

The Transition of Guided Democracy in Pakistan. A Study of Military Regimes

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Muhammad Akmal Hussain
Ph.D Scholar in Pakistan Studies, BZU, Multan.
Email: akmal.kalyar@gmail.com

Prof. Dr. Javed Akhtar Salyana
Department of Pakistan Studies, BZU Multan.
Email: javedakhtar@bzu.edu.pk

Received on: 14-01-2022

Accepted on: 16-02-2022

Abstract

Since its creation, Pakistan remains politically an unstable state. The emerging influence of the military as well as the bureaucracy has weakened the political institutions. On the other hand, the political parties, as well as the politicians, were the major ones responsible for the disruption in politics. The earlier demise of leadership (like Jinnah and Liaquat Ali) put Pakistan on the verge of chaos and anarchy. Due to the political unrest, the military finds a suitable place to intervene and fill that gap that was created by the political forces. Whenever the military enters the power corridor, they set some of their goals and agendas. To achieve these goals and agendas, legal assistance is required from the main pillar of the state, probably the judiciary. PCO and LFO are the various kinds of legislation that provide the military with a legal way to achieve these goals. After achieving these goals, the military seeks assistance from the political forces to enter the political arena and to prolong their rule politically. The military revives the political system but that political system is purely managed by the military forces as per the liking of the military ruler and that system is known as guided democracy.

Keywords: military, dictatorship, politics, guided democracy, intervention, leadership

Introduction

From the very first day, the Pakistanis, as a nation, fought for a better form of government based on democratic principles. Unfortunately, democracy was thwarted not only by the military but also by a democratic government. The civilian itself has been the cause of disruption in the political process. The new state was in a period of gestation to make the new institutions that should reflect the aspiration of the people. To accomplish this task, a valuable contribution was required from the political leadership, which was more interested in pursuing personal interests. Such thinking and approach compromise the effective sense of governance in the country, which had to face a myriad of problems.

Jinnah took hold of the civilian rule as a Governor-General of Pakistan and tried to lead the

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country on a democratic line. In his very first address to the Constituent Assembly of Pakistan on August 11, 1947, he made it clear that justice and fair play would be the guiding principle of Pakistan (Times of India, 1947). In his August 11 speech, Jinnah left no stone unturned in his views on Pakistan. Addressing the Constituent Assembly, Jinnah said:

You are free; you are free to go to your temples, you are free to go to your mosques or any other place of worship in this State of Pakistan. You may belong to any religion or caste or creed -- that has nothing to do with the business of the State. . . . We are starting with this fundamental principle that we are all citizens and equal citizens of one State. Jinnah continually emphasized equal citizenship for the Pakistanis irrespective of their religion or ethnicity (Jalal, 1990).

After Jinnah's death, the first Prime Minister of Pakistan Liaquat Ali Khan took the control of the state in his hand and contributed towards the continuation of democracy in Pakistan; he too could not serve Pakistan for a long time and he was shot dead in 1951 at Rawalpindi.

These earlier demises of Pakistani leadership had not bid well and Pakistan suffered chaos and anarchy in its political system. The next leadership was not yet well organized to take responsibility for putting Pakistan on a democratic line. The early demise of Jinnah brought poor leadership to the country. In Pakistan, there was no one of Jinnah's stature and charisma who would lead and shape the country into a stable democracy. Unfortunately, post-Jinnah's line of leadership had a regional and local stature and did not have a nationwide appeal. This vacuum of leadership brought weak governance and administration in Pakistan. Due to this democratic imbalance military finds a palace to intervene in the political system and since the creation of Pakistan, the military remains a powerful institution in Pakistan; dominated in the various strategic decisions making bodies. The frequent military interventions in Pakistan from General Ayub Khan to General Musharraf are a reflection of immature democratic institutionalization due to the vacuum of leadership, weak political institutions, and weak political parties. Throughout the history of Pakistan, the military has tried to interfere in the political system directly or indirectly. The lack of political leadership brought institutional imbalance in the country. That's why the military which was an advanced institution and had strong leadership qualities intervened directly in 1958. Unfortunately, the direct military intervention which was started in 1958, continued in a regular interval, and until 2008, Pakistan faced four direct military interventions from Ayub to Musharraf. Whenever the military enters the power corridor, they set some of their goals and agendas. To achieve these goals and agendas, legal assistance is required from the main pillar of the state, probably the judiciary. PCO and LFO are the various kinds of legislation that provide the military with a legal way to achieve these goals. After achieving these goals, the military seeks assistance from the political forces to enter the political arena and to prolong their rule politically. For this purpose, the military held local and general elections under the guided democracy. This article is an attempt to understand the system of guided or controlled democracy introduced by the military rulers.

History of Guided Democracy

Pakistan has inherited a highly imbalanced institutional system, it was working with strong military and bureaucracy and disorganized political institutions led by self-seekers. The weak political institution and low political culture became the major cause behind the military intervention in politics. On the other hand, the violation of political and democratic norms by

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the political parties endangered the democratic system which gave a safe passage to the military which is a more advanced and organized institution to intervene in the political process. The presence of the serving Commander in Chief in the Cabinet of the civilian government depicted the institutional imbalance in the political sector. Huntington commented in his book that the military presence is due to the absence of effective political institutions (Huntington S. P., 1968).

Guided Democracy During the Ayub Khan Regime

The first martial law was imposed by President Iskander Mirza on October 7, 1958. After the president imposed martial law, the military took control of the entire country. President Iskander Mirza has appointed Ayub Khan as Chief Martial Law Administrator. Twenty days later, the second phase began when the army forced Iskander Mirza to resign from the presidency, and on October 27, 1958, Ayub Khan took over as president and chief martial law administrator. He resigned as Commander-in-Chief of the Army and on the same day appointed General Musa as the new Commander-in-Chief of the armed forces (Rizvi, *The Military and Politics in Pakistan 1947-1997*, 2000, pp. 87-88). Ayub Khan had a strong desire to reduce the credibility of politicians from mainstream politics, as he considered them the real culprits of Pakistan's bad politics. Thus, to prevent politicians from taking political responsibility, several individuals were prosecuted under the Elected Bodies Disqualification Order (EBDO) and the Public Offices Disqualification Order (PODO) and deprived of the right to hold public office for 15 years. The politicians were charged with corruption and they were not allowed to take part in politics. At least 1600 individuals were tried and excluded from holding public office (Ahmed I., 2013, p. 117). Army officers served as members of the court-martial which examined the cases of former politicians based on EBDO (Belokrenitsky & Moskalenko, 2013, pp. 122-123). Although many politicians challenged the charges of corruption and tried to prove them innocent and clean. Tariq Ali gave his argument about Ayub's regime in such a way that "Ayub's regime was both prosecutor and judge and the system was too heavily rigged for the innocent to be acquitted"

Ayub Khan establish a local government system which is known as the Basic Democracies (BD) system. According to Ayub Khan, the system was designed to give more meaningful representation to the rural areas (Khan M. A., *Speeches and Statements*, 1961). The military government expected to mobilize the masses, especially in the rural areas for different developmental activities and to give the people a sense of active participation in the local affairs. To achieve these objectives the military government adopted the Basic Democracies System (B.D. System) (Ali, 1971, p. 107). While introducing it, Ayub Khan tried to point out that the Western brand of democracy is not suitable for the Pakistani nation. In his own words, Ayub said, "it is too much to expect a man sick and illiterate, and worried about his next meal, to think in terms of national policies" (Khan M. A., *Friends Not Masters, a Political Autobiography*, 1967). Therefore, it was decided to give the public a taste of true local democracy.

Elections for the basic democratic system were held under the strict supervision of the military based on adult franchise. Voter turnout in these local elections was 69%, and out of 144,284 candidates, 17,394 or 12% were elected unopposed (Rizvi, *Military State and Society*, 2003, p. 97). So, the Pakistani people witnessed a new taste of politics under the

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umbrella of khaki uniforms. The logo was basically a transfer of powers. Literally, the core democratic members acted as the electoral college for the future presidential election in the light of the forthcoming presidential election. As mentioned earlier, the members of the Union Councils, Town

Committees, and Municipal Committees were elected based on adult franchise, and these members indirectly elected the Chairman from among themselves. However, members of the Basic Democrats relied on bureaucracy, which is in stark contrast to democratic requirements. The system of basic democracy fully reflected Ayub Khan's conception of "Guided or controlled Democracy". The success and the credibility of this system were comprised by its heavy reliance on government funding, the excellent presence of officials and nominees, and above all the commanding powers of the bureaucracy. In February 1960 Ayub Khan validated his presidency by a vote of confidence from the BD members. (Khan H. , Constitutional and Political History of Pakistan, 2009, p. 127) In that way, the Basic Democrats system was the ideal example of guided democracy. After securing confidence from the Basic Democrats, Ayub Khan introduced the new constitution in Pakistan. The 1962 Constitution which was based on the presidential system was contrary to the democratic norms and practices. It was never put before the public to view their opinions. In fact, in France, such a constitution was framed on similar lines, but it was placed before the public for their approval through a referendum (Mahmood S. , 2010, p. 55). While defending the new constitution Ayub Khan said:

My own analysis had led me to the conclusion that Pakistan needed a strong government capable of taking decisions which might not be popular but which were necessary for the safety, integrity, in particular, development of the country. We could not afford the luxury of a system which would make the existence of the government subservient to the whim and operations of pressure groups. On this, I was not prepared to make my own compromise (Khan M. A., Friends Not Masters, a Political Autobiography, 1967, p. 213).

After the introduction of the 1962 Constitution, the political parties were revived. In that way the ban on political parties and their activities was lifted on July 16, 1962, with the adoption of the Political Parties Act (The Dawn, 1962). After the ban on political parties was lifted, these parties were given full permission to engage in active politics. Ayub Khan held a key position in the government but he did not join any existing political party. However, he assumed the role of a supra-party leader and left his supporters to organize a party for him. So, Convention Muslim League emerged and Ayub Khan became its president on December 24, 1963 (Ziring, Pakistan in the Twentieth Century: A Political History, 1997, p. 274). The first presidential election under the 192 Constitution was held in January 1965. This election was preceded by the elections of the Basic Democracies during October –November 1964. The BD members were the electoral college for the presidential elections. Ayub Khan won the presidential elections against Fatima Jinnah and this win was because of the indirect system of election introduced by Ayub Khan.

The above discussion can be viewed that the military after securing their initial objectives tried to prolong their ruling tenure through political legitimacy. In that way, it introduced a political and constitutional system that is favourable for the military and that system is known as a guided or controlled system of politics, in which the military interests were strengthened.

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Guided Democracy During Yahya Regime

By the end of the year 1968, Ayub Khan did not rely on strong military support. Much of the dissatisfaction of the armed forces with Ayub Khan started with the Tashkent Declaration, and this agreement was not welcomed by the Western wing. It encouraged disenchantment in that part of West Pakistan from which the bulk of the army was recruited. As the Ayub Khan government was in a serious political crisis the civil bureaucracy and the military high command withdraw their support from Ayub Khan and Ayub Khan had no choice but to resign. On March 25, 1969, Ayub Khan addressed the people for the last time as the President of Pakistan. He announced his resignation from the presidency and handed over power to General Yahya Khan.

The 1962 constitution laid down the procedure that if the president resigns, he will delegate the power of the acting president to the speaker of the National Assembly. The Speaker, as acting president, will be responsible for holding new elections in the country within 90 days. But Ayub Khan violated the rules and handed over the powers to his colleague General Yahya Khan instead of giving the power to the Speaker of the National Assembly. After coming to power, General Yahya Khan abolished the 1962 Constitution and declared martial law in the country. He also declared himself the Chief Martial Law Administrator (CMLA) and initially retained the position of Commander-in-Chief of the Army. He staged a similar coup of 1958, which resulted in martial law as well as the abrogation of the 1956 constitution. The post of President of Pakistan remained vacant for five days until Yahya Khan proclaimed himself President of Pakistan on March 31, 1969. Yahya Khan dissolved the National and Provincial Assemblies and also dissolved the central and provincial cabinets. Political parties were not banned, but their activities were controlled. Yahya Khan knew the importance of politics and the politicians, so he did not adopt any restrictive political measures like EBDO or make any policy to arrest the political leaders. In a press conference in April 1969, he declared that the Pakistan Army had no interest in politics and that the military desired to shift the power to the people's representatives (Rizwan, 2014). He stated, "Our aim must be to establish constructive political life in the country so that the power is transferred to the elected representatives of the people" (Chaudhary, 1974, p. 73). After a long interval, the political activities were restarted in the country in June 1969. The political leaders had their meetings with Yahya Khan and presented their demands including the dissolution of the One Unit Scheme in West Pakistan. Yahya Khan in his broadcasting address to the nation on November 28, 1969, gave his intention for the dissolution of the One Unit Scheme. He also formed a committee to work out a constitutional formula. That constitutional formula was submitted to the president and it was officially issued on March 30, 1970, and it was known as LFO (Legal Framework Order) (Ahmed S. , 2004).

The LFO had addressed the basic principles for the future constitution of Pakistan: that the One Unit Scheme would be abolished on July 1, 1970, and that the National Assembly would consist of 313 members. According to Article 24 of LFO, the National Assembly stand dissolved if it was unsuccessful in framing the constitution of Pakistan within the given time. The president also reserved the rights for the authentication of the constitution, if the authentication of the constitution was refused the National Assembly also stand dissolved.

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The date for the National and Provincial Assembly elections has been fixed. Elections to the National Assembly were to be held on October 5, 1970, and elections to the Provincial Assemblies were to be held on October 22, 1970. After the elections, the President will convene a meeting of the National Assembly. The National Assembly was to draft a new constitution for Pakistan within 120 days after meeting its first session. If it failed to draft the constitution or if the authentication of the constitution was refused by the President, the assembly stand dissolved. Here once again a military ruler, though was restoring democracy but it was once again a guided or controlled.

The political leaders objected to LFO, they claimed the provision that in the case, the president did not give authentication to the constitution; the National Assembly would be dissolved. This was negating the sovereignty of the National Assembly and was contrary to the democratic norms. Similarly, the political leaders also objected to the time limit of 120 days. They considered it insufficient time to frame the constitution (Abbas, 2004). Drafting a new constitution was not an easy task, and at that time Pakistan needed to create a strong constitution because before that the constitutions of 1956 and 1962 had been repealed. The 120 days deadline was difficult and impossible for the constitution-making process. It took Pakistan more or less nine years to draft its first constitution. Here the military dictator came to the fore as a pressure group when he needed to emerge as a coalition partner. According to the idea of S.E. Finer that the military intervenes in civilian affairs as a pressure group and the military tries to convince the civilian government by some threat or by some sanctions. In developing countries where the military is stronger and dominant, the military can pressurize the government or civilian elites to adopt certain policies according to the 'will' of the military (Finer, 1962). Secondly, the president had the power to approve and repeal the constitution if the president did not like the constitution and the president would dissolve the assembly. Here Pakistan is the complete reflection of a Garrison State, where the military has all the say in the state affairs.

Guided Democracy During Zia Regime

The transition to civilian rule which started after the long military rule was proved short-lived. In July 1977, the army under General Zia overthrew Bhutto Government with the allegations of rigging in the March 1977 General Elections. Zia enforced a militant law, dissolved parliament, and placed the 1973 Constitution in abeyance. The third military intervention was based on the failure of political institutions and a crisis of legitimacy, as the central government constantly intervened in provincial affairs. Here we can agree with Huntington's statements that the reasons for the military interventions are not military but due to the failure of the political system (Huntington S. P., 1968, p. 195). Unlike the previous two military regimes of Ayub Khan and Yahaya Khan, General Ziaul-Haq suspended the 1973 Constitution but did not abrogate it. Zia-ul-Haq designated himself as the Chief Martial Law Administrator (CMLA); however, President Fazal Elahi Chaudhary was allowed to continue as head of the state. The chief executive authority was vested in the CMLA (Rizvi, Military, state, and society in Pakistan, 2000, p. 164). Zia-ul-Haq said that the military stepped in to save the country from an impending civil war, economic ruin, and partly to relieve the stress to which the army had been subjected when ordered to fire on the fellow Pakistanis.

In his inaugural speech, Zia had promised the nation for holding a free and fair election within

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three months and he announced that the general elections would be held in the country in October 1977. General Zia's military government hoped that now the PPP and its leadership had lost popularity as they were overthrown by the government. Thus, in the upcoming elections (October 1977), power could be easily transferred to the PNA, which, in their opinion, was confident in winning the upcoming elections. But the calculation of the military government was upset after the warm welcome that was given to Zulfikar Ali Bhutto when he was released from military custody. A massive number of people emerged to welcome Bhutto as he visited Lahore, Karachi, and Multan. By having resurgent support, Bhutto adopted a rebellious attitude towards martial law authorities and threatened them with retribution if he was elected. It emerged that Bhutto out of power was stronger than he had been in the office. Bhutto in a telephone conversation on August 9, 1977, with General Zia at the residence of former Chief Minister Sadiq Hussain Qureshi in Lahore, had threatened the general that he would hang all those who violated the constitution if he ever got back into power (Qureshi, pp. 910-921).

The statements of Bhutto were very threatening and challenging to the military regime. Zia was worried about Bhutto's aggressive attitude that it would be a revengeful politics if Bhutto came into power again. Reading to the danger signals of Bhutto, Zia decided to postpone the general elections that were taken place on October 18, 1977 (The New York Times, 1977). The government adopted the slogan "first accountability and then elections." Zia justified this action in terms of the PNA's demand for "expeditious accountability before an early poll." (The Tribune, 1977). Zia expanded the goals of the coup from election to the accountability of the politicians. In a broadcast to the nation on October 1, 1977, General Zia said:

I have come to the conclusion that to hold the elections on October 18[1977] will only be the invitation to the new crisis. Therefore elections have been postponed till a new announcement is made in this regard. This step has only been taken to save the country from a dangerous crisis and to place the full facts before the public through the process of accountability (The New York Times, 1977).

Zia asserted that the process of accountability must precede the elections. On October 1, 1977, Zia-ul-Haq, announced the cancellation of the October 1977 parliamentary elections that were to have taken place on October 18, 1977 (The New York Times, 1977). This announcement also extended the martial law rule indefinitely. Zia said that he changed his mind and postponed the elections due to strong public demand to check on political leaders who had committed abuses in the past. The PNA also supported the postponement decision and the accountability of the politicians. In all four provinces of Pakistan, several disqualification tribunals have been set up, which included a High Court judge and military officer of at least the rank of brigadier who were supposed to investigate allegations of misconduct, corruption, and abuse of power against politicians. Later, these special disqualification tribunals were re-established and consisted of army brigadiers and session judges or magistrates (class-1) (Rizvi, Military and Politics in Pakistan, p. 244). The laws governing these tribunals have legal precedents, as the first Constitutional Assembly of Pakistan passed the PRODA (Public and Representatives Officers Disqualification Act) in January 1949. It was used to debar many politicians from holding public office. Similarly in August 1959, Ayub Khan's military government initiated EBDO (Elected Bodies Disqualification Order).

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On Aug 12, 1978, President Elahi wrote a letter to Gen Zia, saying that he wanted to retire upon completion of his tenure in September 1978. Following his voluntary departure from the presidency, General Zia sought advice from Attorney General Sharifuddin Pirzadeh, who in turn advised the CMLA to appoint himself as president. Pirzada argued that taking office as president would help him resolve many of the delicate issues that might require the president's consent (The Dawn, 2014). A message was sent to President Elahi with a draft of the ordinance authorizing the CMLA or his nominee to assume the presidency. The president received this advice faithfully, and on September 15, 1978, President Fazal Elahi Chaudhary issued a presidential succession ordinance enabling the Chief Martial Law Administrator (CMLA) or his nominee to become the president of Pakistan if the office of the president was vacant before the presidential election. The next day on September 16, 1978, Fazal Elahi resigned from the office of the president, and Zia-ul-Haq was sworn in as the President of Pakistan (Pakistan Chronology 1947-1997, 1998, p. 479). Through the ordinance of the President, Gen Zia has legitimized his appearance as President. Here once again the ordinance was issued by the president on the behest of the CMLA. Zia's appearance as President of Pakistan was also reflecting the centralized authority.

As mentioned earlier that Gen. Zia promised to restore political activity in the country. But the military government decided to impose a condition on the political parties to file their registration papers in the Election Commission Office. Under the amendment of the Political Parties Act 1962, it was mandatory to ensure the registration of the political parties with the Election Commission, regulate party funds, obtain the political parties' belief in the ideology of Pakistan, and hold parties election annually (The Dawn, 1979). Failure to comply with any of the provisions would serve to disqualify a party from registration and hence from participation in the election. Zia had taken these measures to ward off the PPP mainly. However, most of the political parties including the PNA showed their resentment to submit their party registration in the Election Commission Office. The political parties stated that the new regulation about the registration of the political parties as well as the submission of the financial details in such a short period was difficult. However, the political parties were preparing to contest in the general election. But Gen. Zia had some other plan in his mind and one of the plans was not to hand over the power to the political parties.

General Zia decided to hold the local body election instead of holding the general elections in the country. The local body elections were held on a non-party base. The apprehension of Zia about the PPP became true when the number of PPP sponsored candidates won the local polls election held in September 1979. Although the local government elections in 1979 were held on non-party basis, however, the PPP gave these elections a party flavor by using the term of "Awam Dost" for its supported candidates. The results of the local Body's Elections forced Zia to change his mind once again about the conducting of the general election in the country. On October 16, 1979, Zia announced the postponement of the November 1979 Elections. Seemingly Zia had postponed the general elections after seeing the local body's elections results which came in the favour of PPP. He had not only postponed the general elections but also banned the political parties and political activities in the country as well (Esposito & O, 1996). This was the second time that the promise for holding the general elections was postponed by Zia. The main aim of Zia was to crush all the political forces, mainly the opposition political parties like the PPP. So they will not be able to gather on one page against

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his military rule. Zia-ul-Haq himself argued that he had postponed the general elections in the country as most of the political parties refused to participate in the elections on the account of severe restrictions on their political activities. Zia had also blamed the PNA leadership for putting party interest above the national interest and that they had not filled the nomination papers before the closing date.

In February 1982, in an unsatisfactory response to the demand of the public and the political pressure for holding the general elections, Zia had appointed Majlis-i-Shoora (Council of Advisers), claiming that this was the pattern of Islamic law. The body was unrepresentative and had no powers of legislation. It served merely as a friendly debating body. In accordance with the 1981 PCO, it was stipulated that the president had the power to constitute the Federal Council (Majlis-i-Shoora) to carry out the functions assigned to it by the president of Pakistan. This step was taken to create a lobby for Zia and his associates and to engage these people for future elections. This council consisted of 288 members, and these members were appointed by the president (Ziring, Pakistan in the Twentieth Century: A Political History. Karachi:, 1997, p. 462). This Shoora was a reflection of a controlled or guided democracy, where the concept of centralized authority remains intact.

General Zia was always reluctant in holding the elections. He knew that he could not be elected in the fair election. He did not want to make his political survival depends on the members of the parliament. So an ingenious scheme was made by his close advisors. It was decided to adopt a path of mandate from the public through a referendum, which was a common technique to legitimize Zia's rule. The referendum was a vote of endorsement to the process of Islamization which was started by him when he took over the charge. It was decided that the referendum would be held in the country on December 19, 1984 (Blood, 1995). It is interesting to note that Zia did not ask for a vote of confidence. People were asked to endorse the Islamization process, which has been interpreted as the people having mandated Zia-ul-Haq to remain as the elected President of Pakistan for the tenure of the next five years (Mahmood s. , 2010, p. 373). Zia-ul-Haq touched the psychological as well as the religious outlook of the people in the referendum. In that referendum, Zia was elected as the President of Pakistan for the next five years. This referendum was a legal cover to prolong and legitimize his rule and it was once again the shape of a guided democracy introduced by a military ruler.

After being elected as the President of Pakistan through a referendum, Gen. Zia decided to hold general elections to the National and Provincial Assemblies in the country on a party-less basis. The announcement was also the pursuance of his commitment that he made on August 12, 1983, in which he envisaged to hold the election and to transfer the power to the elected representatives (Waseem, 1987). Although Gen. Zia was agreed to transfer the power to the elected representatives, at the same time he was well aware of the popularity of the PPP. So he planned a different strategy that would oust the PPP to come into power. The Party-less Election of 1985 was part of this strategy. Zia knew that non-political and non-committed people are easy to control as compared to the politically associated people. Subsequently, he lifted the ban and allowed the MRD leaders to take part in the election (Waseem, 1987). However, the opposition parties turned down this offer and boycotted the elections. They boycotted the elections for the reason that much-needed demand for the party-based elections and the restoration of the 1973 Constitution in Toto were not met

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(Khan H. , Constitutional and Political History of Pakistan, p. 365). The party-less general elections were a model of a guided democracy in which no party was appeared to show its strength and the elected members relied on the will of the military dictator.

Gen Zia also acquires constitutional power through the introduction of the 8th Amendment. As the parliament passed the 8th Amendment Bill it has abolished the supremacy of parliament and the elected government. The 8th Amendment has minimized the status of the parliament, office of the prime minister, cabinet, and other institutions. The prime minister could do nothing without the permission of the president. In case of any disagreement, the president could dismiss the prime minister and his government and dissolve the assemblies. The parliament remained the puppet show in the hands of the president. Unfortunately, speculation about this amendment grew even after Zia's death, as four consecutive democratic governments were dissolved under Article 58-(2) (b). Acquiring the power to dissolve the assembly by the president through article 58 (2) (b) is reflecting the model of a praetorian as well as the reflection of a garrison state.

The above discussion has shown that, how Gen Zia was molding the constitution and introduced some of the political reforms which reflected the model of guided democracy. In that system the authority remains centralized, however, some of the less important parts of the authorities were decentralized.

Guided Democracy During Musharraf Regime

On October 12, 1999, Nawaz Sharif's second tenure as Prime Minister of Pakistan came to an end through a bloodless military coup of General Pervaiz Musharraf. Usually, the armed forces came to power in Pakistan when the political instability or economic crisis occurred at the highest level. However, the situation in October 1999 was very different from the previous military coups, since the October 1999 coup was a confrontation between the civil and military leadership, as well as the personal rivalry of Prime Minister Nawaz Sharif and General Pervez Musharraf (Belokrenitsky & Moskalenko, 2013, p. 370). After taking over the charge, Musharraf declared a state of emergency in the country. Martial law was not imposed in the country as it had been previously practiced. Accordingly, Pervez Musharraf did not become the Chief Martial Law Administrator, but he relatively took on a new title as the Chief Executive. Musharraf stated in his book that he was not willing to become a martial law administrator and wanted to keep the constitution operational, except a few of its clauses temporarily suspended (Musharraf, 2006).

The army, in fact, introduced martial law in the country, although the term "martial law" was not used in deference to the international community, in the proclamation and accompanying Provisional Constitutional Order (PCO). That's why he assumed the post of Chief Executive. Under the Constitution, the Prime Minister is the chief executive and the head of the government. The proclamation of Emergency Order was declared on October 14, 1999. According to the Emergency Order of October 1999:

That the constitution of Pakistan shall remain in abeyance, however, the President of Pakistan was allowed to assume the office of the president. It was declared that the National Assembly, the Senate, and the four Provincial Assemblies would be suspended. The chairman and the deputy chairman of the Senate and the speakers and the deputy speakers of the National and Provincial Assemblies shall stand suspended. The prime minister, the federal ministers,

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ministers of state, parliamentary secretaries, provincial governors, provincial ministers, and the provincial advisors to CM (Chief Minister) shall cease to hold office. (The Dawn October 15, 1999) Spelling out his priorities Gen. Musharraf said that he would give top priority to an economic revival, national integration, and good governance in Pakistan (Kamran, 2008). While addressing the nation on October 17, 1999, he announced a seven-point agenda to remedy the situation and announced that his government would bring good governance to the country. Six months later, on the doctrine of state necessity, the Supreme Court, in its decision of May 12, 2000, legalized the military coup of October 12, 1999, giving Musharraf three years to achieve his seven-point programme i.e. restoring national confidence, strengthening the federation, reviving the economy, etc. improve law and order, de-politicize government institutions, transfer power to the grassroots, and ensure rapid accountability across the board.

In one of his articles, Harold D. Lasswell has argued that “we are moving towards a world of “garrison states”- a world in which the specialists on violence are the most powerful group in a society” (Lasswell, 1941). The specialists in violence are the military, who have the capacity to generate the violence as well as to control the violence. The military has the capacity and potential to manipulate the resources and control the violence or the instruments of violence. In that way, we can say that the military is an important component of the state by which a state is being declared as a garrison state. Like his predecessors, Musharraf was in the favour of the accountability of the politicians. That’s why the National Accountability Bureau (NAB) was formed under the National Accountability Ordinance (1999), and the government uses it as a key tool to suppress the political opponents in the name of accountability. The ordinance allowed the accused to be detained for 90 days without charge (Khan H. , Constitutional and Political History of Pakistan, 2009, p. 495). Under this ordinance, which did not allow bail before or after arrest, the government created special accountability courts as well. The NAB used its authority to pressurize the political opponents to change their loyalties. These military developments were a clear indication of guided democracy.

Musharraf suddenly needed to assume the office of the presidency, as he got an invitation from India for bilateral talks and he wanted to receive there all the protocol as the head of the state. So, President Tarrar was removed from the presidency unceremoniously, although he had neither resigned nor he had completed his term. His term was to be completed in January 2004. Here once again Musharraf used his authoritative style and this is a sign of centralized authority, in which all the power remains in the hand of a single person. So by June 2001 Gen. Musharraf consolidated his power by holding three positions for himself as the Chief of Army, Chief Executive, and the President of Pakistan. By these actions, General Pervez Musharraf completed the coup that began almost two years ago when he overthrew Nawaz Sharif’s elected government. According to Baxter, “the system of governance that continued in Pakistan is a “Vice-Regal system, with the ultimate authority vested in one person, whether that person is described as Governor-General, President, Chief Martial Law Administrator or Prime Minister” After the 9/11 incident, the US removed sanctioned from Pakistan, and the economic and other aids were conditional to Pakistan to restore democracy in Pakistan (Razvi, 2009). Like his predecessors, Gen Musharraf also introduced a local government system (LGS) in Pakistan instead of holding the general elections. This LGS was introduced in accordance with the Devolution of Power Plan. He has formulated his policy in

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his Seven-Point Agenda. The LGS (Local Government System) aim was to develop power from the central government to the village through district assemblies and community councils. Elections for the three-tier of local government system were held in two stages from January 2001 to August 2001. These elections were held on a non-party basis. Political parties were officially banned from taking part in elections. Here once again a military man using his power and moulding the political as well as the democratic setup as per his demand prior to the demand of the public. This system reflects the idea of guided democracy.

The 2002 Presidential Referendum was different from the previous Referendum of Zia-ul-Haq. As in the previous referendum, there were electoral lists provided at every polling station, and the registered voters knew where to cast their vote. However, in the 2002 Presidential Referendum, no voters list was provided to the polling station and everyone was free to cast his vote wherever he wanted. (Khan H. , Constitutional and Political History of Pakistan, 2009, p. 484) Failing the providing to the polling stations and freedom given to the voters to cast their vote at any polling station was a sure way in rigging the election and the reflection of the controlled or guided democracy. Announcing the final result, the chief elections Commissioner said nearly 98% of votes cast were in favor of Gen Musharraf staying on as president for another five years. (Shah, 2014)

Gen. Musharraf introduced Legal Framework Order 2002 on August 21, 2002 (Khan H. , Constitutional and Political History of Pakistan, pp. 485-86). It was supposed to be an integral part of the constitution and come into force. The LFO or any part of it may not be questioned or challenged in any court for its legality. The LFO also included a provision on the rule of law, and orders issued from October 1999 to August 2002 were legalized. The LFO has validated the imposition of emergency, the PCO, the referendum order of 2002, the order of appointment, and from October 1999 to August 2002, all of General Musharraf's orders were declared legal and constitutional.

Following the LFO, the number of members of the National Assembly was increased to 342 in proportion to the increase in the population. Of the 342 seats, 272 members were directly elected in their constituencies, with 60 reserved for women and 10 for religious minorities. Any Pakistani whose name was included in the voter list, who is 18 years of age or older, was given the right to vote for the candidate of his choice. Anyone can contest National or Provincial Assembly elections if he/she is at least 25 years old. Article 58 (2) (b), which was removed from the Constitution by the introduction of the 13th Amendment in April 1997 during Nawaz Sharif's 2nd regime, was reinstated. Once again the president was empowered to dissolve the National Assembly at his own discretion. Similarly, Article 112 (2) (b) was also reinstated, allowing provincial governors to dissolve the provincial assembly (Belokrenitsky & Moskalenko, 2013, pp. 374-376). Meanwhile, Musharraf forced Prime Minister Zafrullah Jamali to resign from the premiership and he offered that executive post to a non-political person Mr. Shaukat Aziz. Musharraf through different ways has controlled the entire political system. So through all these developments, Gen Musharraf tried to manage the political system as per his own liking, rather than the requirements of the political institutions.

Conclusions

On the other hand, the political parties were immature and were mainly from the feudal classes. The military considered that they are the best choice to fill this gap, as they were

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more civilianized and more advanced and they can run the country in a better way as they had been trained in a systematic method. After occupying the civilian set-up, the military felt the problem of legitimacy, which they get through the introduction of PCO, LFO, and the Presidential referendum. During Ayub, Zia, and Musharraf regimes, the military adopted their own policy. After getting the power through the military coup, the military alliances with the bureaucracy and thus bureaucracy became the second partner in running the government affairs, as the bureaucracy is the part and partial element of the government machinery and they are more professional and skilled persons. After a short span of time, the military entered in politics and eventually launched a democracy which is known as a "Guided or Controlled Democracy". In terms of perception, it is fair to say that the military establishment has used a coercive methodology to achieve results that are contrary to democratic norms and values. Under a military coup, the ruling party which was overthrown by the military, the military first tries to completely oust the party from the political system. And for this, the military brings various reforms, including accountability. On the other hand, the successful weapon is local government elections. Through the local government system, the military tried to legitimize the dictatorial rule as well as prolong their tenure. Moreover, the military shifts the loyalty of the party that was in the government during the military coup, with the other party. That party in the dictatorial system is known as a king party. Above all, the military, by all means, tried to prolong the dictatorial rule and disrupt the political process with the application of managed democracy.

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