

Theory of Separation of Power: Balancing the Civil-Military Relations in Pakistan 2013-2018

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ABSTRACT

While broadly speaking the framework of separation of power is not fully executed which has caused institutional tangle in the history of Pakistan, however, the main objective of this research paper is to re-investigate the relationship between the civil and military leadership in the period 2013-2018. The elemental premise of this article is that the civilian and military leadership has generally squabbled during the civilian rule. This paper contends that this wrangle has left a majority of people of Pakistan with undelivered promises and their woes have generally multiplied. Generally speaking, perception abounds that form over substance approach proliferates in the present democratic set-up. There is an impression that the military schemes surreptitiously to destabilize the civil governments if the latter does not play to the whims of the former. The relations between the two power-centres embittered during the period 2013-2018 and it is generally believed that such tensions led to events like the dharna (sit – in) by the PTI/PAT, Tehreek-i-Labbayak protests/sit-ins and the disputed election results of 2018. Right or wrong, but there is an impression that military has generally tried to transgress its limits and meddled in the affairs of the civil administration in order to punish the ‘corrupt civilians’ for their corrupt practices. The relationship of civilian and military leadership in this article discusses specifically the instances which created tussles between both the leadership during the 2013-2018 periods. Again, the civilian leadership is facing the charges of corruption and since the matter is sub-judice, this paper constraints from considering these politicians corrupt or innocent but the main argument of the paper is that whether it is direct or indirect military interference the main allegation against the politicians is corruption. Therefore, this paper will try to find the answer to the following queries: what is the conduct of the civil governments how the civilians irritate the military and other institutions why the military takes interest into the civilian matters and why military needs to policing the civil governments and what factors caused the downfall of Mian Nawaz Sharif government. The underlying hypothesis of the study is that the theory of separation of power is not fully implemented in Pakistan which has been causing institutional clash and powerful institutions overpower the weaker and in case of Pakistan’s parliament is the weakest institution. However, this paper will like to recommend to go for the basics of democracy ‘Separation of power’ to ensure continuation and consolidation of democracy.

Key Words:

Civil-military Relations (CMR), Constitution of Pakistan, Pakistan Muslim League-N, General Qamar Javed Bajwa, Panama Case, Shahid Khaqan Abbasi, Treason Case against General Musharraf

Introduction

PML-N government took power after the PPP's coalition government had completed its tenure (2008-2013). PPP gained a victory in the general elections of 2008 in the wake of the assassination of its leader Benazir Bhutto. At that time, Musharraf was still intact in the office of the presidency. PML-N formed its government in Punjab. Period between 2008-2013 is generally considered as the era of friendly opposition (Chawla, 2018). The civil-military relations during the PPP government generally remained uneasy under General Ashfaq Pervez Kayani-led army even though the PPP government had given a full term (03 years) extension to him. The relations went sour whenever the PPP government tried to exert its influence over the army's decision-making (Mahmood, 2019). The PML-N government perhaps did not allow the army enough space in the decision making. This may be the reason why the relations between civil and army leadership went much bitter as compared to the PPP government. The major incidents which became the source of a troubled relationship between civil and army during the period (2013-2018) will be analyzed in this study.

Theoretical framework

Huntington defines the civil-military relationship as per which the military is required to work under the command of a civilian leadership (Campbell, 2004). The normative assumption is that the military like the other institutions of state should follow the command of a civilian leadership which derives its powers from parliament and this institution personifies the will of people. The present-day modern state is composed of people who have an exclusive right to choose their representatives to decide in affairs of governance and formulate policies for the welfare of people. In a modern-day representative democracy, the state institutions obey the parliamentary legislation. Theoretically, the military has to be at the beck and call of the elected representatives and they are answerable to them for their deeds/misdeeds (Eckersley, 2004). Further, a theory also says that the economy, governance and centre-province relations fall in the domains of the civilian leadership and subordinate state institutions should not be allowed to overpower them. If these fields require any redressal, then the constitutional *modus operandi* should be adopted.

Baron De Montesquieu rendered his theory on the separation of powers amongst the different pillars of a state. Judiciary, executive and legislature will act independently and none of the organs of the state will be allowed to interfere in the domain of the other. If any organ of the state tries to concentrate all functions of the state in its domain, then it will amount to tyranny (Montesquieu and et al., 1989). The French Legalist Montesquieu (1748) believed that if one person or a singular authority exercised control on all functions of the state then the whole fabric of society would annihilate.

Great Britain which is the oldest surviving democracy has no written constitution (Bauman & Kahana, 2006). The functions of the state overlap but checks and balances stop each organ to interfere in the realm of the other (Masterman, 2011). The constitution of the United States of America (1789) has also been influenced by the political doctrine of separation of powers amongst the different organs of the state as propounded by Charles de Secondat, Montesquieu in his book titled as *The Spirit of Laws*. Article 1 mentions the establishment of a bicameral legislature. Article 2 and 3 respectively mention the functioning of executive and judicial branches. The checks and balances have evolved over the years. One organ of the state does not interfere in the functioning of the others. However, the concept of the judicial review has not been provided in the constitution of the USA, however, the judiciary has assigned itself to this function so as the legislature of the country does not legislate in contravention to the constitution of the USA (Boyer & Dubofsky, 2001).

But practically speaking, in Pakistan, this is not true. The military had its direct rule for more than three decades. Even if there was a rule by the civilians, it has been observed that they were not free in decision-making. Perhaps, the civilian leadership is itself responsible for such curtailed freedom in decision-making as they uninterruptedly practice inefficiency and corruption. Although the military leadership failed in the delivery of services to the people but the civilian leadership did the same as well. The concept of guided/controlled democracy is not confined to the Pakistani political system as Indonesia also practices the same (Rabasa & Haseman, 2002).

With this background in mind, this study would attempt to analyse as to how the CMR was embittered during the PML-N government period from 2013-2018.

Developing the arguments

The PPP's coalition government remained in government from 2008 till 2013 by completing its constitutional period. However, this government had tense relations with the military leadership on different issues. The main issues which ached the relationships between the two leaders were American clandestine operation of Abbottabad on Osama bin Laden, Hussain Haqqani's ostensible letter to the US military chief to foil the likely coup by the military leadership after the May 2011 event (known as a memo-gate scandal), tendering affidavit by the COAS General Ashfaq Pervez Kyani and DG ISI Lt. General Shuja Pasha in the SC of Pakistan in a memo-gate scandal, dismissal of the then defence secretary, Hussain Haqqani's (the then Pakistan ambassador in the US) flagrant issuance of visas to the CIA officials without informing the military leadership, Prime Minister of Pakistan's statement challenging the military leadership that 'a state within a state will not be allowed' and Abbottabad Commission's report.

The civilian government of PML-N led by Mian Nawaz Sharif which followed also encountered some incidents which became a source of disquietude

with the military leadership. The major incidents which plagued the relationship of the two leaderships during the period (2013-2018) were as follows: the overthrow of MNS from the office of Premiership of Pakistan in 1999; trial of General Musharraf, on charges of sedition; Pakistan Tehreek-i-Insaf/Pakistan Awami Tehreek sit-in in Islamabad's Blue Area against rigging in the elections of 2013; sit-in by the religious elements of Tehreek-i-Labbaik; muscle-expansion by the quarters of the army; allegations of media management; Indian Prime Minister's visit to Mian Nawaz Sharif's function in Lahore; differences over dialogue with the Taliban; establishment of the military courts; PML-N Minister Mushahidullah's allegation against the DG ISI regarding the overthrow of its government; Bajwa doctrine; and Mian Nawaz Sharif's interview to Cyril Almeida.

General Pervez Musharraf as the Army Chief overthrew Nawaz Sharif's government in Oct, 1999. MNS was convicted for high-jacking General Musharraf's plane, kidnapping and corruption. He was in jail for more than fourteen months before a deal of his self-exile was presumably brokered by a Saudi member of a royal family (Mahmood, 2016).

General Musharraf suspended the Constitution of Pakistan 1973 and issued a Provisional Constitutional Order. The Supreme Court of Pakistan legalised his coup d'état under the 'Doctrine of Necessity', first introduced in the legal domain by the then chief judge of the federal court Munir Ahmed in 1954 (State vs. Dosso case: PLD 1958 SC 533). Musharraf ruled as the President of Pakistan from 2001 to 2008 and is considered as one of the longest-serving rulers of Pakistan (Musharraf, 2006).

On 6th October 2007, General Pervez Musharraf was re-elected as the President of Pakistan in a presidential election by an electoral college. The Supreme Court of Pakistan headed by the Chief Justice Iftikhar Chaudhary, although, did not cap the process of the re-election of a presidential election, however, it barred the Election Commission from the pronouncement of a final result. On 3rd November 2007, the constitution was suspended as there was a fear of unfavourable judgment from the Supreme Court.

Army's 111 brigade captured the building of the Supreme Court of Pakistan and arrested the judges. Pervez Musharraf gave birth to the new composition of the Supreme Court of Pakistan under the Chief Justice Abdul Hameed Dogar who validated the action of November 2007 and Provisional Constitutional Order, No.1 of 2007 relying upon the doctrine of the state necessity on 15th February 2008 (Supreme Court of Pakistan: PLD 2008, SC 615). Although, this judgment validated Musharraf's election as the President of Pakistan, yet, it did not allow him to retain the post of the Army Chief.

Pakistan Peoples' Party stood victorious in 2008 elections during the presidentship of General Musharraf by cashing on the killing of Benazir Bhutto. After the end of the tenure of the PPP government, Nawaz Sharif rose to power in the wake of general elections of 2013 (Mahmood 2019). Meanwhile, General Pervez Musharraf also came to Pakistan to participate in the elections. However,

his nomination papers were only accepted by the election authorities in Chitral (India Today: 7 April 2013).

With Nawaz Sharif again as Pakistan's premier in 2013, it was perhaps, the best time for him to settle old scores with General (rtd) Pervez Musharraf who had made him lick the dust in 1999. His government filed a complaint in the Special Court at Islamabad for a trial of abrogating the Constitution of Pakistan, 1973. The complaint was to be read with Section 3 of the High Treason Act, 1973 and Section 5 of the Criminal Law Amendment (Special Court Act), 1976. The charges levelled in a complaint against General (rtd) Pervez Musharraf were: the first charge was that the Constitution of Pakistan, 1973 was unconstitutionally and illegally held under abeyance; the second allegation levelled against him was that the Constitution (Amendment) Order 2007 illegally inserted Article of 270-AAA by bringing unlawful amendments in the Articles 175, 186-A, 198, 218, 270-B&C; third charge read that the judges were illegally made to comply with the proclamation of the emergency and bound them to take oath as per the Order of 2007; the fourth charge levelled against him was that he illegally issued the Provisional Constitutional Order of 2007 No.1 which entitled him to introduce amendments in the Constitution, 1973 and fifthly, he as a Chief of the Army Staff issued a proclamation of emergency on 3rd November 2007.

The bench comprising Justice Faisal Arab, Justice Yawar Ali Khan and Justice Tahira Safdar heard the case of high treason against General Pervez Musharraf (The Washington Post: 2 January 2014). Before he could be indicted, he made a way to the Military Hospital for treatment of his ailing heart (The Guardian: 18th February 2014). Later, the SC of Pakistan removed the name of retired General Pervez from the ECL and permitted abroad medical treatment.

General Pervez Musharraf returned to the country to participate in the general elections of 2013. He had shown his willingness to respond to the court cases along with the related proceedings under Article 6 of the Constitution. But, when he had to face the courts proceedings in reality, he lost his control. Further, Nawaz Sharif in government whom he had jailed after the 1999 coup d'état was not willing to let him loose for overthrowing his reign. The Army, on the other hand, felt demoralised as their chief was being tried under a treason case. Therefore, pursuance of court case against General (rtd) Pervez Musharraf caused friction in the relationship of the civilian government with the military leadership. General Raheel Sharif, then COAS, exercised his influence on Nawaz Sharif's government to avoid pursuing cases against General (rtd) Pervez Musharraf. Further, the courts were also influenced to allow General Musharraf to leave the country. General Pervez Musharraf himself admitted that it was General Raheel Sharif who had helped him in getting relief from the court cases since these were politicised cases. He said in a televised interview that General Raheel had helped him because he was at one time the latter's boss and also served as the Army Chief. It was contended by him that he improved the economy of the country and exterminated

terrorism from the country. It seems that the military did not allow a civilian government to put a General under trial. It had to bow down before the military leadership and accepted their demands. Had it refused in accepting the demands of the military, it might have to face hardships in the completion of its tenure.

The military and civil leadership relations were further strained when fingers were pointed at the former in aiding the PTI and PAT protestors' sit-in against the election rigging in 2013 general polls and registration of a case in the Model Town indiscriminate firing incident. PTI led by Imran Khan; a cricketer-turned-philanthropist-turned politician made a long march on 14th August, 2014 (known as Azadi/tsunami march) for Islamabad. His objective was to force Nawaz Sharif to tender resignation from government as he had stolen the mandate of the people of Pakistan. The protestors sat in the capital for 126 days from 14th August, 2014 until 17th December 2014 when it was called off due to the terrorist attack on an Army Public School at Peshawar (The Daily Jang: 16 December 2014).

On 8th April, the Supreme Court of Pakistan formed commission headed by the Chief Justice of Supreme Court, Mr. Nasirul Mulk, to probe into the allegations of poll-rigging in the 2013 general elections on the demands of the Pakistan Tehreek-i-Insaf led by Imran Khan (Business Recorder: 9 April 2015). The commission concluded its proceedings on 22nd July 2015 and announced that gross irregularities were not found in the elections of 2013 and on a large part the elections were conducted fairly and transparently. After the release of findings of the judicial commission report, the then Prime Minister of Pakistan Mian Nawaz Sharif made a televised address to the nation laying stress to work for Pakistan. He did not name PTI but asked all political parties to participate in nation-building. On the other hand, it was a political blow for Imran Khan's PTI who had given a sit-in of 126 days and his charges of rigging in the elections of 2013 were proved untrue.

Although the three-member judicial commission's report saved the government of Mian Nawaz Sharif a question sprang up as to who had orchestrated the dharna (sit – in) of PTI and PAT and with whose support it continued for more than four months in a capital city on the conspicuous blue area? How were the protestors fed and sheltered? There is a section of people who believe that the suspicious activities of the protestors could not spread for the months without the military-led intelligence agencies.

Makhdoom Javed Hashmi, an unhappy PTI leader, stated that the Islamabad sit-in was authorized by Lt. General Shuja Pasha, a former spy-master from the ISI. He claimed that he wanted to settle a personal score with Mian Nawaz Sharif by destabilising his government (The Telegraph: 12 August 2014). It is said that Mian Nawaz Sharif had ordered the then DG ISI Lt. General Zaheer-ul-Islam to restore normalcy by dispelling the protestors, but, he did opposite to that. When he failed to comply with the orders of the Prime Minister, Mian Nawaz Sharif was advised by his colleagues to initiate proceedings against Lt. General Zaheer-ul-Islam on his inaction. But, he feared that such a move could impair the civil-military relations (The News: 25th July 2015). The then Defence Minister

Khawaja Asif stated in a televised interview that London plan of 2014 was carved out by the two DGs of ISI, viz, Lt. General Shuja Pasha and Lt. General Zaheer-ul-Islam to destabilize the government of Mian Nawaz Sharif on his stance regarding the Geo TV.

The above-stated developments if accepted as true can help us in understanding that the civil-military institutions tried to bring the other side under its control. The military has a muscular power and it may spin the state resources and its institutions at its disposal. Minister Mr. Mushahidullah stated in an interview with the BBC that recording of the audio tapes (establishing involvement of the ISI behind dharna) was played before the COAS General Raheel Sharif and Lt. General Zaheer-ul-Islam. General Raheel sought his explanation and asked him to leave the room. The government of Nawaz Sharif disassociated itself from the statement of the Minister and asked him to tender the resignation. Despite such fire-extinguishing such revelation by the Minister in fact, further dented the ever fragile civil-military relations.

The civilian government of Mian Nawaz Sharif faced yet another rocky hurdle which deepened strife in the CMRs. The Panama papers which were published by an international forum of the journalists disclosed the properties, off-shore accounts/companies and bank accounts owned by the public figures around the world. Mian Nawaz Sharif's children link to the off-shore companies such as Coomber Group Inc, Nescoll Limited, Hangan Property Holdings Limited and Nielson Holdings Limited was also mentioned in these papers (Obermayer & Obermaier, 2016).

Panama Papers perhaps allowed Imran Khan who had failed to oust Mian Nawaz Sharif after the unfavourable findings of the Supreme Court judicial commission's report. Nawaz Sharif had to address the nation to clarify his position on Panama papers.

Afterwards, Imran Khan filed a constitutional petition in the SC to dislodge MNS from the slot of the premiership of Pakistan (The News: 30 August 2016). On 20th April 2017, the Supreme Court adjudged that the submitted record did not establish that Mian Nawaz Sharif should be removed from the office of the slot of the premiership. However, the judgement directed for the formation of an investigation team to look into the fiduciary matters of Mian Nawaz Sharif and his family. The JIT which included the members from the ISI and MI submitted its 275-paged report in the Supreme Court on 10th July, 2017. The Supreme Court announced its final judgement on 28 July 2017 by holding that Mian Nawaz Sharif was found guilty of concealing in the nomination papers his employment in a foreign company. He lost the slot of the premier of Pakistan. National Accountability Bureau was ordered by the SC to file a case of corruption against the family of Mian Nawaz Sharif. The Court also directed to file a case of corruption against Ishaq Dar, a finance minister of the PML-N (PLD 2017 SC 692; PLD 2017 SC 265).

The NAB in pursuance of the Supreme Court order filed a reference in the NAB court under article 9 of the National Accountability Order (NAO) 1999. Nawaz Sharif was sentenced for 10 years imprisonment on account of owning assets beyond means. His daughter Maryam Nawaz was given 7 years imprisonment on account of concealing the properties of her father and her husband was sentenced for one year. Later, in another reference case of Al-Azizia, Mian Nawaz Sharif was sentenced to 07 years jail but freed him in the reference case of Flagship investment. He was fined 1.5 billion rupees and also US \$ 25 million in Al-Azizia reference case. Besides these punishments, Mian Nawaz Sharif was also disqualified from holding any public office for 10 years.

Resultant to the judgement of the Supreme Court of Pakistan, Nawaz Sharif had to relinquish the office of the premiership. However, his party PML-N remained in power. Shahid Khaqan Abbasi, a Minister of his cabinet swore in as the 21st Premier of Pakistan on 1st August 2017 and retained this office until the end of the tenure of PML-N on 31st May, 2018. When asked from Shahid Khaqan regarding the relationship with the military, he said that there were institutional dissensions over the last years, however, the civil-military relations are being rebuilt. It is not difficult to understand the background of this statement that Nawaz Sharif was presumably brought to justice as he had remained highly enmeshed with the military leadership; the result of which was perhaps the incidents like dharna of 126 days in Islamabad by the PTI and PAT. Dharna (sit – in) in the capital by the Tehreek-i-Labbaik (TLP) followed later during the prime ministership of Shahid Khaqan Abbasi. But, a question arises as to why Jindal (Indian businessman) and Prime Minister of India Narendra Modi visited Nawaz Sharif privately (DNA News: 29 October 2016). It is not amazing if such activities of Nawaz Sharif bred suspicion in the military leadership (Dawn: 16 May 2017).

Unfortunately, during the period under discussion, the PML-N leaders intentionally or unintentionally aired numerous statements which can be considered as an attempt to further destabilize the feeble civil-military relationship. For instance, on 29th October, 2016, why it was *de rigueur* for the PML-N Information Minister Pervez Rasheed to say that the civilians have told the military to either act against the militants or face the international isolation. This was an irresponsible statement from a federal minister rendered without plausible justification. Although, the PML-N asked its minister to step down, yet, the whole incident provided a fodder to the Indian media. Interestingly, the mistake of giving a contentious statement was repeated this time. Earlier, it was Mushahidullah, a Minister for climate change, who had also given a reckless statement about the then DG ISI Lt. General Zaheer-ul-Islam while giving an interview to the BBC News. After that the minister's resignation was sought by the PML-N. One wonders that was it the PML-N of 2013-2018 who spoke its heart through its federal ministers or the party leaders.

In this background, it is not astounding that Mian Nawaz Sharif himself became so careless and imprudent while giving an interview to Cyril Almeida, a reporter of Dawn in Multan (Dawn: 12 May 2018). In the interview, he said that

there cannot be parallel governments (this reminds us of the statement by the former Prime Minister of Pakistan Mr. Yusuf Raza Gillani during the tenure 2008-2013). Only a constitutional government should survive. It was perhaps his frustration regarding the NAB cases which made him that non-state actors of the militant organisations go to Mumbai and kill as many as 150 people. He asked a question from the reporter of Dawn News as to why the proceedings regarding Mumbai attacks have been halted in Rawalpindi anti-terrorism court (Daily Times: 15 May 2018).

This interview served as a pudding for the Indian media which spares no opportunity in disparaging and lampooning the Pakistan Army. The statements were from a three-time Pakistani premier and it was of extreme interest to the Indian media and they published this story in a mirthful state (Business Standard: 14th May 2018). While speaking in anger, dismay and dejection with Cyril Almeida, Mian Nawaz Sharif might not have imagined that his words will be used as a defence in the International Court of Justice by Harish Salve, an Indian lawyer defending the case of Indian Navy spy Kulbhushan Jadhav. After reading these developments, one may not wonder as who was responsible for the decrepit civil-military relations.

The introduction of a controversial clause in the Election Act, 2017 by the PML-N government caused a further severe dent in the deteriorating civil-military relations. The PML-N government had hurriedly passed the bill to re-elect Mian Nawaz Sharif as the party head which also included a clause about the *Khatm-e-Nabuwaat* (finality of the Prophethood) (Global Village Space: 22 February 2019). The new clause had changed the nomenclature from *oath* to *declaration*. The PML-N government contended that change of words from *I swear* to *I believe* was a typo mistake. The contention was rejected and the Tehreek-i-Labbaik ya-Rasool-Ullah made an announcement of dharna (sit – in) at the Faizabad, Islamabad demanding severe action against the PML-N Law Minister Zahid Hamid. The protestors gave a sit-in at the Faizabad interchange, Islamabad for almost 20 days starting from 8th September, 2017 and lasted until 27th September, 2017.

The protest was called off by the protestors when the ISI brokered a deal between Tehreek-i-Labbaik, Pakistan Sunni Tehreek, Majlis-i-Tahafuz-e-Khatame-Nabuwaat and the government of the PML-N. Zahid Hamid federal minister of law had to tender his resignation and government promised not to register any case against the protestors. It was observed that the DG Punjab Rangers, Maj General Azhar Navid Hayat, distributed cash envelopes to the protestors saying that the money was given to them to facilitate their journey to their homes (BBC News: 29 November 2017).

The Islamabad High Court and Supreme Court of Pakistan took notice of the situation and issued notices to the concerned quarters. The Islamabad High Court Single Bench Judge Justice Shaukat Aziz Siddiqui was critical of the Pakistan Army's role in brokering the deal with the Khadim Hussain Rizvi-led party. He

termed the agreement in contravention of the law (Pakistan Today: 4 December 2017). Signature by a serving Major General and later distribution of cash by another Major General were questioned by the said judge (The News: 4 December 2017). Islamabad High Court harshly observed that the Faizabad dharna (sit – in) was an act of anti-state activity and an act of terrorism (The Dawn: 25 November 2017). The court had proposed bringing the matter before a joint session of parliament. The Supreme Court bench comprising judges Mushir Alam and Qazi Faez Isa ordered that the army officers involved in the political activity during the Faizabad Dharana (sit – in) case be brought before the law.

There is an impression that the Faizabad dharna (sit – in) was orchestrated to weaken the PML-N government. The PML-N government, however also remained adamantly against negotiating a deal with the leaders of the TLP and other protesting Brailivi sect religious parties. It appears as if the judiciary tried to stretch its muscles to exert its independence when it harshly criticized political involvement of the intelligence agencies in Pakistan. The developments which took place during the Faizabad Dharana (sit – in) and afterwards brought further suspicion in the relationship of military leadership with the then civilian government (PML-N).

Bajwa doctrine although, has not been overtly detailed yet, the term Bajwa doctrine was first used by the DG Inter-Services Public Relations, Major General Asif Ghafoor. It is said that the doctrine refers to the regulation of an unbridled media, action against the corrupt politicians, correcting the ailing economy, nabbing the terrorism from the country, cordial relations with the neighbouring countries, belief in democracy and democratic traditions. The critics say that the TV channels and anchor-persons advocating the case of Mian Nawaz Sharif and his innocence in the cases in which the court has punished him have been facing restrictions. Such media-men have been laid off from their jobs. There is an impression that Imran Khan was made to win the elections by refusing the mandate of Mian Nawaz Sharif (The News: 18 March 2018). However, General Qamar Javed Bajwa had made it clear to Mian Nawaz Sharif that the army will stand by his government except in the Panama Case. In this background, it is said that the Bajwa Doctrine has been successful as it is backed by the state resources (Asia Times: 22 August 2019).

Conclusion

It seems that the civilian rule under discussion was not free from a surreptitious intervention by the military. The military leadership influenced the policies and shaped decision-making in the arenas of foreign policy, domestic security and governance. Both the leadership has differing-views on resolution of issues of governance of the country. Although, under General Kiyani, PML-N stood victorious in clinching the coveted slot of prime ministership of Pakistan, yet, both the institutions remained suspicion of each other. On the two sides in relationship prevailed. Gen. Bajwa as the COAS was the choice of Mian Nawaz Sharif, but, he

battered again and lost. Perhaps, there is a psychological reason behind this phenomenon as he carries a bad memory of his ouster by General Musharraf in October 1999.

Overall, the military leadership was un-easy with Mian Nawaz Sharif and there is a general impression that such tussle landed MNS in jail. Now, the government of Imran Khan has been put in place. It seems as if both the military and civilian leadership are on one page and unanimous on matters of the administration of external and internal fronts. The historian/chronicler will see whether the unanimity of two sides helped in giving relief to a common Pakistani or not as the PML-N five years miserably failed in giving relief to the Pakistanis in matters on inexpensive and speedy justice, law and order, civic amenities, education and health etc.

It will not be out of place to conclude that the theories of separation of powers amongst the organs of a state and its application in the western democracies are being practised successfully. The examples of USA, UK, France and the other western countries is before us (vile, 2010). In Pakistan, however, separation of powers amongst the different organs of the state seems a far cry and impracticable which has affected the functioning of democratic institutions.

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