

Politics of Elections and Autocracy in Pakistan: Apprising the Electoral Process during Zia ul Haq's Regime

Tahir Kamran*

**Every body knows I' m a man of the Right, all these liberals and
democrats better move to the Centre, Gen. Zia.**

Abstract

This paper seeks to identify a gradual shift from a position of \autocratically governed structure of Pakistani state to semi-democratic polity. In Pakistan, it took twenty three years for the first general elections to take place in 1970 however electoral politics failed to sustain itself as the election in 1977 were alleged 'rigged', hence the whole political system was de-railed. In that perspective the politics, pursued by Zia regime with respect to the elections are critically appraised in this study.

The elections of 1977 left behind an ominous legacy, a brutalized and bruised country. The adage 'big people commit big mistakes' sit precisely on Bhutto, the nonchalant way that he managed elections provides an ample testimony. Even without allowing whatever indiscretion came to pass on 7th March, by all accounts PPP would have won comfortable majority and that too hands down. Nevertheless in a bid to secure two-third majority in the National Assembly at least at 30 to 40 polling stations the ballot boxes were stuffed, which proved to be an exercise in utter futility. 'Overzealous civil servants, who were supposed to be custodians of law, went over board in polling day rigging.'¹

* Author is Professor and Chairman of History Department at Govt. College University, Lahore.

¹ <http://www.cssforum.com.pk/general/news-articles/articles/15956-history-election-rigging...> accessed on 16th March,2009.

Rigging of the election was done in such a crude manner that the activists of Pakistan National Alliance ventilated its angst and anger by taking to streets. The urban centres were the main locus of the protest which necessitated deployment of army in the major cities. The fact that needs to be underscored here is the reconciliatory initiative of Prime Minister Bhutto when he extended the opposition with an invitation for a dialogue and the opposition responded to it in the affirmative. That dialogue had yielded a positive result but before the agreement could be signed General Zia ul Haq staged a *coup detat* on 5th July which had far-reaching implications. Bhutto in his last book *If I am Assassinated*, written in Rawalpindi jail while awaiting execution, called the Pakistani political culture as 'coupgemony' which indeed is a recurring feature of Pakistani polity. Here it would be appropriate to mention that some of the PNA leaders tried to instigate army top brass to intervene. Air Marshal (retired) Asghar Khan particularly wrote lengthy letters to the Chief of Staff, Services Chiefs and other high ranking officers. He argued that the officers and men were not duty bound to obey the orders of the Bhutto government as it was no longer a lawful government.

He wrote;

...Bhutto has vitiated the constitution and he is guilty of a grave crime against the people. It is not your duty to support his illegal regime nor can you be called upon to kill your own people so that he can continue a little longer in office. Let it not be said that the Pakistan Armed Forces are degenerated police force, fit only for killing unarmed civilians...

The later concluded:

...As man of honour it is your responsibility to do your duty and the call of duty in these trying circumstances is not the blind obedience of unlawful commands. There comes a time in the

lives of nations when each man has to ask himself whether he is doing the right thing. For you that time has come. Answer this call honestly and save Pakistan.

God be with you.

Strong public pressure was also applied on the troops undertaking police duties in urban centers. The PNA women made telephone calls to the senior officers' wives requesting them to restrain their husband from undertaking actions against the demonstrators.²

On July 5, after the *coup*, the right-wing components of the opposition 'openly celebrated military take-over. Whatever his personal fortunes, Bhutto's failure will remain historic.'³ Thus the *coup* of the Ultra Right, as Aijaz Ahmad termed it, put an end not only to the populist regime but also its chief protagonist, Zulfikar Ali Bhutto.⁴ He was executed on 4th April 1979. Bhutto's executioner, Gen Zia ruled this country for agonizingly long eleven years till he also died in a plane crash near Bhawalpur on 17th August 1988. As said earlier Zia ul Haq left a legacy of intolerance and violence which has proved as an anathema for the succeeding governments. However before going any further, a brief biographical sketch of Gen.Zia ul Haq seems necessary to put things in perspective.

Muhammad Zia-ul-Haq.(1924-1988)

Muhammad Zia-ul-Haq, a scion of a modest middle-class Arain clan in Jullundur, came to this mortal world on 12 August 1924

² (Hasan Askari Rizvi, *Military and Politics in Pakistan*, PP. 237-238.

³ http://www.bitsonline.net/eqbal/articles_by_eqbal_view.asp?id=12&cid=3 accessed on 17th March 2009.

⁴ Aijaz Ahmad, *Lineages of the Present: Political Essays*(New Delhi: Tulika,1996),p.73.

as the second child of Muhammad Akbar, who was a GHQ employee in Delhi and had five children. He completed his early education in Simla and then at St. Stephen's College Delhi. He obtained commission in the British Indian Army in the 13th Lancers, in 1943 and served in Burma, Malaya, and Java during World War II. After Pakistan came into being, Zia was posted to the Armored Corp's Centre at Nowshera NWFP. He was also instructed in the United State in 1962-1964 at the US Army Command and General Staff College Fort Leavenworth, Kansas. During the Indo-Pakistan war of 1965, Zia was a Tank Commander. Nothing of any consequence with respect to his gallantry as a soldier is so far recorded. Through out his career, however, he availed of a number of important assignments. Immediately after his promotion to the rank of a brigadier in 1969 he was sent to Jordan where he served from 1967 to 1970. During his stay in Jordan he helped in the training of Jordanian soldiers, as well as leading the training mission into battle during the 'Black September' operations in Jordan, a strategy that proved crucial to King Hussein's sustenance in power. On 1 April 1976, Prime Minister Zulfikar Ali Bhutto appointed Zia-ul-Haq as Chief of Army staff, in super session to half a dozen officers. Interestingly the traits of Zia-ul-Haq which convinced Bhutto of his eligibility for the position of Chief of Army Staff- "piety, patriotism and professionalism- turned him in the circumstances of the 1977 PNA Nizam-e-Mustafa agitation from an apolitical soldier into a successful coup-maker."⁵

Hasan Askari Rizvi is right when he refers to the military take over in 1977 'The July 1977 coup was as peaceful as were the coups in 1958 and 1969.'⁶ During the night between 4 and 5 July, the armed forces took over the administration of the

⁵ Dr *Tahir Kamran*, *Democracy and Governance in Pakistan*. (Lahore: South Asia Partnership, 2008), p. 103.

⁶ Hassan Askari Rizvi, *The Military and Politics in Pakistan*, P. 239.

country. Bhutto, his Cabinet colleagues, and top PNA leaders were placed under protective custody. The National and Provincial Assemblies were dissolved, and Martial Law was clamped throughout the country. This came to be commonly known as “Operation Fair play.”⁷

General Zia-ul-Haq, after seizing power projected himself as a reluctant ruler. He argued quite emphatically that the armed forces had to step into the political field when it became quite clear to them that the politicians were unable to resolve the political crises. He emphasized in no uncertain terms, like the preceding military rulers, that neither he nor his colleagues had any political ambition or agenda and that he would return the country to democratic rule within 90 days. General Zia-ul-Haq declared:

“My sole aim is to organize free and fair elections which would be held in October this year [1977]. Soon after the polls, power will be transferred to the elected representatives of the people. I give a solemn assurance that I will not deviate from this schedule. During the next three months my total attention will be concentrated on the holding of elections and I would not like to dissipate my powers and energies as Chief Martial Law Administrative on anything else”. In other statement General Zia-ul-Haq said: “I will not accept a political office because I do not think I am fit for that”.⁸ He also stated that the constitution of Pakistan had not been abrogated but temporarily suspended. However Zia instead of keeping his promise of holding elections in 90 days, embarked on an unending and equally convoluted process of accountability. He thought it rather more important to hold local bodies elections in 1979 and then in 1983. Pakistanis

⁷ Hamid Khan, Political and Constitutional History of Pakistan, p.329.

⁸ Hassan Askari Rizvi, *The Military and Politics in Pakistan 1947-1 And 997*, PP 240.

had to wait till 1985 when general elections were eventually held, on non-party basis. But before analyzing general elections and the referendum that Zia held, it would not be out of place to mention about the judiciary, which acted as accomplice to the martial law regime. Hamid Khan maintains:

From the very beginning, when the military junta assumed power on 5th July, it involved the judiciary with it. Zia met Chief Justice Yakub Ali on 5 July. The Chief Justices of the High Courts of the four provinces were appointed acting governors of their respective provinces. It indeed was shocking the way the Judiciary fell into the lap and ultimately the trap of the Martial Law Government and gratefully accepted various assignments entrusted to them without any noticeable demur. The military junta must have immediately sensed the vulnerability of the members of the judiciary for high offices and the perks and privileges associated with them from the member and the haste with which they were accepted.⁹ Judiciary's partisan role was clearly manifested in Bhutto's execution.

Retribution first, elections later:

However, in October 1977, he announced the postponement of the electoral plan and decided to undertake the process of accountability, which mostly was People's Party centred. According to Zia he changed his decision and rescinded his promise due to the strong public demand for the scrutiny of political leaders who had engaged in malpractices in the past. Thus the "retribution first, elections later" was the agenda of Martial Law regime. All said and done the politicians were the losers yet again. A Disqualification Tribunal comprising a judge of a High Court and a military officer not below the rank of a

⁹ Hamid Khan, PP 348

Brigadier was formed, and 180 persons who had been the members of Parliament were charged with malpractice and disqualified from participating in any political activity for the next seven years. Nusrat Bhutto, the wife of the deposed Prime Minister, filed a suit against General Zia's military regime, challenging the validity of the July 1977 military coup. The Supreme Court of Pakistan ruled, in what would later be known as the Doctrine of Necessity, that, given the dangerously unstable political situation of the time, General Zia's overthrowing of the Bhutto government was legal on the ground of necessity. The judgment not only validated the overthrow of Bhutto regime but also helped strengthening Zia hold on the government. On April 4, 1979, the former Prime Minister Bhutto was hanged, after the Supreme Court upheld the death sentence as passed by the Lahore High Court. The High Court awarded him the death sentence on charge of the murder of Ahmad Raza Kasuri's father.¹⁰

A White Paper was issued, incriminating the deposed Bhutto government on several counts. *White Lies* as termed by Mr. Bhutto in his last book *If I am Assassinated*, the White Paper was a momentous effort to tarnish the image of Z.A. Bhutto. Right wing press, duly supported by the military regime unleashed scathing criticism on the deposed Prime Minister. Zia ul Haq did not leave even a single stone unturned to deal a death knell to the political legacy of Bhutto. For his own sustenance in power it was necessary that People's Party must be precluded to be the part of the political process. Constituting Majlis-i-Shoora or holding the referendum and the general elections on the non-party basis were the machinations to keep PPP out of contention. It would be pertinent to deal with Majlis-i-Shoora here.

¹⁰ Tahir Kamran, *Democracy and Governance in Pakistan*, pp. 106-107.

Majlis-i-Shoora:

It was provided under the PCO that the President could constitute a Federal Council (Majlis-e-Shoora) to perform functions that were to be assigned to it by the President. This was a step taken to create a political lobby for Zia and his cronies for grooming them for the future elections to the Assemblies in addition to the people elected to the local bodies who also owed allegiance to Zia. Extreme care and caution was taken by the Governors of the Provinces before recommending any person for *Majlis-Shoora*. Their recommendations were based largely on the reports of the Deputy Commissioners and the intelligence agencies. Their potential to secure a niche in the future assemblies was contingent on their family background which was given due weight. With this criterion in mind, the scions hailing from the prominent feudal families got generous representation in this Council. After that selection process had been finalized by the end of 1981, Zia issued a President's Order and the Federal Council was established. The purpose of the council as stated above, was that pending restoration of democracy and representatives institutions, it was deemed necessary to make an interim arrangement for association and consultation regarding the affairs of the state. Hence, the Federal Council was an interim arrangement made by the Martial Law Regime and the nominees thereto were expected to serve as the political arm of the Zia Government. The President could nominate up to 350 members to the Federal Council. The Council met for the first time in 1982 and Khwaja Muhammad Safdar from Sialkot, a veteran Muslim League worker was nominated as its Chairman.¹¹

¹¹ *Ibid.*, pp.370-371.

Majlis-i-Shoora was at best a damp squib. It lacked political credibility that comes only through ballot. Hence its role was nothing more than that of an advisory body. The advice or the suggestions advanced by the members of Majlis-i-Shoora were not binding on President. All said and done the creation of such body was one among many gimmicks of the Zia regime which served absolutely no purpose and it had no utility.

Referendum & General Elections: February 1985.

After much testing the political waters Zia eventually announced in the autumn of 1984 that he would continue as President even after holding of the national elections. Thus the referendum hastily arranged in December, designed in fact to provide him with the semblance of a popular mandate and legitimacy before general elections. 'The wording of the referendum proposition made it difficult for voters to oppose Zia without giving the appearance of voting against Islam. This was reinforced by the fact that the "Yes" column was printed in green and the "No" in white.'¹² The referendum proposition read, "Whether the people of Pakistan endorse the process initiated by General Zia ul Haq, the President of Pakistan, to bring the laws of Pakistan in conformity with the injunctions of Islam as laid down in the Holy Quran and the Sunnah of the Holy Prophet (peace be upon Him) and for the preservation of ideology of Pakistan, for the continuation and consolidation of that process for the smooth and orderly transfer of power to the elected representatives of the people."¹³ When the MRD called for a boycott, Zia effectively silenced their campaign making such appeals a criminal offence. The deserted polling stations on 19 December indicated a considerably lower turnout than the official figure of 62.15 per

¹² Ian Talbot, *Pakistan a Modern History*, PP 260-261

¹³ *ibid.*, p.261.

cent with 97.71 per cent voting “Yes”.¹⁴ Although the right wing enthusiasts are not tired of raving ranting about the rigging and indiscretion demonstrated by Bhutto regime in 1977 yet they quite conveniently overlook the atrocious exercise that had been carried out in the name of referendum. Many dubbed it as the fraud of the century. State machinery was used in utter disregard of rules and regulations.

After securing his own position as a President in that farcical referendum, Zia deemed it appropriate to announce elections to the National Assembly for 25 February 1985 and elections to the Provincials Assemblies for 28 February 1985. The opposition parties (MRD) boycotted the elections for the reasons that their demands for party based elections and restoration of the 1973 Constitution *in toto* were not met. For them, those were the deaf and dumb elections because public meetings or processions had been proscribed.¹⁵ On the contrary, Zia insisted that the political parties should not take part in the elections and, as an additional precaution, detained almost all the opposition's leaders for the period of elections.¹⁶

By an ordinance, General Zia-ul-Haq amended the 1973 Constitution raising the total number of the National Assembly seats for the 1985 election from 218 to 237. As result of this the number of general seats for Muslim increased from 200 to 207, the reserved seats for Balochistan and Sind increased by 4 and 3 respectively, and the reserved seats for women were raised a 100% from 10 to 20.

¹⁴ *ibid*

¹⁵ Hasan Askari Rizvi, 'The Civilization of Military Rule in Pakistan', *Asian Survey* 26, no.10 (October 1986), p.1069.

¹⁶ Hamid Khan, *Constitutional and Political History of Pakistan*, PP 373.

Distribution of Seats in the National Assembly

Province/Area	Muslim	Women	Christen	Hindu	Buddhist
Islamabad	1	-	-	-	-
F.A.T.A.	8	-	4	-	-
Punjab	115	12	-	4	-
Sind	46	4	-	-	-
N.W.F.P.	26	2	-	-	-
Balochistan	11	2	-	-	-
Total	207	20	4	4	-

Provincial Assemblies

Province	Muslim	Women	Minorities	Total
Balochistan	40	2	3	45
N.W.F.P.	80	4	3	87
Punjab	240	12	8	260
Sind	100	5	9	114
Total	460	23	23	506

Politics without Parties, A Report on the 1985 Party less Election in Pakistan, (Society for the advancement of Education (SAHE), Lahore, 1988, PP 11-12-15).

Members of Various Political Parties Taking Part in the 1985 Elections

Parties	N.W.F.P	Punjab	Sind	Balochistan	Total
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PPP	10	31	32	6	79
PML	13	55	22	66	96
JI	7	34	18	2	61
TI	1	12	0	1	14
JUP	1	8	4	0	13
JUI	4	2	2	0	8
Progressive PP	0	4	1	0	5
MKP	1	0	0	0	1
NAP	0	2	0	0	2
PDP	0	1	0	0	1
NDP	1	0	0	1	2
Inqilabi Mahaz	0	1	0	0	1
PML (ZS)	0	1	2	0	3
Himayat-e-Zia	0	2	0	0	2
TKN	0	1	2	0	3
Masawat party	0	1	0	2	3
Pakhtoon Itehad	0	0	1	2	3
Sawad-e-Azam	0	0	3	0	3
NAP (PK)	0	0	0	1	1
ICP	0	0	3	0	3

Voters in Each Province

Province	Province population	N.A. Seats	Voters
Punjab	47,292,441	115	21,125,289
Sind	19,028,666	46	7,652,825
NWFP	11,061,328	26	4,173,930
Balochistan	4,332,376	11	1,409,143
Islamabad	340,286	1	149,176
FATA	2,198,547	8	30,583

Politics without Parties (Report) PP 22)

Muhammad Khan Junejo

Muhammad Khan Junejo was a Sindi Landlord from Sanghar district and a politician who became Prime Minister of Pakistan following the elections held on the non-party basis in 1985. He had been active in politics since the 1960s and held minor office of Minister for Railways in Ayub regime. He was chosen for the slot of the Prime Minister partly because he enjoyed the support of Pir Pagaro and partly because of his Sindhi background. Despite his mild mannered attitude, Junejo sought to carve out an independent sphere of activity. His attempts to organize the PML which he headed into a popularly based party proved

aborted. He also launched a major program of development and national renewal. His attempts to display independence increasingly irked Zia who was not temperamentally disposed to share power. Relations between the two nose-dived when Junejo pressed forward with an investigation into the Ojhri camp explosion which threatened to embarrass the ISI. In reality, Junejo's independent line on Afghanistan settlement resulting in the Geneva Agreement had been the decisive factor that incurred Zia's hostility. As Ian Talbot states 'the Prime Minister secured Pakistan's signature of the Geneva Accords, but at the cost of his office.'¹⁷

The election campaign was closely regulated by the military government. The candidates were not allowed to use loudspeakers, hold public meetings or take out processions. The candidates generally shied away from talking about domestic political problems or foreign policy. They focused on local problems and issues. Parochial and ethnic considerations, local alliances and local feuds figured prominently in election-campaigning.

Background of National Assembly Members. 1985

Landlords and Tribal Leaders	157
Businessmen	54
Urban Professionals	18
Religious Leaders	6
Other	3

Sources: Dawn, Jang and Herald. Cited in, Omer Noman. (Pakistan A Political and Economic History Since 1947). PP 127.

¹⁷ Ian Talbot, *Pakistan: A Modern History*, p.388.

The MRD had appealed for the boycott of the polls but the following table show that their appeal did not keep the voters away from polling stations.

The 1985 General Elections: Voters' Turn-out

	Percentage of votes polled
National Assembly	52.93
Provincial Assemblies	
Punjab	61.80
Sind	49.82
NWFP	47.61
Balochistan	46.62

The exclusion of political parties and restrictions on political mobilization enabled the feudal and tribal elite to emerge triumphant in the polls. The well-known landed families of the Punjab, Sind, NWFP and the tribal chiefs of Balochistan tightened their hold over the elected bodies. The commercial elite and the affluent candidates also performed well in the polls.¹⁸

The 1985 party-less election also fanned local, sectarian and “biradari” differences. In most elections political party manifestos are the basis of the debate, but in 1985 candidates tried to win over support on the basis of various prejudices. Issue of foreign policy, freedom of speech and expression were not raised even in the leaflets distributed by different candidates including those who were clearly associated with parties like the Jamat-e-Islami. On the other hand the establishment of Islam was made an

¹⁸ Hassan Askari Rizvi, *The Military and Politics in Pakistan 1947-1997*, PP 261-263.

issue, as if the election was being held in a country where peoples were opposed to it. Syed Munawar Hassan of the Tehrik-e-Islami contesting from N.A constituency 193 asserted that he was not interested in merely wining an election, but promulgating Islam.¹⁹

On May 29, 1988, President Zia dissolved the National Assembly and removed the Prime Minister under article 58(2) b of the amended Constitution. Apart from many other reasons Junejo's decision to sign the Geneva Accord against the wishes of General Zia, and his open declarations of removing any military personnel found responsible for an explosion at ammunitions dump at *Ojhri* in Rawalpindi earlier in the year, proved to be some of the major factors responsible for his removal.

After eleven years, General Zia-ul-Haq once again promised the nation that he would hold elections within the next ninety days. The late Zulfikar Ali Bhutto's daughter Benazir Bhutto had returned from exile earlier in 1986, and had announced entering the elections. With Benazir's popularity growing, and a decreased in international aid following the Soviet withdrawal from Afghanistan, Zia was trapped in a politically difficult situation.²⁰

¹⁹ *Politics without Parties* (Report) PP 22.

²⁰ Tahir Kamran, *Democracy and Governance in Pakistan*, pp. 115-116.