

**CIVIL-MILITARY RELATIONS IN PAKISTAN DURING
DEMOCRATIC REGIMES OF BENAZIR BHUTTO AND
NAWAZ SHARIF (1988-1999)**

Dissertation submitted to the Jawaharlal Nehru University in partial
fulfillment of the requirements of the award of the Degree of

Master of Philosophy

ADHIKARIMAYUM BROJENKUMAR SHARMA



South Asian Studies Division
Centre for South Central South East Asian and South West Pacific
Studies
School of International Studies
Jawaharlal Nehru University
New Delhi – 110067
India

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JAWAHARLAL NEHRU UNIVERSITY
SCHOOL OF INTERNATIONAL STUDIES
New Delhi - 110 067

**CENTRE FOR SOUTH CENTRAL,
SOUTH EAST ASIAN AND
SOUTH WEST PACIFIC STUDIES
SCHOOL OF INTERNATIONAL STUDIES**

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CERTIFICATE

This is to certify that the dissertation entitled, "**CIVIL-MILITARY RELATIONS IN PAKISTAN DURING DEMOCRATIC REGIMES OF BENAZIR BHUTTO AND NAWAZ SHARIF (1988-1999)**" submitted by **ADHIKARI MAYUM BROJENKUMAR SHARMA** in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY**, is his own work and has not been submitted for the award of any degree or diploma, in part or full, of this university or any other University. *He will be solely responsible for all the inaccuracies and imperfections.*

We recommend that this dissertation be placed before the examiners for evaluation.

Uma Singh
(PROF. UMA SINGH)
Supervisor

K. Warikoo
(PROF. K. WARIKOO)
Chairperson

*DEDICATED TO MY
FATHER
LATE A. GOPENDRA SHARMA*

Contents

Acknowledgement	i
Abbreviations	ii - iii
	Page No.
Chapter-1	1-32
Introduction: Civil-Military Relations in Pakistan: An Historical Analysis	
Chapter-2	33-64
Transition from Military Rule to Democracy: The evolution of a Quasi-Democratic Political System	
Chapter-3	65-98
Military's Role in Foreign policy Decision-Making	
Chapter-4	99-122
Re-emergence of Military and Decline of Democracy	
Chapter-5	123-136
Conclusion	
Bibliography	137-151

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A.M.B. Sharma

Abbreviations Used

ANP	- Awami National Party
ATA	- Anti-Terrorism Act
BBC	- British Broadcasting Corporation
CAR	- Central Asian Republics
CCP	- Chinese Communist Party
CDNS	- Council for Defense and National Security
CENTO	- Central Treaty Organization
CIA	- Central Intelligence Agency
C-in-c	- Commander in chief
CJ	- Chief Justice
CJCOSC	- Chairman, Joint Chief of Staff Committee
CMLA	- Chief Martial-Law Administrator
COAS	- Chief of Army Staff
COP	- Combined opposition Party
DG	- Director General
FSF	- Federal Security Force
Gen.	- General
G-G	- Governor General
GHQs	- General Headquarters (Rawalpindi)
IB	- Intelligence Bureau
IDA	- Islamic Democratic Alliance
IJI	- Islamic Jamhoori Ittehad
IMF	- International Monetary Fund
ISI	- Inter Services Intelligence
JCOSC	- Joint Chief of Staff Committee
LOC	- Line of Control
Lt. Gen.	- Lieutenant General
Maj. Gen.	- Major General
MI	- Military Intelligence
ML	- Muslim League
MNA	- Member of National Assembly
MP	- Member of Parliament
MPA	- Member of Provincial Assembly
MQM (A)	- Muttahida Quami Movement (Altaf)
MQM (H)	- Muttahida Quami Movement (Haqique)
MRD	- Movement for Restoration of Democracy
NA	- National assembly
NSC	- National Security Council
NWFP	- North West Frontier Province
OIC	- Organization of Islamic Countries
PA	- Provincial Assembly
PDA	- Pakistan Democratic Alliance
PDF	- Pakistan democratic Front

PDPA	- People's Democratic Party of Afghanistan
PLA	- People's Liberation Army
PM	- Prime Minister
PML (F)	- Pakistan Muslim League (Fida)
PML (J)	- Pakistan Muslim League (Junejo)
PML (N)	- Pakistan Muslim League (Nawaz)
PNA	- Pakistan National Alliance
PPP	- Pakistan People's Party
PRC	- People's Republic of China
RAW	- Research and Analysis Wing
RCO	- Revival of Constitution Orders
SC	- Supreme Court
SEATO	- South East Asia Treaty Organization
TI	- Tehrik-I-Istiqal
TNFS	- Tehrik-e-Nifaz-e-Figh-e-Jafaria
UAE	- United Arab Emirates
UN	- United Nations
US	- United States

Chapter-1

Introduction: Civil-Military Relations in Pakistan: An Historical Analysis

CHAPTER-1

Introduction: Civil-Military Relations in Pakistan: An Historical Analysis

Since, the late 50s and 60s military interventions and coups have been a common phenomenon in most of the third world countries who got independence after the end of second world war. So much research has been done by a number of renowned scholars on Pakistan military and civil-military relations. However, in my opinion, even after a number of discussions, seminars and comprehensive studies about civil-military relations in Pakistan, there remain some unanswered questions, which compel the military to intervene. The fourth military coup (October 1999) is a good example in this regard. At the time of independence, Pakistan military was a very weak organization. "The immediate requirement for the planned army of one hundred fifty thousand men was approximately four thousand officers, of whom only twenty five hundred were available. The difference was made up by temporary commission, short-service officers and the employment of almost five hundred British officers.....the difference was made up by the British, some of whom stayed on until the early 1950s (the first

two commanders-in-chief were British). Thus, what was at first only a paper army gradually took shape.”¹

Unfortunately, within a short period of time Pakistan became a victim of political instability and military interventions. The main factor responsible for the failure of the parliamentary form of government in Pakistan was that, the Constituent Assembly of Pakistan was entrusted with two tasks i.e. providing the country with a democratic constitution and a responsible government. It failed badly in providing either of the tasks because most of its members were incompetent, corrupt and irresponsible.²

Therefore, the smooth development of democratic process in Pakistan has been affected both by the functioning of military hegemonic systems and also the constraints of political leaders to consolidate dominant party system rather than work for the creation, construction and consolidation of federal, parliamentary and democratic structures.³

While the civilian leaders were fighting each other to control power throughout the so called period of parliamentary democracy

¹ Stephen P. Cohen, *The Pakistan Army: 1998 Edition with a New Forward and Epilogue* (Karachi, Oxford University Press, 1998) p.7.

² Safdar Mahmood, *A Political Study of Pakistan*. (Lahore, Sh. Muhammad Ashraf, 1972) pp.152-153.

³ Saeed, Shafiqat, *Civil-Military Relations in Pakistan: From Zulfikar Ali Bhutto to Benazir Bhutto*, (US, West View Press 1997), p. 15

from 1947 to 1958, the bureaucracy monopolized all political initiatives on its own and rejected the demand for elections, thereby preventing even a minimum level of mass participation in politics. "It (bureaucrats) resisted all forms of public participation in decision-making and increasingly amassed great power in its own hands. It believed that the general masses of Pakistan didn't deserve a democratic form of government. It therefore, stressed the need for a long 'apprenticeship' period for the institutions as local bodies."⁴

In this way during this period, bureaucracy with the support of Army became so powerful and political leaders started singing in the tunes of military bureaucracy. By the mid 50s, swift changes of government became a common feature of political process and Governor-Generals, started playing a great role in the affairs of the formation and dismissal of governments.

Therefore, it is very essential to analyze the social structure, religious sentiments of the people, the nature of the political system, performance of the military in both military and non-military fields, activities of the religious groups, functioning of democracy, economic conditions of the people, military

⁴ Mohammad Waseem, *Pakistan under Martial Law 1977-1985*, (Lahore, Vanguard, 1987), p.12.

expenditure, etc., from a third world perspective and their possible impacts on governance. Success or failure of a government should be measured by the performance of the government itself and not on the basis of the model or the type of government.

Normally, the duty of the military or the armed forces is to defend the country and the people from external aggression and internal disturbances. By the established norms of the western liberal democracy, the role of the military is restricted only to the protection of the country from any external forces. But, since, late 1950s, we have witnessed a number of military takeovers in most of the new nations. Therefore, the objective of this research is to find out the reasons of the military's involvement in politics: whether it is due to the failure of the political leaders, military's ambition to rule, or the principles of democratic form of government being inapplicable in these new nations. How did they become so powerful? Where from did they derive their strengths? And, what reasons prompted military commanders to intervene?

For this research work, I have formulated four hypotheses, they are, decline of democratic institutions and weakness of civilian leaders led to military interventions, anomic politics or political instability and socio-economic crises are responsible for military's

direct action, frequent engagement of military in non-military fields led to expansion of its skills and strengthened its administrative confidence and last but not the least, nexus between the president and military-bureaucracy is responsible for the downfall of elected governments. Some of these hypotheses may be quite similar to others and they might have done research on the basis of these hypotheses. The purpose of the study is to analyze the civil-military relations in Pakistan from a third world perspective on the basis of the above-mentioned four hypotheses.

Theoretical Aspects of Civil-Military Relations in Pakistan:

While discussing the theory of 'prismatic society', Fred. W. Riggs said, "Generally, in a prismatic society the pressure for change comes from both internal and external sources. If pressure is primarily external (formerly by foreign Technical Assistance Programme) it may be called 'exogenous' change and if the pressure is primarily internal (normally by administrative reforms) it may be called 'endogeneous' change. And if the change is the result of both external and internal pressures, it may be called as 'equi-genetic'."⁵

⁵ "In order to analyse the administrative systems in developing countries, Riggs developed a set of models i.e. the fused – prismatic – diffracted model. The process of transition of a ray through a prism is taken symbolically to explain the process of transformation of a society. The starting point of the ray is termed as fused, the process of internal vibration of the ray within the

However, in their endeavour to absorb the external forces of change within a minimum possible time, prismatic societies face the problems of higher formalism, heterogeneity and the severity of revolutionary tensions.⁶ In this way, after getting independence in 1947, Pakistan tried hard to adopt the western model of democracy, which was totally alien to illiterate, religious, and economically backward masses. Every society and culture can absorb some values, social norms, and patterns of an alien culture but soon comes a time when the traditional values comes in clash with the forces of modernization which cause chaos and instability in the existing political and social system.⁷

Therefore, it is very necessary to have a comparative view of the functioning or the nature of civil-military relations in the western democratic countries, communists countries (totalitarian governments) and the third world countries, because, "Military

prism is called prismatic and finally when the ray comes out of the prism it gets diffracted to project a rainbow and this process is called diffraction. Accordingly in a fused society a single structure carries out various functions. Contrary to this, in a diffracted society separate structures are created to carry out specific functions. But between these two there exist a number of societies, in which the characteristic of both fused and diffracted societies exist side by side. These are called prismatic (developing) societies." V. Sivalinga Prasad and K. Murali Manhoar, Fred W. Riggs, in D. Ravindra Prasad and others, *Administrative Thinkers*, (New Delhi, Sterling Publishers Private Limited, 1991) pp. 234-60.

⁶ Ibid, p.251.

⁷ Veena Kukreja, *Military Interventions in Politics. A Case Study of Pakistan*, (New Delhi: NBO Publisher's Distributors, 1985), p.53.

comes first within the framework of a state whether it relates to the western democratic model, a Marxist – Leninist model or a third world model.”⁸

In democratic societies, the function of the military is to assist or to act under the supervision and directive of the civilian authority. There are formal set of rules, which clearly specify the functions of the military and the conditions under which the military may exercise its power. So, these rules prohibit the military from involvement in internal politics.⁹ Gen. K.M. Arif supports the above-mentioned theory of civilian supremacy over military. He rightly said, “In democratic societies the civil supremacy and control of the civil services over the military is achieved through a process of accountability, budgetary control, a fixed tenure of top appointment holders and by a process of discussion and debate on non-classified defence issues in the legislatures and in the media. Such a system has generally been weak in Pakistan”.¹⁰ However, in western democratic countries also

⁸ K.L. Kamal, “The non-military activities of the Pakistan Military”, in Verinder Grover, (ed.), *Encyclopedia of SAARC Nations: Volume 2, Pakistan*, (New Delhi, 1997) p.181.

⁹ Morris Janowitz, *Military Institutions and Coercion in the Developing Nations*, (Chicago: Chicago University Press, 1977), p.79.

¹⁰ K.M. Arif (Gen.), *Working with Zia; Pakistan's Power Politics 1977-1988*. (Karachi: Oxford University Press, 1995), p.16.

the military sometimes acts as a pressure group for service-related matters like, budget and purchase of arms. Military's role in decision-making may increase during some extra-ordinary situations like emergency or war.¹¹ But for the first time in the political history of United States, Gen. MacArthur challenged the authority of the civilian leadership during the Korean crisis (1950-53), when his proposal to use nuclear weapons against China was turned down by the President Truman and his advisors. The controversy was averted only when MacArthur was relieved of his command by appointing Gen. Ridgeway in his place as the new UN Commander by President Truman.¹²

As far as the nature of civil-military relations in communists or totalitarian (second world) countries is concerned, Moris Janowitz said, "The totalitarian model as it developed in Germany, in Russia, and to a lesser degree, in Italy, rests on political control of the military by a centralized and authoritarian one party political system."¹³ We can find this pattern of civil-military relationship in some other countries like Peoples Republic of China, wherein

¹¹ Hasan Askari Rizvi, *Military, State and Society in Pakistan*, (Great Britain: MacMillan, 2000), p.21.

¹² Nirmal Jindal, *US Foreign Policy: Issues and perspective* (New Delhi: Intellectual Publications) pp.41-51, S.E. Finer, *Man on Horseback: The Role of the Military in Politics*, (London, Pall Mall Press, 1962) pp.22-23.

¹³ Janowitz, no.9, p.80.

People's Liberation Army (the Military wing of CCP) is strictly controlled by the Chinese communist party. Regarding third world countries, Finan said, "There is a distinct class of countries where governments have been repeatedly subjected to the interference of their armed forces. They are certainly not liberal democracies of the British or American kind wherein the military are strictly subordinated to the civilians."¹⁴ "Huntington and other's have claimed that in developing countries, because political institutions were weak, the military tended to intervene in politics."¹⁵ But, Saeed Shafqat challenges this theory of Huntington. He said, "It was the relative strength of the military that prompted its intervention into politics, and not merely the weakness of the political institutions."¹⁶

From the above discussion we can conclude that, neither the democratic nor the totalitarian model adequately serves to explain civil military relations in the third world countries. These models are not applicable in the new nations because the military has wider involvement in domestic economic, social and political

¹⁴ Finan, no12, p.3

¹⁵ Shafqat, no3, p.12.

¹⁶ Ibid, p.12.

change. Therefore, before discussing the civil-military relations in Pakistan, we need to know the factors, which prompted military to interfere in domestic economic, social and political change. There are various theories about the military interventions in third world countries and particularly in Pakistan. Pakistan is a very good example of frequent military interventions. Military has been playing a significant role in the politics of Pakistan. During 52 years of independence, for nearly 25 years, the military has ruled Pakistan before the present fourth military regime of General Pervez Musharraf.

There are five broad factors considered as causes of or conditions for military interventions in politics, they are:

- (i) Internal organization of the military establishment,
- (ii) Level of socio-economic development,
- (iii) Level of political institutionalization,
- (iv) Professionalism and civilian control of the military, and,
- (v) Foreign influence and proximity of other military coups.¹⁷

Basically, some of the variables cited by Veena Kukreja are also discussed and analyzed by a number of writers on civil-

¹⁷ Kukreja, no. 7, p.23.

military relations like, S.E. Finer, Moris Janowitz, Saeed Shafqat, Stephen P. Cohen, Hasan Askari Rizvi etc.

Regarding the internal organization of military establishment, Finer said, "The armed forces have three massive political advantages over civilian organizations: a marked superiority in organization, a highly emotionalized symbolic status, and a monopoly of arms."¹⁸ Pakistan military has been characterized by its highly cohesive nature, skill structure discipline, autonomy, defence expenditure etc.; therefore, it has a marked superiority in comparison to the illegitimate, irresponsible and shameless civilian leaders and political parties.

About the second theory of the military intervention Finer argues that the propensity for military interventions is likely to decrease with increased social mobilization.¹⁹ In the words of Moris Janowitz, "The outstanding characteristic of the military leaders of these new nations, compared to the patterns of the nation-states of Western Europe, was the extent to which they professed a commitment to socio-political change. They were prepared to assume political power, in varying degrees, in the name of such

¹⁸ Finer, no. 12, p.5.

¹⁹ Kukreja, no. 7, p.27.

change.”²⁰ However, the military’s commitment to socio-political change cannot be the decisive factor for its intervention because, these military interventions have rather been the deliberate response of organized factions whose leaders have sought to increase their power or have felt that existing regime – civilian or military had failed to achieve goals of economic and social improvement.²¹ In Pakistan, military’s dissatisfaction with the performance of the civilian government came into open as early as in 1951, with the attempted coup of Maj. General. Akbar Khan, which is known as Rawalpindi conspiracy case. But the successive governments never disclosed the reasons and events of that abortive military coup.

But, the dramatic failure of many military regimes has actually compelled the researchers of military interventions to re-examine and re-investigate the data and accept that some of the believes associated with the military are products of empty deduction that must be discarded.²² Though, poverty, illiteracy, underdevelopment, lack of infrastructure, low public mobilization etc., are the common features of the third world countries, either

²⁰ Janowitz, n.o. 9, pp.5-6

²¹ Ibid, p.49.

²² Kukreja, no. 7, pp.40-42.

civilian or the military governments hardly tried to ameliorate these social and economic problems of the masses. Ayub's period was praised by even western countries as the period of economic development, but, by the late 60s, it turned out to be only a cosmetic change and people revolted against him.

As far as the level of political institutionalization is concerned, most of the governments in the third world countries have been facing the problem of legitimacy crisis. Democracy was not rooted in these countries. It was the failure of the experiments of grafting an alien system of government amongst the people whose political culture was different from those among whom it originated.²³ In Pakistan, after the death of Jinnah and Liaquat Ali Khan, normal process of a democratic political system came to an end and, National Assembly and Provincial Assemblies became a fighting place of different political parties and civilian leaders. During the short period from 1947-58, Pakistan had nine changes in governments and seven prime ministers. Thus in many cases the military remains in the last the only alternative to national disintegration or corruption. The failure to integrate or maintain order in the society is a cause of military intervention in some

²³ Ibid, p.53.

countries, and quite a few countries have also relied heavily on military's support and loyalty.²⁴

Therefore, with the failure of civilian leaders to provide a responsible government and to render economic and social development, military appears to be the only force capable of creating political order and of promoting economic development. That doesn't mean that political leaders are only responsible for the failure of democracy. But, "In such societies (heterogeneous societies like Pakistan or Nigeria), the military is a potential hegemony. It skillfully uses its organizational superiority and coercive capacity to restrict, suppress and abort the growth and development of autonomous groups and political parties."²⁵ Hence, military's hegemony added to the failure of political participation, growth of democratic principles, attitudes and democratic institutions.

Regarding professionalism and civilian control of military, Hasan Askari Rizvi said, "A highly professional officer corps, steeped in the values of aloofness from politics may initially be reluctant to assume an active and direct political role. However, if the socio-political and economic crises deepen, professionalism can

²⁴ Grover, no.8, p.159.

²⁵ Shafqat, no. 3, p.8.

impel the senior commanders to step forward and assume a political role.”²⁶ This proposition of the role of military found a similar view in the works of Samuel P. Huntington. “For Huntington, it (Professionalism) is the decisive factor in keeping the soldier out of politics, and the whole of his argument is made to hang on this.”²⁷

However, the arguments put up by Rizvi and Huntington has been criticized by S.E. Finer. According to him, “In so far as professionalism makes the military look on their task as different from that of the politician, and as self-sufficient and full-time, it ought, logically, to inhibit the army from wishing to intervene. Yet, it is observable that many highly professional officer corps have intervened in politics – the German and Japanese cases are notorious. It is of no use to retort that in such cases these armies cannot be described as ‘fully professional’. This is the whole weakness of Huntington’s thesis.”²⁸ He cited three reasons in support of his argument. Firstly, the military’s consciousness of themselves as a profession may lead them to see themselves as the servants of the state rather than of the government in power. The second reason is what he called military syndicalism. As

²⁶ Rizvi, no.11, p.23.

²⁷ Finer, no. 10, p.20.

²⁸ Ibid, p.21.

specialists in their field, the military leaders may feel that they alone are competent to judge on such matters as size, organization, recruitment and equipment of the forces; and thirdly, is the military's reluctance to be used to suppress the government's domestic opponents.²⁹ Therefore, all these three reasons push the military towards collision with the civilian leaderships, and each one develops out of what we called military professionalism. To restrict such a development, the military must also have recognized the principle of civilian supremacy.

If we look at the professionalism of Pakistan military in the light of the above three arguments given by Finer, we can conclude that all these three motives of military could be the reasons of military's successive intervention in Pakistan. At the same time Pakistan military considered itself as the custodian of the country's geographical territory and the masses. This tendency has been strengthened by the nature and attitude of the shameful political leaders. Therefore, by 1958, Pakistan military was able to snatch power from the hands of civilian authorities in order to save Pakistan from frequent political crises and economic and social turmoil. Again, Pakistan military never wanted their civilian

²⁹ Ibid, pp.22-24.

counterparts to interfere in internal army matters like promotion, recruitment, organization and purchase of equipment of the forces. In 1954, Ayub Khan was appointed as Pakistan's Defence Minister, but he retained the post of commander-in-chief. When Z.A. Bhutto in 1977, asked Gen. Zia for military help, but in contrast, the latter overthrew the former and executed him in 1979. Again in 1989, when Benazir became the Prime Minister, she was asked by the military top brass not to interfere in the internal army affairs.

Happenings outside the country and military coups in other parts of the world also played a significant role in military intervention in Pakistan. Her relation with India particularly on Kashmir and the separation of her two wings by 1000 miles of Indian Territory also posed a serious threat to Pakistan's security. Military-aid from United States and China also strengthened military's ambitions. Pakistan's participation in South East Asian Treaty Organization (SEATO) and Central Treaty Organization (CENTO) also enabled the military to cover up its deficiencies, it provide them experience of warfare and increased their confidence, striking power and efficiency, which they otherwise would have lacked.³⁰

³⁰ Kukreja, no.7, p.61.

In the context of military coups in other parts of the world, events in Egypt, the violent revolution in Iraq, the general unrest in Indonesia and developments in Burma (Myanmar) were supposed to have some bearing on conditions in Pakistan³¹.

After discussing various theories about the military interventions, particularly in Pakistan, I would like to discuss briefly about the different types or levels of military interventions. Some of the important writers on typology of military interventions are, S.E. Finer, S.P. Huntington, Fred Van Der Mehden, Moris Janowitz, A.R. Luckham, Sang-seek park, etc.

But, S.E. Finer's fourfold classification of the types of military intervention is more applicable than suggested by others. According to Finer, "Military intervention may be pressed to four levels: influence, Blackmail, displacement and supplantment."³²

Influence type is the first level of military intervention and is executed by the military leaders to convince or to persuade the civilian leaders not to act against the interest, sentiments, and the emotions of the military. Finer said, "This level is the constitutional and most legitimate one, entirely consistent with the supremacy of the civil power." For example, during the period of

³¹ Ibid, p.62.

³² Finer, no.12, p.127.

Jinnah and Liaquat Ali (1947-51) except for the Rawalpindi conspiracy case, the military didn't have the strength, power or will to counter the civil authority. But the declaration of limited martial law in Lahore to quell domestic disorder in 1953 engaged the army in internal security and paved the way for military's role expansion.

The second level is the pressure type or Blackmail type and the military exerted this type upon the civil authority by the threat of some sanctions when the civilian government refused to obey or respect their advice and suggestions. It is evident when, both colonel M. Ahmed (who was very closed to Ayub Khan) and Gen. Ayub himself also testify to the fact that the commander-in-chief had a blueprint of Pakistan's constitution ready as far back as 1954. It confirms that the General Headquarter's (GHQs) interest in the political process had, in fact been there. ³³ Another good example is that, on assuming power, in 1989, Benazir Bhutto was quick to concede that (on the Pakistani political scene she had not emerged as a "free agent") and had to make major compromises to form the government. Again she agreed to,

- (i) Let Gen. Aslam Beg continue as Chief of Army staff (COAS),

³³ Kukreja, no.7, p.70.

- (ii) Give the military a direct role in the foreign policy by retaining Sahebzada Yaqub Khan as foreign minister.
- (iii) Not interfere in the internal affairs of the military,
- (iv) Retain large budget for the armed forces,
- (v) Let the military handle Afghan policy,
- (vi) Support the election of acting president Ghulam Ishaq Khan, and
- (vii) Uphold the accord with the IMF on the economy.³⁴

The third level of intervention is that of displacement type which means the replacement of one civilian government by another. This type of intervention is used only when the Army had differences with the civilian government. The removal of civilian governments, such as, Benazir's first and second term as Prime Minister and Nawaz Sharif's first term, are basically due to the confrontation with either the military top brass or the President who had the support of the army.

The fourth level is the supplantment type. It is the last method or most complete level of intervention in which military directly intervene and capture power by dismissing the civilian governments. The dismissal of Iskander Mirza's Martial- rule in

³⁴ Shafaqat, no. 3, p.227, Bidanda M. Chengappa, "Pakistan's Fourth Military takeover", *Strategic Analysis*, (Vol.XXIII, No.9, December 1999) pp.1441-1442.

1958 by Gen. Ayub Khan, Yahya Khan's military coup of 1969. Gen. Zia-ul-Haq's coup of 1977 and Gen. Pervez Musharraf's coup of October 1999 are good examples of supplantment type of intervention.

Civil – Military Relations in Pakistan:

Historical Analysis:

The independent state of Pakistan came into existence on 14th August 1947. Pakistan was created to be a democratic polity and a progressive state.

The propounder of the two nations theory and the founder of Pakistan, Iqbal and Jinnah respectively expected "Pakistan to be a democratic country under the rule of law, not to be occasionally ruled by Martial Law, imposed by the so – called 'historical scavengers'. They wanted Pakistan to be a prosperous state, where science and technology (instead of theology) were to flourish. Pakistan was to be a beacon of enlightenment and progress in the Muslim world."³⁵ However, "the first instance which showed the direct interest of a section of the military in politics was the

³⁵ Hafeez Malik, "Founders' Aspirations, and Today's Realities: An Introduction", in Hafeez Malik, (ed.), *Pakistan Founders' Aspirations and Today's Realities*, (Karachi, Oxford University Press, 2001), p.1.

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Rawalpindi conspiracy case 1951, a mystery surrounded this case as the details were never made public.”³⁶

Military’s eagerness to taste power was again exposed when Ayub Khan agreed to become Defence Minister in 1954, but he continued to be the commander-in-chief of the country.

Ayub Khan consolidated military’s power by signing the Mutual Defence Assistance Agreement (1954) with the United States without consulting his civilian colleagues.³⁷ But, “until recently, a number of scholars regarded the ‘Rawalpindi conspiracy’ as an isolated event. However, Major General Sher Ali has alleged in his autobiography that Ayub used the conspiracy case to promote a coterie of like-minded generals in the army and thereby successfully create a core of generals who was willing to act under his command.”³⁸

But, the real chance for military to conduct directly the Civil administration came in 1953, in Punjab province after the outbreak of anti-Ahmedia riots with the imposition of Martial Law on 6th, March 1953, army successfully brought the situation back to normalcy. But the significant point is that, by allowing military to have a share in the civil administration, even for a brief period,

³⁶ Kukreja, no.7, p.63.

³⁷ Shafqat, no. 3, p.31.

³⁸ Ibid, p.30.

exposed, the weakness and inability of the civilian government to maintain internal law and order situation and it led to expansion of military's skills and also strengthened its administrative confidence. "The Ahmedia riots and the subsequent imposition of martial law in the Punjab brought the military elites into the political arena.

"In 1955, the East Pakistan Legislative Assembly declared its own speaker insane and, in a horrifying display of anger, beat to death its Deputy Speaker inside the House."³⁹

The differences between Iskander Mirza and the leading political leaders also reached a point of no return in 1958, therefore, with the blessings of Ayub Khan (commander-in-chief) he declared Martial Law on 7 October 1958. But, he was forced to quit on 27 October 1958, by the Army and Ayub Khan became the Chief Marital Law Administrator (CMLA) and he abrogated the constitution of 1956.⁴⁰

However, in the words of Veena Kukreja, "During 1953-58, the prestige of the civilian government reached its lowest ebb, whereas public estimation of the role of the army reached its highest watermark. The political forces attempted to ride the tiger

³⁹ Khalid, Mahmud Arif, "The Role of the Military in Politics: Pakistan 1947-97", in Malik, n.32, p.95.

⁴⁰ Mahmood, no.2, pp.162-163.

(relied heavily on the army for the sanctions of power), and they became its first victims.”⁴¹

Within the so-called parliamentary period (1947-58) the incompetent, irresponsible and shameless politicians made a mockery of democracy and it created a political vacuum that started a chain reaction, which led to the General Ayub’s military coup.

All the military interventions in Pakistan were peaceful, in other words, they were bloodless military coups. Politicians became so discredited, that, public at large heaved a sigh of relief and welcomed the imposition of Martial Law.⁴²

Ayub introduced the system of ‘Basic Democracy’ under which “a limited number of basic democrats decided the fate of the nation.”⁴³

Gen. Ayub’s characteristic views on democracy were that western type of democracy was against the psyche of the Pakistan people ⁴⁴ therefore, he said, “The new system would have to be a

⁴¹ Kukreja, no.7, p.64.

⁴² Arif no.39 , p.97.

⁴³ Mahmood, no.2, p.165.

⁴⁴ Kalim Bahadur, *Democracy in Pakistan: Crises and Conflicts*, (New Delhi: 1998) p.17.

homegrown plant, and not an imported herb, suited to the genius and climate of the country.”⁴⁵

He also presented a new constitution in 1962 and under this constitution; the post of president became so powerful. In the economic front during his early years of rule, Pakistan got admiration of western countries and praised for the rapid economic development. The Ayub regime was a period of rapid economic growth, averaging around 5.5% annually. Per capita income increased at the rate of 3.5% annually, large-scale manufacturing grew at almost 17% annually, and by 1968, 90% of all exports had been freed from administrative control and the government relied only on tariffs to restrict demand.⁴⁶

However by the late 1960s, the public discontentment against the autocratic rule of Ayub Khan reached its climax and the people came out in the streets and launched a massive protest movement and he was forced to handover, the power to Army Chief, General Yahya Khan, on March 25, 1969 and he abrogated the constitution of 1962.

After assuming power Yahya Khan consolidated his position by appointing like-minded Generals from three services in the

⁴⁵ Kukreja, no.7, p.78.

⁴⁶ Mahmood Monshipouri and Amjad Samuel, “Development and Democracy in Pakistan: Tenuous or Plausible Nexus?”, *Asian Survey* (35(ii), November, 1995) p.977.

Military council. During Ayub era bureaucratic elites acquired too much power. Therefore, Yahya adopted measure that would reduce bureaucratic power and by these measures a number of high executive position in both private and public sectors were assumed by the Generals.⁴⁷ He formed a civilian cabinet in June 1970.

The first free and fair elections under the Universal Adult Franchise in Pakistan, was held in December 1970. But the inability of the Yahya Khan to carry out the results of the general elections and the uncompromising positions taken by Z.A. Bhutto and Sheikh Mujibur Rehman led to the military crackdown on East Pakistan on March 25, 1971, which subsequently ended with the amputation of East Pakistan.

But, it is important to note that Yahya's Martial Law was declared unconstitutional in 1972, by the Supreme Court, in the case of Altaf Gauhar versus the State, because, under the constitution of 1962, in case of emergency, power was to be handed over to the speaker.⁴⁸ Therefore, by handing over power to the Military Chief, both Ayub Khan and Yahya Khan had done a great disservice to the nation by not following the very principle of rule of law established by the Ayub himself under the 1962 constitution.

⁴⁷ Shafqat, no, 3, pp.67-68.

⁴⁸ Mahmood, no, 2, p.309.

Though Z.A. Bhutto was also equally responsible for the defeat of 1971 war and the disintegration of Pakistan, he blamed the Army and particularly Yahya Khan for this debacle, after, becoming President and Chief Martial Law Administrator [C.M.L.A.] of Pakistan on December 20, 1971.

Therefore he took up a number of policies in order to keep military out of power. Moreover, he arrested former President Yahya Khan and appointed Hammoodur Rahman Commission to look into the causes of the 1971 debacle.⁴⁹

The 1973 constitution was the first constitution of Pakistan that clearly spelled out the role of the military in the political system and it clearly says that under the advice of the central government military was required to, “defend Pakistan against external aggression or threat of war, and subject to law, act in aid of civil power when called upon to do so.”⁵⁰

Bhutto tried to reduce the power of the military by creating the post of Chairman of the Joint Chiefs of Staff Committee (CJCSC), a position that was senior to the Chiefs of the three services and again by creating, Federal Security Force (FSF), a paramilitary force with sophisticated weapons to counter military's

⁴⁹ Kukreja, no.7, p.116.

⁵⁰ Shafqat, no.3, p.168.

monopoly of coercive power. But, ironically, he used this force against his political rivals as an instrument of repression.

However, during early years of his rule, though he made some people-oriented policies and programmes, by the year 1974, with the departure of the left faction from the government and (PPP), Bhutto started acting like a civilian dictator. In the words of Khalid Mahmud Arif, "Bhutto's rule (1971-77) was a one-person civilian dictatorship. Despite his democratic credentials, he weakened the institutions of the state, converted Pakistan into a serfdom and employed coercive instrument to 'fix up' those who dared to cross his path."⁵¹

But the most serious challenge to Bhutto regime came from the Nine Party United opposition called the 'Pakistan National Alliance' (PNA), which was formed just on the eve of 1977 general elections. PNA's rejection of the elections as unfair and rigged, its demand for re-election and the uncompromising stand taken by Bhutto led to the third Military Intervention of Gen. Zia-ul-Haq on 5th, July 1977.

However, Rizvi, cited some evidence to establish American involvement in the anti-Bhutto agitation. He said, two

⁵¹ Arif, no.39 , pp.88-89.

developments were quite significant, first, “after April 1977, the United States, stopped new economic aid to show its dissatisfaction over Pakistan’s Nuclear Programme. Second, in early June, the US cancelled the offer of 110 A-7 aircraft.⁵² Therefore, we can say that with the pro-Chinese policy of Bhutto, US was not averse to any change of government in Pakistan. So, the withdrawal of these two agreements discredited Bhutto in military and political circles.

Gen. M. Zia-ul-Haq’s imposition of Martial law had the consent of his senior commanders. With the dismissal of Bhutto’s government the general masses did adieu to the civilian regime (civilian dictatorship) and welcomed the military rule, even the military’s political surgery was acclaimed by the public and the nation witnessed scenes of jubilation, political turmoil came to an end, peace was restored and the social and political instability came back to normalcy.

The Supreme Court on 2 February, 1979, uphold the death sentence of Bhutto and four other co-accused, given by a full Bench of Lahore High Court on 18th March 1978 and Bhutto was executed on 4th April, 1979. But in the year 1983, Gen. Zia was confronted with the demands for Restoration of Democracy from

⁵² Hasan Askari Rizvi, *Pakistan and the Geostrategic Environment: A Study of Foreign Policy*, (United States: St. Martin’s Press, 1993), pp.92-93.

the Movement for Restoration of Democracy, and he agreed to hold Presidential Referendum in December 1984 and after the referendum, he became the President of Pakistan.

In February 1985, General Zia conducted partyless elections and appointed Mohammad Khan Junejo as Prime Minister; hence, he installed successfully a civilian government to avoid political parties and democratic forces getting hold of political power.⁵³

The revival of the constitution of 1973 took almost eight years (in the form of Revival of Constitution order, RCO), with a new clause i.e. Article 58 (2) (b) which is better known as Eight Amendment. It empowered the President to dismiss the Prime Minister and the National Assembly if the situation so warranted. The President was also provided discretionary powers appoint the services chiefs and the chairman of the Joint Chiefs of Staff Committee.⁵⁴

But the relations between the President and Civilian Cabinet became worse due to a number of factors like, Geneva Accord of 14 April 1988, Ojari Ammunition camp fire etc. Junejo, signed the Geneva Accord despite opposition from the President and he also initiated investigations to punish those generals who were

⁵³ Bahadur, no.44, pp.13-15, Ashok Kapur, *Pakistan in crisis* (London: Routledge, 1991), p.191.

⁵⁴ Arif no.39 , p.89.

responsible for Ojari campfire. These decisions and actions of the Prime Minister were not acceptable to Zia. However, Zia dismissed the civilian government on 28th May 1988, only when, he came to know that Junejo was planning to remove him from the position of chief of Army Staff.⁵⁵ Unfortunately, Zia died on 17th August 1988, in an air crash with a number of his senior Generals and the distinguished American Ambassador, Arnold Raphel. Before his death, Zia announced that the general elections would be held on 16 November 1988.⁵⁶

From the above discussion, we can conclude that political chaos; instability and mass movements preceded all the military interventions. But, it may be premature to say that the successive military intervention became inevitable due to unworthy conduct of the political leaders. Politicians, Generals, Judges, bureaucrats and administrators were all equally responsible for the harm done to democracy. No one can escape from that responsibility. They were also parties to the crime, they all contributed to the rot on the face of it, all of them deserved to be condemned in varying degrees.⁵⁷

⁵⁵ Shafqat no. 3, p.218.

⁵⁶ Rizvi no 11, pp.202-203, Cohen no. 1, p.163.

⁵⁷ Arif, no, 10; pp.17-18.

In the words of General K.M. Arif, “once out of power, Pakistan’s political leaders vociferously preach the enforcement of unadulterated democracy, but in power, they practice it selectively not hesitating to disrupt the democratic process for self-perpetuation. As a result, personality-dominated institutions have remained weak and the politicians have failed to promote the smooth and uninterrupted growth of democracy in the country.”⁵⁸

⁵⁸ Ibid, p.XIX.

Chapter-2

Transition from Military Rule to Democracy: The evolution of a Quasi-Democratic Political System

Chapter – 2

Transition from Military-Rule to Democracy: The Evolution of a Quasi-Democratic political system (1988-1996)

The sudden disappearance of General Zia-ul-Haq from the political scene of Pakistan on 17 August 1988 had changed the entire political system and paved the way for a transition from military rule to a quasi-democratic form of government. It was called a quasi-democratic form of government because the transfer of power from military to civilian leaders was not a full-fledged transfer. Again, during this period Pakistan witnessed the dominant position of military in decision making process and other non-military fields. Military top brass, particularly the Chief of Army staff, played a significant role in the formation of civilian governments. Whenever there was a crisis between the prime minister and the president, they approached the Army chief and their continuance in office heavily depended on the blessings of the chief of Army staff. Therefore, Hasan Askari Rizvi rightly said, "The decision of the military top brass to stay back was a tactical move based on a realistic assessment of the domestic and

international political situation, it did not change the reality of their centrality to the political process".¹

The decision of General Mirza Aslam Beg and his corps commanders not to assume political powers after the death of Zia and leave the constitutional, political and democratic processes to be effective, allowed the holding of party based elections and the subsequent limited transfer of powers to elected civilian leaders.² General Beg, the new chief of Army staff (COAS) had advised the armed forces to keep aloof from politics and emphasized that politics was the sole domain of the politicians.³ But, during the so-called democratic period (1988-1999), Pakistan witnessed four elected civilian governments, among them three governments were dismissed by the successive presidents under the discretionary powers conferred on them by the Article 58-2 (b) i.e., Eighth Amendment, with the support of the army. The fourth elected government of Mian Nawaz Sharif was dismissed by his own Army chief in a bloodless military coup on 12 October 1999. After Zia-ul-Haq's death the top commanders of the three services held a meeting and decided to ask Senate Chairman Ghulam Ishaq Khan, to assume the presidency as

¹ Hasan Askari Rizvi, *Military, State and Society in Pakistan* (Great Britain, Macmillan, 2000).P. 190Rizvi, No. 1, p. 190

² 190Rizvi, No. 1, p. 190

³ *Public Opinion Trends, Analyses and News Service*, Pakistan series; volume XVI, no. 153. (N.Delhi), August 29, 1988, P. 3354

provided in the constitution General Mirza Aslam Beg, the second-in-command in the Army hierarchy was formally appointed as the new Army Chief. ⁴ Chief Justice Mohammad Haleem administered the oath to Ghulam Ishaq Khan at the Presidency and it was followed by the emergency meeting of the Federal Cabinet.⁵

By imposing Emergency in the country, President Ishaq Khan announced the formation of an Emergency Council which would comprise the President, senior Federal Ministers- Interior, Defence, Foreign Affairs and Justice, and Parliamentary Affairs, the Chiefs of Army, Naval and Air Staff; Acting Governor of Sindh, Chief Ministers of Punjab, North West Frontier Province and Baluchistan and a senior Minister of Sindh. He also assured the people that the affairs of the nation would be administered in accordance with the constitution.⁶

The decision of Gen. Beg and the Acting President to restrict the role of the military to its immediate professional concern was a departure from the policies of Gen. Zia. At the same time, both of them agreed to hold free and fair general elections on 16 November 1988 as announced by the late president. Therefore, in my view it is very essential to know, why the military agreed to restrict its role and what

⁴ Saeed Shafqat, *Civil- Military Relations in Pakistan :From Zulfikar Ali Bhutto to Benazir Bhutto*, (United states, west view press, 1997) p. 226, Rizvi, no. 1, p. 203.

⁵ Public Opinion Trends, Analysis and News Service. Pakistan series, volume XVI, no. 149 (N.Delhi), August 20, 1988, PP. 3255-57

⁶ Ibid., p. 3255, Rizvi no. 1 P. 203

factors prompted the military to conduct party-based elections. This chapter will discuss and examine the functioning of the democratic governments, the relationship among the prime minister, the president and the army chief; the powers of the president under the Eighth amendment etc. from 1988 to 1996.

However, for the sake of clarity and to avoid repetitions and overlapping of analysis, I will discuss Nawaz Sharif's second term as Prime Minister from 1997 to 1999, separately in the fourth chapter, this period was very crucial for the downfall of the civilian government and the subsequent military intervention. Now we shall discuss various factors which compelled the military and the president to restrict their roles and conduct elections on party basis.

Firstly, during mid 1988, the superior courts reinforced the democratic process and the rule of law with some important judgements. On 29 May 1988 in a landmark verdict, the Lahore High Court declared that the dismissal of Mohammad Khan Junejo's government and the Assemblies by the then president was illegal and unconstitutional. But it refused to restore the Assemblies and the Junejo government on the basis that elections had been announced; and on an appeal from the government of Pakistan the Supreme court upheld the judgement. Regarding the controversy about the registration of Political parties the Supreme court in June 1988, struck down and abolished

the rules and procedures which differentiated political parties as registered and unregistered. Again, on October 2, 1988 the supreme court directed the government to hold the elections on party basis and not on non-party basis as announced by the then president.⁷

Secondly, the new COAS, Gen. Beg was not sure of the support of Army's corps commanders and senior officers because, as the Army chief, Gen. Zia had kept the Army as his exclusive property by selecting his close associates to important strategic positions. Therefore, Gen. Beg, a Mohajir from Uttar Pradesh needed time to consolidate and strengthen his position within the military establishment, traditionally dominated by the Punjabis and Pakhtuns.⁸

Thirdly, the Acting President agreed to hold elections under the supervision of the judiciary in view of the opposition's claim that the president and his associates might try to interfere with the election process.⁹ For example, there was an unprecedented pressure on the president, both from the opposition and some influential sections within the government to replace Mr. Nawaz Sharif, Secretary -General of the Fida muslim league, with a neutral caretaker Chief Minister in

⁷ Sreedhar, John kaniyalil, Savita Pande, *Pakistan After Zia*, (New Delhi, ABC Publishing House, 1989), pp. 7-8, Public Opinion Trends, Analyses and News Service; Pakistan series, volume XVI. No. 135 (N.Delhi), August 1, 1988, P. 2990.

⁸ Rizvi, no. 1 p. 204

⁹ Sreedhar and others, no.7, P. 8.

Punjab. They accused him of using official influence in establishing his political clout.¹⁰

Fourthly, very surprisingly on October 8, 1988 Mr. Justice S.A. Nursat, the Chief Election Commissioner announced that the National and Provincial elections would be held on November 16 and 19 respectively, under the supervision of the judiciary to ensure, free and fair elections. He also said that the Election Commission had the powers to declare any election null and void after preliminary investigation in case of any complaint of interference with the election process.¹¹

Fifthly, despite the repeated military intervention in the political process, the principle of professionalism and military discipline remained unchanged. Most officers believed in a restricted political role, although they would not shy away from intervention if they perceived it as necessary. Some of the senior officers also felt that by involving repeatedly in politics they had lowered military's reputation. Therefore, military leadership decided that a decision to honour the rule of law and the constitution would enable them to restore their declining reputation.¹²

Sixthly, another important factor that restrained the military from assuming power was the peaceful and stable political condition

¹⁰ POT, volume XVI, No. 172, (New Delhi) September 23, 1988, PP. 3759-60

¹¹ Sreedhar and others, no. 7, p. 8

¹² Rizvi, no. 1. pp. 203-204

after the sudden death of Zia. Most of the Political parties except those which associated with the Zia regime demanded the transfer of power to the civilian political leaders. Under such situation another military take over would be a difficult task.

Lastly, though the military promised the electorate that it was ready to transfer power to the civilian leaders, the post-Zia military elite was able to exercise power from a distance by allowing the ISI to play a crucial role in unifying anti-PPP political forces under the leadership of Nawaz Sharif and subsequent formation of Islamic Jamhoori Ittehad. Thus, the PPP (Pakistan People's Party) could not sweep the polls.¹³ At the same time, "military thought Benazir as anti-state, anti-army, so there was a perception that a party has come to power whose leadership had compired against the military from exile and abroad. These mutual distrust and hostility existed between Benazir and military elite".¹⁴ But, military top brass was left with no options and agreed to hold elections.

Civil-Military Relations during Benazir's First Regime (1988-1990).

The partial restoration of democracy and the victory of the PPP in November 1988 general elections, raised immense expectation of a new

¹³ Ian Talbot, *Pakistan: A Modern History*, (N Delhi, oxford university press, 1988), PP. 291-92, Shafqat, no. 4, PP. 225-226

¹⁴ Shafqat, no. 4, PP. 227-28

era in Pakistan's political history.¹⁵ Benazir's PPP emerged as the single largest party in the National Assembly with 93 seats out of 205 (election in two constituencies being countermanded). while the Islamic Jamhoori Ittehad (IJI) got 54 seats, the Sindh-based Mohajir Quami Movement emerged as the third largest party with 13 seats and independents got 27 seats. The result of 1988 polls compelled the military bureaucratic elites not to exclude Benazir Bhutto or prevent her from forming the government, but the President delayed calling on her to do so. On 23 November, Benazir said, "Delay in the nomination of a prime minister belonging to her majority party was a tactic to give more time to defeated group who wanted to subvert the verdict of the people".¹⁶ But the President fixed December 1, 1988 to nominate the new Prime Minister. A precedent in the politics of Pakistan was set on December 2, when PPP co-chairperson Benazir Bhutto was sworn-in as the first woman Prime Minister of Pakistan as well as the first in the entire Muslim world.

However, the expectations of the general Pakistani masses and the international community that the normal democratic processes would be restored with the formation of a civilian-coalition government and the military would refrain from intervention in civil affairs came

¹⁵ Talbot no. 13, p. 287

¹⁶ POT, volume XVI, no. 217 (N Delhi), Nov. 25, 1988, p. 4721, *Sunday Times* (London) 27, November, 1988; *Organizer* (New Delhi), 14 December 1988.

out to be wrong. The interesting and important part of this so-called transfer of powers is that, even before appointing her Prime Minister, Benazir was compelled by the military to accept of its core interests and decisions. As already mentioned in the first chapter, Benazir agreed to, let General Beg continue as Army chief, not interfere in the internal affairs of the military, retain Sahebzada yaqub Khan as Foreign Minister etc. Hence, military made it amply clear that it desired to share power and not actual transfer of power.

In this way, the new quasi-democratic regime that replaced the longest military rule of Gen. Zia in Pakistan created an arrangement of power sharing known as Troika. The term Troika was coined to describe the three-party power sharing arrangement among the Prime Minister, the President and the Army Chief. Therefore, the term Troika has been applied to describe Pakistan's governing system after 1988.¹⁷ So, "the military sought to promote democracy in such a manner that its own power was not curtailed substantially while, at the same time, there was a façade of elected representatives managing politics".¹⁸

¹⁷ Stephen Philip Cohen, *The Pakistan Army: 1998 Edition with a New Foreword and Epilogue*, (Karachi, oxford university press, 1998) PP. 163-164

¹⁸ Bidanda M. Chengappa, Pakistan's Fourth Military Takeover, *Strategic Analyses*, vol. XXIII. No. 9, December 1999, PP. 1435-47.

Regarding the nature of the post-Zia political system Hasan Askari Rizvi said, "..... The civilian regimes that succeeded military face serious identity crisis. On the one hand, these governments want to prove that they are not under the tutelage of the military and can act autonomously. On the other, they cannot afford to alienate the top brass of the military whose goodwill and support are crucial to their survival.¹⁹

The cordial relationship between the government and the military-bureaucracy at the initial phase was manifested in the statement made by the COAS in support of the government and it left no doubt about the military's support to the democratic system. But, this period of smooth relationship did not last long and contrary to her commitment given to the General Headquarters (GHQs Rawalpindi) before assuming power, she developed differences with the military, which had widened the gulf between the military and the government. In February 1989, Bhutto constituted a committee to review the role and the nature of the relationship of intelligence agencies in a democratic set up particularly of the ISI²⁰ because, she could not forget the role of ISI in unifying the anti-PPP forces into IJI during the 1988 elections. Therefore, in May 1989 she replaced the powerful ISI Chief Lt.Gen.

¹⁹ Rizvi, no. 1 p. 189

²⁰ Saeed Shafqat, Pakistan under Benazir Bhutto, *Asian Survey*; volume XXXVI.no.7, July 1996, PP.660-61. Hindustan Times (N. Delhi), 27 April 1989.

Hamid Gul and sent him as corps commander in Multan.²¹ The Chief of Army Staff reluctantly accepted the decision. However Benazir's interference in internal army matters did not stop here, and against the wishes of the military elite, she appointed Major General (retd.) Shamsul Rehman Kallu as the new chief of ISI.²² The military felt it was an interference in their professional affairs and thought that the Prime Minister was acting against her commitment not to do so.

Another issue which encouraged the growing rift between the civilian government and military and to some extent with the president was the controversy around the appointment and the retirement of the Chiefs of Three Services and Chairman, Joint Chief of Staff Committee (JCSC). The chairman, JCSC Admiral Iftikhar Ahmad Sirohi, who was appointed Admiral and Naval chief in April 1986 and promoted to the post of chairman in November 1988, was to retire as chairman in November 1991 upon completion of his three year term.²³ The controversy became a constitutional matter whether the president or the prime minister had the authority to appoint and retire the chairman, JCSC. By citing the provisions of the executive order of Prime Minister Z.A. Bhutto in the 1970s, which fixed the tenure of the service chiefs as three years and not of the JCSC and Army Act,

²¹ Shafqat, no. 4, p. 228, Hindustan Times, 26 May 1989.

²² Rizvi, no. 1, p. 206

²³ Shafqat, no. 20, p. 661

Benazir asserted that she had the authority to retire the chairman, JCSC. However, she was compelled to accept the authority of the president under the Eighth Amendment (Article 243 C), which empowered the president to appoint the chiefs of the three services and the chairman, JCSC.²⁴ This incident reinforced military's suspicion that she was deviating from her commitment.

The differences between the prime minister and the establishment came to open for the third time on the issue of law and order situation in Sindh. The fighting between the Sindhis and Mohajirs in the Pucca Qilla area on 27 May 1990, led to the intervention of the Federal government. Curfew had been imposed and Sindh police opened fire on a rally resulting in killing 60 protestors and injuring around 250 people, including women and children. "The violence then spread to Karachi where over 130 people were killed in a five-day period. Troops were called in to restore order in the province."²⁵ The federal government sought army's help to restore peace in Sindh. But, the military asked for no political interference and sought permission to set up separate military courts and the powers provided by the article 245 of the constitution which restricted the role of the judiciary to enforce fundamental rights in the area under Army

²⁴ Ibid . pp. 661-62, Telegraph (Calcutta) August 12, 1989

²⁵ Farhat, Haq, Rise of the MQM in Pakistan: politics of Ethnic Mobilization, *Asian Survey*, 35 (ii), November 95, p. 999.

control.²⁶ But the federal government refused to invoke article 245 and asked the military to perform duty under Article 147 which provided powers to the civilian government to check the role of the troops. In this way, military was not allowed to act independently. In the words of Cohen, "There was speculation that Aslam Beg as a mohajir, was supporting the MQM. Both the president and Beg tried to undercut Benazir, regarding her as too weak and too conciliatory towards extremist Sindhi groups, and remnants of her brother's Al Zulfikar Organization".²⁷ President Ghulam Ishaq Khan even threatened to dissolve the parliament because of her refusal to grant the army's demand for special judicial powers.²⁸ From this incident it was very clear that Benazir Bhutto had failed to win the trust of the military and that she used little tact on dealing with it. It also exposed the ineptness of the civilian leadership to handle social and ethnic crisis.

From the beginning, both the federal government and Punjab provincial government had been following a politics of confrontation. The two governments declared war on each other. While the PPP leadership tried to dislodge the IJI government of Nawaz Sharif in

²⁶ Rizvi, no. 1, p. 207.

²⁷ Cohen, no. 17. p. 165

²⁸ Times (London), 23 June 1990

Punjab through a no-confidence motion,²⁹ Nawaz Sharif leader of IJI attempted the same move against Benazir Bhutto in the National Assembly.³⁰ Though both the government survived, in the process, center-province confrontation intensified. When the federal government of Benazir Bhutto faced a no-confidence motion in the National Assembly in October-November 1989, ISI launched 'Operation Midnight Jackals' to influence some members from the government to the opposition camp. Nawaz Sharif's demand for provincial autonomy led to the creation of separate Provincial Bank of Punjab and he even threatened to set up its own TV station. The PPP MPAs challenged the adoption of the Bank of Punjab Bill in the provincial Assembly. They accused the Assembly Speaker for allowing its adoption by declaring it a Money Bill, which was against the 1973 constitution.³¹

During the centre-province confrontation, both the military and president had supported Nawaz Sharif in order to neutralize Benazir Bhutto. Therefore, president and military top brass took full advantage of this situation and blamed the central government for the social and political crisis. Thus, in the last week of July 1990, military corps commanders in a formal meeting recommended the removal of

²⁹ *Dawn* (Karachi), 23 March 1989

³⁰ *Indian Express* (New Delhi), 2 November 1989

³¹ POT, volume XVII, No. 131; July 6, 1989, pp. 2619-20

Benazir Bhutto's government.³² The decision was recommended to the President by the COAS and on August 6, 1990 President Ghulam Ishaq Khan dismissed the federal government of Benazir Bhutto, dissolved the National Assembly and the NWFP and Sindh provincial assemblies,³³ on the charges of corruption, inability to pass bills and the deterioration of the law and order situation in Karachi and Hyderabad.³⁴ Meanwhile, Army had taken over all important government installations including the Broadcasting House. Benazir blamed the president and the military for the dismissal of her government and described the President's action was unconstitutional and wholly illegal.³⁵ She also said that many conspiracies had been hatched to topple her government since she took office in December, 1988 as the Muslim world's only elected woman leader. "When all these conspiracies against our government failed..... they ultimately had no way left but to stage this constitutional coup".³⁶

The dismissal of Bhutto government paved the way for yet another general election in November 1990. But, contrary to the principle of instituting non-partisan caretaker governments at the

³² K.K.Bhardwaj, *Pakistan's March To Democracy And Liberalism*. (N. Delhi, Anmol Publications Private Ltd. 1996) pp. 167-68

³³ William L. Richter, The 1990 General Elections in Pakistan, in Charles H. Kennedy (edt), *Pakistan: 1992* (United States, westview press, 1993) pp. 22-23

³⁴ Cohen, no 17, p. 165

³⁵ Hindustan Times , August 7, 1990

³⁶ Ibid.

center and provincial levels. President Ghulam Ishaq Khan appointed Ghulam Mustafa Jatoi, leader of the combined opposition parties (COP) as the Interim Prime Minister, and the provincial governments were also assigned to the IJI and its allies. In accordance with the constitution, President scheduled national and provincial elections for October 24 and 27, respectively.³⁷ The caretakers' image as non-partisan was tarnished by their attitudes to the PPP and the selective accountability process, with the time frame for investigations into corruption limited to the Bhutto administration.

During the electioneering a number of corruption cases had been filed against Benazir Bhutto and her husband, Asif Ali Zardari was arrested on 11 October in connection with the kidnapping case of Murtaza Hussain Bukhari, a Pakistani Philanthropist living in Britain.³⁸ The crucial role played by the ISI in the 1990 elections had enhanced the victory of IJI in the National Assembly as well as in the Provincial Assemblies. According to Rizvi, "Under instructions from the election cell of the president and with the full knowledge and blessings of the Army chief, the ISI obtained Rs. 140 million (about US \$ 6.45 million at the 1990 rate of exchange) through a banker for use during the elections. Rs. 60 million were directly given to the IJI

³⁷ Kennedy, no. 33, pp. 22-23.

³⁸ Talbot, no. 13, p. 311

leaders and some journalists opposed to the PPP and Rs. 80 million were used for unspecified purpose during the elections.³⁹

The PPP formed an alliance called 'Pakistan Democratic Alliance' (PDA) comprising the Tehrik-I-Istiqlal (TI), the Malik Qasim faction of the Muslim league and the Tehrik-e-Nifaz-e- Fiqh-e- Jafaria (TNFJ). However MQM and JUI (F) contested independently. Nawaz Sharif's IJI emerged as the single largest party in the National Asssembly with 105 seats (37.16%-79,08,513 votes). The people's Democratic Alliance led by Benazir's PPP won only 45 seats in the National Assembly (36.38%-77,43,007 votes). While independents got 22 seats, MQM managed to get 15 seats. ⁴⁰

Nawaz Sharif's first term as Prime Minister (1990-1993):

Nawaz Sharif became Prime Minister in the first week of November 1990 and his victory helped the military to regain its legitimacy in national politics. "Sharif's IJI government was the first in the political history of Pakistan to enjoy more than two thirds majority in the National Assembly and to rule in all four provinces, as well".⁴¹ Unlike his predecessors as prime minister, Nawaz Sharif was able to create a cordial relationship between the centre and the

³⁹ Rizvi, no. 1, pp. 209-210

⁴⁰ Bhardwaj, no 32, p. 167, Kennedy, no. 33, p.33

⁴¹ Mahmood Monshipouri and Samuel Amjad, Development and Democracy in Pakistan: Tenuous or Plausible Nexus? *Asian Survey*, 35 (ii); November 1995, pp-982-83

provinces, but he was unable to control the ethnic crisis. In the words of Newberg, "Nawaz Sharif also inherited the same flawed constitution that plagued his predecessor. Although hidden at first beneath seeming agreement between the president and the prime minister, the inherent confrontation between presidential and ministerial powers resurfaced within his first years in office."⁴²

The Gulf crisis of 1990-91 was the first incident in which the civilian government and the military leadership adopted different policies. Contrary to the Sharif government's support to international coalition against Iraq, the COAS Gen. Beg, smarting under the cessation of US military and economic aid from 1 October onwards began to question the policy of the government⁴³ and condemned the United States for what he termed as the use of vengeful force. ⁴⁴Gen. Beg also propounded his idea of strategic defiance. He said, "An act of defiance is a necessary condition for making deterrence effective and credible."⁴⁵

I shall examine this issue more precisely in the third chapter i.e. military's role in Foreign policy making.

⁴² Paula R. Newberg, *Judging The State: Courts and Constitutional Politics in Pakistan*, (United Kingdom, Cambridge university press 1995);p. 217

⁴³ Talbot, no. 13, p. 316

⁴⁴ Lawrence Ziring, *Dilemma and Challenge in Nawaz Sharif's Pakistan*, in Charles H. Kennedy (ed) , *Pakistan :1992* (U.S. Westview press ,1993),p. 2

⁴⁵ Rizvi, no. 1. pp. 210-11

According to Talbot and shafqat, Nawaz Sharif possessed three distinct advantages than his predecessors. First, his close association with the Punjab government and the Zia regime since 1981.⁴⁶ Second, Sharif's clear electoral victory⁴⁷ allowed him to dispel the general perception that he was a protege of military regime of Zia and sought legitimacy as an elected leader. Lastly, he was the first Pakistani prime minister whose social base was an urban Punjabi business family.⁴⁸

General Aslam Beg retired in August 1991 and he was succeeded by Gen. Asif Nawaz Janjua, who belonged to a military family in Punjab. Soon differences between the military chief and the prime minister started in early 1992, when Nawaz Sharif tried to intercede on the transfer of Lt. Gen. Hamid Gul who was moved from corps command in Multan to the Heavy Mechanical Complex in Taxila.⁴⁹

Unfortunately, Nawaz Sharif did not stop and moved on to another confrontation. He appointed Lt. Gen. Javed Nasir, who was known for strong Islamic orientations as the Director General of the ISI⁵⁰ without consulting the COAS.

The law and order situation in Sindh also helped in widening the gap between the prime minister and the establishment. In the words of

⁴⁶ Shafqat no. 4, p. 236

⁴⁷ Talbot, no. 13, pp. 315-16

⁴⁸ Shafqat, no. 4, p. 236

⁴⁹ Rizvi, no. 1, p. 211

⁵⁰ *ibid*

K.K.Bhardwaj, "If Sindh had been waterloo of Benazir, it was equally fatal for Nawaz Sharif."⁵¹

The IJI's coalition partner MQM had been indulging in political violence in Sindh for quite a long time. Regarding the law and order situation in Sindh Talbot said, "By 1991, 2000 or so dacoits had gained such an influence that travel was restricted to daylight in much of rural sindh."⁵² In order to control the deteriorating law and order situation, prime minister vested the military with more powers. At the same time, military also agreed to undertake security operations in the province without insisting on powers under Article 245 of the constitution. Military launched 'Operation clean-up' against the dacoits and anti social elements on 28 May 1991 in the rural Sindh. Later on, military came to know that for the overall improvement of the law and order situation it needed a similar operation in the urban sindh, the stronghold of MQM and IJI. Therefore, against the wishes of the Sharif government COAS Gen. Janjua developed his own plan to deal with the situation in an operation reminiscent of the military action against East Bengal in 1970.⁵³

About the military crackdown in urban sindh Talbot rightly said, "The death of Jam Sadiq Ali and the replacement of the Mohajir Army

⁵¹ Bhardwaj, no. 32, p. 169

⁵² Talbot, no. 13, p. 323

⁵³ Cohen, no. 17, p. 165

chief Gen. Aslam Beg by Gen. Asif Nawaz Janjua paved the way for the May 1992 military crackdown within Sindh.”⁵⁴

After the military crackdown in Karachi a number of MQM leaders went underground and the MQM chief Altaf Hussain was forced to withdraw support to the IJI led federal government of Nawaz Sharif and provincial Sindh government.⁵⁵

The strained relationship between the prime minister and the president was strengthened by the sudden death of Gen. Janjua on 8 January 1993.⁵⁶ The president and the prime minister had serious differences on the selection of the new Army chief. The President appointed Lt. Gen. Abdul Waheed Kakar, corps commander Quetta, a least visible among the serving corps commanders as the new COAS.⁵⁷ The prime minister and his associates wanted to appoint Lt. Gen. Ashraf Janjua, corps commander Lahore who was bypassed.⁵⁸ After this incident the relation between the two members of Troika i.e. the president and the prime minister, never acquired the same level of trust that had existed between them earlier. By late February 1993, another dimension had been added to the confrontation. The parliamentary party of the PML authorized the Prime Minister to undo the 8th Amendment

⁵⁴ Talbot, no. 13, p. 324

⁵⁵ Bhardwaj, no. 32, p. 169

⁵⁶ Rizvi, no. 1, p. 216

⁵⁷ Cohen, no. 17, p. 165.

⁵⁸ Shafqat. No. 4, p. 238

and choose the party's candidate for the post of the President.⁵⁹ This development had come in the wake of President Mr. Ishaq Khan, launching his election campaign for the second term.

However, Ishaq Khan defended his discretionary powers under the 8th Amendment and with the support of his associates in military-bureaucracy countered the action of the Prime Minister.

This confrontation led to the division within the PML between the supporters of Sharif and Junejo-Ishaq combined. With the death of Junejo on 18 March 1993, three federal ministers, two ministers of state and one advisor belonging to the Junejo group left the Nawaz Sharif government which compelled the PM to soften his stand.⁶⁰

At the same time Ishaq Khan had announced that he would not dissolve the Assemblies.⁶¹ As far as the campaign against the discretionary powers of the President (8th Amendment) is concerned, the decision of the PML (N) parliamentary party, which assured support to their Prime Minister makes a lot of sense, but abdicating their own responsibility to formulate a collective agenda on the fate of the highly controversial 8th amendment was not understandable⁶². Therefore, if a national consensus develops around the need to modify or repeal the 8th

⁵⁹ Times of India (New Delhi), 22 February, 1993

⁶⁰ Rizvi, no. 1, p. 214

⁶¹ The Frontier Post (Peshwar), 10 March 1993

⁶² the News (Lahore), 25 February 1993

amendment there must be absolute clarity about what will fill the vacuum vacated by it. ⁶³

After his unsuccessful campaign against the 8th Amendment, Nawaz Sharif had emerged as a man with a small stature, a man who would start with a bang but end with a whisper and he also lost whatever credibility he had in the eyes of the people.⁶⁴

During this crisis Benazir also exploited the differences between the President and the Prime Minister, both of whom sought her support on the issue. In order to diffuse the tension, Sharif met the President and the Army chief separately but, the President refused to forgive the prime minister. Unfortunately on 17 April 1993, Sharif had accused the president of conspiring to destabilize his government and declared that he would neither resign nor advice dissolution of Assemblies.⁶⁵ With this latest provocation from the Prime Minister, Mr. Ishaq Khan was left with no option therefore, after consultation with the COAS and PPP leadership, he dismissed the federal government of Nawaz Sharif and dissolved the National Assembly, as well as the four provincial assemblies⁶⁶ on the charges of maladministration, corruption, fraud in the government privatization programme, breakdown of law and order

⁶³ Dawn, 25 February 1993

⁶⁴ The Nation, 13 April, 1993

⁶⁵ The Frontier Post, 18 April 1993

⁶⁶ Bhardwaj, no, 32, p. 170

and terrorizing of his opponents by government agents.⁶⁷ President Ishaq Khan appointed Balakh Sher Mazari a member of the dissolved Nationally Assembly as the Interim Prime Minister and announced that the election would be held within 90 days.

The decision of the president was challenged by Nawaz Sharif in the Supreme Court. The president wrongly thought that the courts would follow their past tradition by condemning only the idea of dissolution but allowing the fact to stand, "The Supreme Court however, appropriated the case in original jurisdiction and then decided against the president building its argument on the logic but not the results of its prior dissolution judgements and citing the president for his incorrect appreciation of the role assigned to him."⁶⁸

The National Assembly and the government of Nawaz Sharif were restored by a constitutional bench of the Supreme Court headed by the Chief Justice Dr. Nasim Hasan Shah (who as one of the judges of the supreme court had uphold the execution of Z.A. Bhutto in 1979).⁶⁹ But, a major confrontation between the supporters of Nawaz Sharif and Ghulam Ishaq Khan erupted in the Punjab Provincial Assembly. Both the parties tried to capture power which led to the Breakdown of government machinery in Punjab. Thus the Army chief, General Abdul waheed,

⁶⁷ Times, 19 April 1993, Cohen, ,no. 17, p. 165

⁶⁸ Newberg, no. 42, p. 219

⁶⁹ Shafqat. No. 4, p. 240

orchestrated an administrative restructuring rather than a coup d'état. He persuaded both the president and the prime minister to resign.⁷⁰ The chairman of the Senate Wasim Sajjad was appointed as acting President and Moeen Qureshi became the caretaker Prime Minister.

The caretaker government conducted National Assembly and Provincial Assembly elections on 6 and 8 October 1993 respectively. Benazir Bhutto's PPP emerged as the single largest party in the national assembly winning 86 out of 202 seats, while PML (N) won 73 seats, PML (J) got 6 seats. Independents and others managed to capture 37 seats.

Politics of adjustments -

Banazir Bhutto's second chance to rule (1993-1996) :

By forming Pakistan Democratic Front (PDF) with the support of PML (J) and some smaller parties and independents, Benazir Bhutto became prime minister of Pakistan for the second time on 19 October 1993. During the initial period of her second term as prime minister, Benazir Bhutto tried to create a cordial relationship with the military as well as with important national leaders and opposition parties.

Her position in the power structure had been strengthened by electing her close confidant and PPP loyalist, Foreign Minister Sardar Farooq Ahmad Khan Leghari as the President of Pakistan on 13

⁷⁰ Kalim Bahadur, *Emerging Trends in Pakistan Political System*, in Ramakant and others (edt), *contemporary Pakistan: Trends and Issues*, volume II; (Delhi, Kalinga publications, 2001); p. 62

November 1993. Leghari promised that he would be “neutral and non interventionists” when elected, and it thus seemed likely that Benazir Bhutto might become the first prime minister since 1985 to see through a full term in office.”⁷¹ However, her government was dismissed on 5 November 1996 by her own nominee President Leghari by invoking Article 58-2(b).⁷² Rizvi and Talbot cited some important reasons that contributed to her downfall – her personalised style of rule, not being amenable to advice, political management through a group of cronies, interference of her husband in government affairs, deteriorating relations between the prime minister and the president in the wake of Murtaza Bhutto’s Killing, alleged charges of corruption, extra – judicial killings in Karachi etc.⁷³ Therefore, a critical analysis of relationships among the prime minister, president, the COAS and the opposition parties during 1993-1996 will provide a clear understanding of the dismissal of the federal government of Benazir in 1996 by the president.

Contrary to her first term, Benazir Bhutto avoided interference in internal army affairs and followed a policy of adjustment with the military and the president. Benazir’s relationship with the Army chief was so cordial that the government offered a one- year extension to

⁷¹ Talbot, no. 13, p. 334

⁷² Surendra Nath Kaushik, *The Sharif Regime and The Military Takeover*, in Ramakant, and others (edt) *Contemporary Pakistan: Trends and Issues*, volume II, (N. Delhi, kalinga publications 2001), p. 277

⁷³ Talbot no. 13, p. 334, Rizvi, no. 1, p. 220

COAS.⁷⁴ But General Abdul Waheed refused the extension, which paved the way for the appointment of General Jahangir Karamat the senior most general, as the new COAS on 13 January 1996.⁷⁵

Significantly, shortly before the retirement of the COAS Gen. Waheed, the former ISI chief , Lt Gen.(retd.) Javed Nasir in connivance with Major General Zaheerul Islam Abbasi, Brigadier Mustansar Billah, Colonel Muhammad Azad Minhas and Colonel Inayatullah Khan, plotted a coup to overthrow the Bhutto government and to declare Pakistan as a Sunni Islamic State.⁷⁶ But they could not succeed and in October nearly 40 army officers were arrested and it was announced that they would be court martialled, because their plan also involved the elimination of the nine corps commanders by storming a corps commander's meeting on 30 September 1995. ⁷⁷ This episode clearly showed that the military top brass had supported the civilian government instead of supporting their own officers.

Pakistan's post- 1988 democracy faced its gravest crisis in the deteriorating law and order situation in Karachi. The rise of MQM has occurred in the midst of ethnic crisis in Karachi and other areas of urban Sindh. The origin of Mohajir movement can be traced back to mid-1980s

⁷⁴ Rizvi, no. 1, p. 220

⁷⁵ Robert Laporte, Pakistan in 1995: The Continuing Crises , *Asian Survey*, 36(2); February 1996, P. 184

⁷⁶ Ibid, Talbot, no. 13, p. 341

⁷⁷ Ibid

and early 90s, when Karachi experienced a great upsurge in population and increasing demand for housing, transportation, electricity, water, education, and employment that a deteriorating infrastructure could not provide. The arrival of Afghan refugees in mid-80s also increased the ethnic conflict between the Pathans and the Mohajirs .Therefore the relative decline in the socio-economic condition of the Mohajirs provided fertile ground for ethnic polarization in Sindh, particularly in Karachi. The MQM formed political alliances first with the PPP government and then with the IJI and joined the governments both at the central and provincial levels. However, ethnic clashes, violence and rioting became a permanent feature of life in urban Sindh since the late80s⁷⁸ The operation clean- up launched by the military in 1992 was brought to an end in November 1994. A paramilitary force consisting of Army rangers under the command of Major General Mushtaq Malik had been mobilized to counter the activities of MQM.

Benazir Bhutto's government started another round of negotiations with the MQM (Altaf) but could not succeed and Altaf Hussain accused Benazir of being a fundamentalist at heart. ⁷⁹This sectarian violence resulted in approximately 800 dead during 1994, including some

⁷⁸ Haq, no.25,pp.990-998

⁷⁹ ibid. 25, p. 1002

prominent figures. ⁸⁰Karachi became ungovernable in 1995 with a daily death toll of 10 to 15, largely due to ethnic conflict. Gradually, the crisis turned into a civil war between the security forces and MQM (Altaf) and the worst showdown in Karachi's history with more than 1200 people killed by mid-1995. ⁸¹

A number of accused died in police custody or in fake encounters with the security forces, described by the press as extra-judicial killing. Therefore, this confrontation devastated civic life in Karachi and deepened the crisis of legitimacy of civilian government.

Another incident which threatened the survival of the civilian government was the confrontation between the government and the supreme court.

Benazir Bhutto appointed Justice Sajjad Ali Shah, the only dissenting Judge in the Nawaz Sharif case of 1993 as the chief Justice of Pakistan by superseding two senior judges.⁸² However, the relation between the Prime Minister and the Chief Justice became worst when the Supreme Court in a landmark judgement dismissed 20 High

⁸⁰ Tahir Amin, Pakistan in 1994: The Politics of Confrontation, *Asian Survey*: volume XXXV, no. 2, February 1995, p. 144; Laporte, no. 75, p.183

⁸¹ Iftikhar H. Malik, State and Civil Society in Pakistan: From Crises to Crises, *Asian Survey*, 36 (7); July 1996, pp. 685-86

⁸² Mohammad Waseem, Democratisation in Pakistan: A Decade of Trials and Tribulations; *International Journal of Punjab Studies*; 5 (2), July-December 1998, p. 207

Court Judges⁸³ appointed by Benazir government on 20 March 1996 and it further curtailed drastically the powers of the government to appoint and transfer the judges of the superior courts.⁸⁴

Unfortunately, Benazir Bhutto refused to implement the judgement and accused the Chief Justice of conniving with the President and creating unnecessary hurdles in the functioning of the government.⁸⁵

President Leghari even filed a reference in the Supreme court on 21 September to expedite the 20 March Judgment. Leghari's intervention in this conflict caused a breach between him and the prime minister and severely damaged the previously harmonious relations between them. The strained relationship between the Prime Minister and the President was strengthened again by the killing of Murtaza Bhutto (the estranged brother of Benazir) in an alleged encounter with the police in Karachi on 20 September 1996. Benazir attempted to implicate the President in conspiring to kill her brother, which provoked the President to dismiss her government.⁸⁶

Significantly, on 3 November 1996, the Lahore High Court in a significant verdict restored the Wattoo government and declared Arif Nakai's government illegal. Meanwhile, the PPP and its ally PML (J) had

⁸³ Talbot, no. 13, p. 348

⁸⁴ Rizvi, no. 1, p. 223

⁸⁵ Ramakant, no. 72, p. 275

⁸⁶ Shafqat, no. 4, p. 250, Talbot, no. 13, p. 348.

indulged in horse- trading and attempted to move a no- confidence motion against wattoo. It was also reported that Asif Ali Zardari went to Lahore to supervise the political strategy.⁸⁷

Though the Army chief, Gen. Karamat did not involve in the confrontation between the Prime Minister and the President, it was believed that by mid-October; senior commanders were convinced that the Federal government was no longer in a position to provide good governance and political stability.

Therefore, with the support of the Army and the oppsition, President Leghari dismissed Benazir government on November 5, 1996 by using his discretionary powers under Article 58-2(b) of the constitution on the charges of corruption, extra- judicial killing in Karachi, gross mismanagement of economy, maladministration etc. The Army personnels took control of the key government installations including Prime Ministers residence, Secretariat, Headquarters of the IB etc.

In this way, with the consultation of the Army, the President appointed Malik Maraj Khalid as the caretaker Prime Minister and Mumtaz Bhutto as the Chief Minister of Sindh. But, during the period of the caretaker government, President Leghari without infoming the Prime Minister, established a full fledged Council for Defence and National Security

⁸⁷ Talbot, no. 13, p. 349

(CDNS)⁸⁸ which created a controversy about the role of the military in civil affairs.

Elections were held on 3 February 1997. The Pakistan Muslim League (N) got a thumping majority by capturing 134 seats out of 207 seats in the National Assembly. For PPP, it was a humiliating defeat because it could manage to retain only 18 seats in the National Assembly.

The election results also clearly indicated that a considerable support base of the PPP got completely eroded, even in places like Sindh. Interestingly, the entire PPP loss was taken away by the PML (N) at both the national and provincial level.⁸⁹

⁸⁸ Rizvi, no. 1, p. 225

⁸⁹ Sreedhar, Pakistan: Benazir's Dismissal to Elections, *Strategic Analyses*; 20 (1), April; 1997, p. 39.

Chapter-3

Military's Role in Foreign policy Decision-Making

CHAPTER - 3

MALITARY'S ROLE IN FOREIGN POLICY DECISION- MAKING

Pakistan's foreign policy is a very challenging subject. Despite its limited resources, persistent political instability, economic crisis, most of the time it is under military rule. Therefore, in addition to its role in internal political crisis, Pakistan's military has been playing a significant role in framing the foreign policy also since early 1950s. Pakistan's foreign policy is India-centric and her relations with United States, Peoples' Republic of China, Afghanistan and Muslim world have been influenced by the India factor. Most crucial turning points in the Pakistan's foreign policy have taken place under pressure from the military leadership or when the country was under military regime.¹ When Pakistan became an independent state, its military set up was in very bad condition and it required major development to counter the increasing threat from India. There was only one option left to

¹ Kalim Bahadur, Military Rule and Foreign Policy, in Surendra Chopra (ed), *Perspectives on Pakistan's Foreign Policy*, Amritsar (India), Guru Nanak Dev University Press, 1983, p. 78.

strengthen the military infrastructure and it was to sign military pacts with United States and to join western bloc led by US.²

The involvement of Pakistan Military in the tribal invasion of Kashmir on 22nd October 1947, was a well known fact and according to some published evidence the aggressive activities of the tribesmen with the full support of Pakistan had begun as early as 6th September 1947.³ Lt. Gen. Gul Hassan Khan, the then ADC to Jinnah disclosed that, on October 27, 1947, the Governor-General Jinnah without knowing the accession of Jammu and Kashmir to India had ^{decided to send a composite force from the} regular army to ~~seize~~ the Srinagar airfield.⁴ The 1947 war saw the direct involvement of the Pakistan Army regulars in support of the so-called irregular Azad Kashmir forces. The arrival of Indian forces had stopped the Pakistani advance, but not before the Pakistanis had occupied the northwestern portion of Kashmir. The then PM of India, Jawaharlal Nehru raised the Kashmir issue in the United Nations on January 1, 1948. Indian representative demanded for the withdrawal of the Pakistani forces from Kashmir to enhance a climate of normalcy in the state for

² S.S. Bindra, *Determinants of Pakistan's Foreign Policy*, New Delhi, Deep and Deep Publications, 1988, p. 210.

³ A. Appadorai and M.S. Rajan, *India's Foreign Policy and Relations*, New Delhi, South Asian Publishers, 1985, p.82

holding a plebiscite to ascertain the views of the Kashmiris on the question of accession. While agreeing the idea of holding plebiscite, Pakistan refused to withdraw her troops from the territory of Kashmir. Though the war came to an end on January 1, 1949 with the intervention of the United Nations, both the sides rigidly adhered to these positions making multilateral resolution of conflict virtually impossible despite many subsequent UN efforts.⁵

During the periods of Jinnha and Liaquat Ali Khan military leadership could not play a vital role in foreign policy and most of the military officers remained loyal to the Government. However, the Rawalpindi Conspiracy case of 1951 (Aborted coup of Major General Akbar Khan) showed the differences between the civil government and some high ranking military officers on policy matters. The tiny communist party of Pakistan also got involved in this case. The conspiracy case was allegedly confined to eleven military officers and three civilians with leftist leanings. But a mystery surrounded this as the details of the case were never made public. The trials of this case were held in camera. All those concerned with the trial were under an oath not to disclose the

⁴ Veena, Kukreja, India and Pakistan: A New Peace Paradigm, *Political Science Annual*, 1997, pp.410-411.

proceedings of the trial.⁶ The only genuine source of information regarding this case was the statement made by Prime Minister Liaquat Ali Khan. He said "The aim of the conspiracy was to create commotion in the country by violent mean, and in furtherance of that purpose to subvert the loyalty of Pakistan defence forces".⁷ The conspirators had also planned to eliminate the top military officers and the civil officials including the Prime Minister and the ministers and seize effective power to establish dictatorship on communist lines. The mastermind of this aborted coup was Major-General Akbar Khan, Chief-of-Staff of the Pakistan Army. Akbar Khan had fought in the war to 'liberate' Kashmir and felt that he had been betrayed by the political leadership.⁸

He disagreed with the Prime Minister on Kashmir policy and believed that military solution of the problem was possible. He made no secret of differences between him and the government. The plan of action was framed jointly by the leaders of Communist Party of Pakistan (CPP) and the military officers led by Akbar Khan and it was decided to shelve the plan for some time, but a

⁵ Ibid, pp 411-412

⁶ Hasan, Askari Rizvi, *Military and Politics in Pakistan* (2nd ed), Lahore, 1976, p.84

⁷ Ibid, pp. 84-85.

⁸ Tariq, Ali, *Pakistan: Military Rule or People's powers?* Vikas Publishing, Delhi in association with Jonathan Cape, London, 1970, p.45

conspirator turned an informer which allowed the authorities to detect it in time and the army officers and Communist leaders involved were arrested.⁹ The trial of the conspirators took around 18 months and they were sentenced from 1 to 10 years rigorous imprisonment but in 1955 G.G. quietly released all of them.¹⁰ The Rawalpindi conspiracy case confirmed the superior position of civilian government over the military establishment and the latter believed that they must abide by the decision of the civil government.

Military leaders have been the main architects of Pakistan's foreign policy. At the same time foreign policy and defence policy are inseparable in Pakistan. In the words of Wayne A. Wilcox, "Pakistan's defence policy was, and is inseparable from its foreign policy to a much greater degree than in most countries...It was wholly dependent upon external powers for military supplies...And because foreign and defence policies were, for the new state, matters of survival, they had to dictate domestic policy. By this choice of logic, the leaders of the Pakistan Army were propelled to the centre of the decision-making process, and became first its

⁹ Ibid, p.45

¹⁰Rizvi, No.6, p. 86.

arbiter and then its monopolist.”¹¹ Significantly, the decision to join the western military alliance was taken by Army chief Gen. Ayub Khan in 1954 while he was defence minister of Pakistan for a short period. Again, the decision to forge a close relationship with China was also taken by Ayub Khan in 1962.¹² For a brief period, Z.A. Bhutto also played a great role in establishing a close relationship with red China. Suddenly, Pakistan became a frontline state of the western bloc during early 1980s after the Soviet intervention in Afghanistan in 1979. Gen. Zia-ul-Haq was able to extract increasingly military and economic aids from the United States in the name of combating communist forces in Afghanistan.

In this chapter, I shall examine the role of military in foreign policy making in Pakistan during the period of Benazir Bhutto and Nawaz Sharif governments (1988-1999). Foreign policy of Pakistan is a very vast subject and it is not possible to analyze every aspects of foreign policy during this period. Therefore, I will concentrate in this chapter on some important events regarding her relations with India particularly on Kashmir problem, United States and nuclear

¹¹ Wayne, A. Wilcox, Political Role of the Army in Pakistan: Some Reflections, in S.P. Varma and Virendra Narain, *Pakistan Political System in Crisis: Emergence of Bangladesh*, Jaipur, 1972, p. 35. Quoted in *Ibid.*, pp. 211-12.

¹² Kalim, No. I, p.78.

policy, China, Afghanistan and to some extent Muslim world which influenced and shaped her foreign policy decisions.

From the early 1950s till late 1988 it was the military which shaped and developed important foreign policy decisions in Pakistan except the period of Z.A. Bhutto (1971-1977). In Pakistan though foreign and defence policies have been the domain of military establishment, it is the intelligence agencies such as, ISI, IB and MI which handled framed and channelized various policies directly. Pakistan has two federal intelligence agencies. The intelligence Bureau^{(IB) covers political intelligence and works under the} head of the civilian government and it draws its ^{personnel from the Provincial police services} whereas the Inter Services Intelligence basically deals with external intelligence and it draws its officers from both civilian and military (Army, Navy and Air force) sectors. However, during the 1958, 1969 and 1977 martial laws, military rules preferred to deal with the ISI, and its position in decision making was more strength^{ened} and in 1975 when Prime Minister Z.A. Bhutto created a political^{cell in the ISI Directorate} executive^{through an} order and institutionally tasked it a political role.¹³ Apart from ISI and IB there is another intelligence agency i.e. Military Intelligence (MI) headed by a three star General who reported to the chief of

¹³ Khalid Md. Arif., The Role of military in Politics: Pakistan 1947-97, in Hafeez Malik (edt.), *Pakistan : Founders' Aspirations and Today's Realities*, U.K. oup, 2001,p.106

Army Staff through the chief of General Staff. Since the most powerful intelligence agency in Pakistan is the ISI, its military roots play an important part in its thinking and along with the military it considers itself the permanent embodiment of national interest.¹⁴ The ISI Directorate became the channel for funneling covert support to the Afghan resistance movement. Later on, ISI also handled the support to the Afghan Mujahideens from sources other than Pakistan. During the Zia period, the military was not directly involved in the Afghan war and Afghan policy was made by a small group, and implemented by the ISI and the concerned ministries on the orders of General Zia.¹⁵ At the same time various Afghan factions that sought assistance from Pakistan believed that the ISI could provide some continuity and protect their interest.¹⁶ In addition to its involvement in Afghanistan, the ISI still remained as the backbone of the Kashmiri militants and since 1991 it launched a totally new offensive that went far beyond the terrorist violence earlier sponsored by it in Punjab and Jammu and Kashmir. In the words of DC Pathak, the evidence collected by the Indian

¹⁴ K.N.Daruwala, Pakistan: Intelligence Agencies and Political Destiny, in Rajeev Sharma (edit.), *The Pakistan trap*, N.Derlhi, UBS Publishers Distributors, p.117.

¹⁵ Arif, No.13, pp.106-107.

¹⁶ Sreedhar, Pakistan's Afghan Policy at the Cross-Roads, *Strategic Analysis*, Vol.XXI, No.8, November 1997, p. 1178

intelligence agencies since 1992 bared[↑] and brought out three main components of it: "First, with the turn of events in Afghanistan, the Pakistani intelligence agencies were able not only to bring together Khalistani elements, Kashmir insurgents and Muslim militants under one umbrella for joint operations but also to establish in 1991 a firm interface between Afghan Mujahideen and the latter..... Secondly, using the territory in the vicinity of India – Nepal and Bangladesh in particular ISI extended its operations to northern India and reached out to the sensitive north-east region. This[↑] encirclement of this country.....^{was in pursuance of a plan to achieve intelligence} The third and perhaps the most disquieting aspect of this proxy war was that it was sought to be anchored on religious militantism. The subversion in Kashmir was fostered not so much in the name of Pakistan as on the slogan of Islam"¹⁷

In the words of Uma Singh, "Pakistan's return to democracy and coming into power of Benazir Bhutto as prime minister of that country is one of the most significant and hopeful developments in South Asia in recent years."¹⁸ The general

¹⁷ D.C.Pathak, Pak Proxy War : Fomenting Religious Militantism, in Rajeev Sharma (ed.) *The Pakistan Trap*, New Delhi, UBS Publishers' Distributors, pp.62-63.

¹⁸ Uma Singh, Pakistan's Foreign Policy: An Assessment, in Kalim Bahadur and Uma Singh (ed.), *Pakistan Transition to Democracy*, N. Delhi, Patriot Publishers, 1989, p.95.

Pakistani masses and the entire world hoped that with the changes of government there would be a mark policy changes in Pakistan's foreign policy particularly regarding her relation with India and Afghanistan. However, contrary to the expectations of the people, she was forced by the military top brass to retain Sahebzada Yaqub Khan as the foreign minister and asked not to interfere in foreign policy decision making particularly policy towards Afghanistan and Kashmir,¹⁹ but 'she appointed Tanveer Ahmad Khan as the new foreign secretary and operated through him.'²⁰

One significant aspect of the transfer of power to the civilian government was that it was not a full-fledged transfer of power; but it was the creation of Troika system-an arrangement of power sharing among the president, the prime minister and the Army Chief.²¹ Therefore, in the words of Rizvi, "The military participates in policy-making through the Army chief who interacts regularly with the president and the Prime minister either separately, or the three meet together. The meetings of these three key players have shaped into an extra-constitutional arrangement to deliberate on

¹⁹ Hasan Askari Rizvi, *Military, State and Society*, Great Britain, Macmillan, 2000,p.205.

²⁰ Saeed Shafqat, Pakistan Under Benazir Bhutto, *Asian Survey*, Vol. XXXVI, No.7, July 1996, p.666.

²¹ Stephen Philip Cohen, *The Pakistan Army 1998 Edition: With a New Foreword and Epilogue*, Karachi, OUP, 1998, pp.163-64.

key domestic and foreign policy and security affairs.”²² The military top brass also could discuss and recommend major policy decisions about security and foreign policy, domestic politics etc. in its corps commanders meeting presided over by the Army Chief. In this sense, after the transfer of power the civilian government was not in a position to make independently major foreign policy decisions. They had to follow the dictates of the military, the recommendations of the Army Chief and the corporate interests of the Army. Pakistan’s relations with India particularly on Kashmir, procurement of weapons from abroad, Afghanistan and the nuclear issue have been the areas of military’s direct interest. Therefore, military jealously guards its interest and autonomy and at any cost would not allow any changes and compromise in such matters. However, during this period most of the senior military officers informally agreed to follow a set of principles. According to Stephen P. Cohen, the principles includes:

1. To avoid a direct war with India, without conceding to Indian pressure on important issues,

²² Rizvi, No.19, p.190.

2. Support to Kashmiri secessionists without provoking India for a direct confrontation;
3. Try to make cordial relation with the Islamic States;
4. Continuance of the nuclear programme but not at the cost of Pakistan's relationship with the US and other peace-loving countries;
5. Not to rely too much upon US, but to maintain a minimum level of relationship to counter Indian influence;
6. Do anything possible to halt the decreasing Chinese interests in Pakistan.²³

This clearly indicates that military had their own guiding principles to conduct foreign policy without interference from their civilian counterparts.

Both Pakistan and India came into existence in 1947 after the partition of the erstwhile British India. Both the countries fought four wars and their relationship since independence have been characterized by mutual distrust suspicion and hatred; the legacy of the pre-partition era. The cause of the deep confrontation between the two-neighbours was due to the question of Kashmir. The accession of Kashmir to India that took place on 26 October

1947 was both legal and lawful. In the words of Alan Campbell Johnson, "The legality of the accession is beyond doubt."²⁴ However Pakistan's failure to reconcile the reality of the accession of Kashmir to India became a bone of contention between the two countries.

Thereafter Kashmir became the main factor in Pakistan's foreign policy towards India. The domination of military in framing foreign policy vis-à-vis India was seen during the Ayub period also. After the defeat in 1965 war, Z.A.Bhutto suggested to president Gen. Ayub Khan to support the India's northeastern extremist groups to fragment India by cutting off its eastern parts. Ayub Khan was a professional military man, therefore he did not act fully on Bhutto's suggestions although he was not averse to the idea in general".²⁵ However, it was only after the process of Islamisation of Pakistan under the military rule of Gen. Zia that Kashmir acquired the position of core issue. Due to the Indian government's inept handling of the Kashmir problem, Pakistan started its new phase of violent policy in Jammu and Kashmir on July 31, 1988 which

²³ Cohen, No. 21, pp. 172-173.

²⁴ Appadorai, No.3, p.81.

²⁵ J.N. Dixit, Pakistan's India Policies: Role of Domestic Political Factors, *International Studies*, 32(3); July-September 1995, p. 232.

escalated into a full-fledged systematically designed proxy war from 1989 onwards.²⁶

According to a report on 'Operation Topac' published in July 1989 Gen. Zia conceived of 'operation Topac' in April 1988 and outlined the likely course of Pakistan's action in Kashmir.²⁷ During the post-Zia period also there has been no change in Pakistan's Kashmir policy and Gen. Beg had contended in 1989 that the earlier attempts to capture Kashmir had failed because Pakistan did not have a clear strategic vision. In order to mould the anti-India sentiments among the military personals, the Pakistan military Academy in Kakul has a separate course on the ideology of Pakistan which emphasized on the inculcation of an anti-Indian attitude. At the same time military leadership believed that their justification to go on procuring more arms and increasing their authority within Pakistan would lose if the hostility between the two countries is replaced by a rational and a cooperative approach.²⁸ Therefore, Pakistan's search for security has two objectives. First the augmentation of security against primarily from India and secondarily from Afghanistan. Secondly, the

²⁶ Kukreja, No.3,p.416.

²⁷ Ibid, pp. 416-17.

counter-balancing of India's military power by strengthening its defence arrangement with a backup of active diplomacy.²⁹

During the last two decades, the Pakistani Army's perception of India has become slightly realistic. One commandant of the staff college spoke (1990) of the palpably wrong image of India contained in the Military Staff College texts and lecture notes. He considered them as harmful to sound professional thinking and commissioned a new comprehensive study of India (Brig. Javed Hussain, *India: A Study in Profile*, Rawalpindi; Army Press, 1990) in the Staff College syllabus.³⁰

The assumption of power by Benazir Bhutto, the leader of PPP in Pakistan in 1988 was viewed in India as a positive sign that would facilitate the improvement of relations between the two countries. While no major shift in Pakistan's policy towards India was seen, the general expectation in India was that she might not indulge in Gen. Zia's favourite technique of creating tension along the border whenever it suited him internally in order to suppress

²⁸ Dixit, No.25,p.233.

²⁹ O.N.Mehrotra, Pakistan's Strategic Concern, *Strategic Analysis*, Vol. XIX, No.2, May 1996, p.255 and Lovis A Delvioe, Islamisation of Pakistan's Foreign Policy, *International Journal* (51)(1); Winter 1995-96, p.131.

³⁰ Cohen, No.21, p. 175.

his opponents.³¹ Three agreements on non-attack on each others nuclear installations, avoidance of double taxation and cultural cooperation had been signed by prime minister Benazir Bhutto with her India counterpart prime minister Rajiv Gandhi during latter's visit to Islamabad in the last week of December 1988.³² India also withdrew its objection to Pakistan's re-entry to the British Commonwealth, which allowed Pakistan to rejoin this organisation in 1988.³³ The fifth round of talks between the two defence secretaries of Pakistan and India on Siachen crisis which was held in Rawalpindi in June 1989 had reached an agreement to seek a comprehensive settlement on the redeployment of forces in order to reduce the chances of conflict, avoidance of the use of force, and the determination of future positions on the ground so as to conform to the Simla Agreement and to ensure durable peace in the Siachen area.³⁴ Unexpectedly, in this meeting Pakistan and India agreed to re-deploy their forces to the positions they held under the Simla Agreement 1972. Though it was a major turning point in Indo-Pakistan relations, Benazir Bhutto had already express her

³¹ Hindustan Times, New Delhi, 2 December 1988.

³² Hasan Askari Rizvi, *Pakistan and the Geo-strategic Environment: A Study of Foreign Policy*, Great Britain, 1993, Macmillan, 1993, p.47.

³³ Ibid.

³⁴ Iqbal Akhund, *Trial and Error: The Advent and Eclipse of Benazir Bhutto*, Pakistan, OUP, 2000, p.102.

eagerness to conduct Pakistan's relations with India within the ambit of the Simla agreement³⁵. During the Indian prime minister's second visit to Islamabad in July 1989, both the prime ministers expressed their desire to promote friendship and cooperation to reduce the tensions between the two countries³⁶ and it was followed by the third round of meeting of the Indo-Pakistan Joint commission which finalised a series of agreement to encourage bilateral cooperation regarding trade, agriculture, industry, health, culture etc.³⁷ However, the two prime ministers could not agree on the nuclear issue and Kashmir. At the same time military was also not happy with Benazir Bhutto's Policy towards India and in order to influence the army commanders to view her as being unreliable on security related matters, army's intelligence agencies collected enough evidence of dialogue between the two prime ministers.³⁸ While the military elites wanted Pakistan to support the secessionist movement in Kashmir, to internationalize the problem and to challenge India's hegemony in the region, Benazir Bhutto, on the other hand, believed in developing an association of

³⁵ Hindustan Times, 2 December 1988

³⁶ Rizvi, No. 32, p.47.

³⁷ Kalim, No.18, p.96.

³⁸ Rizvi, No. 19, p.207.

democratic countries instead of emphasizing on parochial security arrangement. Her view was that India should be seen as a democratic country and their relation guided by that spirit.³⁹ Therefore, any attempt on the part of Benazir Bhutto's government to improve the relation with India was criticised by both the IJI led by Nawaz Sharif and other parties and military establishment as a sell out to India. The worried ex military generals later on started establishing political parties, for instance, Awami Qaidat of Gen. Aslam Beg, Tehriq-e Ittehat of former ISI chief Hamid Gul etc. to safeguard the hold of the military on the political system in Pakistan.⁴⁰ Pakistan's clandestine support to the Kashmiri movement soured her relations with India and the visit of Abdul Sattar, Pakistan's special envoy and foreign minister Yaqub Khan to New Delhi in early 1990 did not reduce the mounting tensions and both the countries moved their forces close to the line of control and the international border. The new Prime ministers Nawaz Sharif and Chandra Shekhar followed the practice of high level talks and had their first meeting at Male in November 1990. The third round of talks between the Pakistani foreign secretary

³⁹ Shafqat, No.20, p. 666.

⁴⁰ Dixit, No.25, p. 234.

Shaharyar Khan and his Indian counterpart Muchkund Dubey held in Islamabad during mid December 1990, discussed a wide range of issues including, the ratification of the agreement signed in December 1988, resumption of regular telephonic contact between the director generals of military operations, Kashmir issue, withdrawal of Indian troops from Kashmir, Babri Masjid incident, nuclear non-proliferation etc.⁴¹ Again the issue regarding Kashmir, Siachen, nuclear question, the Wuller lake etc. came up for discussion in the successive meetings which were held in April (New Delhi), August (New Delhi) and October 1991 (Islamabad) but they could not resolve these issues.⁴² India and Pakistan signed a three-year extension of a bilateral railway passenger and freight traffic pact on July 7, 1991. This pact was signed between Chairman of the Indian Railways Board Mr. R.D. Kitson and his Pakistani counterpart Mr. S. R. Poonegar because the old railway agreement lapsed on June 30.

At the same time Pakistan rejected the Indian claim that Jammu and Kashmir was an integral part of India and said the

⁴¹ Shakoor Farzana, Jessica Theresa Dias and Mutahir Ahmed, Pakistan Foreign Policy, Quarterly Survey: October to December 1990, *Pakistan Horizon*, Vol. 44, No.1; January 1991, pp.6-8.

⁴² Rizvi, No. 32 p.49.

Indian claim lacked any legal political or moral justification.⁴³ Regarding the Indian nuclear threat Prime Minister Nawaz Sharif declared that, “ Pakistan will foil any attempt or attack on its nuclear installations with full force and will also wage a war against the country from whose soil such an attempt is made.” He again asserted that, “Pakistan’s nuclear programme is for peaceful purposes and that Pakistan will not compromise in this regard.” Surprisingly, India and Pakistan agreed to exchange prisoners of war held by both countries and on July 15, 37 Indian prisoners held in Pakistani Jails entered India and 39 Pakistani prisoners were sent home in a function held at Wagah Border.⁴⁴

Regarding the reported statement of US Ambassador to Pakistan Oakley that there could be a war between Pakistan and India over the issue of Kashmir, Prime Minister Nawaz Sharif announced that Pakistan believed in settlement of all disputes with India including Kashmir through peaceful means and the government had been making all efforts to achieve this objective.⁴⁵

⁴³ POT, Vol.XIX, No.134, July 12 1991, p.3173

⁴⁴ POT, Vol. XIX, No. 139, 18th July 1991.

⁴⁵ POT, Vol. XIX, No.160, August 13th 1991.

There was no breakthrough in Pakistani relations with India and in 1993 Pakistan blamed RAW (Research and Analysis Wing) for attempting to destabilize the country and for the major fire that severely damaged the Parliament building in Islamabad in 1993.⁴⁶At the same time, Pakistan tried to raise the Kashmir issue at different forums of the United Nations. In 1994 Pakistan succeeded in passing of a condemnatory resolution at the OIC (Organisation of Islamic Countries) meeting in Casablanca and the formation of an OIC contact group on Kashmir.⁴⁷

However, during 1994 government of Pakistan showed its desire to settle the Kashmir problem. Foreign minister of Pakistan Sardar Assef Ahmad Ali, proposing the six options to end the Kashmir problem, hinted at the possibility of accepting the option of an independent Kashmir.⁴⁸

Throughout the mid 1990s the relations between the two countries remained unchanged .The already strained relationship between the two countries became worse when both the countries tested nuclear weapon in May 1998. Ostensibly during the early

⁴⁶ Ian Talbot, *Pakistan: A Modern History*, New Delhi, OUP, 1998, p.336.

⁴⁷ Ibid.

⁴⁸ Amin Tahir, Pakistan in 1994: The Politics of Confrontation, *Asian Survey*, Vol. XXXV, No. 2, Feb.1995, p.145.

1999 Vajpayee took a bold initiative by launching a Delhi-Lahore bus service and both the Prime Minister Nawaz Sharif and Vajpayee signed the Lahore Declaration in February 1999 to redress various differences between the two countries.⁴⁹ Military leaders were not happy with this development and in mid 1999 Pakistani army launched Kargil operations. There were claims and counter-claims between the civilian government and the military establishment regarding the Kargil crisis. While the Nawaz Sharif tried to distance himself from the infamous Kargil adventure, military claimed that Kargil operation was launched by a joint decision of the civil and military leadership.⁵⁰ With the assumption of power by the military in Pakistan in October 1999 between India and Pakistan came to an end. Now, we shall discuss Pakistan's relations with United States particularly about the nuclear issue because this issue has been an important factor in shaping Pakistan's relations with the US.

Pakistan's relations with the United States also occupy an important place in her foreign policy. It is a complex relationship because, despite a convergence of interest and goals, as the case in

⁴⁹ The Times of India (New Delhi), 22nd February 1999.

the fifties and the eighties, they diverge on several issues, which produces ups and down in their relations. Pakistan joined the United States military alliances like the SEATO and CENTO in the 1950s as a policy to contain the communism, which was gaining impetus under the Soviet Union. Pakistan's joining of this alliances serve both ways; like the US could contain the growing communism and the collusion between the Soviet and China by using Pakistan; while on the contrary Pakistan benefited with the supply of US arms and logistical support.

Americans accepted Pakistan's involvement in this military arrangement without knowing properly the nature of the deep-rooted Indo-Pakistan crisis and the Americans never thought the use of US supply weapons against India.⁵¹ On the other hand, Pakistani leaders particularly military expected that, "the Americans would not only extend full diplomatic support to Pakistan's case on Kashmir but would also actively back Pakistan in the event of a war with India".⁵² Therefore, it was very clear that

⁵⁰ Frontline, Nov.6-19, 1999, Vol.16,No.23, p.6; Rizvi, no.6.p.XVI.

⁵¹ Pervaiz Iqbal Cheema, American Policy in South Asia: Interests and Objectives, in Stephen Philip Cohen, (ed), *The Security of South Asia; American and Asian Perspectives*, US, University of Illinois Press, 1987, p. 121.

⁵² Ibid.

the intention of the Pakistan's joining of western power bloc was to counter India not the communist force.

General Ayub Khan (during 1950s and 60s) and General Zia-ul-haq, (after the Soviet intervention in Afghanistan in 1979) were the main architects of Pakistan's policy towards United States. United States also preferred to talk with the military instead of the civilian leaders.

The relationship between the two countries during 1988 to 1999 have been dominated by the mutual suspicion, the irony is that apart from this the US imposition of the Pressler Amendment clearly shows the US distancing its policies towards Pakistan.

However, during this period despite the interference from the military establishment both Nawaz Sharif and Benazir Bhutto skillfully assumed the management and conduct of the nation's foreign policy. Though both the countries wanted to improve their relations, Pakistan's nuclear programme remained as the major irritant between Pakistan and the US. If we look at the genesis of Pakistan's nuclear policy we find that, "Pakistan had no wherewithal to make nuclear weapons till mid 1960s, firstly due to the economic and technological compulsions and secondly Pakistan

was ridden with the problem of frequent changes in its government it was a case of political instability till Ayub Khan came to power".⁵³Zulfikar Ali Bhutto who joined Ayub government in October 1958 was, "actively associated with the nuclear programme of Pakistan from October 1958 to July 1977".⁵⁴

Therefore, the origin of strengthening Pakistan's nuclear programme can be traced back to the Bhutto's period. It was reported that after assuming power he called a meeting of the top nuclear scientist of Pakistan and ordered for a nuclear bomb to be ready within three years.⁵⁵ Gen. Zia also continued the nuclear programme despite outside pressures, it was evident when, an Indian journalist reported in March 1987 that, Dr. Abdul Qadeer Khan (a leading Pakistani nuclear scientist) hinted to him in an interview in January about Pakistan having produced a bomb".⁵⁶ When Benazir took office in 1988, Pakistan was believed to have enough material for five to ten weapons and on May 18, 1989 CIA

⁵³ Brig Mohan Kaushik, Pakistan's Nuclear Policy, in Surendra Chopra, *Perspectives on Pakistan's Foreign Policy*, Amritsar, Guru Nanak Dev University Press, 1983, pp, 374-75.

⁵⁴ Z.A Bhutto, *If I Am Assassinated*, New Delhi, 1979, p.137.

⁵⁵ Bindra, no.2, p.287.

⁵⁶ Observer (London), 1st March 1987, quoted in Rizvi, no. 32, p. 103.

Chief William Webster testified to Congress that, “clearly, Pakistan is engaged in developing a nuclear capability”.⁵⁷

Unfortunately on 1st October 1990, due to the inability of the US president to certify that Pakistan did not possess a nuclear weapons led to the imposition of the Pressler Amendment”.⁵⁸ This cut US economic and military aid to Pakistan worth between \$ 564 million and \$ 578 million marked for 1991.⁵⁹ And it also prevented the delivery of 71F-16 fighters and spare parts to Pakistan.⁶⁰ However, it was not an unexpected one and it was very clear that the American had the prior knowledge of Pakistan’s nuclear programme. In this regard, John Glenn, a former chairman of the Senate Foreign Relations Committee rightly remarked that, “since the enactment 15 years ago, the Glenn/Symington standards have applied to all nations with only one exception i.e Pakistan. The constraints in this legislation have been waived just for Pakistan not once, but five times over the last decade, mainly to facilitate US efforts to end the Soviet occupation of Afghanistan”.⁶¹

⁵⁷ Jasjit Singh, Military Power of Pakistan, World Focus, Annual Nos.10(11-12); Nov-Dec 1990, pp. 52-53.

⁵⁸ Mehrotra, no. 29, p. 254; Chintamani Mahapatra, Pak Struggle Against Pressler, *Strategic Analysis*, vol.XVII, no. 4, July, 1994, p. 492.

⁵⁹ Farzana, no. 41, p.3.

⁶⁰ Talbot, no. 46, p.312.

⁶¹ Chintamani Mahapatra, “South Asian Nuclear Scene and US Foreign Policy Process, *Working Paper*, School of Public Affairs, University of Maryland, 1993; quoted in Mahapatra, no. 58, p. 492-93.

However, one important reason for the imposition of Pressler Amendment in 1990 was the dramatic end of the Afghan crisis and the end of the super power rivalry after the collapse of the former Soviet Union. More over the strategic significant which Pakistan provided during the Afghan crisis as a frontline state, now no longer holds any importance. Significantly in Pakistan, it was the nuclear programme, which dominated the strategic calculation under the direct control of the military, which did not disclose its details to the civilian government. It was during the first tenure of Prime Minister Benazir that the nuclear programme became a policy of covertness as the military consider Benazir as unreliable, as Rizvi rightly puts, “kept in dark about the most sensitive aspects of the nuclear programme”.⁶²

Pakistan’s relations with the United States in the 1990s were concerned with regional conflicts, the Persian Gulf crisis and subsequent US actions against Iraq and the decision of the Pakistan’s civilian government to support the U.S. were criticized by the military top brass. In December 1990, Gen. Islam Beg advocated his, “strategic defiance, which essentially focused on

⁶² Rizvi, no1 9, p.207.

USA as a potential adversary regarding national security".⁶³ Pointing out that US-Pakistan security ties had entered an era of agonizing uncertainty and US aid was not Pakistan's inalienable right, Brig (ret'd.) A.R. Siddiqui said, "Pakistan may never be the same again in US perception..... a new equation will have to be worked out on the basis of generosity on US part and realism on Pakistan's part."⁶⁴ The Nawaz Sharif government grappled unsuccessfully with a number of external trouble spots. The Gulf Crisis severely affected remittances from, and exports to Iraq and Kuwait. Pakistan also lost its strategic significance it had gained from the geopolitics of the cold war, which implied a new phase for her foreign policy in the new era. Military aid and geopolitical configurations would no longer remain the predominant feature of Pakistan's aid programs and security imperatives. Disputes with India continued particularly over Kashmir and Indo-Pak disarmament issues, and no major reconciliation was in sight. Instead of trying to improve their relations, US Department of State placed Pakistan on the watch list of countries allegedly sponsoring terrorism in January 1993 and in August United States

⁶³ Singh, no.57, p.54.

⁶⁴ POT. Vol.XIX., No.144, July 24,1991.

again imposed trade sanctions against Pakistan and China for supplying of M-11 missiles to Pakistan from China.⁶⁵ This transfer of M-11 missiles to Pakistan violates the very nature of the principles of the Missiles Technology Regime. The military leadership disturbed by the Pakistan's image abroad and keen to obtain weapons, conclude that Nawaz Sharif was not serious to counter such challenges.

The stained relationship between the two countries had been replaced by a new phase of cordiality after the withdrawal of Pressler Amendment, during Benazir's visit to the US in 1995. Benazir's Bhutto government active diplomacy led to the removal of Pakistan's name from the United States State Department watch list of countries supporting terrorism.⁶⁶ and on 21st September 1995 the US Senate passed Hank Brown Amendment to lift the sanctions imposed under Pressler Amendment in 1990.⁶⁷

Under this new amendment, over \$ 368 million worth military weapons would be delivered which Pakistan had paid earlier in 1990 and would reimburse Pakistan for the F-16 A fighter

⁶⁵ Talbot, no. 46, p. 317.

⁶⁶ Rizvi, no19, p.220.

⁶⁷ C.V Uday Bhaskar, Pakistan in New post-Cold War Strategic context, *Strategic Analysis*, Vol.XVIII, No.10, January 1996, p. 1303.

aircraft.⁶⁸ However, Pakistan's decision to conduct nuclear test on May 1998, the Kargil incursion (1999) and the military take over of Nawaz Sharif government (October 1999) cast a shadow over her relations with the United States. Strategically as well as from the security point of view Pakistan military considered Pakistan's relations with Afghanistan as an important one. The removal of Daud government by the People's Democratic Party of Afghanistan (PDPA), under president Tarakki in April 1978 was interpreted by Pakistan and western powers as a communist coup in Afghanistan.⁶⁹ However, Pakistan military under the leadership of Zia with the help of US started involving in Afghanistan only after the Soviet intervention in Afghanistan in 1979 and developed a vested interest in the continuance of the Afghan crisis. It was generally agreed that Pakistan's Afghan policy was always being authored by the Inter-Services Intelligence (ISI) agency and the military. In this regard, Adil Zareef rightly said, "The ongoing power struggle in Afghanistan is the result of protracted civil war at the height of the cold war that resulted in a leadership crisis. It was deliberately created by Pakistani intelligence agencies. Gen. Zia-ul-Haq's regime intentionally victimised

⁶⁸ Robert Laporte, Pakistan in 1995: The Continuing Crisis, *Asian Survey*, 36 (2), Feb. 1996, p. 188.

⁶⁹ Kulwant Kaur, Pak- Afghan Relations, in Surendra Chopra, *Perspectives on Pakistan's Foreign Policy*, Amritsar, Guru Nanak Dev University Press, 1983, pp. 325-26

the indigenous leadership of Afghanistan..."⁷⁰ Pakistan military got involved in Afghan problem from 1970 onwards with three objectives:

1. To establish a friendly regime in Kabul to solve the border crisis,
2. To have a close relationship with central Asian Republics;

To meet the emotional linkages of Pakhtoons inhabited on both sides of the Durand Line.⁷¹

However, perception of civilian and military establishments diverged on how to resolve the Afghan problem. Benazir Bhutto also favoured the policy of Junejo vis-à-vis Geneva Accord on Afghanistan and the military believed that Bhutto did not fully comprehend Pakistan's strategic interests. It was evident in April 1989, when, "ISI insisted the civilian government to recognise the Mujahideen coalition government, with the latter refusing on grounds of its divisive nature. Th ISI gave an assurance that Jalalabad would fall to Mujahideens within two days, but even after seven weeks time they failed to capture it."⁷² The rise of Taliban and its subsequent offensive and the fall of Kabul in their hands on September 26-27, 1996 were good examples of Pakistan's military's direct involvement. The Taliban's control of most of Afghanistan territory also shaped Pakistan's relations with Iran. Earlier in October 1989, Iran

⁷⁰ Adil Zareef, Light at the End of Tunnel of War, The News, August 6, 1997; Quoted in Sreedhar, Pakistan's Afghan Policy at the Cross-Roads, *Strategic Analysis*, Vol. XXI, No.8, November 1997, p. 1176.

⁷¹ Sreedhar, No16, p. 1175-76.

⁷² Hindustan Times, 27 April 1989.

convened a meeting on Afghanistan and atleast two leaders of the Peshwar-based interim government Mujadidi and Rabbani agreed to attend it to resolve the Afghan crisis while other leaders like Gulbuddin Hikmatyar and Siaf were sidelined by the Pakistani government.⁷³ Another meeting aimed at resolving Afghan crisis “was called by Iran on October 27-28, 1996 inviting all the parties involved in the Afghan problem. Directly or indirectly including India, unfortunately Pakistan refused to participate in it and lost a good chance to resolve its differences with Iran.”⁷⁴ Pakistan military’s initiative to establish close relationship with the Central Asian Republics (CAR) also annoyed Tehran. “The unending civil wars in Afghanistan became a beg hurdle for Pakistan to establish links with CAR. The other route to the CAR is through Iran but due to strained relations between Islamabad and Tehran Pakistan’ s efforts to establish close links with the CAR failed.”⁷⁵ ‘Pakistan recognised the Taliban regime on May 25, 1997, it was followed by Saudi Arabia and the United Arab Emirate however, “the recognition of Taliban by Pakistan was a hasty decision, totally unwanted at that juncture.”⁷⁶ Contrary to the Pakistan’s support to the Taliban regime, the opponents of Taliban in northern Afghanistan depended heavily on Iran and Central Asian Republics. In this regard Anwar H. Syed rightly said,

⁷³ Kalim, No. 18, p. 100.

⁷⁴ Sreedhar, No. 16, p. 1181.

⁷⁵ Mehrotra, No. 29, p.250.

“Both Iran and Pakistan call for a ‘broad-based’ government in Kabul, yet Pakistan remains a major source of funds, food, and weapons for the Taliban, while Iran supplies the Northern warlords and their armies.”⁷⁷

China’s interest in Pakistan had a long term strategic dimensions to contain India china has been the main arms supplier of the Pakistan military. The relationship between the two countries remained unchanged even after the end of military rule of Gen. Zia. Though, the Sino-Pak relations (political, economic and military) have been maintained for the last more than four decades but there has been a serious irritant between them that may jeopardise their relations. According to O.N. Mehrotra, “ The irritant has been the Jammat-e-Islami’s sponsored religious education and training for Muslims of Xinjiang at the Islamic University in Islamabad, the Sayed Maudoodi International Institute in Lahore and other Madarassahs across the country.”⁷⁸ Therefore, China has constantly been urging Pakistan, to control the activities of the religious groups.

Since 1980s Chinese leaders also avoided interfering in the Kashmir issue and emphasized more than ever the need of negotiated settlement of it between the India and Pakistan. In 1980 Chinese leader

⁷⁶ Sreedhar, No. 16, p.1183.

⁷⁷ Anwar H.Syed, Pakistan in 1997: Nawaz Sharif’s Second Chance to Govern, *Asian Survey*, 38(2), 1998(February) p.125.

⁷⁸ Mehrotra, No. 29, p.251.

Deng Xiaoping said “Kashmir is a bilateral problem between Pakistan and India which the two countries should settle amicably.”⁷⁹

One important reason for the shift in Chinese position on Kashmir was the demand of the Kashmiri militants to create an Islamic state. With the changing international scenario and power structures, China also started rebuilding its relations with India. However, in 1997, it was reported that “China was providing nuclear and missile technology to Pakistan and US was believed to have asked China to terminate this kind of technology transfer; but according to sources in Pakistan, Beijing rejected this demands.”⁸⁰ From the above discussions we can conclude that during the period of democratic government of Benazir Bhutto and Nawaz Sharif, foreign policy and the defence policy were under the direct control of military leadership. Whether it was Kashmir, Nuclear policy or Afghan policy it was the military which involved directly or indirectly through its intelligence agencies such as ISI and MI. However, this does not mean that Civilian leaders acted only on the advice of the military top brass. Benazir Bhutto and Nawaz Sharif also tried at their maximum level to show their ability in conducting and managing foreign policy.

⁷⁹ Rizvi, No. 32, p. 154.

⁸⁰ Syed, No.77, p. 125.

Chapter-4

Re-emergence of Military and Decline of Democracy

CHAPTER 4

RE-EMERGENCE OF MILITARY AND DECLINE OF DEMOCRACY: NAWAZ SHARIF'S SECOND TERM

Nawaz Sharif became prime minister for the second time on 17th February 1997 with the support of MQM (A), the Awami National Party and some independents. The election manifestos of both the major political parties (PML(N) and PPP) gave emphasis on resolving the Kashmir problem and establishing a friendly relationship with India.¹ Nawaz Sharif's Pakistan Muslim League also hinted its eagerness to expand trade relations with India. Nawaz Sharif government and Pakistani media denounced the presence of the large Indian military force in Kashmir and its atrocities. But the Prime Minister of Pakistan wanted to expand trade relations with India because Pakistan could buy raw materials and finished products from India at lower costs and there was some serious talk of Pakistan selling electric power to Indian states of Punjab and Haryana.² However, major Islamic Parties disapproved his Kashmir policy because of India's oppression in Kashmir. Elements in the business community were also feared that expansion of trade would hurt their interests because, they might not be able to compete with their

¹ Sreedhar, Pakistan: Benazir's Dismissal to Elections, *Strategic Analysis*, 20 (1), April 1997, pp. 35-36.

Indian counterparts. During his second term in office, Nawaz Sharif was in a much better position as compared to his predecessor. His brother Shahbaz Sharif also became the chief minister of Punjab which put him in a more advantageous position. Though Nawaz Sharif became the most powerful prime minister Pakistan ever had, he himself became a victim of his own military chief who successfully ousted him from power and put him under house arrest in a bloodless military coup on 12th October 1999. This period also witnessed a deep confrontation between the prime minister and the chief justice and to some extent with the president which led to the resignation of both the chief justice and the president. This confrontation between the prime minister and the chief justice severely damaged the independence and integrity of the judiciary.

This chapter will examine the role of the prime minister who repealed successfully the Eighth Amendment, the most controversial power of the president, the role of the military during the confrontation among the prime minister, the president and the chief justice and lastly various causes of the fourth military coup.

Despite the overwhelming majority PML(N) got in the National Assembly, Nawaz Sharif's fear of another dismissal by the president compelled him to introduce the 13th Constitutional Amendment in the National Assembly. The National Assembly passed the 13th

² Syed, H. Anwar, Pakistan in 1997: Nawaz Shrif's Second Chance to Govern, *Asian Survey*, 38 (2), 1998

Constitutional Amendment with 190 votes on 1st April 1997 and the Senate approved it with 79 votes³. Significantly, Nawaz Sharif consulted the army chief before presenting the 13th Amendment in the National Assembly. Since the adoption of the 8th Amendment in 1984, four elected governments had been dismissed by the successive presidents including the government of Mohammad Khan Junejo. Therefore the 13th Amendment to the constitution withdraw the power of the president to dismiss the government and to dissolve the National Assembly arbitrarily⁴. Benazir Bhutto praised the prime minister for removing the discretionary powers of the president which had hung over every elected governments since 1988⁵. The causes of the sudden action of the prime minister was the disagreement about the appointment of Sindh Governor between the prime minister and the president and the president's directive to give a Senate ticket to his brother Maqsood Leghari⁶. So, after the removal of the 8th Amendment Nawaz Sharif was able to use his absolute majority to tighten his personal hold on power and to remove all political and constitutional restraints on it⁷. In the words of Mohammad Waseem, "This step elicited praise from all political parties for heralding

(Feb.) p. 124

³ Surendra Nath Kaushik, *The Sharif Regime and the Military Takeover*, in Ramakant and others (ed), *Contemporary Pakistan: Trends and Issues* vol.II, Delhi, Kalinga Publications 2001, p.279.

⁴ Anupama, *The Eighth Amendment: An Instrument of Authoritarian Politics*, in Ramakant and others(ed), *Contemporary Pakistan : Trends and Issues*, vol.II, Delhi, Kalinga Publications 2001, p.75.

⁵ Ian Talbot, *Pakistan : A Modern History*, New Delhi, OUP, 1998, p.360.

⁶ *Ibid.*, pp. 360-61.

⁷ Iqbal Akhund, *Trial and Error: The Advent and Eclipse of Benazir Bhutto*, Karachi, OUP, 2000, p.329.

an era of true parliamentary democracy in the country.”⁸ Within a short period, the prime minister introduced and parliament again passed the Fourteenth Amendment to the constitution which authorized the leaders of the parliamentary parties to expel from the legislature any member who violates party discipline that is, who acts against his/her party, and the expulsion cannot be challenged in any law courts.⁹ It was basically made to empower the prime minister to protect the federal and provincial governments from unreasonable demands from party colleagues and their threats to leave the government if the demands were not fulfilled. This virtually made Nawaz Sharif stronger and unchallengeable¹⁰. But the apex court later suspended the operation of the controversial 14th Amendment.

However the most important controversy during this period was the conflict between the prime minister and the chief justice which subsequently led to the resignation of both the chief justice and the president. Though it was not clear what role the military played during this crisis, it was reported that military had cautioned President Leghari about confronting the newly elected government of Nawaz Sharif.¹¹

⁸ Mohammad Waseem, *Democratisation in Pakistan : A Decade of Trials and Tribulations*, *International Journal of Punjab Studies*, 5 (2), 1998, July –Dec, p. 196.

⁹ Anwar H. Syed, *Pakistan in 1997: Nawaz Sharif's Second Chance to Govern*, *Asian Survey*, 38(2), 1998 Feb. p.119

¹⁰ Hasan Askari Rizvi, *Military, State and Society in Pakistan*, Great Britain, Macmillan, 2000, p. 227

¹¹ Stephen P. Cohen, *The Pakistan Army: 1998 Edition with a New Foreword and Epilogue*, Karachi, OUP, 1998, p. 166

The federal government again introduced a more controversial law- The Anti-Terrorist Act, in August 1997 which empowered the police and other security agencies to conduct house searches and arrest without prior permission and to set up parallel justice system of summary trial courts.¹² The chief justice had serious reservations of this Act because provisions of this law were a departure from established legal principles which violated the constitutional guarantee of equality before the law.¹³ With the increasing role of the judiciary the government decided to curtail the power of the courts. Therefore, the actual confrontation started when the chief justice asked the government to fill up five vacant posts of Supreme Court judges with his own nominees. Nawaz Sharif did not like some of the nominees, so instead of appointing them he responded by recommending the reduction of the size of the Supreme court from existing 17 judges to 12.¹⁴ The position taken by the president at this crucial juncture also strengthened the constitutional crisis. It clearly shows that neither the prime minister, the president nor the chief justice tried to reach an amicable solution to diffuse the situation. Instead, on 29 October '97 Supreme court suspended the 14th constitutional Amendment on the defection of the members of the Assemblies. While presenting an amendment to the Contempt of Court

¹² Talbot,no.5 ,pp.361-62

¹³ Syed,no.9,pp119-20

¹⁴ Waseem,no.8. pp.207-8

Law in the National Assembly Nawaz Sharif and some of the parliamentarians criticised the ruling of the Supreme Court and the action of the chief justice. Against the provisions of the Article 62 which forbids any discussion on the chief justice, the speaker of the National Assembly allowed the leader of Awami National Party Esfandiyar Wali Khan to criticise the chief justice. He said, "The chief justice has shred the law to stop 'Lotacracy' (horse trading) . No power on earth can stop our speech. We did not know that when we reached this house we would become rubber stamps for a chief justice. His giving a stay to the 14th Amendment, the anti-defection law, has given freedom to future 'lotas' who are really political prostitutes."¹⁵ Several members of the bar then filed petitions in the Apex court asking for Nawaz Sharif's disqualification as an MP on the grounds that he had criticised the ruling of the court.¹⁶ A number of petitions were also filed by the opposition leaders against the prime minister. On 30 November 97 the supreme court asked the president to intervene and notify the appointment of the five judges, by invoking the clause 190 of the constitution.¹⁷ It became a dilemma for the president in the sense that ,if he obeyed the court, he would violate the constitutional provisions requiring him to act only on the advice of the leader of the National Assembly or the cabinet. If he refused, then

¹⁵Outlook, vol.III.no.46,November 10,1997,pp.41-42.

¹⁶syed,no.9, p.12

the highest functionary of the Republic would be disobeying the highest judicial authority.¹⁸Therefore, the President decided to support the chief justice and asked the prime minister to implement the order of the supreme court . The president also refused to accept the government's recommendation to sack the chief justice , despite his censure by an emergency session of the National Assembly .¹⁹Surprisingly ,when the court began to hear petition against the prime minister on 31st October, Nawaz Sharif moved a bill in the National Assembly accepting the court's ruling to appoint five judges recommended by the chief justice .The Senate also unanimously adopted the bill passed by the Lower House of the parliament after the prime minister made the surprise announcement that he was accepting Justice Shah's recommendations. But the prime minister did not accept the defeat in the ongoing crisis and he was able to divide the judges of the supreme court to challenge the authority of the chief justice and the president. The first sign of the crack among the judges came into open when the Quetta Bench of the supreme court suspended the chief justice and recommended a full bench of supreme court to initiate proceedings against the appointment of the chief justice . Peshwar Bench of the supreme court also supported the verdict of the Quetta Bench and appointed Justice Ajmal Mian as acting

¹⁷ Talbot,no.5,p.362.

¹⁸ Outlook,vol.III,no.46,November 10,1997, pp.41-42.

Chief Justice of Pakistan. On the other hand , Chief Justice Shah also refused to compromise with the prime minister and on 28 November '97 ,he initiated contempt of court proceedings against the prime minister which led to the attack of the supreme court building by the PML(N) legislators and supporters . On the final day of the conflict , a bench of the supreme court led by the chief justice Sajjad Ali Shah suspended the 13th Amendment in a hasty verdict and thus restored the power of the president to dismiss the federal government and to dissolve the National Assembly . However, the rival bench of the court suspended the ruling within minutes (9-0).²⁰It led to the complete breakdown of the government machinery in the state and the military was compelled to mediate between the rival groups . During the entire episode the army chief had played a very crucial role . Army Chief ,Gen. Jahangir Karamat held separate meetings with the president, the prime minister and the chief justice . It was believed that on 31st October Nawaz Sharif was forced by the military to accept the recommendations of the chief justice . When the confrontation intensified the military refused to support the chief justice and the president, because of the government's support both inside and outside the parliament. Therefore, the top brass of the military thought that the exit of the president and the chief justice

¹⁹ Talbot, no.5,p. 362.

²⁰ Waseem,no.8,p. 208.

would save the country from further constitutional and political instability . Under such circumstances president Leghari had no option and he decided to step down on 2nd December 1997. Within few days chief justice Sajjad Ali Shah was dismissed by the acting President ,Senate Chairman Wasim Sajjad. Mr. Mohammad Rafiq Tarar, a family friend of the prime minister was appointed as the new President on 1st January 1998. Hence by easing out both the president and the chief justice Nawaz Sharif became the most powerful prime minister of Pakistan .Basically , the military supported the prime minister because ,unlike his first stint in power Nawaz Sharif restrained himself from interfering in internal affairs^{of the army.}† It was evident in the resignation of the Naval Chief in April 1997. Before asking the naval chief to resign he held a meeting with the army chief. Another reason was the government's acceptance of the General Headquarters' proposal to allow the Army chief to hold the post of Chairman , Joint Chiefs of Staff Committee after the retirement of the incumbent Chairman , JCSC Air Marshal Farooq Feroz Khan in November 1997.²¹Therefore, military refused to support the chief justice and the president and allowed Nawaz Sharif to strengthen his position further.

The cordial relationship between the government and the military remained unchanged even after the end of the constitutional crisis. It

²¹ Rizvi , no.10 ,p.228.

was evident in March 1998, when the army was deployed for the first time during census enumeration. Another important instance was the use of military to root out 'ghost School' among the 56,000 government funded primary schools in Punjab in early 1998. The operation uncovered 4,000 such schools at an estimated annual cost to the exchequer of Rs1.4 billion.²²

As already discussed in the third chapter, Pakistan had conducted nuclear tests on 29th May 1998 as a reply to India's Pokhran II nuclear tests. The decision to conduct the nuclear tests had been taken by prime minister and his cabinet on the recommendations of the top military commanders. However, Nawaz Sharif's lust for power led him to introduce the 15th Amendment to the constitution to create a new Islamic system in Pakistan and establish a whole legal system based on the Koran and Sunnah which attracted a wide condemnation from different sections of society in August 1998. While moving the Bill in the National Assembly Nawaz Sharif said, ' The amendment would establish the supremacy of the Koran and the Sunnah (sayings of Prophet Mohammad) and deal firmly with rampant incidents of terrorism, lawlessness, injustice, corruption and mismanagement.'²³ He again defended the bill by saying that the move was meant to solve all the

²² Talbot, no. 5, pp.263-64.

²³ The Times of India 29/8/98.

problems faced by the people.²⁴ However, most of the opposition parties condemned the move of the prime minister. They charged that the introduction of the bill was a desperate attempt to save the sinking ship of political power by diverting the attention of the general masses from the real issues in the name of Islam.²⁵ Asma Jahangir, a prominent human rights activist and lawyer criticised the bill and said, "In the name of Islam, Mr. Sharif is trying to perpetuate a Fascist rule...It repeals the entire constitution."²⁶ The president of the Millat Party, former President F.Ahmad Leghari also criticised the bill as it sought to amend the normal procedure of amending the constitution by a simple majority of the members present in the National Assembly or the Senate instead of two-thirds majority of the total membership of parliament.²⁷ The most forceful condemnation came from the former prime minister and leader of opposition Benazir Bhutto. She said, "This is an attempt to divert people's attention from the country's problems by misusing the name of Islam for political gains."²⁸ Despite criticism from different opposition camps the Fifteenth Constitutional Amendment Bill was

²⁴ Public Opinion Trends, Analyses and News Service, Pakistan Series, Vol. XXVI, No.224, New Delhi, Sept.21, 1998.p.64

²⁵ POT, Analyses and News Service, Pakistan Series, Vol. XXVI, No.221, N. Delhi, September 18, 1998, pp.2864-69.

²⁶ The Times of India, 30/8/1998

²⁷ POT, Analyses and News Service, Pakistan Series, Vol. XXVI, No.221, N. Delhi, September 18, 1998, pp.2868-69.

²⁸ The Times of India, 30/8/98.

passed in the National Assembly in October 1998 by 151 votes to 16; the controversial law remained to be ratified by the Senate²⁹ where the ruling PML(N) lacked majority. However, the controversial bill got support from an unexpected quarter i.e. the president. On August 28 president Rafiq Tarar congratulated the prime minister on introducing legislation in the National Assembly to make Quran and Sunnah as supreme law of the country. In the words of president Rafiq Tarar, "Islam gives complete guarantee for the rights of minorities and Non-Muslim minorities would enjoy exemplary rights and concession."³⁰ Later on, prime minister Nawaz Sharif conceded that the government was not in a position to get the 15th constitutional Amendment Bill passed by the Upper House of the parliament after MQM (A) a coalition partner of Nawaz Sharif government at the centre refused to support the Bill in the 87-member house.³¹ In the words of Iqbal Akhund, "The culmination of Nawaz Sharif's drive for power was a constitutional amendment, which in the name of promoting Islam, would have allowed the writ of the government to override any existing law or constitutional provision. Only the lack of the requisite majority in the Senate prevented Nawaz Sharif from carrying out a virtual coup against the constitution!"³²

²⁹ The Europa World Year Book 2000, 41st Edition, Vol. II, London, Europa Publications Limited, 2000, p. 2823.

³⁰ POT, Analyses and News Service, Pakistan Series, Vol. XXVI, No.221, N. Delhi, September 18, 1998, pp.2868-69.

³¹ The Times of India, 19/10/98.

³² Akhund, No. 7, p.330.

Prime minister Nawaz Sharif's attempt to consolidate and strengthen his position and the domination of Punjab over other provinces of Pakistan also led to the increasing disharmonies among the coalition partners in the provincial Sindh and NWFP governments. The Pakistan oppressed Nationalities Movement (PONM), a combined force of leading regional parties condemned the federal government of Sharif for further extending Punjabi hegemony over the rest of the nation.³³ The Awami National Party (ANP) was the first party to withdraw support to the coalition government in February 1998 amid claims that Nawaz Sharif had backtracked on his earlier commitment to rename North West Frontier Province as 'Pakhtoonkhwa'.³⁴

Similarly, the coalition government in Sindh led by the PML(N) suffered a severe setback in late October 1998 when the MQM(A) (coalition partner in Sindh Provincial government) withdrew its support to the provincial coalition government. MQM(A) was provoked to withdraw its support by the federal government's undue interference in the provincial affairs of the Sindh. Despite firm resistance shown by the MQM(A), on 30 October the Provincial legislature was superseded and the strife-torn province was put under 'Governor's Rule' in an effort to

³³ Kaushik, No.3, p. 280.

³⁴ Talbot, No.5, p. 365.

curb the relentless violence.³⁵ Prime minister Nawaz Sharif called in the Army to suppress violence in the city of Karachi and suspended all fundamental rights in the province. He also announced setting up of anti-terrorist military courts in Karachi, which were designed to decide cases within days, not weeks and months.³⁶ According to reliable sources leaders and supporters belonging to MQM(A) were tortured, arrested and harassed by the security forces and were implicated in false cases of subversion and terrorism.³⁷ MQM(A) severely criticised the Nawaz Sharif government's move to establish military courts in Karachi and warned of 'revenge' if the atrocities against Mohajirs were not stopped. Realising that his decision to form the coalition government in Sindh in 1997 with Punjabi dominated Party PML(N), MQM(A) leader Altab Hussain said, "There is a great urgency for a broader understanding between the Sindhis and Mohajirs to safeguard the interests of the province."³⁸

The Supreme court of Pakistan came to the rescue of the terrified people of Sindh. In January 1999, in a landmark judgement Supreme court of Pakistan stayed all execution orders handed down by the special military courts in Karachi pending a final decision on the validity of these courts. In mid-February 1999 the Supreme court declared that military

³⁵ The Europa World Year Book 2001, 42nd Edition, Vol. II, London, Europa Publications Limited, 2001, pp. 3064-65.

³⁶ The Times of India, 21/11/1998.

³⁷ Kaushik, No.3, p. 281.

³⁸ Ibid,

trials could not be used for cases against civilians, thus sparing 14 people from execution and effectively barring the set-up of military tribunals throughout the country. The court also ordered the transfer of the cases to civilian anti-terrorist courts.³⁹ In this way, both the Sindhis and Mohajirs came to realise that their common enemy was the ruling Punjabi elite and they once again came close to each other. During this entire period military took a neutral position and supported the civilian government. However, military could not remain as a mere spectator and in the last military realised that the deteriorating economic and political conditions adversely affected their professional and corporate interests. The Army's position in Pakistan could not be compared with any democratic country. Half of Pakistan's independence life had been spent under the jackboots of the army and its martial laws. Therefore, in early October 1998 chief of Army Staff Gen. Jahangir Karamat advocated the need to create a National Security Council to institutionalise the decision-making to avoid any political instability in the country, during his annual address at the Pakistan Navy War College in Lahore.⁴⁰ Gen. Karamat had suggested the establishment of a structurally tiered system with clear responsibility at each level and a 'National Security Council' at the top would institutionalize decision-making if it was backed by a team

³⁹ The Europa World Year Book 2001, 42nd Edition, Vol. II, London, Europa Publications Limited, 2001, p. 3065.

⁴⁰ The Times of India, 7/10/1998.

of credible advisers and experts.⁴¹ As I have mentioned in the second chapter, an NSC with a different name was formed in late 1996 by the then president Leghari after the dismissal of Benazir government; it held only one meeting. When Nawaz Sharif came back in February 1997 with a two-thirds majority, he allowed it to quietly fade away.⁴² But the views expressed by the COAS was a strong indictment of the government. Prime minister held talks with top leaders to chalkout an appropriate reaction to Gen. Karamat's suggestion. Later on, he expressed displeasure on the general's statement. In a dramatic development powerful Army chief , Gen. Jahangir Karamat decided to step down rather than withdraw his remarks.⁴³ So, for the first time in the history of Pakistan a serving Army chief was forced to resign.⁴⁴ Prime minister accepted the resignation of the Army chief and appointed Lt. Gen. Pervez Musharraf an Urdu speaking Mohajir from Karachi as the new chief of Army staff.⁴⁵ But the problem with the army did not end with the apponitment of Gen. Musharraf as the New COAS. Two senior officers- Gen.Ali Quli Khan, the next in line to be the Army chief of staff, who was bypassed in the process and Gen.Khalid Nawaz submitted their resignations. Former army chief Mirza Aslam Beg, questioned what Mr.

⁴¹ Ibid,

⁴² Ibid,

⁴³ Rizvi, No.10, p.232.

⁴⁴ The Europa World Year Book 2000, 41st Edition, Vol. II, London, Europa Publications Limited, 2000, p. 2823.

act of contempt against Pakistan, amounting to the most contemptible treachery."⁴⁸ Around four days before the arrest of N. Sethi, Hussain Haquani a columnist was also arrested in the wake of the controversy surrounding a film being made by BBC on the alleged corruption by Sharif family.⁴⁹ Another journalist Rehmat Shah Afridi editor and owner of the Frontier Post was arrested for alleged drug smuggling. In this way Nawaz Sharif government tried to suppress freedom of the press.

Causes of the Fourth Military Takeover on 12 October 1999:

The strained relationship between the civilian government and the armed forces goes as long back as 1997 when the first signs of Nawaz Sharif's autocratic tendencies became evident in action that systematically emasculated the presidency (15th Amendment April 1997), the party politics (14th Amendment mid 1997), the judiciary (November-December 1997), the Karamat episode (October 1998) and the press(early 1999). Though a number of factors led to the military takeover on 12 October 1999, the Kargil war and the decision of Nawaz Sharif to withdraw Pakistani forces from Indian territory annoyed the military establishment and compelled the military to take some necessary actions against the civilian government to safeguard the prestige, credibility and the corporate and professional interests of the Army.

⁴⁸ Politics India, Vol. III, No. 12, N. Delhi, June 1999., p.31.

⁴⁹ Ibid.

Now, we shall discuss some of the important factors of the Fourth military coup. One of the important factor of the 4th Military Coup was Nawaz Sharif's style of functioning and whimsical governance by appointing trusted loyalists to important positions so that there was no resistance to the policies made by the prime minister in consultation with a coterie hailing from the Lahore area which led to differences within the government as well as with the military establishment also.⁵⁰

Another factor was the war of supremacy between the intelligence agencies i.e. ISI and MI(Military Intelligence). According to Bidanda M. Chengappa, "Pakistan's recent military coup is a culmination of the struggle for power between Prime Minister Nawaz Sharif and COAS General Pervez Musharraf over the past year. In the fight for survival, both the political and military leaderships used their respective intelligence agencies to neutralise the influence of the other."⁵¹ Both ISI and MI came into being in 1948, but MI did not really evolve a culture of professionalism due to its involvement in Rawalpindi conspiracy case of 1951(the abortive coup of major general Akbar Khan). Significantly, the DG(Director General) ISI reports directly to the PM and his loyalties are towards the prime minister. On the other hand, the Director General –MI

⁵⁰ Rizvi, No. 10, p. XV

⁵¹ Bidanda M.Chengappa, Pakistan's Fourth Military Takeover, *Strategic Analysis*, December 1999, Vol.XXIII, No. 9, pp. 1442-43.

reports to the military chief through the chief of General Staff.⁵² Regarding this matter Nawaz Sharif appointed Lt. Gen. Khwaja Ziauddin without proper consultation with the COAS. The army, which was a traditional power centre, now felt threatened by the activities of the ISI because of Ziauddin's secret visit to the Us and the alleged charges of leaking secret reports to the press by both ISI and MI.⁵³

The political leadership's inability to realise the nature of Pakistani politics that stability of the government depended on trouble-free interaction with the military top brass was also a genuine factor for military intervention. In this way encouraged by the forced retirement of Gen. Jahangir Karamat in Oct.1998, Nawaz Sharif tried to intervene in the internal affairs of the military violating the well-established norms of civil military relations.⁵⁴ At the same time military could not forget the manner in which the powerful military chief was sacked and removed.

Serious differences between the prime minister and the Service Chiefs developed during the Indian Prime Minister's Bus Journey from Delhi to Lahore and subsequent signing of Lahore Declaration in February 1999. The joint declaration issued at the end of the two-day talks set the tone for the two countries to work for a shared vision of peace and stability. The agreement had emphasized on the need for

⁵² Ibid., p. 1443.

⁵³ Ibid., p. 1443.

⁵⁴ Rizvi, No.10, pp. XV-XVI

solving all major issues including Kashmir through peaceful means. Both the countries also agreed to immediately alert the other in case of any accidental, unauthorized and unexplained nuclear incident on the other side. The level of bilateral talks between the two countries had been raised to the level of foreign minister.⁵⁵ The three chiefs had been asked by prime minister Nawaz Sharif to be present at the Wagah border to welcome his Indian counterpart. The military leaders rejected his suggestion, by saying that it would be difficult for them to salute the leader of an enemy country. However they were present at the Governor's house to receive the Indian Prime Minister.⁵⁶

The Sharif government's credibility eroded further on launching an ill-advised military expedition across the border (LOC) in the Kargil area of Indian Kashmir in May 1999 and then withdrawing its personnel under international pressure.

Kargil war and the withdrawal of the Pakistani Army from the Indian territory was the most important factor for the strained relationship between the Nawaz Sharif and Gen. Musharraf which subsequently led to the military take over. For long, it was felt that Sharif was ruling the country like a dictator. After the mounting international pressure and increasing Indian offensive Prime Minister Nawaz Sharif rushed to Washington. He signed an agreement with the US president Bill Clinton

⁵⁵ The Times of India, 22 February 1999.

on July 4, 1999. According to the agreement prime minister agreed to withdraw the intruders and promised to ensure the sanctity of the LOC in accordance with the Simla Agreement.⁵⁷ Significantly, there was a sharp difference of opinion between the Nawaz Sharif and Gen. Musharraf over the withdrawal of military. There were reports that the Kargil operation was planned in late 1998 by the COAS with the prior approval of the Prime Minister.⁵⁸ However, the government blamed the Army chief on the grounds that he had launched the Kargil expedition without consulting the prime minister. This annoyed the military top brass because according to the military sources, Kargil expedition was launched by a joint decision of the civil and military authorities.⁵⁹

Another dimension added to the already strained relationship between the PM and COAS was that Nawaz Sharif wanted to sack the Army chief Gen. Pervez Musharraf to save his government. The Army chief conveyed this reports to the prime minister in a formal meeting in mid-September 1999.⁶⁰ Under such circumstances government announced on Sept. 29 that Gen. Musharraf had been appointed chairman JCSC.⁶¹ In the process the seniormost among the chiefs of three services, Naval Chief Admiral Bokhari was bypassed and he

⁵⁶ The Times of India, 21/2/1999.

⁵⁷ Kaushik, No. 3, p. 291.

⁵⁸ Frontline, November 6-19, 1999, Vol. 16, No.23. p. 6.

⁵⁹ Rizvi, No.10, p. XVI.

⁶⁰ Ibid.,

decided to resign. Significantly, Gen. Musharraf forcibly retired Lt.Gen. Tariq Pervez, corps commander, Quetta and transferred Lt. Gen. Saleem Haider, corps commander, Mangla, for providing confidential reports about a corps commanders' conference to the civilian leaders.⁶²

Now, prime minister Nawaz Sharif decided to replace controversial Army chief with a loyal general. Therefore, Nawaz Sharif finalised his plan during his visit to Dubai on 11 October. This report was informed to the Army chief by his senior officers. It was not an unanticipated development and the general, with his key officers, had put into action a plan they had framed three weeks earlier.⁶³

The final face-off started when on October 12, 1999, Prime Minister Nawaz Sharif sacked COAS Gen. Musharraf who was on his way home after an official trip to Colombo, and appointed ISI chief Lt. Gen. Khwaja Ziauddin in his place.⁶⁴ When Gen. Musharraf's dismissal came, the General was on a plane on his way back from Sri Lanka with his wife and 200 other passengers. As his plane neared Karachi airport, the landing of the plane was denied. However, the senior commanders jointly decided to take counter-measures to defend the Army chief and the Army as an institution. The takeover was swift and bloodless⁶⁵ and it was very

⁶¹ Frontline, Vol. 16, No.22; October 23-Nov.5, 1999, p. 48.

⁶² Chengappa, No. 51, p.1436.

⁶³ India Today, Vol. XXIV, No. 43, October, 19-25, 1999, p. 51.

⁶⁴ Jatia Desai, *Kargil and Pakistan Politics*, N. Delhi, Commonwealth Publishers, 2000, p. 393.

⁶⁵ Rizvi, No.10, p.XVII.

clear from the sequence of events that the X corps commander Lt. Gen. Mahmud Ahmed did not wait orders from the COAS, before taking over important government installations in Islamabad.⁶⁶ With the latest action of military the new era of democracy in Pakistan started after the death of Gen. Zia-ul-Haq came to an end.

⁶⁶ Frontline, Vol. 16, No.23; Nov.6-9, 1999, p. 4.

Chapter-5
Conclusion

CHAPTER -5

CONCLUSION

In the present study an attempt has been made to analyze and explain the nature of civil-military relations in Pakistan during the democratic regimes of Benazir Bhutto and Nawaz Sharif from 1988 to 1999 and the limitations and constraints of a successor civilian government in the post military regime political system. An attempt has also been made to integrate various theoretical approaches into a comprehensive multi-factorial analytical framework.

Ever since the creation of Pakistan as an independent country in 1947, she has been trying to establish a political system based on the western liberal democratic model. However, the long years of direct and indirect involvement in politics have allowed the military to spread out so widely into the government, the economy and the society that its influence and authority no longer depend on controlling the political power. It is derived from its organizational strengths and its significant presence in all sectors of government and society.¹ It was also very clear from the above discussions that all military coups were peaceful. Military coups were preceded by political instability and social turmoil that had sharply polarized the country and the public anticipated that the military

would no longer remain a mere spectator.² With the failure of the civilian leaders to provide a stable government, a dynamic economic policy and a new constitution the general masses shifted their loyalties from the civilian leaders to the military leadership and military 'was viewed as a guarantee of external security and a bulwark against internal crisis and breakdown of government machinery.'³ This enabled military to expand its role. The dynamic of the relationship between the party dominance system and military hegemonic system are adversarial and contradictory to the extent that each tries to control over the resources of the society. A general overview of the military's role in politics in Pakistan since its independence suggest how a weak and small army, inheriting a colonial tradition of aloofness from politics, moves away from this principal in the wake of the interplay of worsening socio-economic and political situations prevailing in the country and takes over the reins of power.

Moreover, the rivalry among the civilian leaders and the political instability after the death of Jinnah and Liaquat Ali Khan were accompanied by the degeneration of economic conditions, mal-administration, the rise of prices of essential commodities, sectarian crisis and ethnic classes. while civilian leaders were engaging with power politics, the military was playing the role of the custodian of the nation

¹ Hasan Askari Rizvi, *Military, State and Society in Pakistan*, Great Britain, Macmillan, 2000, p.XII.

² Khalid Mohammad Arif, *The Role of the Military in Politics: Pakistan 1947-1997*, in Hafeez Malik (edited) *Pakistan : Founders' Aspirations and Today's Realities*, Karachi, OUP, 2001, p.102.

and an agent of modernization and national reconstruction. However, it was also evident that during the military rules of Gen. Ayub Khan (1958-1969) and Gen. Zia-ul-Haq (1977-1985), military had tried to suppress the growth of political parties and participatory politics and to subserve the political parties to military-bureaucratic system. On the other hand during the period of Z. A. Bhutto, he tried to curb and curtail the powers and role of the military-bureaucratic establishment. At the same time military leaders were not the sole spoilers of the growth and enhancement of the democratic system. The conduct of some civilian leaders was no less ruthless and undemocratic.⁴ The rivalry among the civilian leaders became intensified in 1954, when a bill was moved in the constituent assembly that bound the Governor - General to act only on the advice of the Prime Minister. A similar action against the powers of the president was evident in 1997 when the government of Nawaz Sharif passed the 13th Constitutional Amendment to curb the discretionary powers of the president provided by the controversial Article 58, 2(b) of the Eighth Amendment. In the previous case Governor-General Ghulam Mohammad dismissed the federal government, dissolved the constituent assembly and imposed emergency in the country. He appointed Mohammad Ali Bogra in October 1954 as the new prime minister. Significantly, it was during this period that the Army Chief General Ayub

³ Rizvi, No. 1, p.01

Khan simultaneously held the posts of defence minister as well as the commander-in-chief of the armed forces.⁵ In this way military leaders were allowed to play a crucial role in decision-making. Later on the army chief had signed a military pact with the United States in 1954 and formally joined the western power bloc.

Though the parliament, the political parties and elections were an essential components of Pakistan's state system from the very beginning, unfortunately it was the bureaucracy who monopolised all political decision and refused to hold elections, thereby disallowing even a minimum level of mass participation in politics.⁶ Therefore, Pakistan's joining of western bloc would show that military aid not only politicised the military but also strengthened the hegemonic position of the military⁷, which subsequently led to General Ayub's military interventions. At the end the inefficient and quarrelling civilian leaders made a mockery of democracy which created a power vacuum that started a chain reaction.⁸ Though Ayub Khan was succeeded in providing a constitution in 1962 and a new form of democracy known as basic democracy, but he failed in the sphere of nation building. While the two processes of nation-building and state-building are not necessarily

⁴ Malik, No.2, p.84

⁵ Ibid., p.95

⁶ Mohammad Waseem, Pakistan Under Martial- Law : 1977-1985, Lahore, Vanguard, 1987, p.13

⁷ Saeed Shafqat, Civil-Military Relations in Pakistan: From Zulfikar Ali Bhutto to Benazir Bhutto, US, West View Press, 1997, p.08

⁸ Ibid., p.85

contradictory to each other, in the case of Pakistan the gap between mobilisation, modernisation and representative modernisation proved harmful to the cause of nation-building and ultimately led to the downfall of Gen. Ayub's regime.⁹

The rivalry between the eastern and western wings of Pakistan led to the formation of Bangladesh (erstwhile eastern wing Pakistan) as an independent country in 1971. By the end of the General Yahya Khan's military rule, the military's image reached its lowest ebb. The amputation of East Pakistan and Pakistan's defeat in the 1971 war eclipsed the image and the contribution made by the military towards national integration and defence. However, the end of Gen. Yahya Khan's rule and the beginning of the Bhutto regime did not result in the lifting of martial law in the country. Hence for the first time in Pakistan's political history Z. A. Bhutto held simultaneously the posts of the president as well as the chief martial law administrator and throughout the five and half years of his harsh rule he denied the people of their fundamental rights.¹⁰ Z.A. Bhutto and PPP emerged as a response to the military rule and its domination in power structure. However, once in power the PPP found itself confronted with making a transition from a mass movement to a parliamentary party. The PPP was also faction-ridden, loosely

⁹ Veena Kukreja, *Military Intervention in Politics: A Case Study of Pakistan*, New Delhi, NBO Publisher's Distributors 1985, p.83

¹⁰ K.M.Arif (General), *Working With Zia: Pakistan's Power Politics 1977-1988*, Karachi, OUP, 1995,p.12

organised and composed of contradictory support bases. The contradictory feature of Bhutto regime was that on the one hand, the PPP pursued an economic policy of redistribution and nationalisation and brought to power a new coalition of groups. On the other hand, it continued to rely on coercion. The aggressive nature of Bhutto and the adamant attitude of the opposition led to the decline of civilian government and ultimately to the military takeover. So, the emergence of Gen. Zia as the central figure on the national arena was not an exception. The failure of Pakistani leaders to evolve a dynamic political tradition based on democratic norms had influenced the Pakistani military to intervene in the politics. With the formation of MRD in 1983 as the main opposition party to the military regime, Gen. Zia decided to hold partyless election in 1985 and appointed Mohammad Khan Junejo as the Prime Minister. But, in return very soon he was able to compel the Prime Minister to introduce and passed the Eight Amendment to the 1973 constitution in the parliament. However, Junejo period was also characterised by a deep confrontation between the civilian government and the military top brass. The strained relationship between them had been intensified due to Ojhari Arms Depot fire, the signing of Geneva Agreement by the prime minister without proper consultation with the president and the decision of the civilian government to investigate and punish those senior officers responsible

for the Ojhari incident. Md. Khan Junejo made moves to construct political hegemony as an alternative to military dominance. At the same time the post 1985-period saw the revival of dominant party system, where the successor democratic government began to establish the dominance of party in power by first controlling and then dispensing resources of the state to the civilian leaders of the assemblies and their associates.¹¹

But the withdrawal of the military from politics, voluntarily or otherwise, is not a sufficient condition for the development of a dominant party system or democracy. Even, if it withdrew in some exceptional cases, it did not give up its advisory role and the potential of its dominance lingered on.¹² Therefore, it is a fact that in Pakistan the military especially the army is a central figure in the country's politics and decision-making process.

The decision of the Gen. Aslam Beg and his corps commanders not to assume power after the death of Zia on August 17, 1988 allowed forming a civilian government led by PPP co-chairperson Benazir Bhutto in December 1988. However, even before appointing her Prime Minister, she went to General Headquarters Rawalpindi to meet the army chief and she agreed to retain the foreign minister of Zia, Mr. Yaqub Khan and President Ghulam Ishaq Khan. She was also compelled not to interfere in

¹¹ Saeed, No. 7, p.04

the internal army matters, Afghan policy and defence expenditure. Therefore, the death of Zia in 1988 paved the way for a restricted transition of power from military to elected civilian leaders. In this way a quasi-democratic form of government was formed in Pakistan in 1988 after a long period of military rule under Zia.¹³ But it was not a full-fledged transfer of power and a new arrangement of power sharing among the Prime Minister, the president and the army chief known as Troika system came into existence. Hence the army chief was able to dominate the decision-making process at the highest level. It clearly showed the military's desire to share power with the civilian leaders at the same time its eagerness to protect military's professional corporate interests.

The decline of political and social order in Pakistan has occurred because of social and economic changes, as well as attitude and workings of the civilian leaders. None of them have contributed either to strengthening the democratic set ups and processes, nor have they made any contribution in improving the institutions of governance.

Contrary to the expectations of the general Pakistani peoples during the so-called period of civilian governments from 1988 to 1999 elected civilian leaders failed to establish a dynamic political culture

¹² Ibid., p.12

¹³ Stephen Philip Cohen, *The Pakistan Army*, 1998 Edition: With a New Foreword and Epilogue, Karachi, OUP, 1998, p.163

which allowed the military to mediate among the confronting parties from time to time. Corruption, political rivalry, centre-state rivalry, confrontation between the judiciary and the government, dismissal of governments by the president etc, characterised Pakistani political system throughout the period of Benazir Bhutto and Nawaz Sharif. The lack of basic rules of governance among the civilian leaders provided the ground to the army to exert its authority in political affairs.

The sectarian clashes and Sindhi-Mohajir conflict in Karachi was another area where the civilian leaders failed to control and provide security to the people of the strife-torn city. MQM led by Altaf Hussain also shifted his loyalty towards the PPP and IJI from time to time. First MQM supported the government of Benazir Bhutto and formed a coalition government in Sindh with PPP. Later on with the outbreak of Sindhi- Mohajir clashes and the deployment of military in the city to control the crisis paved the way for the withdrawal of MQM's support to the federal government. Again, he joined hands with the IJI led by Nawaz Sharif to counter the Sindhis but Nawaz Sharif also faced the same problem that haunted his predecessor and the decision of the military to crackdown on MQM activists led to the final break-up between the IJI and MQM.

The centre-province relations particularly with the Punjab also severely damaged the credibility and the authority of the democratic

government. Against the provisions of the constitution, Nawaz Sharif, the then chief minister of Punjab established a separate Provincial Bank of Punjab. He even threatened to establish a provincial Broadcasting Centre. The policy of confrontation adopted by both the prime minister and the chief minister led to a constitutional crisis when, the provincial government refused to follow the orders and directives of the federal government. Both the governments also tried to dislodge each other. While the PPP leaders in the provincial assembly tried to move a no-confidence motion against the IJI government, the IJI leaders in the national assembly threatened to move the same against the federal government.¹⁴ In this way the civilian leaders exposed their weaknesses and inability to provide stability which encouraged the military to persuade the president to take necessary actions against the civilian governments.

Another important issue, which haunted the civilian governments during this period, was the discretionary powers of the president to dismiss the central government and the national assembly under the provisions of the Eighth Amendment. In order to control the civilian governments and counter any challenges to him, Gen. Zia included Article 58, 2(b) in the 8th Amendment to the 1973 constitution, passed in 1985 which would allow him to dismiss federal government and the

¹⁴ Saeed, No. 7, p.232

national assembly. Under this provision president Ghulam Ishaq Khan dismissed both the governments of Benazir Bhutto (1990) and Nawaz Sharif (1993). The second government of Benazir Bhutto was dismissed by her own nominee president F.A. Leghari in 1996. Significantly, in 1997 Nawaz Sharif became the prime minister with a thumping majority which allowed him to pass the 13th Amendment which removed the controversial Article 58, 2(b).¹⁵ Nawaz Sharif also appointed Justice (retired) Rafiq Tarar, a family friend as the President of Pakistan. However, in the process the balance of power enormously tilted towards the prime minister and the military which earlier used the president as their representative in the functioning of the civilian government was deprived of their traditional rights.

Since the early and the mid 1950's military has been in a much more dominant position as compared to the civilian leaders. They never allowed the civilian leaders to interfere in the internal army matters like, promotion, transfer, military expenditure etc. except during the Z.A. Bhutto period. Though during the initial stage of their rules both Benazir Bhutto and Nawaz Sharif preferred not to interfere, but very soon they started interfering in it which attracts the ire of the military establishment which subsequently led to military's direct intervention in 1999. Transfer of ISI chief Hamid Gul (1989), the appointment of Major

¹⁵ Ian Talbot, Pakistan: A Modern History, New Delhi, OUP, 1998, p. 360

General (retd) Shamsul Rehman Kallu as the new ISI chief, Admiral Iftikhar Ahmed Sirohi episode, the appointment of Lt. Gen. Javed Nasir as the ISI chief, etc. were good examples in this regard.

Another important controversy which led to a constitutional crisis in Pakistan during the civilian period (1988-1999) was the confrontation between the government and the judiciary. In March 1996 Supreme Court in a landmark judgement dismissed 20 High Court Judges appointed by the Benazir Bhutto government. Prime minister refused to implement it and this episode even led to a controversy with the president also who supported the Supreme Court judgement. The actual confrontation started during the Nawaz Sharif's second term in office, when the chief justice Sajjad Ali Shah asked the government to fill up five vacant posts to Supreme Court judges. The controversy came to an end with the resignation of the president and the removal of the chief justice in December 1997. In this crisis both the civilian leaders and the chief justice did not try to solve it instead they ~~tried~~ tried to curtail each other's powers. The attack of the supreme court building by the PML (N) legislators and the activists severely damaged the credibility, integrity and the prestige of both the supreme court and the parliament.

Regarding foreign policy of Pakistan during this period, it was the military leadership who took all the important decisions. Differences between the government and the military top brass were evident in the

Afghan policy (Jalalabad incident), Gulf war, Kashmir policy, nuclear policy, Lahore Agreement, Kargil war, etc. Important decisions regarding foreign policy were also taken by the military corps commanders in their meetings chaired by the army chief. Military leadership considered India as their potential enemy, therefore they tried to block any initiative taken by the civilian leaders to normalise the relations with India. Pakistani leaders every now and then harp on the Kashmir issue; the internal politics of Pakistan demands that this issue be kept alive. No political party or government, civil or military, can afford to forget Kashmir. Kashmir continues to represent the propagation of Pakistan's founding ideology- the Two Nation Theory- bases of Pakistani nationhood. Despite its defeat in 1971 war Pakistani military continues to support the various separatist movements in India. They could not forget the role played by India in the east Pakistani movement that subsequently led to the formation of Bangladesh. Pakistan is determined not to be the aggressor, but does not rule out pre-emptive attack should there be a build-up across the border that conveys an incontrovertible signal of impending hostilities.

Therefore, from the above discussions and analyses regarding civil military relation in Pakistan we can conclude that the western liberal democratic system is not applicable in a Muslim conservative and under developed third world country. For the failure of democracy, both the

civilian leaders and military leaders should be blamed, however, at the same time we should not forget whether a system based on the structures, culture and traditions existing in highly developed societies is applicable in a third world underdeveloped country. In the case of Pakistan since the time of Muslim League free and fair elections were never held. Unlike the congress party Muslim league became a popular party only after Jinnah assumed its leadership. The greatest weakness of the civilian leaders is their inability to project democracy as a preferable alternative system of government. Democracy and parliamentary governments have become equated with unlawful rule, violence, disorder and the ruling elite's whether in power or in opposition, both seem equally responsible for the downfall of democracy. Still military has been able to remain as an important part of Pakistani political system. Therefore, we have to realise the importance of military in the Pakistani politics. A consensus among the civilian leaders, military and bureaucrats is needed to adopt a new political system, where all the important actors and the people could participate and co-ordinate for a better and stable Pakistan. In this regard Veena Kukreja rightly said, "Every culture can absorb some values and patterns of alien culture but soon comes a stage when the traditional ethos comes in conflict with the forces of modernisation which creates stresses and strains in the existing social and political system."

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