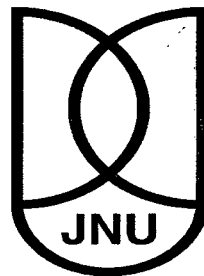


Civil-Military Relations in Pakistan, 1999-2011

*Dissertation submitted to Jawaharlal Nehru University
in partial fulfilment of the requirements
for the award of the degree of*

MASTER OF PHILOSOPHY

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DECLARATION

I declare that the dissertation entitled “Civil-Military Relations in Pakistan, 1999-2011” submitted by me for the award of the degree of Master of Philosophy, at Jawaharlal Nehru University, is my own work. The dissertation has not been submitted for any other degree of this University or any other University.

I shall be responsible for errors and mistakes.

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Dedicated to My Teacher

Dr. Ranjana Singh

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ABBREVIATIONS

ADB	Asian Development Bank
AIML	All-India Muslim League
ANP	Awami National Party
BD	Basic Democracy
CIA	Central Intelligence Agency
ECP	Election Commission of Pakistan
ESF	Economic Support Fund
EU	European Union
FATA	Federally Administered Tribal Areas
FAFEN	Free and Fair Election Network
FY	Financial Year
GWOT	Global War on Terror
ICCPR	International Covenant on Civil and Political Rights
ISI	Inter Service Intelligence
IMF	International Monetary Fund
IDA	International Disaster Assistance
INC	Indian National Congress
JI	Jamaat-e-Islami
JUI	Jamiat-ul-Ulema-i-Islam
JUP	Jamiat-ul-Ulema-i-Pakistan
MI	Military Intelligence
MMA	MuttahidaMajlis-e-Amal
MoD	Minister of Defence
MoF	Minister of Finance and Foreign Affairs
MQM	MuttahidaQaumi Movement
MRA	Migration and Refugee Assistance
MRD	Movement for the Restoration of Democracy
NAB	National Accountable Bureau
NADRA	National Database and Registration Authority
NAP	National Awami Party
NATO	North Atlantic Treaty Organization
NSC	National Security Council
PCF/PCCF	Pakistan Counter-insurgency Capability Fund
PDA	Pakistan Democratic Alliance
PML(N)	Pakistan Muslim League-Nawaz
PML(Q)	Pakistan Muslim League Quaid-e-Azam
PPP	Pakistan People's Party
PTI	Pakistan TehrikeInsaaf
TTP	Tehrik-i-Taliban Pakistan
U.S. A.	United States of America

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Chapter 1

Introduction

The occurrence of military interventions in the political sphere of a country has not been a feature of this century as the process dates back to the ancient Greece. Although the earlier analysts tended to look at the military institution as an 'alien and demonic' institutional group incapable of interacting with other social groups but able to act against them, it was only after the end of the Second World War that the political scientists started developing a different point of view towards it expanding the role of Military.¹

Studies on civil-military relations often rest on a normative assumption that civilian control of military is preferable to the military control of the state. The principal problem is empirical: to explain how civilian control over the military is established and maintained. The issues involved in civil-military relations, both in western democracies and developing countries, have changed over the time. In Western Europe and the United States, during the cold war period, a number of scholars raised issues about the autonomy of military and the nature of civilian control.

Why would the military of developing countries intervene in politics and what factors are necessary for their withdrawal? This question is not new to the scholarly literature. In fact this case has been selected because it represents the most recent instance of military interventions and withdrawals in the world. After World War II, decolonisation and national independence movements occasioned an increase in the role of the military in the Developing World. More specifically, the military was generally the strongest institution in a new state due to the former colonial powers' monetary and training assistance. More often than not, politicians would be fighting for power often with motives that contradicted those of the military. The conduct of national affairs, according to Koonings and Kruijt, 'is too important to leave to civilians, especially in situations of crisis: collapse of governability or legitimacy of

¹ Gerassimos, Karabelias (1998), *Civil Military Relations: A Comparative Analysis of the Role of Military in Political Transformation of Post War Turkey and Greece: 1980-1995*, pp. 27 [Online: web] Accessed 24th March 2012, URL: <http://www.nato.int/acad/fellow/96-98/karabeli.pdf>.

the existing regime, severe socio-economic problems and contradictions, internal conflicts or violent upheavals. It has observed a more generally ambiguous relation of the military with the notion of democracy'.² Therefore, military officers take it upon themselves to be the defender of the national interest: First, there is the notion that the military institution is exceptionally well placed not only to defend but also to define the essence of the nation by birthright and competence. Second, military knows that civilians, that is to say, civilian politicians, the institutional framework of civic governance, the actions of societal interest groups and the overall political culture, tend to be inadequate to address the needs of the nation.³ Put simply, the military (as the strongest institution present at the birth of the nation) knows what is best for the nation and competent to defend the nation because their organisational characteristics and resources allow them to do so.

Similarly in Pakistan also role of the military has undergone major changes during the sixty years of independence, gradually expanding its role to become an important factor in the decision-making process and by directly assuming power. Pakistan can be described as a 'praetorian state'⁴ where the military has acquired the capability, will and sufficient experience to dominate the core political institutions and processes. As the political forces are disparate and weak, the military's disposition has a strong impact on the course of political change, including the transfer of power from one set of the elite to another. Such an expanded role is at variance with the traditions and temperament of the military since the time of independence in 1947.⁵ To explain this situation different scholars have come up with different approaches. In the introduction of the research it will be wise to discuss about the approaches of civil-military relations which will help to comprehend the situation in Pakistan.

² Koonings, Kees & Dirk, Kruijt (2002), "Military Politics and the Mission of Nation Building", in Kees Kooning and Dirk Kruijt (eds.) *Political Armies: The Military and Nation Building in the Age of Democracy*, London: Zed Books, pp.21

³ Ibid, pp.25

⁴ Iqbal, Zafar (2011), "Elitist Political Culture and the Perils of Democracy", in Ravi Kalia (eds.) *Pakistan From the Rhetoric of Democracy to the Rise of Militancy*, New Delhi: Routledge, pp. 152

⁵ Rizvi, Hasan Askari (2004), "Pakistan: Civil-military Relations in a Praetorian State", in Ronald James May and Viberto Selochan (eds.) *The Military and Democracy in Asia and Asia Pacific*, London: Bathurst, NSW : Crawford House Publisher, pp.89-90

Approaches to the Civil-Military Relations

The military in both, developed and developing countries is considered as one of the powerful institutions, vis-a-vis their internal polity and also when it comes to defining, formulating and executing external or security policies. Though, in developed states the role and functionality of the military is clearly identified, delineated and settled in relation to other institutions, it is considered to be more assertive and tends to pose a certain degree of challenges to civilian authorities.⁶ In the case of developing countries this role is complex, pervasive, diffused and hence problematic vis-a-vis other state institutions, and as such has a greater bearing not only on the domain of security policy formulation but also has a decisive role in the internal body politic.

Therefore it is imperative to evaluate the role of militaries in developing and developed countries from a different framework rather on the basis of a single criterion. The present study attempts to explain why civil-military relations theories and frameworks developed from a western perspective fail to explain the same for developing countries like Pakistan. Therefore, it is important to discuss the work of four leading theorists on civil-military relations, namely Samuel P. Huntington, Morris Janowitz, Rebecca Schiff and S. E. Finer and analyse the relevance of this work in the context of Pakistan.

Samuel P. Huntington

Before dealing with the theoretical aspects of civil-military relations it is essential to understand the nature of military. The constituent elements or inherent values of the military mind eventually manifest themselves in the soldier's outward behaviour towards other organisations and society at large. According to Samuel P. Huntington, two sets of values are assumed to be characteristically military: bellicosity and authoritarianism.⁷ By virtue of these, the soldier is also thought to be opposed to democracy and to desire the organisation of society on the basis of the chain of command.⁸ Huntington argues that the military exalts obedience as the highest virtue

⁶ Pfaff, William (2001), "Pentagon Alone Calls the Shots," *Dawn*, Karachi, [Online: web] Accessed 25 February 2012, URL: <http://www.dawn.com/2001/08/17/op.htm#3>

⁷ Huntington, Samuel P. (1957), *The Soldier and the State: The Theory and Politics of Civil-Military Relation*, Cambridge: Harvard University Press. pp.60

⁸ *Ibid*, pp. 63

of military men. The military ethic is thus pessimistic, collectivist, historically inclined, power-oriented, nationalistic, militaristic, pacifist and instrumentalist in its view of the military profession. It is, in brief, realistic and conservative.⁹ Huntington adds, 'The military function is performed by a public, bureaucratized profession expert in the management of violence and is responsible for the military security of the state'.¹⁰

The sense of this responsibility leads the military: (1) to view the state as the basic unit of political organisation, (2) to stress the continuing nature of the threats to the military security of the state and the continuing likelihood of war, (3) to emphasize the magnitude and immediacy of the security threats.¹¹

Furthermore, in Huntington's view, on the level of policy formulation it is imperative that the military man rarely favours war. The military man will always argue that the danger of war requires increased armaments. He always favours preparedness, but he never feels prepared. Accordingly, the professional military man contributes a cautious, conservative, restraining voice to the formulation of state policy.

While comparing civilian and military approaches to any issue one can find that the criteria of military efficiency are limited, concrete, and relatively objective; the criteria of political wisdom are indefinite, ambiguous, and highly subjective. Nonetheless, in the view of Huntington and most of the other analysts of civil-military relations, the superior political wisdom of the statesman must be accepted as a fact. In fact, according to Huntington, if the statesman decides upon war which the soldier knows can only lead to national catastrophe, and then the soldier, after presenting his opinion, must fall to and make the best of a bad situation.

Having analysed the military value system, Huntington raises two broad models for civilian control or supremacy over the military. First, the 'subjective civilian control' model is attained by simple and direct maximisation of civilian power vis-a-vis the military. This maximising of civilian control can be done through governmental

⁹ Ibid, pp.75

¹⁰ Ibid, pp.68

¹¹ Ibid, pp.69

institutions, social classes or constitutional avenues. Nonetheless, as Huntington argues, with the rise of military professionalism, this particular form of civilian control has become obsolete.¹²

The second form of civilian control desired and preferred by Huntington is 'objective civilian control', which can be achieved by maximising military professionalism. Thus, to him, it is that distribution of political power between military and civilian groups which is most conducive to the emergence of professional attitudes and behaviour among the members of the officer corps. Huntington concludes that objective civilian control is thus directly opposed to subjective civilian control and achieves its end by militarising the military, making them the tool of the state.

In Huntington's view, 'objective civilian control achieves [a] reduction [of military power] by professionalising the military and by rendering them politically sterile and neutral. This produces the lowest possible level of military political power with respect to all civilian groups'.¹³ It is imperative that a highly professional officer corps stand ready to carry out the wishes of any civilian group which secures legitimate authority within the state. He explains, if civilian control is defined in the objective sense, no conflict exists between it and the goal of military security.

Of interest here is the relevance of Huntington's proposed model of objective civilian control of the military for countries like Pakistan. First, its relevance is cast into doubt by the fact that Huntington formulated this model essentially based on the study of the history and culture of Western societies. Second, military professionalism in the case of Pakistan will not make the military 'politically sterile and neutral', as the very aim of a professional army is to develop the latest state-of-the-art weapons acquisition programs, which translates into both the greater influence of and, at times, conflict with resource allocation and security policies. In this regard, S.E. Finer maintains that the very nature of 'professionalism' (using Huntington's definition, with its three ingredients of expertness, social responsibility and corporate loyalty) in fact often leads to military collision with civilian authorities (and hence, the military becomes politicised). Therefore, to inhibit the military's desire to intervene in politics requires

¹² Ibid, pp.80

¹³ Ibid, pp.84

the firm acceptance of civil supremacy, not just professionalism.¹⁴ Similarly, it is also argued that military obedience cannot be made totally independent of society's political system: it is always tied to some group and political ideology.¹⁵

Morris Janowitz

Morris Janowitz, with his extensive analysis of the sociology of the military officer, ultimately falls back on the professionalism-equals-civilian control theory advanced by Huntington.¹⁶ However, Janowitz understood civilian control in terms of societal, rather than state or institutional control. State institutions play a secondary role as an extension of society, but societal control, measured in part as integration with society, was Janowitz's normative and empirical focus.¹⁷ Janowitz also dealt exclusively with militaries in developing countries and had identified five types of civil-military relations while analyzing the military in the political development of new nations: (1) authoritarian-personal control, (2) authoritarian-mass party, (3) democratic competitive and semi-competitive systems, (4) civil-military coalition, and (5) military oligarchy. The first three differ markedly in the form of internal political control; they have the common feature that the military's involvement in domestic politics is at the minimal level.¹⁸

In a civil-military coalition the military serves as an active political bloc in its support of civilian parties and other bureaucratic power groups. The civilian group is in power because of the assistance of the military. The military may act as an informal, or even explicit, umpire between competing political parties and political groups as it does in, for example, Turkey. The military may, at this level, be forced to establish a caretaker government, with a view to returning power to civilian political groups. These alliances and caretaker governments are unstable. They frequently lead to a third and wider level of involvement, where the military sets itself up as the political ruling group as in, for example, Thailand, Egypt and Sudan. The result is a military

¹⁴ Finer, S. E. (1976), *The Man on Horseback: The Role of the Military in Politics* Boulder, London: Penguin, p.22

¹⁵ Kukreja, Veena (1985), *Military Intervention in Politics: A Case Study of Pakistan*, New Delhi: NBO Publisher's and Distributors, pp.33

¹⁶ Feaver, D. Peter (1966), "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces and Society*, 23(2), pp.166

¹⁷ Ibid, pp.166

¹⁸ Janowitz, Morris (1964), *Military Institutions and Coercion in the Developing Nations*, Chicago: The University of Chicago Press, pp. 81.

oligarchy, because for a limited time, at least, the political initiative passes to the military. After ‘take-over,’ the military regime can begin to recognise the task of supplying national political leaders. At this level, the military recognises the needs for a mass political base. It seeks to develop a broader political apparatus, either with its own personnel, under their direct supervision, or through a system of alliances with civilians. Janowitz notes Pakistan as among those countries (in addition to Egypt and South Korea) that follow this trend. Thus, according to Janowitz’s typology, Pakistan’s situation oscillates between a civil-military coalition and a military oligarchy.¹⁹

Yet, it is important to see the role of the military according to another typology, whereby the distinction has been made between ‘designed militarism’ and ‘reactive militarism’, Janowitz explains, by ‘designed militarism’ it mean the positive and premeditated intent to intervene in domestic politics and to follow expansionist foreign policies. Reactive militarism, on the other hand, entails the expansion of military power that results from the weakness of civilian institutions and the pressures of civilians to expand the military role.²⁰ Here it would be interesting to apply this classification of military intervention to Pakistan’s situation. Tracing the history of interventions—those of General Mohammad Ayub Khan and General Zia-ul-Haq, and the one under consideration here of General Pervez Musharraf—there emerges two sets of opinions. In one, the military in Pakistan intervenes with premeditated intent; for the other, the intervention of the military is reactive and spontaneous, arising out of the incompetence of civilians. In the case of Ayub, the intervention could be considered that of designed militarism, while with Zia it is a reactive one. It is premature to decide whether the present intervention is of the reactive or designed type, as the process of reaching such conclusions depends heavily on the disclosure of facts and information that have yet to surface.²¹

¹⁹ Ibid, pp. 167

²⁰ Janowitz, Morris (1988), *Military Institutions and Coercion in the Developing Nations*, Chicago: University of Chicago Press, pp. 92.

²¹ Siddiqi, A. R. (2000), “Army in Sindh: An Overview”, in Verinder Grover (eds.) *Pakistan: Government and Politics*, New Delhi: Deep and Deep Publication Pvt. Ltd. pp 165.

Rebecca L. Schiff and Theory of Concordance

One such researcher who has worked to build upon the civil-military relations literature in the Third World is Rebecca Schiff with her theory of concordance. Put simply, concordance theory argues that ‘three partners—the military, the political elites and the citizenry—should aim for a cooperative relationship that might involve separations but does not require it’.²² These three partners must agree on the following four indicators: the social composition of the officer corps, the political decision-making process, recruitment method and military style. The officer corps, by virtue of their education and professionalism, oversees the day-to-day functioning of the armed forces. These are the career soldiers who dedicate their lives to soldiering and to the development of the military and who help to define the relationship of the military to the rest of society.²³

Consequently, the composition of the officer corps is a primary indicator of concordance. Next, the political decision making process refers to the institutions that determine important military interests (such as budget, materiel, military size and structure) and the relationship between civilian politicians, the military industrial complex and whether the citizenry will support this relationship. Third, recruitment method refers to the system of enlistment of citizens into the armed forces. Schiff argues that a coercive or persuasive recruitment method influences the possibility of concordance. Coercive methods refer to forcible conscription of citizens and supplies for military purposes and such demands are often harsh because citizens are forced to cooperate against their will [preventing] concordance between the military and the citizenry.

Alternatively, persuasive methods refer to the voluntary or involuntary enlistment based on a population’s belief that military service is worthwhile for the sake of security, patriotism or any other national cause imply an agreement among the political leadership, the military and the citizenry over the requirements and composition of the armed forces.²⁴

²² Schiff, L. Rebecca (2009), *The Military and Domestic Politics: A Concordance Theory of Civil-Military Relations*, New Delhi: Routledge, pp.32

²³ Ibid, pp.45

²⁴ Ibid, pp.46

The final indicator, military style, refers to the external manifestations and inner mental constructions associated with the military: what it looks like, what ethos drives it and what people think about it.²⁵ In a sense, Schiff is describing military professionalism and whether or not civilian politicians and citizens respect it. If they do, than concordance occurs.

Therefore, concordance theory postulates that domestic military intervention is less likely to occur when there is agreement among the military and civilian elites on the four indicators. For Schiff, concordance is a theory highlighting dialogue, accommodation, and shared values among the military, the political elites, and society, thereby determining the military's role in the domestic sphere i.e., the government and society.²⁶

Cooperation and agreement result in a range of civil-military patterns, including separation, the removal of civil-military boundaries and other variations.²⁷ This ambiguity in defining her theory opened Schiff up to critiques from Western civil-military relations scholars who have long emphasized the importance of objective civilian control as first discussed by Huntington. In her attempt to move beyond the western model of civil-military relations, to account for the Post-Cold War world, Schiff essentially incorporated elements from the institutional and sociological schools of civil-military relations. Schiff argued that concordance theory was a reconsideration of Huntington's theory of civil military relations.²⁸

Richard Wells (1996) in 'A Theory of Concordance in Civil-Military Relations: A Commentary' argued that Schiff's article does not represent anything 'new' in the way of theory.²⁹ His contention with concordance theory can be boiled down to two points: (1) the characterisation of civil-military boundaries and how separate they are; and (2) the predictive and applied value of concordance theory. In response, Schiff argues that there is no single concrete standard of civilian control nor should there be;

²⁵ Ibid, pp.47

²⁶ Ibid, pp.43

²⁷ Schiff, L. Rebecca (1997), "The Indian Military and Nation-Building: Institutional and Cultural Concordance," in John P. Lovell and David Albright (eds.), *To Sheathe the Sword: Civil-Military Relations in the Quest for Democracy*, Westport: Greenwood Press, pp.97

²⁸ (1995), "Civil-Military Relations Reconsidered: A Theory of Concordance", *Armed Forces & Society* 22 (2), pp.7-24

²⁹ Wells, Rechar (1969), *The Theory of Concordance in Civil-Military Relations: A Commentary*, *Armed Forces & Society* 23(2), pp, 269

nor is it always politically neutral; and social groups across the spectrum of ethnic and religious lines, for example, may recognise and relate to the military in vastly different ways.³⁰ On the second point regarding the predictive and applied value of concordance theory, Wells asks: if agreement of three partners on four indicators is an index of intervention, is agreement a condition of a subsequent state of intervention or non-intervention or is intervention the condition of agreement? It would seem that the theory would have certain problems of application. How is one to distinguish between the absence of intervention and the presence of agreement? The argument seems to presume that agreement concordance is somehow unrelated to forms of coercion or persuasion.³¹

Accordingly, Schiff argues for the need for cultural understanding: to assume that cordial relationship among civil and military spheres, as it appears in post-World War II United States, should apply to all nations, even non-Western ones that may possess no real history of the civil or a variant society is to offer imported assumptions about the indigenous and historical character of a nation.³² Wells second point is valid. Schiff's 'The Military and Domestic Politics: A Concordance Theory of Civil-Military Relations' provides a disparate number of empirical cases on which to test her theory—from post-revolutionary United States from 1790-1800, India and Pakistan, Argentina's Peron Period from 1946 to 1955 and Israel. Her case studies are organised around the four indicators referenced above; however, military interventions occurred during different time periods, with differing cultures, and political and military institutions involved, thereby making the comparison across the cases more difficult. Therefore, to improve the understanding of the relationship between the military, politicians and society, the use of bureau-politics can measure the level of 'agreement' or concordance between these actors' various interests. Moreover, through a study of this region (South Asia) with states sharing similar characteristics- politically, economically and socially— comparisons can be made that should lend to the strengthening of the theory for the broader civil-military relations literature.

³⁰ Schiff, L. Rebecca (2009), *The Military and Domestic Politics: A Concordance Theory of Civil-Military Relations*, New Delhi: Routledge, pp.38

³¹ Wells, Rechar (1969), *The Theory of Concordance in Civil-Military Relations: A Commentary*, *Armed Forces & Society* 23(2), pp.272

³² Schiff, L. Rebecca (2009). *The Military and Domestic Politics: A Concordance Theory of Civil-Military Relation*. New Delhi: Routledge, pp. 48

S. E. Finer

S. E. Finer seemingly offers a more comprehensive set of generalizations on why the military intervenes in politics. According to Finer, the dynamics of military intervention depend on the factors of disposition and opportunity. The disposition to intervene comes from a combination of motives and mood. The motives can be further broken down into one or a combination of the following: (1) manifest destiny of the soldiers; (2) national interest; (3) sectional interest—class, regional, or corporate self-interest, or individual self-interest; and (4) a mixture of the above motives. The mood to intervene is a complex factor that can be induced by two elements: a ‘sense of overwhelming power’ or ‘high self-esteem’ (at personal and corporate levels); and some kind of grievance. The “opportunity” for the military to intervene in politics depends on two broad factors: (1) an increased civilian dependence on the military or the effect of domestic circumstances (whether owing to an overt or latent crisis, or to a power vacuum in society); and (2) the popularity of the military.³³

In applying Finer’s model to the context of the October 1999 intervention in Pakistan, one can observe that the ‘disposition’ variable was responsible more so than that of ‘opportunity’, even though there was an increased dependence of civilians on the military and the military’s take-over was celebrated in society. The ‘motives’ for the intervention were explained in General Musharraf’s takeover speech. Similarly, the ‘mood’ was conducive to intervention because the military felt aggrieved as a result of endangered personal self-esteem and esprit de corps.

Critique on Civilian Supremacy

When a domestic source for the acquisition of weapons and a program for modernisation of the armed forces are limited, seeking an alliance relationship and influence over foreign policy is quite important for the military and its professionalism. Thus, it can observe that in the case of Pakistan, the professionalism of the military goes hand in hand with praetorianism. In fact, ironically, praetorianism also carries a means for the professional advancement of the military and vice versa,

³³ Finer, S. E. (1976), *The Man on Horseback: The Role of the Military in Politics*, London: Baltimore, Penguin, pp.56

in Pakistan's case. The regimes of General Mohammad Ayub Khan and General Zia-ul-Haq offer examples of this point. Hence, a scenario exists whereby only a praetorian army, when capable enough to overwhelm civilians in order to fulfil its corporate interests (force modernization, training abroad, procurement of advanced weapons and weapon systems), can seek professionalism (especially under current conditions where technology professionalism is increasingly identified with force modernization and the acquisition of state-of-the-art weapons systems).

As many scholars postulate, Modern professional armed forces perceive themselves as the sole guarantors of the physical, political and moral integrity of their client: the state. In order to live up to this role they need arms, equipment, sophisticated training and support which—in most cases—can only be procured from a relatively small number of developed states, most of whom are leading members of such defence alliances.³⁴

This is quite contrary to the argument of Samuel P. Huntington and Morris Janowitz, whereby professionalism keeps the military away from the political arena. For Huntington, a professionalized army concentrates all of its efforts on perfecting its fighting ability and 'stands ready' to carry out the wishes of any civilian power, so that, as cited earlier, professionalism effectively renders the military into 'politically sterile and neutral' servants of the state.³⁵ This relationship may hold true for armed forces in developed countries. In the case of developing countries, however, the very need to perfect its fighting capability makes the army politically motivated, especially under the circumstances of an impending threat from a neighbouring or regional hegemony, the military's interpretation of supreme national interests and resource constraints.

Given the paramount role of national security and increasing military defence budgets, it is only logical and rational for those who specialize in the stuff of war the military to play an important part in the foreign policy of modern states. The military's professionalism and expertise to handle ever more complicated weapons

³⁴ Rizvi, Hasan Askari (2000), *Military, State and Society in Pakistan*, New Delhi: Palgrave Macmillan, pp.28

³⁵ Constantine P. Danopoulos, (1985), "Alliance Participation and Foreign Policy Influence: The Military's Role", *Armed Forces & Society*, Winter (11), pp.271-72

and modes of warfare have strengthened their position and sharpened their ability to participate in formulation of national security, foreign policy included. Thus, the militaries are capable and willing to influence security and foreign policies either through normative, institutional and or group processes or a combination thereof. If everything else fails, the military, if necessary, can influence the process by means of a coup or a threatened one. Therefore certain other parameters have to be looked into while defining a viable civil-military relations model. Historical, cultural and institutional settings need to be studied to determine the role of the military in a particular society.³⁶

Historical Approaches: Colonial and Cultural

One such useful and effective approach in explaining and analysing phenomena and happenings in developing countries lies in twin variables—colonial setting and cultural outlook. To some scholars, the root cause of problems of governance in developing countries comes from the fact that the very nature and objectives of institutions founded during the colonial era (with colonial objectives and means)—like military and civil bureaucracies—were nurtured and garnered, while the civil-political institutions were denied the chance to grow and mature. Such a scenario leads to an asymmetry in the development of institutions: the inherited civil-military institutions stand mature and developed on the one hand, while political institutions remain underdeveloped on the other.

Meanwhile, to another school of thought the cultural settings and behavioural outlook of the society are the factors that matter most. “Cultural factors include the values, attitudes, and symbols informing not only the nation’s view of its military’s role, but also the military’s own view of that role”.³⁷

In the eyes of some western scholars, some cultures exist where the very idea of democratisation of society and polity is altogether an alien thing and as such cannot be implanted there. However, an examination of the historical aspect of civil-military

³⁶ Khakwani, Abdul Shakoor (2003), *Civil-Military Relations in Pakistan: The Case of the Recent Military Intervention (October 12, 1999) and Its Implications for Pakistan’s Security Milieu*, Champaign: University of Illinois, pp. 84

³⁷Schiff, L. Rebecca (1995), “Civil-Military Relations Reconsidered: A Theory of Concordance,” *Armed Forces and Society* 22(1), pp.11

relations is needed, and requires objective scholarship of Islamic societies and not simply accepting all views offered by historians (many of whom could be called 'Orientalist'). As Edward Said has argued, western authors defined and interpreted history with a superiority bias (of racism and of imperialism) and particular political interests.³⁸

It is important here to question the cultural context to which these 'Orientalists' referred and in the case of civil-military relations in particular, what constitutes the historical-cultural framework? Do such scholars refer to the culture of a praetorian society under study, accepting certain types of influence from contemporary politics, or to the phase of degeneration and subsequent subordination to colonial power or even to the pre-colonial era?

To these scholars, the real cultural manifestations pertinent to civil-military relations go back to the pre-colonial era of history. But it is quite difficult to have a genuine recourse to literature or data from the pre-colonial era of developing countries. This sets in relief the fundamental problem of being able to know and identify the exact nature of the historical-cultural context that led to a particular type of relations in a specific era of a particular society.

Moreover, one encounters the problem of how these cultural settings are to be interpreted in terms of today's concepts and classifications of phenomena. One such typical problem in the contemporary world is to regard contemporary technology and terminology as superior to that of the past, with utter disregard to time and space. This raises the issue of comparability in research. For instance, can a democracy and a monarchy truly be considered comparable institutions? Similarly, what was the nature of civil-military relations that existed in a pre-colonial society such as, for example, that under the Mughals, were the Mughal Kings part of a civilian authority or a military one? These questions imply that the study of civil-military relations of a particular society through a historical-cultural approach is a more useful and effective approach than any other. Such a study suggests that civil-military institutions were diffused throughout most Islamic societies and empires.

³⁸ Said, Edward W. (1978), *Orientalism*. New Delhi : Penguin Books, pp.245

As Stephen P. Rosen explains, while European civilizations showed a high degree of military separation from society, ancient Indian and Islamic (pre-colonial civilisations) showed a lower degree of military separation from civilian affairs. Thus, the theory of civilian supremacy rests essentially on the assumption that the military remains separate from civil society, which appears invalid in the case of Pakistan. This assumed separation and superiority of civil society fosters confrontation with the military, instead of coordination and harmony in the Pakistani context. "What the British Empire did that is beyond debate was very quickly to professionalize the Indian armies and separate them from Indian society,"³⁹ Rosen asserts. The salient question here is how long does this artificial separation last?

A second point that deserves mention in the historical-cultural context is the fact that the military is regarded very highly in Pakistani society. This status results from the fact that the study of Islamic history generally focuses emphatically (and, some might argue, scantily) on the rise and fall of heroic warriors and conquerors without explaining at length the nature of the relationship between society and the military, nor more specific aspects of the military: indoctrination; professionalism; training; strategy and the art of war; weaponry; administrative and managerial capabilities; and so on. It is in line with this over-projection of this historical aspect (the indoctrination of society) that in Muslim countries (especially in the case of Pakistan) the society attaches greater values and expectations to the army and army chief (as saviour of the nation).⁴⁰ It is probably this historical-cultural structure that explains why similar military organisations with common colonial legacies in India and Pakistan have extremely different roles vis-a-vis the internal polity.

Institutional and the Conceptual Inadequacy of the term 'Civil-Military'

Turning our attention to the specific circumstances of Pakistan, the term civil-military relations is a misnomer when it comes to depicting the nature and context of institutions and the polity in Pakistan. Whereas in European societies and in the United States the term 'civil' refers not only to political but also the civil state

³⁹ Rosen, Stephen Peter (1996), *Societies and Military Power : India and its Armies*, New Delhi: Oxford University Press, pp.143

⁴⁰ Kukreja, Veena (1991), *Civil-military relations in South Asia: Pakistan, Bangladesh, and India*, New Delhi: Sage Publications, pp. 85

apparatus or bureaucracy; in the case of Pakistan the civil bureaucracy identifies itself as distinct not only from the political institutions but also from the other civil institutions and as such always sides with the military bureaucracy when the situation demands. The civil bureaucracy is always the leading beneficiary of military intervention, as it feels elated and elevated and gains institutional strength during the course of the military regime.⁴¹

Therefore, in order to study democratisation in Pakistan one should always cautiously delineate the role of civil bureaucracy during the course of political or military rule. It is interesting to note that while the political party reigns, the civil bureaucracy directly feels the denial of power, authority, and prestige and hence feels the frustration. Tracing the evidence in the history of democratisation in Pakistan, one can observe that even before the first military coup in October 1958 took place, the civil bureaucracy had taken over. This came with the first dismissal of the government under Prime Minister Khwaja Nazimuddin in 1953 by the former civil bureaucrat (Indian Civil Service officer) and Pakistan's third governor-general, Ghulam Mohammad.⁴²

Hence the original conflict manifested itself as civil bureaucracy versus politician, a trend that would continue. Subsequently, throughout the political history of Pakistan one can bear witness that the most powerful personalities come from either the civil or military bureaucracy (with the only exception of Zulfikar Ali Bhutto). Though the military invariably on all occasions appears to be interested in across-the-board accountability, inclusive of civil services as well, its actions eventually amount to "window dressing" and "symbolic satisfaction" for the Pakistani public. This essentially means that there is no breach in the alliance relationship between civil and military bureaucracies, a subject discussed by Edward Feit.

⁴¹ Cohen, Stephen P. (1984), *The Pakistan Army*, New Delhi : Himalayan Books, pp.76

⁴² Aziz, Mazhar (2008), *Military Control in Pakistan: The Parallel State*, New York: Routledge, pp. 58-9

In Feit's view, As a result of this relationship, politicians are usually carefully investigated, disgraced, and often punished, but the bureaucracy, on the other hand, seldom suffers a similar fate even if it is corrupt.⁴³

Similarly it can be discerned from actual events that whenever the military intervention takes place, the political government had long before alienated and frustrated the civil bureaucracy. Bhutto's case is clear enough to support this notion. And again, in the wake of the recent intervention one can find that Nawaz Sharif's government had alienated the bureaucracy at large through his moves of accountability and frequent administrative reshuffling in Punjab and the central government. Hence, it is not only the military organization which feels incompatibility in working with political regimes, but also the perpetual force working against the political regime—that of civil bureaucracy.

In other words, “[T]he failure of the politicians to produce policies thus acts as a spur to intervention on the part of the bureaucrats, in view of the danger this failure poses to the bureaucracy. Military intervention is, therefore, generally approved of by the bureaucrats who see in it an escape from an impossible impasse. Once the armed bureaucrats, a portion of bureaucracy themselves, have taken office, they will presumably make policies for all”.⁴⁴

Therefore, it is imperative that in studying democratization in developing countries like Pakistan where civil bureaucracies have a distinct status alongside other civil institutions, an approach be modelled not along a dichotomous plain, as prevails in the western sense, but rather along three plains. Owing to conceptual inadequacies in terms of historical, cultural, and institutional differences and outlook when compared with western societies, one may conclude that the prevalent model of ‘civilian supremacy’ is not valid for weak and failed countries in general and for Pakistan specifically.

⁴³ Feit, Edward (1973), *The Armed Bureaucrats: Military-Administrative Regimes and Political Development*, Boston: Houghton Mifflin Company, pp. 68-71.

⁴⁴ Ibid, pp.152

A Framework for Military Intervention in Politics

Military interventions are more commonly known as coup d'états. Generally, this term is used to refer to the military assuming control of a state's political institutions (i.e. the foreign ministry, bureaucracy), and means of communication. It is not a new phenomenon, for it has been in existence for more than three hundred years since the rise of the modern state.⁴⁵ As noted military historian Edward Luttwak argues, "A coup consists of the infiltration of a small but critical segment of the state apparatus, which is then used to displace the government from its control of the remainder of the state".⁴⁶ Furthermore, the coup d'état succeeds if its opponents fail to thwart the coup, allowing the military to consolidate their positions, obtain the surrender of the overthrown government or acquiescence of the populace and the surviving armed forces.

Once militaries have attained power, they tend to stay in power very long. In literature this has been known as military withdrawal, military disengagement from politics, or 'returning to the barracks'. A military's 'return to the barracks' is defined as the level and nature of military involvement in politics having moved from military control to military participation, or from military participation to military influence in politics.⁴⁷ Since the end of colonialism, there has been a proliferation of states in Europe, Asia, Latin America, and the Middle East that have been subject to military interventions & withdrawals.

Moreover, since the late 1960s, academia was more focused on the examination of the causes and consequences of the military in political development as states in Europe, Asia & Latin America transitioned from authoritarianism to democracy. Many states in these regions were successful in their democratic transitions, but in Pakistan, authoritarianism has prevailed over democracy. To better understand the democratisation process, and more specifically, why states in the South Asia have not experienced the same progress as other regions in terms of democratisation, it is

⁴⁵ Luttwak, Edward N. (1980), *Strategy and Politics: Collected Essays*, New Brunswick: New Jersey Press, pp. 219

⁴⁶ Ibid, pp. 257

⁴⁷ Welch, Claude Emerson (1987), *No farewell to arms? Military disengagement from Politics in Africa and Latin America*, USA: Westview Press, pp. 123

important to note the various factors that influenced military interventions and withdrawals in this region.⁴⁸

To take the case of Pakistan, The military in this country has used nationalism to justify their interventions in the politics while ensuring that withdrawal would only occur if national identity were protected. In this respect this work attempts to fill the gap in the literature by examining the coercive apparatuses of the Pakistani state and the military.

A brief definition of national identity, nationalism and what is meant by use of nationalism is in order before examining their uses in Pakistan. A military's use of nationalism in the Developing World results from the military needing to build national identity. Leaders in the Developing World consistently speak of the need to build unity. Generally this is done in states where a variety of different ethnic groups and the end of colonialism forced these leaders to build a state. Many scholars in political science, anthropology, and history have sought to identify how communities of individuals have organized themselves. In political science, this takes the form of a debate between scholars known as 'Primordialists'⁴⁹ and 'Modernists'.⁵⁰ Primordialists argue "that national identity is connected to ethnic identity and is essential to our nature" while modernists argue "that because of a range of historical factors such as the need for a centralized workforce and the expansion of literacy, nationalism in the sense of a group identification that is directed toward the establishment or predominance of a nation-state is essentially a modern phenomenon".⁵¹

Regardless of which camp one falls in, the concepts of "nation" and "nation-state" have been important identifying concepts for individuals in the 20th and 21st Century. The nation is defined as a community of people who share a common heritage and destiny for the future. Therefore, according to Rupert Emerson, 'The nation is today the largest community which, when the chips are down, effectively commands

⁴⁸ Hagerty, Devin T. (2006), *South Asia in World Politics*, New Delhi: Oxford University Press, pp.61

⁴⁹ Gellner, Ernest & Breuilly, Jhon (2009), *Nations and Nationalism*. New Delhi: Blackwell Publishing Ltd., pp. 125

⁵⁰ Anderson Benedict (1991), *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London, Verso Publications, pp.140

⁵¹ Searle-White, (2001), *The psychology of nationalism*. New York: Palgrave, pp. 59

loyalty, overriding the claims both of the lesser communities within it and those which cut across it or potentially enfold it within a greater society. In this sense the nation can be called 'a terminal community' with the implication that it is for present purposes the effective end of the road for man as a social animal'.⁵² Throughout the 20th and 21st Century, individuals have identified with a variety of identity communities; namely, racial, ethnic or the national. When the nation is given primary loyalty, these individuals are called nationalists.

However, not every individual in a state identifies primarily with a nation. After the secession of Pakistan from India, the military was the strongest institution in the state. Militaries were forced to use nationalism in the attempt to build a Pakistani nation. To use nationalism is defined as the military using its position in the state to develop and implement an ideology to ensure the survival of the state. The purpose of the study is to analyze the efforts of Pakistani military using nationalism for their own self-interested purposes. Nationalism, for the Pakistani military, is an ideology that is being used to paper over the ethnic and linguistic differences of regional groups within the state. In a sense, this constructed nationalism by the military is an intervening variable to the independent variables outlined below. Put differently, the use of nationalism by the military is not used to strengthen the Pakistani nation-state; instead, it strengthens the Pakistani praetorian state.⁵³

Experience of Civil-Military Relations in Pakistan

Pakistan is one of the few developing countries that had been subjected to periodic military intervention although being constitutionally a democratic state. The civil-military relations of Pakistan are very complex. The military, one of the powerful institutions, has invoked so frequently that it has almost become a regular part of Pakistan's political process. Civil-military relations in Pakistan have not only been turbulent throughout its history, it has also been an uneasy relationship in the process of historical growth with frequent military interventions.

⁵² Cottam, Martha L. and Richard W. Cottam (2001), *Nationalism and Politics: The Political Behavior of Nation States*, Boulder: Lynne-Rienner Publishers, pp. 2

⁵³ Jaffrelot Christophe, (2002), *Pakistan: Nationalism Without a Nation?* New Delhi: Manohar Publishers and Distributers, pp. 42

The reasons mentioned above for why militaries intervene in politics—the national interest, corporate self-interest, social (especially ethnic or class) self-interest and individual self-interest—are evident in each of the coups undertaken by the Pakistani military. The army's relationship, notes Cohen, can be defined as a five-step dance: "First the army warns what it regards as incompetent or foolish civilians. Second, a crisis leads to army intervention, which is followed by the third step to 'straighten out' Pakistan, often by introducing major constitutional changes. Fourth, the army, faced with growing civilian discontent, 'allows' civilians back into office, and fifth, the army reasserts itself behind a façade of civilian government".⁵⁴

In 1958, Ayub Khan became the first military dictator of Pakistan. Ayub sought to build a 'fortress' to protect Pakistan from its sworn external threat, India, as well as from domestic threats. He believed that the Pakistani military was best equipped to protect the national interest. In addition, Ayub used the 1962 constitution to ensure that Pakistan's political institutions and processes and a small segment of the political elite would follow the army's wishes.⁵⁵

Essentially, the political and constitutional arrangement just described was a patron-client relationship that drew its power from the proximity to Ayub.⁵⁶ The military junta of Ayub lasted for four years until Ayub became ill and was forced to hand control over to Yahya Khan. Yahya's rule has been characterized by Cohen as "the most atypical military intervention" because he had no plans to reform or straightens out Pakistan's political order.⁵⁷ What Yahya did was kept the bureaucrats at arm's length from the decision-making process, alternatively preferring to place an air force general as staff officer to the president (a de-facto prime minister) with army officers below him to deal with martial law and civil affairs.⁵⁸ As result, bureaucratic in-fighting occurred. While all of this was going on, the Bengalis were increasingly calling for their own state. Yahya called elections for 1970, the outcome of which

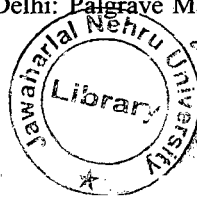
⁵⁴ Cohen, Stephen P. (2004), *The Idea of Pakistan*. Washington, D.C.: Brookings Institution Press, pp. 124.

⁵⁵ Talbot Ian (2005), *Pakistan: A Modern History*, University Press, Ltd, pp. 222

⁵⁶ Cohen, Stephen Philip. (2004). *The Idea of Pakistan*. Washington, D.C. Brookings Institution Press, pp. 124.

⁵⁷ *Ibid*, pp. 125

⁵⁸ Talbot Ian. (2005). *Pakistan: A modern history*. New Delhi: Palgrave Macmillan Publications, pp. 191.



decided the future of Pakistan by splitting East and West Pakistan and creating Bangladesh.⁵⁹ The importance of the separation of Pakistan cannot be understated. Having, first, suffered a defeat to India, and now to lose the largest percentage of the population, discredited the Pakistani military, Yahya was disgraced and had to step down. The intervening seven years of rule by Zulfikar Ali Bhutto would be marked by similar circumstances as his civilian predecessors—how to assert authority of elected state institutions over the military and bureaucracy, establish a functioning federal system and resolve the role of Islam. The rule of Bhutto ultimately led to a coup by Zia in July of 1977 because of the perceived corruptness of Bhutto and other civilian politicians.⁶⁰

Zia's intervention was done in the name of national interest and national security. According to Cohen, Zia "wanted to set Pakistan 'straight,' or, as Zia used to say, correct the politicians' quabila, or direction of prayer".⁶¹ Islam was used by Zia as a motivational force coupled with professionalism and had four major consequences:

1. Zia used Islam and conservative Islamic groups to legitimise his rule and encouraged Islamic conservatism and orthodoxy in the Army.
2. Some of the Islamic groups, such as Jamaat-e-Islami, were allowed to make inroads into the Army and bureaucracy and associated with the government's Afghanistan policy.
3. The Islamic Revolution in Iran had a profound impact on civilians as well as military circles in Pakistan.
4. It strengthened the conservative Islamic elements and created an environment which in part facilitated Zia's efforts to push through his Islamization programme.⁶²

In sum, Islamist groups have been state sponsored at various times beginning with Zia's regime to influence domestic politics and support military dominance. As Hussein Haqqani (2005) aptly puts it, this duality in Pakistani policy is a structural

⁵⁹ See Talbot 2005: 194-213 for a full account.

⁶⁰ Cohen Stephen P. (2004), *The Idea of Pakistan*. New Delhi: Oxford University Press, pp. 213

⁶¹ Ibid, pp.125

⁶² Rivzi, Hasan Askari (2000), *Military, State and Society in Pakistan*. Boulder: Westview Press, pp. 245-8

problem, rooted in history and a consistent policy of the state [whereby] such rulers have attempted to 'manage' militant Islamism, trying to calibrate it so that it serves its nation-building function without destabilizing internal politics or relations with Western countries.⁶³ After Zia was killed in a mysterious plane crash, Pakistan went through 11 years of alternating rule between Benazir Bhutto and Nawaz Sharif. In 1999, Nawaz Sharif appointed Pervez Musharraf as Army Chief of Staff because he thought he would be someone he could control. While Musharraf was out of the country, Sharif appointed a successor who was a crony of his. Musharraf had enough allies in the army that he was able to put down this attempt at removing him and, instead, removed Sharif from office.

The Civil Military Relations in the Period of Pervez Musharraf, 1999-2008

After coming to power, General Pervez Musharraf, who seized power in a military coup in October 1999, continued running the country, combining the offices of army chief and president in his own person. The Pakistani military under Musharraf saw no point in continuing to anchor the military's strategy in a political and ideological position over which it could not have direct control.⁶⁴

Domestically, Musharraf was attempting to cloak his regime in legitimacy through a Presidential Referendum and the issuance of the Legal Framework Order. The referendum on April 30th was used by Musharraf to secure a term of further five years in office prior to the October 2002 provincial elections. The Legal Framework Order established a National Security Council chaired by the President and restored the president's power to dismiss a prime minister. For Musharraf, these measures were a way of preventing further coups: 'If you want to keep the army out', he declared, 'you bring them in'.⁶⁵ This was Musharraf's guided democracy; presuppose that the army was the saviour rather than the cause of Pakistan's political travail.⁶⁶

⁶³ Haqqani, Husain (2005), *Pakistan: Between Mosque and Military*. Washington, D.C.: Carnegie Endowment for International Peace, pp. 317

⁶⁴ Nasr, Vali, (2004), "Military Rule, Islamism, and Democracy in Pakistan", *The Middle East Journal*, 58(2), pp. 201

⁶⁵ Talbot Ian, (2005). *Pakistan: A modern History*, New Delhi: Palgrave Mac-millan Publications, pp.401

⁶⁶ *Ibid*, pp. 401

To further legitimise his rule, Musharraf called elections for October 2002. These were elections for the National Assembly (342 seats) and Provincial Assemblies of Sindh, Baluchistan, Punjab and NWFP (728 seats total).⁶⁷ The main contestants in this election were: the PML, the PPP, the National Alliance, and the MMA, with the major issues being socioeconomic conditions, civilian vs. military rule, and foreign policy. The MMA, or Mutahhidah Majlis Amal, is an alliance formed by the Islamist parties in response to Musharraf's rule, the fall of the Taliban and the War on Terror.⁶⁸ Interestingly, the military supported the MMA; however this alliance "was surreptitious and was characterised by mutual distrust between the two sides"⁶⁹

Due to the increasing distrust of the military, the 2002 elections became the MMA's most successful elections to date. The MMA won 11% of the total vote in the National Assembly finishing fourth in the final vote. This caused Musharraf to view the PPP and PML as the real threats to the military's position. In provincial elections, the MMA did well in the NWFP (51 of 101 seats) and Baluchistan (14 of 51 seats) and did poorly in Punjab (8 of 297 seats) and Sind (11 out of 130 seats). Essentially, voting became split along ethnic lines. It is through the military's assault on the political process, and as an intended or unintended consequence of the struggle for power between the military and democratic forces, that Islamism has gained ground.

Also being one of the most important key allies in 'War on terror', in 2002, under pressure from the U.S., Musharraf agreed to round up extremists and members of Al-Qaeda. Musharraf states that the benefits of supporting the U.S. were many to the country as they can flush out the terrorists with the help of the foreign fund. But he was unable to keep away the militants and in 2004, the Taliban and Al-Qaeda were in the FATA, specifically North and South Waziristan, and were reconstituting themselves. This reconstituted group of militants is known as Tehrik-e-Taliban Pakistan (TTP), or 'Pakistani Taliban', and have successfully established an archipelago of micro-emirates of Shariah within large swathes of the Pashtun belt inclusive of the FATA and the NWFP.

⁶⁷ Waseem Mohammed, (2006). *Democratization in Pakistan: a study of the 2002 elections*. New Delhi: Oxford University Press, pp. 187

⁶⁸ Nasr, Vali, (2004), "Military Rule, Islamism, and Democracy in Pakistan", *The Middle East Journal*, 58(2), pp. 203

⁶⁹ *Ibid*, pp. 203

Therefore, Pakistan's approach to finding a political solution had one basic fallacy: all the agreements were reached from a position of government weakness rather than strength. Pakistani army's difficulty in its counterinsurgency effort was attributed to the fact that the army is largely trained and equipped for a conventional ground war in the Punjab, but reluctant to remain and provide continuing security or address the complaints that left the area vulnerable to insurgent penetration in the first place.

The inability of the government and army to maintain security in the Khyber Pakhtunkhwa (KP) emboldened the militants to challenge Musharraf in the cities, especially Islamabad. Thousands of extremists based in Islamabad's Red Mosque sought to purge Pakistan's debonair capital of all vice and un-Islamic behavior by imposing draconian Islamic laws on its citizens.⁷⁰ The capture of the Chinese nationalists caused an international incident, as Pakistan is a close ally of Beijing. In July 2007, elite troops of the Pakistani army stormed the Red Mosque complex killing one cleric and numerous extremists. In retaliation, there was a wave of urban suicide bombings targeting police stations and military facilities in the north.

Musharraf ruled by decree from 2002-2007 through enhanced presidential power via constitutional amendments and ordinances constricting the role of the legislature to that of a decree-stamping institution.⁷¹ The beginning of the end of Musharraf's regime began in 2007.

Thus, with domestic political unrest and ethnic tension increasing, Musharraf had to make a number of decisions that would ultimately force him from office. One of the first decisions was whether to relinquish his military uniform by the end of 2007 as required by the 17th Amendment in the Pakistani Constitution.⁷² Musharraf wanted to remain both president and army chief and the judiciary would be the last hurdle for him to overcome in his bid to consolidate his power. Accused of being soft on terrorism and of misconduct, Chief Justice of the Pakistan Supreme Court, Iftikhar

⁷⁰ Nasr, Vali (2009), *Forces of Fortune: The Rise of the New Muslim Middle Class and What it will Mean for Our World*. New Delhi: Free Press, pp. 221-2

⁷¹ Shafqat, Saeed (2009), "The Impact of Kargil on Pakistan's Politics and Society", in Peter R. Lavoy (eds.), *Asymmetric Warfare in South Asia: The Causes and Consequences of Kargil Conflict*, Cambridge: Cambridge University Press, pp. 93

⁷² *Ibid*, pp. 518-9

Muhammad Chaudhry, was dismissed because his “greatest sin was challenging the legality of General Musharraf’s government, and in particular taking on the issue of whether the general could be both president and army chief”.⁷³ In addition, Musharraf’s dismissal of the chief justice brought the pro-democracy movement out in force. In particular, thousands of lawyers took to the streets to protest Musharraf’s abuse of power.

Next, in response to the Supreme Court’s decision, Musharraf launched a ‘second coup’ on November 3, 2007, to remove the Supreme Court and set aside the constitution. Also, there were restrictions placed on broadcast news media and large numbers of supporters of the various political parties were jailed. Musharraf remained super-confident and focused on what he saw as his role in Pakistan’s history: to restore democracy, with whatever military force he could muster.⁷⁴

At this point, however, according to Cole, Musharraf’s refusal to resign from the military and rule as a civilian president had long been an embarrassment to Washington, which had strongly supported him despite its rhetoric about democratizing the Muslim world.⁷⁵ The increasing domestic and international pressure forced him to call for election. New elections were called for January 2008 with the political parties responding by demanding the return of their exiled leaders, Benazir Bhutto and Nawaz Sharif. Musharraf also resigned from the military and installed General Ashfaq Parvez Kayani as army chief and would run for president as a civilian.⁷⁶

Bhutto and Sharif initiated a consultative process, which led to the signing of the Charter of Democracy, an agreement calling for the PPP and PML-N to work together to restore democracy, an independent judiciary and seek the disengagement of the

⁷³ Nasr Vali, (2009), *Forces of Fortune: The Rise of the New Muslim Middle Class and what it will Mean for Our World*, New Delhi: Free Press, pp. 225

⁷⁴ Ibid, pp. 561

⁷⁵ Cole, Juan (2009), *Engaging the Muslim World*. New Delhi: Palgrave MacMillan Publication, pp. 238

⁷⁶ Nawaz, Shuja (2008). *Crossed Swords: Pakistan, Its Army, and the Wars Within*. New Delhi: Oxford University Press, pp. 561

military from politics.⁷⁷ Seeing that the democracy movement was gaining momentum, on October 5, 2007, Musharraf issued the National Reconciliation Order to exonerate political leaders from charges in cases of corruption and paved the way for the return of these leaders, particularly Bhutto.⁷⁸ After the assassination of Benazir Bhutto, Musharraf sought to postpone the elections for a year, but with the security situation as it was with massive protests and violence, and international pressure, the elections were needed to be held. It was rescheduled for February 2008 and the PPP won a decisive victory with the PML-N coming in a close second.⁷⁹

Political Development under Civilian Rule: Asif Ali Zardari, 2008-Present

After General Pervez Musharraf resigned as president he was succeeded by Asif Ali Zardari. However, Zardari's civilian presidency is also facing mounting challenges like devolution, decentralisation and democratisation of power, including an increasingly virulent insurgency, economic troubles and US pressure on cross-border activities to counter terrorism. President Asif Ali Zardari has not been fortunate as his government was unable to put the Inter-Services Intelligence under the Ministry of Interior. Also other challenges like religious extremism, problem of Talibanisation, illicit drug trafficking, the ethnic conflict in the provinces and recent problem in Karachi between the Pakhtuns and the Mohair's posing a potent challenge to the Zardari government.

The coalition of Pakistan People's Party (PPP) and Pakistan Muslim League Nawaz (PML-N) though raised hopes but on the issue of restoring the judges the coalition broke down.⁸⁰ There were also resentments regarding the removal of Musharraf among the three dominant parties in the Pakistan, the PPP, PML and Awami National Party (ANP). The PML-N was the most vocal about Musharraf's removal and the reinstatement of the judges, while the PPP initially tried to work with Musharraf.⁸¹

⁷⁷ Shafqat, Saeed (2009), "The Impact of Kargil on Pakistan's Politics and Society", in Peter R. Lavoy (eds.), *Asymmetric Warfare in South Asia: The Causes and Consequences of Kargil Conflict*. Cambridge: Cambridge University Press, pp. 93

⁷⁸ Ibid, pp. 93

⁷⁹ Cole, Juan (2009), *Engaging the Muslim World*. New Delhi: Palgrave MacMillan Publication, pp. 239

⁸⁰ Shafqat, Saeed (2009), "The Impact of Kargil on Pakistan's Politics and Society, in Peter R. Lavoy (eds.), *Asymmetric Warfare in South Asia: The Causes and Consequences of Kargil Conflict*, Cambridge: Cambridge University Press, pp. 93

⁸¹ Ibid, pp. 95

According to Saeed Shafqat, The PPP also wished to dilute the issue of the restoration of the judges, which strained the coalition as the PML-N's expectation was the judges would be restored by 12 May 2008. When that did not happen, the PML-N's cabinet ministers submitted their resignation to the prime minister, and the party subsequently withdrew from the coalition.⁸² The PML-N is now the opposition party in the National Assembly. In August 2008, Musharraf resigned and one month later Zardari became President of Pakistan.

President Zardari's rule has been tenuous up to this point. The country has been wracked by the effects of rising oil prices and increased instability— manifested in political wrangling in the midst of as yet uncertain civilian rule, a slate of suicide bombings, and a war to break extremist hold over territory in the country's northwest.⁸³ These events notwithstanding, the military under Gen. Kayani has chosen to remain behind-the-scenes. He ordered serving officers to withdraw from civilian positions and acted as an arbiter to help end the political stand-off between Sharif and Zardari in 2009. As Shafqat notes, the present army chief seems earnest to disengage the military from its hegemonic position.⁸⁴

Furthermore, the Pakistani military has developed a strategy to tackle the tribal elements, the Pakistani Taliban and Al-Qaeda within the tribal areas. The Pakistani military will not be alone in this endeavour, as the U.S. has committed under the Obama Administration, to continue working with the Pakistan army and train them in counterinsurgency. The passage of the 2009 Kerry-Lugar Bill provided for \$7.5 billion of non-military funding over five years, whereby the U.S. sought to demonstrate that Pakistan's people matter just as much as the military.⁸⁵ Thus Pakistan continues to be an ally in the War on Terror.

While the role of civilian politicians in the country's history and the lack of strong civilian institutions have played a role in the Pakistani military's interventions; time

⁸² Ibid, pp. 95

⁸³ Nasr, Vali (2009). *Forces of Fortune: The Rise of the New Muslim Middle Class and What it Will Mean for Our World*. New Delhi: Free Press, pp. 229

⁸⁴ Shafqat, Saeed (2009), "The Impact of Kargil on Pakistan's Politics and Society, in Peter R. Lavoy (eds.) *Asymmetric Warfare in South Asia: The Causes and Consequences of Kargil Conflict*, Cambridge: Cambridge University Press, pp. 106

⁸⁵ Cohen Stephen P. (2011), *The Future of Pakistan*, USA: The Brookings Institution, p. 146-7

and again, the military unsuccessfully uses its position as the strongest state institution and protector of the national interest to advocate the use of Islam as the glue to build a Pakistani nation-state.

However, a new era of hope rose with the passage of the 18th Constitutional amendment in 2010. Pakistan's parliament has institutionalised a new political consensus on the country's legal and political framework with this amendment. It gave the parliament, prime minister, judiciary, and the provincial government's greater autonomy under the constitution. While these changes represent an opportunity for Pakistan's political parties to seriously address the country's critical economic and security problems, but the true success of the amendment will depend on time. This is because the country's major political players have to strengthen their authorities within a political arena in which the military establishment remains the most powerful single actor.

Continuance of Confrontation

Since the founding of Pakistan, ethnic and sectarian tensions have been centrifugal forces pulling the political and military elites further and further apart regarding Pakistani identity. Consequently, the military, the state's strongest institution, took advantage of these tensions, especially those tensions between political elites, to intervene in 1958 to ensure the survival of the Pakistani state. Once in power, however, military elite self-interests grew along with their disdain for politicians, whom they felt were corrupt. After 1958, military rule has dominated Pakistan's history with further interventions in 1969, 1977, and 1999.

Furthermore, in the few times when the military has withdrawn from politics, political elites have taken this as *carte blanche* to attempt any number of reforms. Often, the PPP and PML will be in conflict with one another or with the military and cause the military to view politicians' actions as encroaching on their interests and halt the brief periods of democracy that occurred from 1956-8, 1988-1999, and 2008-Present.

Thus, Pakistani civil-military relations are still a work in-progress; namely, both sides working to build trust in the state's political institutions to limit the military's role in politics. Pakistan can be described as a praetorian state where the military has

acquired the capability, will, and sufficient experience to dominate the core political institutions and processes. As the political forces are disparate and weak, the military's disposition has a strong impact on the course of political change, including the transfer of power from one set of the elite to another.

Keeping all these things in focus, this study aims to discuss the problems and challenges faced by the civilian government or civilian institutions and military institutions in Pakistan and how to develop a good and normal relation with military institutions. At the same time it is important to justify through the study the two hypotheses before coming to a conclusion.

1. Internal contradictions and external influences lead to conflicting relation between the civil-military institutions in Pakistan.
2. Lack of democratisation gives the opportunity of conflicting relation between civil and military institutions in Pakistan.

Through the subsequent chapters it will try to answer certain questions like, why Pakistan is a weak and fragile state? Why do militaries intervene in politics and why do militaries return to the barracks? How the character of democracy has changed in Pakistan? What are the challenges of civil-military relations in Pakistan? The study will also try to analyse the problems faced by the recent democratic government and its future prospect.

Chapter 2

Problems and Challenges of Civil-Military Relations in Pakistan

In Pakistan today there are four major actor's such as; civilian wing of the state, the military, the Judiciary and Islamic parties and groups who vie for influence and power. Among these actors, over the time, the military establishment has emerged as 'the parallel state' because of its influence over the state's policies and priorities.¹ The power sharing arrangements between the military and the civilian government has witnessed a delicate balance where the military has important influences over foreign, security and key domestic issues².

This institutional imbalance between the civilian and military wings of the state has led the former to capitulate to the latter in matters of policy and strategy, including Pakistan's involvement in the war on terror. Additionally, Indo-Pakistan conflict has increased the security apparatus's dominance over the civilian administration. Islamic parties and groups have also become important political actors by seeking to define the national agenda, set moral standards for the political elite and influence the state to establish Sharia or Islamic law. From partition onwards, the Ulema or Islamic theologians, increasingly appropriated public space and, over the course of half a century, assumed the role of an Islamic establishment. This establishment and the militancy that has become associated with it, now challenge the legitimacy and authority of the state.³

Despite the tremendous efforts on the part of the secular forces and religious forces like the Islamic parties of Jamiat Ulema-e-Islam, Jamiat Ulema-e-Pakistan, Muttahida Majlis-e-Amal, Jama'at-e-Islami etc and the creation of many civil institutions, there is no effective institutional counterbalance to the military. In fact, some military leaders are effectively linked to the civil society and have co-opted these forces to their own interests. General Zia-ul-Haq's Islamisation process (1977-1988) and support for the Islamists empowered such groups, which the military regime

¹ Aziz, Mazhar (2008), *Military Control in Pakistan: The Parallel State*, New Delhi: Rutledge, pp. 154

² Rizvi, Hasan Askari, (2000), *Military, State and Society in Pakistan*, New York: St. Martin's Press, pp.106.

³ Ahmed, Akbar S. (2002), *Jinnah, Pakistan and Islamic Identity: The Search for Saladin*, New York: Routledge, pp. 63-64

manipulated in its own domestic and foreign policies. The events of September 11 (2001) changed the dynamics of the military-Islamists relationship, creating a war at home.⁴ It is in this context of internal war that the future of Pakistani democracy must be understood and analysed.

This chapter attempts to sum up the problems and challenges posed on the civil-military relations of Pakistan because of the ongoing contradictions between the two institutions. The questions, which are coming to the fore are: why is the military so dominant in Pakistan? How has the war on terror shaped the new dimensions of the civil-military relations in Pakistan? How do the democratic forces, secular and Islamist, deal with the changing policies of the military political leaders? How will the current efforts at democratisation change the civil-military relations in the future? What will be the future of Islamism in Pakistan?

Thus, a proper understanding of the problem will lead to comprehend the problems and challenges of the relation between the two potent institutions of Pakistan.

Problems of Civil-Military Relations

There are many embedded problems in Pakistan which are constantly posing challenges in the civil military relations in Pakistan.



Diagram 2.1: Problems of Civil-Military Relations in Pakistan

⁴ Rabasa, Angel (2004), *The Muslim World After 9/11*, Pittsburgh: Rand Publications, pp.294

Colonial Inheritances and Institutional Imbalance

From time of its very creation, Pakistan has been experiencing institutional imbalance. Its roots go back to British period. Pakistan has inherited administrative, political and legal legacies of British period. From the point of political and administrative legacies, Pakistan inherited high institutional imbalance characterised with strong and organised civil and military bureaucracies, weak Political institutions and non-democratic political parties.⁵ As a result, it lacked strong dynamic and sustainable political institutions, which could hold regular elections based on universal franchise, could build trust of masses into democracy, could protect democratic process against constitutional transgression, and could provide a conducive-environment for democracy to flourish and could correspond to desires and aspirations of masses.⁶

After the creation of Pakistan, partitioning India, it failed to inherit an intact political system. Unlike India Pakistan had to start from scratch and the nascent state was unable to graft the experiences of the alien system among the masses and political structures. Pakistan had to face three major crises after its birth: dichotomy between eastern and western wings, communal riots, leadership crisis after the death of Jinnah and assassination of Liaqat Ali Khan in 1951.⁷

Also the basic political party, the Muslim League which is credited to creation of Pakistan was a movement not a well-structured and deeply rooted political entity. It failed to offer post partition program, counter the power of army and bureaucracy and offer corresponding structure to desires and needs of masses after the partition. But the League itself was undemocratic in its nature and led by elitists. Consequently, it could not produce first line as well second line leadership⁸ embedded with love for democratic norms and values in particular and overall democratic culture in general.⁹ Thus all these provided a power vacuum for the political leadership and let the Army stepped in.

⁵ Rizvi, Hasan Askari (2001), *Military, State and Society in Pakistan*, New York: Palgrave Macmillan, pp. 31-2

⁶ Jaffrelot, Christophe (2002), "Nationalism Without A Nation", in Christophe Jaffrelot (eds.) *Pakistan: Nationalism Without A Nation?* New Delhi: Manohar Publishers & Distributors, pp. 9

⁷ Talbot, Ian (1998), *Pakistan: A Modern History*, New Delhi : Foundation Books, pp. 137

⁸ Rizvi, Hasan Askari (2001), "The History of Political Parties in Pakistan", *South Asian Journal*, no 30, Oct- Dec 2010, pp. 81

⁹ Verma, Monika (2006), *Political Parties and Party System in Pakistan*, New Delhi: Deep & Deep Publication, pp. 12

Frequent Intervention of Military Forces into Political Domain

Military intervention in politics is a big challenge for civil military relations in Pakistan. The conditions which facilitate military intervention in politics are the nature of military establishment (encompassing all factors related to the military organisation); the weakness of Pakistani civilian political institutions; the domestic socio-economic and international environments within which the military and civilian institutions interact with each other for power and are influenced in their behaviour by the milieu.¹⁰ Failure of civilian democratic regimes created space for army, which was more organised than even civilian government to intervene into political domain of country. Formal involvement of army into civilian matters begun from 1953 when there was application of martial law in Lahore to control the riots between Ahmedis and Sunnies.¹¹ Thereafter from 1958, army has ruled the country with short sighs neglecting issues of vital independence and interfering in the civilian sphere. The string of military rulers like Field Marshal Law Ayub Khan (1958 to 1969), General Yahya Khan (1969 to 1971), General Zia-ul-Haq (1977 to 1989), General Pervez Musharraf (1999 to 2008) have ruled the country blurring the line of civil military sphere.

In 1999, fourth military ruler General Pervez Musharraf took power after overthrowing Pakistan's Prime Minister, Nawaz Sharif.

Reasons for 1999 Military coup

Structural Factors	Situational Factors
Internal <ul style="list-style-type: none">• Attempts to move away from the "Troika" Model of administering Pakistan• Factionalism in the armed forces• Differences with the civilian	Internal <ul style="list-style-type: none">• Attempted dismissal of army chief• Power-seeking officers in command• Presence of officers radicalised by the Prime Minister's decision to

¹⁰ Kukreja, Veena (1985), *Military Intervention in Politics: A case Study of Pakistan*, New Delhi: NBO Publisher's Distributors, pp. 62

¹¹ Haqqani, Husain (2005), *Pakistan: Between Mosque and Military*, New York: Carnegie Endowment for International Peace, pp. 59

<p>government over major national security issues</p> <ul style="list-style-type: none"> • Perception of being undermined by the civilian government 	<p>withdraw troops from Kargil, Kashmir</p>
<p>External</p> <ul style="list-style-type: none"> • High level of corruption among politicians • Tenuous political control • Legitimacy crisis in the civilian government 	<p>External</p> <ul style="list-style-type: none"> • Economic crisis • Sectarian violence • Political crises in smaller provinces
<p>International</p> <ul style="list-style-type: none"> • Influence of international politico-economic pressures 	<p>International</p> <ul style="list-style-type: none"> • Destabilising policies of certain big powers and international financial institutions

Table 2.1: Source: Based on Hossain Ishtiaq (2000) Pakistan's October 1999 Military Coup: Its Causes and Consequences, Asian Journal of Political Science, 8 (2): 38

The journey of Pervez Musharraf, from his bloodless coup against Nawaz Sharif in 1999 to his resignation as President in 2008, provides a striking example of the challenges Pakistan faces in establishing a true democracy and effective central government. In 1999, tensions accelerated between Nawaz Sharif and the army when the international community pressured Sharif to order Pakistani military forces to retreat from the Kargil area of Kashmir, where they were engaging Indian forces.¹² The Army Chief and commander of the Kargil operations was General Pervez Musharraf, whose popularity grew after his return to home. Charges abounded that Sharif had disgraced the nation by acting as a puppet of the West; these were raised amidst growing general discontent with the Sharif Administration, which had long been dogged by corruption charges. With the support of the army, Musharraf seized power in a bloodless coup. He proceeded to rule on a military mandate until a 2002 referendum on his assumption of power, by the time he enjoyed the considerable

¹² Aziz, Mazhar (2007), *Military Control in Pakistan: The Parallel State*, New Delhi: Routledge, pp. 91-2

support of the US and West in the Global War on Terror.¹³ In what many believe was a rigged process, he consolidated his power and effectively bypassed the constitution, issuing a directive that extended his term as President for five years.

The military's major goal was to expand its power and protect its business organisations.¹⁴ Changes to the constitution and the political system in Pakistan and interference in the electoral process increased with his coming to power. When Musharraf took power in 1999, he established the National Accountability Bureau (Pakistan's apex anti-corruption organisation), which is usually run by former military personnel, to ban opposition leaders from participation in parliamentary elections under allegations of corruption. To maintain power over security policy and ensure a strong budget for the military, Musharraf created the National Security Council that comprises the chiefs of all military services and was in charge of making decisions about defence and national security policies to increase and institutionalise the military's role in policymaking in Pakistan.¹⁵

Also, in an unconstitutional move, Musharraf held a referendum in April 2002 which allowed him to remain in power for five more years. The military then had made changes to the legislation for qualifications of memberships to the parliament and provincial assemblies, which state that all candidates should have college education and exclude those who are convicted for a crime.¹⁶

Also Musharraf was technically not allowed to run in the 2007 Presidential elections due to constitutional term limits and his leadership position in the military. A series of crises developed he sought to get around these restrictions while his popularity waned.

After Musharraf, General Ashfaq Parvez Kayani became a new chief of the army staff. Early in his tenure he realised the need for the Army to revert to its professional roots and began to distance himself¹⁷ from the former chief Pervez Musharraf. But disengaging the army from the economy and from commercial enterprises will take

¹³ Tellis, Ashley J. (2008), *Pakistan and the War on Terror: Conflicted Goals, Compromised Performance*, New York: Carnegie Endowment for International Peace, pp. 97

¹⁴ Siddiq, Aysha (2007), *Pakistan Inc.: inside Pakistan's military economy*, New York: Pluto Press, pp. 122

¹⁵ Ibid., pp. 142

¹⁶ Kukreja, Veena and Singh, Mahendra Prasad (2005), *Pakistan: Democracy, Development, And Security Issues*, New Delhi: Sage Publication, pp. 31

¹⁷ Cohen, Stephen P. (2011), *The Future of Pakistan*, New York: The Brookings Institutions, 212

time. After he won a second full term, Kayani may have the time to be able to tackle some of the issues that previous chief could not, about removing far from the system and fighting corruption within the burgeoning ranks of the civil military bureaucracy that the Army has spawned. But after the Memo-gate Scandal in Pakistan Army chief General Kayani has for the first time acknowledged the existence of the Memo-gate document describing it as conspiracy against his force as well as national security, and demanded a thorough probe.¹⁸ Thus this has once again worsened the relationship between the civilian and the military government.

Military as a Defender of Ideology of Pakistan

Army in Pakistan not only assumed the role of a defender of security but also as a protector of Islamic ideology which is the basis of Pakistan. The most popular military ruler who made Islamisation of the policy was Zia-ul-Haq. Musharraf though started with the policy of supporting Islamisation and got support of the MMA, lost it because of his anti-taliban and pro US policies. Apart of defender of ideology the Army has well expanded in all the spheres of the Pakistani society stating from the Fauji foundation to making of schools housing societies etc.¹⁹ Thus because of their overall influences they were able to sideline the civilian government.

Weak Political Institutions and Party System

One among the major forces, which counter the military interventions into political domain and extra constitutional steps are genuine political parties and political institutions with mass based support. Nevertheless, unfortunately Pakistan has been lacking strong and efficient party system, which is very vital ingredient of Democracy. Democracy neither can exist nor can consolidate its process without strong, vibrant, vigilant and efficient political parties.²⁰ Political parties and institutions play indispensable role in strengthening democracy in various ways.

Pakistan faced a crisis of political leadership within a couple of years of attaining independence since the death of Jinnah. The Muslim League of Pakistan failed to

¹⁸ Gondal, Qaisar Farooq (2011), "The Pakistan - U.S. memogate scandal", 21 december 2011, Washington Times [Online: web] Accessed 12 January 2012, URL: <http://communities.washingtontimes.com/neighborhood/letters-pakistan/2011/dec/21/pakistan-us-memogate-scandal/>

¹⁹ Hussain, Zahid (2008), *Frontline Pakistan: The Struggle With Militant Islam*, Columbia University Press, pp. 18

²⁰ Sayeed, Khalid B. (1967), *The Political System of Pakistan*, New York: Houghton Mifflin, pp. 114

transform itself from a nationalist movement into a national party, which could lead the way to democracy and political stability.²¹ Given its weak and divided leadership, the lack of a clear socio-economic program, and the absence of procedures to resolve its internal problems, the Muslim League was not instrumental in nation building. It could neither bring forward a group of leaders who had sufficient experience of working together at the popular level as members of a party, nor evolve procedures to resolve internal conflicts and aggregate diverse interests. Other political parties, established mostly by those defecting from the Muslim League, suffered from similar discord, indiscipline and weak organisation. They were neither able to bring forward a national alternative to the Muslim League nor evolve a broad-based consensus on the operational norms of the polity, and thus failed to produce a coherent government.²²

After Muslim League lost its glory, Pakistan People's Party became the largest popular political party in Pakistan. Presently the PPP is in power at the centre and other provinces with its coalition partners. Asif Ali Zardari is the current co-chairman of the party. This Party is a centre-left party and had been elected four times since 1967. Similarly, the second largest party is the Pakistan Muslim League Nawaz headed by Mr. Nawaz Sharif. Although he was elected for few times but his system of running the party is not different from that of a dictator. The third force is the Pakistan Muslim League Quaid-e-Azam headed by Chaudhry Shujjat Hussain. It lacked popularity because of its undemocratic structure. Then there are other parties like Awami National Party (ANP), Muttahida Qaumi Movement (MQM) and the Pakistan Tehrike Insaaf (PTI) a new force which has gained momentum recently.²³ While PTI is a new force, it is difficult to predict whether its leadership would be different from the traditional leadership style or not. ANP and MQM have been in politics for quite some time and follow the traditional style of dictatorship in their parties.²⁴ Recently these two are the coalition partners of PPP government and having a considerable influence in regional and national politics.

²¹ Talbot, Ian (1998), *Pakistan: A Modern History*, New York: Palgrave Macmillan Publications, pp. 219

²² Verma, Monika (2006), *Political Parties and Party System in Pakistan*, New Delhi: Deep and Deep Publications, pp. 107

²³ Singh, R.P.N. (2009), *The Military Factor in Pakistan*, New Delhi: Lancer Publishers and Distributors, pp. 100.

²⁴ Ibid, pp. 115

Upon seizing power in October 1999, General Pervez Musharraf embarked on an ambitious agenda of political and constitutional reforms that he claimed would steer Pakistan away from 'an era of sham democracy' and towards effective democratic governance.²⁵ But as oppose to tradition military dictators, Musharraf called for a nationwide political elections in the country after accepting the decision of Supreme Court of Pakistan in 2002. Musharraf tried to justify his authoritarian rule by maligning politicians and consolidated his regime by marginalising opposition parties. During that time Pakistan's moderate opposition parties were under siege. Many PPP and PML (N) leaders, principal components of the anti-military coalition, the Alliance for the Restoration of Democracy, were in exile, in prison, or disqualified from elections. Like his military predecessors, Musharraf also created his own party, the PML-Q, to give authoritarian rule a civilian face and undermine the political opposition. He asserted absolute control over the party. During his rule, Musharraf promulgated the Political Party Order 2002 (PPO-2002), which replaced the Political Parties Act of 1962. Purporting to "create a political environment conducive to the promotion of a federal and democratic system as enshrined in the Constitution", it extends Article 63, which bars anyone convicted of a crime from standing for elections, to include anyone charged of a crime who fails to appear before the courts; in addition it prohibits such "absconders" from running for party posts. These provisions were clearly aimed at PPP chairperson and former Prime Minister Benazir Bhutto, who was charged with corruption and remains in exile in Dubai.²⁶

He also enacted the Legal Framework Order (LFO), a set of constitutional amendments aimed at institutionalising the military's political dominance and tilting power and authority from the prime minister, the head of government in the parliamentary constitution, to the head of state, the indirectly elected president. The LFO also placed restrictions on joining or forming a political party, based on the dubious justification of maintaining "public order".²⁷

The Conduct of General Elections Order 2002 contained a clause requiring a candidate for elective office to hold a bachelor's degree or its equivalent, thus

²⁶ Authoritarianism and Political Party Reform in Pakistan, Crisis group, Asia Report N°102 – 28 September 2005. Pp.15

²⁷ Ibid., pp. 16

disqualifying hundreds of party leaders and office holders, and severely damaging parties, particularly the PPP and the PML-N. At the same time he had the loyal opposition of the MMA parties. Thus during Musharraf period declining condition of the parties were visible. Though 2008 election brought an era of hope for the restoration of the position of the political parties but still there are many challenges the newly elected government is facing.²⁸

But the problem with the political parties in Pakistan is that the civilian governments frequently relied on the army for the restoration of authority in law and order crises and in coping with natural calamities. These operations helped to enhance the image of the military and exposed the weakness of the political leaders. Senior commanders were able to get firsthand knowledge of the politicians' inability to manage their affairs. These situations provided the military with useful experience in handling civilian affairs. Four periods of martial law– 1958, 1969, 1977 and 1999– were preceded by law and order disruptions and serious legitimacy crises for the existing governments. The military thus never had any problem in justifying its assumption of power while blaming the displaced governments for political chaos, misadministration and corruption.²⁹

Unfortunately, Party system and political institutions in Pakistan has remained very weak. Resultantly, it has created space for non-political forces to emerge into political arena. It is proven fact that, apart from other reasons behind the overt and covert rule of dictators in Pakistan, absence of strong party system has remained one of the potent causes. Such non-democratic orientation of political parties has weakened the culture of competition, bred nepotism and created incompetence, which has obstructed the democratic process of the country.³⁰

Non-Democratic Social Structure

The nature and structure of society translates itself into nature and structure of political institutions. Political institutions do not emerge in vacuum; they are expression of social institutions. Political and societal compositions interplay and

²⁸ Singh, R.P.N. (2009), *The Military Factor in Pakistan*, New Delhi: Lancer Publishers and Distributors, pp. 100.

²⁹ Cohen, Stephen P. (2004), *The Idea of Pakistan*, New York: The Brookings Institution, pp. 234

³⁰ Iqbal, Zafar (2011), "Elitist Political Culture in Pakistan", in Ravi Kalia (eds.) *Pakistan: From the Rhetoric of Democracy to the Rise of Militancy*, New Delhi: Routledge, pp. 155-156

influence each another. Thus when the social structure of a state becomes weak and fragile they can hardly check the working of the civil military forces in the country.³¹

Likewise, the feudal social structure of Pakistan largely fails to provide a viable solution to the problems of civil military relation, rather it enhances them.³² From its pre partition time, the two very forces i.e. British rulers and Muslim League, ironically who claimed and still claims champion of democracy have supported consolidation of feudal structure in the regions, which constitute present Pakistan.

Feudalism and democracy are two quite controversial norms: Feudalism is driven by principles of one-person show, oppression, bondage, slavery, whereas democracy is driven by principles of participation, peace, equality, pluralism and freedom.³³ Thus, the feudal social structure always acted against the proper functioning of the democracy and the civil society. Owing to this, the nature of parliaments and political parties has remained non-democratic in Pakistan. Pakistan has been remaining at the mercy of either these feudal politicians or military generals.

However, Post partition history of Pakistan is marked with some initiatives taken for land reforms to lose the grip of feudalism but at the end, it was unable to sustain. Ayub then President and Zulfikar Ali Bhutto then prime introduced the reforms. But the reforms introduced by both were ineffective, secondary in their nature and devoid of genuine intent. Such feudal structure of society of Pakistan has been obstructing democratic process into various ways.³⁴ It has translated non-democratic trends into political culture. Secondly, it has impeded development of participatory culture. Thirdly, it has formed elitist orientations of politics. Fourthly, it has impeded Bourgeoisie middle class, which is support mechanism to democracy. Lastly, it has been obstructing free and independent choice of public in elections, which is basic and indispensable component of free elections. Thus whether during Musharraf rule or Zardari government, these feudal structure and lords of Pakistan are posing a constant threat to the development of the country.

³¹ Fair C. Christine (2011), "Addressing Fundamental Challenges", in Stephen P. Cohen (eds.) *The Future of Pakistan*, pp. 95-96

³² Kukreja, Veena and M. P. Singh, (2005), *Pakistan: Democracy, Development, and Security Issues*, New Delhi: Sage Publications. 2005.

³³ Bahadur, Kalim (1998), *Democracy in Pakistan Crisis and Conflicts*, New Delhi: Har Anand Publications, pp. 14

³⁴ John, Wilson (2009), *Pakistan: The Struggle within*, London: Pearson Longman Press, pp. 68

Again the *ethnic problem* can also be stated as structural block to the state of Pakistan. Whether the civilian or military government, none of them has ever tried to accommodate the deprived people into the political system, thus internal ethnic rivalries became strong because of the domination one group (the Punjabis).³⁵ The problem of the Mohajirs, Sindhis, Baluch, Pakhtuns are posing a constant threat to Pakistan since inception. During the period of Musharraf the resurgence of the Baluch movement was witnessed. After 2008 though 18th amendment gave the provinces some power but still most of their demands are fulfilled by the Political parties.³⁶

Thus these problems necessarily came up as challenges to the relation between the two and a coherent civil society was a distant dream for Pakistan, which failed to check the deeds of the military and the politicians.

External Influence (US) through Aid Policy

External influences can be sited as another challenge which is helping the military to firm its grip in the soil of Pakistan weakening the political government.

Emphasising on the external aid, it has been witnessed that it is always the military, which gets the maximum benefit out of it. Even after the United States started giving, military aid in 1954 to 2011, defence expenditure in Pakistan has continued to increase instead of going down between 2002-2010.³⁷ Pakistan received approximately 18 billion in military and economic aid from the United States. In February 2010, the Obama administration requested an additional 3 billion in aid, for 20.7 billion. At the same time as United States is using the ground of Pakistan for war on terror they felt it a must to enhance the role of the military instead of the democratic government who are the soldiers in combating terrorism and safeguarding America's interests.³⁸

Thus in the sixty-five years of independence the military has strengthen its roots so firmly that the foreign money is also channelled to the defence instead of moving it for developmental purposes. Thus, the basic features of all the military regimes in

³⁵ Brown, Michael Edward (2001), *Nationalism and Ethnic Conflict*, New York: MIT Press, pp. 32

³⁶ Ali, Akhtar (2011), *Pakistan's Development Challenges: Federalism, Security and Governance*, New York: Create Space, pp. 132.

³⁷ Alavi, Hamza (1965), *Pakistan and the Burden of U.S. Aid*, Karachi: Syed and Syed Publications, pp. 72

³⁸ Fair C. Christine (2010), *Pakistan: Can the United States Secure an Insecure State?* USA: Rand Cooperation, pp. 137

Pakistan is characterised with impositions of Marshal Law, ban on political parties, censorship on media, dissolution of assemblies and abrogation or suspension of constitutions.³⁹ Thus, they have successfully destroyed political institutions and frustrated the forces like media, political parties that support and channels consolidation of democracy.

Absence of Independent Election Commission

Free and fair elections are major component of representative democracy. Democracy is, in one way, name of popular government which is not possible without free and fair process of election that guarantees genuine representation of masses in Parliament. This factor which facilitated the army's rise to power in Pakistan was that the country had no democratic elections for eleven years after Independence, and democratic values had scarcely struck roots. An independent and powerful election commission is the guarantor of free, fair and multi-party based elections. The election commission in Pakistan has always been the favourite of the ruling party. The Election Commission, usually under influence of the ruling party, has never played the democratic role assigned to it.⁴⁰ As Veena Kukreja observes: "in Pakistan, the vitiation of the electoral process led to the continuous narrowing and increasing unrepresentativeness and unresponsiveness of a self-perpetuating political elite that so irretrievably discredited the parliamentary structure and process that it got brushed aside by the military elite by a decade after its birth."⁴¹ Thus the irresponsibility of the election commission breeds more confusion among the political elites and the military, giving an upper hand to the later.

Lack of Judicial Independence in Pakistan

An institution of judiciary plays a great role in a government. It protects the civic rights of citizens of a state; it protects and interprets the constitution; it investigates corruption cases; it ventilates the grievances of; last but not the least it provides dispassionate justice to all and sundry.⁴² These functions are the pillars of an independent judiciary. It also helps to keep away the military sphere of influence from

³⁹ Ibid., pp. 158

⁴⁰ John, Wilson, (2009), *Pakistan: The Struggle Within*, New Delhi: Pearson Education India, pp. 85

⁴¹ Kukreja, Veena and Singh, M. P. (2005), "Introduction", in Veena Kukreja (eds.) *Pakistan: Democracy, Development and Security Issues*, New Delhi: Sage publications, pp. 11

⁴² Bent, James Appleton (2010), *The Independent Judiciary: A Treatise on the Reform of the Judiciary*, Karachi: Biblio Bazaar press, pp. 158

interfering in politics. Now the question that comes to the fore is, are these functions are done by the judiciary of Pakistan?

From the very beginning, restrained judiciary prevailed over the country of Pakistan. As a result, it brought ill consequences for the state and society. The nation has witnessed this regrettable situation right from top to bottom during the course of history. Numerous instances can be cited to substantiate this fact.

To start with, the Supreme Court of Pakistan could not declare the illegal dissolution of the National Assembly, by the then Governor General, null and void.⁴³ Second, Judiciary lacks independence, and perhaps the will, to give justice and penalise the makers of coup d'état and perpetrators of constitution. Takeovers by the military were declared legal under the tag of 'Doctrine of Necessity'.⁴⁴ Thus in certain cases it gave legal cover to the prime acts of take over. As when General Pervez Musharraf by dint of his unlimited powers took over on October 1999, later on SC bench not only announced its verdict in his favour but also mandated him to alter the constitution at his will. It was the irony of time that a person became both chief executive and chief legislature. In fact, Pakistan's 65 years short constitutional history is full of more or less like these acts of judicial containment and un-constitutionality.

As add on, from higher to lower levels, there is a lack of judicial independence in Pakistan. At the bottom, people have generally suffered injustice. Seeking justice from court of law has become an expensive affair in Pakistan. Given the general trends in the entire process of trial, courts of justice at different level appear to have failed in providing the due justice to the people and safeguarding the constitution. Politicians, officers, businessmen, influential people such as land lords, Khans, Waderas, Nawabs and Sardars prove a stumbling block in way to impartial righteousness. In this process naturally the aggrieved party suffers injustice. In light of such bleak scenario at both upper and lower levels ultimate decisions are affected, indicating lack of independence of judiciary in Pakistan.⁴⁵

⁴³ Baxter, Craig (2005), *Pakistan on the Brink: Politics, Economics, and Society*, London: Lexington books, pp. 193

⁴⁴ Cohen, Stephen P. (2004), *The Idea of Pakistan*, New York: The Brookings Institution Press, pp. 267

⁴⁵ Iqbal, Zafar (2011), "Elitist Political Culture in Pakistan", in Ravi Kalia (eds.) *Pakistan: From the Rhetoric of Democracy to the Rise of Militancy*, New Delhi: Routledge, pp.157

These strings of unsuccessful affairs have left a deplorable impact both on the state and the society of Pakistan. As a fall out of this, at the state level rule of law, constitutionalism and democracy has received setbacks. This gave a chance for the growth of disparity and lack of legal protection in the country.⁴⁶ The deficiency of judicial protection fuelled enmity among the people and disturbed the law and order of the country. Thus, lack of judicial independence gave a setback to the proper functioning of the democratic institutions further complicating the civil military relations of Pakistan.

In Pakistan, four military generals came and put judiciary to such tasks like justifying their coups, and letting them change the constitution, damaging the independent character of the judiciary. Secondly, lack of a sacred constitution, which was adopted and altered by the generals to secure their interests, was justified by the judiciary being the puppets in their hands. Third, lack of merit-based, independent and upright judges and fourth, lack of separation of powers as well as checks and balances helped to complicate the situation further.⁴⁷

However, in some cases, during the past, judiciary played a subservient role and recently it was witnessed that judiciary managed to gain some considerable independence. For the present independent character of judiciary, October 2, 2007 proved a defining day. After 2007 Lawyers movement against the sacking of judges by president Musharraf, the investigation of the Memogate Scandal and disqualify the Prime Minister Yusuf Raza Gilani on the corruption charges of the President, the Supreme Court has enhanced its power.

Thus, people have placed high hope on the judiciary to deliver justice who has suffered injustice for long. The newly announced judicial policy seems a positive step in the right direction.⁴⁸ It needs to shoulder its responsibilities where it can act in an independent manner and can put a check to the complicating relationship of the civilian government and the military.

⁴⁶ Amin, Shahid M. (2010), *Pakistan's Foreign Policy: A Reappraisal*, New Delhi: Oxford University Press, pp. 108

⁴⁷ Cohen, Saul Bernard (2003), *Geopolitics of the World System*, New Delhi: Rowman and littlefield Publishers Inc, pp. 174

⁴⁸ Fair, C. Christine (2010), *Pakistan: Can the United States Secure an Insecure State?* New York: Rand Corporation, pp. 53

An independent judiciary can stop the confrontation between the civilian government and the military, by securing the constitution which is a rare vista in Pakistan.

Conflict between Military General and Democratic Institutions (Judiciary vs. Executive)

In continuation with the above points another thing can be brought to notice is the confrontation of the Military with judiciary gives another angle to the challenge. To substantiate with fact the example of Musharraf regime can be brought to the fore. The Musharraf regime found itself in confrontation with the Supreme Court, which questioned several of its key decisions, including privatisation, coercion in Baluchistan and the fact that citizens seized by the secret agencies had disappeared, and perhaps been murdered.⁴⁹

However, after Musharraf became the president, there were many issues that confronted the executive with the judiciary. Like, the Court stopped the government from selling the nationalised steel mills at a throwaway price. The verdict embarrassed the government at home and in abroad. It can be seen, 2007 as a decline of Musharraf's regime. On 9 March, 2007, General Musharraf called Justice Iftikhar Chaudhry in his office and asked him to resign, which he refused to. Exercising his powers under Article 180 of the Constitution, Musharraf sent the Chief Justice home and appointed the most senior judge available, Justice Javed Iqbal, to act as acting chief justice of Pakistan.⁵⁰ He also filed a reference of misconduct against Chaudhry and accused him as nepotism and corruption. The Chief Justice challenged the decision in the appropriate forum, while the country's lawyers launched a huge movement in support of the Chief Justice, which galvanised the country and the forces of democracy. These drastic actions made Musharraf very unpopular. He next cracked down on the media, which was highlighting the lawyers protests carried against him. Some private channels were banned and the media made to agree to restrictions.

When Musharraf's government was at stake, the two formers and exiled prime minister signed a 'Charter of Democracy'⁵¹ in London. Meanwhile, in a historic

⁴⁹ Niaz, Ilhan (2009), *The Culture of Power and Governance of Pakistan, 1947-2008*, New Delhi: Oxford University Press, pp. 97

⁵⁰ Qureshi, Atif F. (2009), *Pakistan: Manifest Destiny*, Washington: Epic Press, pp. 103

⁵¹ Bhutto, Benazir (2007), *Whither Pakistan: Dictatorship or Democracy?*, New Delhi: Wani Prakashan, pp. 49

judgment, the Supreme Court reinstated Iftikhar Muhammad Chaudhry on 20 July 2007, holding his suspension by Musharraf was illegal.

Nawaz Sharif's exile was also challenged and the Supreme Court's verdict in his favour came as another setback to the government. He returned to Pakistan on 10 September 2007 and was forcefully deported to Saudi Arabia.

The civil- military also tried to keep the judiciary aside for their benefit. Likewise, Musharraf reached an agreement with Benazir Bhutto and issued the National Reconciliation Ordinance (NRO) that ended all the cases against her husband.⁵² The Muslim League (Q) was not happy with the President's decision, which was said to be taken under US pressure. Musharraf thus failed to implement the democratic values by issuing NRO. He ignored all democratic values and did what was better for his political survival.

Historically, Pakistani courts had not often challenged executive power; instead, they simply endorsed or upheld any measures or actions taken by heads of state. However, on a positive note under Musharraf's tenure, the judiciary had staked out a more independent role for itself, and issued rulings on cases of government abuse and excess, while also advocated for reform of army land deals.

At the same time justice Chaudhry himself vociferously campaigned for an investigation into the disappearance of numerous illegally detained prisoners of the government, many of whom were Musharraf opponents. Chaudhry's suspension sparked mass protests and riots among lawyers throughout the country, who were ultimately joined by factions of Pakistan's growing pro-democratic middle class⁵³ (consisting of teachers, professionals, and university students). In July 2007, the Supreme Court reinstated Chaudhry while Musharraf was engaged in another crisis after ordering troops to shut down the Red Mosque.

Again in the fall of 2007, as both Benazir Bhutto and Nawaz Sharif were arranging to return from exile in order to run in January Parliamentary elections, Musharraf was elected as President despite concerns over his eligibility to serve. Finally, the

⁵² James P. Farwell, (2011), *The Pakistan Cauldron: Conspiracy, Assassination & Instability*, Washington: Potomac books, pp. 167

⁵³ Banaji, Shakuntala (2011), *South Asian Media Cultures: Audiences, Representations, Contexts*, New York: Anthem Press, pp. 79

opposition pressure reached a breaking point. Musharraf declared Emergency rule⁵⁴ in November 2007 in a bid to prevent constitutional challenges to his Presidency, and to ostensibly curb the wave of Islamist and Taliban violence that was sweeping the country. As part of Emergency Rule, Musharraf suspended the Constitution and sacked all Supreme Court judges, including Chaudhry, as well as representatives of the media who were critical of his administration. Musharraf reconstituted the Court with his loyalists and imprisoned former justices who refused to swear allegiance to him. He went on to mandate several Constitutional amendments that would hinder future opposition to his recent election. Thus he jeopardised the independent role of the judiciary in Pakistan once again.⁵⁵

Musharraf then officially resigned from the army, appointing to its head General Ashfaq Pervez Kayani who supported Musharraf but would not necessarily be unduly swayed by him. Musharraf officially assumed the office of civilian President and went on to lift Emergency Rule. Benazir Bhutto was assassinated as she campaigned near army headquarters in Rawalpindi.⁵⁶ Parliamentary elections were postponed until February 2008 and campaigning continued amidst growing violence and fears of vote rigging. Bhutto's husband Asif Ali Zadari (himself under investigation for corruption charges) and her son Bilawal were appointed to lead Bhutto's party, the PPP. Despite this, General Kayani largely upheld his word to ensure that the political process was free from military interference,⁵⁷ and he forbade anyone in uniform from politicking in the months preceding the election. The 2008 election changed the scenario and once again the democratic government came to rule the country. After a long proceeding the judges were restored and since then the judges were seemed to act actively.

Recently there was a tussle of power between the executive and the legislature. Reputedly, "Pakistan's Supreme Court dismissed Prime Minister Yousaf Raza Gilani on, drastically escalating a confrontation between the government and judiciary and plunging the political system into turmoil. Chief Justice Iftikhar Muhammad Chaudhry declared that Gilani's office had been effectively vacant since April 26

⁵⁴ Kronstadt, K. Alan (2007), "Pakistan's Political Crisis and State of Emergency", *CSR Report for congress*, November 6, pp. 23

⁵⁶ Farwell, James P. (2011), *The Pakistan Cauldron: Conspiracy, Assassination & Instability*, Washington: Potomac books, pp. 168

⁵⁷ Cohen, Stephen P. (2011), *The Future of Pakistan*, New York: The Brookings Institution, pp. 174

2012 when the court convicted him on contempt charges because he refused to pursue a corruption case against President Asif Ali Zardari, his superior in the Pakistan People's Party (PPP).⁵⁸

Many viewed the decision as the product of a grudge-driven tussle between President Zardari and Chief Justice Chaudhry, with the PM caught in the middle."⁵⁹ After this incident new Prime minister was appointed in Pakistan, who is also facing the same charges.

The New Shape of Democracy: Civilian Regime

Election 2008 made history in Pakistan. Pro-Musharraf forces had been defeated unexpectedly. Although PML-N and PPP emerged as a 'binding force' against Musharraf, the both party leaders Asif Ali Zardari (party Co-chairman)⁶⁰ and Nawaz Sharif could not move together due to ideological differences. Thus alliance collapsed after four months on the issue of deposed judges when Asif Ali Zardari stated that 'agreement was not a holy Quran or Hadith'.⁶¹ Mr. Zardari also refused to restore the deposed Chief Justice of Pakistan and contested the presidential election. Mr. Zardari was elected as 11th president of Pakistan through Electoral College and PML-N decided to perform their role as opposition in the parliament. Zardari handled the issue of sacked judges without Nawaz's consensus as he desired. Up till now seven deposed judges have taken fresh oath as Supreme Court judges.⁶²

Yousaf Raza Gillani's Pakistan People's Party won a considerable victory in the 2008 parliamentary elections, and with the consent of coalition government, Gillani was nominated for the office of Prime minister, taking the oath from President Pervez Musharraf on 25 March 2008. In a first inaugural session, Gillani announced the formation of the truth and reconciliation commission, reducing the federal budget

⁵⁸ Pakistan: Judges Rebuke Haqqani in Memogate Scandal, by <http://www.thedailybeast.com/articles/2012/06/13/pakistan-judges-rebuke-haqqani-in-memogate-scandal.html>

⁵⁹ Declan Walsh : Pak supreme court sacks PM Gilani, Islamabad, Jun 19 2012, Indian Express, <http://www.indianexpress.com/news/pak-supreme-court-sacks-pm-gilani/964058/>

⁶⁰ After Benazir's assassination, Asif Ali Zardari, Bhutto's husband became the party Cochairperson and her son, Bilawal Zardari, is nominated the party chairperson by Asif Ali Zardari. Bhutto's will is still controversial.

⁶¹ Daily Times, August 24, 2008.

⁶² Hanif, Mohammad (2012), Yousuf Raza Gilani's sacking is bad news for Pakistan, 22 June 2012. [Online: web] accessed 25 June 2012, URL:

<http://www.guardian.co.uk/commentisfree/2012/jun/22/yousuf-raza-gilani-chief-justice-pakistan>.

deficits, reconstructing the troubled tribal belt, education, land and agriculture reforms and lifting the bans on elected labour and students' unions, followed by new energy and nuclear policy to reduce the level of the load shedding in the country.⁶³ With the leadership of Prime Minister Yousaf Raza Gillani Pakistan's parliament has institutionalised a new political consensus on the country's legal and political framework with the 18th amendment's passage.⁶⁴ It gives the Parliament, Prime Minister, judiciary and the provincial government's greater autonomy under the constitution.⁶⁵ While these changes represent an opportunity for Pakistan's political parties to begin seriously addressing the country's critical economic and security problems, the full impact of the amendment will only be determined over time as the country's major political players test their strengthened authorities within a political arena in which the military establishment remains the most powerful single actor.

The 18th amendment does not fix all of Pakistan's political problems. For one thing, the civilian government continues to hold limited powers of real oversight on the budgets or policies of the military, which retains a firm grasp not only on the country's foreign and security policy but also on the large political and economic presence domestically. Though the amendment mandates the establishment of local governments in all four provinces, it provides little clarity on which administrative or financial authorities will be delegated to them or how they should be constituted. Further, while some measures are assumed to increase the provinces' ability to retain control of their revenue, most taxes will continue to be redistributed through the federal centre. Additionally, the 'Federally Administered Tribal Areas' as a border region is facing the problem of being largely outside the direct governmental control and under the threat of militancy. These problems are not yet being addressed by the government.

The amendment does deliver, on promises by the main democratic parties in Pakistan, a paradigm shift to a more democratic and federal system, and in this respect it represents a major accomplishment for a still young civilian government.⁶⁶ Thus, the

⁶³ Pakistan's New Prime Minister Challenges Musharraf, 24 March 2008 by <http://www.npr.org/templates/story/story.php?storyId=8895773>.

⁶⁴ National Assembly passes 18th amendment, *The News*, April 9, 2010.

⁶⁵ "Parliament is sovereign now: PM Gilani vows to take opposition along to resolve problems; praise Nawaz," *The News*, April 2010.

⁶⁶ Impact of the 18th constitutional amendment on federation provinces relations, PILDAT July 2010

success of the 18th amendment will only depend on time. The gaps in the amendment may give chances for the military to intrude once again in politics.

Present Crisis

The Memo Gate Scandal: A New Crisis

After the 2008 election, though the army, while respecting the civilian government, promised to get back to the barracks; once again it confronted with the later regarding the alleged memo gate controversy (also Mullen memo controversy) that revolves around a memorandum (addressed to Admiral Mike Mullen) ostensibly seeking help of the Obama administration in the wake of the Osama bin Laden's raid to avert a military takeover of the civilian government in Pakistan. Central actors in the plot include American-Pakistani businessperson Mansoor Ijaz who alleged that former Pakistan Ambassador to the United States Husain Haqqani asked him to deliver a confidential memo asking for US assistance. The memo is alleged to have been drafted by Haqqani at the behest of President of Pakistan Asif Ali Zardari. The Supreme Court of Pakistan has opened a broader inquiry into the origins, credibility and purpose of the memo.⁶⁷

President Asif Ali Zardari and ex-prime minister Yusuf Raza Gilani are facing a pretty tough time in Pakistan-just to survive the consequences of 'Memogate'. The allegation of businessperson Mansoor Ijaz regarding the preparation of the memo on the instructions of Pakistan's US Ambassador Hussain Haqqani and the clearance from the very top are yet to be proved. Haqqani was summoned by his government, he resigns though he claimed he had nothing to do with the memo, hence ready to face any enquiry. The memo was an alleged plea from President Zardari, soon after the US' secret operation of 2 May 2011 in Abbotabad, which ended with the killing of Osama bin Laden showing the Pakistan military in poor light, for help from the US military to stave off a military coup in his own country.⁶⁸

⁶⁷ Ijaz, Mansoor (2011), "Pakistan's U.S Envoy Quits Amid Memo Controversy", 22 November 2011 [Online: web] Accessed 12 March 2012, URL:

http://articles.cnn.com/2011-11-22/asia/world_asia_pakistan-ambassador-resigns_1_imtiaz-gul-president-asif-ali-zardari-gillani?_s=PM:ASIA

⁶⁸ Dominic Di-Natale, (2011), Memo Controversy Could Cost U.S. Top Advocate in Pakistani Government, 17 November 2012 [Online: web] Accessed 2 May 2012, URL: <http://www.foxnews.com/politics/2011/11/17/memo-controversy-could-cost-us-top-advocate-in-pakistani-government/#ixzz21ZQHGc11>.

Zardari allegedly feared that the Army's reaction to the humiliation would result a coup against his government. The alleged memo was a plea from the civilian government to the US to prevent the coup, for which there would be an independent and accountable inquiry into the raid, setting up a new 'national security team' to support the decisions of the US administration, giving a green light for future, US kill or capture operations on Pakistani soil, disbanding and eliminating certain units within the ISI and arresting those from Pakistani intelligence agencies who allegedly masterminded or supported the Mumbai attacks.⁶⁹

While the civilian government ordered an enquiry by a Parliamentary panel on security, several petitions led by Nawaz Sharif's Pakistan Muslim League were filed in the Supreme Court for a judicial enquiry. In response to the Supreme Court's notice, the government took a stand that there was no need for the court to intervene as an enquiry was on by the Parliamentary panel. In an unprecedented move, the Army Chief, General Parvez Kayani and his ISI Chief General Shuja Pasha, without prior clearance from the government, took a diametrically opposite stand asking for an enquiry into the Memo gate scandal on the ground that the memo does exist. The Ministry of Defence, headed by another retired general, without clearance of the Defence Minister, said that they have no operational control over the Army and its operations. In addition, the Supreme Court has ordered an enquiry by a Commission consisting of three Chief Justices of High Court.⁷⁰ Thus, this incident once again led the breach of trust between the civilian and military institutions, thereby posing a serious challenge to the proper functioning of democracy.

Civilian Government facing Developmental Challenges

Pakistan is a state where almost every kind of problem exists, including electricity load shedding, bad economy, less educational facilities, less hospitals, inflation and no pure water in many parts of country. These problems exist in Pakistan right from its independence till date. The democratic government of 2008 is facing these

⁶⁹ Ghazali, Abdus-Sattar (2012), Probe commission finds Haqqani behind the memo seeking US support against Pakistan's powerful army, 12 January 2012 [Online: web] Accessed 18 April 2012, URL:

<http://www.opednews.com/articles/Probe-commission-finds-Haq-by-Abdus-Sattar-Ghaza-120612-142.html>

⁷⁰ Pakistan court orders 'Memogate' inquiry, Reported by BBC, 30 December 2011, [Online: web] Accessed 10 March 2012, URL: <http://www.bbc.co.uk/news/world-asia>.

problems after coming to power. Still the political parties have failed to find out a viable solution for these deep-rooted problems.

Despite it being rich on raw resources, thus far Pakistan is a developing country with limited development in every era due to the problems it faces. The following challenges are most potent faced by Pakistan today.

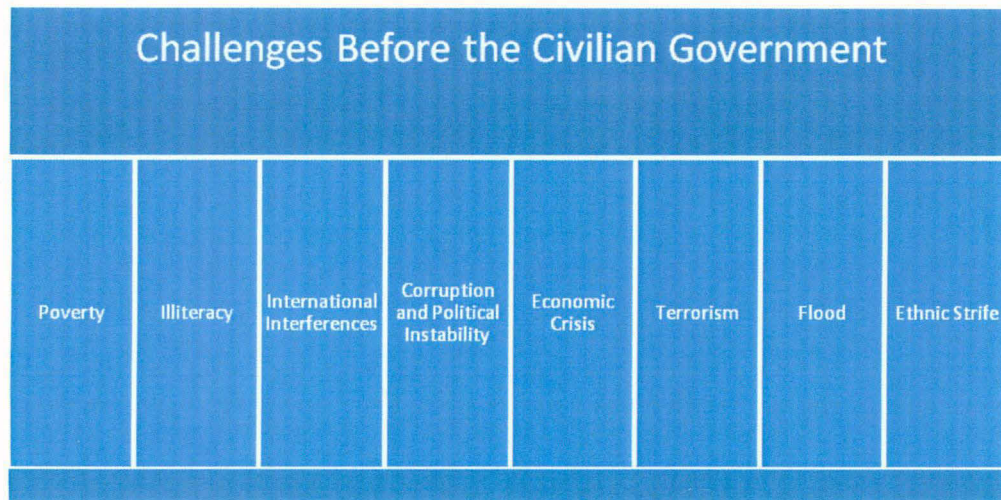


Diagram 2.2: Challenges before the Civilian Government

Poverty

Successive governments in Pakistan have taken numerous policy initiatives to alleviate poverty, yet the latter has continued to increase. The International Fund for Agricultural Development's Rural Poverty Report 2011 says that poverty is widespread in Pakistan and is predominant in the rural areas, holding that nearly 80 per cent of the country's poor people live in rural parts of the country. The small landholders and landless peasants, whose work makes the country produce a surplus of grain, live in abject poverty, the basic reason being the unequal land distribution, particularly in Sindh.⁷¹

The challenge of poverty reduction confronting the government and ensuring inclusive growth remains substantial despite the recent decline in poverty, with almost a quarter of the population still living below the poverty line. In rural areas, according to an analysis of Asian Development Bank, poor people continue to struggle with the

⁷¹ Challenge of rural poverty By Meer M. Parihar | From the Newspaper | 21st April, 2011, <http://dawn.com/2011/04/21/challenge-of-rural-poverty/>

prevailing patterns of land ownership, malfunctioning labour markets, lack of access to quality education and health services, and discriminatory social structures.⁷²

On the other hand urban areas suffer from deteriorating living environments, inadequate access to basic services, security problems, and poor infrastructure, the analysis says. According to the World Bank report, the 10 per cent elite class in Pakistan accounts for 43.02 per cent of total national income, the 30 per cent middle class accounts for 34.8 per cent in national income, while the 60 per cent poor group accounts just for 22 per cent of total national income.

The recent floods have perpetuated the poverty chain further. The World Bank said in February 2009: “Almost 40 per cent of 107 developing countries are highly exposed to the effects of poverty. Pakistan has been placed among the 43 highly exposed countries”.

The recent floods have doubled the effects of poverty. As according to UNICEF, 20 million people have been affected by the recent floods in Pakistan and more than half are children.⁷³ Thus the present government is unable to curb it.

Illiteracy

Literacy is defined as persons aged 15 or above who can read and write. According to this definition, Pakistanis officially reported to have 50% literacy rate. Which means half of its population is illiterate. With such family backgrounds, inflation, poverty and child labour, this rate is expected to increase in future. Even for those who are termed as ‘Literate’ are only able to read and write, which in today’s technology oriented world is still considered as illiteracy. Majority of the people forming the top controlling tier is almost unaware of technologies and technical mindset. Therefore, it is causing the country to adopt the new technologies at a snail’s speed.⁷⁴

⁷²International Monetary Fund, (2010), Pakistan: Poverty Reduction Strategy Paper, http://books.google.co.in/books?id=OwlCmFHCUTYC&pg=PA285&lpg=PA285&dq=lack+of+access+to+quality+education+and+health++in+Pakistan&source=bl&ots=F5kQJDxezJ&sig=BtQy3PdvDeujCZqOULFJj9_sIU&hl=en&sa=X&ei=a_4OULXjNoWnrAe54IEg&sqi=2&ved=0CDcQ6AEwAQ#v=onepage&q=lack%20of%20access%20to%20quality%20education%20and%20health%20%20in%20Pakistan&f=false

⁷³ Poverty: democratic govt’s response, From the Newspaper | 17th January, 2011 <http://dawn.com/2011/01/17/poverty-democratic-govts-response/>

⁷⁴ Hasnat, Sayed Farooq (2011), *Pakistan*, California: ABC-CLLo, LLC, pp. 127

Economic Challenges

Apart from the above challenges the economic deficit is also posing a threat to Pakistan. The budget deficit stood at 6.6 per cent of GDP in 2011, according to the central bank, the State Bank of Pakistan (SBP), which warned that government borrowing was crowding out the private sector from access to credit. That reduces the prospects for economic growth in a country that is on the front line of the war against al Qaeda and where more than 5,000 people have been killed in bomb and gun attacks by insurgents since 2007. At the same time Pakistan's tax revenues are among the lowest in the world at just 9.8 per cent of GDP in fiscal 2010-2011, says the Asian Development Bank, and less than two per cent of the population pays tax on their income. On top of this, the government sells out huge sums on electricity subsidies — about 1.5 per cent of GDP in 2010-11, according to the IMF — for a sector so blighted by mismanagement that most of the country suffers crippling power cuts. Pakistan has also missed out on payments from the United States for its efforts to fight militancy under the Coalition Support Fund (CSF). This brought around \$8.8 billion into Pakistan's coffers between 2002 and 2011, including \$1.5 billion in 2009-10, but Islamabad stopped claiming the money as ties with Washington collapsed in the wake of the raid that killed Osama bin Laden last year. With inflation already running at around 11 per cent, the alternative of printing money to pay debts opens the way to the nightmare of hyperinflation.⁷⁵

Also Pakistan's economy faces a major hurdle in the shape of its domestic energy crisis. The ADB has identified rising inflation, investment decline, low tax revenue and losses at public-sector enterprises as other factors hindering economic growth.⁷⁶

Corruption and Political Instability

Corruption remains a substantial obstacle for Pakistan where it is still perceived to be widespread and systemic. Petty corruption in the form of bribery is prevalent in law enforcement, procurement and the provision of public services. The judiciary is not seen as independent and considered to be shielding corrupt political practices from prosecution. Various efforts over the past years have tried to develop institutional

⁷⁵ Pakistan 'heading for new financial crisis without reforms' 30th may 2012, Islamabad URL: <http://dawn.com/2012/05/30/pakistan-heading-for-new-financial-crisis-without-reforms/>

⁷⁶ Pakistan's energy crisis major hurdle in economic growth: ADB, dawn, 11 April 2012, URL:<http://dawn.com/2012/04/11/pakistans-energy-crisis-major-hurdle-in-economic-growth-adb/>

mechanisms to address these problems. A National Anti-Corruption Strategy, which was developed in 2002, offers a comprehensive plan for tackling corruption. The executing agency, the National Accountability Bureau (NAB), is endowed with comprehensive powers to investigate and prosecute cases. However, a lack of political will, coupled with the perceived co-option of the judiciary and the arbitrariness of many anti-corruption proceedings, are major obstacles⁷⁷

International Interference

The international influences still act as a hindrance for Pakistan. The US intervention in the political sphere has often determined the difficulties of the civil- military relations of the country. While the Abbottabad incident and NATO strike on the military, involving United States presence in the country, brought the civilian government and the military together, the memo gate scandal ably tore their enhanced relationship apart.⁷⁸

Terrorism

Terrorism in Pakistan has become a major and highly destructive phenomenon. The whole world looks at Pakistan, as a land of terrorists. The main reasons are exploitation through the religious leaders and reaction of the military operations both internally as well as externally. The post-9/11 War on Terrorism in Pakistan has had two principal elements: the government's battle with jihad groups banned after the attacks in New York, and the U.S. pursuit of Al-Qaeda in co-operation with Pakistani forces.⁷⁹

In 2004, the Pakistani army launched a pursuit of Al-Qaeda members in the mountainous area of Waziristan on the Afghan border, although sceptics question the sincerity of this pursuit. Clashes there erupted into a low-level conflict with Islamic militants and local tribesmen, sparking the Waziristan War. A short-lived truce known as the Waziristan accord was brokered in September 2006, which indicated Pakistan's reluctance to fight Islamic militia. The recent challenges are the attack of the Taliban in the tribal areas and in the central hub of Pakistan. The rise of Tehrik-i-Taliban Pakistan (TTP), especially because of the military operation of the allied forces in the

⁷⁷ Musharraf, Pervez (2006), *In the Line of Fire: A Memoir*, New York: FP Press, pp.127

⁷⁸ Khan, Naveeda (2010), *Beyond Crisis: Re-evaluating Pakistan*, New Delhi: Routledge, pp. 9-10.

⁷⁹ Abbas, Hasan (2005), *Pakistan's Drift Into Extremism: Allah, The Army, And America's War On Terror*, New York: An Eastgate Publication, pp. 17

Af-Pak border, is constantly posing a threat to Pakistan, which can once again bring the army in the political arena.⁸⁰

Flood

The sense that the military is crucial to Pakistan's survival and is the main functioning institution has been part of its 'mythology' and popularity throughout six decades of independence. This perception received further reinforcement during the floods disaster. The military provided the sole means of communication as bridges and roads were washed away. The army ran relief camps and provided medical facilities for huge numbers of people who escaped to dry land. The army's long-term links with Islamic parties were reinforced as it worked alongside volunteers from such Islamist parties as Jamaat-e-Islami. The power relationship between the army and the elected politicians tipped still further in the former advantage. None of this signals an imminent military coup. But it does make the prospect of a re-ordering of civil-military relations even more unlikely than it was in February 2008. Yet civilian control over the military, rather than abdication of large areas of governance to an army pulling the strings behind the scenes is crucial for Pakistan's democratic consolidation.⁸¹

Thus, the issue of flood had also posed challenges to the recent government. It has not only knocked down the houses but also the health and economic conditions of the areas. The civilian government had to take help of the Army to surpass the challenges.

Ethnic Strife

The port city of Karachi has been thrown to a city of darkness by becoming a heartland of ethnic conflicts. Karachi, being the home for many ethnic groups, is the miniature version of Pakistan. According to an estimate, Mohajirs are 44 per cent of the total population of Karachi followed by Pakhtuns, Punjabis, Sindhis and Balochs. Thus Karachi has been transformed to a plural region in a young country characterized by unprecedented mobility. But since long, it has been engulfed into ethnic and political violence, which again saw its resurgence in recent times. This is because of the tussle of power between the Pakhtuns and the Mohajirs to get due share in economic resources. In February 2007, the World Bank identified Karachi as

⁸⁰ Hussain, Sayed Ejaz (2010), *Terrorism in Pakistan*, London: Lambert Academic Publishing, pp 129-130

⁸¹ Hyndman, Donald (2010), *Natural Hazards and Disasters*, Canada: Books Cole, pp. 351

the most business-friendly city in Pakistan. Thus the fight to get the maximum access to the resources and the government lands by the political parties in the areas where they are strong is being carried out. This problem highlights the ethnic divide of Pakistan and the incapability of the present government to counter it. Apart from that the growing resentment in Baluchistan is also posing threat.⁸²

Persisting challenges

The above analysis reveals that Pakistan has been badly experiencing chequered history of democracy. Weak political institutions, frequent military interventions, frequent dissolution of civilian governments, engineered and flawed election process, weak party system, lack of constitutionalism and lack of rule of laws has been obstructing way for promotion of genuine democracy in Pakistan. The basic problem lies in keeping away the military from the civilian sphere. This is because the Pakistani military is highly involved in economic, political and social welfare policies.⁸³ The army itself owns and operates five large business ventures that blur the lines between the public and private sectors, including the country's largest conglomerate responsible for everything from factories to hospitals to banking.

Therefore, the military also owns considerable land in Pakistan and indulged in operating farms and industries and buying and selling real estate on the open market. During the Cold War and now the Global War on Terror, the military has been the primary recipient of much of Pakistan's foreign aid.⁸⁴ During the crisis period 1989-2001, in which Pakistan fell under a variety of international sanctions related to its nuclear program, faced constitutional crises and was criticised for state sponsorship of terrorism, this aid has largely kept the country afloat.

Again, because of threat perception from India the task of safeguarding Pakistan was vested in the hands of the military, which gradually tried to spread its tentacles to the political sphere. Apart from the security issues starting from flood relief to keep away the Swat Taliban, the Army has acted strongly to fight these odds. Thus, the recent

⁸² Siddiqi, Farhan Hanif (2012), *The Politics of Ethnicity in Pakistan: The Baloch, Sindhi and Mohajir Ethnic Movements*, New York: Routledge, pp. 57

⁸³ Siddiqi, Ayesha (2007), *Military Inc: Inside Pakistan's Military Economy*, New York: Pluto Press, pp. 43

⁸⁴ Aziz, Mazhar (2007), *Military Control in Pakistan: the Parallel State*, New Delhi: Routledge Publications, pp. 82

government is also getting dependent on the Military to cope with the mammoth challenges.

As Pakistan's military scholar, Hasan Askari Rizvi has written that there are certain matters that absolutely do not get discussed without military oversight. These include Kashmir, Pakistan's nuclear program, foreign policy, defence spending, rewards for military officers, and international military decisions.⁸⁵ Thus, gradually the military has generally controlled decision-making to the point of removing civilian leaders who do not conform to the military's wishes. In addition, the military and intelligence services not only extend their influence directly within and beyond Pakistan's borders, but also act through proxy agents: from insurgent groups in Kashmir to the Taliban in Afghanistan.

At the end, it could be said that at this point a well-defined strong political party is desirable along with an active civil- society to check and balance the political and military institutions. Thus, a proper democratisation procedure is also required to surpass the challenges. The following chapter will deal with the issue of democratisation at a large. Thus, the challenges coming to the fore in terms of civil-military relations should be handled with care so that a viable solution to the problem can be established.

⁸⁵ Rizvi, Hasan Askari (2000), *The Military & Politics in Pakistan, 1947-1997*, Karachi: Sang-e-Meel Publications, pp. 121

Chapter 3

The Process of Democratisation and Civil-Military Relations in Pakistan

Pakistan has been in a permanent state of crisis since it was carved out of the Indian subcontinent in 1947. Of the range of factors responsible for this state of affairs, the most important is the failure to establish a democratic system of governance. For more than half of Pakistan's 65-year existence, the military has dominated politics and national life, stifling the development of credible democratic institutions. Even during the interregnums that have punctuated direct military rule, when civilian governments have been in power, the military has cast a long shadow over politics and the national agenda.¹

The roots of Pakistan's democracy deficit can be traced to the very foundation of the state. After the long struggle by a united India for independence from British colonialism, the lingering Hindu Muslim divide was finally and bloodily resolved by Partition. The great two-way migration of humanity that ensued was accompanied by devastating communal massacres and bloodshed. Some one million people were killed in all. This formed the basis for the bitter, enduring enmity between the new states of Pakistan and India.²

For nine years after Pakistan's creation, the Constituent Assembly was unable to agree on a constitution. The biggest stumbling block was the refusal of the powerful political, bureaucratic, and military elite of the province of Punjab to accept the principle of one man, one vote.³ Since the eastern wing of the country, separated from the western portion by a thousand miles of hostile Indian territory, held a majority of the population, the Punjabi oligarchy feared that acceptance of this fundamental democratic principle would permanently shift power to the Bengalis of East Pakistan.

¹ Ahmad, Khalid (2002), *Pakistan: The State in Crisis*, Washington: Vanguard, pp. 69.

² Kukreja, Veena (2003), *Contemporary Pakistan: Political Processes, Conflicts, and Crises*, New Delhi: Sage Publications, pp. 15

³ Ziring, Lawrence (1980), *Pakistan the Enigma of Political Development*, New York: Dawson, pp. 39.

That concern was at the heart of the crisis of 1971, during which East Pakistan, with the help of Indian military intervention, broke away to form what is now Bangladesh.⁴

The Pakistan that remained in the west also suffered from deep flaws in its federal structure. Despite the 1973 Constitution's lip service to the principle of provincial autonomy, the three smaller provinces of Sindh, Baluchistan, and North West Frontier Province (NWFP) continue to voice serious complaints about the dominance of Punjab in state institutions.⁵ The province's power stems not just from the weight of its population, which accounted for 56 percent of the total in the last census in 1998, but also from the disproportionate recruitment of military, bureaucratic, and police personnel from Punjab. The operation of these largely Punjabi-staffed state institutions in the smaller provinces has engendered cries of 'internal colonialism' and separatist sentiments. Baluchistan is now in the throes of the fifth round of military suppression and local resistance since the country's independence.⁶ Sub-nationalist ambitions in Sindh and NWFP have declined over the years. In Sindh this is due to the increased weight of its chief political parties, the largely rural-based PPP and the more urban Muttahida Qaumi Movement (MQM). Such sentiment in NWFP has been eclipsed by the decades of wars in neighbouring Afghanistan. Nevertheless, resentments at perceived deprivation of political, economic, and cultural rights simmer just below the surface in all three of the smaller provinces. Failure to resolve this long-standing conundrum could threaten the country's democratic development and ultimately the viability of the Pakistani state.⁷

The rivalry with India and the instability of Pakistan's internal structure have been exploited to justify the military's outsized role in the country. Even during the brief periods of civilian government, the military has more often than not called the shots. Unfortunately, it is woefully ill-equipped to address Pakistan's fundamental problems. The last military regime, led by General Musharraf, left a country divided, economically bereft, and threatened by the emergence of jihadi extremist groups

⁴ Kleiner, Juergen (2007), "Pakistan: An Unsettled Nation", *Diplomacy and Statecraft*, 18: 1–25,

⁵ Mahmood, Safdar (2003), *Pakistan: Political Roots and Development, 1947-1999*, New Delhi: Oxford University Press, pp. 23

⁶ Shah, Mehtab Ali (1997), *The Foreign Policy of Pakistan: Ethnic Impacts on Diplomacy, 1971-1994*, New York: St. Martine Press, pp. 101

⁷ Talbot, Ian (1998), *Pakistan: A Modern history*, New York: Palgrave Macmillan, 21

aligned with the Afghan Taliban and Al-Qaeda. Indeed, the military's irresponsible sacrifices and mismanagement with respect to the Taliban, all in the blinkered pursuit of a hidebound national security principle, may provide the clearest illustration of the dangers of military rule.⁸

The military intervention in civil government is one of the biggest hurdles to the process of democratisation. First, such military interference in Pakistan's civilian politics came in 1958, when the government was dissolved and the path was opened for the military rule.⁹ So far, four direct military interventions: (1958-69), (1969-71), (1977-88) and (1999-2008) had taken place. However, the process of democratisation has not been ended forever with military intervention but continuous attempts have been made for the restoration of democracy. In the light of frequent military intervention in the democratic proceedings, this chapter will deal with the conflicts and crises attached to the process of democratisation in Pakistan and will discuss the country's transition from an authoritarian to a democratic order.

Democratisation Process and Civil-Military Relation under Pervez Musharraf Regime

In Pakistan, the rulers, political parties and leaders and the civil society groups support democracy at the normative or conceptual level. The politically active circles demand representative governance and participatory decision making in the political and economic fields. They highlight fair and free electoral process, the rule of law, socio-economic justice and accountability of those exercising state power as the pre-requisites for a political system.¹⁰

However, there are serious problems with these principles at the operational level in Pakistan. Power structure and style of governance often negated these principles. Most rulers, civilian and military, pursued personalisation of power and authoritarian style of governance, assigning a high premium to personal loyalty and uncritical acceptance of what the ruler or the party chief decides. This was coupled with partisan

⁸ Rahman, Rashed (2009), "Pakistan: Semi-Authoritarian, Semi-Failed State", in Freedom House (eds.) *Undermining Democracy: 21st Century Authoritarians*, Washington: Freedom House, pp. 41.

⁹ Aziz, Mazhar (2007), *Military control in Pakistan: the parallel state*, New York: Routledge, pp. 41

¹⁰ Rizvi, Hasan Askari (2001), "Democracy in Pakistan", *Lokniti*, New Delhi: CSDS, pp. 1

use of state apparatus and resources, and an elitist and exploitative socio-economic system.¹¹

The military returned to power on October 12, 1999 after dislodging the civilian government of Nawaz Sharif. There were two significant changes in the disposition of the senior military commanders during the fourth phase of direct military rule. First, the military was no longer willing to stay on the sidelines and viewed itself as critical to internal stability and continuity. It advocated a direct and constitutional role for the top brass. Second, the military expanded its nonprofessional role to such an extent that it could not give a free hand to the civilian political leaders.¹²

The military has spread out in government and semi-government institutions and pursues wide ranging commercial and business activities, especially in the fields of industry, transport, health care, education, and real estate development. It seeks assignments from the federal and provincial governments for civil construction projects. Given the military's expanded interests and its involvement in governance, its role in Pakistan can be described as hegemonic.¹³

Pervez Musharraf was the fourth military ruler to govern Pakistan since independence. Although he did not declare martial law, as General Zia ul-Haq had done earlier, he placed the country under military control. Except for jailing Sharif and his top aides, Musharraf initially avoided using the oppressive tactics that normally accompany coups. He wanted to be seen as a benevolent leader and was sensitive to public opinion because he needed popular support to overhaul the political system and fight corruption. As Javed Jabbar, then the information minister, put it, "We have set limits on the use of power because our most important goal is to build respect and trust in government".¹⁴

¹¹ Khan, Adeel (2005), *Politics of Identity: Ethnic Nationalism and the State in Pakistan*, New Delhi: Sage Publications, 47

¹² Hossain, Ishtiaq (2000), "Pakistan's October 1999 Military Coup: Its Causes and Consequences", *Asian Journal of Political Science*, 8 (2): 35-58

¹³ Hoffman, Michael (2011), "Military Extrication and Temporary Democracy: The Case of Pakistan", *Democratization*, 18 (1): 75-99

¹⁴ Haqqani, Husain (2006), "History Repeats Itself in Pakistan," *Journal of Democracy* 17 (4): 23

In a televised speech to the nation five days after the 1999 coup, Musharraf announced that the military had “no intention to stay in charge any longer than is absolutely necessary to pave the way for true democracy to flourish in Pakistan”.¹⁵ Ironically, similar promises had been made by his military predecessors, but all failed to establish sustainable democracy even though they were in power much longer than civilian leaders.

Like other military dictators, Musharraf soon dissolved the National Assembly, suspended the constitution, and ruled by decree. He allowed political parties to continue but made every effort to weaken them and to marginalise civil society. He had contempt for civilian politicians and had no plans to work with them. The government restricted political activities by banning public and political rallies and by using force to break up opposition meetings. In 2000, Larry Diamond, a well-known expert on democracy, questioned whether Musharraf was turning his back on democracy.¹⁶

In January 2000, Musharraf meddled with the independent judiciary system after Sharif’s party challenged in the courts the legality of the military takeover. Like General Zia, Musharraf instructed senior judges to swear allegiance to the military regime or quit. The majority took the oath to keep their jobs, but nineteen judges, including six members of the Supreme Court, resigned. Their resignations allowed Musharraf to appoint new judges who would stand by the government and stop any legal challenges in the future. Human rights activists criticised his action, which, in their view, effectively emasculated the independent judicial system.¹⁷

In May 2000, the newly appointed Supreme Court justices validated the military’s rule, citing a doctrine of state necessity. However, the court prohibited the chief executive from amending key features of the 1973 constitution and stated that elections should be held within three years.¹⁸ The court was of the opinion that

¹⁵ Ibid.,20

¹⁶ Diamond, Larry (2000), “Is Pakistan the (Reverse) Wave of the Future?” *Journal of Democracy*, 11 (3): 91 – 106.

¹⁷ El-Khawas, Mohamed A. (2009), “Musharraf and Pakistan: Democracy Postponed”, *Mediterranean Quarterly* 20 (1): 94-118.

¹⁸ Commonwealth Observer Group, (2006), *Pakistan National and Provisional Assembly Elections, 10 October 2002: Report of the Commonwealth Observer Group*, London: Commonwealth Secretariat, pp. 8.

prolonged interference of the military in politics is not good. It will politicise the army, and democracy should be restored within the shortest possible time. Musharraf had no problem with this ruling. In compliance, he announced that elections would take place by the end of 2002.

Musharraf believed that the country had established a dysfunctional democracy of divisiveness and sectarianism since independence and he therefore planned to guide it toward stronger foundations.¹⁹ His 'devolution of democracy' sought to create a new cadre of independent politicians who would support the government's agenda at the grassroots level. Between December 2000 and mid-2001, local elections were held in five stages on a non-party basis in administrative and electoral districts. Since political parties were kept out of the contest, local tribes and religious groups were actively involved. They played a major role in deciding who would run, because distribution of local patronage and services were conditioned upon elected officials being acceptable to the regime. This strategy resulted in increasing the central government's administrative control of politics and weakening the provincial governments.²⁰

In April 2002, Musharraf, like his military predecessors, decided to hold a referendum, asking people whether they wanted to elect him as president for five years in order to allow him to complete his plans for establishing democracy and ending sectarianism and extremism.²¹ Political parties opposed the referendum and went to the Supreme Court to stop it. The court ruled in favour of the referendum because it did not involve amending the constitution, which was in abeyance. The court also left the door open for the parliament to review the outcome of the referendum after the elections. When the referendum was held on 30 April 2002, the opposition claimed that the turnout was between 5 and 15 percent, while the government reported that 70 percent participated in the referendum, of which 98

¹⁹ White House, Office of Press Secretary, "Remarks by President Bush and President Musharraf of Pakistan," press release, 24 June 2003, 6, www.america.gov/st/washfile-english/2003/June/20030624163120namrev.4486.

²⁰ Waseem, Mohammad (2006), *Democratization in Pakistan: A Study of the 2002 Elections*, Karachi: Oxford University Press, pp. 71.

²¹ Siddiq, Ayesha (2007), *Military Inc.: Inside Pakistan's Military Economy*, London: Pluto, pp. 99.

percent supported Musharraf.²² He then declared himself president on the basis of this referendum, which the opposition claimed was fraudulent.

With general elections expected at the end of 2002, Musharraf secretly formed a political party, the Pakistan Muslim League-Quaid (PML-Q), under the leadership of Chaudhry Shujaat Hussein.²³ He did everything within his power to manipulate the political process, including rewriting the rules, to weaken the main political parties. In June 2002, the laws governing parties were changed without prior consultation with political leaders.

The following month, the election commission gave each party ten days in which to submit many documents, including a copy of its constitution, an account statement, and proof of holding internal elections for party leaders. Failure to hold such elections would prevent parties from competing in the upcoming elections.²⁴

Measures that followed made it clear that Musharraf did not intend to transfer power to civilian rule any time soon. In summer 2002, he announced sweeping constitutional changes to expand his presidential power and to guarantee the military's hegemony over the political system. In August, he issued the Legal Framework Order, giving the president the power to dissolve parliament, to dismiss an elected prime minister, and to appoint provincial governors. The Legal Framework Order also permitted the president to appoint commanders of the armed forces and the chairman of the Joint Chiefs of Staff, who were also included as members of the National Security Council.²⁵

Musharraf defended the creation of the military-dominated council as a necessity to strengthen democracy and to stop the irresponsible behaviour of the politicians. The secular opposition disagreed and argued that the council was formed to protect the military's interests and to enhance its role as guardian of the state. The military had to

²² Abbas, Hassan (2005), *Pakistan's Drift into Extremism*, New York: Sharpe, pp. 227.

²³ Musharraf's involvement in founding the ruling party (PML-Q) was not known until he wrote the book *In the Line of the Fire*. See "Pak Political Scene: Q Collapsed before Its Founder's Exit," *Canadian Asian News*, 1 – 15 March 2008, 19.

²⁴ Talbot, Ian (2002), "General Pervez Musharraf: Saviour or Destroyer of Pakistan's Democracy?," *Contemporary South Asia*, 11 *Contemporary South Asia* (2002), 11(3), 311–328

²⁵ See, for example, Stratfor, "Pakistan: Musharraf's Divide and Conquer Strategy," 3 June 2003, www.stratfor.com/pakistan_musharrafs_divide_and_conquer_strategy.

keep a watchful eye on civilian politicians who, in their view, had not done well running the country in the past.²⁶

Political parties, including the Muttahida Majlis-e-Amal (MMA), a coalition of six religious parties, opposed the creation of the National Security Council because it institutionalised the role of the military in politics. They also objected to Musharraf's holding on to the presidency while at the same time serving as the army chief. The strongest opposition came from the Pakistan Bar Council, which questioned the legality of the Legal Framework Order since it overrode the constitution, especially by shifting power from an elected prime minister to the president. The challenge was taken to the Supreme Court, which declined to rule on the matter, leaving it to parliament to decide after the elections.²⁷

In July 2002, Musharraf announced the elections and proceeded to change the rules in ways that would weaken other political parties and improve his party's chances of winning. The government raised the bar for nomination, requiring that a candidate must have a college bachelor's degree or equivalent military academy or seminary degree. It disqualified any person who had been convicted on charges of corruption or abuse of power, had defaulted on a bank loan, or had absconded from court proceedings. These rules were intended to prevent former prime ministers and close associates from winning the election. The government also set limits on how much money candidates could spend on their campaigns.²⁸

The government did not lift the three-year-old ban on political activities until the beginning of September of the year, giving political parties only six weeks to campaign. It restricted holding public processions, a traditional way of campaigning in the country, for security reasons. In addition, major party candidates suffered from bureaucratic red tape and the requirement to obtain approval from several offices to hold political rallies. Islamabad, the capital was off limits for public meetings.

²⁶ Siddiqa, Ayesha (2007), *Military Inc.: Inside Pakistan's Military Economy*, London: Pluto, pp. 108.

²⁷ Inglehart, Ronald and Welzel, Christine (2003), "Political Culture and Democracy: Analyzing Cross-Level Linkages", *Comparative Politics*, 36 (1):61-79

²⁸ Commonwealth Observer Group, 16.

Candidates worked around the government's restrictions by talking to people in the streets or by using tapes and videos.²⁹

The two largest parties were without their charismatic leaders, who could not return home to contest the elections. After the 1999 coup, former Prime Minister Sharif of the Pakistan Muslim League-N (PML-N) had been jailed and convicted on charges of hijacking because of his order to prevent Musharraf's plane from landing hours before the coup. He was later pardoned and sent to live in exile in Saudi Arabia. It was also alleged that he agreed to refrain from politics for ten years, which he later denied. Benazir Bhutto of the Pakistan People's Party (PPP) left the country in 1999 and lived in self-imposed exile in London and Dubai to avoid being prosecuted on charges of corruption related to the times she served as prime minister.³⁰

Despite their absence, Musharraf resorted to measures to prevent the PPP and the PML-N from winning any significant number of seats in the lower house of parliament. While Pakistani officials conducted a smear campaign in the media against Bhutto and Sharif, the military used religious parties to undermine the credibility of the secular opposition parties; they were accused of being un-Islamic and corrupt. While the Inter-Services Intelligence Agency restricted campaign activities by the secular politicians of the main political parties, they allowed religious parties — the MMA and the Muhajir Qaumi Movement — to campaign openly. The aim was to get religious parties to take votes away from the PPP and the PML-N and thus prevent them from dominating the National Assembly. Furthermore, the government used the National Accountability Bureau to harass prominent opposition candidates and even to use the court to disqualify them from running or to contest elections. The National Accountability Bureau, for example, accused Yousuf Raza Gilani, a former minister in Bhutto's cabinet (1988 – 90) and speaker of the National Assembly (1993 – 6), of corruption. In 2001, the court sentenced him to ten years in jail, preventing him from participating in the elections.³¹

²⁹ Talbot, Ian (2002), "General Pervez Musharraf: Saviour or Destroyer of Pakistan's Democracy?", *Contemporary South Asia*, 11 *Contemporary South Asia* (2002), 11(3), 311–328

³⁰ Haqqani, Husain (2005), *Pakistan: Between Mosque and Military*, New York: Carnegie Endowment for International Peace, pp. 111.

³¹ "Gillani: Premier for Five Years," *Daily Times*, editorial, 24 March 2008, www.dailytimes.com.pk/default.asp?page=2008%5C03%5C24%5Cstory_24-3-2008_pg3_1.

On the whole, the campaign did not excite many citizens, because they felt that there was no real contest and expected no change after the elections. They believed that the elections were rigged ahead of time and that the integrity of the process was compromised by the military and intelligence interference on behalf of the ruling party.³² Musharraf did not abide by the rule that prohibited political parties from campaigning within the last forty-eight hours before polling day. He addressed the nation on the eve of elections, citing his many accomplishments and urging voters to vote for the right candidates. Also pro-regime campaign materials were included in several newspapers.

The Elections 2002 and their Repercussions

On 9 October 2002, a day before the elections, the government announced a new rule requiring independent legislators to join a party within three days after the final election results were announced. In the elections, 73 political parties competed for the 272 National Assembly seats. Another 60 seats were reserved for women and 10 for religious minorities. Citizen apathy led to a low turnout. Only 42 percent of eligible voters cast a vote. It was reported that many youth did not go to the polls and female voters were prevented from voting in some parts of the country. Feudal landowners exerted undue influence on their worker's families to vote for certain candidates.³³ It was not a surprise that Human Rights Watch reported that the "entire election process [was] deeply flawed".³⁴

The biggest winner was, of course, the PML-Q (Musharraf's Party). It captured 118 seats in the National Assembly, followed by the PPP with 81 seats. The big surprise was the strong showing of the MMA, which had not done well in previous elections. It captured 60 seats in the National Assembly. Sharif's party, the PML-N, did not do well, because some prominent members were threatened with imprisonment unless they switched to the ruling party. Others defected, because with their party leaders in

³² "Pak Political Scene," *Canadian Asian News*, 1 – 15 March 2008, 19.

³³ Commonwealth Observer Group, page 26.

³⁴ Human Rights Watch, "Pakistan: Entire Election Process Deeply Flawed," 9 October 2002. www.hrw.org/press/2002/10/pakistan.bck.1009.html.

jail or in exile, they saw an opportunity for personal gains in joining the winning team.³⁵

Because the PML-Q did not win a clear majority to form a government, it was necessary to form a coalition cabinet. The PML-Q first tried but failed to reach an agreement with the PPP, which insisted that the government drop its corruption charges against Bhutto and release her husband from jail. The ruling party also could not make a deal with the MMA, because it demanded that Musharraf repeal the Legal Framework Order and resign from the military. In response, the ruling party tried a parliamentary manoeuvre to gain more seats. It enticed or coerced elected legislators to leave their parties and join the ruling party, even though this crossover had been banned five years previously. Among other examples, twenty members of Bhutto's party split and formed their own party, Pakistan People's Party Parliamentarian Patriot, before joining the PML-Q.³⁶ This resulted in the PML-Q controlling enough votes to approve its candidate, Zafarullah Khan Ismail, as prime minister.

Consequently, Musharraf was well situated to continue dominating the political structure. He had a prime minister he could work with, legislators he could manipulate to push his own agenda, and a political party he could control. As Mohammad Waseem put it, the executive "initiates decisions in party forums, which are translated into law through the legislative procedure, and are then rigidly defined, implemented, and controlled by the bureaucracy".³⁷

In December 2003, Musharraf announced his intention to quit the military within a year. It was part of a deal to remove the MMA objection to a constitutional amendment to allow him to hold on to both the army job and the presidency. There was strong opposition to his continued military rule. The PPP threatened to boycott parliament and to organise street demonstrations. By October 2004, however, over the opposition's objection and walkout, the National Assembly passed an amendment to

³⁵ Haqqani, Husain (2005), *Pakistan: Between Mosque and Military*, New York: Carnegie Endowment for International Peace, pp.111.

³⁶ Siddiqi, Ayesha (2007), *Military Inc.: Inside Pakistan's Military Economy*, New Delhi: Oxford University Press, pp.100.

³⁷ Waseem, Mohammad (2006), *Democratization in Pakistan: A Study of the 2002 Elections*, Karachi: Oxford University Press, pp. 31

allow Musharraf to hold the dual offices of president and army chief. The MMA votes were crucial to meeting the two-thirds majority that was required for this amendment to the constitution.³⁸ Musharraf defended his action by saying that the country “is passing through a critical phase and [the] national interest demands that he retain his power as head of the army.” He claimed that 96 percent of Pakistanis supported him and wanted him to keep the military post.³⁹

The secular opposition parties were critical of Musharraf’s changing of the constitution to institutionalise military rule, which sent a clear signal that he had no intention of restoring democracy soon. Musharraf defended his decision and cited the progress he had made toward fixing the broken system, which included having an elected parliament, a new local government system, and empowerment of women and minorities.⁴⁰ He also pointed out that the press enjoyed more freedom than they had in recent years. There were more private television and radio stations than ever before. He also met with the press and gave interviews.⁴¹

Thus a conflict between the professed democratic values and the operational realities of authoritarianism and non-sustainable civilian institutions and processes was seen during Musharraf era. The redeeming feature of this conflict is that despite the long spells of authoritarian and military rule, the theoretical commitment to democracy and participatory governance has persisted in Pakistan. None of the two political trends has been able to overwhelm each other. If democracy could not function on a continuous basis, the authoritarian and military rule did not get accepted as a normal or legitimate political system in Pakistan.⁴²

The failure to institutionalise participatory governance has caused much alienation at the popular level of the country. A good number of people feel that they are irrelevant to power management at the federal and provincial levels. The rulers are so engrossed

³⁸ Haqqani, Husain (2005), *Pakistan: Between Mosque and Military*, New York: Carnegie Endowment for International Peace, pp 112 – 3.

³⁹ “Pakistan: The General’s Agenda,” *Economist*, 23 October 2004, 42

⁴⁰ White House, Office of Press Secretary, “President Bush and President Musharraf of Pakistan Discuss Strengthened Relationship,” press release, 4 March 2006, 5, www.whitehouse.gov/news/releases/2006/03/print/20060304-2.html.

⁴¹ “Pakistan’s Press: Gaggling on It,” *Economist*, 9 June 2007, 48.

⁴² Jaffrelot, Christophe (ed.) (2004), *A History of Pakistan and its Origins*, London: Anthem Press Publication, pp. 84

in their power game that they are not bothered about the interest and welfare of the common people. Such a perception of low political efficacy is reflected in the declining voting percentage in the general elections of Pakistan.⁴³

Blow to the Democratic Norms of Pakistan: Seventeenth Amendment

Further the blow to the democratisation was found by the passage of seventeenth amendment. The seventeenth amendment of the constitution was brought by Musharraf to justify his rule and regain power taken away in the thirteenth amendment.

The seventeenth amendment gave leverage to the military government with the help of the LFO. Article 63(1)(d) of the Constitution also intended to prohibit a person from holding both a political office (such as that of the President) and an office of profit. Although, this was supposed to separate the two types of office, but it also allowed Parliament to pass an ordinary law, later in 2004, permitting the President to hold on to the office of Chief of Army Staff, to which the President used to justify his rule. With this amendment the President regained the authority to dissolve the National Assembly - and thus effectively to dismiss the Pakistani Prime Minister - but the power to do so is made subject to an approval or veto by the Supreme Court of Pakistan. Also article 152A, which dealt with the National Security Council, was annulled.

Again General Musharraf took two specific measures to institutionalise the military's control of politics and destroy the democratic roots of Pakistan: first was the restoration of Article 58(2) (b); second, the establishment of the National Security Council (NSC). The institutionalisation of power indicates a fundamental change in the character of the armed forces. While acknowledging the relative resilience of the political forces in contesting for its share of power, the military also ensured that it became an equal partner in decision making to guarantee the stability of the central state. It had by this time turned into a parent-guardian, who ensured its control of the

⁴³. Rizvi, Hasan Askari (1988), *The Military and Politics in Pakistan, 1947- 1986*, New Delhi : Konark Publishers Pvt.Ltd., pp. 93

state and society through the NSC. The NSC Act passed in April 2004 gave the military a permanent role in decision-making and governance.⁴⁴

Contrary to Musharraf's claim that the NSC was necessary to strengthen democracy and to stop the "irresponsible behaviour" of politicians, it was formed to protect the military's interests and to enhance the organisation's position as the guardian of the state. Thus these actions prevented the growth of the process of democratisation.

Challenges for Musharraf Regime

There were continuing troubles as Musharraf's pace of political reform slowed and security matters jumped to the forefront. Pakistan's involvement in the US war on terrorism became a point of contention, leading to the rise of religious extremism at home. In mid-2004, there was a surge in violence. Militant groups used suicide bombings and sectarian fighting to destabilise the regime. Militants also tried to assassinate the president; cabinet members, including the prime minister; and high-ranking military officers. In December 2005, Baluchistan separatists attacked an army camp with rockets during a visit by Musharraf and sabotaged oil pipelines in their province.⁴⁵

In 2006, Musharraf was pressured by Washington to do more to fight militants in Pakistan's autonomous Federally Administered Tribal Areas, which had given the Taliban and al Qaeda sanctuaries. He sent more troops to the area, which met stiff resistance and suffered heavy losses. The fierce battles alienated the local population and led to the rise of anti-Musharraf and anti-American sentiments. In June 2006, North Waziristan militants announced a unilateral cease-fire to pave the way for a negotiated settlement. Musharraf reciprocated by releasing some detainees and pulling out troops from some checkpoints. This paved the way for a truce to end hostilities in September, in which the government agreed to remove all new army checkpoints from the tribal areas in return for promises by militant leaders to halt cross border

⁴⁴ Talbot, I. (2003), "Pakistan in 2002: Democracy, Terrorism and Brinkmanship", *Asian Survey*, 43(1), pp.198-207.

⁴⁵ Kronstadt, 27; and "Pakistan: The General's Agenda," 42.

infiltration by insurgents into Afghanistan and to evict all foreigners who would not abide by the agreement.⁴⁶

During 2007, Musharraf saw his popularity dip and his authority challenged at a time when he was about to launch his re-election campaign. During this period, he made some decisions that stirred up popular resentment over military rule and led many Pakistanis to join street protests, which called for ousting Musharraf and restoring democracy.

Confrontation and Crisis: Sham of Democracy

The year of crisis began in March 2007, when Musharraf summoned the Supreme Court's chief justice, Iftikhar Mohammed Chaudhry, to the army headquarters in Rawalpindi and, in the presence of other generals, ordered him to resign. When Chaudhry refused, Musharraf fired him. The independent-minded justice had been a thorn in the president's side, issuing key rulings challenging government policies and fighting its corruption and abuses of authority. For example, he had demanded investigations of hundreds of missing persons, in which military intelligence was suspected of involvement. He also warned the military regime against rigging the general elections at the end of the year.⁴⁷

Chaudhry's dismissal was obviously illegal and led several judges to quit in protest. It became the spark that ignited widening popular protest against Musharraf and gave both secular and religious opposition an issue to rally around. The PPP and the MMA held separate rallies in front of the Supreme Court to protest the government's assault on judiciary's independence. The Labour Pakistan Party organised marches in eleven cities and joined other protests.⁴⁸ On 5 May 2007, tens of thousands of Pakistanis lined the streets to show their support for Chaudhry as he drove to Islamabad to present his case to the Supreme Court.

⁴⁶ Aziz, Mazhar (2008), *Military Control in Pakistan: The Parallel State*, New Delhi: Rutledge, pp. 154.

⁴⁷ "Briefing Pakistan: A General State of Disarray," *Economist*, 19 May 2007, 23 – 4

⁴⁸ Jim McIlroy, "Pakistan's Democracy Movement Defies Repression," *Green Left Weekly* (Australia), 1 April 2007, 1 – 3, www.worldpress.org/Asia2736.cfm.

Musharraf was disappointed as the media ignored the government's warning against transmitting live coverage of protests over the firing of Chaudhry. He was determined to keep antigovernment demonstrations out of public view. In June, two days before parliament would convene; he issued an ordinance, giving new powers to the *Electronic Media Regulatory Authority* to restrict press freedom. It could shut down television and radio stations and suspend their operating licenses. There was strong reaction to this new ordinance. Journalists defied the government ban and held protest rallies in the capital, leading to the arrest of two hundred journalists. In view of growing protests, the government backed down, suspended the new rules, and dropped charges against the journalists.⁴⁹ The following month, the Supreme Court ruled that the firing of chief justice Chaudhry was illegal and ordered his reinstatement, a ruling that Musharraf did not like but could tolerate for the time being.⁵⁰

Musharraf quickly moved to repair the damage from the chief justice debacle before starting his re-election campaign. Thus starting from the suspension of chief justice to curtailing the rights of the media brought the sham for democracy in Pakistan.

Another incident which challenged the democracy of Pakistan was the Lal Masjid incident. He ordered the shutdown of the radical Lal Masjid (Red Mosque), including a madrassa for girls, in Islamabad. The mosque leaders — the brothers Abdul Rashid and Abdul Aziz — had many armed followers. They had tried to impose a strict moral code on the people in the capital, attacked video stores, and kidnapped prostitutes.⁵¹ They had defied the government for months and threatened suicide bombings if force was used to evict them from the land they had occupied illegally. Their kidnapping of seven Chinese workers from a massage shop was the last straw. Although the Chinese were released, Musharraf decided it was time to act decisively.⁵²

On 3 July, the army laid siege to the mosque, and the confrontation began. Four days later, Musharraf warned the occupiers to surrender or die. When the talks broke down

⁴⁹ "Pakistan's Press: Gagging on It," *Economist*, 48.

⁵⁰ "Briefing Pakistan: Lawyers Against the General," *Economist*, 10 November 2007, 32.

⁵¹ "After the Battle for the Red Mosque: The General and the Mullahs," *Economist*, 14 July 2007, 12-3.

⁵² "Pakistan: 'A Mosque Red with Blood,'" *Economist*, 7 July 2007, 43.

three days later, two hundred military commandos stormed the mosque, resulting in the death of nearly one hundred people, most of whom were civilians. Many Pakistanis, including exiled leader Bhutto, supported the government's action. She argued that it sent a "strong message to wannabe extremists," but she also claimed that "religious extremism was a consequence of army rule, and full-pledged civilian democracy could counter it effectively".⁵³

The bloody assault on the mosque rallied religious militants against the regime. They unleashed a wave of suicide bombings, roadside bombings, and rocket attacks, all of which demonstrated the government's inability to protect citizens and to maintain law and order across the country. Furthermore, militants in North Waziristan ended the ten-month-old truce, which had committed the government to withdrawing some troops from the areas and the local leaders to stop al Qaeda and Taliban from crossing into Afghanistan.⁵⁴

In response to the abrogation of this agreement, Musharraf sent two army divisions to the region. He also used the surge of violence as an excuse for retaining his post as army chief after the elections. In July, he told Pakistani reporters that a civilian government "would not be strong enough to control extremists".⁵⁵ This statement led critics to accuse him of staging the showdown to prolong military rule for another five years and to try to persuade the United States to intervene to rescue its ally in the fight against terrorism. This incident proved not only the decline of democracy in the hands of the extremists but also the failure of the government to curtail extremism.

The external influences also play a strong role in the distortion of democratic culture in Pakistan. In July 2007, US Secretary of State Condoleezza Rice suggested a power sharing deal, by which Bhutto would support Musharraf's bid for a second term as president in exchange for his dropping the corruption charges against her. This deal would allow her to compete in the next general election.⁵⁶ This deal was made as US was not satisfied with Musharraf's unpopularity. Although Bhutto was hesitant to

⁵³ "Pakistan: Showdown at the Mosque," *Economist*, 14 July 2007, 43.

⁵⁴ "Pakistan: Politics by Other Means," *Economist*, 21 July 2007, 40.

⁵⁵ *Ibid.*

⁵⁶ Gail Sheehy, "Is She America's Best Hope?" *Parade*, 6 January 2008, 7.

make a deal with Musharraf, she was convinced by Rice to accept it. Shortly thereafter, the two Pakistani leaders secretly met in Abu Dhabi.⁵⁷ When their representatives met to work out the details, however, the two sides were far apart.

The Bush administration did not criticise Musharraf's illegal act and considered it "an internal matter".⁵⁸ The real reason behind Washington's inaction was that Sharif was conservative and independent and has close ties with religious parties, which previously were allied with General Musharraf. Another reason was US doubt that Sharif would continue the military campaign against militants in Pakistan. It was judged that he would not cooperate with the US war on terrorism.

Meanwhile, power-sharing talks were stalled. Bhutto continued to insist on having free and fair elections, removing the term limits on prime ministers, ending presidential power to dismiss prime ministers, and having Musharraf quit his army post.⁵⁹ In view of the deadlock, she decided to return to Pakistan.⁶⁰ As the elections neared, Musharraf was in trouble because of his failed policies, which had led to a severe downturn in the economy. Eighty-nine percent of Pakistanis objected to his involvement in Bush's war on terrorism and to the Pakistani army's killing of citizens in the tribal areas along the Afghan border.⁶¹ Musharraf's growing unpopularity threatened his plan to serve another term as both president and army chief. Under these circumstances, he did not want to take a chance with a new parliament because his party was not expected to do well in the next elections.

The opposition insisted that Musharraf's move was unconstitutional, because only a new parliament had the right to elect a new president and to amend the constitution to allow him to serve both as president and as army chief. His candidacy also was challenged in the Supreme Court on the constitutional grounds that he could not be a presidential candidate while maintaining his army job. The constitution clearly states

⁵⁷ Robert D. Novak, "Bush in Pakistan," CNSNews.com, 22 January 2008, 1, www.cnsnews.com/ViewCommentary.asp?page=/Commentary/archive/200801/com.

⁵⁸ "Pakistan: The Wrong Direction," *Economist*, 15 September 2007, 14.

⁵⁹ "Briefing Pakistan: Home and Away," 31; and "Briefing Pakistan: A General State of Disarray," 25.

⁶⁰ "Briefing Pakistan: Lawyers Against the General," 32.

⁶¹ "Pakistan's Democracy Difference," *Christian Science Monitor*, 21 February 2008, 2, www.csmonitor.com/2008/0221/po8s01.comy.html.

that military officers are not permitted to engage in political activities. Musharraf feared that the Supreme Court, under Chaudhry, might rule against him. He thus used the gains by the militants in the Swat Valley in fall 2007 as an excuse to increase his dictatorial power in the name of national security.

On 3 November 2007, he declared a state of emergency and suspended the constitution. He claimed that these steps were necessary to prevent Pakistan from falling apart. The actions that followed, however, were not directed against militants or terrorists.⁶² He used the emergency powers to crack down on politicians, lawyers, and journalists who had been working to restore democracy and to maintain the rule of law. He dismissed most of the Supreme Court justices, including chief justice Chaudhry, who was fired for the second time in 2007 and was placed under house arrest. These justices would have ruled on the legality of his questionable election as president. He replaced them with loyalists to ensure a favourable ruling on the matter. He also fired forty-eight High Court judges to fend off any possible legal challenges to his emergency.⁶³ Lawyers publicly protested the president's assault on the judiciary's independence and vowed to continue street demonstrations. They also called for the president's removal and for free and fair elections to establish a truly democratic government. On 6 November 2007, former chief justice Chaudhry, in a speech broadcast from his home, told protesting lawyers in Islamabad to urge "the people to rise up and restore the constitution." On the same day, Bhutto called on "the nation to join the protest and show their power".⁶⁴

Musharraf came down hard on the media, curbing their reporting and taking private TV stations off the air in an effort to black out news of anti-government protests. He also tried to silence the press and opposition by imposing a new penalty of three years for criticizing the president or the military.

⁶² Pir Zubair Shah, "Attack in Northwest Tribal Zone Is First Under Emergency Rule," *Washington Times*, 19 November 2007, A12.

⁶³ Salman Masood, "Pakistan's New Prime Minister Frees Detained Judges," *New York Times*, 25 March 2008, A12; and John Byrne, "Times: Bush Plans to Keep Pakistan from Being Mockery of Democracy," *Raw Story*, 3 November 2007, 1, http://rawstory.com/news/2007/Times_Bush_plans_for_Pakistan_fell_1103.html.

⁶⁴ "Briefing Pakistan: Lawyers Against the General," 32.

He banned political rallies, as well. Bhutto, in defiance, announced that she would not cancel a scheduled rally in Rawalpindi on November 9, 2007. The government responded by placing her under house arrest and rounding up eight hundred of her supporters.⁶⁵ Other political leaders went into hiding to avoid arrest. Ahsan Iqbal, spokesman of the PML-N, reported from his hiding place that more than two thousand party members had been rounded up. It was estimated that hundreds lawyers, journalists, human rights advocates, and political activists had been detained. Musharraf's emergency measures cast doubts about whether the parliamentary elections would be held at the beginning of 2008 and whether he would give up his military post as promised. There were conflicting signals coming out of government circles.

Thus, in the true notion of democracy got eroded in Pakistan because of the way of functioning of the military government. Starting from the civil society to the judiciary, the power of every one was curtailed. So it left no scope for the prosper of democracy in the hands of the dictator, Musharraf.

The 2008 Election: Re-emergence of Democracy

However, the persistent protests of civil society, in the form of disgruntled journalists, lawyers and human right activists, forced General Musharraf to shed his uniform and fix a date for elections under a caretaker government he would nominate. Most of the caretaker cabinet was selected by Musharraf and consisted mostly of his close associates, who played a biased and far from impartial role in the elections held in February 2008. Despite General Musharraf's interference and misuse of state machinery, he could not obtain the results he intended.⁶⁶

Despite the support of state machinery, General Musharraf's Party failed to return an impressive performance. The peoples' verdict was clearly against him. Nevertheless, this was possible only when public agitation forced General Musharraf to vacate the presidency, which he had occupied because of a doubtful election process and his

⁶⁵ Stephen Graham, "Bush Urges Pakistan to Hold Elections," ABC News, 18 November 2007, 1 – 2, <http://abcnews.go.com/international/wirestoryP/d=3836576>.

⁶⁶ Malik, Iftikhar (2010), *Pakistan: Democracy, Terrorism, and the Building of a Nation*, New York: Olive Branch Press, pp. 17

hand-picked parliament. That parliament had already completed its tenure and morally was not in a position to elect an army general once again as president for next five years.

In the election of 2008 the religious parties lost support of the people and did badly, receiving only 4 percent of the votes.⁶⁷ The ruling party, the PML-Q, suffered a decisive defeat and lost its control over the National Assembly. It captured only forty seats, and many of its leaders were not re-elected. Musharraf attributed his party's defeat to the ailing economy, the declaration of emergency, the firing of judges, and sympathy for the slain opposition leader.⁶⁸

The big winners were the leading opposition parties: Bhutto's PPP won the largest number of seats (eighty-six), followed by Sharif's PML-N (sixty six seats). Smaller parties captured seventy seats; the remaining seats were assigned to women (sixty) and minorities (ten).⁶⁹ Sharif called on Musharraf to step down. He told reporters that Musharraf "has said before that he would go when the people want him to do so, and now people had given their verdict".⁷⁰ Musharraf made it clear that he would not resign but accepted the election results and promised to work with the new government.⁷¹

Meanwhile, Zardari and Sharif promised to work together within the framework of a charter of democracy and to strengthen parliament and the judiciary. On 9 March 2008, they announced that they would form a coalition government and called on the new parliament to reinstate the fired judges in thirty days. As Masood Sharif Khattak, former director of Pakistan's intelligence bureau under Bhutto, put it, "There's no

⁶⁷ Cole, 2 – 3; "Pakistan's Democracy Outbreak," *Middle East Times*, 5 April 2008, editorial, 1, www.metimes.com/Editorial/2008/04/03/editorial_pakistans_democracy_outbreak/30.

⁶⁸ "Bhutto's Widower Calls for Unity," CNN.com/Asia, 20 February 2008, 2, www.cnn.com/2008/WORLD/asiapcf/02/20/pakistan/index.html.

⁶⁹ Ibid.

⁷⁰ Robert H. Reid, "Musharraf's Party Concedes Loss," *Express*, 20 February 2008, 6.

⁷¹ Scott Stearns, "Bush Says Pakistan Vote Is Victory for People," *VOA News*, 20 February 2008, 1-2, www.voanews.com/english/2008-02-20voa7.cfm.

way this country can move forward on any political path unless and until the judiciary is restored".⁷²

The first deadline for reinstating the judges was missed because the PPP had changed its position on the issue. Zardari insisted on making it part of a reform package to ensure judiciary independence and "to stop future adventurers from manipulating it to perpetuate themselves in power".⁷³ There were legal complications. A parliamentary resolution to restore judges could lead to a major crisis that the new government did not want to confront. For example, the current Supreme Court justices could refuse to step down and could call on the army to protect them.

When the judges were not restored through a parliamentary action by the 12 May 2008 deadline, Sharif pulled four of his party's ministers out of the cabinet to protest Zardari's stonewalling. This was followed by a nationwide protest organised by lawyers in June to pressure the government to fulfil its promise. Tens of thousands of people descended on Islamabad, demanding the return of the dismissed judges to the bench and calling for the ousting of Musharraf.⁷⁴

On 7 August 2008, they announced a decision to impeach President Musharraf. Following the announcement, the president was defiant, preferring to fight rather than to resign. He met with army Chief General Ashfaq Kiyani and heads of the armed forces to ensure that he could count on support from the military. They were initially noncommittal, leaving all options open. However, a couple of days later, they decided not to take sides in the impeachment fight, adding more pressure on Musharraf to quit.⁷⁵

⁷² Candace Rondeaux, "Leading Pakistani Parties to Form Government," *Washington Post*, 10 March 2008, A11

⁷³ "Zardari Links Judges Restoration to Reform Package," *Pak Tribune*, 4 April 2008, 1, www.paktribune.com/news/index.shtml?

⁷⁴ Candace Rondeaux and Shaiq Hussain, "Pakistanis March for Restoration of Judges," *Washington Post*, 14 June 2008, A9; and Candace Rondeaux, "Coalitions Unite Against Musharraf," *Washington Post*, 9 August 2008, A9.

⁷⁵ Farhan Bokhari, "Army Walks Away from Musharraf," *Financial Times*, 14 August 2008, 4. For Musharraf's defense strategy against impeachment, see Jane Perlez, "Facing Impeachment Effort, Musharraf Digs in," *New York Times* (Global Edition), 2 – 10 August 2008, 4.

The four provisional assemblies voted overwhelmingly to impeach him. The formal impeachment charges were drafted and ready to be filed in parliament. On 18 August 2008, Musharraf resigned after having secured an immunity agreement from civilian and criminal persecution for events during his years in office.⁷⁶

Action towards Strengthening Democracy: 18th Amendment

The 18th amendment to Pakistan's constitution by parliament last in 2010 is a major development and deserves the attention for its attempt to establish a parliamentary government system. The amendment constitutes one of the most dramatic de-concentrations of power in Pakistan since the drafting of its 1973 constitution and reverses President Pervez Musharraf's efforts to centralise power in the indirectly elected office of the presidency.

Pakistan's parliament was able to institutionalise a new political consensus on the country's legal and political framework with the 18th amendment's passage. It gave the parliament, prime minister, judiciary, and the provincial government greater autonomy under the constitution. While these changes represent an opportunity for Pakistan's political parties to begin seriously addressing the country's critical economic and security problems, the full impact of the amendment's many changes will only be determined over time as the country's major political players test their strengthened authorities within a political arena in which the military establishment remains the most powerful single actor.

But the problem with the 18th Amendment is, first, it substantially alters the structure of the post-colonial state by undermining the centre and its overgrown powers and functions through abolition of the Concurrent list. Second, it restores the original democratic ideal of Jinnah— a parliamentary framework, albeit it makes little headway on the 'secular' portion of the Pakistan project. Third, it radically alters the way judges have been appointed in this country through a club of networks, affiliations, blood and marriage relationships, and above all, connection with the all-powerful executive. An inclusive commission with a majority of judges aims to

⁷⁶ Farhan Bokhari, "Musharraf Stands Firm as Impeachment Pressure Grows," *Financial Times*, 10 August 2008, 5; Candace Rondeaux, "Musharraf Exits, but Uncertainty Remains," *Washington Post*, 19 August 2008, 1-8.

distribute and dilute the discretionary part of the appointment process. Fourth, the fundamental rights of basic education and freedom of information open up immense possibilities for the concept of citizenship. As has been noted by many political scientists and writers such as Partha Chatterjee said, the post-colonial state maintains the fragile association of the poor with the notion of citizenship by not declaring basic entitlements as rights. Education and information are two such powerful concepts. Last, the return of the powers to appoint army chiefs has rightfully gone to the head of the elected executive, i.e. the Prime Minister and the indirectly elected President has been relegated to a figurehead position.⁷⁷

Democratic Achievement in Civilian Regime, 2008

Many Pakistanis are disillusioned with the democratic process in the country. This disillusionment stems from the realities of political violence, corruption, lack of internal party democracy, delayed local elections, tensions between the different branches of power and the limited reach of elected institutions.

In conjunction with Pakistan's current crises, these on-going problems have also contributed to some real achievements toward democratisation that have been made since 2008. These include the following developments:

1. After the 2008 elections, the Supreme Court abolished the educational requirement to stand for elections. The Bachelor's degree requirement imposed in 2002 had reduced the right of candidature to less than 10% of the electorate.
2. The 18th amendment furthered democracy in the country and included aspects of electoral reform. Beyond this, the process of adopting the 18th Amendment was a positive one, with all parties engaged in painstaking negotiations that led to unanimous approval in Parliament.
3. The government ratified the International Covenant on Civil and Political Rights (ICCPR), which contains substantial obligations for democratic governance, including the right to stand and to vote in elections. The government added wide-

⁷⁷ See Pakistan's democracy remains fragile, <http://razarumi.com/2010/04/30/pakistans-democracy-remains-fragile/>.

ranging reservations to the ratification, but there appears to be potential to review these in future.

4. The leadership of the Election Commission of Pakistan (ECP) is regarded as increasingly progressive. The ECP has adopted a five-year strategic plan. If properly financed, supported and implemented, this would greatly improve the ECP's performance.
5. Parliament appears to be cautiously expanding and strengthening its legitimate role, for example by beginning to scrutinize the issue of the military budget. For the first time, the Ministry of Defence provided Parliament with details about the costs of the Army, Air Force and Navy in the context of the 2008-09 budget process. It was also the first time that the defence budget was debated in the Senate.

Importantly, the factors that enabled the 2008 transition remain in place, namely a vibrant media, active civil society and a political party system based on pluralism. The assertiveness of the judiciary was vital for the return of democracy, but the judiciary continues to lock horns with the legislature and the executive branch. While discord among these institutions is problematic, it should not be surprising that the branches of governmental power are competing for their place in a political and constitutional context that is still new.

Key Challenges for Electoral Reform

The 2008 elections were transformative and re-established civilian rule in Pakistan. That does not mean that they were problem-free, as it was verified in various election observer reports. There is still a long way to go before elections can be consistently peaceful, accepted by the population and fully in line with Pakistan's international obligations on democratic elections.⁷⁸

⁷⁸. Greig, J. Andrew (2011), "U. S. and Pakistan: Relation during the Bush-Musharraf Years", in Ravi Kalia (eds.) *Pakistan: From the Rhetoric of Democracy to Rise of Militancy*, New Delhi: Routledge, pp. 209

The regularly held by-elections highlight continuing shortcomings in the electoral process. Several recent reports from the Free and Fair Election Network (FAFEN) cite low voter turnout, poorly trained election incidents of fraudulent or suspicious voting, and a heavy police and security presence inside polling stations.

The steps that must be taken to address these issues are well articulated in the recommendations of Pakistani civil society organisations, international election observers and assistance providers. All these actors agree on the direction and scope of the electoral reform that is required on three distinct levels:

Legal Framework for National and Provincial Assembly Elections

The primary achievement in this arena has been the adoption of the 18th Amendment of the Constitution, which gives a role to opposition parties in the appointment of the Chief Election Commissioner and Members of the ECP, increases due process in the context of candidacy requirements and provides for more overall transparency in the election process. Although these developments are largely positive, the 18th Amendment also has a few shortcomings, for example in relation to democratic practices within the political party structures.⁷⁹

However, in addition to implementing the 18th Amendment in primary legislation, a wide range of other issues related to election law require reform in line with recommendations by the 2008 EU Election Observation Mission, the Electoral Support Group and other groups. These include disallowing candidacy in more than one constituency in a given election; clarifying the identification requirements for registering and voting in an election; improving the procedures for tabulating votes and publishing election results; introducing effective remedies for electoral dispute resolution; and unifying election laws to increase transparency and understanding of the legal framework.

While electoral reform is a frequent talking point for the President and the Prime Minister, to date there has been no decisive activity by the government or Parliament to amend primary election laws. The ECP is preparing a legislative reform package

⁷⁹. Burki, Shahid Javed (2011), *South Asia in New World Order: The Role of Regional Cooperation*, New York: Routledge, pp. 166-67

for general elections to present the government soon. However, Parliament has not yet shown that it is prepared to engage in a full review of such a reform package.

The Election Commission of Pakistan (ECP)

The ECP has made great stride, including the development of a 5-year strategic plan that has benefited from broad stakeholder consultations. The ECP also has taken steps to update the computerized electoral rolls in collaboration with the National Database and Registration Authority (NADRA), which is the national civil registry office. IFES has provided substantial technical support to the ECP since 2006, with the aim of achieving these results.

In contrast to many other countries, there is a regular indicator for assessing the quality of the electoral process in Pakistan: throughout 2010, by-elections have taken place for seats in the National Assembly and/or the Provincial Assemblies, mainly as a result of the fake degree crisis. After observing most of these by-elections, reports from FAFEN suggest that there is still a long way to go in improving the administration of elections. For example, FAFEN reports highlight fraudulent voting, interference by security officials and other unauthorised persons in the election process, inconsistent and weak administration of by-elections, inadequately trained polling officials and campaigning violations. These by-elections provide a crucial indicator for the progress that has been made so far, as well as on-going challenges ahead of the next general elections.

Local Government Elections

The Constitution requires the provinces to establish a local government system and devolve political, financial and administrative authority to the elected representatives of the local government. Nevertheless, there have been no achievements in this area except the adoption of a new local government law in Balochistan in May 2010. However, in other provinces, no new laws have been tabled yet. Given that local government elections have been used by Pakistan's former dictators to undermine the political parties, local elections have a bad reputation. In addition, the current arrangement serves the interests of the provincial governments, which appoint administrators to manage local affairs.

There is, then, a challenge to establish elected local government as a regular feature of Pakistan's political system, as found in other democracies. Elected local governments are important for enhancing the participation of local communities, providing more accountability and for promoting general confidence in a democratic system of government.

Thus to provide fresh impetus to the process of democratisation in Pakistan, domestic and international actors should reinvigorate their efforts to promote democracy in general and electoral reform in particular. An improved electoral framework will not only further democracy, it will also reduce the potential for instability and violence.

Political Stalemate: Challenge to democracy

The tussle for power between the judiciary and the executive is also giving leverage to the military to enhance its position. Raja Pervez Ashraf has been appointed the new Prime Minister of Pakistan following the dismissal of his predecessor, Yusuf Gilani, by the Supreme Court. Gilani was declared ineligible for the post following his conviction on 26 April 2012 on charges of contempt of court. This was for refusing to follow court instructions over handling of the corruption cases against President Asif Ali Zardari - writing a letter to the Swiss authorities to reopen the cases. But does the appointment of a new Prime Minister mean an end to the political tussle between the judiciary and the civilian government?

In a region, where the image of most public institutions are tarnished by corruption and general incompetence, the Supreme Court of Pakistan draws its strength, legitimacy and, to a large extent, its popularity from its fight against the political elite of the country. The court's campaign against corruption has not only rattled the political leadership, especially the Pakistan People's Party (PPP), but has also put forth the Supreme Court as a force to be feared and respected.

The Supreme Court, in line with its own self-image, is likely to target Prime Minister Ashraf as well who is battling corruption charges. At the same time the role of the military, which has often colluded with the judiciary to target elected governments,

cannot be ignored. Relations between them and the PPP which were never good at the best of times have taken a turn for the worse following the Memogate scandal. It is no secret that the military would like to see the current government fall and be replaced by its protégé, Imran Khan. However, as the present domestic climate in Pakistan is not conducive to a military coup, the army is unlikely to stage one. It may settle for covertly giving its blessings to the 'judicial coup' and support further actions of the Court that could possibly lead to early elections. The fact that a non-bailable warrant was issued against the PPP's initial choice- Makhdoom Shahabuddin - on charges levelled by the Anti-Narcotics Force which is run by the Army, may be indicative of such collusion.

The future of democracy hinges upon the government's ability to fix the ailing economy, which adversely affects the entire population. Pakistan's economy is getting worse because of skyrocketing food and fuel prices, cuts in public subsidies to some basic commodities, rationing of electricity, and rising taxes. This situation has led Pakistanis to wonder whether a civilian government could do better than the military regime. The government cannot turn the economy around without an infusion of foreign capital. Its solution is tied to stabilising the country. No foreign investment would be forthcoming unless the rule of law is restored and an independent judiciary is in place. The survival of democracy depends on whether the Islamabad government can attract foreign aid from the United States and the European Union and whether it can keep an internal coalition together to strengthen democratic institutions and norms.

Thus the failure of the process of democratisation lays its roots in the history of Pakistan; also because the civilian government had failed to provide a strong democratic government, the military forces have strengthened their position. Even after 2008, political parties have lost most of their credibility, not only because of the old patron-client ties, but also of their continued dependence upon the consolidation of power, autocratic tendencies and, even more importantly perhaps, because of incompetence and corruption. Whether in military or in civilian governments the process of democratisation has failed equally. However, with the 18th amendment a

ray of hope is seen especially regarding the devolution of power and sending army back to the barracks.

Therefore, the military interferences and weak civilian governments have restricted the growth of democracy in Pakistan and the relationship between the two has contributed enough to translate Pakistan in to an autocratic country with a stagnant process of democratisation. The external interferences have also given their due share in restricting the growth of democracy among which USA stands potent. Pakistan's geo-strategic position has been used by the external powers now and then.

Hence, the country's transition from an authoritarian to a democratic order is a highly fragile process that requires continued vigilance and further reforms to prevent a regression to previous anti-democratic political patterns.

Chapter 4

Role of United States and Civil-Military Relations in Pakistan

Civil-Military Relations of Pakistan which had shown some improvement after 2008 election, with army going back to the barracks, showed serious deterioration during the year 2011.¹ Pakistan's policies and its deteriorating relations vis-a-vis the United States can be largely seen as the cause of a growing wedge between the elected Government and the Army. The issue of the alleged Memo was seen by some as the civil Government's wish-list to contain the Army, which is perceived as an estrangement in civil-military relations at the end of 2011.² The same elected Government, which continually came to the public rescue of the military after the killing of Osama bin Laden, United States' (US) targeting of Inter Services Intelligence (ISI) and the North Atlantic Treaty Organization (NATO) attack, resorted to an open confrontation with the Army. The Government appeared to be most disturbed at the position taken by the Army in the memo controversy as it is diametrically opposed to that of the civilian government.

The external powers are seemed to have a strong influence on the civil military relations of Pakistan. Thus the country, which is long dependent on the United States because of security and financial issues, is seen to be manipulated by the concern of the hegemon.³

The Complexities of Civil-Military relations, thus, are enhanced by the role of the external players who have always tried to utilise Pakistan's turmoil for their own benefit. This is because of the strategic location of the country and its position as a fertile ground for the growth of terrorism. The country having potent influence in this

¹ Fair, C. Christine (2010), *Pakistan: Can the United States Secure an Insecure State?*, United States: RAND corporation, pp. 39

² Iqbal, Anwar (2012), "Memogate Storm: US Affirms Support for Democracy", *Dawn*, Islamabad, 20 November 2011 [Online: web] Accessed 22 February 2012, URL: <http://dawn.com/2011/11/20/memogate-storm-us-affirms-support-for-democracy/>.

³ Burns, Nicholas and Scowcroft, Brent (2011), *American Interests in South Asia: Building a Grand Strategy in Afghanistan*, Pakistan and India, New York: Aspen Institute, pp. 153

regard is the United States of America.⁴ The year 2011 is likely to go down in history as a watershed in the Pakistan-US relations. The relations touched an all-time low with the killing of 24 Pakistani soldiers in a NATO-attack from Afghanistan on 26 November 2011, triggering a series of events which suggest that continued US-NATO pressures have unintentionally invited an unusual show of unity between Pakistan's civilian and military leadership.⁵

It is also worth mentioning here that though the country is experiencing a civilian government since 2008, the country's military establishment still retains considerable influence after instillation of democratic governments because of the happenings of certain strings of events.⁶ What Shuja Nawaz mentions "Whenever the civilian government has taken over from an autocratic government, it has found it extremely difficult to get rid of the autocratic powers that the previous government had. The military is watching and waiting and when it feels that things have gotten out of hand, it decides that it is time for us to save the country and seizes power again."⁷ But he finds that after the 2008 elections, it is the best time when the vicious cycle to ban finally can be broken, when the ball is in the court of the civilian government. This is because the army wants to confine for professional goals and remain out of politics.

As an important aspect of civil military relations is determined by the role of external powers, specially the United States, it is important to take note of the interest of the U.S. and how it has influenced the relation between the two. A stable, democratic, prosperous Pakistan actively working to counter Islamist militancy is considered vital to U.S. interests. Current top-tier U.S. concerns regarding Pakistan include regional and global terrorism; Afghan stability; domestic political stability and democratisation; nuclear weapons proliferation and security; human rights protection;

⁴ Gafur, Hamida (2012), "Pakistan's Problems, and the Myth of American Influence in Islamabad", 8 June 2011 [Online: web] Accessed 13 April 2012, URL:

<http://www.thenational.ae/thenationalconversation/comment/pakistans-problems-and-the-myth-of-american-influence-in-islamabad>

⁵ Pakistan-US Tiff redefining Civil-Military Relations in Pakistan, 14 December 2011, *Centre for Research and Security Studies*, [Online: web] accessed 12 February 2012, URL:

<http://crss.pk/beta/?p=2138>.

⁶ Weitz, Rechar (2008), *Pakistan: Analysing Civil Military Relations in Pakistan*, New Delhi: Routledge, p. 122

⁷ Nawaz, Shuja (2008), *Crossed Swords: Pakistan, its Army and the War Within*, New Delhi: Oxfors University Press, pp. 231

and economic development. Pakistan remains a vital U.S. ally in U.S. led anti-terrorism efforts. Yet, the U.S. policies toward Pakistan since 9/11, while not devoid of meaningful successes, have seen failure to neutralise anti-Western militants, reduce religious extremism in that country and to contribute sufficiently to the stabilisation of neighbouring Afghanistan.⁸

United States' Interest in South Asia

US involvement in the South Asian region grew as a result of the political, military and ideological competition with Soviet Union. According to Sumit Ganguly, US perceptions on South Asia can be derived from its policy statements regarding the region and trends in America's regional relations. Though the US viewed South Asia as an area of marginal strategic importance due to regional instability and the process of social, economic and political change, the shifts in global power relationships has made South Asia an important region not to be ignored. The US involvement in the region has reached its zenith in the past few years. The situation after 11 September 2001 and US-India strategic cooperation has changed the relationship pattern between US and South Asia. Present involvement of the US in Afghanistan and Pakistan, US-India strategic partnership and the growing presence of Chinese influence in the region has increased the importance of South Asia more than ever before.⁹

US interests in South Asia, given that the region contains one-fifth of the world's population, occupies a critically geostrategic position surrounded by China and the huge oil and gas reserves of the Persian Gulf and the Caspian Basin. US interests centre on regional stability, human rights, religious fundamentalism and economic policy.¹⁰ To further narrow down the US policy objectives would translate into:

1. Preventing war of any sort in South Asia.
2. Promoting democracy and internal stability.
3. Expanding economic growth, trade and investment.

⁸ Abbas, Hasan (2005), *Pakistan's Drift Into Extremism: Allah, The Army, And America's War on Terror*, New York: An Eastgate Book, pp. 126-7

⁹ Hoyt, Timothy D. (2005), "The War on Terrorism: Implications For South Asia", in Davin T. Hagerty (eds.) *South Asia in World Politics*, Lahore: Vanguard Books, pp. 281

¹⁰ Faruqi, Ahmad (2003), *Rethinking the National Security of Pakistan: The Price of Strategic Myopia*, Aldershot: Ashgate Publication, pp. 152

4. Developing political and, if possible, military cooperation on a host of regional and global challenges, including terrorism, drug trafficking, and environmental degradation.

Post - 9/11

The scenario changed in the context of 9/11, when the super power got a blow from the al-Qaida, its super power status got a quake. Thus, the South Asian region once again came in the limelight of the US foreign policy. Pakistan became one of the key allies in the war on terror and United States made some strategies to accomplish certain goals specifically involving Pakistan in it.

1. As far as the fight against terrorism is concerned South Asia is the main focus of the US.
2. Her deep involvement in Afghanistan in pursuit of the Taliban and Al-Qaida.
3. Her close connection with Pakistan in the fight against the extremist forces.
4. Her strategic partnership with India.

Then, as a matter of fact, the US is also concerned about the rise of China in the world stage and its influence in the South Asian region. After an alliance with Pakistan, United States moved with the strategy of promoting democracy in the area specifically in Pakistan to achieve the success of its strategies.¹¹

Thus, providing a democratic government in the areas where there has been no democracy and protecting those where it is present, became a strategy for the United states to pursue its national interest and making itself more secure against the challenges coming from this areas.¹² The reason to take promotion of democracy as a tool can be stated that can be dealt well, if minority rights are protected the chances of

¹¹. Birdsal, Nancy (2011), "Development Aid in Pakistan: The Best Long Term Foreign Policy Tool in the U. S. Arsenal", in Brent Scowcroft (eds.) *America's Interest in South Asia: Building A Great Strategy in Afghanistan, Pakistan and India*, Washington: The Aspen Institute, pp. 174

¹². Mohan, C. Raja (2008), "The U. S. Role in South Asia", in *American Role in South Asia*, USA: The Asia Foundation, [Online: web] Access 9 March 2012, URL: <http://asiafoundation.org/publications/pdf/327>. pp. 56

terrorism will be minimised. Proper development both in terms of economic and human, minimises the chances of intra- regional conflict. ¹³

Thus, in this respect, a country having so much influence, determines not only the form of government in Pakistan but also influence the civil- military relationship of the country. There are different ways in which the role of United States is important in determining the relationship between the civilian and military government in Pakistan. One of the potent policies adopted by the U.S is democracy promotion which in turn influenced the relationship between the two.

United States' National Interest and Democracy Promotion in Pakistan

According to the Realists, international systemic constraints determine the foreign policy behaviour of a state. While individual or domestic political variables may influence foreign policy at the margins, it is the structure of the international system that sets the term of conduct of foreign policy across time and space. Realists contend that the pressure of competition weigh more heavily than ideological preferences or internal political pressure. Structural constraints force states towards a particular set of foreign policies in line with their relative position in the international systems and as the position changes the foreign policy also changes. ¹⁴

As Robert Gilpin explains, the stronger the state, the more it will try to use or select security options and welfare goals in order to maximise its strategic environment. A state therefore will become ambitious in defining the scale and scope of its foreign policy and as it will rise in interstate hierarchy, it will try to expand its economic, political, and territorial control, it will try to change the international system in accordance with its own interests. ¹⁵

¹³. Leftwich, Adrin, (2006), "Democracy and Development: Is There Institutional Incompatibility?", *Democratization*, 12(5): 686–703

¹⁴. Kronstadt, K. Alan (2009), Pakistan-U.S. Relations, *Congressional Research Service*, [Online: web] Accessed 17 April 2012, URL: <https://docs.google.com/viewer?a=v&q=cache:fPaxrzE59dYJ:www.fas.org/sgp/crs/row/RL33498.pdf+Pakistan-U.S.+Relations+pdf>, pp. 18

¹⁵. Gilpin, Robert (2001), *Global Political Economy: Understanding the International Economic Order*, Hyderabad: Orient Longman Pvt. Ltd., pp. 173

As the realists suggest, states are deemed similar in terms of needs but not in capabilities for achieving them. The positional placement of states in terms of abilities determines the distribution of capabilities. The desire and relative abilities of each state to maximise relative power constrain each other, resulting in a 'balance of power', which shapes international relations. It also gives rise to the 'security dilemma' that all nations face. There are two ways in which states balance power: internal balancing and external balancing. Internal balancing occurs as states grow their own capabilities by increasing economic growth and/or increasing military spending. External balancing occurs as states enter into alliances to check the power of more powerful states or alliances.¹⁶

Thus, if this conceptual background is used to describe the USA's strategy of promotion of democracy, it will certainly be found that there is a genuine correlation between the advance of democracy as well as democratic norms worldwide and the growth of U.S. power.¹⁷ Similarly, Pakistan to survive in the power game often took help from the United States and because of the security dilemma against India, let the hegemon influence the internal structure of the country. In case of the United States it is important to note that during the presidency of Bush, he seemed passionate about supporting democrats in Iraq but was indifferent to the struggles of democrats fighting authoritarian drift in Pakistan and Russia because of the persuasion of own interest.¹⁸

Though the Bush government went up for democratic promotion in Pakistan, actually a non-democratic government was supported to facilitate or to fulfil the interests of USA. The Bush team had championed Pakistani President Pervez Musharraf as a key ally in the war on terrorism, overlooking his glaring antidemocratic character for the sake of his help in going after al-Qaida and the Taliban. The administration provided

¹⁶. Kronstadt, K. Alan (2012), Pakistan-U.S. Relations, *Congressional Research Service*, [Online: web] Accessed 17 April 2012, URL: <https://docs.google.com/viewer?a=v&q=cache:fPaxrzE59dYJ:www.fas.org/sgp/crs/row/RL33498.pdf+Pakistan-U.S.+Relations+pdf> pp. 38

¹⁷. McMahon, Robert J. (1988), "United States Cold War Strategy in South Asia: Making a Military Commitment to Pakistan, 1947-1954", *The Journal of American History*, 75 (3): 812-13

¹⁸. Lucas, Edward (2008), *The New Cold War: Putin's Russia and the Threat to the West*, New Delhi: Palgrave Macmillan, pp. 129

lavish diplomatic support, military assistance, and economic aid to the Pakistan strongman.¹⁹

Thus, the absence of any noticeable concern with Pakistan's democratic deficit is partly the result of the administration's intense focus on obtaining Musharraf's cooperation and not wanting to raise troublesome political issues that might muddy the waters of friendship. It is also due to the Bush team's belief that Musharraf is holding together a potentially unstable, dangerous political situation, and that desirable as democratisation might be in theory, in practice it is too risky to try.²⁰

Beneath the Veil of Democracy Promotion

After Musharraf's coup, the United States reacted by prohibiting all U.S. economic and military aid towards Pakistan, but, following 9/11, President Bush waived the 'democracy sanctions'. Because of Pakistan's geopolitical situation as neighbour to Afghanistan, the Bush Administration decided to give up on democratic demands. Moreover, Washington had even supported the government of President Musharraf by recognising the Pakistani leader's critical supporting role in the war on terrorism. The Bush administration showered Musharraf with praise and attention, waived various economic sanctions, assembled a considerable aid package that exceeded \$600 million in 2002, and restarted U.S.-Pakistan military cooperation.²¹ But what was the discourse behind the decision to identify the government of President Musharraf as the best hope for stability in Pakistan and Afghanistan and to dispense the call for democracy? Was the apparent change from democracy promotion to stability promotion mere a tactical adjustment or are there traces of a normative debate within the Administration reconsidering the very premises of democracy promotion in the case of Pakistan? These are the questions that come up to the fore while analysing the issue.²²

¹⁹ Abbas, Hassan (2005), *Pakistan's Drift Into Extremism: Allah, The Army, And America's War On Terror*, New York: An Eastgate Books, pp. 85

²⁰ Mohan, Sulakshan (2000), *Pakistan under Musharraf*, New Delhi: Indian Publishers Distributors, pp. 153

²¹ Kux, Dennis (2001), *The United States and Pakistan 1947-2000*, Karachi: Oxford University Press, pp. 312

²² Gardner, Hall (2007), *American Global Strategy and the 'War on Terrorism*, New York: Ashgate Publishing, pp. 116

United States' Interest in Pakistan

American interest in Pakistan has been strongly influenced by geography. Pakistan's location close to the southern reaches of the Soviet Union led Washington in the 1950s and early 1960s to enlist it in American-led Cold War alliances designed to contain potential Communist aggression. Proximity to Afghanistan made Pakistan a vital player in the 1980s when the U.S. sought to frustrate Soviet efforts to consolidate its military occupation of the Islamic neighbour. And after 9/11, Pakistan's common border with Afghanistan again prompted Washington to revive security ties, this time to combat al-Qaida and the Taliban on the 'central front' of the U.S.-led "global war on terrorism."²³

Other factors have also helped shape American interest in Pakistan, of course. Over time these have included American's regard for Pakistan's military, its concern for the economic and social development of a large and impoverished Third World country, its fears about Pakistani nuclear weapons, and its desire to be on good terms with a major, diplomatically active Muslim nation.

United States - Pakistan Relations during the Cold-War

Beginning in the 1950s as the US became concerned about Communist influence in Central Asia, it began to support Pakistan as a Cold War ally in the region. Having always viewed Islam as inimical to atheist Communism, the US saw Pakistan (along with its Muslim allies and sponsors in Saudi Arabia) as an important counterbalance to the rising influence of the USSR in neighbouring India and Afghanistan. As it is now well documented, this aid increased exponentially upon the Soviet invasion of Afghanistan in 1979. With Israeli, Saudi, and Egyptian help, US covert funds were channelled through the Central Intelligence Agency (CIA) to the Pakistani military and Inter-Services Intelligence (ISI), who then used the money to arm and train Islamic freedom fighters or Mujahedeen in Afghanistan who were fighting the Soviet military occupation. Over the ten-year period culminating in the defeat of the USSR

²³. Hussain, Touqir (2009), "U. S. - Pakistan Engagement: The War on Terrorism and Beyond", Special report by United States Institute of Peace, [Online: web] Access 25 May 2012, URL: <http://books.google.co.in/books?> pp. 19

in Afghanistan (and the subsequent implosion of the Soviet Union itself), it is estimated that the US routed at least \$2 billion through the ISI for this purpose.²⁴

US policy at the time was very narrowly focused: the ISI was to use whatever means necessary, and fund whoever was willing to do the fighting, regardless of their own radical proclivities (of which the Mujahedeen had many). A covert operation by design, Americans worked to disassociate themselves from arms transfers and training.²⁵ With an unelected Islamic ideologue in charge of the army and the country, Pakistan ran the show without obstructions. In the process, Pakistan reaped significant rewards in the form of cash and military assistance; this would swell the importance and dominance of the army and intelligence services in Pakistan itself fatten the coffers of many Pakistani generals, and the fund enhanced conventional and nuclear arsenals aimed at India. When the Soviets withdrew at the end of the decade, the region was in shambles.

Despite this, the US summarily departed, having achieved its Cold War aims. This left sophisticated weaponry in the hands of the Mujahedeen, but cut off aid that could have been used for reconstruction.²⁶ Thus, history reveals a successful military regime during this era was also a contribution of the United States which aided the country for its own benefit irrespective of the kind of government Pakistan had. The military aid flown in the country helped to stabilise the military government weakening the civilian one.

Post-Cold War Scenario and the United States

The end of the Cold War and the disintegration of the Soviet Union did a lot of alterations to the whole world in a short span of time. With this change in the world arena, there had come drastic and sweeping re-evaluation of the Geo-political factors. The end of the Cold War was supposed to naturally create a unipolar world led by the United States, which would be the unchallenged hegemony in the world power

²⁴. Robert J. McMahon (1994), *The Cold War on the Periphery: The United States, India, and Pakistan*, USA: Colambiya University Press, pp. 49

²⁵. Ibid, pp. 69

²⁶. Hilali, A. Z. (2005), *US-Pakistan Relationship: Soviet Invasion of Afghanistan*, New Delhi: Ashgate Publishing Limited, pp. 93

system. This had been one of the major goals of the United States to lead the nations of the world under its own guidance and principles.²⁷

Thus, in this respect the US stated acting as a moral guardian of the world. During the period 1999-2001, Pakistan found itself buried under three layers of international sanctions: for its nuclear weapons program, for its suspension of democracy, and for its support of the Taliban in Afghanistan. Moreover, a critical check and balance on its military had been removed. The two previous generations of military leadership, first the British and then the Americans, had exerted considerable influence on the Pakistani military establishment through training and military education exchanges.

With the isolation of the 1990s, a new generation of young military leaders came of age with no Western training or values. Instead their education consisted of extreme anti-Indian and anti-American rhetoric, a curriculum that would come to haunt US-Pakistani relations in the future. In the absence of foreign assistance like that offered during the Cold War years, the Pakistani economy was on the verge of bankruptcy, and on the eve of September 11, 2001, Pakistan was an impoverished, increasingly radical and isolated country situated on the borders of an Islamist country harbouring numerous global terrorist networks.²⁸ Thus, in this respect for the purpose of the study it will be wise to discuss about the Civil Military relations since 2001 and the role of the United States.

October 1999 Military Coup, Pervez Musharraf and the Role of the United States

The 1999 Pakistani coup d'etat was a bloodless coup d'etat in which the Pakistan Army and the Chief of Army Staff and Chairman of the Joint Chiefs of Staff Committee General Pervez Musharraf overthrew elected Prime Minister Nawaz Sharif and his existing elected government. The Pakistani armed forces took control of the key governmental and the public institutions on 12 October 1999, and

²⁷. Ross, Robert S. (1998), *After the Cold War: Domestic Factors and U.S.-China Relations*. USA: An Eastgate Book Publications, pp. 124

²⁸. Antizzo, Glenn J. (2010), *U.S. Military Intervention in the Post-Cold War Era: How to Win America's war in the twenty first century*, USA: Louisiana State University Press, pp. 142

dismissed Prime Minister Nawaz Sharif.²⁹ This was only two hours after Nawaz Sharif had announced the dismissal of the Chief of Staff, General Pervez Musharraf while he was on an official mission in Sri Lanka. Incidentally, it was only a week before the coup d'etat took place that Nawaz Sharif himself had extended General Musharraf's term as Chief of Staff until 6 October 2001. Musharraf emerged early on the following day with a pre-recorded message to announce to the masses in Pakistan the causes that led to undertaking that measure. He accused the Prime Minister of leading the country to a political, economic and security abyss and of attempting to fragment and politicise the military institution in order to satisfy his hunger for power.³⁰

The observers of the situation in Pakistan did not rule out a change in the authority, because the demonstrations organised by the Pakistani opposition parties had been consistent. The opposition, which included 19 parties, had one single agenda, that is to topple the government by exploiting the spirit of resentment felt by the masses in the wake of the Washington Declaration between the American president Bill Clinton and the Prime Minister Nawaz Sharif on June 1999, pertaining to the withdrawal of the Kashmiri fighters from the Indian side of Kashmir.³¹

Furthermore, the American statement issued on 22 September 1999, which warns against thinking about toppling the elected government, and which calls for the concept of peaceful succession to power to be firmly instilled, gave a clear indication that the days of Nawaz Sharif in power had become numbered. The bloodless coup staged on 12 October 1999 did not bring any shift in the allegiances of Pakistan from one major power to another, and it seems that the army did not initially plan to directly seize power. They had rather attempted to remove Nawaz Sharif by forcing him to resign and then bring in a civilian government from among a host of technocrats, who would be approved by parliament. When they failed to do so, they

²⁹. Aziz, Mazhar (2007), *Military Control in Pakistan: The Parallel State*, New Delhi: Routledge, pp. 73

³⁰. Ibid, pp. 93

³¹. Cohen, Stephen P. (2004), *The Idea of Pakistan*, USA: The Brooking Institutions, pp. 157

declared the dissolution of parliament and dismissed all the rulers of the provinces, thus assuming the reins of powers directly.³²

This scenario is strengthened by the confusion that the leaders of the coup displayed in their political performance and by the delay in issuing the first communique. It was also strengthened further by the statement made by the United States' State Department spokesman, James Rubin, on the first day of the coup, in which he said that the United States was not sure about a coup taking place and that in case this happened, she would hope that democracy is restored as soon as possible.³³

It was clear from day one that the coup was staged with the blessing of America. The American warning on 22 September 1999 was in fact deemed as a sign that the coup was imminent.³⁴ Carl Ander Forth, an aide of the Secretary of State, said, 'We dream that the sooner democratic civilian rule is restored the better this would be'. He added, 'We cannot abandon Pakistan because it is a significant country. Pakistan is important because stability or the lack of it in Pakistan will have an impact upon the neighbours of Pakistan, the whole region and beyond'. He also stated that the military coup would not deter Washington from dealing with Islamabad.³⁵

A senior official in the Pentagon stated, 'The military coup does not usually adhere to constitutional measures. This is why we wish for the situation to return to a course that is compatible with their constitution.' The American president stated, 'We do not wish to see the military leaders remove elected governments by force and we have made this clear to the Pakistani leaders.' The question that springs to mind is: If Pakistan was under the American influence, why this change of rulers? In order to answer this question, it will be wise to perceive the international, regional and Pakistani local conditions that surround this event.³⁶

³². Ibid, pp. 59

³³. Cloughley, Brian (1999), *A History of the Pakistan Army: Wars And Insurrections*, New York: Oxford University Press, pp. 164

³⁴. Ibid, pp.143

³⁵. Bismillah-ir-Rahman-ir-Raheem. Removal of Nawaz Sharif by Musharraf, (1999), [Online: web] Accessed 15 June 2012, URL:

<http://english.hizbuttahrir.org/index.php/asia/political-analysis/184-removal-of-nawaz-sharif-by-musharraf>. pp. 10

³⁶. Ibid, pp. 13

As for the regional aspect, the most prominent crisis in the Indian subcontinent is that of Kashmir, which led to the flare-up of two wars between India and Pakistan. The military operations that took place in 1998 between the Indian forces and the Kashmiri fighters, backed by the Pakistani army, coupled with the Kashmiri fighters' seizure of Kargil, then the subsequent submission of Nawaz Sharif to the American pressure to pull out of Kargil, which led the Pakistani army to feel humiliated, were the direct causes behind the 12 October military coup.³⁷

As for the other regional crisis related to Pakistan, it is the issue of Afghanistan. Having backed the Taliban movement through Pakistan and Saudi, which enabled the Taliban to dominate 90% of Afghan lands, America wanted to end the status of this movement which is not internationally recognised, in order to allow Afghanistan to regain the status of a politically stable country according to the international laws and conventions.

In order to achieve this, the movement must be internationally challenged through the United Nations and the Security Council. Hence, a host of resolutions were passed, condemning and threatening economic sanctions if Taliban failed to comply with the will of the international community. It was also necessary to pressurise the Taliban movement regionally and a military rule in Pakistan would have been ideal for such a task. The pressure would be applied by preventing supplies from reaching Taliban via Pakistan and by preventing the Pakistani parties from supporting and embracing this movement.³⁸

As for the domestic conditions in Pakistan which led to the coup, these were reflected in the collapse of the economic situation and widespread corruption amid the governmental institutions. This led the masses in Pakistan to greet the coup with immense relief and prayers of thanks. The political performance of the deposed Prime Minister led the country to the brink of economic collapse. His hunger for ruling the country single-handedly and the appointment of his allies in key executive, judiciary

³⁷. Ibid, pp. 14

³⁸. Baxter, Craig (2004), *Pakistan on the Brink: Politics, Economics, and Society*, USA: Lexington Books, pp. 55

and then military positions had curtailed the facade democracy of the rule in Pakistan.³⁹

The other reason for this success was that America had attempted to topple Nawaz Sharif by destroying him in the eyes of the masses through forcing him to withdraw the military forces from Kargil and then inciting the masses and the political parties against him. However, Nawaz Sharif continued to cling to power and this forced the United States to remove him by a military coup, backed by a broad popular support. Furthermore, Nawaz Sharif failed to comply with the resolutions of the International Monetary Fund (IMF), which stipulated tax increases and the privatisation of the public sector in order to repay the loans with the raised capital. The resolutions also stipulated that prices should be floated and that 220 billion rupees should be recuperated from influential personalities who defaulted in their repayments and returned to the banks. Due to his dictatorial attitude, Nawaz Sharif has squandered the state's funds in buying people's loyalty, especially in the media circles.⁴⁰ All these practices of Nawaz Sharif had made the government incapable of undertaking the future role expected of Pakistan, be it with regard to the Kashmir and the Afghan issues or in the region of Central and East Asia in general.

Besides, the change in the international situation from a situation of struggle to that of a unilateral American dominion has prompted the United States to review the status of the dilapidated regimes and the unpopular rulers in order to secure her continued unmatched hegemony in the international situation. As M.J. Akbar reports, "America endeavours to replace the policy of relying upon individual agents by establishing a host of stable political orders and institutions, which would guarantee her interests without being affected by the demise of those agents. However, before destroying these agents and throwing them in the dustbin of history, she would bleed them dry until the last drop by forcing them to undertake certain actions, which are part of the plans that America realizes that people would never accept, such as forcing Nawaz

³⁹. Ibid, pp. 65

⁴⁰. Akbar, M. J. (1998), *Pakistan Today*, New Delhi: K. M. Roy Mittal Publication, pp. 46

Sharif to withdraw from Kargil and doing the historical enemy of Pakistan a great favour.”⁴¹

Thus, it is clearly visible that the coup was made a success with the attempts of the external help of United States. The civilian government was pulled back for the fulfilment of the American aspiration in the hands of the military dictator disbalancing the civil military relations of the country.

Pakistan and the ‘War on Terror’

The present relationship between the United States and Pakistan is at crossroads because of many other issues, such as Pakistan’s own reform efforts, America’s evolving strategic relationship with South Asia, democracy in the Muslim world, and the dual problems of religious extremism and nuclear proliferation. As a result, the two countries have a complex relationship that presents a unique challenge to their respective policymaking communities.⁴²

Pakistan became an area of major concern after 9/11. It became the front line state against 'war on terror'⁴³. While zooming in the democratic and developmental aspect it has been seen that the non-democratic regime of Musharraf also got enough support from United States though he had to liberalise his policies. Still, fund came flowing in this country during that time. The country's transition to a full and functional democracy is critical to the strength of USA’s long-term relationship. In contrast, United States claims that her help is for building a more participatory, representative and accountable democracy in the country. The war on terrorism had provided the rationale for the latest U. S. engagement with the country.⁴⁴ Thus, United States in the name of promotion of democracy have only acted in the way which was suitable for her interest.

⁴¹. Ibid, pp. 107

⁴². Ibid, pp. 74

⁴³. The War on Terror (also known as the Global War on Terror or the War on Terrorism) is a term commonly applied to an international military campaign led by the United States and the United Kingdom with the support of other NATO as well as non-NATO countries. Originally, the campaign was waged against al-Qaeda and other militant organizations with the purpose of eliminating them.

⁴⁴. Abbas, Hassan (2005), *Pakistan's Drift Into Extremism: Allah, The Army, And America's War on Terror*, USA: An East Gate Publication, pp. 137

The U.S. engagement with Pakistan might be focused on the war on terrorism, but it was not confined to it. It also addresses several other issues of concern to the United States: national and global security, terrorism, and nuclear proliferation, economic and strategic opportunities in South Asia, democracy, and anti-Americanism in the Muslim world. The U.S. engagement with Pakistan offers certain lessons for U.S. policy makers. These were related to the risks involved in basing policy on principles without having a strategy, isolating a country that has the capacity to harm, and nation-building in a country ambivalent or resistant to the United States' embrace.⁴⁵

To make Pakistan a powerful ally in the game of war on terror United States started the policy of giving aid irrespective of the form of government which helped in further degradation of the position of the civilian government and strengthening the military government.

United States Aid Policy towards Pakistan and its Implications

Since the inception of US-Pakistan relations, aid, both military and non-military, has been the key instrument of US policy towards Pakistan. However, the history of US aid to Pakistan shows that the flow and quantum of the aid has been intermittent. Nonetheless, aid to Pakistan has been subject to geo-strategic challenges which threatened the US interests in the region time and again. After 9/11, the US has flooded huge aid into Pakistan to meet its objectives, both in Afghanistan and in Pakistan.⁴⁶

Following a decade of alienation in the 1990s, U.S. relations with Pakistan were once again transformed in dramatic fashion, this time with the September 11, 2001, terrorist attacks on the United States and the ensuing enlistment of Pakistan as a pivotal ally in U.S.-led counter terrorism efforts. Post-9/11 U.S. aid to Pakistan rose dramatically and included a \$600 million emergency transfer in September 2001.⁴⁷

⁴⁵. Ibid, pp. 147

⁴⁶. Fair, C. Christine and Chalk, Peter (2006), *Fortifying Pakistan: the Role of U.S. Internal Security Assistance*, USA: Institute of Peace Press, pp. 79

⁴⁷. Ibid, pp. 94

US Aid to Pakistan, FY 2002-2012

Program or Account	FY 2002-FY2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 (CR)	Program or Account Total	FY 2012 (req.)
1206	—	28	14	56	114	—	—	212	—
CN	8	24	49	54	47	43 ^f	63	288	—
CSF ^a	4,085 ^e	862	731	1,019	685	1,499	—	8,881 ⁱ	—
FC	—	—	—	75	25	—	—	100	—
FMF	674	297	297	298	300	294	n/a	2,160	350
IMET	5	2	2	2	2	5	n/a	18	5
INCLE	186	38	24	22	88	170	n/a	528	125
NADR	24	9	10	10	13	24	n/a	90	23
PCF/PCCF	—	—	—	—	400	700 ^b	800	1,900	1,100
Total Security-Related	4,982	1,260	1,127	1,536	1,674	2,735	n/a	14,177	1,603
CSH/GHCS	77	28	22	30	34	30	n/a	221	2
DA	123	38	95	30	—	—	n/a	286	—
ESF	1,301 ^d	338	394 ^c	347	1,114	1,292	11	4,797	1,360
Food Aid ^b	78	55	—	50	55	124	51	413	—
HRDF	5	1	11	—	—	—	—	17	—
IDA	—	70	50	50	103	232	145	650	—
MRA	28	10	4	—	61	49	—	152	—
Total Economic-Related	1,612	540	576	507	1,367	1,727	n/a	6,536	1,362
Grand Total	6,594	1,800	1,703	2,043	3,041	4,462	n/a	20,713	2,965

Sources: U.S. Departments of State, Defense, and Agriculture; U.S. Agency for International Development

Abbreviations:

1206:	Section 1206 of the National Defense Authorization Act (NDAA) for FY2006 (P.L. 109-163, global train and equip)
CN:	Counternarcotics Funds (Pentagon budget)
CSF:	Coalition Support Funds (Pentagon budget)
CSH:	Child Survival and Health (Global Health and Child Survival, or GHCS, from FY2010)
DA:	Development Assistance
ESF:	Economic Support Funds
FC:	Section 1206 of the NDAA for FY2008 (P.L. 110-181, Pakistan Frontier Corp train and equip)
FMF:	Foreign Military Financing
HRDF:	Human Rights and Democracy Funds
IDA:	International Disaster Assistance (Pakistani earthquake, flood, and internally displaced persons relief)
IMET:	International Military Education and Training
INCLE:	International Narcotics Control and Law Enforcement (includes border security)
MRA:	Migration and Refugee Assistance (also includes Emergency Migration and Refugee Assistance or ERMA)
NADR:	Nonproliferation, Anti-Terrorism, Demining, and Related (the majority allocated for Pakistan is for anti-terrorism assistance)
PCF/PCCF:	Pakistan Counterinsurgency Fund/Counterinsurgency Capability Fund (transferred to State Department oversight after FY2010)

Table 4.1: US Aid to Pakistan, (2002-2012)

Sources: Congressional Research Service by K. Alan Kronstadt, Specialist in South Asian Affairs, 5/6/11.

In 2003, President George W. Bush hosted Pakistani President General Pervez Musharraf at Camp David where he vowed to work with the Congress on establishing a five-year, \$3 billion aid package for Pakistan. Table 4.1 clearly shows that annual instalments of \$600 million each split evenly between military and economic aid, began in Financial Year (FY) 2005. From FY2000 at \$36.76 million to FY2001 at \$187.7 million, U.S. aid increased five-fold, and in FY2002 (the first post-9/11 fiscal

year) aid increased by another nearly 11-fold to \$2,000 million.⁴⁸ Aid trended up between 2006 and 2010; FY2007 was the first year of the Bush Administration's plan to devote \$750 million in U.S. development aid to Pakistan's tribal areas over a five-year period. The 2010 U.S. aid to Pakistan of some \$4.3 billion represented an increase of 2,185percent when compared to the pre-9/11 level in FY2001.⁴⁹

In FY2010, Pakistan ranked second among top U.S. aid recipients, after Afghanistan and before Israel. It ranks third in FY2012 with U.S. aid estimated at \$2.1 billion, about half of the FY2010 peak. About two-thirds of U.S. aid from FY2002 to FY2012, some \$15.8 billion (including Coalition Support Fund reimbursements), has supported security assistance in Pakistan. Of that, about \$9.5 billion has been funded through Defence Department appropriations, with \$6.4 billion in security assistance for Pakistan funded through the Department of State appropriations. Economic assistance for Pakistan from FY2002 to FY2012 has totalled more than \$7.8 billion. About 85% (or \$6.6 billion) of that was within the Economic Support Fund (ESF), which grew dramatically in FY2009 and FY2010, but has been scaled back since.⁵⁰ Over the years, disbursements of aid to Pakistan generally track appropriation levels of aid.

However, in some years not all aid appropriated is actually disbursed. For example, of the \$400 million in Pakistan Counter-insurgency Fund, Pakistan Counter-insurgency Capability Fund (PCF/PCCF) funds in 2009, a total of \$125 million has been received by Pakistan. With other accounts, some funds are transferred to meet certain needs on the ground. During years of natural disasters, some funds from ESF have been transferred to the International Disaster Assistance (IDA) or the Migration and Refugee Assistance (MRA) account.⁵¹

⁴⁸. Epstein, Susan B. & Kronstadt, K. Alan (2011), "Pakistan: U.S. Foreign Assistance", *Congressional Research Service*, [Online: web] Accessed 27 May 2012, URL: <https://docs.google.com/viewer?a=v&q=cache:7PrdB7ckpl8J:www.fas.org/sgp/crs/row/R41856.pdf>.

pp. 18

⁴⁹. Ibid, pp. 20

⁵⁰. Ibid, pp. 21

⁵¹. Ibid, pp. 22

It can be described that in the post 9/11 era, the main objectives of US aid to Pakistan are to strengthen Pakistan's capacity for counter terrorism operations, help it to prevent the spread of Weapons of Mass Destruction, support it in the development of a moderate, democratic and civilian government in Pakistan. However, it can be felt that because of the absence of clearly defined objectives on how to utilise the US aid has led to mismanagement and augmented complacency in Pakistan's government. Pakistan relentlessly forestalled decisive action against the Taliban and al-Qaida inside its territory despite receiving billions in aid since 2001.

Consequently, the March 2009 Inter-agency White Paper outlining US future strategy on Afghanistan-Pakistan enunciated a new course for US aid in the region. It stated that assistance to Afghanistan and Pakistan should be aligned with United States core goals and objectives and that assistance would be limited without the achievement of results. It also stressed on capacity building of the governments in these countries as a measure to arrive at preferred goals. In addition, the US also made fundamental changes in its subsequent aid policies towards Pakistan such as through the peace Act which granted \$ 7.5 billion to Pakistan by placing more drivers for better usage of its aid.⁵²

However, ongoing discourse in the US on Pakistan's accountability regarding usage of US aid somehow converges with India's long held view that aid is being pumped into terror infested Pakistan at the cost of regional security environment. The US aid policy towards Pakistan is also known to lack a coherent strategy being too security centric, with very little proportions of it reaching the masses out there. In this scenario, US face the dilemma of having to increase the aid despite knowing that it may not achieve its desired ends.⁵³

Therefore, there are fundamental problems in administering US assistance to Pakistan. The important problems among them are the constraints within USAID in staff and resources which are vital to timely and just distribution of the funds and constraints in free and safe movement across Pakistan; more aid than what can be effectively

⁵². Ibid, pp. 24

⁵³. Zaidi, S. Akbar (2011), *Who Benefits from U.S. Aid to Pakistan?* USA: Carnegie Endowment for International Peace, pp. 9

absorbed by local institutions; the case of aid failing to reach the deserving sections of Pakistani society leads to anti-Americanism in Pakistan; lack of outreach and failure of US aid to generate goodwill; resistance to various conditions in US aid policy towards Pakistan; lack of visibility and the ratio of success; lack of transparency in US Pakistan dealings and dearth of support systems to conduct monitoring and oversight of aid.⁵⁴

It is also worth mentioning here that aid for non-military purposes were also used for the military uses so in the civilian part there was no substantial development. But the use of the aid in the military sector enhanced the arsenal of the country, strengthening the roots of military government during 2001-2007.

Fall of the Military Government and the Role of US

Pervez Musharraf's resignation after nearly nine years at Pakistan's helm took the brakes off the transition to an elected government. This was good news for a country whose political institutions have nearly suffocated under years of military-dominated governments. It is not the end of Pakistan's political crisis, but it gives the United States an opportunity to recalibrate US - Pakistan relations without the complication of the personal connection with Musharraf.⁵⁵

The U.S. administration was slow to realise that Musharraf was no longer capable of being the face of US-Pakistan relations. It continued to see him as a 'factor for stability' even after he had been decisively rejected in the elections and had lost control of the machinery of Pakistan's government. Soon, the Musharraf government lost the support both from the US side and from the people of the country who withdrew their support as he was supporting war on terror and attacking fellow Taliban in the country.

The Era of Elected Government

After Musharraf, Pakistan had to come to grips with its urgent problems, and the United States helped in doing so. This required determination and sophistication in

⁵⁴. Ibid, pp. 12

⁵⁵. John, Wilson (2009), *Pakistan: The Struggle Within*, New Delhi: Pearson Education India press, pp. 159

dealing with an elected government and a population that blames the United States for many of its problems. It also required some attention to the long-term reforms that the country needed for decades. The most pressing issue for the United States till date is Pakistan's impact on the insurgency in Afghanistan. The Pakistani government gives top priority to curb suicide bombings and the insurgency perpetrated by the branch of the Taliban movement inside the country. This is the only issue that the elected government tried to tackle before Musharraf's departure. The United States became more concerned about control of the Pakistan-Afghanistan border which acted as a support of the above issue.⁵⁶

The border and Pakistan's insurgency are two sides of the same coin, and both have to be addressed. There is no way Afghanistan can be rescued without stabilising Pakistan. That is why ending the internal insurgency deserved full focus from Pakistan and urgent support from the United States. At the same time, and in a less public manner, the United States needed to enlist Pakistan's help in addressing the border issue. This enterprise called for a joint strategy—involving political, economic, and military tools—in which the United States, Pakistan, and Afghanistan participated.⁵⁷ Apart from the border issues the economic issues are also important in this respect. Thus, United States had enough reasons to support whosoever was in power in Pakistan to achieve this ultimate aim.

Pakistan also faced an economic crisis. Between May 2007 and May 2008, food prices rose about 28 percent and wholesale fuel prices rose about 46 percent. That could have spelled sudden death for the government. Pakistan asked for United States' help which she did. Thus, irrespective of the regime the economic support too was perennial.

The change in the regime of Pakistan, so far, witnessed a string of events. The United States, irrespective of the change, supported the Pakistani government. But due to America's involvement too much with the country complicated the relation with the civilian government and the military.

⁵⁶. John, Wilson (2009), *Pakistan: The Struggle Within*, New Delhi: Pearson Education India press, pp. 163

⁵⁷. Chaudhry, Mohammad Ashraf (2009), *Pakistan. USA*: Author House, pp. 148

Change of Regime: The Zardari Government and United States

Pakistan's new president, Asif Ali Zardari, assumed office at a time of great political turmoil, intense terrorist violence, economic weakness, and deteriorating relations with neighboring India and Afghanistan. The coalition of PPP and PML-N “raised expectations that Pakistan may be moving away from a dominant party system to a multi-party system.”⁵⁸ The three dominant parties in the ruling coalition, the PPP, PML, and ANP, joined in their disdain for the rule of Musharraf and each differed on how he should be removed from office. The PML-N was the most vocal about Musharraf’s removal and the reinstatement of the judges, while the PPP initially tried to work with Musharraf. According to Saeed Shafqat, “The PPP also wished to dilute the issue of the restoration of the judges, which strained the coalition as the PML-N’s expectation was the judges would be restored by 12 May 2008. When that did not happen, the PML-N’s cabinet ministers submitted their resignation to the prime minister, and the party subsequently withdrew from the coalition.”⁵⁹ The PML-N is now the opposition party in the National Assembly. In August 2008, Musharraf resigned and one month later Zardari became the President of Pakistan.

President Zardari’s rule has been tenuous up to this point. Despite \$11 billion in American aid during Musharraf’s tenure, Pakistan remains a poor country. The country ‘has been wracked by the effects of rising oil prices and increased instability— manifested in political wrangling in the midst of as yet uncertain civilian rule, a slate of suicide bombings, and a war to break extremist hold over territory in the country’s northwest’.⁶⁰ Notwithstanding these events, the military under Gen. Kayani had chosen to remain behind-the-scenes. He ordered the serving officers to withdraw from civilian positions and acted as an arbiter to help end the political stand-off between Sharif and Zardari in 2009. As Shafqat notes, ‘The present army chief seems earnest to disengage the military from its hegemonic position’.⁶¹

⁵⁸. Shafqat, Saeed (2007), *New Perspectives on Pakistan: Visions for the Future*, Karachi: Oxford University Press, pp. 94

⁵⁹. Ibid, pp. 95

⁶⁰. Nasr Vali (2009), *Forces of Fortune: The Rise of the New Muslim Middle Class and What It Will Mean for Our World*, Washington: Free Press, pp. 229.

⁶¹. Shafqat, Saeed (2007), *New Perspectives on Pakistan: Visions for the Future*, New Delhi: Oxford University Press, pp. 106

Furthermore, the Pakistani military has developed a strategy to tackle the tribal elements, the Pakistani Taliban, and al-Qaidaeda within the tribal areas. The Pakistani military will not be alone in this endeavour, as the U.S. has committed under the Obama Administration, to continue working with the Pakistan army and train them in counterinsurgency. The passage of the 2009 Kerry-Lugar Bill provided for \$7.5 billion of non-military funding over five years, whereby the U.S. sought to demonstrate that Pakistan's people matter just as much as the military. Continued U.S. assistance to Pakistan will be of great importance as the Zardari government moves forward to combat domestic extremism and the U.S. continues the war in Afghanistan.

In April 2010, after months of political pressure, the government passed the 18th Amendment, which reduced the President to a ceremonial figurehead by stripping the office of the power to dissolve Parliament, to dismiss the Prime Minister, and to appoint military chiefs. The amendment also lifted the restriction of two terms as Prime Minister, which enabled Zardari's foremost political rival, Nawaz Sharif, to seek a third term. The amendment was passed with virtually unanimous support in Parliament and Zardari himself espoused the legislation because of political pressure. After the 18th Amendment, Zardari's main power derived from his position as leader of the PPP, which controls the largest bloc in Parliament.

In an apparent effort to capitalise on the PPP's crisis, Nawaz Sharif, leader of the opposition issued a 10 point 'national agenda' for broad socio-economic development. In addition to calling for an end to the fuel price hikes, the agenda included requests that the government urgently address electricity shortages and eliminate ministers accused of corruption, among other measures. Prime Minister Gillani signalled that his government would extend cooperation in its implementation. Some commentators saw Gillani's acceptance of the opposition agenda as an implicit admission that his government had failed. In February, Gillani dismissed his more than 60 cabinet ministers in a cost-cutting initiative. A new cabinet of only 21 ministers was appointed days later, with all major posts held by the same figures but for foreign minister, which remains open to date after the former minister angered PPP leaders by

publically declaring that then-jailed CIA operative Raymond Davis did not have diplomatic immunity.⁶²

The Davis affair was seen to further weaken Pakistan's civilian leadership and major political parties, all of whom came out appearing weak and ineffective. In contrast, the army and intelligence services saw their images as protectors of the national honour burnished by the outcome.

Thus, once again turmoil was witnessed in the internal area of Pakistan. Certain strings of event during this time saw a deteriorating relation with the United States where the civil military relations also saw ups and downs in their dealings with each other.

The circumstances of Osama bin Laden's death were hugely embarrassing for the Pakistani military and led to rare domestic criticism of this institution, traditionally the country's most respected one. This in turn created an opening in which Pakistan's civilian leaders might wrest some modicum of control over the country's foreign and national security policies. Yet, to date, there has been little sign that the civilians would take advantage of this opening; rather, they have appeared to rally behind the security services and made no calls for the resignations of either the Army or ISI Chiefs.⁶³

Meanwhile, the leader of the main opposition PML-N party, Nawaz Sharif, has called for an independent judicial inquiry into the circumstances of Osama bin Laden's death, contrasting with the ruling party's accession to a military-led investigation. The proposal alone places the PPP and military both in an uncomfortable situation. Moreover, the general national embarrassment has led to some high-visibility figures calling for the resignation of Pakistan's President and Prime Minister, thus emerging as another political tool with which to pressure the civilian government. These

⁶². No more time for 10-point agenda: Nawaz Shari. <http://www.brecorder.com/top-news/1-front-top-news/3492-no-more-time-for-10-point-agenda-nawaz.html>. Accessed 12 June 2012.

⁶³. Fair, C. Christine (2010), *Pakistan: Can the United States Secure an Insecure State?*, USA: RAND Corporation, pp. 128

developments may bode poorly for the development of Pakistan's democratic institutions.⁶⁴

Strings of Events and United States

Abbottabad Case: The Death of Osama Bin Laden

On May 1, 2012, al-Qaida founder Osama bin Laden (OBL) was located and killed by the American Navy Seals in the mid-sized Pakistani city of Abbottabad, a military cantonment in the northwest Khyber Pakhtunkhwa province. In the wake of the successful US military operation, the Pakistan Government objected to the 'unauthorized unilateral action' by the United States and cautioned that the event shall not serve as a future precedent for any state.⁶⁵ Former President Musharraf complained that the operation violated Pakistan's sovereignty. The episode implicates a host of important legal and political issues.

Abbottabad case affected civil military relations in Pakistan due to the US' influence in the country. In this turbulent environment, the people of Pakistan are blaming every institution, civilian and military, and all present and past governments. The most visible manifestation of public anger is directed towards USA. This anti-American surge is unfortunately matched by an equally strong anti-Pakistan media campaign in the US: Pakistan has become a dangerous breeding ground for terrorists and it cannot be trusted because it sheltered bin Laden. Against this tense backdrop, President Obama, in his June 23 announcement of gradual withdrawal from Afghanistan also had a tough message for Pakistan.

The joint session of parliament held on 13 May, 2011 did provide a sense of direction for the future. The unanimous resolution condemned the Abbottabad operation as an attack on national sovereignty and asked the government to take measures to stop drone attacks. It called upon the government to review its terms of engagement with the US with a view to ensure that Pakistan's national interests are fully respected in policies for countering terrorism and achieving peace in Afghanistan. It also called

⁶⁴. Moran, Sebastian G. (2011), *Pakistan: Issues and Developments*, New York: Nova Science Publications Incorporated, pp. 73

⁶⁵. Jane Perlez & David Rohde, Pakistan Pushes Back Against U.S. Criticism on Bin Laden, *New York Times*, [Online: web] Accessed May 3, 2011, URL: <http://www.nytimes.com/2011/05/04/world/asia/04pakistan.html>.

upon the government to appoint an independent commission on the Abbottabad operation.

The resolution affirmed full faith in Pakistan's defence forces. Meanwhile, the military leadership asked the elected leaders and parliament to devise a security policy that it would implement. Subsequently, a communiqué issued after a Corps commanders conference on 9 June 2011 stated that cooperation with the US has to be assessed afresh in view of the parliament's resolution and the army shall take into account the aspirations of the people while reviewing military ties with the US.⁶⁶ This was the incident where the civilian government and the military came together opposing the unauthorised intervention of US in Pakistan.

Memogate Scandal

At the heart of the civil-military relations is the problem of how a civilian government can control the military institution it created for its protection and also remain safe from the same. The problem faced by the civilian authority, then, is in deciding on the ideal amount of control. Too much control over the military could result in a force too weak to defend the nation resulting in failure on the battlefield while too little control would create the possibility of a coup, i.e., failure of the government. This kind of insecurity can give rise to a deteriorating condition of the civil-military relations of the country as was the case in Pakistan after the memo gate scandal.

Memogate was responsible for increasing the growing rift between the civil and the military leadership. This is because of Husain Haqqani's act of disloyalty over an unsigned memo sent in May 2011 to the then chief of the US armed forces, Admiral Mike Mullen, seeking help to curb Pakistan's military in the wake of the US raid that killed Osama bin Laden.

Pakistan's military has long been the most powerful institution in the country. According to the purported memo, President Asif Ali Zardari also feared that the military would seize power to limit the fallout after US forces sneaked in to kill

⁶⁶. Aziz, Sartaj (2011), "Redefining Pakistan-US relations", *DAWN*, 28 June 2011, [Online: web] Accessed 2 June 2012, URL: <http://dawn.com/2011/06/28/redefining-pakistan-us-relations/>

Osama bin Laden. Fears of a clash between Pakistan's civilian leadership and its military escalated after the civilian leadership alleged that the Pakistan army is plotting to topple the civil government. Nonetheless, the recent statement issued by the Chief of the Army Staff General Kayani dispelled the speculations of any military takeover or counter-speculations of sacking of the army chief and the head of the ISI by the civil authority. The Memogate scandal was a conspiracy that meant to instigate confrontation between the army and the civil government.⁶⁷

NATO Strikes

The 2011 NATO attack in Pakistan, also known as the Salala incident, occurred when the US led NATO forces engaged Pakistani security forces at two Pakistani military check posts along the Afghanistan-Pakistan border on Saturday, 26 November 2011.⁶⁸ This attack resulted in a deterioration of relations between Pakistan and the United States. The Pakistani public reacted with protests all over the country and the government took measures adversely affecting the US exit strategy from Afghanistan including the evacuation of Shamsi Airfield and closure of the NATO supply line.

The NATO attack that killed 24 soldiers in Pakistan over the weekend continues to impact diplomatic relations. Among the raft of measures taken in retaliation by the Pakistani government, has been the order to the US to vacate a military base used to launch drone attacks. But how significant is this move and what further implications could it have?

Pakistan immediately announced a number of steps in retaliation including the suspension of NATO supply routes to Afghanistan and an abstention from Afghan talks in Bonn. Further, the Americans were given fifteen days to vacate a military base in the south western province of Baluchistan. Pakistan's relations with the United States, even in the best of times, have never been smooth and wrinkle free, but the manner in which they have remained turbulent since the beginning of this year is truly unprecedented. After this incident Pakistan and the U S relations became very

⁶⁷ Husain Haqqani defends civilian rule, US ties, *Dawn*, 14th June, 2012, [Online: web] Accessed 2 July 2012, URL: <http://dawn.com/2012/06/14/husain-haqqani-defends-civilian-rule-us-ties/>

⁶⁸ Islam, Nazarul (2011), "NATO 'Regrets' Pakistan Strike", *Newsweek*, Pakistan, 27 November [Online: web] Accessed 3 July 2012, URL: <http://newsweekpakistan.com/scope/612>.

complex and unfriendly but this incident brought the civilian and military opinion together and helped to take certain firm action against the United States. But the political parties are of opinion that the US help is a must for Pakistan and they want the supply lines to be reopened.

Analysis of the Current U S - Pakistan Relations

The outlook for significant progress in Pakistan's political, economic, and security circumstances during the remainder of 2011 is widely considered to be poor. Because of this, progress toward attainment of U.S. goals in its engagement with Pakistan is likely to remain difficult, especially in the wake of the Davis affair, the Osama Bin Laden raid, and increasing acrimony over drone strikes and the US security and intelligence presence in Pakistan. Pakistani officials regularly complain that Washington is insufficiently concerned with Islamabad's regional security perspective and arrogant in its routine breaches of Pakistani sovereignty, and they offer criticism that Washington is not moving to provide greater market access for Pakistani exports.

Meanwhile, with the Islamabad government coming under the immense dual pressures of natural disaster and widespread armed insurgency in late 2010, and concurrent negative developments in US-Pakistan relations, the US officials became all the more concerned about political instability in Pakistan. Following revelations that al-Qaida's founder had lived in relative comfort in a Pakistani city, a plethora of observers in Washington are labelling Pakistan as an unstable and unreliable ally that may not have the determination, much less the capacity, to deliver what the United States is seeking. By many accounts, Pakistan's apparently schizophrenic foreign policy behaviour is a direct outcome of the Pakistan military's strategic interests. This leads many analysts to encourage full-throated US support for Pakistan's civilian authorities as the only viable means of reducing conflict both inside Pakistan and between Pakistan and its neighbours. US Ambassador Cameron Munter is among those who have insisted that Pakistan requires a strong civilian government and that common US-Pakistan successes can be achieved only with a strong partner in Pakistan's democratically elected government.

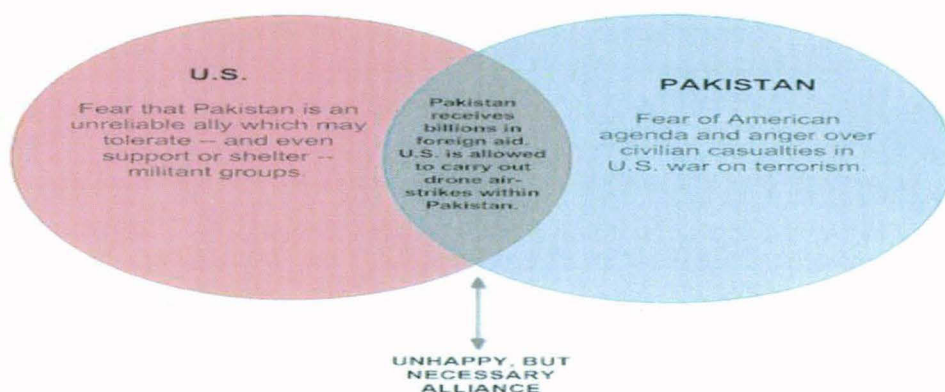


Diagram 4.1: *US – Pakistan Alliance Politics.*

Pakistan-US relations hold greater importance. Since the independence of Pakistan, both the countries have been cooperating with each other not only in the economic field but also politically, socially and diplomatically. The US has always assisted Pakistan in all these fields and has been one of the key allies in providing funds and support. There have been times of mistrust and suspicions as well but while analysing the overall scenario one can clearly assess that Pakistan's relationship with the US has been one of the significant features of Pakistan's foreign policy. But this has also affected the civil-military relations of Pakistan.

Conclusion

As the mistrust in the US - Pakistan relationship deepens; Washington's frustration with Islamabad has also grown. Over the past few months, influential voices have begun to recommend that the US take a more aggressive approach towards Pakistan by playing up Pakistan's civil-military divide: prop up civilians while dealing harshly with the military and its spy agency, the Inter-Services Intelligence (ISI).

Specifically, views range from moving to a more hostile containment approach that would the Pakistan military; to seeing progressive civilians as partners and declaring the military as an adversary; to labelling specific members of the military and ISI found to be involved in supporting militants as terrorists. The premise for this view is that the Pakistani military and intelligence apparatus are undermining U.S. interests in Afghanistan and that it has held civilian governments who otherwise would be amenable to reversing Pakistan's traditional strategic paradigm hostage to its own agenda. Underlying this is the implicit belief that if the strength of the military is undercut and if the civilians are able to take charge in letter and spirit, resulting

revisions in Pakistani threat perception and national priorities would overlap more neatly with the US interests. Stability of the region will provide a better relation with US, where the persuasion of national interest will go up and the challenges to its external security can be brought down.

Chapter 5

Conclusion

The complexity of the challenges in the process of state building in a decolonised environment tends to reduce the distance between military and civilian realms in numerous young Asian states, especially in Pakistan. Here, the inherited colonial notion of civilian supremacy over the military and the military's aloofness from politics underwent a gradual but significant change, after independence, leading to various regimes oscillating between military dictatorship and elected political authoritarianism.

In this context, Pakistan became considered over time as a potentially "classic example of a praetorian state"¹ in which the Army perceives itself as the sole guardian of the country's national sovereignty and physical, political and moral integrity, the chief initiator of the national agenda and the major arbiter of conflict between social and political forces. In order to maintain this role the military developed a critical outlook on its corporate interests prioritising the achievement of its goals independent from the disappointing civilian (political) sphere. Such autonomy was exemplified through modernization, including procurement of arms and equipment, or sophisticated training. An essential point of origin for the longevity and recurrent positions of the armed forces in the business of the state was that it occurred in the form of direct and indirect military intervention.

However, in Pakistan conflict was present from the outset. The death of Jinnah left the political elite's without their leader and the forceful personality, thus there was also a need to build the compromise between the various ethnic and sectarian groups within the new Pakistani state. That's why the military, the state's strongest institution, intervened after ethnic and sectarian violence was engulfing multiple provinces and the politicians were unable to quell this violence. This produced the space where the military warns incompetent politicians that they are encroaching on the military's institutional and elite self-interests, a crisis occurs resulting in the intervention,

1. Waseem, Mohammad (2009), " Civil-Military Relations in Pakistan", in Rajshree Jetly (eds.) *Pakistan in Regional and Global Politic*, New Delhi: Routledge, pp. 186

followed by the military junta introducing constitutional changes to straighten out Pakistan. This occurred in 1958, 1969, 1977 and 1999. The term civil-military relations with predominant emphasis on civilian supremacy are conceptually inadequate to explain the situation in Pakistan, owing to the specificity of its historical, cultural, and institutional milieus.

The political system of Pakistan has been suffering instability since its creation in 1947. Civil-Military relations have always remained dis-proportioned causing a constant transition between military rule and the government of political parties. The power of military has lasted very long either by military ruling directly or by controlling politicians from behind the scene. It has always been on the heavier side and is blamed for meddling in political process of the country. Military has been perceived as an institution that makes decisions and brings the faces of its own choice to the corridors of power. Many politicians have been charged of seeking its help to gain power and thus, termed as a product of Martial Law Regime and Military rule.

Similarly, factors responsible for the Musharraf intervention turned out to be organizational dynamics, absence of a safety valve clause in the constitution, overestimate of the army's managerial capability, the tacit alliance relationship of the civil and military bureaucracy and Kargil conflict.

Political regimes in Pakistan are perceived to be less capable of defining, negotiating, and securing national strategic interests as compared to military regimes. Hence, when compared with civilian ones, the military regimes tend to be more determined, assertive, decisive, and risk-taking in shaping the state's domestic and foreign policies. The Musharraf regime was no exception to that, and tends to define and pursue national strategic interests in terms of a military-economic view of security.

By the same token, there is a perception and realization by external powers that the military is the epicentre of power and authority in Pakistan, and that overt military rule brings stability to the country. Hence, the military regime was granted legitimacy in the wake of the Agra summit and the events of September 11. Such legitimacy in turn gives the regime greater leverage to define and execute security policies more assertively and confidently, internally as well as externally vis-a-vis neighbouring and external powers.

Besides the impact on society and the polity, direct military rule has led to severe fall outs on state institutions like the army itself, and that of the related nuclear program, owing to the disturbing acceptance of and acquiescence to the United States in the security apparatus of Pakistan. Following the economic military view of security also serves to weaken internal security owing to greater emphasis on foreign policy compliances vis-a-vis external powers.

Historically, the changing nature of geopolitics and international politics has a tremendous bearing on Pakistan's domestic politics, as the military has demonstrated increasing capability to benefit from the situation to perpetuate their regimes. The Musharraf regime's legitimacy was initially driven internally, but subsequently received international backing. Events like September 11 have clarified and magnified the role of the military in the formulation of the foreign and security policies of Pakistan.

Once the military is satisfied that their interests will not be encroached upon, they will withdraw from politics. However, in Pakistan, political elites were in constant conflict with one another as well as the military. When the military would withdraw, politicians in the Pakistan People's Party (PPP) and Pakistan Muslim League (PML) attempted reforms to try to improve their position vis-a-vis the military, even encroaching on policy issues perceived as vital to military institution and elite self-interest. This occurred three times: 1971-1977, 1988-1999, and 2008-Present.

However, the Pakistani military retains enormous influence in political decision-making. Indeed, it has informally assumed control as well as oversight of Public Policy, merged issues of security with politics, played the role as an agency for defining security and has constrained civilian authority. In addition, generals maintain a veto in vital foreign policy, Internal Security as well as National Defence matters. Finally, with regard to Military Organization, the defence budget remains insulated from civilians.

Competing political forces tend to be intolerant towards each other, thereby undermining political institutions and processes. There is no consensus among them as to how to keep the military out of politics. On the contrary, feuding politicians have not hesitated to use the military to dislodge their adversaries from power. In a

situation of acute confrontation and crisis, the military can always find civilian support for its expanded role.

Causes of failure of democracy in Pakistan also lie in the functioning of Pakistani socio-political system. Feudalism, illiterate and apathetic people, self – imposed leaders and inherited politics are a few salient features of this system. It's a feudal state where feudal people are living and most of Pakistani political leaders are also feudal lords and they have assumed and established their identity as political leaders. Feudalism has been leading towards the traditions of inherited politics as well in Pakistan.

In this feudal culture, millions of people are landless and illiterate peasants and their social status is not more than a slave. In addition to this, such landless peasants' community is living in acute poverty. This community is not even accordance with the minimum standards of human rights. How can such impoverished, deprived and economically marginalized peasants community can express their will freely in this kind of democracy?

The essence of democracy lies in the general will of the public. So during election, such community is supposed to express the will of the feudal lords in Pakistan. May be due to their lack of knowledge or the fear of the landlord, landless peasants do so. In such circumstances, it cannot be expected from the landless rural peasants that they would be able to evaluate the credibility of their so-called leaders and the manifesto of political parties before voting. Consequently, general election becomes a selection of a few based upon the will of a few who are powerful and leading a privileged life. In this way, democracy has been reduced to oligarchy and aristocracy in Pakistan.

The military's position has also been strengthened because South Asia's regional security environment has not improved with the end of the Cold War. Pakistan's security predicament persists because of civil war in Afghanistan, and because Pakistan and India are engaged in an undeclared nuclear-weapons and missile race. Such regional insecurity increases the military's relevance to decision-making.

All of these factors make it easy for the military to maintain its central role in the political process. The military's profile depends on the civilian government's

performance – how it maintains economic and political stability and civic peace and order, and how it deals with the military’s professional and corporate interests. The military’s options increase if the government’s political and economic performance falters, if it faces a crisis of legitimacy aggravated by popular unrest in the major urban centres, or if political competition turns nasty. Thus similarly because of the failure of Political Parties to justify the above notions the military in Pakistan had to put no effort to strengthen its roots in the soil of Pakistani politics. Thus in an addition military retains the capability to veto Pakistan’s transition to democracy.²

While, the above-mentioned issues are critical, the biggest problem facing Pakistan is the failure of governance. A cursory look at the governance record of democratic and military leadership during the last two decades does not in-still confidence. Despite being at the receiving end, the democratic parties have not learnt their lessons; and despite ruling directly and indirectly, the establishment could not provide effective governance that’s why it can be justifiable the ‘lack of democratization gives the opportunity of conflicting relation between civil and military institutions in Pakistan.’

Likewise, the other potent threat coming to the civil-military relations is from the external powers that have always used the geo-strategically important Pakistan to justify their aims. The most persuasive among them is the United States.

Regarding the recent events, and tensed US-Pakistan relation regarding Afghanistan the question that comes to the fore is that- In light of the growing U.S.-Pakistan tensions, how can the U.S. and NATO reduce their reliance on Pakistan and its intelligence agency and still effectively combat terrorism in Afghanistan? Firstly, America should gradually reduce its reliance on Pakistan’s transportation routes and military air bases.

Secondly, the U.S. should reduce its military aid to Pakistan, but maintain economic, civilian, and humanitarian assistance. To complement this assistance, private corporations could use their resources to finance infrastructure projects that promote stability and reduce the need for foreign aid. Though America still needs a relationship with Pakistan to combat terrorism and prevent terrorist plots against the

2. Rizvi, Hasan Askari (1998), “Civil Military Relations in Contemporary Pakistan”, *International Institute for Strategic Studies, Survival*, 40 (2): 96-113

U.S., reduced military aid and reliance on Pakistan will likely benefit both states. Not only will this new strategy appease Washington policy makers who criticize excessive aid to Pakistan, but Pakistani civilians, government officials, and military personnel will taste the greater sense of sovereignty for which they have been waiting.

Again as it has been seen too much aid for the military complicates the civil- military relations, and strengthens the military in Pakistan against the political government. Consequently, the Pakistani people have also suffered because of this. The state is in a continuing battle with religious extremist groups, which at various times throughout its history, were used in ideological struggles and both the institutions were unable to curb it.

Pakistan's Geo-strategic position between the Middle East and South Asia make it an important front line state and the recipient of huge sum of economic and military assistance from the United States.

In Pakistan, the United States aims to degrade and defeat the terrorist groups that threaten American interests from its territory and to prevent turmoil that would imperil the Pakistani state and risk the security of Pakistan's nuclear program. These goals require a stable Pakistani partner. Washington thus seeks to encourage Pakistan to strengthen its efforts to unequivocally fight terrorism and extremism. Improving bilateral cooperation and contributing to Pakistan's economic, political, and military stability are all essential elements of this effort.

In Pakistan, the United States has publicly committed to a long-term and consistent relationship with civilian and military leaders as the best means to achieve U.S. security objectives. At the same time, Washington has expanded and intensified its use of drone strikes against terrorists based along the Afghan border, acting alone when Islamabad has been unwilling or unable to act. Washington's efforts are aimed at shoring up Pakistani stability against the many threats it faces, from extremism and militancy to political and reconstruction is placing on the civilian government and the military.

The basic long-term U.S. aspirations for Pakistan and Afghanistan are uncontroversial and easy to list: stability, prosperity, and good governance. The more important and

more difficult challenge is to identify U.S. goals that are realistically achievable within a reasonable time frame, taking into account the immense challenges of the region and the limits of U.S. power. The central question is not what the United States might wish to achieve but what it should aim to accomplish.

U.S. aims in Pakistan have shifted over the past decade. The United States viewed its aims in narrow terms immediately after 9/11: Pakistan was a necessary element of the military and counter terror campaign in Afghanistan. Washington demanded that Islamabad cut its ties to the Taliban–al-Qaeda alliance in Afghanistan and serve as the U.S. staging ground and logistics hub. As it became ever more apparent to the George W. Bush administration that the terrorist threat had roots in Pakistan’s tribal areas and cities, the United States adopted a broader definition of its objectives. It made significant efforts to shore up the Pakistani economy and strengthen military and intelligence ties. It began a quiet dialogue and assistance program to address Pakistan’s nuclear security issues. By 2005, U.S. leaders had begun to place more emphasis on Pakistan’s internal politics, broadening their focus from Pakistan’s connections to Afghanistan and the U.S. counter terror mission. The goal of supporting a Pakistani transition to civilian rule was widely debated.

As the Obama administration came into office, Pakistan was in the midst of an uncertain transition to civilian rule. At the same time, terrorist violence and militancy spiked, jarring the Pakistani public and raising new fears about the state’s ability to assert control over its territory. Obama administration has undertaken a broad and energetic engagement with the Pakistani government and military, embodied in a ‘strategic dialogue’ that cuts across both governments’ bureaucracies.

United States has two vital national security objectives in Pakistan: to degrade and defeat the terrorist groups that threaten U.S. interests from its territory and to prevent turmoil that would imperil the Pakistani state and risk the security of its nuclear program. It will be exceedingly difficult to achieve either of these objectives without the cooperation of the Pakistani state; this requires improving the quality of the U.S.-Pakistan relationship. By extension, Washington has an interest in the stability of its Pakistani partner, which includes the security of Pakistan’s population, the health of

its economy, the capacity of its governing institutions, and the character of its relations with other states in the region.

Thus, it is clear the U.S. had considerable influence in complicating the relation between the two as whatever be the form of government U.S. is only interested in the strategy of war on terror. That's why being a provider of democracy it has also justified the military rule of Musharraf and poured aid in the arena of the military. After realizing that Musharraf was unable and is having internal pressure they started supporting the civilian government.

While focusing on the accumulated history of civil-military relations and military intervention in Pakistan, one may be led to observe the general trend of military intervention as follows:

First, one can conclude that the trend of democratization in Pakistan is non-linear. Instead of the end of an authoritarian regime being linked with the installation and consolidation of a democratic regime, rather what has repeatedly happened is a move back to square one—that is, again in the direction of intervention. The problem is how to break away from or overcome this vicious circle. What are required are structural changes, entailing the development of any one or a combination of economic, socio-political, or managerial-institutional forms.

On the issue of democratization, why is a civil society now perceived to be less inclined to show active resistance to the military? The probable answer lies in the fact that in Pakistani society there has been predominantly the convergence of an elite class, drawn from a narrow clique of industrial, agrarian, business, political, civil, and military bureaucratic elites. These elites tend to converge, and are intertwined through kith and kinship and through business-finance interests.

Therefore, the options of civilian (political) or military rule do not actually make for significant differences, either for the elite or for the public at large. In other words, in the case of military intervention, administrative pluralism does exist and replaces the political pluralism in Pakistan whereby common people satisfy their needs and articulate their interests through formal and informal, social and other kinds of

networks, even in the absence of a political layer of management, effectively through more assertive and determined civil and military bureaucracies.

Third, the military in Pakistan has never denied or challenged the very structure of politics, such as the electoral process. “The focus on political process, rather than civil institutions, is important because the Pakistani armed forces did not want to challenge the legality and form of parliamentary institutions—a tradition which they inherited from British India. Even after he had seized power in 1958, General [Ayub] Khan was ‘concerned about the legality of [his] initial action and the subsequent acts that [he] and [his] subordinates commit [ted] under the rubric of martial law.’”³ The Pervez Musharraf regime had been seen continuing with a similar set of practices as its predecessors.

Related to the above is the fourth factor, which arises out of the military’s inherent weaknesses regarding politics. Politically the armed forces suffer from two crippling weaknesses. One weakness is the armed forces’ technical inability to administer any but the most primitive community. The second is their lack of legitimacy: that is to say, their lack of a moral title to rule.⁴ The military government must widely be recognized not only as the government but also as the lawful, the rightful government. Though the military regimes in Pakistan invariably have been termed legitimate by the court and other self-defined electoral means, nonetheless, in general these measures can never dispel the very impression of being illegitimate.

Thus, once the military takeover is complete, all efforts are directed towards acquiring legitimacy rather than the stated purpose of the takeover. According to Stephen Cohen, ‘all of the Pakistani generals who have seized power have been concerned about the legality of their initial action and of subsequent acts that they and their subordinates commit under the rubric of martial law’.⁵ Partly this can be attributed to the lack of a clear-cut doctrine for the military to intervene, as identified by Stephen P. Cohen: ‘Their [the military’s] training and indoctrination has emphasized the

3. Rebecca L. Schiff, (1998), “Concordance Theory: The Cases of India and Pakistan,” in David R. Mares, (ed.) *Civil-Military Relations: Building Democracy and Regional Security in Latin America, Southern Asia, and Central Europe*, Boulder, Colo.: Westview Press, pp.39

4. Finer, S.E. (1988), *The Man on Horseback: The Role of the Military in Politics*, Boulder, CO: Westview Press, 1988, pp. 12

5. Cohen, Stephen P. (1982), *The Pakistan Arm*, New Delhi: Himalayan Books, pp.120

legitimacy of civilian, not military rule, and the generals therefore lack a clear-cut theory of military intervention that would permit them to undertake sweeping changes in Pakistani society'.⁶

Fifth, one can observe that each of the successive military regimes has become more humane and civilianized than the previous one in its degree of intervention, from the regimes of Ayub, to Zia, to the Musharraf. Under the Musharraf military regime, initially (but not latter) courts, media, and other civilian institutions exist and work quite independently from the executive powers of the government- especially as concerns the ordinary people- and thus do not come across areas of high politics.

Sixth, the military regime's attempts to de-politicize the government has never worked, in the past or the present, since the candidates who participated in the local body elections were primarily sponsored by the main political parties and even their electoral alliances. Finally, the military in Pakistan has also shown considerable restraint in its intervention. However, both politicians and the military sought to manage Islamism, which sprang up as a result of political and economic policies of the various military and political regimes. Each regime used Islam in its attempts to nation-build, but it must be noted, that the use of Islam was not used for the benefit of the Pakistani people; instead, the military protected its interests.

Thus the internal weaknesses have also given the military strengths to intervene in the internal political dynamics starting from ethnicity, extremism, poverty to flood control because of the absence of a stronger political institution and parties thus justifying the fact that the internal instabilities are responsible in complicating the relation between the two giving an upper hand to the military over the civilian government.

Civilian governments face numerous handicaps, which make it difficult for them to command the political process fully. Pakistan's civil order and domestic political economy is in turmoil. Widening ethnic, regional and religious-sectarian cleavages, the after-effects of the War on Terror, and weapons proliferation all pose serious challenges to the government. Pakistani society is now so fractured, inundated with sophisticated weapons, brutalized by civic violence and overwhelmed by the spread of

6. Ibid, pp. 120-121

narcotics that it is no longer possible for any civilian government to operate effectively without the Army's support. The Army is more deeply involved now than a decade ago in support activities for the civilian government: law-and-order tasks; relief and rescue operations after natural disasters; the use of its organizational and technological resources for public welfare projects; greater induction of its personnel in civilian institutions; anti-terrorist activities; and containing narcotics trafficking.

Unfortunately, every actor- political, religious and military within Pakistan, is aiming to improve its own existence and reach, and in the process effectively destroying the institutions of governance. Though the Supreme Court of Pakistan has given a ray of hope, but the other legal institutions cannot govern Pakistan. Governance should remain within the domain of the people, its elected representatives and democratic institutions. This in fact, would remain the biggest security dilemma of Pakistan during this decade.

To sum up, it seems a significant feature of the armed forces in Pakistan that they will not accept any civil-military scenario in which they have no formal or informal role. Indeed, the informal military influence in decision-making will very likely remain in the future as a norm rather than an exception. However, in the new civilian government, the army promised to get back to the barracks but the army will undoubtedly continue as the major stakeholder in the political power structure of Pakistan. Ultimately, though the armed forces may withdraw from formal politics, this does not mean that they will abandon their interest in the political process if their professional and corporate interests are challenged.

There are, however, indications of some increases in civilian control. First, the armed forces have begun to confine themselves largely to planning the hardware of military organization such as force structure, equipment, and supplies, as well as the software of shifting its approach to former doctrines including the process of identifying new combatants. Second, there are also growing indications that the traditional alliance between the armed forces and civilian bureaucracy (especially regarding the ministries of Defence (Mod), Finance (MoF) and Foreign Affairs) is gradually dissolving because of competing corporate interests as well as mutual perceptions of disappointing performances. Third, in the area of Elite Recruitment, the military's

acceptance of the results of the 2008 general elections as well as the dissolution of the political wing of the Inter Service Intelligence (ISI) can be interpreted as a boon for civilian decision making in this area.

Pakistan has made some important, positive strides in recent years is often unappreciated. Its civil society and media have demonstrated an impressive capacity for political and social activism, illustrated by the lawyer-led protests that spurred the return of civilian rule to Islamabad in 2008. Progress has also been achieved in the fight against extremism.

Pakistan's parliament has institutionalized a new political consensus on the country's legal and political framework with the 18th Amendments passage. It gives the parliament, prime minister, judiciary, and the provincial governments' greater autonomy under the constitution. While these changes represent an opportunity for Pakistan's political parties to begin seriously addressing the country's critical economic and security problems, the full impact of the amendment's changes will only be determined over time as the country's major political players will test their strengths within a political arena in which the military establishment remains the most powerful single actor.

Presently, it seems that Pakistan has moved towards a higher degree of civilian control after alternating periods of direct and indirect military rule. It appears that the military, at least formally, is becoming increasingly separated from civilian affairs, and the Army may transform itself in the near future into a politically sterile and neutral agent of its principal, the state. However, to what extent can one talk about a sustainable process of democratization or instead a democratic interlude remains unclear.

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