP for rigging in Karachi and interior Sindh.

Benazir urged that in NA-1 (NA-1 represents the first constituency of the National Assembly) Haji Bilour could succeed against her just because of rigging⁴³ and that she

³⁸*The Muslim*, Islamabad, October 26, 1990.

³⁹*Report on General Elections 1993*, vol.1 (Islamabad: Election Commission of Pakistan, n.d), 4. Ahmed Rashid, "Bhutto: Back to the Drawing Room?", *The Herald*, Karachi, November/December 1990, 56-57.

⁴⁰*Nawa-i-Waqt* (Urdu), Rawalpindi, October 30, 1990.

⁴¹ Pirzada, "Rigging in 1990 Elections in Pakistan", 119-120.

⁴²*Dawn*, Karachi, October 30, 1990.

⁴³ "BB in Peshawar (1993 Election)", <http://www.youtube.com/watch?v=k1k35XNkCog&feature=related> [Accessed on: December 24, 2011].

would file a petition against him.⁴⁴ She had also provided details of rigging in the 13 constituencies of the Punjab.⁴⁵ But finally she accepted the results.⁴⁶

The PDF considered elections rigged and declared that the IJI would not be able to govern the country as electoral mandate was changed through rigging. The Election Commission through a rejoinder countered all the allegations with the support of facts and figures claiming that elections were impartial. In total 145 election petitions were filed by the defeated candidates. These petitions were heard by 27 Election Tribunals comprising judges of the High Courts. On technical grounds only one petition could prove that election was rigged.⁴⁷ On the whole, the theory of rigging in 1990 elections was also rejected by the international observer teams and press;⁴⁸ the observers clearly stated that the elections were free and fair.⁴⁹

Ghulam Mustafa Jatoi blamed the PPP workers for getting control of polling stations in Larkana. He mentioned that Benazir was able to get 94000 votes from Larkana constituency due to rigging.⁵⁰ The PPP also criticized the caretaker government on use of media against the PDA.⁵¹ Even after the setting up of National Assembly the treasury benches' members laid blame on the PPP for rigging the 1988 and 1990 elections.⁵² After coming into power, Nawaz offered to arrange referendum in the constituencies where the conduct of polling was controversial but subsequently he

⁴⁴*The Muslim*, Islamabad, October 26, 1990. Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu) 32.

⁴⁵*The Pakistan Times*, Islamabad, October 28, 1990.

⁴⁶Zaffar Abbas, "The Day of the Mandarin", *The Herald*, Karachi, November/ December 1990, 33.

⁴⁷*General Elections 1993*, 4.

⁴⁸Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 33.

⁴⁹Pirzada, "Rigging in 1990 Elections in Pakistan", 135-136. *Dawn*, Karachi, October 26, 1990. *Dawn*, Karachi, October 27, 1990. *Dawn*, Karachi, October 28, 1990.

⁵⁰*The Pakistan Times*, Islamabad, October 27, 1990.

⁵¹Seyyed Vali Reza Nasr, "Democracy and the Crisis of Governability in Pakistan" *Asian Survey* 32, no. 6 [June, 1992]: 533, <http://www.jstor.org/stable/2645158>

⁵²*National Assembly of Pakistan Debates: Official Report*, vol. 4, no. 3, December 19, 1990, 399.

abandoned the idea.⁵³

In 1990 judiciary was busy in examining the charges against leaders of the PPP. Zardari was imprisoned though his trial was pending. The accountability process was started ahead of elections to tarnish the PPP image and election campaign.⁵⁴ A day before the general election (October 23, 1990) Ishaq Khan spoke to the nation through media advising the electorates that they should not vote to the parties that did not pursue Islamic values and principles.⁵⁵ This address was violation of the Article 41 (1) of the Constitution which stated that the President was supposed to be the head of the state and symbol of unity of federation.⁵⁶

In October 1990 two important political developments took place i.e.; suspension of aid by USA (October 1) and controversial national elections (October 24)⁵⁷ which hindered the process of democratization and disrupted the performance of government.

Elections Results and Formation of Federal and Provincial Governments:

In 1990 elections the IJI surfaced as the largest party in the National Assembly, obtaining 106 seats in the House of 207. The position of other political parties was: the PDA (44 seats), the MQM (15 seats), the JUI (F)(6 seats), the PNP (6 seats), the JUP (N),⁵⁸(3) the

⁵³ Mohammad Waseem, "Pakistan's Lingerin Crisis of Dyarchy", *Asian Survey* 32, no. 7 [July 1992]: 618, <http://www.jstor.org/stable/2644945>

⁵⁴ Reza Nasr, "Crisis of Governability in Pakistan", 533.

⁵⁵ *Dawn*, Karachi, October 24, 1990. Akhwand, *Pahla Daur Kia Khoia, Kia Payia?* (Urdu), 300. Zaffar Abbas, "The Day of the Mandarin", *The Herald*, Karachi, November/ December 1990, 33.

⁵⁶ Muhammad Munir, *The Constitution of the Islamic Republic of Pakistan: Being a Commentary on the Constitution of Pakistan, 1973* (Lahore: PLD Publishers, 1999), 195.

⁵⁷ Rais A. Khan, "Pakistan in 1991: Light and Shadows Source": *Asian Survey* 32, no. 2, Part II [February 1992]: 198, <http://www.jstor.org/stable/2645219>

⁵⁸ *General Elections 1993*, 4.

ANP⁵⁹(2) the Jamhoori Wattan Party (JWP)(2), and the Pakhtunkhwa Milli Awami Party (PKMAP)(1). However, the independent candidates had won 22 seats.⁶⁰ Thus being the majority party, the IJI was able to form the government at the Centre⁶¹(and in all the four provinces).⁶²

In the Punjab Assembly elections the IJI had a thumping majority (208) as against PDA (10), independents (14) and the PDP (2).⁶³ In NWFP Assembly the IJI also had majority (32), followed by the ANP (21), independents (14) and the PDA (6). The position of Sindh Assembly was different; the PDA had 43 seats followed by the MQM (A) 28, independents 15 and the IJI 5 seats only. In Balochistan the JWP won 9 seats, the IJI 7, the JUI (F) 5, the PNP 5, independents 4, the PKMAP 3, the PDA 2 and the BMN 2.⁶⁴

In the Punjab many important leaders of PDA had lost elections which included Khawaja Tariq Rahim, Jahangir Badar, Mukhtar Awan, Rao Sikandar, Sher Afgan and Malik Meraj Khalid.⁶⁵ The IJI had comfortable majority in the Punjab to set up its government with Ghulam Haider Wyne as its Chief Minister.⁶⁶ In Sindh and NWFP the IJI was in coalition with the MQM (A) and the ANP respectively under the Chief Ministership of Jam Sadiq Ali and Mir Afzal Khan respectively. In Balochistan the IJI established its government in coalition with the PNP, the PDA and JUI (F) under the

⁵⁹ Qureshi, *Aik Hukmaran-Aik Sayasatdan* (Urdu), 32

⁶⁰ 1997: *General Elections Report: Comparative Statistics for General Elections 1988, 1990, 1993 & 1997*, vol.2(Islamabad, Election Commission of Pakistan, n.d), vi. For comprehensive details of National Assembly results concern this report.

⁶¹ Craig Baxter and Charles H. Kennedy, eds., *Pakistan: 1997* (New Delhi: Harper Collins, 1998), 29.

⁶² *Dawn*, Karachi, October 31, 1990.

⁶³ *Mashriq* (Urdu), Lahore, October 29, 1990.

⁶⁴ *The Pakistan Times*, Islamabad, October 29, 1990.

⁶⁵ Iftikhar Bajwa, "Winners Takes All", *The Herald*, Karachi, November/ December 1990, 67.

⁶⁶ *Dawn*, November 6, 1990.

Chief Ministership of Taj Muhammad Jamali.⁶⁷ The IJI governments at federal and provincial level envisaged that the political stability would reinstate and government in power would stay for its full term as said in the Constitution.⁶⁸ It was for the first time in the political history of Pakistan that the federal and all four provincial governments were under one party.

On November 4, 1990 Gauhar Ayub and Nawaz Khokar got elected as Speaker and Deputy Speaker of the National Assembly by attaining 146 and 143 votes respectively.⁶⁹ On November 6, 1990 Nawaz was sworn in as Prime Minister and on the following day state of emergency was lifted.⁷⁰ The MNAs of the PPP took oath 'under protest' and pledged to carry their responsibility in the legislature.⁷¹ The PDA members protest continued in the Assembly which put the IJI on defensive.⁷²

On November 6, 1990 Nawaz sought vote of confidence under the said Article (91) (3) of the constitution.⁷³ The motion for the vote of confidence was moved by the Junejo.⁷⁴ Nawaz secured 153 votes against the Afzal Khan of the PDA who only got 39 votes. In his maiden speech on the floor of the House, Nawaz highlighted the opposition's role and the importance of understanding and effective working relationship

⁶⁷*Dawn*, Karachi, November 3, 1990, *Dawn*, Karachi, November 6, 1990. *Dawn*, Karachi, November 17, 1990. *Dawn*, Karachi, November 4, 1990. *Dawn*, Karachi, November 9, 1990. Jam Sadiq Ail had contested 1990 elections as an independent but subsequently he joined PML on May 15, 1991. For profile of Jam Sadiq Ali see *Dawn*, Karachi, May 16, 1991.

⁶⁸*General Elections 1993*, 4.

⁶⁹*Dawn*, Karachi, November 5, 1990.

⁷⁰*Dawn*, Karachi, November 8, 1990.

⁷¹*Dawn*, Karachi, October 28, 1990

⁷²Waseem, "Crisis of Dyarchy", 617-618,

⁷³*Dawn*, Karachi, November 8, 1990. Munir, *The Constitution of the Islamic Republic of Pakistan*, 259.

⁷⁴*Dawn*, Karachi, November 9, 1990.

between the Centre and provinces in the national unity.⁷⁵

Nawaz addressed the nation on November 7, 1990, in which he explained the objectives of his government, highlighting his government's determination to accelerate development, industrialization and self sufficiency. He mentioned that the process of accountability would continue, justice would be ensured and nepotism would be eradicated. He endorsed the freedom movement in Kashmir and nuclear programme. He pledged to continue cooperation with USA and Soviet Union. He asked the people to adopt austerity in their lives and to collaborate with the government in transforming the economy.⁷⁶

Composition of the National Assembly:

The newly elected National Assembly was dominated by landlords and tribal leaders (106) followed by businessman and industrialist (38), professionals (46) and religious leaders (11). It also had 3 retired military officers. Thus the National Assembly mostly comprised of affluent class, who were perhaps not well-acquainted with the hardships of the common man. The government lacked the middle class could be considered as genuine representative of the society.⁷⁷

Problems for the Government:

Nawaz had promised stability for the country which Pakistan lacked because of political crisis. The IJI was the type of government that the establishment always preferred. But the establishment's preference and support for the IJI did not bring political stability. The

⁷⁵ *Dawn*, Karachi, November 7, 1990.

⁷⁶ *Dawn*, Karachi, December 8, 1990.

⁷⁷ Soofia Mumtaz et al, eds., *Pakistan: The Contours of State and Society* (Karachi: Oxford University Press, 2002), 225-226.

new government had to cope with serious problems such as weak economy, empty treasury, bad law and order, Shariat Bill, Kalabagh Dam,⁷⁸ Afghan issue and freedom movement in occupied Kashmir.⁷⁹

Nawaz was determined to reduce dependency on foreign assistance and aid and ensure development by using domestic resources. He followed the policy of disinvestment and denationalization of public sector enterprises and deregulation of economy. About the nuclear programme he was clear that Pakistan should not surrender it as it was for peaceful purposes. He expressed the view that since USA had not persuaded India to accept conditions on nuclear programme then why Pakistan was being pressurized unreasonably. The military which was dependent on the USA for conventional hardware and spares was ready to find ways to manage without USA. A senior military source revealed: "We can do without them. They need us, we don't need them". With this determined attitude the military embarked on seeking opportunities for hardware with the international community.⁸⁰

Formation of the Cabinet:

The new cabinet was formed after intimate consultation and advice of the President and the army.⁸¹ Nawaz initially included 18 ministers in his cabinet - nine ministers from the Punjab, two from the federal capital, six from Sindh, one from Balochistan and none from minister NWFP. Sahibzada Yaqub Khan, the army's nomination in the former government, continued with the same portfolio (Foreign Minister) in the III

⁷⁸ Abbas "He Deliver?", 26. *Dawn*, Karachi, November 7, 1991.

⁷⁹ Syed Abdul Quddus, *Nawaz Sharif: The Courage in Leadership* (Lahore: Sh.Ghulam Ali and Sons, 1991), 26. *Dawn*, Karachi, November 7, 1991.

⁸⁰ Abbas Nasir, "The Beginning of the End?" *The Herald*, Karachi, November/ December 1990, 45.

⁸¹ MNA Shahid Khaqan Abbasi, PML (N), Islamabad, Personal interview, September 14, 2011.

government.⁸² Roedad Khan, Ijlal Haider Zaidi and Sartaj Aziz were included in the cabinet too. The important ministry of Finance and Economic Affairs was allotted to Sartaj Aziz who was member of the Senate and confidant of Ishaq Khan.⁸³ The ministries of information, religious affairs, Kashmir, state and frontier regions were run by two former bureaucrats (Roedad and Ijlal) who were appointed as advisors with the rank and status equivalent to minister.⁸⁴ The ministries of production and housing and works were allocated to the MQM as advised by Altaf Hussain. The ANP and the JI were not provided with any portfolios but official sources assured that the ANP would be accommodated later.⁸⁵

Later the size of cabinet was expanded. Majority of cabinet members was businessmen (9), lawyers (12) and feudals (12). There was no woman in the cabinet of 39 in comparison to 4 in the former cabinet.⁸⁶ The strength of the cabinet further rose to 46 (including ministers and state ministers) in consultation and with the consent of all allies of the IJI.⁸⁷

Issue of Provincial Autonomy:

Nawaz was staunch supporter of provincial autonomy during Benazir era. The kind and degree of provincial autonomy he asked in her tenure was not possible without amending the Constitution. After becoming the Premier he confided that he did not know much about the powers required for autonomy of provinces and that he was seriously concerned

⁸² Ibid. *Dawn*, Karachi, November, 11, 1990.

⁸³ *Dawn*, Karachi, November 11, 1990. Muhammad Ali Chirag, *Tareekh-e-Pakistan* (Urdu) (Lahore: Sang-e-Meel Publishers, 2001), 503. Ihtasham ul Haque, "Cabinet Coup", *The Herald*, Karachi, November/December 1990, 65.

⁸⁴ *Dawn*, Karachi, November, 11, 1990.

⁸⁵ Haq, "Coups", 65.

⁸⁶ Mumtaz et al, *The Contours of State and Society*, 225-226.

⁸⁷ Chirag, *Pakistan* (Urdu), 502-506.

on the subjects of convening the CCI and National Finance Commission (NFC) which had not taken place in last two years.⁸⁸

Disagreement on the Gulf Issue:

In the caretaker government troika, Ishaq Khan and Aslam Baig were powerful whereas the status of Ghulam Mustafa Jatoi was weak.⁸⁹ However there was good understanding between Ishaq Khan and Ghulam Mustafa Jatoi as Ghulam Mustafa Jatoi had no say in any matter and did not refuse any suggestions of Ishaq Khan.⁹⁰

On August 2, 1990 Iraq attacked Kuwait.⁹¹ Saudi Arabia and United Arab Emirates (UAE) were also receiving threats of attack from Iraq. In this situation Saudi Arabia and UAE had requested Pakistani army to provide them security. The caretaker government was not in a position to decide the matter without the consent of Aslam Baig as 50,000 Pakistani soldiers were already deployed in Saudi Arabia. Aslam Baig's view was to support Iraq against the USA and did not consent with the request of Saudi Arabia. He had also predicted the defeat of the USA. Egypt took advantage of the situation and deployed 50,000 soldiers in Saudi Arabia due to which it was exempted from all of its international debts.⁹² Shahid Khaqan Abbasi later observed: "Aslam Baig did Pakistan a tremendous financial lose in the Gulf War. He took stance which was militarily and politically incorrect. Nawaz should have fired him at that time. We recommended Nawaz Sharif to fire him as the Army Chief did not have any right to make

⁸⁸ Nawaz Sharif, interview by Sheery Rehman, *The Herald*, Karachi, November/ December 1990, 37.

⁸⁹ Sardar Muhammad Chaudhry, *Nawaz Sharif: Tehri Rahon Ka Seedha Musafir* (Urdu) (Lahore: Qaumi Publishers, 200), 125.

⁹⁰ Munir Ahmad, *Ghadar Kon?* (Urdu) (Lahore: Gora Publishers, 1995), 178.

⁹¹ *Dawn*, Karachi, October 10, 1990.

⁹² Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 125-127.

irresponsible statements. The Egyptian had given 10 billion dollar worth of aid and 10 billion was waived off. So, in this context Aslam Baig did tremendous damage to Pakistan.”⁹³

On the floor of National Assembly the decision of caretaker government for not sending the troops was criticised.⁹⁴ The differences between the IJI and its members over the Gulf war emerged during the fifth session of National Assembly. The IJI members criticized the government pro-USA and anti-Iraq stand.⁹⁵

On January 22, 1991, Nawaz took five days peace mission to Gulf to promote positive image of Pakistan.⁹⁶ The strategy of Nawaz towards Gulf situation was criticized by Aslam Baig. Even in February, 1991 he criticized the government policy in the newspapers and again predicted defeat of the USA in Iraq.⁹⁷ The government did not change its stance. Nawaz condemned unlawful annexation of Kuwait and supported Kuwait and Saudi Arabia. The government had also sent the troops to Gulf.⁹⁸ Aslam Baig commenced a nationwide campaign and criticized the government for its anti-Islamic stance. The propaganda campaign of Aslam Baig had affected the relationship between Nawaz and Islamic parties.⁹⁹

The Presidential Address:

On November 8, 1990, Ishaq Khan addressed the joint session of the Parliament in which he elaborated on various national and international challenges faced by the government

⁹³ MNA Shahid Khaqan Abbasi, Personal interview.

⁹⁴ *National Assembly of Pakistan Debates: Official Report*, vol. 5, no. 5, February 10, 1991, 438.

⁹⁵ Ihtashamul Haq “The IJI’s Jam”, *The Herald*, Karachi, March 1991, 72-73.

⁹⁶ *The Nation*, Lahore, January 23, 1991.

⁹⁷ Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 134.

⁹⁸ Nawaz Sharif, interview by Sheery Rehman, *The Herald*, Karachi, November/ December 1990, 37.

⁹⁹ Reza Nasr, “Crisis of Governability in Pakistan”, 534.

and justified the dissolution of the PPP government. He stressed that government should not compromise on the sovereignty of the country and that “Demands of the provincial autonomy and provincial rights within the limits of the constitutional provisions should not be dubbed as centrifugal tendencies. To do so, will neither be proper nor in the national interest.”¹⁰⁰ He assured that the rights of the smaller provinces would be looked after by the Centre. The newspapers intensely highlighted the stance of Ishaq Khan on the provincial autonomy since in the past whenever any smaller province demanded its constitutional rights, it was dubbed as anti-state.¹⁰¹

Council of Common Interest:

The former government was criticized for not holding the meeting of the Council of the Common Interests (CCI). On January 12, 1991 the CCI meeting was convened under the leadership of Nawaz.¹⁰² The main purposes of the CCI were to improve working relationship between the federation and provinces, remove disagreements and offer constitutional justice to the provinces.¹⁰³ The provincial subject remained the focal point of the conference. The construction of Kalabagh Dam was decided to be postponed.¹⁰⁴ One of the positive developments in the CCI conference was the decision to allocate royalty of the Sui gas, electricity and petroleum among the province.¹⁰⁵

The construction of Kalabagh Dam was one of the promises made by Nawaz during his election campaign. The Chief Ministers of Sindh, NWFP and Balochistan opposed the plan of construction of Dam. Nawaz gave up his promise by asserting that he

¹⁰⁰ *Dawn*, Karachi, November 9, 1990.

¹⁰¹ *Dawn*, Karachi, November 16, 1990. Anwar Pirzada, “Provincial Autonomy: Lawlessness”, *Dawn*, Karachi, November 16, 1990.

¹⁰² *Dawn*, Karachi, January 13, 1991.

¹⁰³ Munir, *The Constitution of the Islamic Republic of Pakistan*, 323.

¹⁰⁴ *The Nation*, Lahore, January 13, 1991.

¹⁰⁵ *Dawn*, Karachi, January 13, 1991.

could not make a decision regarding the matter himself and construction of Dam would only take place with the consensus of all the provinces. While taking the vote of confidence Nawaz had assured the House that he would implement the IJI manifestoes but later in CCI meeting he postponed the issue of Kalabagh Dam instead to resolve it.¹⁰⁶

Legislation:

On February 28, 1991 the two controversial bills were passed in the National Assembly in spite of lack of quorum. The opposition had considerable reservations over the bills as it sanctioned the death penalty on abduction for ransom.¹⁰⁷ The opposition viewed the sanction of these bills against Asif Ali Zardari as he was alleged to be involved in such types of crimes.¹⁰⁸

Just after the elections Nawaz wanted to amend the legislation on blasphemy. Benazir had set up a number of committees of the PPP that had met with the other politicians and convinced them that such sort of controversial amendment should not take place. Yousuf Raza Gillani and Farooq Ahmad Khan Leghari were asked to talk with Junejo who agreed to oppose the amendment in the Assembly. Finally the PML Parliamentary Party condemned the amendment due to which it did not take place.¹⁰⁹

Water Accord:

The allocation of water among the provinces was an important unresolved issue which had also increased the sense of deprivation within the smaller provinces. After intensive consultations and negotiations the two issues of water and finance were amicably

¹⁰⁶ *Dawn*, Karachi, November 9, 1990. *The Nation*, Lahore, January 14, 1991.

¹⁰⁷ *Jang* (Urdu), Rawalpindi, February 29, 1991.

¹⁰⁸ Haque, "Jam, 73.

¹⁰⁹ Yousuf Raza Gillani, *Cha-e-Yosuf Sa Sada* (Urdu) (Lahore: Nigarshat Publications, 2006), 140.

resolved. The water Accord was announced on March 25, 1991. Punjab surrendered six percent of its water share which not only solved the crisis but also remove the negative feeling against the Punjab. The issue was resolved with consensus among all the representatives. The formation of Water Regulatory Body also took place to tackle the future troubles related to water.¹¹⁰ The National Finance Commission (NFC) Award, agreed by consensus, was announced on April 20, 1991.¹¹¹

Shariat Bill:

Nawaz and Zia had been ideologically dedicated with the passage of Shariat Bill. Nawaz expressed great interest in making of Shariat Law. He said in the joint session of the Parliament “It is a vital legal document which carries the essence of the thousand years of struggle waged by the Muslims of the subcontinent.”¹¹² In March 1991 he set up a committee of Senators, MNAs, judges, lawyers and *ulema* to formulate a new version of the Shariat Bill. The committee was made up of eleven members headed by Law Minister Chaudhry Amir Hussain. On May 8, 1991 when committee voted on the bill it was rejected. Eight members had attended the session out of which four members turned down the bill. One of the IJI members described that he could only vote for the bill if his proposed amendments would be included in the bill. The government party was in a hurry to pass the bill. The PDA had several apprehensions on crucial aspects of the bill. The PDA presented its worries in the form of ten queries and few amendments.¹¹³

¹¹⁰ Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 135.

¹¹¹ *Dawn*, Karachi, August 24, 1991. *Dawn*, April 21, 1991, Karachi

¹¹² Mushtaq Ahmad “Spirit of Shariat Law” *Dawn*, Karachi, May 7, 1991.

¹¹³ The details of inquiries were following; (1) Does the Holy Quran permit the existence of sects? (2) Will non-Muslims be minister under the Shariat Law? (3) Does Islam offers a certain term for the *Amir* to rule? (4) Does Islam accede to the practice of one man and one vote? (5) What would be the status of the *Bait-ul-*

On May 11, 1991 the Shariat Bill was tabled in the National Assembly but meanwhile the PDA, the JUI (F) and the ANP put forward their notes of dissent. The PDA objected that the bill was a violation of the human rights. The ANP's representative, Arbab Jehangir Khan in his note of dissent mentioned, "I do not recommend the bill in its present form as it does not provide protection to the present political system and the existing democratic institutions." The JUI (F)'s note of dissent mentioned "the purpose of the new bill was to give the "interest-based economy an unspecified period of life."¹¹⁴

On May 15, 1991 nine amendments were incorporated in the bill after debates.¹¹⁵ On May 28, 1991 Senate had passed Shariat Bill. In the Parliament the IJI had supported the bill whereas the PPP voted out the bill in the National Assembly and decline to vote in the Senate. The IJI was desperate for approval of Shariat Bill. As an act (Shariat Act) it did not amend the provisions which restricted the scope of the superior courts' jurisdiction. The said Act did not attend to the jurisdiction subject between the High Courts and Federal Shariat Court which was the most controversial point of the 1988 Shariat Act. The Shariat Bill was a point scoring issue for previous two governments that were unable to authorize it. The PPP's attitude on the bill was considered "anti-Islamic sentiments".¹¹⁶ In fact Benazir wanted the liberal interpretation of Islam in a way made by

Mal, a treasury or a welfare fund? (6) Could current Parliamentary democracy possibly exist under an Islamic system? (7) Would insurance be Islamic? (8) Would Interest based financial system be allowed to function? (9) What would be the procedure of election of *Amir*? (10) Could Parliamentary system be challenged in the court of law after its implementation? *Dawn*, Karachi, May 9, 1991.

¹¹⁴*Dawn*, Karachi, May 12, 1991.

¹¹⁵ For unadulterated text of the Shariat Bill see *Dawn*, Karachi, May 12, 1991. *Dawn*, Karachi, May 16, 1991.

¹¹⁶Charles H. Kennedy, "Repugnancy to Islam: Who Decides? Islam and Legal Reform in Pakistan" *The International and Comparative Law Quarterly* 41, no. 4 [October 1992]: 779-780, <http://www.jstor.org/stable/761030>

the Allama Iqbal in his writing entitled “Thoughts on Religious Reconstruction”.¹¹⁷

The Shariat Bill was not agreed with the consensus of the opposition. Benazir’s views on Shariat Bill could be explained in her own words: “The shariat bill which they proposed was to make a mockery out of parliament, by taking its powers away and giving it to nominated individuals. The Shariat Bill which we intended to propose was a revolutionary one, because it would have settled once and for all this issue in Pakistan by giving an interpretation that was in accordance to the Constitution of 1973.”¹¹⁸

On purpose the provisions of the Shariat Act 1991 were left ambiguous. There was no particular provision with regard to the recruitment of *molvis* in the judiciary and other institutions. The government had taken full advantage of its ambiguous provisions and made the interpretations that suited to its needs.¹¹⁹ The Shariat Bill did not provide space to the progressive viewpoint. This bill was a tool to delay the confrontation between the progressive and fundamentalist thoughts. The bill had strengthened the fundamentalists and theocracy.¹²⁰ The sanction of Shariat Bill had caused numerous questions related to its theory and practicality.

Chief of the Jamait-ul-Ulema-i-Islam (Samiul Haq Group) JUI (S) Mulana Samiul Haq mentioned in a news conference that Shariat Bill “lacked the spirit of the shariah” as the offices of President and Prime minister were exempted from appearing before the courts of the law. He accused the ruling party for not implementing its manifesto and

¹¹⁷ *Dawn*, Karachi, December 3, 1990.

¹¹⁸ Benazir Bhutto, interview by *The Herald*, Karachi, April 1991, 59.

¹¹⁹ Makhdoom Ali Khan, “Paying the Bill” *The Herald*, Karachi, May 1991, 26-27.

¹²⁰ Asma Jehangir, “On the Offensive”, *The Herald*, Karachi, May 1991, 29.

Shariah.¹²¹ The IJI had dominance of the right wing political parties and the bill was the maneuver to attain their support. But Islamic parties started to demand its implementation. The sanction of bill had caused new challenge for Nawaz.

The Government-Opposition Relations:

Nawaz was not worried about the opposition as it had little strength in the National Assembly and Benazir was in trauma of her defeat.¹²² Nawaz was unable to institute a good relationship among the important opposition parties and the IJI allies. The presidential references against leadership of the PPP were the genuine grounds to spoil the relations between the PPP and Nawaz. Hundreds of PPP workers were arrested by Jam Sadiq Ali in Sindh. Asif Ali Zardari was in jail under various cases such as withdrawal of illegal money from banks and involvement in abduction.¹²³

The PDA availed full advantage of Nawaz failure on ethnic trouble in Sindh. The PDA suspected the IJI for selling the Muslim Commercial Bank and criticized the bankruptcy of certain cooperatives owned by the IJI ministers and members.¹²⁴

Since April 1991 Benazir started a continuous campaign to end the government. She was not reluctant to see another *military junta* as a cost of his ouster. Benazir's approach towards government had seriously upset Nawaz. On August 14, 1991 Nawaz had threatened opposition for serious results if it attempted to end his government.¹²⁵

In 1991 opposition had formed an alliance entitled as All Parties Conference

¹²¹ *Dawn*, Karachi, August 9, 1991.

¹²² Abbas "He Deliver?", 34.

¹²³ Waseem, "Crisis of Dyarchy", 617.

¹²⁴ *Ibid.*, 618.

¹²⁵ Khan, "Light and Shadows", 198. *Dawn*, Karachi, August 16, 1991.

(APC) which demanded fresh elections without delay. The APC was a merger of 23 parties and out of which eight parties had representation in the National Assembly. The IJI stated that the demand of elections was anti democratic, anti-constitutional and anti-national.¹²⁶ The APC had warned the government that any delay in elections would compel the legislators of the opposition parties to resign.¹²⁷ Nawaz asked the opposition to resign so that he could substitute them with his own people in the Assemblies.

Nawaz had blamed the PPP for disintegration of Pakistan. The atmosphere was clouded by accusations and counter- accusations and exchange of harsh words from both sides. The APC publically supported the PDA and its objectives. They announced that the objectives of the APC and the PDA were removal of the government. The PDA had organized rally at Mochi Gate in Lahore which was a big show of the opposition's strength. The PDA leaders criticized the economic, domestic and foreign policy of the IJI and complained about Nawaz's attitude towards political opponents. They responded to allegations made by Nawaz at the stone laying ceremony of Bab-i-Pakistan against opposition.¹²⁸ The disagreements between the APC and the IJI were obvious as no leader from the opposition attended the conference called by Nawabzada Nasrullah Khan to celebrate the Independence Day.¹²⁹

Lack of Supremacy of the Parliament:

The involvement of the military in politics was obvious; it was the decisive arbiter in power struggle. Fighting on several fronts weakened the government; and political

¹²⁶ Sultan Ahmad, "Towards the Confrontation", *Dawn*, Karachi, August 17, 1991. *Dawn*, Karachi, August 13, 1991.

¹²⁷ *Dawn*, Karachi, August 13, 1991.

¹²⁸ *Dawn*, Karachi, August 16, 1991.

¹²⁹ *Dawn*, Karachi, August 17, 1991.

problems adversely affected governance in spite of the fact that army and establishment was supporting it. The Parliament was not sovereign and felt powerless to take the political initiatives like the previous government of Benazir due to hanging threat of 58 (2) (b). The IJI also considered 58 (2) (b) as a tool to tackle the PPP in the National Assembly.¹³⁰

Pakistan: A Theocratic State:

The period witnessed rise in conservative religious feelings. The law and order situation in Gilgit and Quetta became grave due to sectarian conflict and troops were called to normalize the situation in both cities. The government blamed the sectarian factions and provided the endowment of 250 million rupees to affected sectarian institutions from the *Zakat* fund.

In the by-election in Jhang (Punjab) a candidate supported by the militant religious group had won. The women events in the Barcelona Olympics was stopped from telecasting in Pakistan. Likewise, the women were prohibited to appear on the television without covering their heads. The Cable News Network (CNN) broadcast was frequently censored. According to a number of Parliamentarians it was a deliberate effort of the government to make Pakistan a pure theocratic state. The Parliament had criticized the government designs.¹³¹

Controlled Media:

In March 1991 MQM severely criticised the press in Sindh. Ishtiaq Azhar of the Mohajir

¹³⁰Waseem, "Crisis of Dyarchy", 618.

¹³¹ Rais Ahmad Khan, "Pakistan in 1992: Waiting for Change", *Asian Survey* 33, no. 2 [February 1993]: 131-132, <http://www.jstor.org/stable/2645321>

Rabita Council accused *The Herald* (a monthly *Dawn* Groups' magazine) for publication of articles against the MQM (A). He warned: "journalists' excesses are committed through their pens, while the public has other means at its disposal." The a reaction of the MQM (A) leadership surfaced when in the March issue of *The Herald* a story about the removal of the MQM (A)'s Sindh minister Baber Iqbal on corruption charges. The MQM (A) camp stated that the story was untrue and it was an attempt to cause rift within the party. The *Jang* printed a story about the speech of Altaf Hussain at the Abbasi Shaheed Hospital, mentioning that the President and the Premier were hatching conspiracy against the MQM (A). BBC picked some sections of the report for transmission. The MQM (A) elucidated that its Chief was misquoted. The *Herald* reporter and BBC correspondent Zaffar Abbas was attacked by unknown gun men in his home. The MQM (A) condemned the attack and criticised the way MQM (A) was being linked with planning the attack and also hinted towards involvement of the PPP and the JI behind the attack.¹³² The MQM (A) declared a war against all the papers of the *Dawn* Group and announced the boycott of *Dawn*, *The Herald*, *The Star*, and *Takbeer*. During the course of the disagreement the armed militants patrolled on the streets and got control of main roads in Karachi. The police was vulnerable in the presence of armed militants.¹³³ The delivery network was disrupted by the MQM (A)¹³⁴ till a settlement was reached between the MQM (A) and a committee set up by the All Pakistan Newspapers Society (APNS) and Council of Pakistan Newspapers Editors (CPNE).¹³⁵ The Karachi media was discontented about the silence of the federal government on terrifying and

¹³² Idrees Bakhtiar, "The Press under Fire", *The Herald*, Karachi, April 1991, 23-24.

¹³³ Ibid., 22-24.

¹³⁴ Irfan Malik, "Unsung Heroes", *The Herald*, Karachi, April 1991, 26.

¹³⁵ Bakhtiar, "Press under Fire", 24-25.

torturing the press.¹³⁶ According to the MQM (A) it believed in the freedom of press and never attempted to sabotage the structure of any newspaper.¹³⁷

The federal government held a seminar entitled “The Role of Mass Media in the Democratic Pakistan” in which journalists from all over the country were invited. Nawaz criticized the journalists for their irresponsible attitude and distorted practices. He said, “You should not criticize us when we are on the right course.”¹³⁸ The purpose of the seminar was to bridge the differences between the political parties and the print media. The lives of the journalists were endangered due to Kalashnikov gangs. The government of the Sindh had blocked the freedom of one of the significant medium of truth just to cover its malfunctioning.

The Herald tried to get the version of MQM (A) Chairman, Azim Tariq but he declined.¹³⁹ The MQM (A) gained from this crisis and the owners of the newspapers agreed with the MQM (A) to print their press releases and photographs.¹⁴⁰ The government had encouraged the media whenever it criticized the performance of the opposition but when it criticized its performance then it blamed it for yellow journalism.¹⁴¹

The relations between the government and media (Print) were not congenial as media took serious notice of corruption by the IJI members and did not support the policies of the government. Even the government accused the editor and publisher of

¹³⁶ Sherry Rehman, “Meanwhile, Back in Islamabad” *The Herald*, Karachi, April 1991, 30.

¹³⁷ MNA Haider Abbas Rizvi, MQM (A), Personal Interview, Islamabad, February 2, 2011.

¹³⁸ Rehman, “Back in Islamabad”, 30-31.

¹³⁹ *The Herald*, Karachi, April 1991, 34a.

¹⁴⁰ Mohammad Salahuddin, interview by I.B. *The Herald*, Karachi, April 1991, 34-35.

¹⁴¹ Zaffar Abbas, “Burning Issues”, *The Herald*, Karachi, April 1991, 34 (b).

TheNews of sedition for publishing a poem against the government's incapability to deal with the cooperative scandal in the Punjab.¹⁴² The free press was intolerable to the government.¹⁴³

The freedom of press was particularly restricted in Sindh because its administration banned the entry of the daily *Frontier Post*. Jam Sadiq Ali himself warned the editor of the *Frontier Post* for serious consequences. Benazir considered the ban on the newspaper as a direct hit on the freedom of the press. She also stated that: "By doing so they have shown the difference between fundamentalists and non-fundamentalists."¹⁴⁴

The Status of Economy:

Nawaz appointed the National Taxation Reform Commission; the President desired the inclusion of some ex-bureaucrats in it. The Central Board of Revenue (CBR) considered the Commission report as an endeavour to serve the privileged class and to put more burden on the small traders. Imposition of tax on the agriculture income by Federation was a ticklish issue as agriculture was a provincial subject. The CBR advocated to the government that it should convince the business class to increase their share of taxes. The ministry was in a dilemma over the taxation subject and it was obvious that if issue did not decide in time then formulation of budget would be delayed.¹⁴⁵

On May 31, 1991 the Finance Minister Sartaj Aziz had announced the budget for the fiscal year 1991- 1992. In a post budget press conference he explained that the government had reduced its expenses by 10 million rupees. The structure of the budget

¹⁴² Ahmad Khan "Waiting for Change", 131-132.

¹⁴³ M. B. Naqvi, "A New Press?", *Dawn*, Karachi, August 10, 1991.

¹⁴⁴ *Dawn*, Karachi, August 30, 1991.

¹⁴⁵ Ihtashamul Haque, "Unhappy Returns", *The Herald*, Karachi, March 1991, 91.

was based on 10 points strategy which he called “the pillars of the new budgetary structure”.¹⁴⁶ The defence budget was increased due to serious geo-political circumstances of that time; Sartaj Aziz explained that the increase was minor in comparison to the rate of inflation.¹⁴⁷ The budget was criticised that it had saved the affluent farmer from income tax and provided subsidized fertilizers to them; the relief package announced for the poor was inadequate;¹⁴⁸ and it served the interests of the privileged class.

During 1991-1992 the economy the performance was better than previous year. The GDP grew by 6.4 percent in comparison to 5.6 percent in 1990-1991; the rate of inflation and budget deficit decreased whereas investment increased. The improvement in agricultural and manufacturing sectors took place.¹⁴⁹ Over all the economy had shown progress.

Impediments faced by Benazir in Sindh:

It was difficult for Benazir to face the people of Sindh because the government had extensively made use of the administrative machinery to harass and imprison her supporters. Thus when Benazir went to Sindh the response was poor. On the other hand the Sindh government facilitated the IJI in arrangements of public rallies. When Nawaz had a public meeting in Shuhdad Pur (Sindh) the provincial government transport was

¹⁴⁶ The 10 points were:; “making the provinces financially variable, incentives for resource mobilization, using government finances as a catalyst, bending a new mix of revenue measures, new criteria for cutting discretion, participative assessment through consultations with trade and industry, tax management reforms, documentation of tax system, creating a new equation with tax-payers and educating the public.” *Dawn*, Karachi, June 1, 1991.

¹⁴⁷ *Dawn*, Karachi, June 1, 1991.

¹⁴⁸ Shahid Kardar, “Budget: Waiting for Next Round”, *Dawn*, Karachi, June 8, 1991.

¹⁴⁹ *Dawn*, Karachi, August 1, 1992. *Economic Survey 1991-92* (Islamabad: Government of Pakistan, 1992), xiii-xviii

used to facilitate the people to reach to the site and millions of rupees were spent on the arrangements of rally. People from far off places were also brought into the rally to exhibit Nawaz's popularity. This rally was attended by approximately 60,000 people.¹⁵⁰

Senate Elections:

On March 14, 1990 the elections of Senate took place.¹⁵¹ In these elections Ishaq Khan and military establishment had supported their favourites. The power of allotment of tickets was exercised by Ishaq Khan and majority of the nominees were preferences of Ishaq Khan and military establishment and only few people from the Nawaz and Junjeos' camps were provided tickets. In the Punjab eleven tickets were provided to the IJI out of which five were recommended by the President (vis. Amir Abdul Khan Rokhri, Raja Zafarul Haq, Makhdoom Hamid Raza Gilani, Lt. General (retired) Saeed Qadir and Khawaja Asif Safdar). Rokhri was former minister for information and part of Zia's Martial Law whereas Safdar was son of Khawaja Safdar who was former chairperson of the Parliament in the reign of Zia. In Sindh Rafi Raza (former minister for production and important part of 1990 election cell in presidency) was nominated by the President both for general and special seats.

The nominations of soon became a ground of disagreement between the PML and him. Nawaz was informed by his party members that they would cast their vote of conscience. The PDA representation in the Senate was dependent on Jam Sadiq Ali's attitude towards the PDA. On the basis of proportional representation the PDA was in a position to attain no less than four seats. But the core concern was that whether JamSadiq

¹⁵⁰*National Assembly of Pakistan Debates: Official Report*, vol. 9, no. 13, October 29, 1991, passim.

¹⁵¹*Dawn*, Karachi, March 14, 1991.

Ali would allow the MNAs of the PDA to participate in the Senate election or not? At that time Jam Sadiq Ali was reportedly involved in abducting and imprisoning the MNAs of the PDA in order to stop them from voting.¹⁵² Nawaz had allowed him substantial powers in the province.¹⁵³ In the Senate elections the IJI obtained 30 seats, the PDA 5, and the JWP, the JUI (F), the PNP, PKMAP and independents 1 each.¹⁵⁴

The PDA asked the Centre to guarantee the unconditional release of the MNAs of the PDA and demanded delay in hearings of cases against the PPP leaders till Senate elections. The PPP had warned the government that it would boycott the session until its demands were met. The boycott was helpful for the PDA and the House was adjourned for the following two days during which meetings took place between the opposition and treasury benches. Nawaz himself took serious notice of the PDA demands as the government tried to avoid any deadlock with the opposition.

Negotiation teams were formed from both the sides (the PDA and the IJI) and Benazir was informed about recent developments by the Party members. The President was the main hurdle for the government to tackle the issue as without his approval the government could not take any initiative. The opposition warned the government that in case its grievances were not addressed it would give the call of anti-government demonstrations. Malik Naeem of the IJI contacted the President to get approval for accepting the PDA demands. Nawaz was ready to accept the demands of the PDA while the President was in favour of ignoring the boycott call.

¹⁵² *Dawn*, Karachi, March 4, 1991. Ihtashamul Haq, "Senate Scramble" *The Herald*, Karachi, March 1991, 64-66.

¹⁵³ Sherry Rehman, "Stormy Weather", *The Herald*, Karachi, March 1991, 48.

¹⁵⁴ *The Pakistan Times*, Islamabad, October 15, 1991.

Treasury benches had brought the opposition back to the House with the promise that if its demands were not met then they could boycott again. Jam Sadiq Ali was the most negative man not only for the PDA but also for the IJI. Most of the members of IJI considered him a bad name for the IJI and also disapproved his negative attitude towards the opposition in Sindh. The IJI considered his chief ministership as a threat to its rule.¹⁵⁵

Jam Sadiq Ali had controlled the law and order situation through his unusual actions. The President, army and Prime Minister had supported Jam Sadiq Ali as they believed that Jam Sadiq Ali was the only instrument to keep the PPP out of politics. But the growing undemocratic practices of Jam Sadiq Ali encouraged the government to replace him. The controversial style of Jam Sadiq Ali's politics and support of power pillars had rendered a trouble within establishment which was lobbying for the withdrawal of Jam Sadiq Ali.¹⁵⁶

The government was careful that the IJI-PDA collision should not intensify as it could destabilize the federal government. Jam Sadiq Ali was supported by the President and government did not intend to have disagreement with President on Jam Sadiq Ali issue as he could terminate the government. The PDA's boycott ended with the agreement between the IJI and the PDA. In the agreement an understanding was reached that team set by the members of both the parties would scrutinize the PDA accusations against Jam Sadiq Ali.¹⁵⁷

¹⁵⁵ Haque, "Jam", 72.

¹⁵⁶ Zaffar Abbass, "Can Jam Survive", *The Herald*, Karachi, July 1991, 21.23.

¹⁵⁷ Ayaz Amir, "Castles in the Air?", *The Herald*, Karachi, May 1991, 23.

The Twelfth Amendment:

The increasing disorder and lawlessness caused distress for the government. The government aimed to improve the law and order through law making. In fact the ruling party wanted immense power to tackle the law and order by amending the Constitution. It was hard for Nawaz to obtain the amendment because 105 members of the coalition parties had no intention to support him. Many members were expected to abstain if the amendment was tabled. The ANP, the JUI (F) and the JUP (N) did not want to support the amendment too.¹⁵⁸

The ruling coalition eventually got the consensus over a constitutional amendment in order to normalize the law and order situation and to eradicate terrorism. The amendment had offered massive authority to the federal government. The proposed life span of the amendment was three years and was to lapse automatically thereafter. According to the proposed amendment the actions made by the federal government in any affected area (any area where heinous crimes and terrorism had been happening since long and could not be controlled by any normal means) could not be brought before any court of law. The means to curb the terrorism was undefined and left on the discretion of the government. It authorized the government to declare any area as affected area for the time ranging from six months to a year. Ajmal Khattak of the ANP suggested that it was the right of the Parliament to declare any area as affected area and not that of the cabinet. Liaquat Baloch of the JI was of the view that unnecessary amendments in the Constitution would complicate the situation.¹⁵⁹ The government believed that this

¹⁵⁸*Dawn*, July 8, Karachi, 1991.

¹⁵⁹*Dawn*, Karachi, July 15, 1991.

amendment was required as the current laws were inadequate to manage the situation. Nawaz explained the cause of additional powers in these words: “If you want me to remove lawlessness then I will have to have more powers because the present laws mostly help criminals to get away easily.” The PDA had criticized the proposed amendments and considered it as a pretext to get dictatorial powers which were declined to Nawaz.¹⁶⁰

The IJI had also tabled four bills in the House, namely, the criminal law (third amendment) bill, 1991; Illicit arms ordinance, 1991; the terrorist affected area (special courts) bill, 1991; and the special courts for speedy trials bill, 1991. The opposition called these four bills as “black laws”. Acting leader of the opposition, Leghari declared these laws anti-opposition and that the IJI leadership would use it to control the opposition. He mentioned that these bills would damage and upset the provincial autonomy and powers of judiciary. He said that he got information from the IJI sources that ruling party would apply these laws in the Punjab and Sindh which could be disastrous for the provincial autonomy. Aitzaz Ahsan of the PPP had considered these laws horrible than the Rowlatt Act as they would also restrain the fundamental rights. Four opposition parties including the PKMAP, the PNP, the Pakhtoonkhwa National Party and PPP were united to fight against these laws.¹⁶¹

The Twelfth Amendment was an important bill but adequate time was not guaranteed to debate on it. The bill was a problem for the PML as a number of its allies had disagreement over some provisions of the bill and their support on the bill was

¹⁶⁰ *Dawn*, Karachi, July 17, 1991.

¹⁶¹ *Ibid*.

doubtful. The bill was prepared in a hurry as the ruling party had the doubt that adjournment of the business could tender the MNAs to go through the bill again which could cause difficulties in the passage of passing the bill.

On 18 July 1991 the Twelfth Amendment was tabled by Minister of State for Law, Justice and Parliamentary Affairs Chaudhry Amir Hussain. The amendment was adopted as 152 votes were in favour whereas 33 were against it.¹⁶² Leghari declared sanction of the bill against the rules and regulations. He said that amendment was passed in such a rush that the opposition did not get the opportunity to generate a debate.¹⁶³

The final version of the bill that was adopted by the Parliament was less objectionable than the original draft. The provision that allowed the federal government to declare the state of emergency in any part of the country was removed.¹⁶⁴ The exclusion of the said provision was deliberate as it could cause the circumstance in which the disagreement between Ishaq Khan and Nawaz could happen as it was the privilege of the President to promulgate the emergency.

On 20 July, 1990 the Twelfth Amendment bill was enacted in the Senate with more than two-third majority. The Twelfth Amendment enabled the government to set up special courts for the trial of the serious crimes within time span of 30 days. The conviction made by the special court could not be challenged in any other court except in Supreme Appellate Court. The verdict of the special courts and Supreme Appellate Court could not be challenged in the superior courts. It also included the clause to increase the salaries and pensions of the Supreme Court judges. The duration of validity of these

¹⁶²*National Assembly of Pakistan Debates: Official Report*, vol. 8, no. 3, July 18, 1991, 230-231.

¹⁶³*Ibid.*, 234-236.

¹⁶⁴ Nisar Osmani, "Undue Haste", *Dawn*, Karachi, July 20, 1991.

provisions were three years.¹⁶⁵ Under the Twelfth Amendment Nawaz obtained justifiable and legitimate tool to wipe out the opposition effectively. The judges of the special court had to be appointed with the consensus of the federal government and the Chief Justice of the High Court. The federal government was in position to approve the name of those judges who could bring the result of its choices.

The original bill was drafted by Justice Fazal Mahmood and Ghaus Ali Shah who were on intimate terms with Nawaz and his confidants. The assignment consigned to them was not for the reason of their expertise but of being the favourites of Nawaz. Political parties had severely criticized these nominations. Nawaz was saved from the displeasure of establishment and the President by the new draft as it did not provide immense authority to Nawaz. Eventually agreed draft was formulated by the Chairman Senate Wasim Sajjad who made considerable changes init. The bill was passed in the National Assembly in half an hour. The opposition was deprived of its constitutional right to speak on the bill. Copies of the bill were provided to the MNAs when the proceedings of the ongoing session were half way.¹⁶⁶ The Speaker of the National Assembly did not follow the standard parliamentary practices in case of Twelfth Amendment.

The Twelfth amendment had restricted the powers and functions of the courts. It took away the authority of ordinary criminal courts to try those criminal cases that were specified by law. Federal government referred criminal cases to the special courts for justifying the cause of their set up. The special courts were not required as ordinary criminal courts could perform a similar job. The High Court and the Supreme Court were

¹⁶⁵ Ibid. *Dawn*, Karachi, July 21, 1991. For full text of the twelfth amendment see Munir, *The Constitution of the Islamic Republic of Pakistan*, 705-707.

¹⁶⁶ Zahid Hussain, "The Ides of August", *Newsline*, Karachi, August 1991, 49.

barred to scrutinize the legality of the verdict formulated by the special courts.¹⁶⁷ The Twelfth Amendment was in fact an attack on the independence of judiciary.

Undemocratic Action:

On August 11, 1991 Wasim Sajjad led a non-parliamentary delegation to China to discuss the South Asian situation. In the multi party Parliamentary democracy custodians of the Parliament were supposed to be neutral and therefore the tour under the leadership of Wasim Sajjad was against the principles that separated the executive from the legislature. The custodians of the Parliament could tour abroad only in case of *quasi* democracies and one party system. In multi party system it was sole responsibility of the ruling party/coalition to represent the government. The tour of the Chairman Senate was against the unwritten codes of conduct.¹⁶⁸ The government had kaleidoscopic patterns that upset the parliamentary set up.

The first and foremost task before the elected government was to implement its manifesto. One of the IJI election campaign promise related to creating employment opportunities but just after coming to power Nawaz banned the fresh recruitments in all the departments of federal and provincial governments. The government extended the ban till July 1992 but due to substantial pressure by the coalition partners the ban was lifted in August 1991. Ban had not affected the favourites of the IJI because it had appointed them in several autonomous and semi-autonomous bodies on the daily wages.¹⁶⁹

¹⁶⁷ Makhdoom Ali Khan, "Judiciary and the 12th Amendment", *Dawn*, Karachi, 27 August, 1991.

¹⁶⁸ *Dawn*, Karachi, August 9, 1991.

¹⁶⁹ *Dawn*, Karachi, August 11, 1991.

The Change in the Army Leadership:

On August 15, 1991 Aslam Baig retired from the office of COAS. In the farewell ceremony Aslam Baig mentioned that: “other would evaluate me as COAS but I am satisfied about my tenure as COAS.” Ishaq Khan had also acknowledged his talent and services for Pakistan.¹⁷⁰ On August 16, 1991 Asif Nawaz Janjua assumed the office of COAS according to the special gazette notification (No. MOD/JS-12520; dated June 11, 1991).¹⁷¹ Janjua was nomination of Nawaz. No difference emerged on the appointment of Janjua as Prime Minister and President agreed that Shamim Alam would be promoted as Chairman of Joint Chief of Staff Committee and Janjua as COAS.¹⁷² Janjua stated in his order of the day that army had nothing to do with the politics. He said: “Let the elected representatives do their jobs, while we concentrate on acquiring ever greater professional excellences.” He also emphasized on the smooth democratic development.¹⁷³

Aslam Baig had confirmed his affiliation with politics and the role of the army in reinstating the political stability after the death of Zia. This confirmation was made in his farewell address at auditorium of General Headquarters.¹⁷⁴

Disagreement within the IJI:

The IJI government had not shared its responsibilities with its allies due to which

¹⁷⁰ *Dawn*, Karachi, August 16, 1991.

¹⁷¹ *Dawn*, Karachi, August 17, 1991. He belonged to military family. He got military training at Royal Military Academy, Sandhurst in London. He graduated from Command and Staff College, Quetta and National Defence College, Rawalpindi. He participated in Pak-India wars of 1965 and 1971. He served Command and Staff appointments on several ranks. He commanded an infantry division and a corps. He had served the office of Chief of General Staff at General Headquarters. He was honoured with the *Hilali Imtiaz* and *Sitara-i-Basalat* for his services.

¹⁷² Saeed Mehdi interview by Mazhar Abbas, *ARY News*, “Do Tok”, May 23, 2010, part. 1, (broadcasted).

¹⁷³ *Dawn*, Karachi, August 18, 1991.

¹⁷⁴ M. H. Askari, “Depoliticising the Army”, *Dawn*, Karachi, August 21, 1991.

government was severely criticized by them. The JI had criticized the government for not taking action against the MQM (A) as the JI blamed it for the assassinations of its workers. The disagreements between the JI and the PML were serious as the JI was an important component of the IJI since its formation. The political atmosphere was highly charged against the IJI. The PDA had started its anti-government activities. This situation was dangerous for the unity of IJI alliance and stability of the government. In particular, the JI and the ANP had differences on several issues, such as; Afghan issue and Shariat Bill. The ANP was valuable collaborator of the IJI in NWFP and was about to join federal government in couple of days. The MQM (A) was recognized political force in urban areas of Sindh and ally in Sindh government. The JI was just a component of the IJI and not visible as a representative of the IJI on any level.¹⁷⁵ The JI was exploring other alternatives and there was possibility that the party could join the PDA or the APC. The JI had fear of losing its recognition on central and provincial level. It was not politically active on any level. Nawaz realized the sensitivity of the situation and strength of opposition so he set up a committee to obtain the working relationship again.¹⁷⁶

Call for Mid-Term Elections:

Benazir insisted that fresh and transparent elections were required to set up “genuinely representative” Assembly deal with the situation of the country. She formed four point agenda to guarantee the unity and financial disciplines:

1. remove legacy of Zia
2. institute modern, liberal and egalitarian Pakistan as envisioned by Jinnah

¹⁷⁵*Dawn*, Karachi, August 18, 1991.

¹⁷⁶*Dawn*, Karachi, August 11, 1991.

3. set a new social order to redefine the role and relationship among civil-military institutions and different sections of the society
4. ensure strict fiscal discipline

She considered Nawaz and Ishaq Khan as symbols of Zia era and believed that the removal of both of these personalities were essential for beginning of new chapter in Pakistani politics. In fact the opposition was determined to make Pakistan an egalitarian society.¹⁷⁷

Disagreement on the Finance Bill:

On May 1, 1992 the federal budget for fiscal year 1992-1993 was approved by the National Assembly. It was not an easy task to get the finance bill passed from the lower house. The House adopted 192 demands presented by the treasury benches related to grants but the amendments proposed by the PDA and the JI were not entertained. The PDA and the JI had criticized finance bill as they considered that it had some un-Islamic provisions like *Riba* hence it should be referred to the Council of Islamic Ideology. Almost everyone in the opposition spoke against the finance bill. Speaker of the National Assembly Gauhar Ayub had called for the division in the House over the bill. All members of the opposition under the leadership of Benazir had exhibited their disapproval on the bill. Liaquat Baloch of the JI criticized the government that it had called three Islamic conferences to get rid of *Riba* but did not take any action to ensure interest-free banking. He declared that people had voted the IJI as it promised to introduce Islamic order but did nothing to implement Islam. Mian Usmani and Anwar-ul-Haq Ramay of JI referred to the bill as: “petty excuses to delay the implementation of

¹⁷⁷*Dawn*, Karachi, August 30, 1991.

Shariah.” The leader of the PPP, Aitzaz Ahsan also criticized the bill: “You have been doing only lip-service to Islam.” Sartaj Aziz countered the criticism of the opposition and claimed that the IJI was committed to implement Islam order.¹⁷⁸

Law and Order Situation in Sindh:

Four governments in Sindh (within last six years) failed to end the law and order crisis in the province.¹⁷⁹ Bombs blasts, target killing, abductions, burglaries, robberies, assassinations, terrorism, and arrest of the students were very common. The students of Sindh Peoples Student Federation were detained. The provincial government held the PPP responsible for all the crimes in Sindh.¹⁸⁰ Jam Sadiq Ali had arrested the MPAs of PPP and PDA; questions were being raised that if politicians of these parties were in jails then who were destroying the law and order.¹⁸¹

In second half of May, 1992 the federal government had invoked Article 147 in Sindh on the request of Sindh government. The rate of crimes (dacoit, terrorism and abduction for ransom) had augmented.¹⁸² Nawaz justified the imposition of said article by mentioning that law and order situation did not improve in the notified time of six months.¹⁸³ Janjua explained that army was called to help the civil administration at the request of Sindh government.¹⁸⁴ He vividly stated that operation would be carried out in consultation with the Sindh administration and according to the Constitution.¹⁸⁵ Public would be informed about the operation. The operation took place under the supervision of

¹⁷⁸ *Dawn*, Karachi, June 1, 1992.

¹⁷⁹ Sultan Ahmad, “Political Solution for Sindh”, *Dawn*, Karachi, June 27, 1991.

¹⁸⁰ *National Assembly of Pakistan Debates: Official Report*, vol. 9, no. 13, October 29, 1991, 1600-1601.

¹⁸¹ Haque, “Jam”, 72.

¹⁸² *Dawn*, Karachi, June 2, 1992.

¹⁸³ M.H. Askari, “Pitfalls in Military Operation”, *Dawn*, Karachi, June 3, 1992.

¹⁸⁴ *Dawn*, Karachi, June 2, 1992.

¹⁸⁵ *Dawn*, Karachi, June 5, 1992.

Chief Minister Sindh, the Corps Commander and the Inspector General of Sindh Police. The military authority proposed considerable reshuffle in the Sindh administration.

Military authority had stated that Sindh administration was ineffective and non-cooperative as some of them were patronages of perpetrators. Military mentioned that it would prefer to work with those officials who did not favour any political party.¹⁸⁶ Army had registered its complaint against one of the ethnic groups which pressurized the army for the release of its workers. Later on the highest political authorities had guaranteed no-interference in business of army.¹⁸⁷

The top leadership of the MQM (A) had demanded the explanation on the operation. Nawaz met with Altaf Hussain in London on his way back from New York to appease him. The MQM (A) had tried to convince Centre and army that dacoits and abductions were features of rural areas and not of urban areas so the operation should be confined to the rural parts whereas the Centre had asserted repetitively that the operation would take place in both urban and rural areas. The MQM (A) walked out from the National Assembly session as a protest against the operation.¹⁸⁸ Nawaz declared that operation would be neutral to reinstate law and order.¹⁸⁹ Military guaranteed that actions would be against terrorists and not political parties. Military authorities explained that every group/party had good and bad people and army attempted to cope with bad elements.¹⁹⁰ Nawaz affirmed that operation was started to wipe out criminals and

¹⁸⁶ *Dawn*, Karachi, June 2, 1992.

¹⁸⁷ *Dawn*, Karachi, June 5, 1992.

¹⁸⁸ M.H. Askari, "Pitfalls in Military Operation", *Dawn*, Karachi, June 3, 1992.

¹⁸⁹ *Dawn*, Karachi, June 7, 1992. *Dawn*, Karachi, June 29, 1992.

¹⁹⁰ *Dawn*, Karachi, June 2, 1992.

terrorism and it did not aim aggression towards any political party.¹⁹¹

In June 1992, the group of MNAs and MPAs from interior Sindh was invited in Islamabad to discuss the modalities of the Operation Clean Up.¹⁹² Nawaz affirmed that operation was taking place with consensus of all the political parties. He also highlighted the MQM (A) opinion on the operation after having a discussion with its leaders. He said” “We agreed that the action against criminals was a must for the restoration of law and order. And we are hopeful that very soon the province, that had given tremendous sacrifices for the creation of Pakistan, would become a secure and peaceful land.”¹⁹³ During the operation two bomb explosions and assassinations of nine people took place at village of Tando Bahawal. After this episode the army faced many difficulties in continuing the operation.¹⁹⁴ The coalition in Sindh was working well before the imposition of the army operation. The MQM (A) had left the coalition due to army operation.¹⁹⁵

The situation became worse with the demand of the APC to dissolve the federal and provincial assemblies. The APC believed that in the prevailing political scenario neutral operation could not take place. The APC stated that operation was detrimental for the reputation of the army because “the government would “mislead the personnel of armed forces.” ” The APC had passed the resolution on law and order in Sindh. It stated that bad law and order in Sindh could cause dangerous consequences for the country. The APC

¹⁹¹ *Dawn*, Karachi, June 7, 1992.

¹⁹² Shaheen Sehbai, “For Sindh, What is in Store?”, *Dawn*, Karachi, June 19, 1992. The meeting was attended by following MNAs *vis a vis*: Syed Pervez Ali Shah, Jam Saifullah Dharejo, Abdus Sattar Bachani, Rafiq Mahesar, Syed Khurshid Shah, Shabbir Ahmed Chandio, Kishan Chand Pirwani besides Qaim Ali Shah and Nisar Khuhro of the Sindh Assembly. Two journalists were also present in the course of talks.

¹⁹³ *Dawn*, Karachi, June 2, 1992. *Dawn*, Karachi, June 7, 1992.

¹⁹⁴ Aftab Ahmed, “Army Action in Sindh”, *Dawn*, Karachi, June 25, 1992. *Dawn*, Karachi, June 5, 1992.

¹⁹⁵ MNA Haider Abbas Rizvi, Personal Interview.

had criticized the operation that it took place in rural area and not in cities which could create feelings of discrimination among the rural masses. The APC mentioned that action against known terrorists did not take place in cities because whenever law enforcing agencies had arrested the culprits they got release because of their political affiliation with the party which was in coalition in the Sindh government. The APC had mentioned that in the absence of effective government the army action would be counter-productive. The APC had serious concerns on the status of human rights in the province during the operation. The Central Executive Committee of APC formed a committee on human rights which was to scrutinize the developments in Sindh and to maintain link with media in order to update the people on operation and to take notice of violation of human rights. The resolution of the committee stated that if “bogus” Assemblies would not be sacked then neutral operation could not take place. It demanded that “along with the assault on the hideouts of dacoits and terrorists in the rural areas, all arms dumps, arsenal bunkers, torture outfits in the cities be unearthed and wiped out.”¹⁹⁶

Withdrawal of the MQM (A) from Sindh Government:

The political divide was obvious in prevailing situation in Sindh. The Sindh cabinet decided to maintain the support of all the agencies, organizations and federal government towards the administration in order to fight the illegal and anti-state activities and terrorism.¹⁹⁷ The cases of abduction, assassination and firing were registered against the top leadership of the MQM (A) including its Chief Altaf Hussain, Secretary General Imran Farooq, Vice-Chairman Salim Shahzad, Provincial Minister for Industries and

¹⁹⁶ *Dawn*, Karachi, June 19, 1992.

¹⁹⁷ *Dawn*, Karachi, June 30, 1992.

others.¹⁹⁸ The MQM (A) demanded its MNAs to resign from National Assembly on Sindh issue. Minister for production Islam Nabi went to Uzbekistan with Nawaz before sending his resignation to the National Assembly Secretariat. This caused the doubt that whether he wrote the resignation himself or the MQM (A) leadership had written his resignation and used his signatures.¹⁹⁹ The Article 64 (1) of the constitution stated, “A member of *Majlis-e-Shoora* (Parliament) may, by writing under his hand addressed to the Speaker or, as the case may be, to the Chairman resigning from his seat, and thereupon his seat shall become vacant”.²⁰⁰ It was the Speaker who had to determine that either resignation was written by the MNAs themselves or not. In the past the legislators objected that the party authorities pressurized them to resign even if they did not want. The resignations of the other MNAs of the MQM (A) were also doubted after the episode of Islam Nabi.²⁰¹ According to the MQM (A) Islam Nabi had faxed his resignation written by himself.²⁰²

The MQM (A) believed that the operation aimed to destroy it.²⁰³ Benazir criticized the federal and provincial governments for their double-crossing as they were not clarifying that whether the MQM (A) was its ally in federal and provincial governments or not. On the floor of the House Benazir had criticized the government for making the ethnic and linguistic split stronger through its policies.²⁰⁴ Benazir cited that in her former government ethnic tension was prevalent in various parts of Sindh but even

¹⁹⁸ *Dawn*, Karachi, June 24, 1992.

¹⁹⁹ *Dawn*, Karachi, June 29, 1992.

²⁰⁰ Munir, *The Constitution of the Islamic Republic of Pakistan*, 225.

²⁰¹ *Dawn*, Karachi, June 29, 1992.

²⁰² MNA Haider Abbas Rizvi, Personal Interview.

²⁰³ M.H. Askari, “Pitfalls in Military Operation”, *Dawn*, Karachi, June 3, 1992.

²⁰⁴ *Dawn*, Karachi, June 29, 1992.

though the Article 147 did not enforce.²⁰⁵

On November 28, 1992, the resignations of nine MPAs of the MQM (A) were accepted by the acting Speaker of Sindh Atta Mohammad Marri. According to Sindh Assembly Secretariat Notification these nine MPAs had resigned in June 1992 but the resignations were accepted in November 1992. The MQM (A) had objected the delay in accepting resignations. It believed that government had delayed the acceptance of resignations on purpose as it required adequate time to persuade the MQM (A) legislators to withdraw their resignations.²⁰⁶ Later on the MQM (A), the JI and the NPP had left the IJI.

The IJI was aware of the fact that without MQM (A)'s support its government could not continue in Sindh. The democratic solution of Sindh situation was fresh electoral mandate.²⁰⁷ In Sindh Assembly the PPP got highest number of seats but the IJI succeeded to set up its government through coalition. Thus the government in Sindh was not according to the expectation of the people.

Condition of Human Rights in Sindh:

The violation of human rights was high during the operation. During the demonstrations women were ruthlessly lathi-charged by the police. Several young men were made to disappear and were not traceable. The victims of law enforcing agencies had been traumatized and were reluctant to register their complaints them and were not prepared to report to press about the torture of military/police The law enforcing agencies also

²⁰⁵ M.H. Askari, "Pitfalls in Military Operation", *Dawn*, Karachi, June 3, 1992.

²⁰⁶ *Dawn*, Karachi, November 29, 1992.

²⁰⁷ MNA Haider Abbas Rizvi, Personal Interview.

tortured Hindu minorities and in rural and urban Sindh several people were missing.²⁰⁸ The Operation Clean Up alleged the MQM (A) as a political terrorist organization; the culture of Kalashnikov being promoted under the cover of the MQM (A). The MQM (A) had set up a parallel administration in Sindh. The operation attempted to get rid of the MQM (A)'s thugs who used to collect money from the businesses. Due to the operation the MQM (A)'s leaders went underground. During operation the MQM (A)'s torture cells were found. The operation was successful in Karachi and Hyderabad.²⁰⁹

The political situation in Sindh had great influence on Islamabad. The pattern of political development was similar to the situation that took place in 1990 just before the dissolution of PPP's government. The APC in Islamabad was considering on two points proposal, i.e., dialogue and composition of the provisional government. The bureaucracy believed that the manner in which government was running the affairs it could not "last beyond June".²¹⁰

Nawaz-Army Relations:

The disagreements between the army and Nawaz emerged when Aslam Baig started to intervene in political matters. Aslam Baig had a key role in the selection of cabinet; and Gulf issue had also soured their relationship. Other top army leadership like Major General Assad Durrani and Lieutenant General Hamid Gul also turned against Nawaz. Durrani became a threat to Nawaz when he decided to remove him. The IJI source revealed: "Durrani was the man behind several efforts to destabilize the government

²⁰⁸ Nauman Naqvi, and Hasan Mujtaba, "Under the Boot", *Newsline*, Karachi, November 1992, 28-29.

²⁰⁹ Muhammad Hanif, "The Army has Broken the MQM's Reign of Terror but its Own Excesses are Generating a Backlash", *Newsline*, Karachi, November 1992, 25-28.

²¹⁰ Maleeha Lodhi and Zahid Hussain, "Power Play in Islamabad", *Newsline*, Karachi, June 1992, 24-25.

during the Gulf War, having personally supervised disinformation campaigns against key ministers.” Durrani had started severe criticism against the government. Hamid Gul was also not in high spirits when he was transferred at Taxila. Aslam Being the founder of the IJI he was hopeful to get important role in politics but it did not occur.²¹¹ Janjua had told Hamid Gul either to go to Taxila Heavy Complex or get prepare for facing court martial so he resigned.²¹²

On March 2, 1992 ISI Chief Duranni was replaced by the Lt. General Javed Naser.²¹³ Javed Naser was selected by Nawaz. Nawaz had bypassed the procedure for his selection as he did not observe a panel of proposed name by the General Headquarters (GHQ). The profile of Javed Naser was highly religious and at that point military was promoting its moderate and liberal image. The changes in ISI took place when Afghanistan entered into the serious political phase. The GHQ did not like it as it did not believe that it was the right time for such massive changes.²¹⁴

Nawaz suspended the anti-dacoit operation in Sindh which restricted the role of military. The operation was neutral and across the board in whole Sindh. The law and order was restored but army was called back before the completion of operation. Nawaz was threatened by the MQM because of which he cancelled the operation.²¹⁵ The Mehran Force (a paramilitary force) was deployed in Sindh under the command of the civilian government. However when Mehran Rangers did not manage the law and order in the province then army was recalled again. All these decisions widened the differences

²¹¹ Lodhi and Zahid, “Play in Islamabad”, 25-26.

²¹² Shaikh Rasheed Ahmad, Awami Muslim League, Rawalpindi, Personal Interview, January 13, 2011.

²¹³ *Dawn*, Karachi, March 3, 1992.

²¹⁴ Lodhi and Zahid, “Play in Islamabad”, 26-28.

²¹⁵ Senator Javed Ashraf, Pakistan Muslim League (Quaid-e- Azam) PML (Q), Personal Interview, Islamabad, September 16, 2011.

between the government and the GHQ. With this Nawaz relationship with the President, the opposition, the army and its allies worsened. The establishment had criticized Nawaz for not following the procedure in appointment of Naser.²¹⁶

Legislation under the Government:

By November 1992 the Parliament had enacted 55 bills in contrast to 19 bills passed by the previous government. Minister of Parliamentary Affairs had updated the public about the details of the legislations. He listed the following subjects on which government did legislation including agriculture, industry, electoral procedure, political representation, parliamentary privileges, and *Shariah*.²¹⁷

Long March against the Government:

On November 10, 1992 Benazir announced the date and venue of the long march. The march was scheduled on November 18, 1992 and she expressed the view that the long march would be of “Boris Yeltsin-type”. She explained the long march in these words: “We are not looking towards A, B or C for our demands. We represent the poor, oppressed people who want to demonstrate against a corrupt and illegitimate government which is a product of ballot fraud.” She also explained the terminology adopted for the march: “the demonstrations led by Boris Yeltsin in front of the Kremlin, by religious leaders in Iran and in Manila were not aimed at personalities.”²¹⁸ The long march had to begun from the Liaquat Bagh (Rawalpindi) and to finish in front of the Parliament House (Islamabad). The march aimed to remove the IJI government. Benazir mentioned that the

²¹⁶ Lodhi and Zahid, “Play in Islamabad”, 26-28.

²¹⁷ Mushtaq Ahmad, “Law Without Justice”, *Dawn*, Karachi, November 3, 1992.

²¹⁸ *Dawn*, Karachi, November 11, 1992.

long march was planned to find the solutions of all political problems that country was facing right at the moment. On November 13, 1992 in a press conference she declared that the solution was possible by setting up an interim government based on national consensus. She said that the government should organize free and fair elections under the neutral Election Commission. She also stated that the PDA had called the march because of “social and economic discontent among the people;” that people were looking for pragmatic and talented leadership. Considering it as a “political squabble,” she rejected the idea that army would engage itself in it; she pointed out that the IJI was in minority because its partners, i.e., the MQM (A), the NPP, the JI and some independent members had left the alliance.²¹⁹

Nawaz considered the proposed long march as a negative policy and declared that he would deal with hypocrisy and destructive politics through constructive politics.²²⁰ The IJI was determined to deal the opposition with firm hand; in the Punjab the PDA workers were arrested and later the government imposed ban on the PDA’s long march in Islamabad. The Interior Minister, Chaudhry Shujaat Hussain stated that the federal government had not received any formal application for permission of meeting/rally and suggested that the PDA should inform the government about their strategy and route. He added Asghar Khan and Benazir had confirmed that the demonstration would not be peaceful.²²¹ The PDA had stopped to talk with the government after the arrest of its workers. On November 11, 1992 the IJI announced that the march would be permitted

²¹⁹*Dawn*, Karachi, November 14, 1992.

²²⁰*Dawn*, Karachi, November 12, 1992.

²²¹*Dawn*, Karachi, November 16, 1992.

and on November 16, 1992 the march was banned by the government.²²² Section 144 was enforced in Islamabad and Rawalpindi and the police took control of Liaquat Bagh. The government had deployed military for the security of the Presidency and the Parliament. Army sources clarified its position on long march: “we are not supposed to interfere with political rallies and marches. We will guard sensitive installations, like the embassies and parliament house, but not stop any one from moving”.²²³ In a meeting the COAS conveyed his concerns to Ishaq Khan on the political development that emerged due to long march call.²²⁴ It was clarified that in case of sit-in of the PDA and the National Democratic Alliance (NDA) in front of the President House,²²⁵ the military would confine its role to the security of the public property.²²⁶

The federal government was engaged in imposing and lifting bans on marches and providing the explanations for the change of decisions. Lifting on ban was being justified on grounds that constitution had permitted the freedom of expression and assembly;²²⁷ while imposition of ban on plea that the march was not normal as it was aimed at taking over important buildings and the participants would include people armed with guns, grenades, batons and knives and that the government believed that this was not merely a demonstration and could not be peaceful by any means.²²⁸ In the federal cabinet the split was seen on the issue of rally; some ministers considered the march as a democratic step while others as treason. To make the call ineffective the government started to detain the

²²² *Dawn*, Karachi, November 12, 1992. *Dawn*, Karachi, November 17, 1992.

²²³ *Dawn*, Karachi, November 17, 1992.

²²⁴ *Dawn*, Karachi, November 15, 1992.

²²⁵ *Dawn*, Karachi, November 11, 1992.

²²⁶ The NDA was incorporation of the NPP, the Pakistan National Party (PNP) and of Khar and Kausar Niazi groups. Nawabzada Nasrullah Khan was a chief of the alliance. *Dawn*, Karachi, November 16, 1992.

²²⁷ *Dawn*, Karachi, November 15, 1992.

²²⁸ *Dawn*, Karachi, November 16, 1992.

PPP activists countrywide (mainly in the Punjab and Islamabad). The PPP blamed the government for arresting its 6000 activists. The government set three conditions on the PPP if it wanted to conduct long march: the rally would not assemble in Islamabad; the rally would scatter in Rawalpindi; and no use of weapons would be carried. A meeting, attended by important political, bureaucratic and military personalities, was arranged in Lahore to discuss the matters relating to long march. General Javed Nasir and Brigadier Imtiaz of ISI suggested to Nawaz that the march should be dealt with force. The Inspector General of Punjab Police Sardar Muhammad Chaudhry, Chief Minister Ghulam Haider Wayne and Chief Secretary Punjab Pervaiz Mahsood advised against use of excessive state power.

On the day of rally Benazir, Ghulam Mustafa Jatoi, Asghar Khan, many PDA's MNAs, MPAs, Senators and former ministers were arrested. Benazir's entry in twin the cities (Rawalpindi and Islamabad) was banned for 30 days. In spite of strict security around Benazir's house she managed to reach Liaquat Bagh; but she was escorted by the Deputy Inspector General of Police (DIG) immediately to State Guest House in Rawalpindi. In the rally 60 persons were wounded due to clashes; tear gas was used extensively by the police; and people were not permitted to enter in Islamabad through highway.²²⁹ The PDA leaders, Salman Taseer, Aitzaz Ahsan and Naveed Malik, were in police custody.²³⁰

The long march was a success yet government tried to under rate it. Chaudhry Nisar Ali Khan stated that 98 percent of the country was peaceful and did not act in

²²⁹ *Dawn*, Karachi, November 19, 1992.

²³⁰ *Dawn*, Karachi, November 22, 1992.

response to the call; yet at other occasion he affirmed that government could not grant permission to 40,000 to 50,000 people to get to Islamabad and that if the opposition would initiate such actions again, government would control it in the same way. The government was ready to have a word with the opposition only if “it would take this ‘first step’ of declaring that ‘it would try to remove the government through political and constitutional means, through a vote of no-confidence, and not through public meetings and demonstrations’”.²³¹ The opposition had rejected the conditional offer of the IJI for dialogues and stated that it could talk to the government if government would agree to hold general elections.²³² The government had tried to convince the PDA to surrender its demand of fresh elections since it believed that it could handle the opposition effectively in the Parliament due to adequate number of IJI members. The government knew that if no-confidence motion was tabled against Nawaz then it could manage it but it was difficult to control the street power.

The government claimed long march a violent activity but no arm or weapon was recovered from any of the 20,000 political workers which were detained by the police. The human rights were violated and political workers under police detention were badly treated. Human rights activist namely Asma Jahangir and Sartaj Qizalbash who reached Islamabad to scrutinize the human rights violation were also detained with 11 persons in the same lock up.²³³

On the day of long march Nawaz had made a speech in which he highlighted positive aspects of his government: economic policies, GDP growth, yellow cab scheme,

²³¹ *Dawn*, Karachi, November 21, 1992.

²³² *Dawn*, Karachi, November 22, 1992.

²³³ *Dawn*, Karachi, November 21, 1992.

loan scheme for poor, and foreign investment. The IJI criticized Benazir for spreading the feeling that Pakistan was going through civil war which could disappoint the foreign investors.²³⁴ Nawaz was convincing people through his speeches that development was taking place therefore they should not participate in the opposition rallies which aimed to bring destruction to the country. Political deadlock emerged as both sides stuck to their demands and were not prepared to talk to each other. Benazir met the Consuls-General and senior diplomats of Afghanistan, Britain, France, Germany, Holland, Iran, Japan, and USA to ensure their moral support for democracy.²³⁵

Train March Event Opposed to the Government:

The PDA had announced November 23, 1992 as the date of train march.²³⁶ This time the entry of Benazir in NWFP was banned. In Sindh the Article 144 was imposed that banned demonstrations, rallies and gatherings.²³⁷ The train march began from Karachi to Lahore since entry of Benazir was banned in Rawalpindi and Peshawar.²³⁸ The train march was not blocked as armed forces intervened. The armed forces leadership was unhappy over the political confrontation. In a special committee of Joint Chiefs of Staff Committee (chaired by Chairman General Shamim Alam and attended by all the services chief) deadlock between government and opposition was discussed. A direct message was sent to the leaders of the House and opposition to give up their hostilities and reach on certain terms.²³⁹

²³⁴ Ibid. *Dawn*, Karachi, November 22, 1992.

²³⁵ *Dawn*, Karachi, November 21, 1992.

²³⁶ Ibid.

²³⁷ *Dawn*, Karachi, November 22, 1992.

²³⁸ *Dawn*, Karachi, November 21, 1992.

²³⁹ *Dawn*, Karachi, November 26, 1992.

After termination of the marches Benazir extended co-operation towards Nawaz which was in fact for facilitating bail for her husband. All stake-holders maneuvered to get advantages from the march. The opposition struggled to gather large crowds to show its influence while Nawaz wanted the rallies to fail so as to prove that the nation was supporting his policies. A good relationship between the opposition and the government seemed to be not in Ishaq Khan's interest as it would weaken the power-base and importance of presidency.

Appeasement between Nawaz and Benazir:

On January 5, 1993 the government withdrew the Ordinance No. 22 promulgated on December 13, 1992 curtailing the powers of the courts. The ordinance had restricted the High Courts from hearing of bail applications submitted by those persons who were facing trials in the Special Courts for Suppression of Terrorist Activities. The government had also promised the withdrawal of Ordinance No. 15 issued on November 16, 1992 which was correlated with the Ordinance No. 22 but it reinstated the former ordinance. The ordinance 15 had withdrawn the facility of automatic bail after two years. The Law Minister Chaudhry Abdul Ghafoor maintained that the main criticism was on the Ordinance No. 22 and not on Ordinance No. 15. The withdrawal of the Ordinance 22 generated debate as to whether the Ordinance No. 15 was related to anti-terrorist law or not. The entire opposition criticized the government for not fulfilling the promise of withdrawing both the ordinances;²⁴⁰ the criticism proved effective and Ordinance No. 15 was also withdrawn on January 12, 1993. The amendments in bail laws were perhaps

²⁴⁰*Dawn*, Karachi, January 6, 1993.

intended to create hurdles in release of Zardari on bail.²⁴¹

The PPP was not prepared to hold un-conditional talks with government. Benazir mentioned: “Political settlement should not be a political blackmailing” and that government should ensure suitable environment for political understanding.²⁴² In the meantime Benazir was elected unopposed as chairperson of the National Assembly’s Standing Committee on Foreign Relations. This led to the rumor that the withdrawal of cases against the leaders of the PDA and release of Zardari were on card. When journalists asked Nawaz about these rumors he said: “You may know better”.²⁴³ The press reported repeatedly that Benazir had been considering a deal soften her criticism of foreign policy in return for release of Zardari. She repetitively rejected these reports by saying that the interests of the country, people and Party were supreme and thus the option of deal was impossible. Benazir affirmed that if dialogue with government took place, it would not be secret.

While these rumors were rife, a story was published in *The Times* which referred that the detention of Zardari had emotionally disturbed Benazir and so there was a possibility of her having an agreement with the government. The report added that USA was disappointed with Benazir and had sent a signal of support to Nawaz.²⁴⁴ Benazir had rejected all such reports.²⁴⁵ On February 6, 1993 the bail was granted to Zardari against the sum of Rs. 500,000 in Unnar case after remaining in confinement for 29 months.²⁴⁶

²⁴¹*Dawn*, Karachi, January 18, 1993.

²⁴²*Dawn*, Karachi, January 11, 1993.

²⁴³*Dawn*, Karachi, January 17, 1993.

²⁴⁴*Dawn*, Karachi, February 5, 1993.

²⁴⁵*Dawn*, Karachi, January 18, 1993.

²⁴⁶*Dawn*, Karachi, February 7, 1993.

The Eighth Amendment:

The PML Parliamentary Party decided to discuss the Eighth Amendment issue with other parties.²⁴⁷ Since the issue was directly concern with the President and the Prime Minister the PML Parliamentary Party empowered Nawaz to select the name for the presidential elections and to make a decision about the Eighth Amendment.²⁴⁸ Nawaz formed a two member committee with Syed Ghaus Ali Shah as its chief with the purpose to consult other political parties for annulment of the eighth amendment.²⁴⁹ The official committee began to meet with the political parties' delegations.²⁵⁰ The removal of said amendment was difficult without the support of the opposition. Benazir demanded a political package for supporting the annulment of Eighth Amendment that included transparent elections under a neutral government.²⁵¹ On March 22, 1993 Nawaz and Ishaq Khan met to settle their differences. Among other issues, they agreed not to permit anybody to exploit the situation; which was not a happy development for Benazir. The presidential sources stated that the Prime Minister had agreed to avoid the issue of cancellation of Eighth Amendment in the course of talk.²⁵²

Nawaz-Ishaq Khan Relations:

Both Nawaz and Ishaq Khan were products of establishment and were also heavily relying on its support; yet the establishment was disappointed when they turned against

²⁴⁷Through Eighth Amendment following articles were amended; 48, 51, 56, 58, 59, 60, 75, 91,101,105,106,112,116,130, 122, 152, 270.*Dawn*, Karachi, February 22, 1993.

²⁴⁸ Ayaz Amir, "The PM: Afloat on a Bitter Sea", *Dawn*, Karachi, February 22, 1993.

²⁴⁹*Dawn*, Karachi, March 2, 1993.

²⁵⁰*Dawn*, Karachi, March 3, 1993.

²⁵¹*Dawn*, Karachi, March 11, 1993.

²⁵²*Dawn*, Karachi, March 23, 1993.

each other.²⁵³ On December 20, 1991 Ishaq Khan addressed the joint session of the Parliament.²⁵⁴ Throughout the presidential address the opposition under the leadership of Benazir raised slogans against Ishaq Khan; Nawaz did not intervene and kept silent during the episode.²⁵⁵ When after the presidential address, journalists asked Nawaz that would Ishaq Khan be nominated for another term, answered that matter was not yet decided and that the Party would decide it.²⁵⁶

During long march episode Nawaz had shifted Zardari to the Rawal Dam Guest House and Ishaq Khan and Jam Sadiq Ali were not happy on this action. Ishaq Khan retorted to Chaudhry Nisar Ali Khan: “When did you take the responsibility of honeymoon ministry as you have been making good arrangements for meetings between Benazir and Zardari?”²⁵⁷

Ishaq Khan and Nawaz had different choices for the office of COAS, after the death sudden of Janjua.²⁵⁸ Ishaq Khan’s choice was General Waheed Kaker and Nawaz was reportedly supporting General Rahim Bhatti to which Ishaq Khan objected as he was to retire. This annoyed Nawaz²⁵⁹ and he started the campaign for the cancellation of Eighth Amendment. A day before Prime Minister’s address to the nation Nawaz tried to meet Waheed. But Brigadier Shami told Nawaz that the COAS was not feeling well and therefore he would meet him next day. Nawaz got the hint as hardly after one hour of

²⁵³ Shaikh, *A Political Biography*, 208.

²⁵⁴ *Dawn*, Karachi, December 21, 1991. Munir, *The Constitution of the Islamic Republic of Pakistan*, 211-212.

²⁵⁵ *Dawn*, Karachi, December 21, 1991

²⁵⁶ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, “Do Tok”, May 23, 2010, part. 1, (broadcast).

²⁵⁷ Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 169.

²⁵⁸ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, “Do Tok”, May 23, 2010, part. 1, (broadcast).

²⁵⁹ *Dawn*, Karachi, April 19, 1993. Saeed Mehdi interview by Mazhar Abbas, *ARY News*, “Do Tok”, May 30, 2010, part. 2, (broadcast).

Shami's talk with Nawaz, Waheed met Ishaq Khan in the presidency.²⁶⁰ Nawaz later confided there was no disagreement between him and Ishaq Khan on the appointment of Waheed.²⁶¹

Problems for Nawaz:

The death of Janjua had caused serious situation for the government. It was reported that perhaps Asif had died due to poor medical care.²⁶² The widow of late COAS blamed that the death of his spouse death was a conspiracy; he did not die because of heart failure and was a 'political murder'. She alleged that Shahbaz (Younger brother of Nawaz), Brigadier Imtiaz (Director of Intelligence Bureau) and Chaudhry Nisar Ali Khan were responsible for it. The reports and statements of late general's wife infuriated the army.²⁶³ Nawaz had formed a three-member judicial commission under senior judge of the Supreme Court, Justice Sharifur Rehman, to investigate the matter.²⁶⁴ The dead body of Janjua was taken out of the grave for postmortem. The finding of the Commission was that the death was due to heart failure.²⁶⁵

Another cause of worry was the rift with the Junejo group in the PML. The group criticized Nawaz for attending important matters (like, repeal of eighth amendment, Kalabagh Dam and presidential candidate) personally and without consulting it. The Junejo group had supported the Eighth Amendment and declared it a tool to prevent the

²⁶⁰ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast).

²⁶¹ *Dawn*, Karachi, April 20, 1993.

²⁶² *Dawn*, Karachi, January 11, 1993.

²⁶³ *Dawn*, Karachi, April 12, 1993.

²⁶⁴ *Dawn*, Karachi, April 13, 1993.

²⁶⁵ Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 173-174.

enforcement of Martial Law.²⁶⁶ The Secretary General of PML Iqbal Ahmad Khan denied the rift in the party and stated that few days back in a meeting (attended by the Parliamentarians of the PML and several other parties) Nawaz was authorized to choose the name for the presidency and to decide the matter of cancellation of eighth amendment.²⁶⁷ These reports had encouraged Ishaq Khan to speak against Nawaz. In a meeting with Sher Afghan Niazi (the PPP former minister of parliamentary affairs) Ishaq Khan expressed the view that Nawaz should seek fresh mandate from the nation in order to repeal eighth amendment. Sher Afghan Niazi supported the IJI to voluntarily tender its resignation as some of the components of the alliance had left its affiliation.²⁶⁸ Ishaq Khan asked the Chief Ministers of all the provinces not to perform on his instructions.²⁶⁹ Under these conditions and to save its rule Nawaz cabinet decided to nominate Ishaq Khan as official for the presidential election.²⁷⁰

Nawaz faced another crisis within the Party. On March 19, 1993 the President of PML Muhammad Khan Junejo died in USA.²⁷¹ After his death Nawaz called a meeting of PML Council and got himself elected as President of the PML.²⁷² This action was objected by several PML members; and even many federal ministers (including, Sardar Asif Ahmad Ali, Roedad Khan, Hamid Nasir Chattha, Anwar Saifullah, Jam Mashooq Ali and Mir Hazar Khan Bajrani) resigned as a protest. Ishaq Khan took full advantage of this situation and persuaded the aggrieved members of PML to oppose Nawaz.²⁷³ All the

²⁶⁶ *Dawn*, Karachi, February 23, 1993.

²⁶⁷ *Dawn*, Karachi, February 27, 1993.

²⁶⁸ *Dawn*, Karachi, February 11, 1993.

²⁶⁹ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast).

²⁷⁰ *Dawn*, Karachi, April 5, 1993.

²⁷¹ *Dawn*, Karachi, April 20, 1993.

²⁷² Chaudhry, *Tehri Rahon Ka Seedha Musafir* (Urdu), 172.

²⁷³ Hafeez Gauhar, *Pakistan Ka Hukmaran: Aik Sachi Aur Karwe Kitab* (Gahur Publications, n.d), 289.

MNAs and Senators of the Federally Administered Tribal Area (FATA) announced their support for Ishaq Khan.²⁷⁴

Nawabzada Nasrullah Khan and all the three alliances namely, the PDA, NDA, IDF had unanimously agreed to support Ishaq Khan on the dissolution of the Assemblies.²⁷⁵ In fact the opposition played a vital role in making the mind of Ishaq Khan about the ouster of Nawaz. Ishaq Khan's meetings with the opposition were signs of the dissolution. The opponents of Nawaz had multiplied in a short period of time. Ishaq Khan did not want to remove the with the support of all the stake holders vis a vis establishment, the opposition and fragmented factions of the PML. The bureaucracy served as a bridge among the presidency, the opposition and the military. The meeting of the Corps Commanders headed by the COAS was held on first week of July 1993 to discuss the political situation of the country. In the meeting it was decided that Nawaz should suggest to the President to dissolve the Assemblies.²⁷⁶ Roedad Khan conveyed the message of COAS to the President that he would support any action of President according to constitution.²⁷⁷

On April 17, 1993 Nawaz addressed the nation to assure the stability of his government. He explained the economic revolution due to his policies. He said that he would neither resign nor advice the dissolution of National Assembly. In the address he exposed the conspiracy against the government hatched by Ishaq Khan and said that he would not take dictation from the presidency. He explained about the horse-trading in the capital. He mentioned that every third person of his party was promised a ministry by Ishaq Khan and his younger brother Shahbaz was offered prime ministership. He

²⁷⁴ *Dawn*, Karachi, April 1, 1993.

²⁷⁵ *Dawn*, Karachi, April 3, 1993.

²⁷⁶ Roedad Khan, *Pakistan-A Dream Gone Sour* (Karachi: Oxford University Press, 1997), 132.

²⁷⁷ *Dawn*, Karachi, April 18, 1993. *Jang* (Urdu), April 18, Lahore, 1993.

declared that the horse -trading had not weakened his strength and on the same day the PML officially split up into two factions.²⁷⁸ Afterwards Nawaz was unanimously elected as the President of his faction of the PML. In April 1993 three meetings took place between the President and the Prime Minister but these meetings could not manage to patch up their misunderstandings and differences.²⁷⁹

Dissolution of the National Assembly:

The crisis culminated in dissolution of the National Assembly and dismissal of the government by the President on 18 April 1993. This government remained in power for just 29 months. In the Dissolution Order Nawaz was charged of following offences: subverting the Constitution and powers of armed forces; maladministration; corruption; nepotism; failure of economic policies; deteriorating law and order in Sindh; political confrontation; and creating imbalance of power between the Centre and provinces.²⁸⁰

Within three hours after the removal of federal government the ANP ministers in NWFP resigned and PML's MPAs (who were mostly from Hazara) entered into caretaker government.²⁸¹

On April 18, 1993 Sher Baz Mazari of the IJI was sworn in as caretaker premier. The caretaker government was composed of the PPP and the PML (Junego Group).²⁸² Ishaq Khan made use of Nawaz words in support of his action by explaining that Nawaz planned to subvert the Constitution as he himself mentioned that he would

²⁷⁸Ibid.

²⁷⁹*Dawn*, Karachi, April 20, 1993.

²⁸⁰*Dawn*, Karachi, April 19, 1993.

²⁸¹ Senator Haji Mohammad Adeel, Personal Interview, Islamabad, January 19, 2011.

²⁸²*Dawn*, Karachi, April 19, 1993.

not take dictation from the President. He explained that I had never given dictation to him as I was required under the Constitution to advise the government. Nawaz criticized Ishaq Khan for collaborating with the PPP in the dismissal of the government. The PML decided to challenge the Dissolution Order in the Supreme Court.²⁸³ Nawaz asked for the resignation of Ishaq Khan as he believed that he was not worthy to be the symbol of federation.

On April 19, 1993 Gauhar Ayub had filed a constitution petition against the dissolution of the National Assembly in the Lahore High Court in which he claimed that the presidential order was a *mala fide*;²⁸⁴ and on April 25, 1993 Nawaz filed a petition in the Supreme Court to get an early decision previous to the fresh election on July 14, 1993.²⁸⁵ The hearing of the petition took place before the full bench of the Supreme Court headed by Chief Justice Nasim Hasan Shah.²⁸⁶ On May 26, 1993 the court had decided the restoration of National Assembly, the Prime Minister and the cabinet immediately.²⁸⁷ The decision was made by 10 to 1.²⁸⁸ All the judges of the full bench except Justice Sajjad Ali Shah had ruled that President's action of dissolution was out of the orbit of powers awarded to him under the Article 58 (2) (b).²⁸⁹ It was for the first time ever the parliament history of Pakistan that the National Assembly, cabinet and leader of the House were restored by the Supreme Court. This time judiciary had not made use of the doctrine of necessity and did not validate the unlawful dissolution.

²⁸³ *Dawn*, Karachi, April 19, 1993.

²⁸⁴ *Dawn*, Karachi, April 20, 1993.

²⁸⁵ *Dawn*, Karachi, April 26, 1993.

²⁸⁶ *Jang* (Urdu), Lahore, April 23, 1993.

²⁸⁷ *Dawn*, Karachi, May 27, 1993.

²⁸⁸ *The News*, Islamabad, May 27, 1993.

²⁸⁹ Sajjad, *An Autobiography*, 697.

On May 27, 1993 the session for the vote of confidence took place in which Nawaz had obtained 123 votes in the House of 203. The PDA and Pakistan Muslim League (Chattha Group) PML (C) did not participate in voting. But five members of PDA went against party discipline and voted for Nawaz.²⁹⁰ In 39 days rule of caretaker government Nawaz understood that the broader national consensus was required to attend the national issues. On the floor of the House he expressed the need of consultation with all the stake-holders in order to attend the problems of the country. He emphasized that the opposition and treasury benches should join hands in order to facilitate the democratic process and to eradicate undemocratic elements.²⁹¹ He also answered the criticism made by the caretaker government on his privatization policy and motor way project. The dissolution of the National Assembly adversely affected the economy and multiplied the problems of the government.

The Punjab under Political Crisis:

In the Punjab Assembly the strength of PML Parliamentary Party was 220 whereas total membership of the House was 248.²⁹² The Speaker of Punjab Assembly Mian Manzoor Watto had influenced the IJI legislators to elect another Chief Minister in place Ghulam Haider Wyne to save the Punjab Assembly from dissolution. Watto continuously stayed in touch with the presidency and the caretaker Premier. Explaining the reason for suggesting replacing Ghulam Haider Wyne (the Punjab Chief Minister) to the MPAs, he said that the issue did not crop up all of a sudden and that in fact the maladministration in

²⁹⁰*The News*, Islamabad, May 28, 1993.

²⁹¹*National Assembly of Pakistan Debates: Official Report*, vol. 2, no. 2. May 31, 1993, 47-48.

²⁹²*Dawn*, Karachi, April 21, 1993.

provincial affairs was behind this demand.²⁹³ On April 20, 1993 Watto was elected as leader of the House by 137 members of the PML Parliamentary Party in an informal meeting convened at the Punjab Assembly. Watto promised National Assembly elections tickets to all the members who had voted for him. Ghulam Haider Wyne was asked to resign from the office otherwise no-confidence motion would be tabled against him. Ghulam Haider Wyne did not agree to the offer and explained that any action on the request of the President was unacceptable to his party.²⁹⁴

On April 21, 1993 no-confidence motion was tabled against Ghulam Haider Wyne by 62 MPAs. On April 25, 1993 the motion was passed in the House and on the same day Watto was sworn in as Chief Minister with the support of 151 votes. The PDA did not participate in the both the sessions that were held on April 25, 1993.²⁹⁵ The PDA which kept itself away from the whole events unexpectedly agreed to cooperate with the new chief minister in the interest of the province.²⁹⁶ The opposition including the JI and PDA gave full support to the Watto who had the backing of the establishment and was used by the President to smash the power of Nawaz in the Punjab.

Governor Altaf Hussain dismissed the Punjab Assembly on May 29, 1993 on the recommendation of Watto when no-confidence motion was about to be tabled against him;²⁹⁷ and on the same day Watto took oath as caretaker Chief Minister. It was alleged that Nawaz had contacted the Punjab legislators and indulged in horse trading to remove Watto. The dissolution of the Punjab Assembly was challenged in the Lahore High Court

²⁹³ *Dawn*, Karachi, April 20, 1993.

²⁹⁴ *Dawn*, Karachi, April 21, 1993.

²⁹⁵ *Dawn*, Karachi, April 26, 1993.

²⁹⁶ *Dawn*, Karachi, April 27, 1993.

²⁹⁷ *The News*, Islamabad, May 30, 1993.

by Chaudhry Pervaiz Elahi on the ground that the dissolution took place after the submission of draft of no-confidence motion to the Secretary of Provincial Assembly.²⁹⁸ The Lahore High Court reinstated the Punjab Assembly on June 28, 1993, giving the ruling that the recommendation of Chief Minister was *mala fide*. Barely seven minutes after the restoration of Assembly, Watto gave fresh recommendation to the Governor and the Assembly was again dissolved (within a couple of hours).²⁹⁹ A joint session of the Parliament was called to consider the situation in the Punjab which through a resolution decided to promulgate federal rule in Punjab under the Article 234 of the Constitution. With the enforcement of federal rule the administration of the Punjab came under the control of federal government.³⁰⁰ This raised a new constitutional issue as the President believed that only he could issue such proclamation and, therefore, the matter should be referred to him. However, the federal government considered that as the proclamation was based on the resolution approved by the joint session of the Parliament, no such formality was required.³⁰¹ Mian Muhammad Azhar was appointed as the representative of the federal government in the Punjab.³⁰²

The dissolution of Punjab Assembly followed the dismissal of NWFP government by the Governor Amir Gulistan Janjua on the advice of Chief Minister Mir Afzal Khan. This dissolution also took place in consultation with Ishaq Khan.³⁰³ The dissolution of NWFP Assembly was challenged in the Peshawar High Court on the ground that the chief minister had advised the dissolution after the no-confidence motion was moved

²⁹⁸*The News*, Islamabad, May 27, 1993. *The News*, Islamabad, May 31, 1993. Hamid Khan, *Constitutional and Political History of Pakistan*, (Karachi: Oxford University Press, 2001), 760.

²⁹⁹*Dawn*, Islamabad, June 29, 1993.

³⁰⁰*Dawn*, Islamabad, June 30, 1993.

³⁰¹ Khan, *Political History of Pakistan*, 761.

³⁰²*Dawn*, Islamabad, June 30, 1993.

³⁰³*The News*, Islamabad, May 31, 1993.

against him. The dissolution was upheld as the Court concluded that the advice for dissolution was tendered before the no-confidence motion was moved.³⁰⁴

End of a Democratic Rule:

In July 1993 the series of meetings took place among the troika (Ishaq Khan-Nawaz-Waheed) to manage the crisis.³⁰⁵ The opposition was also taken into confidence by Ishaq Khan and Waheed.³⁰⁶ The army chief had convinced the opposition to cancel the long march against the guarantee of fresh elections.³⁰⁷ With the efforts of Waheed a formula was at last agreed by Ishaq Khan and Nawaz. In accordance with the formula on July 18, 1993 Nawaz recommended the dissolution of National Assembly and then also resigned. Ishaq Khan dissolved the Assembly and thereafter stepped down from Presidency.³⁰⁸ Waheed's intervention was at the request of Nawaz who had assigned three army officials (including Javed Ashraf) to talk with Ishaq Khan and Nawaz to resolve the issue.³⁰⁹

Conclusion:

This era began with a strong democratic government installed with the support of establishment but ended in confrontation between President and Prime Minister, between government and opposition, between Centre and provinces and within government alliance. It witnessed wide spread use of such power tactics as coercion, blackmailing, horse-trading, corruption, arm-twisting, and undue interference. In this government the

³⁰⁴ *Dawn*, Karachi, June 6, 1993.

³⁰⁵ *Dawn*, Islamabad, July 16, 1993.

³⁰⁶ *Dawn*, Islamabad, July 16, 1993. *Dawn*, Islamabad, July 17, 1993.

³⁰⁷ *Dawn*, Islamabad, July 16, 1993.

³⁰⁸ *Dawn*, Islamabad, July 18, 1993.

³⁰⁹ Senator Javed Ashraf, Personal Interview.

bureaucracy was became more powerful than any other institution. The army had facilitated bureaucracy in strengthening its power. For the dismissal of government the support of the army remained essential as president had dismissed the federal government twice with the support of army. In fact it was army that helped in working out the formula to end conflict between President and Prime Minister and political crisis, leading to the democratic path of fresh elections.

The role of judiciary was relatively democratic as for the first time it did not encourage the establishment to dismiss the government. The negative role of the opposition (continuous demand of removal of government) had encouraged the influence of establishment in politics.

The working relationship between elected and non-elected institutions remained non-functional. The bad centre-province relations, press control, violation of human rights, deteriorated law and order, undemocratic role of opposition, deadlock between president and prime minister, government-opposition tussles etc were cause of non-functional relationship between the institutions.

The press was highly controlled. The government used the press to project its image, cover up its weaknesses and attack opponents. The criminal elements in Sindh were encouraged by this attitude of the government which helped in worsening of law and order encouraged criminal activities. The bad law and order in Sindh did not let the government to limit the role of army in politics.

The pattern of politics in this era is similar to past government in a sense that establishment wanted to remain in background and elected faces in politics that could serve their interests. Limited democracy was prevailing in Pakistan with strong

establishment.

Chapter 5

Second Tenure of Benazir Bhutto: 1993-1996

This chapter is a detailed account of the performance of another elected civil government from 1993-1996. The chapter discusses the caretaker set up, general elections 1993, the government-opposition relationship, government-judiciary tussle, law and order, press, human rights, performance of the Parliament and other issues that had inflicted the path of parliamentary democracy in Pakistan. Following chapter would focus on those political developments which would highlight the process and nature of democracy from 1993-1996.

End of a Democratic Rule:

Chairman Senate Wasim Sajjad assumed the office as acting President; and Moeen Ahmed Qureshi¹ was sworn in as the caretaker Prime Minister on July 18, 1993.² The caretaker government mostly consisted of academics and technocrats. The caretaker government declared that it had included neutral figures in order to ensure a neutral electoral process.³ Neutral caretaker governments were also set up in provinces so that the National and Provincial Assemblies' elections scheduled on October 6 and 9 of

¹ Moeen Ahmed Qureshi was born in Lahore on June 26, 1933. He acquired degree of doctorate in economics from the University of Indiana. He had served the Planning Board (1954-1957), International Monetary Fund (1958-1970), World Bank (in the capacity of senior President) and International Finance Cooperation (IFC) (in capacity as Vice President of the banks' affiliated with IFC). He was supporter of democracy and market economy. He was internationally established and a proverbial economist.

² Moeen as caretaker Prime Minister was recommended by Nawaz and accepted by Benazir. Nawaz turned against Moeen when he issued bank defaulters list. Senator Javed Ashraf, Pakistan Muslim League (Quaid-e-Azam) PML (Q), Personal Interview, Islamabad, September 16, 2011. *Dawn*, Karachi, July 19, 1993.

³ *Dawn*, Karachi, July 20, 1993. *The News*, Islamabad, August 1, 1993.

1993 respectively were held in neutral environment.⁴ This happened to be the fourth general elections in eight years.

To help ensure neutrality in forthcoming elections and administration reshuffle of bureaucracy took place in all the provinces and in the Centre.⁵ In the provincial, district executive heads were relocated to other places;⁶ besides the Chief Secretaries, Inspector General of Police of the provinces and influential officials of television were switched to satisfy the demand of anti-Nawaz political parties. The Director-General of Federal Investigation Agency (FIA) and Director of Intelligence Bureau (IB) were also replaced. The Minister for Information and Broadcasting Nisar Memon assured equal coverage for all the parties in government controlled media.⁷ The Pakistan Television (PTV) started a programme called “Election Hour” to extend opportunity to the politicians to explain their manifestoes.⁸ In particularly massive administrative changes took place in the Punjab.

On 15 August 1993 local bodies (720 in number) in the Punjab were dismissed under the clause 26-A of the Punjab Local Government Ordinance 1979, just after twenty months of their set up, and their functions were assigned to administrators appointed by the government. The funds and properties of the local council were vested in government till the set up of newly elected local councils.⁹ This action was taken to install neutral election machinery.

⁴*Dawn*, Karachi, July 19, 1993.

⁵*Dawn*, Karachi, July 25, 1993.

⁶*The News*, Islamabad, August 1, 1993.

⁷*Dawn*, Karachi, July 25, 1993.

⁸*The Pakistan Times*, Islamabad, September 15, 1993.

⁹*The News*, Islamabad, August 16, 1993.

The major challenges before the provisional governments were holding of free and fair elections and management of economy.¹⁰ The caretaker government took hard decisions for economic revival which generated a debate about the legitimacy of interim government to take key decisions.¹¹ In particular, the proposed tax on agriculture was severely objected to by all the political parties as their leaders and supporters mainly belonged to the feudal class. On the agriculture tax Benazir Bhutto had reservation while Nawaz Sharif believed that caretaker government had no mandate for taking such hard decisions.¹² The caretaker government had issued a list of bank-loan defaulters with a decree that any person whose debt was unsettled could not contest the elections; this decree also debarred Ghulam Mustafa Jatoi from the elections. The caretaker also discontinued some projects of the previous government and subsidies. Nawaz warned: “His (Qureshi) policies are inflationary and unfair to ordinary people, and when we are re-elected I shall not feel bound to continue with any program he has initiated.”¹³

The Role of Army in General Elections:

This time the involvement of army in holding elections was at the behest of the politicians as Benazir and Nawaz had suggested that elections should take place under the supervision of army.¹⁴ The army was to provide adequate security in the course of elections campaign and in the electoral process.¹⁵ The demand of involvement of army in electoral process was an evidence of supremacy and significance of army in politics. The

¹⁰ *Dawn*, Karachi, July 25, 1993.

¹¹ Sahid Javed Burki, “Qureshi’s Agenda of Economic Reforms”, *The News*, Islamabad, August 23, 1993.

¹² “Pre-Emptying an Elected Government”, *Economic and Political Weekly*, 28, no. 38 [Sep. 18, 1993] 1962: <http://www.jstor.org/stable/4400152>

¹³ Tony Clifton, “The Arrow VS. the Tiger”, vol. CXXII. no. 14, *Newsweek*, October 4, 1993, 26.

¹⁴ *Dawn*, Karachi, July 27, 1993.

¹⁵ *Dawn*, Karachi, July 26, 1993.

composition of Centre and Provincial caretaker governments was decided in consultation with the army;¹⁶ and governors and ministers of caretaker government were former civil and military bureaucrats.¹⁷ The army as an institution was drawn in the electoral process despite the fact that in the past, it stayed in the background and lent a hand to the establishment in the manipulation of elections.

Electoral Reforms:

The Election Commission had announced electoral reforms after long hours of discussions with political parties. The reforms included one hour increase in time of polling and fixing of maximum election expenses at one million rupees for National Assembly and six lakh rupees for Provincial Assembly seat. The election expenses were restricted to stop the involvement of drug money in election campaigns also.¹⁸ The responsibility for keeping law and order in sensitive areas and in the course of polling was given to the army. The armed forces personnel were provided with the powers of magistrate on election duty and the army was empowered to organize supervisory and vigilant teams.¹⁹ President affirmed full support to the army and the Election Commission for transparent elections.²⁰ Qureshi himself talked to political leadership on measures taken for free and fair elections. The Election Commission had included judges of the Supreme Court and the High Courts due to which judiciary was also responsible in carry out the task of free and fair elections.²¹ The holding of elections on scheduled time was a

¹⁶ Syed Talat Hussain, "Back to the Establishment", *The News*, Islamabad, August 2, 1993.

¹⁷ *Dawn*, Karachi, July 20, 1993. Hamid Khan, *Constitutional and Political History of Pakistan*, (Karachi: Oxford University Press, 2001), 766.

¹⁸ *The News*, Islamabad, August 5, 1993.

¹⁹ *The News*, Islamabad, August 6, 1993.

²⁰ *Dawn*, Karachi, July 27, 1993.

²¹ *Dawn*, Karachi, July 26, 1993.

challenge, as Qureshi himself explained, that some powers (within and outside the country) had conspired to postpone them.²²

Election Campaign:

On Independence Day (August 14, 1993) Nawaz and Benazir made identical promises in their messages to the nation: evolution of country as envisioned by Quaid-i-Azam Ali Jinnah. Both predicted their victories in forthcoming elections.²³ Nawaz acclaimed that the Pakistan Muslim League (PML) (N) was Jinnah's own party and it would carry out his dreams of developed, autonomous and strong Pakistan. On September 2, 1993 the Pakistan People's Party (PPP) started its formal election campaign from the Punjab.²⁴ The two warned people about the repercussions of electing the other. On the other hand, Qazi Hussain Ahmed of the Pakistan Islamic Front (PIF) warned the nation that Nawaz and Benazir were following personalized style of politics and their coming into power would result in severe crises eventually to Martial Law.²⁵ Qazi Hussain Ahmed blamed the two for pleasing the Americans during their tenures; he revealed that Nawaz won the 1990 election due to his anti-American stance but later he abandoned it.²⁶

Benazir criticized Nawaz for his economic policies; inflation and supporting Ghulam Ishaq Khan in use of 58 (2) (b) against Junejo and Benazir's governments.²⁷ She had highlighted the political mistakes and disloyalty of Nawaz towards the

²²*The Pakistan Times*, Islamabad, September 9, 1993.

²³*The News*, Islamabad, August 14, 1993.

²⁴*The Pakistan Times*, Islamabad, September 3, 1993.

²⁵*The Pakistan Times*, Islamabad, September 8, 1993.

²⁶*The Pakistan Times*, Islamabad, September 20, 1993.

²⁷*The Pakistan Times*, Islamabad, September 3, 1993.

nation.²⁸ Benazir had also criticized the PML (N)²⁹ symbol “Tiger” in the public meeting of the PPP at Karachi, saying that “with arrow tiger would be hunted in elections”.

Benazir presented her party manifesto as an instrument that would improve the concepts of governance and rule.³⁰ The PPP manifesto highlighted: private-public partnership, federalism, devolution of autonomy, establishment of the governments at district levels and social contract.³¹ The new social contract theory formulated by the PPP was considered as a method to assure balance of power among the president, premier and opposition.³² She showed great concern over the annulment of Eighth Amendment.³³ The PPP manifesto projected to build Pakistan “a middle-income country by the year 2000”.³⁴ Benazir promised that the powers of the President office would be reallocated to the premier and the opposition. She explained that the authority to appoint the chief services would continue with the President and the appointments of chief election commissioner and election commission would be decided jointly by the premier and the leader of opposition.³⁵ Benazir was positive about her success over Nawaz because she believed that Nawaz was product of military rule and this time he was without any support from the establishment.³⁶

Nawaz had considered his former government as unmatched by any other government. He emphasized that he had set an example through serving the national

²⁸ *The Pakistan Times*, Islamabad, September 8, 1993.

²⁹ The PML (N) was fragmented fraction of the PML (Junejo) with Nawaz as its President.

³⁰ *The Pakistan Times*, Islamabad, September 11, 1993.

³¹ Navid Zafar and Ishtiaq Hussain, *Election 93: Facts, Figures Feast*, (Islamabad: Modern Book Depot, 1994), 41.

³² *The Pakistan Times*, Islamabad, September 10, 1993.

³³ Zafar and Hussain, *Facts, Figures Feast*, 42.

³⁴ Clifton, “the Tiger”, 27.

³⁵ *The Pakistan Times*, Islamabad, September 25, 1993.

³⁶ Benazir Bhutto interview by Tony Clifton, vol. CXXII, no. 15, *Newsweek*, October 11, 1993, New York, 48.

interest at the cost of his personal interests. He claimed that his government had eliminated lawlessness from Sindh;³⁷ which in fact was not correct since the deteriorated law and order situation and sectarian tension prevailed during his tenure.³⁸ Nawaz promised to reform the economy and making country a welfare state.³⁹ He tried to influence the people of Sindh by emphasizing that in Benazir rule they were treated as unimportant and slaves and that her government failed improve law and order in Sindh.⁴⁰

The criticisms of Nawaz's earlier policies did not carry much weight as he was determined to continue with his programmes of allocation of land among the poor farmers in Sindh; yellow cabs scheme; introduction of yellow tractors scheme for the farmers; etc. which were for the benefit of the common man.⁴¹ The annulment of Eighth Amendment was not incorporated in the PML (N) manifesto.⁴² Nawaz had promised to complete his previous government's plans which showed that he did not intend to reverse his policies (specifically economic policies). In these elections Nawaz had some disadvantages. The right wing parties which had contested the earlier elections from the single platform of Islami Jamhoori Ittehad (IJI) had been contesting elections from their party platforms; he had adopted a new party symbol "Tiger" and gave up his previous symbol "bicycle" which in a predominantly illiterate electorates was a disadvantage.⁴³

Other parties had also issued their manifestoes but the manifesto of the Jamiat-Ulema-e-Pakistan (Niazi Group) JUP (Ni) was unusual. The Chief of JUP (Ni) Abdul

³⁷*The Pakistan Times*, Islamabad, September 6, 1993.

³⁸*Dawn*, Karachi, July 20, 1993.

³⁹*The Pakistan Times*, Islamabad, September 15, 1993.

⁴⁰*The Pakistan Times*, Islamabad, September 11, 1993.

⁴¹*The Pakistan Times*, Islamabad, September 9, 1993.

⁴² For the full text of manifestoes of PPP, PML (N) and PIF see Zafar and Hussain, *Facts, FiguresFeast*, 33-43.

⁴³Clifton, "the Tiger", 26.

Sattar Khan Niazi manifested that they would buildup interest-free economy and a separate assembly of women which would decide the grievances of women. He explained that physically women were weak and thus they could not perform as soldiers or officials of law enforcing agencies. He also supported the liberation of Kashmir through *jihad* and vowed that Quran and *Sunnah* would be the supreme law. The vision of JUP (Ni) was rigid as it restricted the role of women in the society. The manifesto had promised employment for both men and women on basis of merit.⁴⁴

In the election campaigns violation of code of conduct was a regular feature by the top political leadership;⁴⁵ and notices were served on Benazir, Nawaz and Qazi Hussain Ahmed and others⁴⁶ but the notices did not make any difference in their style and language.

The Election: An Analysis:

The elections for the National Assembly and provincial assemblies were held on 6 and 9, October 1993 respectively. Many international delegations, domestic monitors and media (electronic and print) had observed the elections. The international agencies which observed the elections included: National Democratic Institute for International Affairs (NDI), European Community Monitoring Team, (ECMT), Common Wealth Observer Group (CWO), South Asian Association for Regional Cooperation (SAARC). The NDI

⁴⁴*The Pakistan Times*, Islamabad, September 22, 1993. Zafar and Hussain, *Election 93: Facts, Figures Feast*, 34.

⁴⁵ For the text of code of conduct see Yaseen Rizvi, *Election 93 Pakistan*, (Islamabad: Privately Printed, 1993), 105-108. Zafar and Hussain, *Election 93: Facts, Figures Feast*, 11-13.

⁴⁶ Candidates were supposed to carry out campaigns in according to the code but the clause 3(that had forbidden the politicians to do the character assassination) was continuously violated. The said clause had confined the criticism to policies and programmes. Under the said clause it was cited that slogans and speeches should be dignified and moral. The said clause 3 (a), which prohibited the propagation of malicious information and use of rough language against the opponent candidates was not pursued at all. This clause proscribed party workers from promulgation of false information and forgeries about the others candidates and parties.*The Pakistan Times*, Islamabad, September 26, 1993.

believed that electronic media had provided equal exposure to all political parties (22 in number) which were contesting elections. The print media also carried the messages of the parties without any discrimination. The NDI declared elections as non-partisan.⁴⁷ The CWOG estimated elections as freest, fairest, open and most peaceful than any other earlier elections.⁴⁸ Human Rights Commission of Pakistan (HRCP) stated elections impartial. The Commission did not report any instance of violation by the officials. The ECMT termed the polls as free and fair and cited that all the political parties had agreed with the transparency of polls.⁴⁹ The South Asian Association of Regional Cooperation (SAARC) acknowledged the holding of elections in neutral manner. The head of SAARC observers group I. K. Gujral stated that “credibility of the caretaker government in conducting the impartial elections is universally accepted”. However, certain complaints/inadequacies/concerns were visible, such as the accuracy of the electoral roll.⁵⁰

The voters’ turnout in national polls was 40.5 percent which was less than previous turn out of 45.5%.⁵¹ The neutral set up could not be viable until people do not practice their right to vote.

Party Position after General Elections:

The National Assembly elections were boycotted by the Mohajir Qaumi Movement (Altaf Group) MQM (A). Qureshi and Wasim Sajjad had concerns on the MQM (A)’s

⁴⁷ , *Report on General Elections 1993*, vol.1 (Islamabad: Election Commission of Pakistan, n.d), 351-360.

⁴⁸ Yaseen Rizvi, *Election 93*, 115.

⁴⁹ *The News*, Islamabad, October 13, 1993.

⁵⁰ *General Elections 1993*, 364-367.

⁵¹ Maleeha Lodhi, “Poll Truths”, *The News*, Islamabad, October 13, 1993.

rejection of polls.⁵² Boycott of the MQM (A) from National Assembly elections had debased the electoral process.

The elections results showed split mandate. The final party position in National Assembly was as follows; the PPP (86 seats), the PML (N) (72), the Pakistan Muslim League (Junejo) PML (J) (6), the Islami Jamhoori Mahaz (IJM) (4), the Awami National Party (ANP)(3), the PIF(3), the Pakhtoonkhwa Milli Awami Party (PKMAP)(3), the Muttahida Dini Mahaz (MDM) (2), the National Democratic Alliance (NDA) (1), the National People's Party (NPP) (1), the Balochistan National Movement (Hasil Group) BNM (H) (1) and the Balochistan National Movement (Mengal Group) BNM (M) (1). Independents and others got 15 seats. No political party had received two-third majority. The outcome of polls initiated a process of dialogue in order to get obligatory number of seats for the formation of government at Centre. The PPP started negotiation with independents and small parties.⁵³ Pir Pagara strived to unify broken factions of the PML in order to produce the government of united Muslim League at Centre but failed.⁵⁴

The elections results had caused deadlock between Nawaz and Benazir because both declined the possibility to set up a coalition government at the Centre. In Pakistan the non-professional attitude of the parties had made the set up ineffective. The claim of two-third majority by the PML (N) and the PPP were false. The PML (N) and the PPP

⁵²*Dawn*, Karachi, October 3, 1993. The MQM (A) declined to participate in polls because its workers were harassed and assassinated. It alleged that the MQM Haqiqi (H) had the entire official sponsorship to contest polls. It registered its grievances to civilian and military leadership but no relief happened. The MQM (A) had demanded the removal of some senior officials of military and intelligence agencies as they had personal grudge against the party. On October 7, 1993 MQM (A) ended the boycott and agreed to contest provincial assembly elections. The MQM leader Altaf Hussain cited that as the demands of party vis a vis; the protection and free movement of the candidates were accepted by the concerned authorities therefore it would contest provincial elections. For further details see *Dawn*, Karachi, October 8, 1993.

⁵³*Dawn*, Karachi, October 8, 1993.

⁵⁴*Dawn*, Karachi, October 10, 1993.

were heavily dependent on the small parties and independents for the formation of the federal government. Yet for another time a hung-Parliament with weak coalition was destiny of the country.

The religious parties had barely obtained 3.5 percent representation in the national polls. Only 22 seats (13 in National Assembly and 9 in Provincial Assemblies) were won by the religious parties. The three important religious alliances vis. the PIF, the MDM and the IJM which constituted more or less all the religious political parties namely; the Jammat-e- Islami (JI), the JUP (2 factions) and the JUI (2 factions) could not induce the electorates to vote for them.⁵⁵ The NWFP which was supposed to be the strong hold of religious parties had managed to obtain only 6 seats in the house of 80. Similar in the Punjab Assembly and Balochistan Assembly religious parties managed to obtain marginal seats i.e. 3 and 4 respectively.⁵⁶ In Sindh Assembly religious parties did not get any representation.⁵⁷

The PPP and the PML (N) indulged in horse-trading to form their governments. Benazir blamed the PML (N) for giving money to elected legislators of minority and independents. She accused that 20 million rupees was provided to Members of National Assembly (MNAs) and Members of Provincial Assembly (MPAs) to support the formation of PML (N).⁵⁸ Nawaz refuted the allegations and countered the PPP allegations by accusing for horse-trading⁵⁹ and offering 15 million rupees to MNAs and MPAs to win

⁵⁵ S. A. Sayood, ed., "The National Assembly", *Pakistan Political Perspective*, vol. 2, no. 2 (Islamabad: Institute of Policy Studies, November 1993), 11.

⁵⁶ *The News*, Islamabad, October 12, 1993.

⁵⁷ *Dawn*, Karachi, October 11, 1993.

⁵⁸ *Dawn*, Karachi, October 14, 1993.

⁵⁹ *Dawn*, Karachi, October 16, 1993.

their support for the formation of federal government.⁶⁰ The political parties were again indulging in undemocratic practices to form their governments.

The elections were declared as rigged by the PML (N), its allies⁶¹ and the ANP leader Begum Naseem Wali Khan.⁶² The PML (N)'s allegations of rigging were not entertained by the Chief Election Commissioner Justice (retired) Naimuddin as he considered them unfounded.⁶³ He had criticized the PML (N) for making an attempt to discredit the electoral process.⁶⁴

This time the mandate of the electorates was also not observed. Mian Manzoor Watto of the PML (J) which merely attained 18 seats became Chief Minister of Punjab. Similarly in North-West Frontier Province (NWFP), the PML (N) gained only 15 seats but succeeded in getting a member of his party to become the Chief Minister. The minor parties, independents and minorities gained importance forging clear majority in assemblies for formation of governments.

Formation of Federal and Provincial Government:

The National Assembly session held On October 17, 1993 elected Yousuf Raza Gillani and Yousuf Ali Shah of the PPP as Speaker and Deputy Speaker with 106 votes

⁶⁰*The News*, Islamabad, October 12, 1993.

⁶¹Nawaz phoned Javed Ashraf when elections results started to broadcast on television. Nawaz said I am happy to report that elections were transparent and everything was going very smooth. At the same night about 10 p.m. Benazir had also called Javed Ashraf too and mentioned that it was unfair elections. She also cited that she was very disappointed as she thought that ISI would remain neutral but it had supported Nawaz in attaining victory. Nawaz had praised the elections as initial results were in favour of the PML (N). Whereas Benazir had disapproved the elections as initial results were against the PPP. Next morning when Benazir won the elections she stated that elections were transparent while Nawaz alleged that the elections were rigged. Senator Javed Ashraf, Personal Interview.

⁶²*The News*, Islamabad, October 12, 1993.

⁶³*The News*, Islamabad, October 15, 1993.

⁶⁴*The News*, Islamabad, October 13, 1993.

and 115 votes respectively.⁶⁵ In accordance to the formula set by the caretaker government for the formation of federal government nomination, papers were submitted for the prime minister's elections. On October 19, 1993 Benazir was elected as leader of the House by obtaining 122 votes in a house of 205 and Nawaz as leader of the opposition securing only 72 votes.⁶⁶ The triumph of Benazir was due to the support of the PDA, the JWP, independents and minorities. The PIF and IJM abstained from voting.⁶⁷ In her maiden speech Benazir promised to provide constitutional rights to the opposition so that it could perform its positive role. She announced that her government would soon table a bill for the annulment of Eighth Amendment. Nawaz as leader of the opposition assured opposition's cooperation to the government in national interest.⁶⁸ The caretaker government had transferred power in time; i.e., in three months from the caretaker government's induction on July 19, 1993.

In the provincial assemblies of the Punjab, NWFP and Balochistan no party had acquired simple majority. In Sindh the PPP had emerged as a majority party with 56 seats. In the Punjab the PML (N) and the PPP had achieved 106 and 94 seats respectively but the PPP-PML (J) alliance known as Pakistan Democratic Alliance (PDA) had increased the strength to 112 seats and therefore, the PDA succeeded in forming its government. The most split mandate was in Balochistan where majority seats of 9 were won by independents.⁶⁹ In Balochistan no party had won seats in binary numbers. In Balochistan the government of Nawab Zulfiqar Ali Magsi (an independent) was set up

⁶⁵ *Dawn*, Karachi, October 18, 1993.

⁶⁶ *The News*, Islamabad, October 20, 1993.

⁶⁷ S. A. Sayood, ed., "Pakistan Peoples Party", *Pakistan Political Perspective* 2, no. 2 [November 1993], Islamabad: Institute of Policy Studies, 19.

⁶⁸ *Dawn*, Karachi, October 20, 1993.

⁶⁹ *Dawn*, Karachi, October 11, 1993. *Dawn*, Karachi, October 21, 1993.

with the support of the PML (N), the PKMAP, the BNM (H), the MDM, the ANP and other independents.⁷⁰ In Balochistan Assembly there was representation of 11 political parties. In NWFP the PPP had obtained 22 seats but the PML (N) having 15 seats had formed a coalition government with ANP having 20 seats.⁷¹ In Sindh the government of PPP was set up. The Chief Ministers in the Punjab, Balochistan, NWFP and Sindh were Watto,⁷² Nawab Zulfiqar Ali Magsi⁷³, Pir Muhammad Sabir Shah and Abdullah Shah respectively.⁷⁴ The role of independents in the formation of governments at the Centre and provinces was significant.

The next stage in the transfer of power was the Presidential election which was scheduled on November 13, 1993. In the beginning 24 contestants had applied for the presidential elections but later the contest was left between two candidates, Farooq Ahmad Khan Leghari of the PPP and Wasim Sajjad of PML (N).⁷⁵ Leghari won the election by securing 274 votes against Wasim Sajjad who got only 160 votes.⁷⁶ The success of Leghari was an important achievement for the PPP.

⁷⁰*Dawn*, Karachi, October 26, 1993. S. A. Sayood, ed., "Post Election Scenario", *Pakistan Political Perspective* 2 [November 1993], Institute of Policy Studies, 16.

⁷¹*Dawn*, Karachi, October 11, 1993. *Dawn*, Karachi, October 21, 1993.

⁷²*Dawn*, Karachi, October 21, 1993.

⁷³*Dawn*, Karachi, October 26, 1993.

⁷⁴*Dawn*, Karachi, October 21, 1993.

⁷⁵ The names of presidential candidates were; Ghulam Ishaq Khan, Wasim Sajjad, Nawabzada Nasrullah Baber, Akber Bugti, Farooq Ahmad Khan Leghari, Aftab Sherpao, Aftab Shahban Mirani, Sartaj Aziz, Gauhar Ayub Khan, Sayed Ifthikhar Hussain Gillani, Abdul Majid Malik, Asghar Khan, Balakh Sher Mazari, Haji N. A. Zairian, Yahya Bakhtiar, Mir Muhammad Umar, Sagir Hussain Safi, Pirzada Mukhtar Saeed, Bashir Ahmad Meo, Syed Nazar Hussain Shah Gillani, Ghazi Shafiqur Rehman Siddiqui, M. P. Khan. The 12 candidates out of 24 were independent and most of them were from influential families. The Election Commission had rejected the nomination papers of fourteen candidates on technical grounds, some candidates had withdrawn their names and eventually the two candidates remained in the field.

⁷⁶ The Electoral College for presidential elections comprised of members of Parliament and the four provincial Assemblies. The total size of Electoral College was 464.

Federal Government-Opposition Relations:

The attitude of the PML (N) and the MQM was hostile towards the PPP since the set up of the federal government. Nawaz had repeatedly criticized the government on nuclear programme and Kashmir policy. He alleged that the PPP was getting dictation from the America on these sensitive affairs of the country.⁷⁷ The opposition demanded the Speaker to consider its agenda (such as the nuclear programme issue) in the requisitioned session. The Speaker refused the demand and responded that the rules of business of the House did not authorize him to entertain the agenda of the opposition. When the Speaker did not entertain opposition's demand it started repeatedly walkout from the sessions and criticizing the government for being undemocratic. These walkouts, shouting and accusation resulted in chaos in lower house. In practice no discipline and tolerance were showed by the opposition and the treasury benches. Harsh language was used by the representatives of both the benches in highlighting the misdeeds of each other.⁷⁸

The PML (N) created hurdles from the beginning so that the newly formed PPP-led coalition government could not function smoothly. Nawaz started attacking the PPP leadership on all fronts; i.e., having connections with the drug mafia;⁷⁹ providing concessions to India on Kashmir issue;⁸⁰ compromising on nuclear programme; and dictatorial approach and removal Nusrat Bhutto from the chairpersonship of the PPP without taking her into the confidence. Through formal letters the government invited the opposition for constructive dialogue. On many occasions Benazir asked Nawaz to abandon the politics of confrontation especially in the National Assembly; twice Benazir

⁷⁷*The News*, Islamabad, December 1, 1993.

⁷⁸*The News*, Islamabad, December 2, 1993.

⁷⁹ Ibid.

⁸⁰*The Pakistan Times*, Islamabad, January 4, 1994.

invited Nawaz (once over a on the occasion of presidential address and second time on meal) to discuss national issues but Nawaz declined both the offers. Leghari also twice asked Nawaz to meet him (once in Islamabad and then in Lahore) but he refused.⁸¹ By January 22, 1994 at least six times Nawaz was called upon by the executive (premier and president) to discuss the future working relationship between the government and the opposition; and each time he declined. Nawaz explained that due to dual nature of Benazir's policies he did not consider it appropriate to negotiate with the ruling party. And that that talks could be held only on solid basis.⁸² The result of Nawaz attitude was a deadlock between government and opposition; that seemed to be the intention of Nawaz.

The government had to address critical issues, including revival of economic and social development; security and law and order; Kashmir issue; and nuclear programme; and political stability. The responsibility of opposition was to assist the government in handling these challenges; yet the opposition opted for the policy of confrontation and did not cooperate with the government on serious national issues. The people had given mandate to two leading political parties, the PPP and PML (N), which was a convincing evidence of their political maturity. A coalition between PPP and PML (N) could have ensured stability of the democratic system. The Benazir government was convinced from the beginning that opposition and the government were supposed to have a unified stand on three matters, namely, Pak-India relations; Pak-USA relations; and Pakistan's nuclear programme.⁸³ On the other hand, the PML (N) was unhappy with the PPP for not pursuing the policies and project initiated by the former government.

⁸¹*The Pakistan Times*, Islamabad, January 12, 1994.

⁸²*The Pakistan Times*, Islamabad, January 22, 1994.

⁸³*Dawn*, Karachi, May 27, 1994.

The federal cabinet remained incomplete even after hundred days of rule. After hundred and ten days eight new ministers and three ministers of state were included due to which the size of the cabinet increased to eighteen.⁸⁴ Benazir was very much in command and was free in the formation of cabinet and taking decisions. She even, informally she asked Javed Ashraf's opinion about few MNAs. He checked and reported to her about them but did not suggest any name for her cabinet.⁸⁵

The PML (N) criticized hundred day performance of the PPP which mainly focused on economic and foreign policy issues. The Central Information Secretary of PML (N) Mushahid Hussain charged that due to wrong foreign policy the country was being isolation⁸⁶ and that its economic policies were leading instability and decline in growth.

The PPP governed the country through ordinances instead of following the proper practice of obtaining the approval of the National Assembly in the first instance. Even President showed his displeasure on this undemocratic approach of the government.⁸⁷ According to the constitution ordinance could only be issued if the session of the National Assembly was not scheduled in near the future; yet the ruling party had issued seventeen ordinances just before a day before the scheduled session.⁸⁸

Shahbaz Sharif did his utmost to get maximum advantages out of the political crises. He contacted some senior officials of the army and also wanted to talk to Waheed

⁸⁴ Mohammad Farooq Qureshi, "Benazir Hakoomat Kay 100 Din", *Chattan*, (Urdu), Lahore, February 9, 1994, 8.

⁸⁵ Senator Javed Ashraf, Personal Interview.

⁸⁶ *The Pakistan Times*, Islamabad, January 30, 1994.

⁸⁷ *Dawn*, Karachi, January 2, 1996.

⁸⁸ Qureshi, "Hakoomat Kay 100 Din", (Urdu), 8-9.

(the Chief of the Army Staff (COAS)); the request was declined initially but later on he managed to meet him. Shahbaz publicized the meeting which caused embarrassment to the COAS and he was annoyed with Shahbaz. The army affirmed that it had no intention to get involved in national politics.⁸⁹ This political tactic of Shahbaz gave no political gains to the PML (N) and was considered as an anti-democratic action. Nawaz had propagated that the PML (N) and army shared similar views on defence. This gave a chance to Benazir to suggest that that he (Nawaz) was in complete agreement with government on its defence policy since army was a part of government. Realising the purpose of his statement she warned that opposition would be dealt with iron hand in case it attempted to subvert the constitution; in other words, making it clear that in case the opposition dragged the army into politics or contrived a plot to undermine the government then it would not be spared.⁹⁰ It was revealed by the senior MNA of PML (N) that some MNAs of the PPP had contacted the opposition and vowed that they would support them in any attempt to ouster the PPP.⁹¹ The PML (N) standpoint was that if the PPP was not removed immediately, the existence of the political system would be in danger and except for Martial Law no other option would be left.⁹² Benazir believed that Nawaz was indirectly making it obvious to her that army could easily topple her rule if opposition encouraged it. At this stage accusations and counter-accusations and undemocratic practices intensified. Horse-trading and floor-crossing prevailed on every level; floor-crossing took place in the Senate elections; and parties gave tickets for Senate seats to those party members who either did not win in the last national elections or were

⁸⁹ Ghazi Salahuddin, "Will the Crisis Continue?", *The News*, Karachi, March 1, 1994.

⁹⁰ *Dawn*, Karachi, April 8, 1994.

⁹¹ Shaheen Sehbai, "The Question of Who is Corrupt", *Dawn*, Karachi, April 11, 1994.

⁹² *Dawn*, Karachi, April 12, 1994.

ineligible for the National Assembly.⁹³ Neither the PML (N) nor the PPP governments had enacted a law against floor-crossing.

Nawaz blamed the PPP for its support of army bureaucracy in the ouster of his legal and constitutional government;⁹⁴ suggesting that high treason case would be filed against Benazir and Leghari for toppling his government.⁹⁵ Leghari had given up his party position after becoming President, to show his neutrality as the head of the state, yet did not resign from membership of the PPP.⁹⁶ Bank accounts fraud cases were filed against Nawaz and his relatives which were countered by the PML (N) by issuing the list of the suspected criminals belonging to the PPP (which mostly included the names of those PPP's legislators who were elected from Sindh). The PML (N) claimed that the list was prepared by the military before the start of military operation in Sindh. The ruling party questioned the authenticity of the document.⁹⁷

Trend of Centralization:

The government decided that the approval for the supply of the goods to Afghanistan would be given by the Centre. Previously this authority was under NWFP government. The Centre had empowered the Ministry of State and Frontier Regions (MSFR) for issue of permits for supply of goods to Afghanistan. This decision was against the manifesto of the PPP which guaranteed decentralization and provincial autonomy. The decision was

⁹³Syed Talat Hussain, "The Shape of Democracy After Senate Elections", *The News*, Karachi, March 6, 1994.

⁹⁴*Dawn*, Karachi, July 26, 1994.

⁹⁵*Dawn*, Karachi, July 31, 1994.

⁹⁶ Farooq Leghari interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 44.

⁹⁷*Dawn*, Karachi, June 12, 1994. *Dawn*, Karachi, June 15, 1994.

not appreciated by the NWFP administration.⁹⁸ It was not appropriate to deprive the province from its constitutional right. The smaller provinces were already feeling sense of deprivation and this action had further intensified it. Such act of centralization of power in the federal government was not in national interest and was encroachment in the provincial autonomy.

Independence of Judiciary:

The separation of judiciary from executive (within fourteen years since the day of enforcement of 1973 constitution) was guaranteed in the Constitution;⁹⁹ yet the governments did not implement it. The Supreme Court laid down March 23, 1994 as deadline for the separation of judiciary under the Article 175 of the Constitution. But the separation of judiciary did not take place till the said date. The separation of judiciary from executive was necessary to free the judiciary from the political pressure. The magistrate with the judicial power continued to work under the political and administrative pressure. On September 1, 1995 the separation of judiciary from executive was scheduled at federal level but Benazir delayed it because she wanted the separation in Centre and provinces simultaneously. The federal government had to achieve the separation before provinces in order to set a precedent for them. The District Management Group (DMG) was against the idea of separation and the delay in separation was due to the tussle among the DMG, police and judiciary. The dead line was not achieved in Sindh and the Punjab while NWFP and Balochistan were exempted due to exceptional situation in those provinces. The Supreme Court judgment declared that

⁹⁸*The News*, Islamabad, December 18, 1993.

⁹⁹*The Pakistan Times*, Islamabad, January 7, 1994.

magistracy should be divided into two sections vis a vis; judiciary and executive. The judgment stated that executive magistrate would acquire powers under Criminal Procedure Code in order to maintain law and order and the judicial magistrate would scrutinize the cases in which evidence was recorded on oath and judicial magistrate supposed to function under the control of High Court.¹⁰⁰

Later the deadline was extended till March 23, 1996 but provinces asked for further delay till April 23, 1996 which was refused by the Supreme Court.¹⁰¹ The government issued the Legal Reforms Ordinance (LFO) for the implementation of its judgment.¹⁰² After this ordinance, succeeding ordinances promulgated after every fourth month till it became the Act on July 3, 1997.¹⁰³

The PPP had learnt from the previous events that bureaucracy was the real government and this time aimed to avoid the friction with it. The government had appointed the candidates of DMG in District Courts. In the Punjab candidate of DMG were appointed as Session Judges. These appointments were clear sign of not separating the executive from judiciary. The Supreme Court ordered the government to withdraw the notifications.¹⁰⁴ “The government faced constant pressure and embarrassment from judiciary”¹⁰⁵ but did not implement the judgment.

¹⁰⁰ *The Pakistan Times*, Islamabad, January 4, 1994. A. J. Khan, “More Power to DCs: Who Wants It ?”, *The News*, Islamabad, December 23, 1993. *Dawn*, Karachi, September 2, 1995.

¹⁰¹ *Dawn*, Karachi, January 25, 1996.

¹⁰² *Dawn*, Karachi, March 21, 1996.

¹⁰³ Khan, *Political History of Pakistan*, 777.

¹⁰⁴ *Dawn*, Karachi, January 7, 1996.

¹⁰⁵ Iqbal Haider, Personal Interview, Karachi, October 16, 2011.

Law and Order Situation in Sindh:

In Sindh the ethnic divide increased when the MQM workers demanded separate province.¹⁰⁶ The MQM leadership stated that it was sentiments of the people which were not correctly understood by the leaders.¹⁰⁷ The MQM leaders also cited that the call for separate province was constitutional and if *mohajirs* would be treated like second-grade citizen then no other option would be left except separate province.¹⁰⁸ In Sindh such crimes like dacoity, abduction and assassinations were prevailing and the government decided to extend stay of army in Sindh till June 1994. The extension was made to achieve complete removal of criminal elements.¹⁰⁹ Nawaz considered Operation Clean Up as a conspiracy hatched by the PPP against the MQM and the army. Nawaz had suggested the army to end the operation.¹¹⁰ The dialogues held between leadership of the PPP and the MQM but due to disagreement over two portfolios no fruitful results were achieved.¹¹¹ Nawaz tried his hardest to damage the credibility of the government and to incite the nation against the government.

Benazir had considered the incorporation of MQM in Sindh administration as unimportant because she believed that in previous government Nawaz had provided provincial authority to the MQM in the hope that this would ensure harmony in the province but no such development took place. She alleged that the MQM had joined the

¹⁰⁶ Hassan Mujtaba and Mohammad Hanif, "Sindh: Divide and Rule?", *Newsline*, March 1994, Karachi, 37.

¹⁰⁷ Aftab Ahmad interview by Sheik by O.T. Siddiqui, *Newsline*, March 1994, Karachi, 38

¹⁰⁸ Mujtaba and Hanif, "Divide and Rule?", 39.

¹⁰⁹ *Dawn*, Karachi, March 12, 1994.

¹¹⁰ *Dawn*, Karachi, March 28, 1994.

¹¹¹ Farhatullah Baber, "Where Benazir is Going Wrong", *Dawn*, Karachi, March 31, 1994.

Indian elements against the stability of the province.¹¹² The absence of the MQM in the Sindh government thus meant no representation of the urban Sindh.

The settlement between the PPP and the MQM was not possible as army had launched intense action against the leadership and workers of the MQM. Many important leaders of the MQM were imprisoned.¹¹³ The MQM insisted on immediate withdrawal of cases against its leaders¹¹⁴ as the operation had endangered the existence of the MQM. The PPP criticism against Altaf Hussain had annoyed the MQM and it blamed the PPP for the terrible situation of Sindh. The government and army did not trust the organization (MQM) because it had amassed automatic weapons with them.¹¹⁵ Benazir ruled out the possibility to initiate a dialogue with Altaf Hussain and insisted on talks without Altaf Hussain.¹¹⁶ Altaf Hussain believed that if the MQM was curbed and victimized then the provincial government could not handle the issues of Karachi and Hyderabad “in the context of unattended ethnic divide, some kind of mayhem would inevitably result.”¹¹⁷

The PPP accused that the MQM was a militant group that existed through control people by means of force. The PPP tried to differentiate between the MQM militant wing and the MQM political wing; justifying that the PPP had launched anti-terrorist operation against militant elements due to which relations between the PPP and the MQM became sour. Later the operation in Sindh was extended till the December of 1994 on the request

¹¹² Interview of Benazir Bhutto by Okaz, *Dawn*, Karachi, July 10, 1994.

¹¹³ Mohammad Waseem, “Turmoil in Sindh”, *Dawn*, Karachi, May 9, 1994.

¹¹⁴ *Dawn*, Karachi, May 15, 1994.

¹¹⁵ Mohammad Waseem, “Turmoil in Sindh”, *Dawn*, Karachi, May 9, 1994.

¹¹⁶ *Dawn*, Karachi, May 27, 1994.

¹¹⁷ M. B. Naqvi, “The Sindh Situation: What Altaf Thinks”, *Dawn*, Karachi, May 6, 1994.

of Chief Minister Sindh.¹¹⁸ At the end of 1995 the law and order situation in Karachi became normal and people appreciated the efforts of the PPP.¹¹⁹ The bad law and order in Sindh had negative effect on the popularity of Benazir. For instance, the expected visit of Benazir to the Sindh University Campus Jamshoro had caused serious trouble for the district and university administrations. The news of Benazir's visit had annoyed the students and they warned that they would stage protest if she paid the visit. It was also reported that teachers' support was with students.¹²⁰ The law and order situation worsened not only in Sindh but also in other parts of the country such as in Malakand Division where fundamental Islamic movements created disturbance.¹²¹

On December 2, 1994 the operation in Sindh was terminated.¹²² The end of operation caused serious problems related to public security and safety.¹²³ The government strived hard to find the solution through dialogue with the MQM but it declined the offer.¹²⁴ Leghari himself wanted that Sindh situation should be discussed with all the political forces.¹²⁵ Finally deadlock between the MQM and the PPP ended; but just within four days (July 11-July 14, 1995) after the resumption of talks following incidents against the MQM occurred: MQM leader Saeed was abducted and later assassinated; party workers were regularly raided by police; five workers killed; members of All Pakistan Mohajir Student Organization (APMO) were arrested; and law enforcing agencies arrested 18 MQM workers.¹²⁶ Benazir tried to justify by stating that the law and order problem in

¹¹⁸*Dawn*, Karachi, July 10, 1994.

¹¹⁹Senator Safdar Abbasi, PPP, Personal Interview, Islamabad, January 10, 2011.

¹²⁰*Dawn*, Karachi, 11 July 1994.

¹²¹*Dawn*, Karachi, November 6, 1994. *Dawn*, Karachi, November 13, 1994.

¹²²*Dawn*, Karachi, December 3, 1994.

¹²³*Dawn*, Karachi, December 23, 1994.

¹²⁴M. H. Askari, "Promises and Realities" *Dawn*, Karachi, December 21, 1994.

¹²⁵*Dawn*, Karachi, March 29, 1995.

¹²⁶*Dawn*, Karachi, July 16, 1995.

Karachi existed since 1985 and it did not improve because of criminal wings of political parties.¹²⁷ Several meetings took place between the MQM and PPP but in vain. The problems of Karachi were multi-dimensional. It had political, economic, social and ethnic issues which were not possible to resolve without the participation of the MQM.

By the end of 1996 the law and order situation further deteriorated and rate of killing increased.¹²⁸ In 1995 about 2000 deaths took place in Karachi. The snatching of vehicles and assassinations were frequent incidents.¹²⁹ The federal and Sindh governments did nothing except to lay blame on the MQM for the killings. The parties were busy to cash the situation for their benefits. The Karachi issue was in fact utilized by both the parties (the MQM and the PPP) to hurt each other.

New Social Contract Scheme:

The social contract was an agenda of the PPP to reform the society through laws and institutions. It was an effort to establish citizen-state relationship and to change the socio-political structure.¹³⁰ The main objective was to set up harmonious relationship between the state and citizens by implementing the district government system. A task force was set up under political leadership (who was responsible to directly report to the premier) to launch special programmes for the benefits of people (especially for those living in remote areas).¹³¹ The introduction of new social order was a difficult task as old social

¹²⁷ Benazir Bhutto Interview by Kamran Thapar, *Dawn*, Karachi, August 27, 1995.

¹²⁸ *Dawn*, Karachi, January 3, 1996.

¹²⁹ M. H. Askari, "Karachi and its travails", *Dawn*, Karachi, January 3, 1996.

¹³⁰ Anwar Ahmad, "PPP's Reform Agenda: Need for Clear Thinking", *The News*, Islamabad, December 30, 1993.

¹³¹ *The News*, Islamabad, December 8, 1993. M. A. Niazi, "Bypassing the Cabinet" *The News*, Islamabad, December 18, 1993.

contract was well established and based on culture and history. The setting up of new relationship with bureaucracy in few weeks was, however, not viable.¹³²

The government had launched a Social Action Programme with the assistance of the World Bank and other international donors for development of elementary education, basic health, sanitation and potable water at grassroots level. The government had included non-elected members of its party in the Social Action Programme (SAP). The elected members of PPP believed that implementation of the SAP through non-elected members would create problems for the government. They objected the implementation of the SAP under the federal authority as the World Bank's funds were for the development of the provinces and hence they should be provided to the provincial legislatures. They considered the implementation of said programme in the provinces by the federal government as an encroachment in provincial autonomy.¹³³

Imposition of Governor's Rule in NWFP:

On February 6, 1994 the no-confidence motion was tabled by Aftab Ahmad Sherpao against the Chief Minister Sabir Shah.¹³⁴ Nawaz had warned the Premier that if the coalition of PML (N)-ANP was made to fall through the PPP sponsored no-confidence motion, he would launch a nation-wide long march against the "anti democratic and anti-

¹³² Anwar Ahmad, "PPP's Reform Agenda", *The News*, Islamabad, December 30, 1993.

¹³³ *Dawn*, Karachi, March 25, 1996.

¹³⁴ The government of Sabir Shah was weak as it was a coalition of independents, the ANP and the PML (N). The independents had supported the ANP-PML (N) led coalition on the term that they would get the portfolio of their choice. Initially the MPAs were provided portfolios of their choice but later Sabir Shah had changed their portfolios and interfered in their official duties. Due to Sabir Shah's act ten MPAs had immediately withdrawn their support for him. Finally he remained with the support of 35 members in the house of 83. The resignations of the independents from their offices caused the opposition to table no-confidence motion. *The Pakistan Times*, Islamabad, February 7, 1994.

Constitutional elements”.¹³⁵ He blamed that MPAs were abducted by the government and kept hostage in Sindh and other parts of the country;¹³⁶ and that one crore rupees were provided to each MPA for supporting no-confidence motion. Nawaz affirmed that “*danda(force)*” would be used by his party and allies to encounter horse-trading;¹³⁷ pointing to Benazir on its negative influences on her government.¹³⁸ Incidentally the PPP had tabled the no-confidence motion on the day (February 6, 1994) the floor-crossing ordinance that was promulgated by the caretaker government (October 7, 1993) became void.¹³⁹ According to Sherpao it was just a coincidence that no-confidence motion was tabled when floor-crossing ordinance stood void. He added that floor-crossing could not be stopped even if the ordinance or legislature related to floor-crossing was present.¹⁴⁰ The no-confidence motion had instigated number game. Sherpao declared that the PPP had support of 49 MPAs whereas Sabir Shah claimed that the PPP was not in a position to produce 42 votes in favour of the motion.¹⁴¹

On February 26, 1994 the acting Governor Khurshid Ali Khan summoned the session of NWFP Assembly to hold voting on the no-confidence motion.¹⁴² But a day earlier (February 25, 1994) the President suspended the NWFP Assembly for two months under the Article 234. The Governor Rule was imposed which authorized the Parliament

¹³⁵ Ibid.

¹³⁶ *The News*, Karachi, March 3, 1994.

¹³⁷ *The Pakistan Times*, Islamabad, February 7, 1994.

¹³⁸ *The Pakistan Times*, Islamabad, February 12, 1994.

¹³⁹ *The Pakistan Times*, Islamabad, February 24, 1994.

¹⁴⁰ MNA Aftab Ahmad Sherpao, Personal Interview.

¹⁴¹ *The Pakistan Times*, Islamabad, February 10, 1994. *The Pakistan Times*, Islamabad, February 14, 1994.

¹⁴² Previously, the requisitioned session (demanded by the opposition) for voting on the no-confidence motion took place but voting did not occur due to unruly and commotion in the Assembly. The Speaker disqualified two MPAs of the PML (N) namely; Shad Muhammad Khan and Sayed Akhtar Hussain Shah because they left the PML (N) and joined the PPP. The session was adjourned till March 31, 1994. These two MPAs were also expelled from the parliamentary party of the PML (N). These MPAs had filed petitions against their disqualification in the Peshawar High Court which reinstated both the MPAs.

to exercise all the powers of the Assembly and the Governor was authorized to perform the functions of NWFP on behalf of the President.¹⁴³ The PML (N) and the ANP announced countrywide long march as a reaction to suspension of NWFP Assembly.¹⁴⁴ Long march was unacceptable as it aimed to destabilize the government. Long march was justified on national issue but not on personalized issues.¹⁴⁵

After the suspension of NWFP Assembly Nawaz had persuaded his party's legislators to establish good relations with *ulemas* in their respective constituencies and convinced them that the PPP rule was a threat to the security of the country. Nawaz was hopeful that the government would terminate within six months.¹⁴⁶ The ANP-PML (N) had started their anti-government protests from Peshawar.¹⁴⁷ Later the anti-government protests were given up because some of the PML (N) members believed that it could not be successful under the prevalent political scene.¹⁴⁸

Nawaz alleged Benazir and Asif Ali Zardari for getting involved in horse-trading. He criticized Leghari for convincing *lotas* to join the PPP and for his partial behaviour towards the ruling party.¹⁴⁹ Leghari had tried to prove his neutral stance towards all parties¹⁵⁰ but failed due to his affiliation with the PPP. Leghari believed that prerequisite of political stability was standard relationship between treasury and opposition benches.¹⁵¹ The PML (N) mentioned that previously they had explained Ishaq Khan about

¹⁴³*The Pakistan Times*, Islamabad, February 26, 1994.

¹⁴⁴*The Pakistan Times*, Islamabad, February 27, 1994.

¹⁴⁵ Senator Safdar Abbasi, Personal Interview.

¹⁴⁶*The News*, Karachi, March 4, 1994.

¹⁴⁷*The News*, Karachi, March 2, 1994.

¹⁴⁸*Dawn*, Karachi, April 8, 1994.

¹⁴⁹*The News*, Karachi, March 3, 1994.

¹⁵⁰*The News*, Karachi, March 17, 1994.

¹⁵¹*Dawn*, Karachi, March 30, 1994.

their grievances but now they would not convey their complaints to the President because the opposition did not regard him as neutral and trustworthy.¹⁵²

The split in the PPP over the enforcement of Governor Rule was obvious. One group was of the opinion that Governor Rule should prevail till the attainment of objectives whereas the other faction demanded immediate withdrawal of Governor Rule.¹⁵³ Benazir blamed the ANP and the PML (N) for creating the situation that led to the suspension of the Assembly. Nawaz held the PPP responsible for NWFP crisis and began a movement to overthrow the PPP rule in reaction to Governor Rule in NWFP. Benazir denied that the federal government had intervened in the NWFP affairs but the PML (N) repeatedly accused her for making state resources and financial assistant available to Sherpao against the Sabir Shah's government.¹⁵⁴ But according to Sherpao no financial assistant was provided to him.¹⁵⁵ During the NWFP crisis illegal means (*lotacracy*, horse-trading and floor-crossing) were immensely used. If the government had adhered to the floor-crossing law (promulgated by the caretaker government of 1993) the opposition might not be in a position to blame it for using illegal means. In fact the government was reluctant to table the bill against floor-crossing but such law was need of the time for ensuring political maturity and real democracy.¹⁵⁶ According to Safdar Abbasi the PPP never indulged it in horse-treading on large scale but in coalitions and alliances parties had persuaded members that could join them.¹⁵⁷

¹⁵² *Dawn*, Karachi, March 12, 1994.

¹⁵³ *The News*, Karachi, March 1, 1994.

¹⁵⁴ *The News*, Karachi, March 2, 1994.

¹⁵⁵ MNA Aftab Ahmad Sherpao, Personal Interview.

¹⁵⁶ *Dawn*, Karachi, April 22, 1994.

¹⁵⁷ Senator Safdar Abbasi, Personal Interview.

The Supreme Court had ordered the reinstatement of Assembly on April 24, 1994 because the Presidential proclamation had ended that day. The Court ruling stated that President had exceeded his power which was provided to him under the Article 234. The Court's verdict had asked the Governor to summon the session of Assembly in which Sabir Shah would take a vote of confidence. The verdict of the Supreme Court had provided an opportunity to the PPP government to wash out the blame of NWFP crisis.¹⁵⁸ The acting Governor had summoned the session on April 24, 1994 as his rule was to expire on April 25, 1994. The PML (N) and ANP boycotted the session and declared the action of acting Governor as a contempt of court. The PML cited that the government had guaranteed in the court that the session would not be summoned until the disqualification cases of two MPAs were decided by the election commission.¹⁵⁹ The government avoided the boycott of the PML (N) and the ANP. The session took place on fix day and Sherpao was elected as Chief Minister.¹⁶⁰ The NWFP government was the coalition of the PPP, the JUI, the PML (J) and independents.¹⁶¹ Again a weak government was set up in NWFP with the support of independents.

The NWFP crisis had impact on national politics. The PML (N), ANP and PKMAP boycotted the National Assembly; the boycott that began on April 24, 1994 ended within five weeks.¹⁶² The boycott was ineffective as some opposition parties,

¹⁵⁸ *Dawn*, Karachi, April 22, 1994.

¹⁵⁹ *Dawn*, Karachi, April 24, 1994.

¹⁶⁰ *Dawn*, Karachi, April 25, 1994.

¹⁶¹ *Dawn*, Karachi, April 28, 1994.

¹⁶² *Ibid. Dawn*, Karachi, May 30, 1994.

including JI, JUI and the Mutahida Deeni Mahaz (MDM) opposed the boycott which indicated that as a whole the opposition was not under the control of PML (N).¹⁶³

Nawaz offered that if Sabir Shah's government was restored, he would initiate a process of dialogue with the government. The PPP considered his demand as "the politics of blackmail".¹⁶⁴ Nawaz obtained resignations from its allied parties, the PML (N), the ANP and the JUP (Ni), and said that he would use them at the right time.¹⁶⁵ Benazir challenged Nawaz that if 72 members of the opposition had resigned then she would hand over her party's leadership to some other member.¹⁶⁶ Nawaz considered it an opportunity to get rid of Benazir but he delayed to provide resignations to the speaker until the passage of budget 1994-1995.¹⁶⁷

Controlled Media:

The state of media in the PPP's tenure was not different than any previous government. The electronic media covered pro-PPP news and persistently avoided the anti-PPP views. The television provided one-side of the story. In general every political event was highlighted as the accomplishment of the ruling party. The anti-opposition propaganda was regularly broadcast. Due to partiality of national media people started to rely on foreign broadcast.¹⁶⁸ The PTV remained under government control; yet with installation

¹⁶³ *Dawn*, Karachi, April 25, 1994.

¹⁶⁴ *Dawn*, Karachi, April 26, 1994.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Dawn*, Karachi, May 9, 1994. *Dawn*, Karachi, May 30, 1994.

¹⁶⁷ *Dawn*, Karachi, May 27, 1994. *Dawn*, Karachi, May 28, 1994.

¹⁶⁸ Khalid Ali, "Freedom for TV and Radio", *Dawn*, Karachi, April 9, 1994.

of new channels during the PPP/IJI governments in 1988-1993¹⁶⁹, the opposition also got opportunity.

Journalists were victimized in the PPP's tenure. For instance, senior journalist and Secretary General of the Parliamentary Press Gallery, Farooq Aqdas, was arrested by the Islamabad Police when he was in Rawalpindi (it was interference of capital police in the Punjab territory) reportedly on the instigation of a journalist friend of Asif Ali Zardari who had some grievances against Aqdas.¹⁷⁰ Also the movement of the Parliamentary Press Corps in the Parliament was restricted; Journalists boycotted the proceedings of the National Assembly against restriction on their movement and arrest of the Aqdas. On these incidences the Minister of Information, Khalid Kharal, retorted to the newsmen: "This is your sweet will; and I would not force you to cover the proceedings of the house".¹⁷¹

The PPP frequently mentioned that it had given independence to the press and no press advice was forced on it. The government had also removed the tax on newsprint.¹⁷²

The ruling party criticized the print media for misreporting. Benazir declared that the media had misreported the statement of Law Minister Iqbal Haider related to blasphemy.¹⁷³ She mentioned that the Irish newspaper did not interview him on blasphemy laws and had published fake news item.¹⁷⁴ Similarly Leghari criticized

¹⁶⁹ Senator Safdar Abbasi, Personal Interview.

¹⁷⁰ Shaheen Sehbai, "PM's Media Disaster", *Dawn*, Karachi, April 27, 1994.

¹⁷¹ *Dawn*, Karachi, April 27, 1994.

¹⁷² *Dawn*, Karachi, July 9, 1994.

¹⁷³ The news agency had misquoted the statement of Iqbal Haider. The story mentioned that the government had been considering to reduce punishment under the blaspheme law. *Dawn*, Karachi, July 12, 1994.

¹⁷⁴ "On March 27, 1994 a shocking incident happened in Gujranwala when the JI leader who was *Hafeez-i-Quran* and *Peshwa* was dragged in the streets of Gujranwala and stoned to death. Benazir, Nawabzada

journalists for false news on the Mehran Bank scam alleging that Younus Habib was a good friend of Leghari and had offered him two hundred million rupees for the election campaign.¹⁷⁵ Some ministers were uncomfortable with free style of reporting. As a punishment, the government stopped its advertisements in those national newspapers which continued criticizing the government.¹⁷⁶ On the other hand such privileges as foreign trips, monetary and professional benefits, were regularly accorded to the group of journalists that supported government policies; journalists who wrote against government policies were declared enemies of the country.¹⁷⁷

In particular, Benazir was very sensitive on press coverage of law and order in Sindh which had deteriorated after the withdrawal of army. She criticized the press for reporting the real situation since she believed that law and order situation in Karachi had improved. Benazir did not appreciate those media persons who were monitoring the situation of Sindh on everyday basis; she termed those journalists as “traitors” who intent to propagate “alarming” accounts regarding law and order situation in Sindh.¹⁷⁸ The Sindh government had banned the publications of six Karachi based evening

Nasrullah Baber and I were horrified that how can we allow people to take law in their hands. We made investigation and discovered rivalry between two *sunni Peshwa*. The other *Peshwa* made a false propaganda that *Ji Peshwa* had been burning Quran and making derogatory statements against Hazrat Mohammad (peace be upon him). He used loudspeaker of his mosque and asked people to beat him.

We called all the religious parties representatives in the National Assembly. I and Nawabzada Nasrullah Baber had detailed discussion with *Ji*, *JUI*, *Sipah-i-Sahaba* and *Ahle Tashih* and presented the case of *Ji*. We rose above the party affiliation. Every political party’s representative agreed that this had to be contained and stop. The consensus happened that the misuse of blasphemy law should be stopped. We could not move the bill on our own to introduce the provision in the blasphemy law to stop the misuse of section 295 (c).

When I was in Ireland with Benazir, somebody planted a wrong story that I would propose an amendment to repeal the blasphemy law. This news appeared on front page of newspaper *Khabrain* (Urdu), and agitation broke out against the PPP and me. My Head money was offered and I was declared *Wajj-a-Bul Katal*.” Iqbal Haider, Personal Interview. *Dawn*, Karachi, October 24, 1989. *Dawn*, Karachi, July 13, 1994.

¹⁷⁵ Farooq Leghari interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 37.

¹⁷⁶ Safdar F. S. Lodi, “Let the Press Suffer No Curbs”, *Dawn*, Karachi, September 11, 1994.

¹⁷⁷ Shaheen Sehba, “Wither BB’s Media Policy?”, *Dawn*, Karachi, September 23, 1994,

¹⁷⁸ M. H. Askari, “Promises and Realities” *Dawn*, Karachi, December 21, 1994.

newspapers.¹⁷⁹ The government did not trust the media therefore it kept it under strict measures.

Government's approach towards press was self-contradictory. Benazir declared that media in Pakistan was freer than ever. She asserted that government did not control the media even though it had always criticized the functioning of her government.¹⁸⁰ Yet when press used its freedom as, by providing the names of those politicians (opposition and treasury benches) who were bank-loan defaulters, the government and opposition collaborated against the press. They blamed the press and bureaucracy for conspiring against politicians but no politician denied the facts.¹⁸¹ Benazir mentioned that "democracy refers to accountability and responsibilities" but when press did accountability politicians did not tolerate it.¹⁸²

The judiciary was also not happy with the press coverage; the Chief Justice of the Supreme Court took notice of all those statements and articles in which the composition of constitutional benches, rulings of the benches, appointments of judges and professional conduct of the judges were criticized.¹⁸³ It was right of the press to promote the debate on judicial system as it used to happen in other democratic societies.¹⁸⁴

¹⁷⁹ *Dawn*, Karachi, July 1, 1995. *Dawn*, Karachi, July 5, 1995.

¹⁸⁰ Benazir Bhutto interview by Charlic Rose, *Dawn*, Karachi, November 4, 1995.

¹⁸¹ *Dawn*, Karachi, November 8, 1995.

¹⁸² Benazir Bhutto interview by Charlic Rose, *Dawn*, Karachi, November 4, 1995.

¹⁸³ I. A. Rehman, "Not by Law of Contempt Alone", *Dawn*, Karachi, April 25, 1994.

¹⁸⁴ I. A. Rehman, "Defining Limits & Safeguards", *Dawn*, Karachi, April 26, 1995.

Mehrangate Scandal:

Mehrangate Scandal was an atrocious financial scandal in the history of Pakistan, manifested the well established culture of corruption in politics.¹⁸⁵ Aslam Baig revealed that Yunus Habib, the chief of Mehran Bank, had provided 140 million rupees to him under the instructions of President's Planning Cell that functioned from September to October 1990; and that this money was handed over to Assad Durrani, the Chief of Inter Services Intelligence (ISI), who spent 60 million rupees on the "election purposes" and rest was deposited in the Special Funds of ISI. He disclosed that President (Ishaq Khan) had engineered the 1990 elections and that he did not know that these funds were embezzled and provided by Habib.¹⁸⁶ Habib claimed that he had collected enormous money from his community which he gave to politicians, senior government servants and military intelligence under the command of President's Planning Cell.¹⁸⁷ When Nawaz was questioned about the matter he responded; "I can't tell you anything about that."¹⁸⁸ Confessions of Baig had opened another Pandora's Box. The ISI had involved itself in an illegal activity. Baig referred that Ishaq Khan had information about the unlawful donations and activities.¹⁸⁹

The government established a judicial commission under Justice (Retired) Durab Patel to probe the issue.¹⁹⁰ Nawaz tried to rope in President Leghari also by alleging that he had sold his "useless agricultural lands at an exorbitant price" to Habib (before 1993

¹⁸⁵ Zahid Hussain, "Guilty or Innocent?" *Newsline*, Karachi, June 1994, 29.

¹⁸⁶ *Dawn*, Karachi, April 23, 1994.

¹⁸⁷ Ardeshir Cowasjee, "The Dexterous General", *Dawn*, Karachi, May 13, 1994. *Dawn*, Karachi, June 18, 1994.

¹⁸⁸ Nawaz Sharif interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 31.

¹⁸⁹ Eqbal Ahmad, Karachi, "The Nation is at Risk", *Dawn*, May 1, 1994.

¹⁹⁰ *Dawn*, Karachi, May 27, 1994.

elections). But Leghari had denied the blame.¹⁹¹ Benazir had viewed it as “unleashed baseless propaganda against the President”.¹⁹² Nawaz suspected Leghari that he waived the penalty of 2.4 million rupees imposed on Mehran Bank without informing the nation. Leghari mentioned that he did this to support the bank but Nawaz believed that it was not a government bank and hence there was no need of such support.¹⁹³ Leghari cited that neither at that time nor today Pakistan was in the position to let any bank stop working.¹⁹⁴ Nawaz had rejected the judicial commission and had proposed a special committee of the Parliament under the chairmanship of neutral person, Mahmood Khan Achakzai.¹⁹⁵ He mentioned that some of the judges of judicial commission had connections with the ruling party and for that reason it was important to form the parliamentary committee. He demanded the resignation and trial of the President.¹⁹⁶ He said that the nation would be mobilized if the President did not vacate voluntarily.¹⁹⁷ Interestingly Nawaz (in his former government) did not resign from premiership when he was suspected in the cooperatives scandal and investigation was in process by the commission.¹⁹⁸ The opposition had criticized Leghari for dishonesty, even though he played a positive role in improving the government- opposition relationship.¹⁹⁹

The rejection of judicial commission and demand of parliamentary commission by Nawaz was dubbed by Naseerullah Baber as a behavior of “spoilt child”.²⁰⁰ Just after

¹⁹¹ *Dawn*, Karachi, June 18, 1994.

¹⁹² *Dawn*, Karachi, June 12, 1994.

¹⁹³ *Dawn*, Karachi, June 5, 1994.

¹⁹⁴ Farooq Leghari interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 37.

¹⁹⁵ Nawaz Sharif interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 30.

¹⁹⁶ *Dawn*, Karachi, June 23, 1994.

¹⁹⁷ *Dawn*, Karachi, June 24, 1994.

¹⁹⁸ *Dawn*, Karachi, July 2, 1994.

¹⁹⁹ Farooq Leghari interview by Zahid Hussain, *Newsline*, Karachi, June 1994, 44.

²⁰⁰ *Dawn*, Karachi, June 18, 1994.

the exposure of Mehrangate Scandal several corruption matters related to Nawaz were also uncovered. The booklet entitled as “Plunders by Mian Nawaz Sharif and looters of Nawaz League (Part 1)” had revealed the details of the loans taken by relatives and friends of Nawaz from Mehran Bank . This booklet was produced by the PPP. It also revealed that Nawaz had pressurized the Mehran Bank to release the loan of 200 million rupees to his family and friends.²⁰¹

Notwithstanding the actual facts, one thing was clear: irrespective of their position and reputation all persons in power and authority (President, COAS, DG ISI, Nawaz, Benazir, Legghari, Roedad, Ijlal Haider, etc.) were, directly or indirectly, involved in undemocratic and illegal acts in 1990 elections.

The Anti-Democratic Outlook of the Opposition:

The opposition was clamouring for the acceptance of private a bill which was presented by Maulanan Tariq Azim of Sipah-i-Sahaba for amending the Pakistan Penal Code. The order of the day was to discuss the matter relating scarcity of water in Islamabad but the opposition was not prepared to abide by the rules. When the Speaker vetoed consideration of Tariq’s bill (supported by the opposition) he refused to listen to him which led to commotion in the House by opposition. The Speaker adjourned the House; after the Speaker left, Tariq took over the chairmanship, conducted the proceedings and presenting and declaring his proposed bill as passed by the House. Tariq tried to justify his misconduct on the ground that his bill was of great importance and that if it was not considered, the business of the House would not be possible to carry.²⁰²

²⁰¹ *Dawn*, Karachi, July 5, 1994.

²⁰² *Dawn*, Karachi, June 8, 1994.

Independence of Judiciary:

Benazir had promised judicial reforms and appointments of judges with the consensus of opposition as she believed that this procedure would assure merit in recruitments. After assuming office she did the opposite; judges were appointed on the basis of their loyalty to the PPP; appointments were on *ad hoc* basis and confirmation conditional on their leanings towards the PPP. The manifesto of the PPP had promised the separation of judiciary from the executive but it did not materialised. Sajjad Ali Shah was chosen as the Chief Justice of Pakistan by bypassing three senior judges.²⁰³ The appointment of permanent judges was purposely delayed; three provinces had acting chief justices and about one-third judges of the Supreme Court were *ad hoc* appointees. These actions had politicized judiciary and curtailed its independence.²⁰⁴ Due to this attitude of government, the judiciary was said to be divided into two camps; one group favouring Benazir and the other on Leghari's side. The judiciary was politicized as cases against Asif Ali Zardari were in courts.²⁰⁵

Undemocratic Demands of the Opposition:

Nawaz demanded resignation of the President and the Prime Minister by September 11, 1994 and holding of fresh elections. The PML (N) and its allied parties warned the government that if elections were not held under an interim set up, they would start anti-government demonstration.²⁰⁶ On September 11, 1994 Nawaz began the train march, with opposition leaders and political workers, from Karachi to Peshawar to force the

²⁰³ Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001), 211.

²⁰⁴ *Dawn*, Karachi, January 19, 1996.

²⁰⁵ MNA Aftab Ahmad Sherpao, Personal Interview.

²⁰⁶ *Dawn*, Karachi, August 16, 1994. *Dawn*, Karachi, August 17, 1994.

government to leave.²⁰⁷ On reaching Peshawar on September 13, 1994, Nawaz declared the success of movement as far more than the expectations and a massive show of the PPP's unpopularity.²⁰⁸ The launch of agitation by the PML (N) was a replica of PPP's strategy against Nawaz's government in November 1992. He perhaps thought that if he succeeded in deepening the political crisis, army would intervene to overthrow the government.²⁰⁹ Thus he persisted with this approach by calling a nationwide strike against government on September 12, 1994 to be followed by a public meeting in Karachi. The official sources assessed the strike semi-success in Lahore and Rawalpindi, great success in Quetta, Peshawar and Karachi, and failure in Islamabad.²¹⁰ Nawaz scheduled his next public meeting in Karachi but Sindh government had banned his entry in Sindh till October 7, 1994. Nawaz did not abide by the verdict and mentioned that he would arrive at the venue on September 29, 1994 under any circumstances and he made it.²¹¹

On October 11, 1994 a wheel-jam strike nationwide was announced by the opposition. The government had arrested considerable number of MNAs and MPAs before the strike. Nawaz had advised the police not to act according to the instructions of the government because its orders were illegal and ultra-constitutional (the government had ordered abduction and arrest of the opposition).²¹² Nawaz encouraged the law enforcement agency not to obey government's orders. In fact he planned to cause confrontation among the institutions in order to ouster the government.

²⁰⁷ *Dawn*, Karachi, September 12, 1994. *Dawn*, Karachi, September 14, 1994.

²⁰⁸ Nawaz Sharif interview by Habib Khan Ghor, *Dawn*, Karachi, September 14, 1994.

²⁰⁹ Mohammad Wassem, "The 'Train March' stratagem", *Dawn*, Karachi, September 12, 1994.

²¹⁰ *Dawn*, Karachi, September 21, 1994.

²¹¹ *Dawn*, Karachi, September 29, 1994. *Dawn*, Karachi, September 30, 1994.

²¹² *Dawn*, Karachi, October 9, 1994.

The strike resulted in incidents of violence which caused the death of 12 people. The strike had affected the business and industrial activities countrywide.²¹³ This strike had cost the loss of billions of rupees to the country.²¹⁴

Nawaz also caused problems for the government on international level. In one of his anti-government public meetings he declared that Pakistan possessed nuclear bomb; in an interview to *The Washington Post* he stated that in his previous government the military and ISI had provided him a blueprint for narcotics smuggling that Aslam Baig and Assad Durrani were involved in making the blueprint.²¹⁵ The USA had serious concerns over this disclosure of Nawaz²¹⁶; also endangering the future of the country. Later the PML (N) leadership claimed that Nawaz had given no such interview to the said news agency.²¹⁷ In the light of the interview the USA Congress men proposed the review of USA policy towards Pakistan.²¹⁸ Such statements exhibited irresponsibility and insincerity; reflecting immaturity of person who had earlier held the high position of Prime Minister.

The PML (N) was not prepared to improve the working relations with government at the Parliament level.²¹⁹ The President ordered the release of political prisoners to avoid chaos in the following session of the National Assembly (scheduled on October 29, 1994).²²⁰ But the shouting and unruly prevailed throughout the session. The main targets of opposition's criticism were Benazir, Leghari, Asif Ali Zardari and Zulfikar Mirza. The

²¹³*Dawn*, Karachi, October 12, 1994.

²¹⁴*Dawn*, Karachi, October 19, 1994.

²¹⁵*Dawn*, Karachi, September 13, 1994.

²¹⁶*Dawn*, Karachi, October 2, 1994.

²¹⁷*Dawn*, Karachi, September 14, 1994.

²¹⁸*Dawn*, Karachi, October 2, 1994.

²¹⁹*Dawn*, Karachi, October 28, 1994.

²²⁰*Dawn*, Karachi, October 27, 1994.

opposition did not let the PPP leaders to respond to its criticism on the floor of the House.²²¹

Politics of Blackmailing from the Treasury and Opposition Benches:

The opposition had warned that it would not allow the President to address the joint session of the Parliament if detained MNAs of the opposition were not released.²²² Soon after this warning the government arrested Mian Muhammad Sharif (Nawaz's father) in order to blackmail Nawaz and tackle the opposition. The arrest was made by police under the directions of FIA without arrest warrant. Both police and FIA were unable to produce any arrest warrant when asked by the opposition and its lawyer.²²³

The occasion of President's address to the Parliament on November 14, 1994 was seized by the opposition to create chaos in the House. The house was filled with anti-Leghari slogans and even some member resorted to violence during the course of address.²²⁴ The opposition had accused the government that on purpose it issued special passes to "trained commandos" who tortured the opposition.²²⁵

Human Rights:

The government took a number of legislative steps to safeguard human rights, in particular for women and minorities. A National Tribunal for Disadvantaged Persons (NTDP) was set up through the Presidential ordinance which aimed to deal with the

²²¹ *Dawn*, Karachi, October 30, 1994.

²²² *Dawn*, Karachi, November 13, 1994.

²²³ *Dawn*, Karachi, November 14, 1994.

²²⁴ *Dawn*, Karachi, November 18, 1994. Khalid Mahmood Arif, "Playing Foul with Democracy", *Dawn*, Karachi, November 29, 1994.

²²⁵ *Dawn*, Karachi, November 17, 1994.

violation of human rights²²⁶ and provide an opportunity to women to appear before women judges so that they could report injustices to them without any inhibition.²²⁷ The government introduced two amendments in the law of blasphemy, which stipulated a punishment of ten years imprisonment on bogus cases registered under blasphemy law; and cases under the said blasphemy law would be registered after preliminary scrutiny by a judicial officer.²²⁸

The government also announced electoral reforms providing the minorities with the opportunity of dual vote;²²⁹ non-Muslim citizens were permitted to vote for all the seats of National and Provincial Assemblies, apart from electing their own members. The removal of the electoral discrimination was a milestone in the electoral politics of Pakistan. Through these reforms minorities got back their status equivalent to Muslims. This action was expected to help in reducing communalism and sectarianism.²³⁰

In spite of these steps, sectarian violence increased during the period. The massacre in the mosque at Lahore,²³¹ and series of Shiite- Sunni violent incidents in the Punjab were vivid examples of rising sectarianism.²³² The Human Right Cell set up in the Ministry of Law, Justice and Parliamentary Affairs had reported 5000 cases of violation of human rights in just one year (December 1993- December 1994).²³³

²²⁶ *Dawn*, Karachi, October 5, 1994.

²²⁷ *Dawn*, Karachi, October 31, 1994.

²²⁸ *Dawn*, Karachi, April 20, 1995.

²²⁹ *Dawn*, Karachi, March 4, 1996.

²³⁰ *Dawn*, Karachi, March 6, 1996.

²³¹ Eqbal Ahmad, "The Shame of Nation", *Dawn*, Karachi, March 19, 1995.

²³² S. A. Sayood, ed., "Summary Perspective", *Pakistan Political Perspective* 4, no. 3 [March 1995], Islamabad: Institute of Policy Studies, 2.

²³³ *Dawn*, Karachi, April 20, 1995.

Politics of Vengeances:

The government's response to opposition's protests came through instituting several cases against the opposition (particularly against Nawaz). Nawaz was accused of being tax defaulter and corrupt (taking commission from the contractors).²³⁴ Sheikh Rashid Ahmad of the PML (N) was summarily tried and sentenced to seven years of imprisonment.²³⁵ Nawaz accused that the PPP had politicized the judiciary. He stated that three election petitions were filed by the opposition members but no progress was made in this regard. Besides the election petitions filed by the government (against the opposition) had reached to the Supreme Court immediately.²³⁶

Rubber Stamp Parliament:

The National Assembly did not play its due role; it suffered due to neglect of both, government and opposition. Often its sessions were adjourned due to lack of quorum. The leader of the house and leader of the opposition were repeatedly absent from the sessions; so were the ministers and Law Minister, Iqbal Haider, used to respond every query (despite of the fact that it was related to its ministry or some other ministry) in the House.²³⁷ The PML (N) stayed away from the National Assembly which turned the sessions of assembly into meetings of the PPP Parliamentary Party.²³⁸ The spirit of democracy was that every legislation should be passed after thorough scrutiny and debate by the house but this practice was marginalized through issuing ordinances. In year 1994 about 25 legislations were enacted by the Parliament and not less than 95 were

²³⁴ *Dawn*, Karachi, April 1, 1995. *Dawn*, Karachi, April 25, 1995.

²³⁵ Sayood, "Summary Perspective", 6.

²³⁶ *Dawn*, Karachi, April 25, 1995.

²³⁷ Mazdak, "The Politics of Resignation", *Dawn*, Karachi, May 28, 1994.

²³⁸ Shaheen Sehbai, "PM's Media Disaster", *Dawn*, Karachi, April 27, 1994.

ordinances issued by President's consent earlier. In the first four months of 1995 the federal government had issued 45 new ordinances. The federal government misused the discretionary powers of the President which adversely affected the legislative work of the Parliament.²³⁹ Iqbal Haider, the Law Minister, tried to justify the position:

We had inherited more than 140 ordinances from Moeen Qureshi's government. When government started to repromulgate ordinances then the Supreme Court started to pressurize the government. Chief Justice of Pakistan Naseem Hassan Shah repeatedly mentioned to the government that repromulgation of ordinances was illegal. Repromulgation of ordinances was essential as Parliament was new and Standing Committees were not constituted.²⁴⁰

The Suspension of the Punjab Assembly:

Watto-PPP differences were sidelined with the formation of coalition government in the Punjab; these re-emerged when the PPP had attempted to replace him with the chief minister of its party.²⁴¹ The Punjab legislators of the PPP were unsatisfied with Watto's way of politics, in particular on sharing of power and allocations of funds.²⁴² The entire institutional apparatus of the Punjab administration was under command of Watto; the PPP with electoral dominance was nowhere in the provincial set up.²⁴³

The President suspended the Punjab Assembly under the article 234 with due consultation with Benazir and following two-day hectic political activity in Punjab. All PPP members of Watto's cabinet, along with four other non-PPP members, resigned. The Presidential proclamation mentioned that 'in the light of reports received from the

²³⁹ Munib Akhtar, "Legislation without Parliament", *Dawn*, Karachi, May 19, 1995.

²⁴⁰ Iqbal Haider, Personal Interview.

²⁴¹ *Dawn*, Karachi, July 10, 1995.

²⁴² *Dawn*, Karachi, July 18, 1995.

²⁴³ Mohammad Wasseem. "Which Way Punjab is Moving?", *Dawn*, Karachi, May 8, 1995.

Governor and other sources it was evident that the situation had arrived in which the affairs of the Punjab could not be carried out according to the Constitution'.²⁴⁴

Arif Nakai of PDF, with the support of the PPP, became Chief Minister of the Punjab.²⁴⁵ However the powers of Governor were increased under the Article 234.²⁴⁶ The opposition urged that the Chief Minister should get his executive responsibilities that were assigned to the Governor.²⁴⁷

The PML (N) reiterated that it would agree to holding dialogue with government on assurance of fresh elections.²⁴⁸ Nawaz modified his strategy towards the President and tried to develop good relations with him as he realised the use of Eighth Amendment against the government rested with him.²⁴⁹

Plan for *Coup D'état*:

Some army officers conspired to remove the government, the top military leadership, President and Prime Minister, in order to implement their “self-styled Islamic system”. They planned to arrest leading politicians and generals, and to introduce the office of *Amir-ul-Momineen*. The blueprint of the *coup* plan, the written constitution, the outline of the political system and the speech that supposed to be broadcast after the *coup d'état* was uncovered by the authorities. The list which included the names of those people who had

²⁴⁴ *Dawn*, Karachi, September 6, 1995.

²⁴⁵ *Dawn*, Karachi, September 14, 1995.

²⁴⁶ *Dawn*, Karachi, September 6, 1995. Makhdoom Ali Khan, “Change in Punjab and After”, *Dawn*, Karachi, September 18, 1995.

²⁴⁷ *Dawn*, Karachi, September 6, 1995.

²⁴⁸ *Dawn*, Karachi, December 22, 1995.

²⁴⁹ Mohammad Malick, “All the President’s Men, and of Nawaz as well”, *Dawn*, Karachi, December 24, 1995.

to remove after capturing the power was also found.²⁵⁰ The conspirators were arrested by the military intelligence and their trial took place before the Field General Court Martial (FGCM).²⁵¹ The FGCM found four alleged army officers guilty and imprisoned them.²⁵²

Judges' Case:

The Al-Jehand Trust had challenged, in the Supreme Court, the appointments of judges in the superior judiciary through its Chairman Habib-ul-Whab-ul-Khairi; pleading that appointments were made in violation of the procedures and guidelines provided in the Constitution.²⁵³ The Supreme Court ordered the government to appoint permanent Chief Justices in the High Courts of Lahore, Peshawar and Sindh. The ruling declared that those judges who were confirmed on the recommendation of acting Chief Justices and were not qualified for such appointments should be dropped.²⁵⁴

Benazir criticized the judgment and considered it against some of its own members.²⁵⁵ The government filed the review petition against the Supreme Court's judgment regarding the judges' case but later withdrew it.²⁵⁶ According to Iqbal Haider: "When I was appointed as Attorney General of Pakistan, I tried hard to reduce tension among President, judiciary and executive. The petition was withdrawn to send a message of peace and harmony to the President and the Supreme Court." The President and the

²⁵⁰ *Dawn*, Karachi, November 15, 1995.

²⁵¹ *Dawn*, Karachi, January 1, 1996.

²⁵² *Dawn*, Karachi, October 31, 1996.

²⁵³ *Dawn*, Karachi, March 21, 1996. Khan, *Political History of Pakistan*, 785.

²⁵⁴ Khan, *Political History of Pakistan*, 787.

²⁵⁵ *Dawn*, Karachi, March 25, 1996.

²⁵⁶ *Dawn*, Karachi, July 14, 1996.

Chief Justice appreciated the action of the government.²⁵⁷ The judgment had weakened the control of government over the judiciary.

Events that Leading to Fall of the Government:

Stories of corruption against the government and especially husband of Prime Minister, Asif Ali Zardari, (in business deals) were being circulated widely. The President took serious notice them which damaged the President-Premier relationship.²⁵⁸ On the night of September 20, 1996 Mir Murtaza Bhutto (the younger brother of Benazir) and his six companions were assassinated by Karachi police.²⁵⁹ On the next day of Murtaza's killing, Leghari sent a reference to the Supreme Court in which he requested the implementation of judgment of March 20 in the case relating to the authority of appointing the judges in the superior courts.²⁶⁰ Benazir criticized the filing of reference, which led to exchange of letters between her and Leghari,²⁶¹ Leghari criticizing attitude of Benazir and her government policies.²⁶² Aftab Ahmad Sherpao tried to bring reconciliation between the offices, but failed²⁶³

The opposition, on the other side, formed a grand alliance of fifteen opposition parties to reinforce its agitation for removal of the government. The alliance decided countrywide demonstrations against the government so that the President would have a

²⁵⁷ Iqbal Haider, Personal Interview.

²⁵⁸ Zaffar Abbas, "Where do We Go from Here?" *The Herald*, Karachi, November 1996, 25.

²⁵⁹ *Dawn*, Karachi, September 22, 1996.

²⁶⁰ Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography*, (Karachi: Orient Book Publishing House, 2000), 227.

²⁶¹ Abbas, "Go from Here?", 25.

²⁶² Zaffar Abbas, "The Pir, the President and the Pindiwalas", *The Herald*, Karachi, September 1996, 30.

²⁶³ MNA Aftab Ahmad Sherpao, Personal Interview.

valid ground to use Article 58 (2) (b).²⁶⁴ The rallies of the alliance were successful; the PML (N) called strike was fully observed throughout Lahore;²⁶⁵ and JI, another effective political force, urged the people to continue protests till the ouster of government.²⁶⁶ In the meantime amity developed between Nawaz and Leghari; they met first time since Leghari got elected as President, and Nawaz advised him to use Article 58 (2) (b) in the national interest.²⁶⁷

Dissolution of the National Assembly:

Finally, on November 5, 1996 the National Assembly was dissolved. The Presidential proclamation charged that the government had violated several provisions of the Constitution – including, corruption, mismanagement, extra-judicial killings, destroying the neutrality of the law enforcing agencies and delay in the implementation of decision made in judges case. It also mentioned that Benazir had indirectly accused President and intelligence agencies for assassination of Murtaza which had undermined the reputation of the said institutions.²⁶⁸

Benazir responded that the dismissal of her government was planned and she was well aware about this conspiracy; that she tried to prevent overthrow but in vain,²⁶⁹ and that her dismissal was unconstitutional and undemocratic.²⁷⁰ Nawaz considered the dismissal of government in national interest, and triumph of his party's three and a half

²⁶⁴ *Dawn*, Karachi, July 27, 1996.

²⁶⁵ *Dawn*, Karachi, October 27, 1996.

²⁶⁶ *Dawn*, Karachi, October 30, 1996.

²⁶⁷ *Dawn*, Karachi, September 27, 1996.

²⁶⁸ *Dawn*, Karachi, November 6, 1996.

²⁶⁹ Benazir Bhutto interview by Z. Abbas, *The Herald*, Karachi, November, 1996, 34-35.

²⁷⁰ *Dawn*, Karachi, November 6, 1996.

years efforts.²⁷¹ Benazir challenged the dissolution of her government in the Supreme Court but the Court had decided in favour of the dissolution of National Assembly.²⁷²

Conclusion:

In this phase of (PPP) government the role of opposition was more undemocratic than in earlier periods. The aggressive attitude of opposition, particularly Nawaz kept the government on the defence all along and the government could not focus on the national issues. The opposition disrespected the PPP's mandate to rule and followed one-item agenda, namely, removal of Benazir government by any means. The politics of confrontation from the ANP, PML (N) and the MQM weakened the government, created rift in the PPP and damaged Benazir's reputation. The PPP leadership, in particular the Prime Minister and her husband, indulged in such massive corruption and malpractices that not only their personal and party position was damaged but the country was also maligned. Besides, the nature of the opposition's allegations and counter allegations seriously hurt Pakistan's image internationally.

The PPP had politicized the judiciary for its political interests. The government had delayed the implement of judicial decisions as it could limit the powers of civil bureaucracy. The government was not in a position to annoy bureaucracy by limiting its power as it knew that opposition of bureaucracy could cause the dissolution of its government. In spite of the fact the controlled judiciary had served as a pressure group as it repeatedly demanded the separation of judiciary from executive.

²⁷¹ Nawaz Sharif interview by Z. Abbas, *The Herald*, Karachi, November, 1996, 36.

²⁷² *Dawn*, Karachi, January 30, 1997.

The freedom of media was highly restricted in order to hide the poor performance of the government. In fact government had supported the culture of violence against media. Anti-government news had rarely appeared in media till 1994. In this government the freedom of press was more controlled than electronic media. The government's undemocratic approach towards freedom of press had brought great setback to democracy and prevented the growth of democratic culture.

In this government the political intervention of civil bureaucracy was greater than military bureaucracy. In fact government had intentionally allowed the civil bureaucracy to gain power for its stability and support. Due to good understanding with government, civil bureaucracy had played no role in the dissolution of government and the president had dissolved the government with the support of army and the opposition; getting the blessing of judiciary later.

The working relationship between elected and non-elected institutions did not improve due to imbalance of power. The institutions were not free to perform their responsibilities which caused problems for the government and became a reason of its debacle. The government was also partly responsible in shifting the balance of power in favour of civil bureaucracy as a counter force to tackle military.

Chapter 6

Second Tenure of Nawaz Sharif: 1996-1999

The chapter is about functioning of parliamentary democracy from 1996-1999. The main issues discussed are: caretaker set up, general elections 1997, the government-opposition relationship, law and order, press, human rights, confrontation between judiciary and executive, local council elections in the Punjab, nuclear tests, Nawaz–army relations, disagreement between political parties on national issues, politics of vendettas etc.

Following the dissolution of the National Assembly and dismissal of government, the President Farooq Ahmad Khan Leghari appointed Malik Meraj Khalid (a senior member of PPP and National Assembly Speaker during Benazir Bhutto government) as Caretaker Prime Minister on November 5, 1996.¹ The caretaker cabinet was initially composed of nine members who were mostly technocrats, former bureaucrats and politicians. The cabinet included one representative each from the Pakistan People's Party (PPP) and the Pakistan Muslim League (Nawaz) PML (N), besides President's brother-in-law and batch-mates of Civil Service (Leghari was a former CSP).²

In Sindh Mumtaz Ali Bhutto was inducted as caretaker Chief Minister in order to form anti-PPP cabinet. Mumtaz attempted to gain political support against the PPP to weaken its electoral strength.³ The Muttahida Qaumi Movement (MQM) and the PPP

¹ Meraj Khalid was a former Speaker of the National Assembly and Rector of the Islamic International University.

² Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography*, (Karachi: Orient Book Publishing House, 2000), 228-229. Ahmed Rashid, "Breaking up the Party", *The Herald*, Karachi, November 1996, 38. *Dawn*, Karachi, November 6, 1996.

³ Ahmed Rashid, "Breaking up the Party", *The Herald*, Karachi, November, 1996, 39.

expressed concern over his appointment.⁴ In the Punjab Tariq Rahim, a controversial figure was chosen as governor in spite of the fact that some cabinet ministers intimate to Leghari had strongly opposed his appointment.⁵ The caretaker cabinet was in fact an amalgamation of friends and relatives and was partial. Malik Meraj Khalid had political links and social contacts, raising doubts about his impartiality.⁶ Through all such means Leghari intended to wipe out Benazir from the political scene. As later Leghari regretfully admitted to Javed Ashraf: “it was my mistake that I allow Nawaz Sharif to attain two-third majority.”⁷

Leghari had guaranteed impartial elections on February 3, 1997.⁸ His supporters in the establishment asserted that the dissolution of the National Assembly was not his personal aspiration and he was sincere to hold elections in time.⁹ It was for the first time that polling for the National and Provincial Assemblies were held on the same day and right to vote was extended to the Federally Adminstrated Tribal Area (FATA).¹⁰ In FATA the process of enrollment of voters had begun without any delay. During the course of elections army was provided extraordinary judicial power in order to maintain law and order.¹¹ Though the main function of the caretaker government was to hold election within stipulated time, it issued several important ordinances (e.g., accountability

⁴Ardeshir Cowasjee, “Constitutionally, Legally and Lawfully”, *Dawn*, Karachi, November 15, 1996. *Dawn*, Karachi, November 6, 1996.

⁵Rashid, “the Party”, 39.

⁶*Dawn*, Karachi, November 15, 1996.

⁷Senator Javed Ashraf, Pakistan Muslim League (Quaid-e- Azam) PML (Q), Personal Interview, Islamabad, September 16, 2011.

⁸*Dawn*, Karachi, November 6, 1996.

⁹Zaffar Abbas, “The Shadow of Doubts”, *The Herald*, Karachi, December 1996.

¹⁰*Dawn*, Karachi, December 1, 1996. *Dawn*, Karachi, December 7, 1996.

¹¹*Dawn*, Karachi, December 29, 1996.

and Council on Defence and Security) which were later sent to the National Assembly in the form of bill by the PML (N) government.¹²

Accountability Law:

The President had promulgated the accountability law entitled as “Ehtesab Ordinance 1996” in order to assure “across-the board accountability” on November 18, 1996. The ordinance aimed at the trial of corrupt government officers, politicians and those who had abused authority and plundered national wealth. The law was applicable on all the officers of grade 20 and above.¹³ On December 5, 1996 through an ordinance ‘the Representation of the People Act 1976’ was modified which banned the loan defaulters from contesting the elections.¹⁴ The PPP was worried over the law and considered that it could be used by the caretaker set up to pressurize the political parties.¹⁵ The PPP opposed the ordinance and accountability bill. It alleged that the caretaker set up had “no mandate to screen out” the politicians in any circumstance.¹⁶ The PPP had serious doubts about neutral stance of the accountability.¹⁷ Only the PPP leaders of Sindh had faced accountability which was against the policy of caretaker government i.e.; across-the-board accountability.¹⁸ Accountability before elections had raised the question that whether the government could complete the task of comprehensive accountability in 80

¹²*The Pakistan Times*, Islamabad, April 8, 1997.

¹³*Dawn*, Karachi, November 19, 1996. Muhammad Ali Shaikh, *Benazir Bhutto: A Political Biography*, (Karachi: Orient Book Publishing House, 2000), 299.

¹⁴*Dawn*, Karachi, December 6, 1996.

¹⁵*Dawn*, Karachi, November 15, 1996. *Dawn*, Karachi, November 16, 1996.

¹⁶*Dawn*, Karachi, November 20, 1996.

¹⁷ Shamim Shamsi, “PPP Men Fear Victimisation”. *Dawn*, Karachi, December 31, 1996. *Dawn*, Karachi, January 5, 1997.

¹⁸*Dawn*, Karachi, January 5, 1998. Hamid Nasir Chattha, interview by Mahmood Zaman and Ashraf Mumtaz, *Dawn*, Karachi, January 15, 1997.

days.¹⁹ The supported the policy of permanent accountability even after elections;²⁰ while Jamaat-e-Islami (JI) and Tehrik-i-Istaqlal (TI) supported elections after completion of accountability as in their view, elections without accountability were of no use as it would return dishonest bureaucrats and politicians in power.²¹

Formation of Council of Defence and National Security:

A significant decision taken by Leghari, and without consulting Malik Meraj Khalid, was amendment in the Rules of Business 1973 stipulating the setting up of the Council of Defence and National Security (CDNS) on January 6, 1997. The Council was to deal with matters of internal and external security, defence and economic issues.²² The status of CDNS was described as an advisory body, which had to work under the control of the government.²³ By means of CDNS the involvement and influence of the military in politics was institutionalized. The CDNS also weakened the role of the Premier;²⁴ perhaps it was instituted to deal with such situation that was being created by Nawaz, Benazir and the Parliament. The set up of CDNS seemed to dilute the privilege of the elected representatives to run the affairs of the state. It legalized the role of army in decision making.

The National Finance Commission Award:

On the night of February 3, 1997, just few days before elections, the caretaker government announced the National Finance Commission (NFC) Award stipulating the

¹⁹ *Dawn*, Karachi, November 15, 1996.

²⁰ *Dawn*, Karachi, November 8, 1996.

²¹ *Dawn*, Karachi, January 6, 1997. *Dawn*, Karachi, January 7, 1997.

²² *Dawn*, Karachi, January 7, 1997.

²³ *Dawn*, Karachi, January 15, 1997.

²⁴ Abbas Rasid, "CDNS: A Supra-Cabinet", *Dawn*, Karachi, January 14, 1997.

distribution of federally collected revenues on the basis of 62.5 percent for Federation and 37.5 percent for the provinces.²⁵ It seemed that the caretaker wanted to settle this ticklish issue before the elected governments assumed charge of federation and provinces. It is however argued that the caretaker government had no responsibility except to hold free and fair elections but it presented the Award on the night of elections.

Election Campaigns of Political Parties:

Benazir did not support the holding of elections because she was confident about restoration of her government. She claimed that she would produce a workable formula for the elections and set up of caretaker government on restoration of her government;²⁶ and that transparent elections were not possible in the presence of Leghari.²⁷ In campaigns she criticized Leghari for creating 'king's party' in order to bring divide in the PPP;²⁸ and promised political stability, economic development and withdrawal of Eighth Amendment. The PPP manifesto highlighted tax issues and declaring that its legislative agenda for 1997-2002 was "across board accountability with Parliament as the fountainhead".²⁹

Nawaz had begun his election campaign from Lyari(Karachi) which was a safe seat of the PPP. He charged that for 30 years Lyarities voted for the PPP candidate but no development took place in the constituency; and promised that if he succeeded in the

²⁵*Dawn*, Karachi, February 4, 1997. *Dawn*, Karachi, June 11, 1997.

²⁶*Dawn*, Karachi, January 5, 1997.

²⁷*Dawn*, Karachi, November 24, 1996.

²⁸*Dawn*, Karachi, January 26, 1997.

²⁹*Dawn*, Karachi, January 8, 1997.

elections then a change would be seen in the locality within 90 days.³⁰ Nawaz had influenced the women of Lyari to defeat the PPP's candidate in the elections.³¹

Nawaz pledged that all the illegal assets of Benazir and Asif Ali Zardari would be repatriated and properties of the corrupt bureaucrats would be auctioned. He assured that he would transform Pakistan from corrupt society to Asian Tiger. He highlighted all the maltreatment and injustices caused to his family and party members in the previous government (1993-996). In campaigns Nawaz criticized Benazir for mismanagement of economy and corruption. He promised to provide free of charge health facilities and education, subsidy for cabs and major highways.³² He vowed Ehtesab Commission to increase the process of accountability.³³ The PML (N) had completely avoided the issue of Eighth Amendment in its campaign. Nawaz had promised to decide the Kalabagh Dam issue.³⁴ In 1990 election campaign he promised to decide Kalabagh Dam too but in vain. He asked the nation to provide massive victory to the PML (N) so that he could fulfill his promises.³⁵

The MQM blamed the caretaker government for creating hurdles in its election campaigns. In Karachi and Hyderabad, there were clashes between MQM and Mohajir Qaumi Movement (Haqiqi) MQM (H), a splinter group of MQM. The MQM asked the

³⁰ *Dawn*, Karachi, January 5, 1997.

³¹ *Dawn*, Karachi, January 16, 1997.

³² *Dawn*, Karachi, February 1, 1997.

³³ Zaffar Abbas, "Promises, promises...", *The Herald*, Karachi, March, 1997, 29

³⁴ *Dawn*, Karachi, January 7, 1997.

³⁵ Hasan Iqbal Jafri, "Programmed to Fail". *The Herald*, Karachi, February, 1997, 57.

people to elect new faces;³⁶ while JI and the Jamiat-e-Ulema-e-Pakistan (Noorani) JUP (N) had boycotted the elections.³⁷

The elections also witnessed the emergence of a new party, ‘Pakistan Tehreek-e-Insaaf (PTI)’ under Imran Khan, a former cricket captain and founder of Shaukat Khanum (cancer) Hospital. The party’s manifesto and campaigns focused on accountability and eradication of corruption from the society. Its campaigns were successful and it seemed that it would emerge as an important political force but it did not happen.³⁸ The elections campaigns formally ended on February 1, 1997 with claims of success by the PPP, the PML (N) and the PTI.³⁹

Parties Position in National and Provincial Assemblies:

The elections brought the PML (N) into power overwhelming majority in National Assembly. The party position in National Assembly elections was: PML (N) (134 seats), PPP(18), MQM (12), Awami National Party (ANP) (9), Balochistan National Party (BNP) (3), Jamhoori Wattan Party (JWP) (2), Jamiat-e-Ulema-e-Islam JUI (F) (2), Pakistan People’s Party (Shaheed Bhutto) PPP (SB) (1), National People’s Party (NPP) (1) and independents (20).

³⁶ “Farooq Ahmad Khan Leghari did not want Benazir to become Prime Minister. Leghari had asked Shahid Hamid (minister in interim government) to do planning for defeat of the PPP. The Secretary Establishment Afzal Kahu had assisted Hamid in this task. Kahu was told that Shahid would control posts of promotion on behalf of the Prime Minister. Shahid Hamid was *de facto* Prime Minister. Every evening meeting used to take place in Abida Hussain’s home. Abida, Afzal and Shahid used to discuss political developments related to the PPP on daily basis. In every district and *tehsil* people were appointed on Nawaz’s recommendation. Massive reshuffle in bureaucracy took place in order to remove Benazir sympathizers. I asked Leghari that why massive reshuffle is happening in bureaucracy. Leghari responded; General *sahab* you do not understand; its politics”. Senator Javed Ashraf, Personal Interview. Iqbal Jafri, “to Fail”, 57.

³⁷ Ibid. *Dawn*, Karachi, February 14, 1997. Saleem Shahid, “Party Time”, *The Herald*, Karachi, February, 1997, 49.

³⁸ Imran Khan, interview by Ashraf Mumtaz, *Dawn*, Karachi, January 18, 1997.

³⁹ *Dawn*, Karachi, February 2, 1997.

In the Punjab Assembly elections the PML (N) got a thumping majority; all other parties, including, PPP, were marginalized. It secured 211 seats against 2 each by PPP and PML (J), 1 by (PDP) and 22 by independents. In Sindh Assembly the PPP did better; winning 34 seats against 26 by MQM, 15 by PML (N), 3 by NPP, 2 by PPP (SB), and 14 by independent candidates. The PML (N) also emerged as a leading party in North-West Frontier Province (NWFP) Assembly, winning 31 seats followed by ANP 27, PPP 4, JUI (F) 1 and 11 independents. The Balochistan Assembly witnessed no notable change in party position; the BNP, the JWP, the JUI (F), the PML (N), the Balochistan National Movement (BNM), the Pakhtun Kawah Milla Awami Party (PKMAP), the PPP, the PML (J) and independents obtaining 9, 6, 5, 4, 2, 2, 1, 1 and 8 seats respectively.⁴⁰ The PML (N) had emerged as a party with absolute majority in the National Assembly and the Punjab. The PML (N) was a single principal party in NWFP Assembly.⁴¹

Elections: An Analysis:

Benazir had rejected the results of the National Assembly elections⁴² alleging that the elections were rigged. Blaming the military for manipulating the elections, she asserted that the PPP did not intend to start agitation against rigged elections as she envisioned “parliamentary future” for the country.⁴³ Hafiz Fazal Muhammad Senator of JUI (F) blamed the caretaker government, army and law enforcement agencies for their partiality in elections.⁴⁴ The MQM condemned the incidences of terrorism and rigging at various

⁴⁰*The News*, Lahore, February 5, 1997.

⁴¹*Dawn*, Karachi, February 5, 1997.

⁴²*The News*, Lahore, February 4, 1997.

⁴³*Dawn*, Karachi, February 5, 1997.

⁴⁴*Dawn*, Karachi, February 14, 1997.

polling stations under the patronage of law enforcement agencies in Karachi.⁴⁵ The caretaker government rejected these charges and declared the elections most peaceful, neutral and fair in the electoral history of Pakistan.⁴⁶ However, the turn out in polls was 35.92 percent which was lower than the turn out in previous elections.⁴⁷

Several international and national delegations/observers had watched and scrutinized the electoral process. The international observers such as National Democratic Institute for International Affairs (NDI), The European Union (EU), the Commonwealth, South Asian Association for Regional Cooperation (SAARC), observed the polling. The domestic organizations like the Human Rights Commission of Pakistan (HRCP), the Human Rights Council (HRC) and the Human Rights Society (HRS) had also sent their observer teams. The reports of all the observer groups declared elections free and fair.⁴⁸

Formation of Federal and Provincial Governments:

On February 17, 1997 Nawaz was elected as the new Premier; attaining 177 votes against Aftab Shahban Mirani of the PPP who secured only 16 votes. In his maiden speech he guaranteed political stability and economic development. He stated that politics of victimization would end permanently and era of mutual trust and understanding would start. Benazir as leader of the opposition highlighted the major national issues including economy and Kashmir assured of constructive role of opposition in strengthening the

⁴⁵*Dawn*, Karachi, February 4, 1997.

⁴⁶*The News*, Lahore, February 14, 1997.

⁴⁷*Dawn*, Karachi, February 14, 1997.

⁴⁸*1997: General Elections Report, Vol.1*, (Islamabad: Election Commission of Pakistan, n.d), 234.

democracy.⁴⁹ The federal government was the coalition of three political parties, the PML (N), the MQM and the ANP.

In the Punjab the government of PML (N) was set up under the Chief Ministership of Shahbaz Sharif.⁵⁰ In NWFP the coalition government of the PML (N) and the ANP was formed with Sardar Mehtab Abbasi of PML (N) as Chief Minister.⁵¹ In Sindh the coalition government of the PML (N) and the MQM was set up under Chief Minister Liaquat Ali Jatoi of the PML (N).⁵² The PML (N)-MQM coalition was a result of power-sharing formula which reached after negotiations between both the parties.⁵³ In Balochistan the coalition government of the BNP was formed under the Chief Minister of Sardar Akhtar Mengal.⁵⁴

The new government had to deal with serious and, perennial, problems including: corruption, terrorism, law and order situation, external debts, unemployment and poor economy. The government started the process of accountability from the federal level at provincial level afterwards.⁵⁵ The senior federal government functionaries and bureaucrats were held accountable. Immediately after formation of the government (within 48 hours) several bureaucrats were shifted from income tax and customs departments and Agricultural Development Bank.⁵⁶ In May 1997, the government decided to auction the defaulters' properties to recover the overdue loans of 140 billion rupees;⁵⁷ and the

⁴⁹ *Dawn*, Karachi, February 18, 1997.

⁵⁰ *Dawn*, Karachi, February 21, 1997.

⁵¹ *Dawn*, Karachi, February 23, 1997.

⁵² Hamid Khan, *Constitutional and Political History of Pakistan* (Karachi: Oxford University Press, 2001), 817.

⁵³ *Dawn*, Karachi, March 7, 1997.

⁵⁴ *Dawn*, Karachi, February 23, 1997.

⁵⁵ *Dawn*, Karachi, March 6, 1997.

⁵⁶ Ghani Eirable, "Towards a Clean Administration", *Dawn*, Karachi, March 8, 1997.

⁵⁷ *Dawn*, Karachi, May 23, 1997.

National Assembly adopted three bills to recover the bank loans.⁵⁸ Action against corrupt elements was the need of time to get corrupt free administration and self-reliance country.

Curb over Freedom of Press:

Nawaz had been making statements in favour of freedom of press when he was in opposition, yet after assuming power he took a number to the contrary.

Within a month of assuming office, the government promulgated the Press and Publication Ordinance (PPO) on March 11, 1997 authorising the government to forfeit any newspaper, book or publication if it considered that:

1. Any section of writing had contained false information.
2. Attempts to ruin Pakistan's ties with the international world.
3. Seek to sway the army or police official to abandon his allegiance to his duties and discipline.

The sentence for the said offence was imprisonment (ranging from six months to one year) which could be imposed by any magistrate. The Ordinance banned the reporting of those proceedings of Parliament and provincial assemblies that could disturb maintenance of public order. Incidentally, neither any ministry nor official owned the responsibility of promulgation of the ordinance. The PPP criticized the government for imposition of the Ordinance.⁵⁹

Human Rights Watch Report pointed out that though the government had guaranteed freedom of press, a number of journalists were arrested and newspaper offices

⁵⁸*Dawn*, Karachi, May 27, 1997.

⁵⁹*Dawn*, Karachi, March 12, 1997.

were shut down on government's orders.⁶⁰ Effective relationship between government and media assured good governance but the electronic media was held under government control.⁶¹

In January 1999 the relationship between government and *Jang* group became strained as it had published the news related to judgment of the court (in London) against the relative of Nawaz. The government stopped to provide print quota and advertisement to the *Jang* group. The government blamed the group of selling of news print quota in the black market and, for its revival, imposed unrealistic conditions on *Jang* group such as removal of some senior journalists and support to Shariat Bill. The government pressure on the group intensified when it did not abide by the conditions; including freezing its accounts and issuing income tax notices. Assault over the press had made journalists incensed.⁶² The *Jang* press was attacked; publication of government advertisements in *Nawa-i-Waqt* stopped.⁶³

Meanwhile cases were registered against three dailies of Karachi, *Jang*, *Amn* and *Percham* on publishing an advertisement of the subsidiary of the MQM entitled as "*Khidmat-e-Khalq*". Journalists wanted to have a word with the Premier over the issue but he was not available. The journalists warned that the boycott would continue till the government did not give up its anti-press attitude and cases against the three dailies were withdrawn.⁶⁴

⁶⁰ *Dawn*, Karachi, January 6, 1998.

⁶¹ *Dawn*, Karachi, January 7, 1998.

⁶² Sajjad Ali Shah, *Law Courts in a Glass House: An Autobiography* (Karachi: Oxford University Press, 2001), 601-603.

⁶³ Shaikh Rasheed Ahmad, Awami Muslim League, Personal Interview, Rawalpindi, January 13, 2011.

⁶⁴ Sajjad, *Law Courts in a Glass House*, 601-603.

The director of Human Rights Commission of Pakistan (HRCP), I. A. Rehman, believed that the stance of the government was not to ruin Shakil ur Rehman (Jung Group) but to control the freedom of expression. He elucidated that in fact root cause of the trouble was wrong approach of the government towards freedom of information.⁶⁵ The HRCP had released 1998-year report in which among other matters it traced the negative attitude of government towards the press. Federal Minister of Information Mushahid Hussain had questioned the accuracy of the report; his criticism over the report was widely covered by the government controlled electronic media.⁶⁶

In 1998 Freedom House (a New York based non-profit organization) launched a study on the freedom of press, surveying 68 countries. The study showed that in Pakistan electronic media was controlled by the government and was being used against opposition and in favour of its policies. It had mentioned 22 cases of press freedom violation and following injustices against press: physical attacks on journalists, threats to journalists, assassinations of journalists, suspension of eight newspapers and raids on five newspaper offices.⁶⁷ On May 5, 1999 the combined opposition had staged a token walk out from the Senate to register a protest against the negative approach of the government towards press.⁶⁸ Another notable incidence was the abduction of the editor of *The Friday Times*, Najam Sethi, from his residence on May 8, 1999;⁶⁹ the involvement of government or the ISI was suspected. The opposition collectively protested against the arrest of Sethi;⁷⁰ the Sindh Assembly criticized the government for its vindictive

⁶⁵ I. A. Rehman, interview by Syed Ali Hasan, *The Herald*, Karachi, February 1999, 43.

⁶⁶ Eqbal Ahmad, "Democrats against Democracy", *Dawn*, Karachi, March 14, 1999.

⁶⁷ *Dawn*, Karachi, May 3, 1999.

⁶⁸ *Dawn*, Karachi, May 6, 1999.

⁶⁹ *Dawn*, Karachi, May 9 1999.

⁷⁰ M. Ziauddin, "Where is Najam Sethi?", *Dawn*, Karachi, May 11, 1999.

approach towards journalist.⁷¹ Sethi was released after few days due to international pressure.⁷² It was alleged that Nawaz had a hand and that he had promoted *lifafa* politics in journalism.⁷³ On May 25, 1999 the JI convened an All Parties Conference (APC) which adopted a resolution expressing disapproval of government's policy against freedom of press and journalists; also highlighting the need of legislation to protect journalists' rights.⁷⁴

Media Trial of the Opposition:

The government launched a special programme entitled "Ehtesab" on Pakistan Television for media-trial of politicians. The PPP criticized the government for initiating negative propaganda and character assassination of its leaders through the said programme.⁷⁵ However, both opposition and the government took advantages of the programme in accusing and blaming each other of wrong doings.⁷⁶ Benazir's former associates appeared on the television admitting the charges of corruption in her last government (1993-1996), while Benazir used media machinery narrating misdeeds of Nawaz and his family during his last tenure.⁷⁷ The Pakistan Television was was obsessed with pro-Nawaz propaganda; trying to paint him as a leader busy in providing justice and ensuring national development.⁷⁸

Benazir-Leghari Relations:

⁷¹ *Dawn*, Karachi, May 12, 1999.

⁷² M. B. Naqvi, "Why This Press Bashing?", *Dawn*, Karachi, May 18, 1999.

⁷³ Shaikh Rasheed Ahmad, Personal Interview.

⁷⁴ *Dawn*, Karachi, May 26, 1999.

⁷⁵ *Dawn*, Karachi, June 11, 1997.

⁷⁶ M. Ziauddin, "Back to Square One", *Dawn*, Karachi, July 14, 1997.

⁷⁷ Zaffar Abbas, "Improper Channels", *The Herald*, Karachi, July, 1997, 44-45.

⁷⁸ Zaffar Abbas, "Fast Forward", *The Herald*, Karachi, August, 1997, 27.

Leghari addressed the joint session of the Parliament on March 26, 1997 which was boycotted by the PPP's (Members of National Assembly) MNAs; and Benazir demanded the trial of Leghari on charges of nepotism, corruption and violation of the Constitution by a joint committee of the Parliament.⁷⁹ Relations between Leghari and Benazir continued to deteriorate since her dismissal Benazir; and she persistently demanded his removal from office.⁸⁰

The Thirteenth Constitutional Amendment:

On March 31, 1997 Nawaz addressed the nation in which he declared that the government was about to remove 58 (2) (b). Nawaz disclosed that he had met Leghari (at his hometown Choti Zireen in Dera Ghazi Khan) and who agreed with the annulment of said article.⁸¹ It is alleged that Nawaz required immediate withdrawal of the Article 58 (2) (b) as the President had declined to deliver the speech prepared by the government and preferred to deliver self-prepared to the joint session of Parliament.⁸²

On April 1, 1997 the Thirteenth Amendment Bill was adopted with over two-third majority in both the houses of the Parliament. The Thirteenth Amendment had removed two portion of the Eighth Amendment, namely, (i) Article 58 (2) (b) and Article 112 (2) (b) were the first portion of the said amendment and (ii) Article 101 (1) and Article 243 (2) (c) were the second portion of the said amendment. Through the withdrawal of the Article 58 (2) (b) and the Article 112 (2) (b) the President discretion to dissolve the National Assembly and Governor discretion to dissolve the Provincial Assembly were

⁷⁹Dawn, Karachi, March 27, 1997.

⁸⁰Dawn, Karachi, November 24, 1996. Dawn, Karachi, December 18, 1996.

⁸¹The Pakistan Times, Islamabad, April 1, 1997.

⁸² Sartaj Aziz, *Between Dreams and Realities: Some Milestones in Pakistan's History* (Karachi: Oxford University Press, 2009), 172.

removed. The amendments in Article 101 (1) were related to the appointments of Governors; the words “after consultation with the prime minister” were substituted by “on the advice of the prime minister”. The amendment in the Article 101 (1) had removed the discretion power of the President to appoint the governors and now it was obligatory for him to make these appointments on the advice of the Premier. The amendments in the Article 243 (2) (c) had taken away the discretion of the President to appoint the chiefs of the armed forces and Chairman of the Joint Chiefs of Staff Committee.⁸³ Leghari ruled out the possibility of Martial Law and any political crisis after the enactment of Thirteenth Amendment. He believed if any change took place it would be according to the Constitution.⁸⁴

The Accountability Act 1997:

The Ehtesab Ordinance 1996 eventually replaced by Ehtesab Act 1997.⁸⁵ Some changes were also made subsequently relating to powers of Accountability Cell and Commissioner, and the period from which accountability should begin. Benazir and others criticized the manner in which accountability was being conducted. She explained that the said Act had turned the courts into a rubber stamp and encouraged “character assassination of the opponents through media trial”. She suspected the transparency of the accountability process.⁸⁶ Massive corruption cases were instituted against the PPP and not against the treasury bench. The government explained that the massive corruption had taken place in the last three years which was the PPP’s rule therefore majority of cases

⁸³*The Pakistan Times*, Islamabad, April 2, 1997.

⁸⁴*The Pakistan Times*, Islamabad, April 8, 1997.

⁸⁵ Khan, *Political History of Pakistan*, 820.

⁸⁶*The Pakistan Times*, Islamabad, April 27, 1997.

were against its leaders.⁸⁷ The credibility of government suffered within six months due to its discriminatory attitude towards former government. Nawaz tried to defend that if accountability campaign against Benazir and her spouse was discontinued, people would think that he had struck a deal with them.⁸⁸ Benazir also started to file corruption cases against Nawaz.⁸⁹ The establishment kept on making cases in general against the PPP and in particular against Benazir and Asif Ali Zardari to harass them.⁹⁰

Law and Order Situation:

Problems like sectarianism, heinous crimes, terrorism, killings and worsened law and order continued to inflict Karachi. The working relationship between the MQM-PML (N) in Sindh was not smooth as the MQM had some grievances on the slow implementation of power-sharing accord.⁹¹ At that time the estimated number of terrorists and declared offenders in Pakistan was 400 and 800 respectively.⁹² The government was unable to eradicate such anti-state elements due to their vast networking. In Karachi 7,132 incidents of crimes took place during the first 100 days of new elected government. The law enforcement agencies remained ineffective to deal with the lawlessness.⁹³

Continued killings in Karachi caused tension among the coalition partners. The differences within the coalition partners increased when five men of the MQM were shot dead on June 16, 1997. The MQM closed all its party offices in Karachi and stated that the reopening of offices would take place when Nawaz would provide security

⁸⁷ Khalid Anwer, interview by Ardeshir Cowasjee, *Dawn*, Karachi, May 11, 1997.

⁸⁸ Ziauddin, "The Stories Behind the Stories", *Dawn*, Karachi, January 5, 1998.

⁸⁹ *Dawn*, Karachi, January 11, 1998.

⁹⁰ *Dawn*, Karachi, May 8, 1997.

⁹¹ *Ibid.*

⁹² *Dawn*, Karachi, May 10, 1997.

⁹³ Nisar Khuhro, interview in *The Herald*, Karachi, July, 1997, 34-35.

guarantee.⁹⁴ The MQM had discussed law and order situation with Leghari and asked him to play his role in normalizing the situation.⁹⁵ The government set up judicial commission to investigate extra-judicial killings in order to placate the MQM. Nawaz met with the delegation of MQM and assured it that government did not want to enforce Governor Rule in Sindh. He also promised political strategy for the Sindh problems.⁹⁶ The wave of terrorism, sectarian violence and crime spread country-wide.⁹⁷ The Supreme Court had started *suo motu* proceedings to investigate the reasons of bad law and order situation in Karachi.⁹⁸ Nawaz required collaboration and coordination between the PML (N) and the MQM for normalcy in Karachi.⁹⁹ The withdrawal of rangers and issue of no-go areas had remained the cause of disagreement between the PML (N) and the MQM.¹⁰⁰

Human Rights Watchdog (the New York based organization) had published its human rights annual report 1998 in which it reported massive human rights violation and extra-judicial killings in Karachi. The report held federal security, the MQM and police responsible for it. It mentioned that in Pakistan almost 400 people had been killed from January 1997 to November 1997. It stated that in year 1997 almost 200 people died due to sectarian violence most of which took place in the Punjab.¹⁰¹

The aggressive attitude of the MQM and the MQM (H) towards each other was the main cause of disturbance in Karachi. Clashes between both the factions were usual.

⁹⁴ *Dawn*, Karachi, June 18, 1997.

⁹⁵ *Dawn*, Karachi, June 26, 1997.

⁹⁶ *Dawn*, Karachi, June 28, 1997.

⁹⁷ *Dawn*, Karachi, July 4, 1997.

⁹⁸ *Dawn*, Karachi, July 7, 1997..

⁹⁹ *Dawn*, Karachi, July 9, 1997.

¹⁰⁰ *Dawn*, Karachi, January 11, 1998.

¹⁰¹ *Dawn*, Karachi, January 6, 1998.

The federal government agreed to provide complete authority to Sindh government on law and order matters.¹⁰²

After the nuclear tests a wave of violence and bomb blasts was set up in Karachi. The massive killing of workers of the MQM and the MQM (H) prevailed.¹⁰³ Several rounds of negotiations took place between the PML (N) and the MQM. In Karachi the violence and terrorism was as bad as it was in 1995.¹⁰⁴ The wave of killing intensified on June 16, 1998 when 14 people had been killed. In June 1998 almost 150 people died and 70 injured in a politically incited violence. In the second fortnight of the June almost 95 citizens were killed. In June 1998 the Special Task Force (a new army in the Karachi police) was introduced to remove anti-state elements. The Special Task Force had arrested 1700 offenders in the last two weeks of June which brought temporary peace.¹⁰⁵

On July 3, 1998 the government had taken important decisions related to law and order in Karachi. The decisions were made after consultation with the MQM. The police and rangers were placed under the joint authority of federation and province for patrolling and executing operation in sensitive parts of the city. The government had formed two committees (advisory committee and administrative committee) to tackle violence in Karachi. The advisory committee had a responsibility to prepare a comprehensive programme for the restructure of the police force. The administrative committee had to check the law and order situation on day-to-day basis and to assure the implementation of executive committee's orders. The powers of the rangers to search and

¹⁰² *Dawn*, Karachi, April 1, 1998.

¹⁰³ Idrees Bkhtiar, "City of Death", *The Herald*, Karachi, July, 1998, 51.

¹⁰⁴ *Dawn*, Karachi, June 29, 1998.

¹⁰⁵ *Dawn*, Karachi, July 2, 1998.

arrest were restored.¹⁰⁶ Since February 1998 to October 1998 seven bomb explosions were happened in Karachi.¹⁰⁷ From February 1998 to November 1998 almost 3600 killings were reported in Lahore.¹⁰⁸ On December 27, 1998 the army was called for prompt action by the district administration in Bannu to stop clashes between people and police.¹⁰⁹

On October 1, 1999, 13 people were killed in Karachi and five in the Punjab. Leaders of several political parties had held government responsible for sectarian killings.¹¹⁰ On October 4, 1999 two bomb explosions transpired in Hyderabad.¹¹¹

Atlat Hussain had deplored the operation. He said that the operation had disturbed a political set up of the MQM. He mentioned that Nawaz had sworn under oath that if he was unable to end targets against the MQM then he would resign.¹¹² Afterward the operation was extended to the interior part of Sindh.¹¹³

The Government-Opposition Relations:

Benazir criticised the government on its policies on Kashmir, India and economy.¹¹⁴ She demanded the set up of national government comprised of political parties, judiciary,

¹⁰⁶*Dawn*, Karachi, July 4, 1998.

¹⁰⁷*Dawn*, Karachi, October 28, 1998.

¹⁰⁸*Dawn*, Karachi, December 4, 1998.

¹⁰⁹*Dawn*, Karachi, December 28, 1998.

¹¹⁰*Dawn*, Karachi, October 2, 1999.

¹¹¹*Dawn*, Karachi, October 5, 1999.

¹¹² Altaf Hussain, interview by Idrees Bakhtiar, *The Herald*, Karachi, November-December, 1998, 34.

¹¹³*Dawn*, Karachi, December 31, 1998.

¹¹⁴*Dawn*, Karachi, May 20, 1997. *Dawn*, Karachi, May 26, 1997.

bureaucracy, armed forces and intelligence agencies. She believed that it is important to decide matters with broad consensus as the present crises could not be tackled only by the political parties. She criticized the role of agencies in dissolution of civilian elected governments.¹¹⁵ Benazir had realized the involvement of establishment in the political system therefore in order to bring stability and understanding between politicians and establishment she had proposed this idea otherwise she intended to keep establishment out of politics.¹¹⁶ The government rejected her proposal.¹¹⁷ as undemocratic; alleging that she did not understand that if these institutions had subverted and brought down the elected governments then they should be brought before the court rather than providing power. In fact the establishment had its own games in the decade of 90's and they favoured different politicians and parties at different points of history. Blue eyed boys of establishment had frequently changed which had weakened democracy.¹¹⁸

On June 11, 1997 Nawaz addressed the nation to highlight the performance of his government during first 100 days. He presented an exaggerated account of his successes and laid the blame of 'wheat crisis on the former PPP's government. Benazir defended herself by shifting the responsibility of the crisis on the caretaker government.¹¹⁹

Hasty Legislations:

The PML (N) absolute majority in the Assembly prompted the government to bring legislations in the House and get them passed as quickly as possible.

¹¹⁵ *Dawn*, Karachi, June 30, 1997.

¹¹⁶ Nawabzada Haji Mir Lashkari Khan Raisani, PML (N), Personal Interview, December 23, 2010.

¹¹⁷ *Dawn*, Karachi, June 30, 1997.

¹¹⁸ MNA Shahid Khaqan Abbasi, PML (N), Personal Interview, September 14, 2011.

¹¹⁸ *Dawn*, Karachi, November 6, 1996.

¹¹⁹ *Dawn*, Karachi, June 12, 1997.

On April 8, 1997, the Family Courts (Amendment Bill), 1997 was presented in the National Assembly and got approved the same day. The Act had authorized the Family Courts to hear the matters on the subject of dowry. The bill was adopted in haste and the opposition was not provided adequate time for debate over the bill. The government bypassed the rules of the house due to its majority in the lower house.¹²⁰ On May 26, 1997 the National Assembly approved three bills to recover the outstanding bank loans. Again, these bills were bulldozed due to the PML (N) majority.¹²¹

The Ehtesab Bill 1997 was also presented in the Senate among the uproar of the opposition. For the introduction of the bill the rules were suspended. Ajmal Khattak of ANP and Aftab Shaikh of MQM (both coalition partners) objected on it, but to no avail.¹²² On 3 July 1997 first time in the legislation history of Pakistan the bill was drafted on the floor of the Senate and presented on the spot. Neither the bill was signed by the related minister nor disseminated by the Secretary of the Senate. The ruling party had frequently bypassed rule of the business and procedure of the house in processing legislation.¹²³

The question of quorum was another issue for the government. In the second parliamentary year the government remained unable to collect more than 19 Senators and 50 MNAs of treasury benches in the Senate and the National Assembly respectively. The opposition also did not take the business of legislature seriously.¹²⁴

The short of quorum was also observed in the last year of government (1999). Nawaz remained unavailable to parliamentarians in his chamber during the sessions. His

¹²⁰*The Pakistan Times*, Islamabad, April 9, 1997.

¹²¹*Dawn*, Karachi, May 27, 1997.

¹²²*Dawn*, Karachi, May 31, 1997. *Dawn*, Karachi, July 5, 1997.

¹²³*Dawn*, Karachi, July 5, 1997.

¹²⁴M. Ziauddin, "The Question of Quorum", *Dawn*, Karachi, January 23, 1999.

presence in the sessions remained restricted. He used to attend important sessions of the Parliament such as the budget session, joint sessions of the Parliament and voting on constitutional amendments. The cabinet meetings were irregular whereas in the previous government (1993-1996) the cabinet meeting took place twice a month.¹²⁵ The parliamentary party meetings that usually took place at the start of every new session of the National Assembly or the Senate were not held. In June 1999m the parliamentary party meeting was called after ten months.¹²⁶

The Fourteenth Amendment:

In order to stop floor-crossing in the Parliament, the government moved the Fourteenth Amendment Bill to include Article 63 (A) in the Constitution. On June 30, 1997 the amendment was passed by Senate and next day it was passed by the National Assembly. The amendment had stopped the parliamentarians from voting against their party line in the Parliament. They had to vote under the direction issued by the parliamentary leaders of their parties. Loss of seat was the punishment if party discipline was breached.¹²⁷ Nawaz believed that this legislation had permanently removed “*lotatism*” and horse-trading from politics.¹²⁸ The amendment had provided great powers to the parliamentary leader of the party as future of his party members rested in his hands.

The Anti-Terrorist Act 1997:

On August 13, 1997 the Anti -Terrorist Bill 1997 was presented for voting in both the houses of the Parliament. The bill was presented in the midst of protest from the

¹²⁵ M. Ziauddin, ‘The PM has Changed it All’ *Dawn*, Karachi, June 23, 1999.

¹²⁶ M. Ziauddin, ‘The AG Adds to the Confusion’ *Dawn*, Karachi, June 26, 1999.

¹²⁷ Aziz, *Some Milestones in Pakistan’s History*, 173.

¹²⁸ *Dawn*, Karachi, July 1, 1997. *Dawn*, Karachi, July 2, 1997.

opposition benches against the bill. During the passage of bill the opposition walked out to register its protest against the bill. On August 17, 1997 the President signed the bill. Nawaz declared that the new law was an attempt to eradicate terrorism and sectarian violence. Under the Act the special courts were set up to try heinous offences. The law was severely criticized by all the human rights organizations.¹²⁹ The judiciary had also opposed the passage of bill.¹³⁰ The Chief of the Army Staff (COAS) Jahangir Karamat mentioned that if misuse of the Act did not happen then it would help to eradicate terrorism.¹³¹ The Act extended great authorities to the law enforcement agencies. The police was permitted to go into homes without warrants and to shoot and kill anyone on a doubt that he was involved in the sectarian violence.¹³² On August 15, 1997 the Act was challenged in Lahore and Rawalpindi High Courts; on August 18, 1997 Peshawar High Court;¹³³ and on August 22, 1997 in the Supreme Court too.¹³⁴ The Chief Justice of Pakistan, Sajjad Ali Shah, described these courts “as a parallel judicial system”.¹³⁵

On May 15, 1998 the five member bench of the Supreme Court had unanimously cancelled following twelve provisions of the Anti-Terrorist Act 1997: sections 5 (2) (i), 10, 14, 19 (10) (b), 24, 25, 26, 27, 28, 30, 35 and 37. The Supreme Court explained that these provisions were in contrary to the articles of the Constitution and needed crucial amendments. This Act had made the powers of special courts equal to ordinary courts that were functioning under the judicial system.¹³⁶ The judgment had withdrawal the

¹²⁹*Dawn*, Karachi, August 18, 1997.

¹³⁰*Dawn*, Karachi, August 15, 1997.

¹³¹*Dawn*, Karachi, August 18, 1997.

¹³²*Dawn*, Karachi, August 19, 1997.

¹³³ Ibid. Aziz, *Some Milestones in Pakistan's History*, 174

¹³⁴*Dawn*, Karachi, August 23, 1997.

¹³⁵*Dawn*, Karachi, August 21, 1997.

¹³⁶*Dawn*, Karachi, May 16, 1998.

authority of the law enforcement agencies which was under the Section 5 (2) (i). The said provision had empowered the law enforcement agencies to open fire or command to open fire on the suspicion of terrorism. The judgment annulled Section 10 that authorized the entry of the police office in the house without warrants. The Section 19 (10) (b) which legalized the trial of accused in his absence (due to his mis-behaviour in the court) was violation of the Article 10 of the Constitution therefore it was declared null and void. The Court declared following sections against the principle of independence of judiciary 24, 25, 27, 28, 30 and 37. The Section 26 mentioned that declaration of guilt was not admissible before the police officers below the rank of Deputy Superintendent of Police (DSP). The said section was declared void and against the Article 13 (b) and 25 of the Constitution. The judgment recommended that the confession should be made before the judicial magistrate. The Section 35 was nullified as it was against freedom of judiciary and in contrast to Article 175 and 203 of the Constitution. The Article 14 was recommended to be amended in order to provide security of tenure to judges of the special courts.¹³⁷

Confrontation with Judiciary:

The Chief Justice had sent a letter to the Federal Law Secretary on August 20, 1997 for the promotion of five High Courts judges to the Supreme Court Bench. The letter was delivered to the Law Ministry in the morning of August 21, 1997 and in the evening of the same day the federal government issued a notification (through the Presidential order) reducing the number of the Supreme Court judges from 17 to 12. The downsizing was

¹³⁷ Dawn, Karachi, May 16, 1998. Khan, *Political History of Pakistan*, 839. Sajjad, *Law Courts in a Glass House*, 554.

made without consulting the Chief Justice.¹³⁸ Nawaz did not want to appoint judges on recommendation of Justice Sajjad Ali Shah though under the Constitution the recommendation of the Chief Justice was obligatory on executive for appointing the judges. The judiciary had opposed the institution of special courts and took *suo motu* action on Karachi situation which convinced the government that judiciary could cause difficulties for it; hence a move to restrict judiciary.

The presidential order was challenged in the Supreme Court on September 1, 1997.¹³⁹ Within a week consultation between the executive and judiciary started to avoid collision; and on September 10, 1997 Nawaz agreed to appoint all the nominees of Justice Sajjad Ali Shah.¹⁴⁰ At last on September 16, 1997 the government withdrew the notification and declared that strength of the Supreme Court would be decided by the Parliament through an act.¹⁴¹ Nawaz believed that Sajjad Ali Shah was demanding more judges to end the Anti-Terrorism Act.¹⁴²

On October 10, 1997 the executive-judiciary collision intensified when Sajjad Ali Shah went to Saudi Arabia for *umra* and Mian Ajmal was sworn in as the acting Chief Justice. In the oath taking ceremony Mian Ajmal revealed that Sajjad Ali Shah had not consulted brother judges for nominating the Supreme Court Bench. Sajjad Ali Shah believed that being the Chief Justice of Pakistan he had no obligation to consult the senior judges in the matter of nomination of judges to the Supreme Court Bench.¹⁴³

¹³⁸ Sajjad, *Law Courts in a Glass House*, 394. *Dawn*, Karachi, August 23, 1997.

¹³⁹ *Dawn*, Karachi, September 2, 1997.

¹⁴⁰ *Dawn*, Karachi, September 11, 1997.

¹⁴¹ *Dawn*, Karachi, September 17, 1997.

¹⁴² Nawaz Sharif, interview by M. Ziauddin, *Dawn*, Karachi, January 5, 1998.

¹⁴³ Mian Ajmal, *A Judge Speaks Out* (Karachi: Oxford University Press, 2004), 230. *Dawn*, Karachi, October 11, 1997.

Seven out of twelve judges of the Supreme Court had requisitioned the meeting of full court to discuss various issues.¹⁴⁴ Sajjad Ali Shah cut short his visit and ordered the cancellation of meeting.¹⁴⁵ On October 17, 1997 seven judges submitted another requisition for the full court meeting which was too rejected by Sajjad Ali Shah.¹⁴⁶ In the meanwhile Sajjad Ali Shah reconstituted the Supreme Court benches at Lahore and Karachi. The rift between the judiciary itself became intensified when five dissented judges had sent a letter to the President conveying their disagreements with Sajjad Ali Shah.¹⁴⁷ Sajjad Ali Shah asked Leghari that he should issue notification for the implementation of his letter as the federal government had delayed to appoint his nominees.¹⁴⁸ The procedure to appoint judges in superior courts was decided in the “judges case”. If government had some objections on the recommendations then it could convey it to the Chief Justice in writing. The recommendation by the Chief Justice was a routine affair but the government made it an issue leading to clash between executive and judiciary and within judiciary.

On October 25, 1997 another issue cropped up when Nawabzada Nasrullah Baber and A. Basit filed petitions in the Supreme Court challenging the legality of the Fourteenth Amendment.¹⁴⁹ On October 29, 1997 the Supreme Court suspended the Fourteenth Amendment through an interim order; and on the same day, the National Assembly passed a resolution asserting the supremacy of the Parliament over all the organs of the state. The resolution was passed by bypassing the rules of business. On the

¹⁴⁴ *Dawn*, Karachi, October 11, 1997.

¹⁴⁵ Sajjad, *Law Courts in a Glass House*, 414.

¹⁴⁶ *Dawn*, Karachi, October 18, 1997. *Dawn*, Karachi, October 19, 1997.

¹⁴⁷ Khan, *Political History of Pakistan*, 823. Sajjad, *Law Courts in a Glass House*, 419.

¹⁴⁸ *Dawn*, Karachi, October 31, 1997.

¹⁴⁹ *Dawn*, Karachi, October 26, 1997.

floor of the National Assembly several parliamentarians criticized the suspension of Fourteenth Amendment which was a violation of the Article 68 of the Constitution that prevented the legislators from criticizing the conduct of any judge of the superior courts. The members of the ruling party “hurled invectives” at the incumbent Chief Justice and said that they would not give up the functions of the Parliament which was to amend the Constitution.¹⁵⁰ In a press conference Nawaz declared that the Court ruling was “illegal” and “unconstitutional”. These speeches caused contempt of court proceedings against Nawaz and other parliamentarians.¹⁵¹ Meanwhile the PPP filed several references against Nawaz, his kin and party members.¹⁵² Benazir alleged that Nawaz was involved in confrontation with the other institutions which had brought negative effect on the economy and integrity of Pakistan therefore he should quit the office of Premier.¹⁵³ She criticized the government for appointing its favourites in superior courts; and Nawaz for “constitutional break down”.¹⁵⁴ In both the tenures of Nawaz the opposition remained weak because of government’s absolute majority in the National Assembly.¹⁵⁵

On October 31, 1997 the executive-judiciary confrontation was finally resolved when the government agreed to appoint the recommendations of the Chief Justice. The National Assembly had adopted a bill to fix the size of the Supreme Court bench at 17. On October 31, 1997 Nawaz had address the nation from the floor of National Assembly blaming that the executive-judiciary confrontation was a conspiracy which had ended and

¹⁵⁰ *Dawn*, Karachi, October 30, 1997.

¹⁵¹ Khan, *Political History of Pakistan*, 823.

¹⁵² *Dawn*, Karachi, October 20, 1997.

¹⁵³ *Dawn*, Karachi, October 24, 1997.

¹⁵⁴ *Dawn*, Karachi, October 20, 1997.

¹⁵⁵ MNA Aftab Ahmad Sherpao, Pakistan Peoples Party (Sherpao) PPP (S), Personal Interview, Islamabad, May 12, 2011.

the government had agreed to implement the recommendations of the Chief Justice in national interest.¹⁵⁶

The Supreme Court issued the formal contempt of court notifications to eight parliamentarians including Nawaz.¹⁵⁷ Nawaz twice appeared before the larger bench comprised of five judges.¹⁵⁸ Nawaz's written statement was presented before the bench by S.M. Zafar (counsel for the Premier) stating that he held judiciary in high esteem and had neither committed the contempt nor intended to do so.¹⁵⁹

On November 17, 1997 the National Assembly adopted a bill to amend the Contempt of Court Act 1976; the amendment stipulated a second forum of appeal in the Supreme Court which had to be heard by remaining judges of the Supreme Court who were not on the antecedent bench that heard or admitted the contempt petition.¹⁶⁰ The next day senate passed the bill and¹⁶¹ forwarded to the President for signatures. The ruling party was keen on immediate approval of the President but he declined to sign it. In the meantime the Contempt of Court Bill 1997 was challenged in the Supreme Court on 19 November 1997, through two petitions.¹⁶² Leghari explained to the government that he would only grant his approval on the bill if the Supreme Court would advise him to do so. On November 20, 1997 the Supreme Court issued an order in which it advised the President not to sign it.¹⁶³ The PML (N) and its allies decided the impeachment of the

¹⁵⁶ *Dawn*, Karachi, November 1, 1997.

¹⁵⁷ *Dawn*, Karachi, November 7, 1997.

¹⁵⁸ *Dawn*, Karachi, November 18, 1997. *Dawn*, Karachi, November 19, 1997.

¹⁵⁹ *Dawn*, Karachi, November 18, 1997.

¹⁶⁰ Ibid. Aziz, *Some Milestones in Pakistan's History*, 176. Sajjad, *Law Courts in a Glass House*, 469.

¹⁶¹ *Dawn*, Karachi, November 19, 1997.

¹⁶² *Dawn*, Karachi, November 20, 1997.

¹⁶³ *Dawn*, Karachi, November 21, 1997. Khan, *Political History of Pakistan*, 824. Aziz, *Some Milestones in Pakistan's History*, 176.

President if he did not agree to sign the bill.¹⁶⁴ Nawaz confessed to Leghari in presence of the Punjab Governor that they had been working on the judges of the Supreme Court as they had some issues with them.¹⁶⁵ The nature of the issue was constitutional and political, yet the COAS met with the President, Premier and Chief Justice to resolve the crisis.¹⁶⁶

On November 18, 1997 the constitutional petition was filed in the Quetta Circuit Bench of the Supreme Court challenging the appointment of Justice Sajjad Ali Shah as Chief Justice on the ground that his appointment was against the March 20, 1996 judgment. This was followed by similar petitions filed in the Peshawar Circuit Bench of the Supreme Court and Peshawar High Court on 25 November 1997.¹⁶⁷ The Quetta Bench of the Supreme Court on November 26, 1997 held Chief Justice in abeyance till further orders. Sajjad Ali Shah declared the decision unlawful.¹⁶⁸ On November 27, 1997 Peshawar Circuit Bench of the Supreme Court supported the judgment of Quetta Bench, arguing that being the party Chief Justice could not suspend the decision of the Quetta Bench and ordered the Registrar to forward all important cases to the next most senior judge.¹⁶⁹ Justice Saeed-uz-Zaman Siddiqui, who was the senior-most judge, constituted a fifteen member full bench to hear all the petitions against the appointment of Chief Justice. Sajjad Ali Shah sent reference to the President against the five judges of the Supreme Court for their misconduct.¹⁷⁰

¹⁶⁴ *Dawn*, Karachi, November 21, 1997.

¹⁶⁵ Farooq Leghari, interview by *Dawn*, Karachi, May 10, 1998.

¹⁶⁶ M. Ziauddin, "Efforts to impeach The President Abandoned", *Dawn*, Karachi, November 21, 1997.

¹⁶⁷ Aziz, *Some Milestones in Pakistan's History*, 177.

¹⁶⁸ *Dawn*, Karachi, November 27, 1997.

¹⁶⁹ *Dawn*, Karachi, November 28, 1997. Aziz, *Some Milestones in Pakistan's History*, 177.

¹⁷⁰ *Dawn*, Karachi, November 29, 1997.

Rowdyism in the Supreme Court:

November 28, 1997 was set for the hearing of contempt cases against Nawaz and others.¹⁷¹ On the said date the Supreme Court was attacked by the workers of the ruling party;¹⁷² some demonstrators managed to get into the Courtroom and told the Court that a highly charged mob was attempting to enter into the Court and demanding step down of the Chief Justice as two benches of the Supreme Court had suspended him. Due to chaos the proceeding was adjourned after 45 minutes.¹⁷³ According to Sheikh Rasheed Ahmad attack on judiciary was planned by Nawaz; people were brought from the Punjab and preparations were made for their stay in the Punjab House (Islamabad).¹⁷⁴

Sajjad Ali Shah wrote letters to the President and COAS in which he demanded the deployment of army for judges' security. In response to the letter the President wrote to the Prime Minister accusing the ruling party for attacking the Court and advising him to provide army cover to the Chief Justice. He also recommended action against Saeed-uz-Zaman Siddiqui.¹⁷⁵

Nawaz declined to accept Leghari's advice.¹⁷⁶ He addressed the nation on November 30, 1997 in which he blamed the opposition and the President for aggravating the issue and also mentioning his efforts to end the crisis.¹⁷⁷ Leghari later revealed that he

¹⁷¹ Ajmal, *Speaks Out*, 243.

¹⁷² Sajjad, *Law Courts in a Glass House*, 508. Khan, *Political History of Pakistan*, 827. Aziz, *Some Milestones in Pakistan's History*, 178. *Dawn*, Karachi, February 17, 1998.

¹⁷³ *Dawn*, Karachi, November 29, 1997. Sajjad, *Law Courts in a Glass House*, 508.

¹⁷⁴ Shaikh Rasheed Ahmad, Personal Interview.

¹⁷⁵ *Dawn*, Karachi, November 30, 1997. Sajjad, *Law Courts in a Glass House*, 509-510.

¹⁷⁶ *Dawn*, Karachi, November 30, 1997.

¹⁷⁷ *The Pakistan Times*, Islamabad, December 1, 1997.

knew about the plot of attacking the Supreme Court building and had advised Nawaz to give up his plan.¹⁷⁸

In a related development, a three member bench presided by the Chief Justice on December 2, 1997 suspended the Thirteenth Amendment after brief hearing.¹⁷⁹ The parallel ten member bench which was presided by Saeed-uz-Zaman Siddiqui held the said order in abeyance and prevented the President from acting on the ruling.¹⁸⁰ Leghari through the COAS conveyed a message to the then Chief Justice that he should not suspend the Thirteenth Amendment. Leghari later disclosed that the army was drawn in the whole process as an influential body which could play effective role to end the crisis.¹⁸¹ The full bench also issued separate order to appoint Mian Ajmal as the Chief Justice of Pakistan.¹⁸²

On December 23, 1997 Mian Ajmal took oath as the Chief Justice because 10-member bench decided unanimously that previous appointment of Mian Ajmal was illegal and unconstitutional.¹⁸³ Same day the President met with the COAS and informed him about the Premier-Chief Justice confrontation. Leghari also accused the government for discrimination in accountability failing to administer the country constitutionally. He added that he was against the dissolution of assemblies but there was no other way to tackle the issues. He asked the COAS to support his decision of dissolving the assemblies but the COAS declined to support him.

¹⁷⁸ Farooq Leghari, interview by *Dawn, Dawn*, Karachi, May 10, 1998.

¹⁷⁹ Ajmal, *Speaks Out*, 248.

¹⁸⁰ *The Pakistan Times*, Islamabad, December 3, 1997.

¹⁸¹ Farooq Leghari, interview by *Dawn, Dawn*, Karachi, May 10, 1998.

¹⁸² *The Pakistan Times*, Islamabad, December 3, 1997.

¹⁸³ Aziz, *Some Milestones in Pakistan's History*, 180. *The Pakistan Times*, Islamabad, December 24, 1997.

On the other hand the government decided to impeach the President under the Article 47 of the Constitution and a motion to impeach the President was signed by more than hundred members. When Leghari heard about proposed impeachment, he resigned immediately.¹⁸⁴ In the press conference later, Leghari revealed that he had received the summary to appoint the senior most judge of the Supreme Court as Chief Justice. Leghari said that as he did not want to give his assent to the summary so he resigned.¹⁸⁵ Leghari resigned when he realized that working relationship with Nawaz was impossible.¹⁸⁶ Later Leghari confided that Nawaz, Wasim Sajjad Ali, Illahi Bux Soomro, Khalid Anwar and Director General (DG) ISI had met him together and convinced him to agree on a new Chief Justice.¹⁸⁷

The Election of New President:

Twentynine candidates, including PML (N) and its allies nominee Senator Justice (retired) Rafique Tarar and PPP nominee Aftab Shahban Mirani, had filed their papers for the Presidential elections.¹⁸⁸ On December 18, 1997 the nomination papers of Tarar were rejected by the acting Chief Commissioner on grounds that he had made inappropriate remarks against Sajjad AliShahin the press.¹⁸⁹ The Lahore High Court Bench comprised of three members had turned downed the judgment of the acting Chief Commissioner and

¹⁸⁴ Aziz, *Some Milestones in Pakistan's History* 179.

¹⁸⁵ *The Pakistan Times*, Islamabad, December 3, 1997.

¹⁸⁶ Shaikh Rasheed Ahmad, Personal Interview.

¹⁸⁷ Farooq Leghari, interview by *Dawn, Dawn*, Karachi, May 10, 1998.

¹⁸⁸ *The Pakistan Times*, Islamabad, December 17, 1997.

¹⁸⁹ Sajjad, *Law Courts in a Glass House*, 540-541.

allowed Tarar to contest elections.¹⁹⁰ On December 31, 1997 the Presidential election took place in which Tarar obtained 374 votes against 58 votes of Shahban Mirani.¹⁹¹

Tension between the Ruling Party and its Coalition Partners:

The differences between the ANP and the PML (N) intensified on the issue of renaming NWFP as Pakhtunkhwa. The 9 years old PML (N)-ANP alliance was at the verge of collapse as the PML (N) had supported the proposal of Kalabagh Dam and did not rename NWFP.¹⁹² The ANP was unable to get support of other political parties including, the MQM, the Balochistan National Movement (Mengal Group) (BNM) (M) and Jeay Sindh Party over the renaming of NWFP and provincial rights.¹⁹³ On February 24, 1998 the ANP had finally decided to end the alliance with the PML (N). The break up had taken away the ruling party's two-third majority in the Senate.¹⁹⁴ The strength of the ANP in NWFP Assembly was 30¹⁹⁵ and for the continuation of NWFP coalition government it was indispensable for the PML (N) to keep agreement intact. On February 26, 1998 the ANP ministers resigned from the National and NWFP Assemblies and decided to sit on the opposition benches. Later the PML (N) formed its government in NWFP with the support of the individuals.¹⁹⁶

On the occasion of the presidential address to the joint session of the Parliament on February 23, 1998 the political scene took a serious turn. The members of MQM and PPP raised slogans against the government and walked out of the Parliament. The MQM

¹⁹⁰ Aziz, *Some Milestones in Pakistan's History*, 183.

¹⁹¹ *The Pakistan Times*, Islamabad, January 1, 1998.

¹⁹² Senator Haji Mohammad Adeel, Personal Interview, Islamabad, January 19, 2011.

¹⁹³ Nasim Wali Khan, interview by Rizwan Qureshi, *The Herald*, Karachi, March 1998, 59.

¹⁹⁴ *Dawn*, Karachi, February 26, 1998.

¹⁹⁵ *Dawn*, Karachi, February 16, 1998.

¹⁹⁶ *Dawn*, Karachi, February 27, 1998.

anti-government attitude embarrassed the ruling party.¹⁹⁷ Benazir demanded elections to get the country out of crisis.¹⁹⁸ Altaf Hussain also warned the government that the MQM would quit the alliance if ruling party would not fulfill its promises with the party.¹⁹⁹ The differences between the PML (N) and MQM had intensified the problems for the government. The issues of serious concern for the MQM were no-go areas²⁰⁰ and large killings of its workers.²⁰¹ The MQM believed that opponents of the MQM were employed by the agencies in eastern part of the Karachi district against its workers.²⁰² The MQM (H) declined that the agencies had supported it against the MQM.²⁰³ On March 17, 1998 the MQM declared that if no-go areas did not cease in 48 hours, it would withdraw from the coalition. A round of negotiation took place between the ruling party and the MQM and the disagreement ended. The government agreed to remove no-go areas in one month.²⁰⁴ On April 18, 1998 a new agreement was reached between the PML (N) and the MQM after consultation between both the parties. The accord guaranteed that coalition would continue, a new working relationship would be formed and the Governor Rule would not be enforced in Karachi.²⁰⁵

On April 30, 1998, the government withdrew all the pending cases against the MQM legislators on the ground that cases were not based on reasons and facts. The

¹⁹⁷ *Dawn*, Karachi, February 24, 1998.

¹⁹⁸ *Dawn*, Karachi, February 27, 1998.

¹⁹⁹ *Dawn*, Karachi, February 28, 1998.

²⁰⁰ The no-go areas were those areas which were in the control of the MQM (H) and the MQM workers were not permitted to go into there. These areas encompassed vis a vis; Landhi, Korangi, Malir and Shah Faisal Colony. The MQM had demanded that no-go areas should be cleared with the help of law enforcement agencies and open up to its workers.

²⁰¹ *Dawn*, Karachi, March 11, 1998.

²⁰² Farooq Sattar, interview by Idrees Bakhtiar, *The Herald*, Karachi, April, 1998, 33-34.

²⁰³ Afaq Ahmed, interview by Azhar Abbas, *The Herald*, Karachi, April, 1998, 35.

²⁰⁴ Idrees Bakhtiar "Going Nowhere With the MQM" *The Herald*, Karachi, April, 1998, 26.

²⁰⁵ *Dawn*, Karachi, April 19, 1998. Mazhar Abbas "Terms of Endearment", *The Herald*, Karachi, April, 1998, 52.

government had agreed to pay compensation to the families that lost their relatives in various operations.²⁰⁶ Nawaz had apologized to the MQM for his government's wrong doings. The government's compensation towards assassins and workers of the MQM had damaged its credibility. Through this compensation the government had accepted the responsibility that whatever had happened with the MQM was unjust.²⁰⁷

Formation of Pakistan Awami Ittehad:

The opposition on March 18, 1998 formed an alliance entitled as Pakistan Awami Ittehad (PAI). The PAI was an anti-government alliance²⁰⁸ which demanded general elections and set up of Islamic social order.²⁰⁹ Its founders were confident that it could ouster the government.²¹⁰ The strategy of the PAI was to hold anti-government rallies.²¹¹

***Khidmat* Committees:**

On April 13, 1998 the ruling party set up *Khidmat* committees countrywide. The numbers of committees were 427 with 5000 members.²¹² The functions of these committees were to examine police performance, provide justice and relief to people, eradicate corruption, to take action on people's complaint regarding utility bills, to promote the message of

²⁰⁶ *Dawn*, Karachi, May 1, 1998.

²⁰⁷ MNA Haider Abbas Rizvi, MQM, Personal Interview, Islamabad, February 2, 2011.

²⁰⁸ The PAI was comprised of 15 political parties; namely; the PPP, the Pakistan Awami Tehrik (PAT), the Pakistan Democratic Party (PDP), the PML (Chatta Group) the PML (Qasim Group), the Awami Qiadat Party (AQP), the Hizbe Jihad (HJ), the Markazi Jamaat Ahle Hadith (MJAH), the Jamiat Mashaikh Pakistan (JMP), the Islamic Democratic Front (ISDF), the Pakistan Mazdoor Kisan Party (PMKP), the Pakistan Solidarity Front (PSF), the Jamiat Ulema-i-Ahle Hadith (JUAH), the Urban Development Front (UDF) and the Pakistan Christian National Party (PCNP). *Dawn*, Karachi, March 19, 1998.

²⁰⁹ *Ibid*.

²¹⁰ Zaigham Khan "Waiting for a Fall", *The Herald*, Karachi, April, 1998, 48.

²¹¹ *Dawn*, Karachi, March 19, 1998.

²¹² The composition of the *Khidmat* Committees in provinces was as follows; 157 in the Punjab, 71 in NWFP, 105 in Sindh and 94 in Balochistan. The range of every committee was from 9 to 11. The minorities and women were included in the committees too. *Dawn*, Karachi, April 14, 1998.

pollution free environment and cleanliness, enforcement of marriage act and promotion of positive activities such as, games and cultural shows. The committees were provided with the power to instigate inquiry against any corrupt official from grade 1 to 16.²¹³ Nawaz announced that committees would be formed in the police stations and magistrate or judge would be posted there in order to ensure the registration of every Federal Investigation Agency (FIA) and to punish corrupt official on the spot.²¹⁴

The PPP of NWFP criticized the formation of committees because it believed that the committees were formed to undermine the role of judiciary²¹⁵ and local administration.²¹⁶ The government declared that committees had formed to uncover the transgressions of the administration and control the evils of society.²¹⁷ It was check and balance on the performance of government officials from sub-divisional to divisional level. The concept of *Khidmat* committees had produced parallel administration. Later Hyderabad Bench of Sindh High Court declared these committees unlawful.²¹⁸ The functions of these committees could be rendered through elected local bodies.

Nuclear Tests:

On May 11, 1998 India detonated three nuclear devices at Pokhran in Rajasthan. On May 13, 1998 two more nuclear tests were conducted by India.²¹⁹ These tests intensified security imbalance in the region. The attitude of Indian leadership was aggressive towards Pakistan. The Indian Home Minister A. K. Advani threatened Pakistan by

²¹³ *Dawn*, Karachi, April 13, 1998.

²¹⁴ *Dawn*, Karachi, April 14, 1998.

²¹⁵ *Dawn*, Karachi, April 18, 1998.

²¹⁶ *Dawn*, Karachi, April 16, 1998.

²¹⁷ *Dawn*, Karachi, April 18, 1998.

²¹⁸ Shamim Shami, "PPP Puzzled over Dam Plan", *Dawn*, Karachi, June 24, 1998.

²¹⁹ *Dawn*, Karachi, May 12, 1998. *Dawn*, Karachi, May 14, 1998.

mentioning that strategic balance had changed hence Pakistan should stop all cross-border actions in Kashmir or get prepared for serious consequences. India had also instigated firing along the Line of Control (LOC) in Kashmir. Eleven political parties demanded immediate nuclear tests from Pakistan side; the PPP had tabled a resolution in favour of nuclear tests in the National Assembly which was unanimously adopted.²²⁰ The US President Bill Clinton made a number of telephonic calls to Nawaz for preventing Pakistan from conducting nuclear test. However, on May 28, 1998 went ahead by detonating five nuclear devices at Chagai in Balochistan;²²¹ followed by one more on May 30, 1998.²²² The international community imposed sanctions on Pakistan due to these tests.

On May 28, 1998 the emergency was declared under the Article 232 through a Presidential order; suspending the right to go to the courts for implementation of the fundamental rights under Article 232 (2).²²³ The imposition of emergency and suspension of fundamental rights were criticized by some opposition parties, including the ANP, the PPP, the PPP (SB), the BNP and the JUI.²²⁴ On June 10, 1998 the joint session of the Parliament approved the proclamation of emergency and executive order of suspension of fundamental rights.²²⁵

Leghari challenged the proclamation order and suspension of fundamental rights in the Supreme Court.²²⁶ It was also challenged by Ajmal Khattak, Mian Manzoor

²²⁰ Aziz, *Some Milestones in Pakistan's History*, 193.

²²¹ *Dawn*, Karachi, May 29, 1998.

²²² *Dawn*, Karachi, May 31, 1998.

²²³ *Dawn*, Karachi, May 29, 1998.

²²⁴ *Dawn*, Karachi, June 6, 1998.

²²⁵ *Dawn*, Karachi, June 11, 1998.

²²⁶ *Dawn*, Karachi, June 6, 1998.

Wattoo, Ghulam Qadir Jatoi and Imran Khan. On July 28, 1998 the imposition of emergency was unanimously supported by a seven member bench of the Supreme Court but the suspension of fundamental rights was declared illegal.²²⁷

On May 28, 1998 the government froze the foreign currency accounts of residents in local banks through an ordinance.²²⁸ The ordinance was the violation of the undertaking tendered by the Protection of Economic Reforms Act 1992. This action damaged the economy and credibility of the government. The value of rupee dropped against US dollar.²²⁹

On April 14, 1999 Pakistan tested Ghauri-II (2000 kilometer range ballistic missile) in response to Indian Agni-II missile on April 11, 1999. It had brought all important cities of India within the range of Pakistan. Nawaz declared that it was conducted to boost the defence of the country and did not intend arms race. After the test of Ghauri-II, India changed its stance on Comprehensive Nuclear Test-Ban Treaty (CTBT). Indian Premier Atal Bihari Vajpayee stated that India was not in a position to sign CTBT prior to the deadline (September 1999). The American administration criticized missiles tests by Pakistan and India.²³⁰

Local Council Elections in the Punjab:

On May 20, 1998 the local council elections took place in the Punjab. In the elections PML (N) backed candidates were facilitated in urban and rural areas' councils. The PML

²²⁷ *Dawn*, Karachi, July 29, 1998.

²²⁸ *Dawn*, Karachi, May 29, 1998. Khan, *Political History of Pakistan*, 842. Aziz, *Some Milestones in Pakistan's History*, 197.

²²⁹ Khan, *Political History of Pakistan*, 842.

²³⁰ *Dawn*, Karachi, April 15, 1999.

(N) backed candidates success ratio was of 80 percent whereas the PPP backed candidates success ratio was of 10 to 12 percent. The electoral violence was reported in all the districts of the Punjab. At least 31 people were killed and hundreds injured. The root of clashes was incorrect electoral rolls. The wrongdoings in elections were reported. Snatching of ballot papers and ballot boxes took place. In some clashes use of guns were reported. The opposition alleged the ruling party for pre-poll rigging in remote areas. The local council elections took place in the Punjab after seven years. The turnout in the elections was low. It was non-party elections but most of the candidates had political affiliations. The PML (N), the PPP and the JI backed candidates were known as “*Himayat Yafta*” group, “*Benazir Qiadat*” and “*Ehtesab Group*” respectively.²³¹ The local bodies’ elections were held only in the Punjab and not in any other province. The elections in other provinces did not take place as the PML (N) had differences with MQM in Sindh, ANP in NWFP and Sardar Akhtar Mengal government in Balochistan.²³² The local bodies’ elections were regularly held under martial regimes but not in civilian governments.²³³

Kalabagh Dam Issue:

On June 11, 1998 Nawaz addressed the nation in which he announced the construction of Kalabagh Dam.²³⁴ The Kalabagh Dam was a contentious issue between the Punjab and smaller provinces since 1984. On June 17, 1998 the Anti-Kalabagh Dam Action Committee had held a rally against the announcement. This rally was supported by

²³¹ *Dawn*, Karachi, May 21, 1998.

²³² Aamer Ahmed Khan, “Images’ 98”, *The Herald*, Karachi, January 1999, 33.

²³³ Shaikh Rasheed Ahmad, Personal Interview.

²³⁴ *Dawn*, Karachi, June 12, 1998.

various social, political and religious groups.²³⁵ In the Assemblies of three smaller provinces (Sindh, NWFP and Balochistan) anti-Kalabagh Dam resolutions were passed.²³⁶

The Senators of three smaller provinces severely criticized the government on Kalabagh Dam.²³⁷ August 1, 1998 Benazir and Wali Khan had decided to hold anti-dam rallies. August 10, 1998 was decided for rallies from Sukkur to Obarra and Nowabshera to Attock. The former rally was led by Benazir and later by Wali Khan. The opposition demanded resignation of Nawaz and set up of national government.²³⁸ Due to severe criticism Nawaz reviewed his stand on Kalabagh Dam issue and declared that construction of dam would take place after national consensus.²³⁹

Ban on Student Organizations:

On August 6, 1998 Nawaz directed the Federal Education Minister Ghous Ali Shah to ban all those student organizations which had illegal plans in order to provide suitable academic atmosphere in educational institutions. The education policy made it compulsory for students to produce affidavits that they would not partake in politics during studies. However, the condition of affidavits did not stop the existence of political parties' student wings in educational institutes. The decision was criticized by all the major student organizations; Islami Jamiat Talba (IJT), Pakistan National Students

²³⁵ Abdul Wahab Memon 'Press Joins Popular Drive' *Dawn*, Karachi, June 22, 1998. *Dawn*, Karachi, June 22, 1998.

²³⁶ Sajjad, *Law Courts in a Glass House*, 568.

²³⁷ *Dawn*, Karachi, July 3, 1998.

²³⁸ *Dawn*, Karachi, August 2, 1998.

²³⁹ *Dawn*, Karachi, August 3, 1998. *Dawn*, Karachi, August 14, 1998. *Dawn*, Karachi, August 15, 1998.

Federation, (PNSF), Peoples Students Federation (PSF) and All Pakistan Mohajir Students Organization (APMSO).²⁴⁰

Breakup of the PML (N)–MQM Coalition:

On August 14, 1998 the MQM withdrew itself from the federal government due to continuous killings of its workers. Liaquat Ali Jatoi of PML (N) made serious attempts to bring rapprochement between both the parties;²⁴¹ on September 20, 1998 the MQM decided to sit in the treasure benches without joining the government. The purpose of this gesture was to support the PML (N) government in Sindh.²⁴² The relations again suffered as Nawaz implicated MQM (MPA) Zulfikar Haider and seven activists of the MQM in the assassination of Hakim Muhammad Saeed²⁴³ on October 17, 1998.²⁴⁴ The coordinating committee of MQM refuted the allegation and laid the responsibility of murder on Nawaz.²⁴⁵

The Fifteenth Amendment:

Nawaz addressed the nation from the floor of the House on August 28, 1998 announcing that his government would table fifteenth amendment bill under which Quran and *Sunnah* would be the supreme law of the state.²⁴⁶ The bill proposed to amend Article 239 of the Constitution for providing different procedure for the passage of the amendment in the Parliament. It had removed the condition of two-third majority to amend the constitution in the matters of Quran and *Sunnah*. According to the amendment the bill related to

²⁴⁰*Dawn*, Karachi, August 7, 1998. *Dawn*, Karachi, August 8, 1998.

²⁴¹*Dawn*, Karachi, September 15, 1998.

²⁴²*Dawn*, Karachi, September 21, 1998.

²⁴³ Hakim Muhammad Saeed was a former Governor of Sindh, an eminent scholar and educationist who had dedicated his life to the cause of education especially of small children.

²⁴⁴*Dawn*, Karachi, October 29, 1998. Eqbal Ahmad, "The governor's Challenge", *Dawn*, Karachi, November 10, 1998.

²⁴⁵*Dawn*, Karachi, October 30, 1998.

²⁴⁶*Dawn*, Karachi, August 29, 1998.

matters of Quran and *Sunnah* may be presented in any house of the Parliament and if it passed by the majority then could be refer to the other house. If the bill was passed by the majority of the members without any amendment then it would be conveyed to the President. If the bill did not get passed in the house or passed with amendment then it should considered in the joint sitting. Another provision of the proposed bill mentioned that the federal government would be responsible for the enforcement of *zakat*, *salat* and eradication of corruption. It was also bound on the government to carry out *amer bil ma'roof wa nahi anal munkar*' (Quran 3:110), and to provide social and economic justice in the light of Quran and *Sunnah*.²⁴⁷

Nawaz required the support of *ulema* and religious leaders to tackle those who were against the bill.²⁴⁸ The bill was severely criticized by the opposition, NGOs and human rights organizations.²⁴⁹ Some of the members of the ruling party also had reservations over the bill. Abdul Hameed Jatoi of the PML (N) cited that if amendment in the Constitution would take place by a simple majority then smaller provinces would stand nowhere. He expressed that in lower house the Punjab was stronger than the collective strength of other three smaller provinces. He also stated that if bill was passed then it would be difficult for smaller provinces to defend their rights.²⁵⁰ Asfandiyar Wali of the ANP said that the bill was against the principles of provincial autonomy. He stated that if NWFP Assembly enacted a law and the federal government issued a order against it then which order would prevail.²⁵¹ Sajjad Ali Shah believed that Fifteenth Amendment was not required because Constitution contained several provisions regarding

²⁴⁷ Sajjad, *Law Courts in a Glass House*, 572. *Dawn*, Karachi, September 5, 1998.

²⁴⁸ *Dawn*, Karachi, September 6, 1998.

²⁴⁹ Sajjad, *Law Courts in a Glass House*, 572.

²⁵⁰ Abdul Hameed Jatoi, interview by Faraz Hashmi, *The Herald*, Karachi, September, 1998, 41.

²⁵¹ Asfandiyar Wali, interview by Faraz Hashmi, *The Herald*, Karachi, September, 1998, 42.

Islamization of the society. He said in the presence of Article 2 (religion of the state is Islam), Article 2 (a) (the provisions for Islamization), Article 31 (laws must be enacted to promote Islamic way of life), and Article 228 (set up of Council of Islam comprised of religious scholars) there was no need of such amendment.²⁵²

The ruling party had amended the Fifteenth Constitutional Amendment Bill by dropping the proposed amendment in the Article 239.²⁵³ The bill was adopted by the National Assembly and transmitted to the Senate on October 14, 1998. The ruling party had started vigorous campaign to get required number of votes in favour of it.²⁵⁴

Resignation of Jehangir Karamat:

On October 5, 1998 Army Chief Jehangir Karamat addressed the navy officers at the Pakistan Naval War College in Lahore in he suggested the formation of the National Security Council supported by a group of advisors and think tanks. He added that through this council, decision making would be institutionalized and that issues such as economy, internal security, sense of deprivation in smaller provinces and relations with bordering countries namely Afghanistan, China, India and Iran, and United States of America (USA) would be tackled immediately.²⁵⁵ Major political parties liked his proposal but²⁵⁶ the ruling party severely criticized him. This controversy led Jehangir Karamat to seek for premature retirement which was accepted by the Prime Minister. Later on Jehangir Karamat explained to Chaudhry Nisar Ali Khan and Shahbaz on the phone that his colleagues including General Ali Kuli Khan had advised him to takeover instead of

²⁵² Sajjad Ali Shah, interview by Idrees Bakhtiar, *The Herald*, Karachi, September, 1998, 38.

²⁵³ *Dawn*, Karachi, October 9, 1998.

²⁵⁴ *Dawn*, Karachi, October 15, 1998.

²⁵⁵ *Dawn*, Karachi, October 6, 1998.

²⁵⁶ *Dawn*, Karachi, October 7, 1998. Aziz, *Some Milestones in Pakistan's History*, 200.

resigning. Nawaz's preference of Pervez Musharraf over Kuli Khan might have been due to the information provided by Jehangir Karamat.²⁵⁷ On October 7, 1998 Musharraf was appointed as COAS by superseding the Lt. General Kuli Khan who was the Chief of General Staff and most senior officer in the army.²⁵⁸ According to army sources Pervez Musharraf had approached Nawaz through a number of important persons.²⁵⁹ According to PML (N) sources Nawaz was afraid of Kuli Khan as he was kin of Gauhar Ayub and belonged to popular Pathan belt. The army had its own mindset and Nawaz wanted to control army in view of his experience with Aslam Baig and Waheed Kaker.²⁶⁰

Imposition of Governor Rule in Sindh:

Sindh continued to in turmoil; and on October 30, 1998 the Governor Rule had to be imposed, for an indefinite period, under the emergency provisions of the Article 232 (c) of clause (2). The government suspended Articles 130 and 136 due to which Sindh government ceased to exist.²⁶¹ Governor Rule was enforced to tackle the situation of Karachi constitutionally.²⁶² Altaf Hussain criticized the imposition of Governor Rule and declared it an attempt to make Sindh a colony of federal government.²⁶³ The government again began operation against terrorism. The rangers and police were included in the operation. Earlier, both these departments were ineffective to restore the city to normalcy. Changes in civil administrative also took place;²⁶⁴ the government explained that under

²⁵⁷ Aziz, *Some Milestones in Pakistan's History*, 201.

²⁵⁸ *Dawn*, Karachi, October 8, 1998.

²⁵⁹ General (Retired) Ziauddin Butt interview by Mazhar Abbas, *ARY News*, "Do Tok", March 7, 2011, part. 1, (broadcast).

²⁶⁰ Shaikh Rasheed Ahmad, Personal Interview.

²⁶¹ *Dawn*, Karachi, October 31, 1998.

²⁶² Moeenuddin Haider, interview by Idrees Bakhtiar and Azhar Abbas, *The Herald*, Karachi, November-December, 1998, 37.

²⁶³ *Dawn*, Karachi, October 31, 1998.

²⁶⁴ *Dawn*, Karachi, November 4, 1998.

the new leadership these departments would be effective. The federal government and Governor Moeenuddin Haider clarified that operation was not against any particular political party;²⁶⁵ but the MQM believed that operation was launched to destroy it.²⁶⁶

With the imposition of federal rule the authority of the Speaker of Sindh Assembly to summon the session was suspended. This suspension of right was challenged in the Supreme Court. On November 12, 1998 the Sindh legislators had held the requisitioned session in which the federal government was criticized for taking away the power of the Speakers (Speaker and Deputy Speaker). Legislators criticized the interference of the Centre in the affairs of smaller provinces.²⁶⁷ The leaders of opposition parties demanded Nawaz to step down as he had violated the Constitution, endangered the federation and usurped provincial autonomy.²⁶⁸ On November 16, 1998 the session of Sindh Assembly was scheduled on the demand of the legislators of the PPP and the MQM. The local administration took severe actions to block the legislators' entry in the Sindh Assembly; armoured carriers, water tanks and barbed wires were used to block the roads that led to Sindh Assembly. The legislators staged a sit-in on pavement in the way of Sindh Assembly. The MPAs of MQM and the PPP had criticized the government for "trampling the norms of democracy" by declining the access of elected representatives to the Assembly.²⁶⁹

On January 12, 1999 the Supreme Court gave decision on the petition that since the Assembly was not dissolved, the powers of the Speaker and the Deputy Speaker of

²⁶⁵ *Dawn*, Karachi, November 1, 1998. *Dawn*, Karachi, November 7, 1998.

²⁶⁶ *Dawn*, Karachi, November 10, 1998.

²⁶⁷ *Dawn*, Karachi, November 13, 1998.

²⁶⁸ *Dawn*, Karachi, November 16, 1998.

²⁶⁹ *Dawn*, Karachi, November 17, 1998.

Sindh Assembly were restored. The judgment was appreciated by the PPP, MQM and PTI.²⁷⁰

Imposition of Article 245:

An ordinance was promulgated by the federal government on November 20, 1998, titled as “Pakistan Armed Forces (Acting in Aid of Civil Power) Ordinance, 1998, invoking Article 245 of the Constitution. The ordinance was extended to all those areas of Karachi where armed forces were working in aid of civil authority. The ordinance authorized the armed forces to arrest, interrogate and do trials of terrorists and offenders without granting bails. The Section 3 of the ordinance had delegated the COAS or any other official designated by him (not under the rank of Brigadier or equivalent) to set up military courts. The military court had been authorized to try civil offenders. The military courts were bound to decide the case in three days;²⁷¹ later it was decided that courts could take some more days if it considered it necessary.²⁷² The ordinance mentioned that appeal against the decision of the military court could only be filed in any court.²⁷³ On November 26, 1998 the President notified another ordinance to amend the aforementioned ordinance, authorizing the armed forces to investigate terrorism cases. The amended ordinance had amended the Section 5 of the “Pakistan Armed Forces (Acting in Aid of Civil Power) Ordinance, 1998” which mentioned that “the armed forces might supervise investigation of any case but that too on the direction of the federal government.” The new section in the amended ordinance stated that “investigation of all

²⁷⁰ *Dawn*, Karachi, January 13, 1999. Sajjad, *Law Courts in a Glass House*, 593-594.

²⁷¹ *Dawn*, Karachi, November 21, 1998.

²⁷² *Dawn*, Karachi, December 3, 1998. Moeenuddin Haider, interview by Idrees Bakhtiar and Azhar Abbas, *The Herald*, Karachi, November-December, 1998, 37.

²⁷³ *Dawn*, Karachi, November 21, 1998.

the offences specified in the scheduled to this ordinance should be conducted in accordance with the provisions of the Code of Criminal Procedure 1898 (Act V of 1898).”²⁷⁴ The army was consulted prior to invoke of Article 245.²⁷⁵ The COAS clarified that military courts would do the trials in neutral manner and would not target any political party.²⁷⁶

The federal cabinet on January 23, 1999 decided to set up military courts throughout the country as it thought that such courts in Karachi could bring law and order back to normal.²⁷⁷ On February 17, 1999 the nine member bench of the Supreme Court decided that the setting up of military courts was ultra constitutional and unlawful; and that military courts’ power to do the trial of civilians was also illegal. The Supreme Court provided a mechanism of speedy trials of terrorism related cases. It annulled the sentences awarded by the military courts and directed that such cases should be transmitted to the anti-terrorist courts. The opposition and people at large appreciated the Supreme Court decision.²⁷⁸ After the judgment the government decided that the army would carry on its responsibilities in Karachi related to investigation of criminal cases.²⁷⁹

The PAI’s Anti-Government Campaigns:

An understanding had reached between the PAI and ANP on December 4, 1998 to start a campaign for dislodging the government;²⁸⁰ and on December 8, 1998 the PAI was

²⁷⁴ *Dawn*, Karachi, November 27, 1998.

²⁷⁵ Moeenuddin Haider, interview by Idrees Bakhtiar and Azhar Abbas, *The Herald*, Karachi, November-December, 1998, 37.

²⁷⁶ *Dawn*, Karachi, December 3, 1998.

²⁷⁷ *Dawn*, Karachi, January 24, 1999.

²⁷⁸ *Dawn*, Karachi, February 18, 1999.

²⁷⁹ *Dawn*, Karachi, February 24, 1999.

²⁸⁰ *Dawn*, Karachi, December 4, 1998.

converted into electoral alliance.²⁸¹ On December 11, 1998 the Pakistan Oppressed National Movement (PONM) decided to collaborate with PAI in the anti-government campaign.²⁸² In the meantime an understanding was reached between the MQM and the opposition parties in the National Assembly to develop a working relationship over four issues vis., undemocratic actions of the government, imposition of Governor Rule, set up of military courts, and invocation of Article 245 (A).²⁸³

In March 1999 the discord erupted between the PAI and the Pakistan Awami Tehrik (PAT). The PAT Chairman Tahirul Qadiri believed that the differences between both the parties should be dissolve before the start of next phase of anti-government movement.²⁸⁴ The PAT had criticized the PAI for not instituting a committee to discuss its standpoint. The other point of disagreement was that the PPP was not prepared to decide the name of the Premier in case the PAI won elections. The political parties, the PAT, the Awami Qiadat Party (AQP), and Pakistan Muslim League (Qasim) PML (Q), demanded to resolve all issues immediately.²⁸⁵ Due to the said differences the PAI had disintegrated into two sections. One section was comprised of the AQP, the Markazi Jamaat Ahle Hadith (MJAHA), Tehrik Ulema-i-Pakistan (TUP) and Markazi Jamaat Sawad-i-Azam (MJSA). The other section had included the PPP, the PDP, the Jamiat Ulema-i-Ahle Hadith (JUAHA), the Pakistan Solidarity Front (PSF), the UDF, the Hizbe Jihad (HJ), the Islamic Deeni Front (IDF), the Pakistan Mazdoor Kisan Party (PMKP), the Pakistan Christian National Party (PCNP), the Pakistan Muslim League (Jinnah) PML (J), the Pakistan Muslim League (Chatta Group) PML (C) PML (Q) and the Muttahida

²⁸¹ Until that time the PAI had incorporated 20 political parties. *Dawn*, Karachi, December 9, 1998.

²⁸² *Dawn*, Karachi, December 12, 1998.

²⁸³ *Dawn*, Karachi, December 25, 1998.

²⁸⁴ *Dawn*, Karachi, March 3, 1999.

²⁸⁵ *Dawn*, Karachi, March 7, 1999.

Ulema Forum (MUF).²⁸⁶ On November 28, 1998 the PAI rally took place in Lahore which was addressed by Benazir and Mualana Qadri, criticizing the performance of government.²⁸⁷

Deployment of Army at Water and Power Development Authority (WAPDA):

On January 21, 1999 the government deployed 35,000 troops at all the offices of Water and Power Development Authority (WAPDA) country wide to launch an army operation against the offenders and defaulters of WAPDA. The army was positioned at all levels of power distribution system (sub division level and division level). Deployments took place at all eight electric supply companies (previously these companies were under the control of area electricity board).²⁸⁸

President's Address to the Parliament:

Rafique Tarar addressed the joint session of the Parliament on March 11, 1999. During the address the opposition, in particular the PPP, had showed great disrespect to the President; raising slogans, thumping desks and standing throughout the course of speech. Benazir alleged Nawaz and Saif-ur-Rehman of being corrupt. In the beginning the MQM had joined the PPP but soon walked out of the house. The ANP remained silent as it was about to rejoin the government. The speech of the President was almost inaudible due to clamour. Nawaz criticized the PPP for disrupting the speech and termed opposition's behaviour as "undemocratic and unethical".²⁸⁹ After the Presidential address Benazir held a press conference in which she disclosed that soon PAI would launch mass agitation

²⁸⁶ *Dawn*, Karachi, March 11, 1999.

²⁸⁷ *Dawn*, Karachi, November 27, 1998. *Dawn*, Karachi, November 30, 1998.

²⁸⁸ *Dawn*, Karachi, January 22, 1999.

²⁸⁹ *Dawn*, Karachi, March 12, 1999.

against Nawaz at district and *tehsil* levels. She demanded nation to join her in an attempt to remove the government.²⁹⁰

Disqualification of Benazir and Asif Ali Zardari:

The Ehtesab Bench of the Lahore High Court on April 15, 1999 convicted Asif Ali Zardari and Benazir in the “Societe General Surveillance (SGS)” (pre-shipment inspection contract case). Due to conviction both were disqualified from taking part in politics. They were sentenced to five years of imprisonment and fined up to 8.6 million dollars. The judgment also ordered the confiscation of their property. The judgment stated that they had committed corruption under the Sections 3(1a), 3 (1d) and 4 (2) of the Ehtesab Act, 1997.²⁹¹ The PPP supporters protested against the ruling and pro-PPP rallies took place.²⁹² On April 20, 1999 the PPP staged protests (across the country and in various foreign countries) against the conviction of Benazir and Asif Ali Zardari.²⁹³ At the time of hearing of the case Benazir was in America; she unsuccessfully tried to get America support in order to avoid the expected judgment.²⁹⁴

The PPP and PAI launched rallies against conviction of Benazir. The PAI proclaimed that accountability was partial as well as politically motivated.²⁹⁵ On June 6, 1999 the PPP leaders addressed a rally in Faisalabad suggesting the people to begin a struggle, and army to intervene, to save the country from disintegration. Rao Sikandar

²⁹⁰ Ibid.

²⁹¹ *Dawn*, Karachi, April 16, 1999. Sajjad, *Law Courts in a Glass House*, 605-606.

²⁹² *Dawn*, Karachi, April 17, 1999.

²⁹³ *Dawn*, Karachi, April 21, 1999.

²⁹⁴ Shaheen Sehbai, “A Hot and Cold Session with Benazir”, *Dawn*, Karachi, April 19, 1999.

²⁹⁵ *Dawn*, Karachi, May 3, 1999.

Iqbal the President of PPP (Punjab) asserted that army was constitutionally responsible to defend the country from internal and external threats and it should intervene before the situation goes out of control.²⁹⁶

Anti-Terrorist Ordinance(Amendment, 1999):

Iqbal Haider challenged the Anti Terrorist Ordinance (ATO) (Amendment) 1999 in the Supreme Court on May 3, 1999. He also demanded the delay on the implementation of sentences awarded by the courts that functioned under ATO, 1999 till his petition was decided.²⁹⁷ The opposition walked out from the Senate when the ATO was presented for debate. According to the opposition under the rules of business an ordinance promulgated by the President should be tabled in the house on the very first day of its sitting (after the promulgation) but the government did not abide by the said rule. The opposition had also submitted a resolution against the ATO to the Senate Secretary.²⁹⁸ On May 11, 1999 the People's Lawyers Forum (PLF) also adopted a resolution against the ATO. It stated that ATO aimed to crush political dissents and not terrorism.²⁹⁹ On May 25, 1999 the All Party Conference (APC) was convened by JI which rejected the ATO through the resolution. All the major political parties except the PPP, the MQM and the PML (N) attended this conference. In the Senate APC urged on its withdrawal and severely criticized the government for promulgating the ordinance.³⁰⁰

On August 27, 1999 the federal government had re-promulgated Anti-Terrorism Ordinance which was amended by the government in April 1999 under the directions of

²⁹⁶*Dawn*, Karachi, June 7, 1999.

²⁹⁷*Dawn*, Karachi, May 4, 1999.

²⁹⁸Z. Ziauddin, "The Debate Ends" *Dawn*, Karachi, May 13, 1999.

²⁹⁹*Dawn*, Karachi, May 12, 1999.

³⁰⁰*Dawn*, Karachi, May 26, 1999.

the Supreme Court's ruling related to the set up of military courts in Sindh for the trial of civilians. The new ordinance was entitled as Anti-Terrorism (Second Amendment) Ordinance 1999 that amended the definition of the civil commotion. According to the new definition civil commotion included: launch of internal disturbances and illicit strikes, "go slow, lock outs, vehicle snatching or lifting, damage to or destruction of state private property, random firing to create panic, charging Bhatta and act of criminal trespass (illegal *Qabza*).” The promulgation of the ordinance empowered the anti-terrorism courts to function on the pattern of military courts.³⁰¹

Introduction of New Set up in Sindh:

On June 9, 1999 Syed Mamnoon Hussain was sworn in as the new Governor of Sindh after the imposition of Governor Rule. In the new set up, the federal government had extended full executive authority to the advisor of the Premier whereas previously these authorities were delegated to the Governor. On the same morning the acting Speaker of the Sindh Assembly Syed Jalal Mahmood Shah ruled against the decision and called it unlawful and *ultra vires* of the Constitution. He articulated that nomination of Premier's advisor to govern the affairs of Sindh were against the principles of provincial autonomy. He said that in the constitution no provision prevailed for the nomination of the federal advisor for running the affairs of the province. The PML (N) was severely criticized by the MQM and PPP for this undemocratic action³⁰² as according to the Article 232 (2) (c)

³⁰¹*Dawn*, Karachi, August 28, 1999.

³⁰²*Dawn*, Karachi, June 20, 1999.

either the Premier or the Governor on behalf of the federal government could assume the functions of the government of the province.³⁰³

On June 24, 1999 the Premier's advisor on Sindh affairs Ghous Ali Shah had presented the Sindh budget in a press conference. He mentioned that following Article 120, 122, 123, 124 and 125 related to the passage of the budget had been suspended. Ghous explained that the budget could not be presented in the Assembly subsequent to implementation of the Article 232 (2) (c) and declaration of the Supreme Court. The opposition parties, the MQM, the PPP, the PTI and the JI, condemned the new set up and "executive budget".³⁰⁴

Kargil issue:

In May 1999 the *mujahedeen* took control of few mountains peaks in the district Kargil of occupied Kashmir. India laid blame on Pakistan for intruding into the Kargil, getting control of Indian peaks and violating line of control. The Indian diplomacy used the conflict for isolating Pakistan from the international community.³⁰⁵ Nawaz addressed letters to the heads of G-8 countries explaining the position; and contacted Bill Clinton to help in normalisation of the situation.³⁰⁶ Pervez Musharraf, COAS, criticized India for twisting the facts against Pakistan and its armed forces.³⁰⁷ Nawaz suggested to settle the issue through dialogues but India did not showed any flexibility.³⁰⁸ On July 4, 1999 the Kargil issue finally settled when Nawaz signed an agreement with America (in

³⁰³ Muhammad Munir, *The Constitution of the Islamic Republic of Pakistan: Being a Commentary on the Constitution of Pakistan, 1973* (Lahore: PLD Publishers, 1999), 502-503.

³⁰⁴ *Dawn*, Karachi, June 24, 1999.

³⁰⁵ Shahid M. Amin, "Kargil: The Unanswerable Question", *Dawn*, Karachi, July 25, 1999.

³⁰⁶ *Dawn*, Karachi, June 23, 1999. *Dawn*, Karachi, June 27, 1999.

³⁰⁷ *Dawn*, Karachi, June 22, 1999.

³⁰⁸ *Dawn*, Karachi, June 23, 1999. *Dawn*, Karachi, June 20, 1999.

Washington) in the absence of India, stating that Pakistan would withdraw its forces from Kargil and respect LOC.³⁰⁹

Later the Kargil issue damaged the relations between Nawaz and Pervez Musharraf.³¹⁰ Nawaz claimed that he was not taken into confidence over the decision of Kargil; whereas Pervez Musharraf asserted that the PM knew about Kargil and he was on board.³¹¹ Besides Nawaz, the Navy Chief and Air Chief were not taken into confidence by Musharraf.³¹² When Indian Prime Minister, Vajpayee, phoned Nawaz during the Kargil incidence to discuss the situation, Nawaz mentioned that he had no information about it.³¹³ Musharraf believed that Kargil operation was a victory for Pakistan as the operation was well conducted by *mujahedeen* and caused heavy loss to Indian army.³¹⁴ Thus misunderstandings developed between Nawaz and Musharraf. The two became suspicious of each other; Musharraf feared that Nawaz would remove him and Nawaz thought the Musharraf would conspire against him. The Prime Minister was unable to remove misunderstanding and build confidence between two high offices.³¹⁵

Continuation of Opposition's Protests:

In August 1999 the opposition (particularly the PAI and PPP) started countrywide anti-government campaign. The PTI extended its cooperation to PPP for removal of the

³⁰⁹ *Dawn*, Karachi, July 5, 1999. Khan, *Political History of Pakistan*, 932.

³¹⁰ Pervez Musharraf, *In the Line of Fire A Memoir* (London: Simon and Schuster UK Ltd, 2006), 136. Rai Asad Khan Kharal, *Sachha Kon?* 2 ed., (Lahore: intelligence Publishers, 2001), 12.

³¹¹ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast). Pervez Musharraf interview by Kamran Shahid, *Express News*, "Frontline Exclusive", October 4, 2011, part. 2, (broadcast). Senator Javed Ashraf, Personal Interview.

³¹² Senator Wasim Sajjad, Pakistan Muslim League (Quaid-e-Azam) PML (Q), Islamabad, October 22, 2011.

³¹³ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast).

³¹⁴ Pervez Musharraf interview by Aizaz Syed, *Dawn News*, "Musharraf Ki Wapsi?", 16 April 2011, (broadcast).

³¹⁵ Senator Wasim Sajjad, Personal Interview.

government;³¹⁶ MQM and JI also took out anti-government rallies³¹⁷ demanding the resignation of Nawaz.³¹⁸ In September 1999 an alliance known as Grand Democratic Alliance (GDA) was formed with one point agenda i.e. to overthrow the government. The GDA consisted of nineteen political parties vis., PPP, MQM, ANP, HJ, IDF, JM, JUAH, MKP, MUF, Pakistan Christian Party (PCP), PDP, PLM (C), PML (J), PML (Q), PML (Qayyum), PSF, UDF, PAT and PAI.³¹⁹ The GDA staged countrywide rallies to pressurize the government.³²⁰ On September 10, 1999 the government banned rallies in Sindh because the GDA had planned series of rallies in Karachi. The PAI and PAT criticized the government for this decision.³²¹ On September 11, 1999 the police (on the orders of federal government) arrested the leaders of the GDA. The combined opposition announced two-day shutter down strike in Sindh against the arrest of top leaders.³²² On September 25, 1999 the GDA tried to hold rally from Schon Chowrangi to Regal Chowk but government did not gave its consent and over 1000 political activities were arrested from different parts of Karachi³²³ On September 27, 1999, workers of the PPP attempted to stage rallies in Sindh against the government but police stopped them.³²⁴

Dissolution of the PML (N) Government:

The differences between Nawaz and Musharraf took a decisive turn on the afternoon of October 12, 1999. Nawaz retired Musharraf, when the later was in plane on way back from official visit to Sri Lanka, and appointed Chief of Inter-Services

³¹⁶ *Dawn*, Karachi, August 4, 1999. *Dawn*, Karachi, August 5, 1999.

³¹⁷ *Ibid.* *Dawn*, Karachi, August 10, 1999.

³¹⁸ *Dawn*, Karachi, August 5, 1999.

³¹⁹ Syed Ali Dayan Hasan, "Understanding the Opposition", *The Herald*, Karachi, October 1999, 32-33.

³²⁰ Amer Ahmed Khan, "Desperately Seeking Solutions", *The Herald*, Karachi, October 1999, 34.

³²¹ *Dawn*, Karachi, September 11, 1999.

³²² *Dawn*, Karachi, September 12, 1999.

³²³ *Dawn*, Karachi, September 26, 1999.

³²⁴ *Dawn*, Karachi, September 28, 1999.

Intelligence(ISI) Lieutenant General Zia-ud-din Butt as new COAS.³²⁵ Sensing trouble on return of Musharraf, Nawaz ordered diverting Musharraf's plane to Muscat but due to shortage of fuel, agreed to its landing in Karachi.³²⁶ Nawaz's action of removing Musharraf and replacing him with a junior General annoyed the senior Generals who acted against with speed on a plan already hatched by Musharraf. The army took hold of PTV just a few minutes before the announcement of General Butt as new COAS. Nawaz was placed under house arrest and the army got control of all important buildings.³²⁷ Following charges were made against Nawaz: interference in the affairs of armed forces, politicizing and subverting the army and causing disagreement in their ranks. On October 14, 1999 Musharraf assumed the powers of Chief Executive under the Provisional Constitution Order (PCO) and proclaimed state of emergency. Under the PCO the Constitution was held in abeyance but the President continued in office, the Parliament and Provincial Assemblies were suspended and governors, ministers, advisors ceased to hold offices.³²⁸

Nawaz had retired Musharraf as it was revealed that he had prepared a blue print to overthrow the government. On the other hand, it was alleged that the removal of Nawaz was pre-planned.³²⁹ Prior to *coup d'état* a substantial part of brigade 111 was situated at Bara Kaho (Islamabad) as it was in close proximity to the Prime Minister House. The brigade was provided with walki talki to get information about those who visited Prime

³²⁵ Khan Kharal, *Sachha Kon?* (Urdu), 13.

³²⁶ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast).

³²⁷ Khan Kharal, *Sachha Kon?* (Urdu), 13-14. *The News*, Karachi, October 13, 1999. *Dawn*, Karachi, October 13, 1999.

³²⁸ *The News*, Karachi, October 15, 1999.

³²⁹ Khan Kharal, *Sachha Kon?* (Urdu), 13

Minister House.³³⁰ It seemed that the government had no authority and army sustained as a true hub of power.³³¹ It is said that in Pakistan transfer of governments happens but not transfer of power.³³² In actual fact, the imposition of Martial Law was the outcome of terrible relations between Nawaz and Musharraf and the conspiracies they were hatching against each other. Musharraf was proud on imposition of Martial Law; boosting that he had saved Pakistan through promulgation of Martial Law because at that time Pakistan could only be saved through military rule.³³³

Conclusion:

In this government the role of establishment in politics was less prominent, despite the fact that it had facilitated PML (N) on road to success immensely. The civil bureaucracy on the whole remained under the control of the government mainly due to heavy electoral mandate of the government and its policies. Most of the time the tussle was between the ruling party and opposition, the main reason being arrogance of Nawaz, stubbornness of Benazir and incompetence of government to carry their coalition partners with them. Another notable development was the conflict between the government and judiciary primarily caused 'heavy-handed' style and legal inadequacies of Nawaz. His personal rivalries with Leghari, Benazir, Sajjad Ali Shah, and finally with Musharraf, costed to him and the nation dearly. The press remained under strong hold of government and served as its agent, as well as, a serious threat and challenge. On the other hand judiciary had created serious problems for the government through *suo moto* actions and decisions on constitutional appeals. The devolution of power did not was limited in this

³³⁰ Saeed Mehdi interview by Mazhar Abbas, *ARY News*, "Do Tok", May 30, 2010, part. 2, (broadcast).

³³¹ Shaikh Rasheed Ahmad, Personal Interview.

³³² Senator Haji Mohammad Adeel, Personal Interview.

³³³ Pervez Musharraf interview by Aizaz Syed, *Dawn News*, Musharraf ki Wapsi?, April 16, 2011, (broadcast).

government as local bodies elections only took place in the Punjab. Working partnership between the institutions was restricted as government was not prepared to ensure power sharing. The government did not let institutions to take decisions themselves which had stopped the government from delivering good governance. The role of opposition was traditional, and attimes undemocratic (e.g., supporting the military to depose the government; unpaliamentary practices). The opposition's lack of confidence and mistrustin the government was an important factorin ending democracy.

This era did not remain under the control of establishment due to neutrality of Jahangir Karamat. The PML (N) government had instutionalised the political role of military unlike PPP (1993-1996) which considered its government safer with civil bureaucracy on its side. The status of democracy was not raised with the shift of power to elected institutions. This time power wastransferred to government but due to lack of democratic experience it did not know how to function. The power politics between elected institutions (president, prime minister and opposition) were enough to destabilize democracy. Yet the government fell by direct military intervention when the Prime Minister sacked COAS and tried to replace him by a junior person.This government showed that democracy without trained politics is a difficult proposition.

Chapter 7

Conclusion

Since formation of Pakistan the success of parliamentary democracy was limited because of continuous power struggle between elected and non-elected institutions, frequent dissolution of democratic governments and imbalance of power between the institutions. Throughout this decade (1988-99) institutions remained in conflict with each other in order to acquire power. In democracy institutions have to support each other in performing their functions which remained missing in this era. There were several reasons due to which democracy did not deliver in Pakistan. These reasons were interlinked as illustrated in the diagram 1.1.

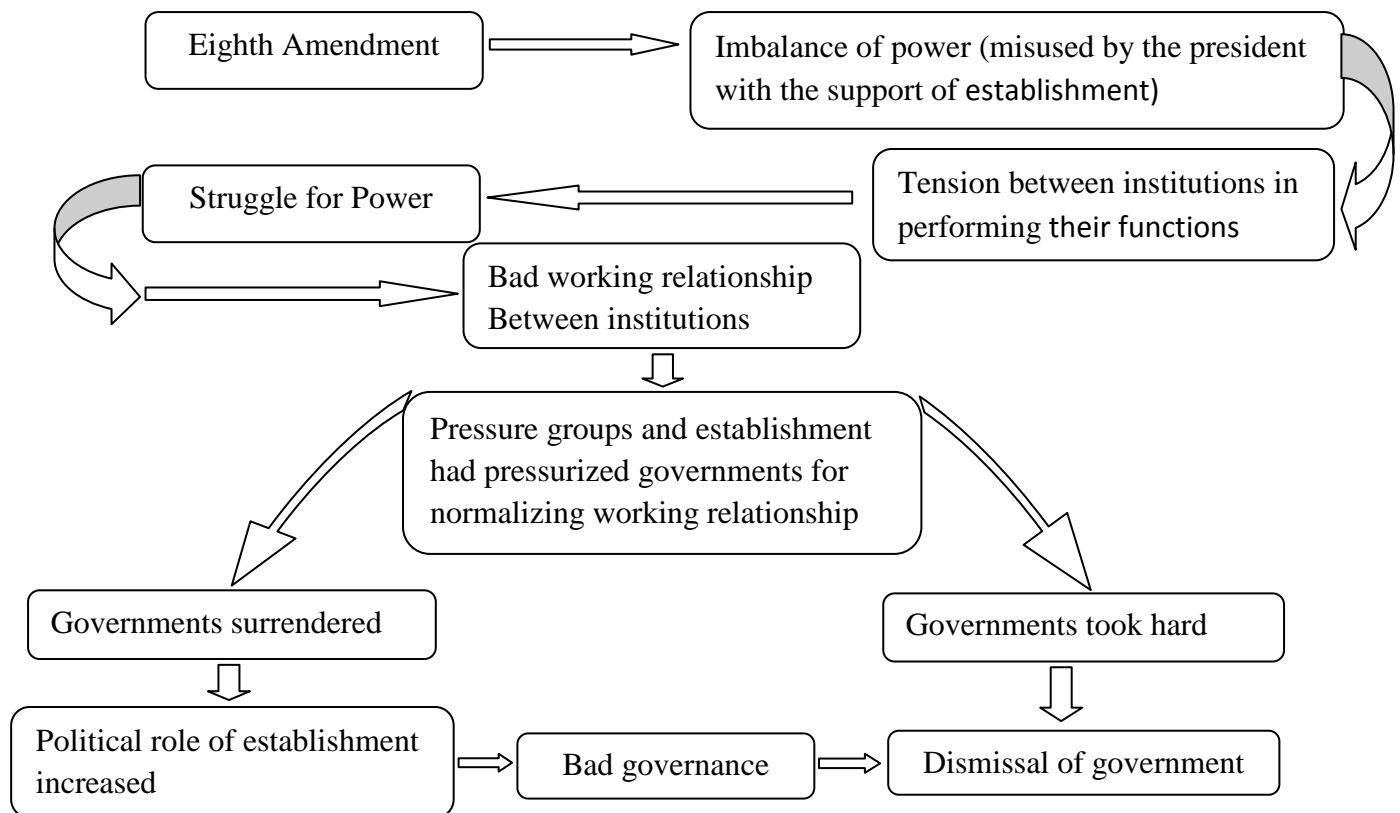


Diagram 1.1

Imbalance of Power:

The eighth amendment turned democracy into a legitimized dictatorship as the president with substantial powers was unimpeachable in any court of law. The said amendment had transformed the parliament into a body of instigating debates. This amendment had disturbed the parliamentary nature of the Constitution and supremacy of Parliament was replaced with Presidency.

After 1993 elections, practically a two-party system emerged, with the PML and PPP as major parties in the national and provincial legislatures. In this decade power struggle between these parties had played key role in undermining the process of democratization. Basically these parties were politically immature and did not honour each other's mandate to rule. The greed for power in Pakistani politics remained an obvious feature of this era. The opposition parties were not performing their constitutional responsibilities as they were not accepting their defeat in elections. Politics of vengeance, conspiracies and blackmailing were those important political realities that gave establishment a strong base to interfere in politics.

Patterns of Politics in Pakistan:

Benazir's first government (1988-90) remained under Zia-ul-Haq legacy as well as under the US influence. Her actions and decisions were closely watched by the President and military with a tinge of suspicion. The political cabinet was inexperienced and disjointed and she had to rely on selected bureaucrats, to the displeasure of some of her political friends. She made no effort to promote democratic norms, working relationship with opposition and establish clean and efficient administration. Her arrogance, mismanagement and conflict with the President caused her fall.

Nawaz Sharif first came to power (1990-93) with full support of civil-military bureaucracy and people's mandate. However, he soon failed to maintain good functional relations with both. His indifferent relations with COAS and President (a former bureaucrat) resulted in strong relationship between civil-military bureaucracy. His attitude towards democracy and opposition was no different than Benazir Bhutto; non-cooperative and disrespectful. It was ironical that the military leadership was asked to mediate between the heads of state and government; culminating in the dismissal of both and a call for fresh elections. Thus the military acted in a positive way in promoting democracy.

Benazir's second government (1993-97) was more under the influence of civil bureaucracy than military. The government had strengthened civil bureaucracy to keep it on its side, but in the end it was of no avail. This time it was rift within the party (Farooq Ahmed Khan Leghari-Benazir confrontation), corruption, law and order situation in Sindh, and continued conflict with Nawaz and opposition, that caused her fall.

In second government of Nawaz (1997-99) the role of establishment was limited due to government policies and non-political reconciliatory approach of General Jehangir Karamat, who preferred to resign than take a drastic step as was reportedly suggested by some colleagues. He kept pressure on President Leghari, and with the support of the PPP made him to resign. His strategy was to have a person as President who would be contented with ceremonial responsibilities; and a COAS who would remain under his obligation. He succeeded in the first case while disappointed in the second. Rafiq Tarar turned out to be the right choice for President from his point of view.

Pervez Musharraf not only kept him away from critical military issues (like Kargil) but caused his removal from office when he tried to replace him by a general of his choice.

Role of Political Parties:

Zia did his level best to curb the political parties and promote non-party based assemblies but failed; the first elections after his death (1988) were held on party basis. It had two implications; firstly, though political parties were revived, they lacked norms and traditions that would have developed through experience over time. Secondly, Ishaq Khan inherited Zia's pro-religion and anti-Bhutto legacy; consequently, Presidency and military had a biased approach towards Benazir. Both the parties in power and opposition generally opted for the politics of confrontation, accusation and protest rather than the democratic norms of debate, dialogue, reconciliation and decision-by-majority. The role of opposition in this decade was partially democratic. Most of the time opposition had politicized the legislation in order to turn situations in its favour. The culture of long marches, protests and walk outs had derailed democracy. In every government the opposition had persuaded the army to intervene in politics and remove the government. The role of opposition one way or the other had supported the role of civil-military bureaucracy in Pakistan.

The establishment used the political parties and personalities for their power politics. Its main aim was to have a hold on power and was not sincere with any institution or personality. The establishment had deep influence on democratic institutions and governments were constrained in free exercise of powers.

Status of Democracy:

The main characteristics of democratic governments include sense of responsibility; devolution of power; complete tenure; independent to make decisions; accountability; guarantee of rights and responsibilities to the institutions; and good governance. These characteristics were generally missing during the period. Politicians were unable to realize that more power means more responsibilities due to which culture of misuse of power got strength.

The power was centralized and local bodies elections only held twice in the Punjab during first and second tenure of Nawaz. At grass roots level the culture of politics did not exist and politicians consciously delayed the holding of local bodies' elections. The MNAs and MPAs were concerned that if problems of people were attended at grass roots level politics then their popularity and importance would decrease and electoral victory would not be guaranteed.

In this decade the sense of sharing of responsibilities did not develop due to lack of devolution of power; centralization of power did not let the institutions to fulfill their responsibilities within the framework of authority. In fact responsibilities without transfer of power to the institutions had been a major cause of poor governance.

In this decade no government was able to complete its constitutional term due to conspiracies and power politics by the opposition and establishment. The governments were working under the guidance of establishment and were not free to take decisions independently. The establishment was 'king-maker' who used politicians to fulfill its vested interests. The USA remained important external pressure group in the tenures of PPP governments. The USA had always supported pro-USA civil-military bureaucracy in

civilian governments as she knew the strength of establishment in political system of Pakistan

The true accountability was not introduced in this era because governments had massively used it against their political opponents. The scope of accountability was too narrow and slow, and was focused on political victimisation. Presidents had substantial authority but it was unaccountable.

Good governance would have been possible if the above cited characteristics were adhered to by the government. Poor governance was the obvious feature as governments were not free to decide, besides they lacked the skill and will that would have ensured good governance. Several hurdles were also caused by elected and non-elected institutions that undermined effective governance.

Role of Media in Pakistan:

In this decade institution of media generally remained under the influence of the governments through various mechanisms. The media was not free to express its opinions and concerns over the functioning of governments. The freedom of electronic media was more limited than press as there was only one government channel and one private channel. The media was relatively free in PPP's governments than in the tenures of PML-N; the latter used more strict means to stop press from performing its responsibilities such as, imposing sanctions on those news papers that did not abide by its instructions and demands. The media was biased and under strong hold of influential pressure groups (pro-government or anti-government). Press could be categorized into pro-government and anti-government. In this decade the functions of pro-government press were focused on projecting positive image of treasury benches and negative image of opposition;

safeguarding personal interests of politicians and establishment; providing support to government policies; and severely criticising opposition and anti- government factors. The anti-government press concentrated on highlighting weakness in governance; trying to strengthen opposition point of view; and indulging in excessive non-productive criticism of government.

Role of Judiciary:

Judicial activism in this decade seemed to be a reaction against governments' policies. Judiciary often created problems for the governments which emanated from various factors, including, government's misunderstanding on the functions of judiciary, legislation and executive; meddling of government in administrative issues of judiciary; President's resort of Article 58-2(b); and opposition's references against governments. The role of judiciary was politicized by all the governments to prevent them from creating hurdles in legislation making. Judiciary had supported president in his extra judicial actions except in 1993. The governments had created favourites in judiciary through out of turn promotions but even though it favoured decisions of bureaucratic presidents. The status of judiciary in this decade was as follows:

1. Judiciary had no role in the first government of Benazir but it remained a constant cause of tension between president and prime minister.
2. Nawaz had limited the functions of judiciary by establishing parallel judiciary system (special courts) through legislations.
3. In PPP's second government *ad hoc* judges and additional judges were appointed to check the independence of judiciary. While making these appointments the principles of meritocracy were ignored. Besides government had not implemented the decree of

Supreme Court related to separation of judiciary from executive as bureaucracy had concerns over it. In order to keep bureaucracy on its side it turned superior judiciary against itself.

4. The functions of judiciary were curtailed through Special Courts and *Khidmat* Committees. The government remained under pressure as judiciary was taking *suomotu* action on Karachi situation. Nawaz's policies relating to judiciary created differences within the judges of superior courts that created rift in the judiciary and executive. The undemocratic approach of the government towards judiciary had undermined the status of judiciary. The judicial pressure on last two governments (1993-96 and 1997-99) had provided a base for removal of governments.

Reasons of Abnormal Law and Order Situation:

The law and order situation was always cited as one of the reasons for the removal of governments (five times during the decade). The nationalist and religious political parties had key role in creating socio-political unrest and sectarianism. These parties had served as pressure groups and frequently mobilized people against government. As they could muster support of masses, the governments became dependent on them for keeping peace and running the affairs of state. The bad law and order condition indicated no rule of law and challenged the writ of the government. The weak administration had supported these parties to remain politically effective.

The government had used military as a means to tackle the law and order conditions in Sindh. The military operations had increased the grievances of the province as it were partial and took place in selected areas. After the termination of military

operations the law and order condition of Sindh became more acute. The governments did not come up with suitable policies towards Sindh even though they had mandate for this. Since early 80's the governments had preferred to call army in order to tackle the law and order condition in Sindh. In fact the democratic means to improve law and order was avoided by all the governments of this decade. The governments concerned were to control the law and order situation but not to improve it.

Vested Political Interests

The pressure groups (feudal, agriculturalist, industrialists) had entered into ministerial offices in the assemblies through which politics was monopolized. They had brought legislations in their favours and supported each other in safeguarding their interests. Agriculture tax levied by the caretaker government of MoeenQureshi was severely criticized by most of the political parties as it adversely affected the interests of feudalists which were major source of financial supports to politicians. This step was strongly criticized by all the political parties and after coming to power it was immediately abolished by the PPP. These groups had increased culture of bribery, corruption and misuse of power in politics.

Power Centers:

Hence on the basis of above discussion following power centers could be identified during 1988 and 1999. These centers, in descending order in terms of power, are:

1. President
2. Civil-Military Bureaucracy
3. Nationalists and Religious Political Parties
4. Judiciary

5. Press

6. Prime Minister

Tussle of Power:

The tussle for power between Nawaz and Benazir had weakened Parliament. They were followers of two different legacies and backgrounds. The nature of their differences was political and personal rather than of policies socio-economic approach. They had filed cases against each other's families for point-scoring and political gains. The law enforcement agencies were illegally used for arrest of Asif Ali Zardari and Mian Muhammad Sharif; both were arrested without arrest warrants. Their parties were pursuing politics for taking revenge and not in national interests.

In this era the performance of political parties was irresponsible and below expectations of the people and potential. They frequently contacted the establishment for dissolution of governments of their opponents. The establishment was pampered by all the governments especially opposition; and the government was not in a position to limit the power of bureaucracy due to fear of losing power and undemocratic attitude of the opposition.

In 1988-99 the political process was interrupted four times, harming the democratic evolution. With repeatedly overthrow of governments political leadership remained immature and short-sighted; and the culture of long term planning did not establish. The establishment had served as a watchdog in politics and explored the weaknesses of the governments to its advantage.

A major part of the Parliament was comprised of privileged class which favoured political *status quo* in order to do the legislation according to their vested interest.

Besides, the political representation of middle class in all assemblies was extremely limited due to which the problems of common man did not get proper attention. Governance means what governments deliver to the common man and in this decade the performance of the governments on grass roots level was disappointing.

The 58 (2) (b) had introduced the imbalance of power between president and prime ministers which caused ineffective working relationship. This amendment had weakened the parliamentary form of governments by provided all important massive powers to the presidents. The governments had exercised some powers and were not free to functioning without the assent of president. The Constitution neither became presidential nor parliamentary, but in away dictatorial. The annulment of 58 (2) (b) was a major cause of differences between civil-military bureaucracy and the governments. Due to this Article the governments in their tenures always functioned under the fear of overthrow.

During this phase of history civil-military bureaucracy became so politically powerful that politicians had to appease it in order to remain in power. Historically the civil-military bureaucracy got strength during Zia's regime because he used it as a replacement of political parties in order to run the affairs of the state.

In this era the politics of alliances had weakened democracy in Pakistan. The strong alliances such as the IJI and the Peoples Democratic Alliance (PDA) had a split and did not deliver what was promised to the nation. These alliances had ended on the issue of power sharing. The main political parties; the IJI and the PPP were reluctant to share federal portfolios with their allies. The politics of alliances in Pakistan had pressurized governments that if their demands were not fulfilled they would leave the treasury benches.

The democratic culture was of fundamental importance to halt the way of *coup d'état* as well as promoting political maturity, democracy, dialogue and terminating collisions. The democratic culture could nurture up if people were endowed with education and the political process was not hamper.

The frequent army adventures hadweakened the democratic structure owing to which full democratic notions did not develop. At present it is more difficult than before to make Pakistan a democratic country as traditions of military regimes had been more strengthened. It is only motivation of politicians and society that can transform a dream of democracy into a reality. In Pakistan the journey of democracy has once again started and this time all the stakeholders have to show that how much they have learned from their past experiences because most of them have remained part of politics in the decade of 90's.

Contribution:

As the review of literature in chapter 1 has indicated some useful work has been done on discussing events of this era, in particular by Cohen. This study takes it a step forward. It not only contains a comprehensive history of the era but importantly discusses and analyses the relationship between elected and non-elected institutions and the contribution and influence of civil-military bureaucracy on evolution of parliamentary democracy in the country. The theory of Cohen is partially supported as he does not highlight the role of politicians in giving establishment a political character. Though the basic findings of this study are similar to Cohen's, the study makes some additional revelations. The institution of army remained active in Pakistan due to non-professional attitude of politicians. The political deadlocks were ended through military intervention

which became possible on request of politicians. The political role of military was due to power struggle among political parties and in order to acquire power they needed its help. The role of army in politics was partly by choice and partly at the behest of politicians.

In this decade the civil bureaucracy was also the established political power of country and the whole responsibility of derailed democracy could not be put on army. The civil-military bureaucracy was itself a party which worked together for their interests. However, the shift of power in this party changed with the attitude of elected governments.

The undemocratic practices were encouraged by undue political interventions of establishment; which supported the theory that political instability was intentionally created by establishment. Basically each time the (bureaucratic) President was the key figure in initiating the idea of dismissal of government to the military bureaucracy. But it was also a fact that the Presidents would not be able to topple the governments without the support of COAS. The cooperation between civil- military bureaucracy and power struggle between executive and establishment were the main reasons for weakening the roots of democracy. In fact it was the concurrence of civil-military relations that distorted the process of democratization.

The pattern of fall of governments in this era was similar. Each time bureaucratic President had contacted the civil-military bureaucracy for end of democracy. The power coalition between these three institutions (president, civil-military–bureaucracy) is caused of limited democracy in the era under study in Pakistan.

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