A Story of Pakistan's Transition from

Democracy Above Rule of Law to

Democracy Under Rule of Law: 1970-2013

May 2013



WWW.PILDAT.ORG

The First 10 General Elections of Pakistan

A Story of Pakistan's Transition from

Democracy Above Rule of Law to

Democracy Under Rule of Law: 1970-2013

May 2013



PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

PILDAT is a registered non-profit entity under the Societies Registration Act XXI of 1860, Pakistan.

Copyright © Pakistan Institute of Legislative Development And Transparency - PILDAT

All Rights Reserved

Printed in Pakistan

Published: May 2013

ISBN: 978-969-558-342-9

Any part of this publication can be used or cited with a clear reference to PILDAT.

Supported by





Pakistan Institute of Legislative Development and Transparency - PILDAT Islamabad Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan

Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III, Commercial Area, DHA, Lahore

Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078

E-mail: info@pildat.org; Web: www.pildat.org

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

CONTENTS

Preface Introduction

Part 1: A Narrative of Pakistan's Nine Elections (1970-2008) Authored by: Dr. Hasan Askari Rizvi	1
Elections and Democracy Roots of the Electoral Process The 1970 Election The 1977 Election The 1985 Election The 1988 Election The 1990 Election The 1993 Election The 1997 Election The 2002 Election The 2008 Election Conclusion	1 1 1 1 1 1 2 2 2 2 3 3
Part 2: Electoral Data: Its Deconstruction and Interpretation Authored by Dr. Ijaz Shafi Gilani	3
Election 1: 1970: An Election which Divided and Polarized the Nation Election 2: 1977: An Election which Transferred Power from Civilians to Military Election 3: 1985: Transition from Martial Law to 'Oversight by Military' Election 4: 1988: Oversight becomes a System Election 5: 1990: The Flowering of Oversight System Election 6: 1993: Threat to Oversight System Election 7: 1997: Failure of Oversight System Election 8: 2002: Regression from oversight to Military Rule Election 9: 2008: Transition to Democracy and Rule of law Election 10: 2013: The First Election under Rule of Law Concluding Analysis: The end of left-Right alignment in Pakistani Politics New Voter Alignments	3 4 4 5 5 6 6 6 7 7
List of Tables	
Table 1: 1970 All Pakistan Picture Table 2: 1970 Punjab Table 3: 1970 Sindh Table 4: 1970 NWFP (Khyber Pakhtunkwa) Table 5: 1970 Balochistan	4 4 4 4
Table 6: 1977 All Pakistan Picture Table 7: 1977 Punjab Table 8: 1977 Sindh Table 9: 1977 NWFP (KP) Table 10: 1977 Balochistan	4: 4: 4: 4:

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 11: 1988 All Pakistan Picture Table 12: 1988 Punjab Table 13: 1988 Sindh Table 14: 1988 NWFP (KP) Table 15: 1988 Balochistan	44 45 45 46 46 47
Table 16: 1990 All Pakistan Picture Table 17: 1990 Punjab Table 18: 1990 Sindh Table 19: 1990 NWFP (KP) Table 20: 1990 Balochistan	50 51 51 52 52
Table 21: 1993 All Pakistan Picture Table 22: 1993 Punjab Table 23: 1993 Sindh Table 24: 1993 NWFP (KP) Table 25: 1993 Balochistan	54 54 55 55 56
Table 26: 1997 All Pakistan Picture Table 27: 1997 Punjab Table 28: 1997 Sindh Table 29: 1997 NWFP (KP) Table 30: 1997 Balochistan	58 58 59 59 60
Table 31: 2002 All Pakistan Picture Table 32: 2002 Punjab Table 33: 2002 Sindh Table 34: 2002 NWFP (KP) Table 35: 2002 Balochistan	62 62 63 63 64
Table 36: 2008 All Pakistan Picture Table 37: 2008 Punjab Table 38: 2008 Sindh Table 39: 2008 NWFP (KP) Table 40: 2008 Balochistan	65 66 66 67 67
Table 41: 2013 All Pakistan Picture: Pre Election Polling Data Table 42: 2013 Punjab Top Parties: Pre Election Polling Data Table 43: 2013 Sindh-1 (Karachi) Top Parties: Pre Election Polling Data Table 44: 2013 Sindh-2 (Rest of Sindh) Top Parties: Pre Election Polling Data Table 45: 2013 KP Top Parties: Pre Election Polling Data Table 46: 2013 Balochistan Top Parties: Pre Election Polling Data Table 47: Long term Trend Data on PPP and PML(s):* Realignment between 1970-2013 Table 48: Long term Trend Data on Religious Parties: Realignment between 1970-2013	69 70 70 71 71 72 73 74
Appendices	
Appendix 1: Reflections on Election Campaign 2013: How to Make Sense about A Vibrant Volatile and Unpredictable Electoral Race	79
Appendix 2: Exit Poll to Explain Electoral Outcome	82

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Preface 9

he First 10 General Elections of Pakistan – A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 has been co-authored for PILDAT by **Dr. Hasan-Askari Rizvi** and **Dr. Ijaz Shafi Gilani**, renowned political scientists of Pakistan.

The paper traces the electoral history of 9 General Elections of Pakistan culminating to Pakistan's upcoming 10th National Election in May 2013: The first under rule of law. Prospects of upcoming 10th General Election are also analysed in the paper.

Acknowledgments

PILDAT gratefully acknowledges the analysis and cooperation of the two authors and friends of PILDAT, **Dr. Hasan-Askari Rizvi** and **Dr. Ijaz Shafi Gilani** for putting this analysis together to provide a perspective on the upcoming General Election.

This paper is published by PILDAT under the project Supporting Monitoring of Democracy, Electoral Reforms and Development of Youth in Pakistan which is supported by the Danish International Development Agency (DANIDA), Government of Denmark. We wish to thank for their support.

Disclaimer

The views expressed in this report are those of the authors and do not necessarily represent the views of DANIDA, the Government of Denmark and the Royal Danish Embassy Islamabad.

Islamabad March 2013

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Introduction

he story of Pakistan's ten elections began in 1970. It will meet another watershed when the 10th election is held on May 11, 2013. It is also a story spanning forty years of this nation's society and state.

The profile of Pakistan's economy and society has been changing over the period of its ten elections. Alongside, state structures, both civilian and military, have also been changing. In many ways political players playing out the 2013 election are a product of interaction between evolving social conditions and state structures.

This paper looks at the triangular relationship between social changes, political players and state institutions. The three are never in complete step with each other, perhaps they can never be. And that is the subject of Political drama. The level of harmony and disharmony in their ability to be in step with each other explains the drama of politics and the elections which are one of its key characters.

The story of our elections is very stormy and full of turbulence. When our first election was held in 1970, Pakistani society had outgrown the available political structures. Thus when 1970 election was held, the country was torn apart both geographically and socially.

Pakistan's second national election facilitated a back-lash from the institutions of the State. Election outcome culminated in the transfer of power, not from one civilian to another, but from civilians to the military.

The subsequent seven elections in 1985, 1988, 1990, 1993, 1997, 2002 and 2008 have been narrated in this paper as a story which blends changes in the socio-economic profile of voting public with the changing policies of 'over-lordship' and 'oversight' by the institutions of the State. Has Pakistan gained or lost in this process to evolve into a society governed by rule of law? We shall look at each one of the nine episodes between 1970-2008 to reach a conclusion in the concluding chapter of this book.

In order to keep you from guessing our own position on this subject, we believe that 'flawed elections' are better than 'no election.' We believe that each flawed election, nine of them, wherein elections and democracy operated above rule of law, eventually led to the 10th election which we see to be Pakistan's First Election Under Rule of Law. The story narrated in both parts of this paper is a story of transition from flawed to what we hope it would be, a fair and fruitful democracy. The first part focuses on historical account, the second on electoral data and its critical appreciation and interpretation.

Dr. Hasan-Askari Rizvi Dr Ijaz Shafi Gilani

Part 1: A Narrative of Pakistan's Nine Elections: 1970-2008

Dr. Hasan-Askari Rizvi

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

This part of the paper is a narrative of the national elections in Pakistan since 1970 with focus on their historical background, the competing political parties, the key issues in election campaigns, election results and the post-elections developments. The paper also includes tables of useful data on these elections.

Elections and Democracy

Elections are integral to democracy. It is not possible to think of a democratic political system without free, fair and transparent elections because the notion of the primacy of people cannot materialize without providing them with a fair and free opportunity to elect their representatives. Any judgment on the quality of democracy begins with the evaluation of the electoral process and then we apply other criterion to judge its performance in terms of governance and political management, especially the delivery of election commitments to the people.

Elections manifest aspects of human behaviour and help to identify the factors and considerations that shape their political disposition and voting preferences. How far the immediate considerations of political ideology and sociopolitical and economic factors influence political choices? There are deep rooted primordial identities like ethnicity, language and religion that also influence the way people articulate their political sensitivities. Do these factors also influence elections?

Elections produce nationwide mobilization of people by competing political parties. Street marches, public rallies, corner meetings, door-to-door contacts, invocation of family, tribal and other ties, and massive propaganda campaigns. Some people in Pakistan treat elections as a big festival involving round-the-clock activity with voluntary and paid workers. As the election activity takes place simultaneously in different parts of the country, it promotes vertical and horizontal political and social networking and orients the people with thinking and functioning in all-pervasive nationwide processes.

Roots of the Electoral Process

The roots of elections in Pakistan can be traced back to the second-half of the 19th Century when the British colonial administration in India decided to seek Indian representation in state affairs. It was in the 20th Century that the British introduced the system of election for some seats in India's legislative assemblies. By the time Pakistan

attained independence in August 1947, the principle of elections for the members of the central and provincial assemblies was well-established in British India. However, the British adopted restricted adult franchise. Pakistan and India adopted universal adult suffrage after the attainment of independence.

The first two Constituent Assemblies of Pakistan (1947 and 1955) were elected indirectly by provincial assemblies. The provincial level elections were held on the basis of universal adult franchise in 1951-54. The provincial assemblies in the Punjab and Sindh were elected in March and December 1951 respectively. North-Western Frontier Province, NWFP (Khyber Pakhtunkhwa) held the provincial election in March 1953 and the East Bengal (East Pakistan) Provincial Assembly was elected in March 1954.

General Ayub Khan, Commander-in-Chief of the Pakistan Army, assumed power in October 1958 in a coup against the tottering civilian government. He introduced a new Presidential Constitution in 1962 that provided for indirect elections for the national and provincial assemblies. The electoral-college comprised the elected members of local bodies called the Basic Democracy who were elected directly in 1959 and 1964. Eighty-thousand members of Basic Democracy elected the National Assembly and the two Provincial Assemblies of East and West Pakistan in 1962 and 1965. The same electoral-college reposed confidence in Ayub Khan as the President and Chief Martial Law Administrator in a referendum held in February 1960. He was elected by the members of Basic Democracy for the second term in January 1965. No direct elections were held at the national/federal level during 1947-1970.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1970 Election

The first direct general election at the federal level for the National Assembly was held on December 7, 1970. The direct provincial elections were held ten days later on December 17, 1970. The election campaign clearly showed that East Pakistan was drifting towards separatism. The issues raised in the run up to the elections were so different in East Pakistan and West Pakistan that their pulling together in one political direction appeared impossible, although a large number of people continued to think that when the emotions of election-campaign subside, the leaders from the two wings of Pakistan would evolve some arrangement for working together as Pakistan.

Election Backdrop

General Yahya Khan, Chief of Army Staff (COAS), assumed power on March 25, 1969 after General Ayub Khan resigned in the face of mass protest movement. The new General abrogated the 1962 Constitution and enforced martial law with a promise to hold elections and return power to elected representatives.

Three important decisions were made by the military government of General Yahya Khan in 1970 in relations to the general election.

- The Legal Framework Order was issued on March 30, 1970 which provided a legal basis for the General Election and laid down that the National Assembly would frame the constitution within 120 days of its first session and after that period the National Assembly would dissolve automatically. It laid down the basic principles that had to be kept in view for framing the constitution and that the constitution passed by the National Assembly must be authenticated by the President/Chief Martial Law Administrator.
- The integrated province of West Pakistan, established in October 1955, was abolished and four provinces in West Pakistan were revived: Punjab, Sindh, NWFP (Khyber-Pakhtunkhwa) and Balochistan on July 1, 1970. Balochistan got the status of a full province whereas other provinces were revived. There was no change in the status of FATA which continued to be governed by the President through the Governor of NWFP (Khyber-Pakhtunkhwa).
- 3. The principle of parity for representation for East

Pakistan and West Pakistan in the National Assembly was replaced with the principle of representation on the basis of population. As East Pakistan had more population than the combined population of four provinces of West Pakistan, the former got more than half seats in the National Assembly for the first time.

The Competing Players

In East Pakistan, the leading political party was the Awami League led by Sheikh Mujibur Rahman that dominated the election campaign there. In the four provinces of West Pakistan the leading political party was the Pakistan People's Party (PPP) led by Zulfikar Ali Bhutto. Other parties contesting the election included National Awami Party-Wali, Pakistan Democratic Party (PDP) and three factions of the Pakistan Muslim League: Council, Convention and Qayyum. The Islamic parties in the electoral fray were the Jamaat-i-Islami, Jamiat-i-Ulema-i-Islam (JUI), and Jamiat-i-Ulema-i-Pakistan (JUP). Several other small parties also competed in the election in addition to independent candidates.

Key Issues

The issues highlighted by the political parties in the course of electioneering were not identical in East and West Pakistan. In East Pakistan, the Awami League demanded maximum autonomy for East Pakistan and complained about the exploitation of resources of East Pakistan by the Federal Government dominated by West Pakistani political leaders and the military. The Awami League had put forward a Six-point Formula to reshape the relations between East Pakistan and West Pakistan which was viewed in West Pakistan by good number of politically active circles as a veiled agenda for separatism. Describing East Pakistan as a colony of West Pakistan, the Awami League blamed West Pakistani civil and military leadership for the problems of the people of East Pakistan.

Originally the National Assembly election was planned for October 1970. East Pakistan was hit by a devastating cyclone a few weeks before the elections that led to the postponement of the election date to December 7. The Awami League played up the devastation caused by the cyclone to build up emotional frenzy against West Pakistan.

In West Pakistan, the divide between the political right and political left was noticeable. The PPP led the left-of-centre

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

agenda with the projection of Islamic Socialism, nationalization of major private sector industry, land reforms and better facilities to the labour and peasants. The NAP focused on issues pertaining to NWFP (Khyber-Pakhtunkhwa). Islamic political parties vehemently opposed Bhutto's socialistic economic and social agenda and emphasized the need of an Islamic political order that ensured social justice and economic opportunities. Different factions of the Pakistan Muslim League adopted a middle course between socialistic and Islamic agendas, leaning more towards the latter.

In East Pakistan, the election campaign was dominated by maximum autonomy based on Six-point agenda which bordered on separatism. Some of the left-groups talked of independence but the Awami League officially avoided taking such a position in the election campaign. In West Pakistan, the focus was on economic issues and it became more of a struggle between the left-of-centre Socialistic economy versus the right-wing socio-economic conservatism and Islam-based political and economic order

Election Results

Political polarization on East-West Pakistan relations and the economy reflected clearly in the election results. Two divergent trends were noticeable in East Pakistan and West Pakistan. Out of 300 general seats, 162 were allocated to East Pakistan. The Awami League won 160 seats, giving it a clear majority in the National Assembly. All the seven additional seats for women were also won by the Awami League, giving it 167 seats of 313 seats (300 general, 13 women seats). Out of the two seats lost by the Awami League, one was won by the candidate belonging to the PDP and the other went to an independent candidate.

Out of 138 general seats allocated to West Pakistan, the PPP won 81 seats. Its breakdown was Punjab 62, Sindh 18, Khyber-Pakhtunkhwa 1, Balochistan Nill. The PML-Qayyum was second largest party with 9 seats (NWFP 7, Punjab 1 Sindh 1), 7 seats each were won by the PML-Council, JUI and JUP. The NAP (Wali) won 6 seats and the Jamaat-i-Islami got 4 seats. The PML-Convention got 2 seats and 15 were elected as independents in the provinces in West Pakistan.

The overall voter turn-out was 59.8 per cent.

The provincial break-up of voter's turnout was East

Pakistan: 56.9 per cent; Punjab: 68.7 per cent; Sindh: 60.1 per cent; Khyber-Pakhtunkhwa: 48.4 per cent; Balochistan: 40.6 per cent.

Post-Election Political Situation/Government Formation

The election result showed the divergent disposition of two wings of Pakistan. In East Pakistan, the Awami League with a simple majority in the National Assembly was insistent on making the constitution strictly in accordance with the Six-point formula. Z.A Bhutto who led the largest party from West Pakistan wanted some changes in at least two points.

The military government led by General Yahya Khan had strong reservations on handing over power to Sheikh Mujibur Rahman without a major revision of the Six-point Formula. As Mujibur Rahman, Z.A. Bhutto and Yahya Khan could not agree on a framework of constitutional and political arrangements, Yahya Khan postponed the session of the Assembly.

The Awami League challenged this decision by massive and violent street protests. As the writ of the State had become ineffective in Dhaka and some other places, the military government decided to launch a major security operation on March 25, 1971 against the Awami League. This began the civil strife in East Pakistan with the Awami League as its main target.

In September, 76 elected members of the Awami League were disqualified. Two had died. The military government decided to hold by-election to 78 seats. 63 were elected uncontested and the election to 15 seats was to be held. Before this could happen, the security situation in East Pakistan deteriorated and, on November 21, 1971 Indian troops launched a full-fledged attack on East Pakistan. Its troops moved into East Pakistan to hold on to territory. On December 3, the war broke out on West-Pakistan India border, turning it into a total war between India and Pakistan on both sides of Pakistan.

Pakistan lost the November-December war to India and Pakistani troops surrendered to India in East Pakistan on December 16. The cease-fire on West Pakistan-India border was enforced on December 17. Three days later, on December 20, General Yahya Khan resigned and power was handed over to Bhutto who headed the first civilian government after the end of the 1971 India-Pakistan war.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1977 Election

The 1977 general election can be described as an electoral exercise in which both the PPP government and the opposition lost to the military. Military assumed power on July 5, 1977 after sustained opposition agitation against what they described as the massive rigging of the elections by the PPP government.

Election Backdrop

The 1973 Constitution was enforced on August 14, 1973, which entitled the National Assembly elected in December 1970 and began to function in January 1972, to continue functioning for five years from the date of enforcement of the 1973 Constitution. The national and provincial assemblies could last till August 14, 1977.

The opposition wanted fresh elections in the immediate aftermath of the enforcement of the new constitution. The PPP government led by Prime Minister Zulfikar Ali Bhutto rejected this demand. However, it decided on January 10, 1977 to dissolve the national and provincial assemblies and hold new election on March 7 for the National Assemblies and on March 10 for the Provincial Assemblies.

The Competing Player

The ruling party, the PPP, was contesting the election to hold on to power and its key leaders were confident that they could win the election on the basis of their performance.

The major opposition was a combination of nine political parties under the rubric of Pakistan National Alliance (PNA). This alliance came into existence soon after the PPP government's decision to hold new election which surprised most political observers because they did not expect the opposition to create a joint forum for contesting election. The nine parties in the PNA were: Tehrik-i-Istiqlal (TI), Jamaat-i-Islami (JI), Jamiatul Ulema-e-Islam Mufti (JUI), Jamiat-e-Ulema-e-Pakistan (JUP), Pakistan Muslim League Pagaro Group (PML-Pagaro), National Democratic Party (NDP), Pakistan Democratic Party (PDP), Khaksar Tehrik (KT), and Azad Kashmir Muslim Conference (AKMC).

The PNA was dominated by Right wing conservative and

Islamic parties. The Islam oriented parties included the JI, JUI, JUP and KT. The Rightist conservatives were the PML-Pagaro, PDP, TI and AKMC. The NDP was a successor to defunct NAP and could be described as a party with left of center-leftist orientations. Three PNA parties –PDP, KT and AKMC – had very little electoral support.

The PML-Qayyum contested elections separately. There were a number of small parties that fielded the candidates. The real contest was between the ruling PPP and the PNA.

Key Issues

The PPP hoped to sail through the election on the basis of its performance. It highlighted its socio-economic policies, especially nationalization of various industries, land reforms and labour reforms. It announced the 2nd instalment of land reforms in January 1977 which could not be implemented due to the elections and the subsequent political turmoil. The Land reforms were introduced first by the Bhutto government in March 1972. It also played up its success in foreign policy domain, especially the return of Pakistan Prisoners of the 1971 War from India, improved relations with the Islamic world, especially the holding of the 2nd Islamic Summit Conference at Lahore in February 1974.

The PNA was extremely critical of the PPP government's economic policies, especially the declining performance of the nationalized industry and nationalization of private sector educational institutions. They also pointed out to authoritarian approach towards political dissent and imposition of restriction on civil liberties, especially periodic curbs on the right-wing opposition press. They also talked of Islamic political and economic order in place of what they described as corrupt and oppressive governance by the PPP. At times the issues were cast in terms of Islam versus socialism and personalized dictatorial rule.

Election Results

There were 200 general seats, 10 reserved seats for women and 6 reserved seats for non-Muslims. Total: 216.

It was a closely contested election and the PNA expected to perform well in the pools. However, the results showed a landslide victory for the PPP which surprised most political observers. At least 19 PPP candidates returned unopposed. It won 151 general seats. The PNA secured

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

only 36 seats. The PML-Qayyum got one seat and 8 were elected as independents. The voters' turn-out was 64.1 percent.

The PNA questioned the legitimacy of these results and boycotted the provincial election held on March 10, 1977.

Post-Election Situation/Government Formation

The triumph of the PPP in the 1977 general elections was short-lived. The PNA accused the government of massive rigging of the polls which gave such an overriding victory to the PPP. The media reported a large number of irregularities, use of official resources and pressure and ballot-box snatching. The PPP government dismissed this criticism as the manifestation of the PNA's inability to accept its defeat in the poll. The PNA decided to boycott the provincial election where the PPP got a walkover with electoral successes all over.

On March 11, a day after the elections to the provincial assemblies, a nationwide protest was observed successfully on the appeal of the PNA which emboldened them to take on the PPP.

The PNA's anti-PPP movement began as a protest against massive rigging in the National Assembly elections. However, within two weeks it began to be dominated by Islamic parties and their activists with a demand to enforce the 'Nizam-e-Mustafa" (Islamic Political order of the Holy Prophet) in place of the PPP initiated socialistic un-Islamic political system.

The Nizam-i-Mustafa slogan meant different things to different people: for religious orthodox and fundamentalists it meant the introduction of their religio-political views in the governmental structure that gave them an effective role in state affairs. For lawyers, journalists and other political activists it was charter for restoration of their civilian and political rights that the PPP government curbed gradually over the years. The business and trading community thought they could get rid of the PPP's socialistic policies.

The major support for this movement came from the middle-level business and trading community that is predominantly religiously conservative and detested the socialist orientation of the PPP, Islamic seminaries whose students were active in the protest movement and the PNA

parties that were angry because of malpractices in the elections. They were joined by other section of population like students, journalists and professional groups, especially lawyers. It developed a wide support base which surprised the PPP that believed that they had genuinely won the election.

Initially the PPP government used the coercive state apparatus to curb the protest. It also employed the army personnel to control the situation and imposed martial law in Karachi, Hyderabad and Lahore which did not help. In fact, the PPP government lost the political initiative to the military.

The PPP government initiated a dialogue with the PNA and agreed to hold new elections. However, the PPP government and the PNA pursued dialogue at very slow pace and the latter kept the pressure of street agitation on the government. They agreed to hold new election but the differences on how these elections would be conducted and how could fair and free elections be ensured. Some of the PNA leaders made no secret of their desire that the military should remove the Bhutto government and then hold the elections.

In the late evening on July 4, the Army Chief General Zia-ul-Haq attended the cabinet meeting at the Prime Minister house and returned to the Army headquarters to give final touches to the plan to remove the civilian government. In the very early hours of July 5, he moved the troops and removed the PPP government.

The imposition of martial law and suspension of the 1973 Constitution was peaceful and orderly and most PNA leaders and activists welcomed the removal of the PPP government.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

The 1985 Election

This was the second election where political parties were not allowed to participate. The candidate contested the election in their individual capacity. The first partyless election to the National Assembly was held in 1962 when Ayub Khan's military government held the elections to civilianize of military rule. However, this was indirect election because the national and provincial assemblies were elected by the electoral-college comprising the elected members of Basic Democracy.

In February 1985, the military government of General Ziaul-Haq held direct election but excluded the political parties from the electoral process. Like the 1962 election, by the military government of Ayub Khan, the February 1985 general election meant to civilianize military rule.

Election Backdrop

General Zia-ul-Haq assumed political power on July 5, 1977 by overthrowing the PPP government led by Zulfikar Ali Bhutto. He made a categorical undertaking on the assumption of power to hold new election within 90 days and hand over power to the elected government.

It was not long that the military government began to waver from its commitment to hold election. The military government postponed the election and initiated the accountability of the ousted civilian government and Islamization of politics and society. It cultivated several groups in the political right and Islamic orthodox and fundamentalist groups to mobilize support of the military regime in order to undercut the support of the PPP and strengthen the support base of the military government.

After the Supreme Court gave death sentence to Z.A. Bhutto in March 1979, a new date of November 17 and 20, 1979 were designated for the general election. Soon afterwards General Zia-ul-Haq engaged in political engineering to keep the adversarial political forces under pressure and secure his military regime. He amended the Political Parties Act, 1962, to put new restrictions on political parties. The amendments included:

- All political parties must register with the Election Commission;
- All political parties must submit an annual statement of income and expenditure with the Election Commission for scrutiny;

- The political parties must publish a political manifesto;
- d. All political parties will hold internal elections annually for their offices: and
- e. Submit a list of office-bearers and ordinary members to the Election Commission.

The registration of political parties could be declined if these conditions were not fulfilled to the satisfaction of the Election Commission.

Soon afterwards, the military regime decided to hold local bodies election on non-party basis before the general election was held. Most political parties took strong exception to the new rules for political parties and the holding of local bodies election prior to general election. The military government rejected the objections by political parties.

The military government went ahead with local bodies' election in September 1979. Though the local bodies were held on non-party basis, a large number of people with political affiliation got elected in their individual capacity. This perturbed the military government which decided to postpone the general election on the ground that the time was not suitable for holding election and additional restrictions were imposed on political parties and their activities.

In March 1981, General Zia-ul-Haq issued a Provisional Constitutional Order (PCO) to replace what was left of the partly-suspended 1973 Constitution. In January 1982, he inaugurated an all-nominated 228 members Federal Council (Majlis-i-Shoora) with advisory powers on legislation and policies.

While addressing the Federal Council on August 12, 1983, General Zia-ul-Haq announced that he would hold national election and transfer power to the elected representatives by March 23, 1985.

In August 1984, General Zia-ul-Haq declared that he might like to continue as President after the general election. In October 1984, he declared that power would be handed over to the elected representatives only if they guaranteed that the Islamization introduced by his government would continue. A week later he announced that he planned to "share" rather than "transfer" power to the elected representatives.

General Zia-ul-Hag secured his position as the President

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

by holding a hurriedly called referendum on December 19, 1984 which did not seek popular endorsement for General Zia-ul-Haq to continue as the President for next five years. Rather, the referendum sought the approval of the people for his Islamization policy and introduction of representative process in Pakistan. The referendum law described as a positive vote on these issues as an endorsement of General Zia-ul-Haq to serve as an elected President for the commencement of the elected government after the general election. The official results showed that 97.71 per cent voters supported the proposition on Islamization and democratization. The official voter turn-out was 62.15 per cent.

After securing the political future of General Zia-ul-Haq, the military government decided to hold general election on February 25 and 28, 1985 for National Assembly and Provincial Assemblies respectively.

The principle of separate electorate was applied for the elections whereby the Muslim and non-Muslim voted separately for the voters of their religion. All previous national level direct and indirect elections were held on joint-electorate basis.

The Competing Players

Political parties were banned from participating in the election. The major left-oriented coalition of political parties, Movement for the Restoration of Democracy (MRD), established clandestinely in February 1981, led by the PPP, rejected the presidential referendum and the plan for the election before the dates were fixed for polling. The PPP and most other parties of the MRD refused to register them with the Election Commission as prescribed by the amendments in the Political Parties Act by the military government.

Though the political parties could not formally take part in the election, many people with known political affiliation at the local level contested the election in their individual capacity. Some political parties, especially the PML-Pagaro and the Jamaat-i-Islami, quietly supported their favourite candidates.

The absence of political parties from the election process resulted in the proliferation of candidates. Over 1400 persons filed nomination papers for 207 seats reserved for Muslims. Around 4000 nomination papers were filed for 460 seats reserved for Muslims in four provincial

assemblies. A large number of candidates were political non-entities who wanted to take a chance because political parties could not put up known and established leaders. About one-quarter candidates were those who made lot of money during the last decade in manpower export to the Middle East, real-estate developers and government-contactors and middle-ranking traders. The candidates were also fielded by feudal and tribal families and religious leaders who could not stay aloof from local-level politics. All politically ambitious people who had money to spend and enjoyed some support at the local level tried their luck in the election.

Key Issues

The election campaign was strictly regulated by the military authorities with a ban on public rallies and processions. They could hold small meetings in walled compounds. Candidates hardly discussed national level domestic political and economic issue. The same can be said about foreign policy and national security issues which did not figure in the election campaign.

The issues the candidates raised were similar to those raised in local bodies election relating to local and constituency related affairs, i.e. construction or improvement of roads and street, better sanitation, street lights, setting up of new schools and colleges in the constituency, health and sanitation facilities. Some of them vowed to fight against corruption and nepotism and improve job prospects for youth. They also promised to build houses for homeless and provide better civic facilities to "katchi abadis" (shanty localities).

Most candidates highlighted their personal piety, devotion to Islam and regular performance of religious rites. One candidate in Lahore declared that he had no manifesto other than the fear of God and love of the Holy Prophet.

The absence of nationwide political and socio-economic themes and broad-based political alignments increased the role of parochial identities based on ethnicity, language, tribal identities, local community or "baradari" and Islamic-sect. These trends intensified social divisions and caused greater fragmentation of the political and social processes. This further weakened political parties that were already facing restrictions on their activities. Ethnic and Islamic-sectarian based groups gained strength in Pakistan in the 1980 because of the conscious efforts of the military government to weaken and undermine political

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

parties and alignment that had nationwide standing. Instead, local, ethnic and Islamic-sectarian identities and organization entered the political and social space created by the military government's policy of exclusion of nationwide political parties and leaders.

Election Results

The party-less election enabled a good number of new comers to enter the National Assembly and the Provincial Assemblies. However, majority of the members elected to the National Assembly had political affiliation in the past, although most of them were not active since the military came to power.

The well-known landed families of the Punjab, Sindh and Khyber-Pakhtunkhwa and the tribal chiefs in Balochistan were able to enter the elected legislative body in larger number than was the case in the past. In urban areas, the candidates with affluent background, especially from business and trading community got elected.

In many instances the candidates with known close affiliations with the military government lost. Those who lost the election included five federal ministers, one minister of state and two advisors of General Zia-ul-Haq. Six provincial ministers also lost. Forty-nine out of 104 members of the Federal Council that contested the elections did not win. The voter turn-out for the National Assembly was 53.7 percent.

Post-Election Situation/Government Formation

On March 2, 1985, General Zia-ul-Haq issued the Revival of the Constitution Order (RCO) that amended or substituted 57 articles, added 6 articles and deleted 2 articles in the original 1973 Constitution to strengthen his role after the withdrawal of martial law.

On March 23, the joint session of the Parliament was held and Zia-ul-Haq took oath as the elected President for five years (1985-1990). He handpicked Muhammad Khan Junejo, a feudal from Sindh who was out of active politics but had affiliations with the PML-Pagaro. The provincial Chief Ministers were selected by military governors of provinces in consultation with Zia-ul-Haq. However, martial law was not lifted until December 30, 1985, when the amended 1973 Constitution became fully operative.

It may be mentioned that the changes made in the 1973 Constitution by the RCO were adopted by the Parliament as 8th constitutional amendment with some changes in October-November 1985.

The government also made changes in the Political Parties Act, 1962, allowing the political parties to function from January 1986. However, a cumbersome process was announced for the political parties to register with the Election Commission for functioning as a legal entity. It was a couple of months later that some political parties began to register while others, including the PPP, refused to register. Various personal and like-minded groups that had emerged in the two houses of the Parliament got merged into political parties in 1986.

8

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1988 Election

General Zia-ul-Haq died in an air crash on August 17, 1988 that brought an end to his rule that began on July 5, 1977. These were the first post-Zia elections. The National Assembly election were held on November 16, 1988 and the election to the Provincial Assemblies was held on November 19. Like 1985, the 1988 election was also held on the basis of separate electorate wherein the Muslim voters elected Muslim members and non-Muslim voters elected members to reserved seats for non-Muslims.

Election Backdrop

President General Zia-ul-Hag dissolved the National Assembly, dismissed the Government of Prime Minister Muhammad Khan Junejo and assumed all powers on May 29, 1988 because he felt that his government had started autonomous of him in domestic and foreign policy domain. The Army troops took control of important government buildings and installations, including the Prime Minister house, radio and TV station. He blamed the Juneio government of the slowing down of Islamization process, failure to maintain law and order and rampant corruption and deterioration of public morality. He also announced that new election would be held to the National Assembly and Provincial Assemblies. On July 20, the election dates were fixed as November 16 and 19 for National Assembly and Provincial Assemblies respectively. While he toyed with the idea of holding another party-less election, he died in an aircraft crash on August 17. Ghulum Ishaq Khan, Chairman of the Senate, took over as the Acting President and General Mirza Aslam Beg. Vice Chief of Army Staff. assumed the post of the Chief of Arm Staff (COAS). The new Army Chief and other senior commanders assured the Acting President of full support for holding the election on the already announced date.

In June 1988, the Supreme Court rejected the rules and procedures for registration of political parties, as announced in 1986, thereby abolishing the distinction between registered and unregistered political parties. In September the Punjab High Court declared that the dissolution of the National Assembly by General Zia-ul-Haq on May 29 was illegal but refused to revive it and the prime minister on the ground that new elections had been announced. This judgment was upheld by the Supreme Court in the first week of October. Within a few days of this judgment, the Supreme Court directed the federal government to hold all elections on party basis.

The Competing Players

In addition to the 9 party electoral alliance, 25 political parties fielded candidates. There were some independent candidates also. The major contest was between the PPP and the 9 rightwing-Islamist party alliance, Islami Jamhoori Ittehad (IJI) that viewed each other as the main rivals.

The IJI, established in October 1988 included Pakistan Muslim League (PML), Jamaat-i-Islami, National People's Party, Jamiat-i-Ulema-e-Islam (one faction), Nizam-e-Mustafa Group, Markazi Jamiat-e-Ahle Hadith (Lakhvi Group), Jamiat-e-Mashaik Pakistan, Azad Group and Hizbullah Jihad. The IJI was dominated by the PML and it was created to avoid their candidates competing with one another. The last three of the above named political parties did not have any known electoral standing.

Several political parties contested the election while staying away both from the PPP and the IJI. Some of these were Jamiat-e—Ulema-e-Islam (Fazlur Rahman), Jamiat-e-Ulema-e-Pakistan (Noorani), National Democratic Party, the ANP, Tehriq-i-Istiqlal, Pakhtunkhwa Milli Awami Party, Pakistan Democratic Party, Jamhoori Witan Party, PNP, the MQM and others.

The military returned to the barracks with the withdrawal of martial law on December 30, 1985 but it continued to wield influence because General Zia-ul-Haq continued to serve as the Army Chief while holding the office of the President. After his death on August 17, 1988, General Mirza Aslam Beg assumed the command of the Army. The new Army Chief and his senior commander supported the holding of election but they decided to pursue political agenda from the sidelines. The Inter-Service Intelligence (ISI) served as the main instrument to manipulate the electoral process.

In February 1993, the Army Chief General Mirza Aslam Beg admitted that in October 1988 when the Supreme Court was hearing the appeal in connection with the dissolution of the National Assembly, he sent a message to the Supreme Court through an intermediary not to restore the National Assembly because its new election had been scheduled. The Supreme Court upheld the Lahore High Court decision not to restore the National Assembly.

The Army authorities realized through their intelligence sources that the PPP might get majority seats in the election if the political parties opposed to it remained

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

divided and competed with one another for votes. The ISI was given the task of reducing the political edge of the PPP by balancing the political situation. It engaged in two interrelated activities. First, it brought together 8 political parties with political right wing and Islamic orientations with the PML in an electoral alliance, the IJI. The ISI contrived this alliance to balance off the chances of the PPP getting a majority. Second, in the Punjab, some of its personnel worked closely with the IJI in pursuing election campaign, especially targeting the PPP and its leaders with sharp and personal criticism.

Key Issues

This was the first general election the PPP participated in since 1977 and it highlighted the Z.A. Bhutto's legacy and made emotional appeals for vote by pointing out to its sufferings under the military government of General Zia-ul-Haq, including the execution of Bhutto, sufferings of other PPP leaders and activists, especially Nusrat and Benazir Bhutto. The PPP was dominated by Benazir Bhutto who returned to Pakistan from self-imposed exile to engage in politics in April 1986 and took the command of the party. She led the party in the election, emphasizing the party's focus on socio-economic development, education and health care as well as protection and advancement of the interests and welfare of the common people.

The IJI's agenda for political change was not decisively different from the PPP on socio-economic development and welfare of the common people. However, there was greater emphasis on continuation of Islamisation of the polity from the Zia and the subsequent years.

The focus of the election campaign was not on issues but on personalities and an attempt on the part of the PPP and the IJI to somehow humble each other in the election. It appeared to be a personalized fight between the pro-Zia PML dominated IJI and the PPP that detested the Zia legacy. It was for the first time that the major political parties hired professional media organization to manage election campaign. There was a big personality oriented negative campaign against political leaders. The two Bhutto ladies (Nusrat and Benazir) were target of strong negative propaganda.

Election Results

The Voter turnout for the National Assembly election was 42.7 per cent. This was a noticeable decline of voter

turnout from the 1985 election.

No political party got majority in the National Assembly. The PPP emerged as the single largest party with 93 seats. The IJI got 54 seats. The independents were the third largest group with 27 seats. The MQM candidates did not use the party label and 13 were elected from Karachi and Hyderabad.

In Sindh Provincial Assembly, the PPP got a clear majority but one got a clear majority in the Provincial Assemblies of other provinces. In the Punjab, the IJI was the single largest party. The results showed that the PPP continued to command strong support even after facing the wrath of General Zia's military government.

Post-Election Situation/Government Formation

The single largest party, the PPP, created a post-election coalition at the federal level with the MQM, the ANP and independent members. The PPP leader, Benazir Bhutto was installed as the Prime Minister on December 2, 1988 on a joint initiative of the Acting President Ghulam Ishaq Khan and the Army Chief, General Aslam Beg. Benazir Bhutto had a meeting with General Aslam Beg before assuming the office of prime minister. She is said to have made three commitments to assume the office which included election of Acting President Ghulam Ishaq Khan as the President, retention of Lt. General Yaqub Ali Khan as the Foreign Minister, and finally no unilateral reduction in the defence budget. On December 13, Ghulam Ishaq Khan was elected President for five years with the support of the ruling coalition.

Benazir Bhutto faced an uphill task of keeping the coalition intact. The IJI and some Islamic parties targeted the PPP and its allies for neglect of Islam and the overall law and order situation. The IJI had formed the provincial government in the Punjab under Muhammad Nawaz Sharif and the Punjab Government and the Federal engaged in bitter political conflict in 1988-1990 that adversely affected the performance of both governments. It intensified the conflict between the IJI and the People's Party that began in the course of the campaign for the 1988 elections. An unsuccessful attempt to dislodge the Benazir Bhutto government was made by the IJI and others by a vote of no-confidence in October-November 1989. The ISI was said to be involved in this attempt. The military also kept this government under pressure and strains developed in their relations periodically.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1990 Election

The issues and political rivalries involved in the 1990 election were very similar to the 1988 election. The PPP and the IJI parties were the main rivals in the electoral competition in 1990.

Election Backdrop

On August 6, 1990, the Government of Benazir Bhutto was dismissed and the National Assembly was dissolved by President Ghulam Ishaq Khan with the support of the Army Chief General Mirza Aslam Beg. The removal of the government was carried out in a coup-like manner. The Army took control of important government buildings in Islamabad, including the Prime Minister house and the National Assembly. The Bhutto government was accused of corruption, mismanagement and a failure to maintain law and order. The IJI, the MQM and some other political parties welcomed the removal of the Federal Government.

Later provincial assemblies were also dissolved. The new election was fixed for November 24, 1990 for the National Assembly and November 27 for the provincial assemblies.

The dissolution of the National Assembly was challenged in the Lahore and Sindh High Courts. Both upheld the President's decision to dissolve the National Assembly. The judgment of the Lahore High Court was challenged in the Supreme Court which endorsed the judgment of the Lahore High Court with notes of dissent by two judges. The dissolution of the Sindh Assembly was challenged in the Sindh High Court which validated the dissolution. The dissolution of Khyber-Pakhtunkhwa Assembly was challenged in the Peshawar High Court which declared the dissolution as unconstitutional. The Supreme Court suspended the Peshawar High Court judgment and later set it aside by a divided judgment.

Instead of appointing a nonpartisan caretaker administration, President Ghulam Ishaq Khan appointed Ghulam Mustaf Jatoi as the caretaker Prime Minister, who was leader of the opposition in the dissolved National Assembly and a member of the IJI. Provincial caretaker administrations were also given to the IJI or its allies.

The Competing Players

The main electoral competition was among those who

competed with each other in the 1988 elections.

The PPP joined with the PML (Qasim), Tehrik-i-Istaqlal, and Therik-e-Nafaze Fiqah-e-Jafaria to establish an electoral alliance called Pakistan Democratic Alliance (PDA). These partners had very limited electoral support. The PDA and the PPP were often used synonymously

The IJI established on the eve of the 1988 election was another major alliance that contested the election in opposition to the PPP/PDA. In addition to the IJI and the PDA, 25 political parties nominated candidates for the election. For the names of political parties in the IJI and outside see the section on the competing player in the 1988 elections. There were several independent candidates as well.

The PPP/PDA and the IJI dominated the election process and offered the largest number of candidates. These electoral alliances represented diametrically opposed perspectives on the problems faced by Pakistan in the domestic and external contexts.

Key Issues

The PPP was on the defence for its rule from December 1988 to August 1990, highlighting what it viewed it as its domestic and foreign policy achievement. It also projected itself as the victim of the President's partisanship. It made sharp criticism of the IJI and how the caretaker administration was opposing the PPP and supporting the I.II

The IJI offered itself as an alternative to the PPP with a promise to establish corruption free, efficient and effective governance to serve the people better with inspiration from Islamic principles and teaching. Their appeal was to the political right and Islamic segments of the society and those against the left-oriented PPP. Like the election campaign for the 1988 election, the focus was on personalities with a lot of negative criticism of the adversaries. In the Punjab the electoral campaign turned into a political fight between the Bhutto legacy/PPP and the PML/Nawaz Sharif. The latter symbolized all that was anti-Bhutto in the Punjab.

The caretaker administrations, especially at the federal level, were partisan and they were tilted heavily in favour of the IJI. Like the 1988 election, the ISI resorted to manipulation of the election in favour of the IJI.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

Under direction from the election cell of the Presidency and with full knowledge of the Army Chief General Mirza Aslam Beg. the ISI obtained Rs. 140 million (about U.S.\$ 6.45 million at the exchange rate of 1990). Rs. 60 million were distributed among the IJI linked political leaders and some journalists opposed to the PPP. The ISI used the rest of the funds later for unspecified purposes. The names of the political leaders and journalists that received the funds became available in 1996 when the then Director-General of the ISI, Lt-General Muhammad Asad Durani gave an affidavit which was presented to the National Assembly. A statement containing these names was submitted to the Supreme Court in February 1997 in the case filed by Air Marshal Muhammad Asghar Khan. This case was taken up by the Supreme Court in 2012 and more details became available about who, how and why funds were given to the IJI political leaders and journalists. The political leaders named in the list denied having received any funds from the ISI.

President Ghulam Ishaq Khan addressed the nation on radio and TV on the eve of the 1990 election. His speech sounded like an election campaign speech for the IJI.

Election Results

The IJI won a simple majority in the National Assembly. It won 106 seats (total strength for General Muslim seats 207). The PPP-led and dominated PDA got only 44 seats. The third largest group was that of independents with 22 seats. The MQM got 15 seats, contesting as the Haq Parast Group.

The PPP/PDA performance was equally poor in the provincial assemblies. The IJI obtained majority in the Punjab and emerged as the single largest party in NWFP (Khyber-Pakhtunkhwa). In Sindh, the PPP/PDA was the single largest party and in Balochistan Provincial Assembly 7 parties and independents won the seats. The voter turnout for the National Assembly was 45.2 percent. Like the previous elections since 1985, this election adopted the system of separate electorate.

Post-Election Situation/Government Formation

The IJI strengthened its position by winning over the support of some independent members and some political parties. Nawaz Sharif was installed as the Prime Minister in

the first week of November 1990. He enjoyed a lot of goodwill at the popular level and his selection was also welcomed by the State institutions. The IJI electoral triumph was a major setback for the PPP that talked on the elections being "stolen" from it. However, such statements did not have any impact on the political situation in 1990-1991. It was often non-cooperative with the IJI government in the Parliament. Prime Minister Nawaz Sharif and President Ghulam Ishaq Khan worked smoothly with each until 1992-1993 when strains developed between them.

Initially it was expected that Ghulam Mustafa Jatoi, caretaker Prime Minister, will become the elected Prime Minister on behalf of the IJI. But Nawaz Sharif was able to convince the IJI leaders and President Ghulam Ishaq Khan for his assumption of this office.

22

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1993 Election

The elected national and provincial assemblies and the elected civilian government at the federal level could not complete their five-year term. This was the third elected National Assembly that was unable to complete its tenure since 1985. The earlier dismissal of the Federal Government and the dissolution of the National Assembly were in May 1988 and August 1990. The same story was repeated in 1993, first in April and then in July. There were more political turns and twists in politics in 1993 than in the past.

Election Backdrop

The tradition of confrontation between the PPP and the IJI that started during 1988-1990 continued after the 1993 election. Being the opposition, the PPP was on the offensive, although its senior members faced the wrath of the IJI government in Islamabad and Lahore.

The Sharif government faced more difficulties when it developed differences with the Presidency and the military in 1992-1993. This virtually isolated the Nawaz Sharif government in the domestic context and the PPP derived a grudging satisfaction from it.

Nawaz Sharif began to develop differences with the Army Chief General Asif Nawaz Junjua and President Ghulam Ishaq Khan in 1992 on governance and power management issues. The conflict came to surface when after the sudden death of General Asif Junjua in January 1993, President Ghulam Ishaq Khan exercised his discretionary powers to appoint General Abdul Waheed Kaker as the new Army Chief instead of another General known to be Nawaz Sharif's favourite.

Nawaz Sharif declared by the end of January 1993 that he would reduce the discretionary power of the President. By early March an open confrontation began between Ishaq Khan and Nawaz Sharif on the powers of the presidency and prime minister which divided the political leaders even within the PML and the IJI, some supporting the President and others favouring the Prime Minister. On April 17, Nawaz Sharif addressed the nation on radio and TV, accusing the presidency of conspiring against him and that he would not take "dictates" from any quarters.

On April 18, President Ghulam Ishaq Khan dissolved the National Assembly and removed the government of Nawaz

Sharif on the charges of corruption, nepotism, terrorizing the opposition, violation of the Constitution and subversion of the authority of the military. Before removing the government, the President obtained the blessings of the Army Chief and the leader of opposition, Benazir Bhutto.

The new election date for National Assembly was fixed as July 14 and a veteran political leader, Sher Baz Khan Mazari was appointed caretaker Prime Minister. The ousted political leadership challenged the presidential dismissal in the Supreme Court that restored the government of Nawaz Sharif with a ten to one judgment on May 26. Nawaz Sharif returned to the office of Prime Minister. The Supreme Court judgment gave him legal legitimacy but he continued to face political challenges, making it difficult for him to consolidate his position.

He faced two crises in his political party, the PML, and the PML ruled province of Punjab. The PML had a short-lived internal crisis after the dismissal of Muhammad Khan Junejo in May 1988. A group headed by Nawaz Sharif supported General Zia-ul-Haq's decision to dismiss the Junejo government. Others sided with Junejo, criticizing the dismissal. This divide was patched up on the initiative of the ISI that became active to unify the right-wing and Islamist parties for countering the PPP. This divide resurfaced as the conflict between Ishaq Khan and Nawaz Sharif deepened. The erstwhile supporters of Junejo sided with Ishaq Khan while others supported Nawaz Sharif. They held a convention in Lahore to elect Nawaz Sharif as the PML chief. This faction began to be known as the PML-Nawaz Group (PML-N). After Junejo's death on March 18. 1993, the PML members identifying with Junejo and supporting Ishaq Khan vis-à-vis Nawaz Shari met separately to elect Hamid Nasir Chatha as their leader. This faction was known as the PML-Junejo (PML-J) and opposed Nawaz Sharif in the 1993 political crisis.

The pro-Junejo PML members revolted against the Punjab Chief Minister, Ghulam Hyder Wayne, a protégé of Nawaz Sharif, in the Punjab Assembly and removed him through a vote of no-confidence. He was succeeded by Mian Manzoor Ahmad Wattoo, Speaker of the Punjab Provincial Assembly, with the support of the PML-J, the PPP and independent members.

Soon after the restoration of the Nawaz Sharif government by the Supreme Court, he decided to get rid of the Wattoo government (viewed as pro-Ishaq Khan). Whereas the PML-N people filed a notice for a vote-of-no-confidence in Wattoo, the latter advised the Provincial Governor to

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

dissolve the Provincial Assembly on May 29, 1993. The Punjab High Court restored the Punjab Assembly on June 28. Shortly afterwards, the Governor again dissolved the Provincial Assembly on a new advice from the Chief Minister, Wattoo, neutralizing the PML-N effort to file a new motion for no-confidence against the Wattoo government in the Provincial Assembly.

Nawaz Sharif adopted another strategy to take control of the Puniab. His government asked the President to remove the Punjab Governor and appoint his nominee, Mian Muhammad Azhar. On refusal by the President, Nawaz Sharif had a resolution passed by the joint session of the Parliament for the take-over of the Punjab administration by the Federal Government (June 29). The Federal Government appointed Mian Muhammad Azhar as the Administrator of the Punjab (an office that did not exist in the Constitution) without the knowledge of the President. A new Chief Secretary and Inspector General of Police were appointed and these three people asked the Corps Commander Lahore to make the Rangers available to them to take over the Punjab Administration by removing the Governor. The Army decided to stay out of the conflict and the effort of the Federal Government to take-over Punjab on the night of June 29-30 failed.

These developments caused such a rift between Nawaz Sharif and Ishaq Khan that the administration was virtually paralyzed. Meanwhile, Benazir Bhutto, the PPP leader announced the party's plan to launch a long march to Islamabad on July 16.

The Army Chief, General Abdul Waheed Kaker, decided to use his influence to resolve the Nawaz-Ishaq conflict. The negotiation by the senior Army commanders with both sides resulted in an arrangement for their exit from their respective offices. In accordance with the arrangement, Prime Minister Nawaz Sharif recommended to President Ishaq Khan to dissolve the National Assembly on July 18, 1993. Ishaq Khan announced the dissolution of the National Assembly. He administered the oath to the caretaker Prime Minister, Dr. Moeen Qureshi, shortly after midnight when the date had changed to July 19, and soon afterwards he submitted his resignation. Wasim Sajjad, Chairman of the Senate, took over as the Acting President.

Dr. Moeen Qureshi, a Pakistani economist based abroad, was appointed caretaker Prime Minister with the consent of the Army, the PPP and the PML-N. The Punjab and Sindh Provincial Assemblies were dissolved on July 19. The Provincial Assemblies in the Punjab and NWFP (Khyber-

Pakhtunkhwa) were already dissolved. New caretaker administrations were appointed in these provinces.

The new election was scheduled on October 6 for the National Assembly and October 9 for the Provincial Assemblies.

The Competing Players

The two alliances, the IJI and the PDA, that contested the 1990 election, got dissolved because the constituent parties either left or lost interest in them. The PML-N contested election on its own. The PPP also contested separately but it entered into a political arrangement with the PML-J under the rubric of Pakistan Democratic Front (PDF). The two parties agreed not to put up candidates against each other and agreed to work together in the Parliament after the elections.

The Jamaat-i-Islami established a new political organization for contesting the election. It was named as Pakistan Islamic Front (PIF). The Jamaat-i-Islami chief Qazi Hussain Ahmad also served as the PIF chief.

Jamiat-e-Ulema-e-Islam-Fazlur Rahman group (JUI-F) and Jamiat-e-Ulema-e-Pakistan (Noorani) agreed to cooperate with each other for the election under the title of Islami Jamhoori Mahaz (IJM). Another alliance of Islamic and right-wing political parties was headed by Jamiat-e-Ulema-e-Islam-Samiul Haq Group (JUI-S). It was labeled as Muttahida Deeni Mahaz (MDM) which included 24 political parties. Most of them had very little electoral support. Another electoral combine under the title of National Democratic Alliance (NDA) included 8 left wing and regional-nationalist parties. Some small parties contested in their individual capacity.

The real contest was between the PML-N and the PPP. Other groups and parties had limited local and regional standing.

The MQM boycotted the National Assembly election but participated in the Sindh Provincial Assembly election.

Key Issues

The PPP and the PML-N dominated the election discourse. Both had issued manifestos, as was the case in the past. They highlighted how they would serve the people and engage in socio-economic development programmes to

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

the advantage of the people and control prices of essential commodities for households.

The major attention was not on the manifestos but the PPP and the PML-N engaged in mutual criticism, showing the other side had exploited the State resources and engaged in corruption and nepotism when it was in power. Personal attacks on the personalities of the top leaders were quite common. The PMLN maintained an anti-military establishment profile and criticized the former President Ghulam Ishaq Khan for conspiring against the PML/IJI government.

The PIF projected itself as an alternative to the PML-N and the PPP and that it would take punitive measure against those who engaged in corruption and misuse of state resources in the PPP and the PML government. The PIF engaged in a massive propaganda campaign through newspaper advertisement that "Qazi Hussain Ahmad is coming" to power to knock out the two political parties and rectify the ills of the political system. The Islamic parties raised Islamic issues and appeals and regional-nationalist parties raised local and nationalist issues that had a very limited appeal.

Election Results

The PPP emerged as the single largest party in the National Assembly with 86 seats. Its allied party, PML-J got 6 seats. Its main rival, PML-N secured 73 seats. Independent candidates got 15 seats. Islamic parties that contested election as three set of electoral entities, PIF, IJM and MDM, performed poorly. The IJM got 4 seats; others got less than this. The voter turnout for the National Assembly was 37.6 per cent.

At the provincial level, the PPP got a clear majority in the Sindh Assembly but no political party got a clear majority in the Punjab, NWFP (Khyber-Pakhtunkhwa) and Balochistan. In the Punjab Assembly, the PML-N got 104 seats. The PPP obtained 94 seats and its allied party, the PML-J got 18 seats. In the NWFP (Khyber-Pakhtunkhwa) Provincial Assembly, the major seats distribution was: PPP 22, ANP 21, and PML-N 15. In Balochistan Provincial Assembly 40 seats were shared by 11 political parties and independents.

Post-Election Situation/Government Formation

The PPP and the PML-J obtained the support of some

independent members and small parties to set up a government at the federal level on October 19, 1993 with Benazir Bhutto as the Prime Minister. She assumed this office for the second time. The PPP formed government at the provincial level in the Punjab and Sindh. The PML-N joined with the ANP to set the provincial government in Khyber-Pakhtunkhwa. However, within six months the PPP dislodged the PML-N-ANP government and installed its own government in NWFP (Khyber-Pakhtunkhwa). In Blochistan, the PML-N established a coalition government.

Presidential election was held on November 13. The PPP nominee Farooq Ahmad Khan Leghari was elected to this office defeating the PML-N nominee Wasim Sajjad.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 1997 Election

This was the fourth general election in quick succession. No government and the Parliament completed its normal term since 1985. All governments were removed by the President with the blessing and support of the Army Chief.

Election Backdrop

The Benazir Bhutto government developed political differences with President Faroog Ahmad Khan Leghari and alienated the military for a number of reasons, including poor governance. President Leghari dismissed her government and dissolved the National Assembly on November 6, 1996 with the support of the Army Chief General Jehangir Karamat. The dismissal of Benazir Bhutto was undertaken in a coup-like manner. All government installations and offices were taken over by the Army troops. The Prime Minister House was cordoned-off by the Army troops and Benazir Bhutto could not contact anyone for some hours. For the first time, all airports and mobile phones were shut down for few hours. Benazir Bhutto's husband, Asif Ali Zardari, was arrested by the Army from the Governor House in Lahore and handed over to civilian authorities.

President Leghari blamed the Bhutto government of corruption, mismanagement, attempts to destroy the independence of judiciary through the proposed accountability law, the bugging of telephones of senior officials and judges, extra-judicial killings and imminent economic collapse. The Provincial Assemblies were also dissolved. The Supreme Court upheld the dissolution of the National Assembly and removal of the Bhutto government in the last week of January 1997.

Malik Meraj Khalid, one of the founder members of the PPP, former Speaker of the National Assembly and former Chief Minister of the Punjab, who was alienated from the PPP, was appointed caretaker Prime Minister. Caretaker Chief Ministers were appointed in the provinces.

Universal adult franchise was introduced in the Federally Administered Tribal Areas (FATA) by the caretaker administration on December 14, 1996. The election to 8 FATA seats for the National Assembly was held on the basis of adult franchise in February 1997 General Election for the first time.

The election for the National Assembly were scheduled for February 3, 1997. The election to the Provincial

Assemblies were also held on the same day for the first time.

The Competing Players

The main contenders in the February 1997 election were the PPP and the PML-N. In all, 47 political parties nominated candidates for the National Assembly election. There were some independent candidates. In addition to the PML-N, five other factions were in the field for the election. Two factions of the PPP entered the electoral fray.

The PPP-Shaheed Bhutto (PPP-SB) party was established by Murtaza Bhutto in March 1995. He had returned to Pakistan in November 1993 and developed strong differences with Benazir Bhutto. He organized a new political party PPP-SB for wrestling the political initiative from Benazir Bhutto. After his assassination on September 20, 1996, his widow, Ghinwa Bhutto, took the command of the party that contested the 1997 election. Another faction of the PPP called Z.A Bhutto Group also fielded candidates. These PPP factions were unable to cause any electoral problem to the PPP.

The Mohajar Quami Movement got divided into two factions in 1992: the MQM-Altaf and the MQM-Haqiqi. The MQM-Altaf maintained its primacy and its candidate contested the election as the Haq Parasat Group) and the MQM Haqiqi remained at the margins of politics in urban Sindh. The Jamaat-i-Islami boycotted the election. Several other Islamic parties fielded candidates.

Imran Khan established Pakistan Tehrik-i-Insaf on April 25, 1996 and participated in the 1997 General Election.

Key Issues

Every political party made high sounding promises to the electorate. Islamic political parties played up Islamic themes more than other political parties. Their appeal did not go beyond their hard core followers in certain specific constituencies. As other political parties also talked of Islam, the Islamic parties could not project themselves as the exclusive champions of Islam. Islamic parties competed more with each other than with other political parties. Imran Khan's PTI contested the national and provincial election for the first time and showed much enthusiasm in projecting itself as an alternative to the two major political parties but it failed to draw any attention in the election campaign.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

The election campaign was dominated by the PML-N and the PPP and, as in the past, the Puniab was the main arena of political competition for these political parties. The PML-N and other political parties criticized the poor performance of the ousted Benazir Bhutto government. It was criticized mainly for economic mismanagement, corruption and the failure to maintain law and order. The PPP defended its track record and launched counter offensive on the PML-N and the poor governance of its government during 1990-1993. Both parties also engaged in mutual recriminations. These parties also highlighted their manifesto that contained a high-flying vision of the future. With the exception of the speeches of the top leaders of these two parties their manifesto did not figure in the campaigning at the constituency level. Local issues dominated there. The PPP campaign was mostly lackluster and it appeared that they did not expect to win.

Election Results

The PPP lost the national and provincial elections badly. The magnitude of its electoral setback surprised most political observers. It won only 18 seats in the National Assembly; all from Sindh. It performed more poorly in the Provincial Assembly election. It got 2 seats in the Punjab, one each in NWFP (Khyber-Pakhtunkhwa) and Balocistan. It won 34 seats in the Sindh Provincial Assembly.

The PML-N performed exceptionally well. It won 136 seats out of 207 general seats in the National Assembly. The MQM or the Haq Prasat group obtained 12 seats. The ANP won 9 seats. 21 people were elected as independents. The voter turnout for the National Assembly was 36.1 per cent. The unofficial circles claimed that the turnout was lower than the official figure.

The PML-N performed equally impressively at the provincial level. It swept the polls to the Punjab Provincial Assembly by capturing 211 seats of 240 general seats. In Khyber-Pakhtunkhwa Provincial Assembly, it got 32 seats and its allied party, the ANP, won 29 seats. In Sindh, the PPP and the MQM maintained their edge with 34 and 28 seats but the PML-N made reasonable gains as compared to the past. In Balochisan the seats sere distributed among several regional and nationwide parties.

Post-Election Situation/Government Formation

The PML-N emerged as a nation-wide party with seats in the National Assembly from all provinces. Nwaz Sharif assumed the office of Prime Minister on February 17, 1997 for the second time. The PML-N joined with the MQM, the ANP and some independent members with 177 votes in the total house of 217 seats (General seats plus non-Muslim seats). It also assumed power in three provinces: It established an exclusively PML-N government in the Punjab with Shahbaz Sharif as the Chief Minister. It formed coalition governments in Sindh and NWFP (Khyber-Pakhtunkhwa). In Balochistan, two regional parties (Balochistan National Party and Jamhoori Watan Party, formed a government with the help of smaller groups. In August 1998, this government led by Akhtar Mengal was replaced with a PML-N-led coalition.

The PPP was in the opposition with reduced seats. It was the worst ever defeat for the PPP in the National Assembly. The success of the PML-N was described as the "heavy mandate" from the people.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 2002 Election

The 2002 election managed carefully by the military government of General Pervez Musharraf were meant to civilianize the military government. Though the political parties were allowed to contest the election, the role of the PPP and the PML-N was limited and the military government engaged in political engineering to make sure that only the political leaders willing to work with General Musharraf were in the lead.

The system of separate electorate introduced by General Zia-ul-Haq was done away with and Pakistan returned to joint electorate from the 2002 election. Some seats were reserved for non-Muslims. Women reserved seats were re-introduced and increased in the two houses of the Parliament and four Provincial Assemblies.

Election Backdrop

Nawaz Sharif had two-thirds majority in the National Assembly and a comfortable majority in the Senate. He used his position to strengthen his control over the Parliament and the State institutions. He introduced 13th and 14th constitutional amendments hurriedly to strengthen his position in the party and vis-à-vis the President. He attempted to cow down the print media and developed confrontation with the Supreme Court, the military and the Presidency. He made the Chief Justice of Pakistan (Sajjad Ali Shah), one Army Chief (Jehangir Karamat) and one President (Faroog Ahmad Khan Leghari) to quit their offices. He appointed his protégé and political non-entity (Muhammad Rafig Tarar) as President in January 1998. He made an unsuccessful attempt to increase his administrative powers for implementation of Islam under the proposed 15th constitutional amendment.

As Nawaz Sharif attempted to remove General Pervez Musharraf from the command of the army while he was on his return flight from Colombo, Sri Lanka and install his favourite, Lt General Khwaja Ziauudin as the Army Chief, the top command staged a coup and removed Nawaz Sharif's government and dissolved the National Assembly on October 12, 1999.

The Army Chief General Pervez Musharraf designated himself as the Chief Executive and suspended the 1973 Constitution. Provincial Governments and Assemblies were also removed. President Rafiq Tarar agreed to continue as the President who was stripped of whatever

power he enjoyed before the coup.

The Supreme Court endorsed the assumption of power by General Pervez Musharraf in May 2000 and gave him three years to hold fresh election.

Like a typical military ruler, General Pervez Musharraf returned to civilian rule through a carefully regulated process. First, he removed President Rafig Tarar on June 20, 2001 and assumed the office of the President in addition to his positions of the Chief Executive and the Army Chief. Second, he held local government election with expanded power to the district level in December 2000-August 2001. Third, he secured his Presidency by winning an uncontested referendum on April 30, 2002. enabling him to stay in office as an elected leader for five vears. He polled 97.5 per cent of the votes cast in the referendum as per official figures. Fourth, on August 21, 2002. General Pervez Musharraf issued a Legal Framework Order (LFO) to introduce changes in the suspended Constitution to strengthen his position as the President by assigning him, among other things, the powers to dissolve the National Assembly and remove the Federal Government in discretion. He also re-acquired the power to appoint the services chiefs, Provincial Governors and the Election Commission in his discretion. No person could hold the office of Prime Minister for more than twice.

The notification for the holding of the election was issued on August 16, 2002. The polling day was later fixed as October 10, 2002 for the National Assembly and Provincial Assemblies.

A number of changes were made in the election process in 2002. The system of joint electorate was enforced, returning to the original provisions (pre General Zia-ul-Haq period) of the 1973 Constitution. The minimum age for voters was reduced from 21 to 18 years. The number of seats in the National Assembly and Provincial Assemblies were increased. The general seats in the National Assembly were increased to 272 from 207.

Candidates for the election to the National and Provincial Assemblies were required to possess the bachelor's degree or equivalent as the minimum condition to contest election.

70 reserved seats were added to the National Assembly. 60 seats were reserved for women and 10 for non-Muslims. Both were elected indirectly form the list provided by the political parties in proportion to the seats

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

won by the parties in the concerned Assembly. Similarly reserved seats for women and non-Muslims were provided in the Provincial Assemblies.

The original 1973 Constitution provided for reserved seats for women. These reserved seats expired after the 1988 general election as provided in the Constitution. There were no women reserved seats for the elections in 1990, 1993 and 1997. General Pervez Musharraf revived and increased reserved women seats in all elected houses at the Federal and Provincial level.

The Competing Players

The Pakistan Muslim League-Quaid-i-Azam (PML-Q) that broke out of the PML-N in 2000-2001 enjoyed the blessings of the military government. It was headed by Chaudhry Shaujaat Hussain.

The PPP and the PML-N participated in the election without their top leaders, Benazir Bhutto and Nawaz Sharif respectively. Benazir Bhutto was in exile in Dubai. Her husband, Asif Ali Zardari was in prison in Pakistan since his arrest on November 6, 1996 when Benazir Bhutto's government was dismissed by President Farooq Leghari. Nawaz and Shahbaz Sharif and other members of the family were in exile in Saudi Arabia since December 2000 under an arrangement between Pakistan's military government and the Saudi Royal family.

In order to avoid legal complications, the PPP under the leadership of Benazir Bhutto established a new party – Pakistan People's Party Parliamentarian (PPPP) with Makhdoom Amin Fahim as its chairman. This got registered with the Election Commission and contested the election. The voters and party activists hardly made any distinction between the PPP and PPPP (three or four Ps).

Four small political parties established an electoral coalition called National Alliance. This included Millat Party of Farooq Khan Leghari, National People's Party of Ghulam Mustafa Jatoi, Sindh Democratic Alliance of Arbab Ghulam Rahim, and Sindh National Front of Mumtaz Bhutto.

Six Islamic political parties joined together to create Muttahida Majlis-e-Amal (MMA). This electoral alliance included Jamaat-e-Islami, Jamiat-e-Ulema-e-Islam-Fazlur Rahman (JUI-F), Jamiat-e-Ulema-e-Islam Sami-ul-Haq (JUI-S), Jamiat-e-Ulema-e-Pakistan (JUP), Jamiat-e-Ahle-Hadith, Tehrik-e-Islami (reincarnation of TNFJ

banned for being sectarian). The Jamaat-e-Islami and the JUI-F dominated the MMA which caused some irritation among other partners after it assumed power in NWFP (Khyber-Pakhtunkhwa).

The MQM contested in urban Sindh only. Five factions of the PML contested the election. Several other political parties had strong ethnic and regional identities with limited support while others were political nonentities. In all, 59 parties and electoral alliance offered candidates for the election to the national and provincial assemblies.

Key Issues

The election campaign was closely monitored by the Election Commission and the intelligence agencies. The political parties gave limited attention to national level political and economic issues and avoided the criticism of the military government. Similarly foreign policy and security issues received limited attention. The focus was on local and constituency related affairs. The issues like poverty, under-development, unemployment and health and education facilities figured prominently. The PPP and the PML-N election campaigns were low keyed because they did not want to incur the wrath of the military government and lose the opportunity to be in the electoral process.

The MMA maintained a strong anti-U.S. disposition which helped to win support in the Pashtun dominated areas where anti-U.S. sentiments were strong. The U.S. military action in Afghanistan in October-November 2001 caused much resentment in NWFP (Khyber Pakhtunkhwa) because a good number of Afghan Taliban moved into these regions from Afghanistan and a good number of Afghan Pashtuns and Pakistani Pashtuns came to these areas for medical care after being injured by U.S. air raids. The relatives of people were killed as the U.S. resorted to air attacks on Afghanistan. The MMA exploited the post-Afghanistan operation situation. The military government also had a soft corner towards the MMA in order to weaken the PPP and the PML-N. The unity demonstrated by six Islamic parties in the MMA also enabled them to perform better.

Election Results

Seventeen political parties and alliances were represented in the National Assembly. More people were elected as

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

independents than was the case in the earlier election going back to 1998. The independents were 30 in number.

The PML-Q that enjoyed the quiet support of the military government and the intelligence agencies won the maximum number of seats. It won 77 general seats. When we add the reserved seats for women and non-Muslims as well as the seats won in the bye-election in January 2003, its strength rose to 122 in a house of 342 seats. The PPPP (PPP-Parliamentarian) got 62 seats that rose to 80 after the bye-election in January 2003 and reserved women and non-Muslim seats.

The MMA surprised most political analysts by getting 45 National Assembly seats that rose to 61 after the add-on reserved seats. The PML-N captured only 15 seats which rose to 19 by January 2003. The MQM won 13 general seats that rose to 17 with the add-on reserved seats. The National Alliance also won 13 general seats which increased to 16 by adding women reserved seats. The PML-Functional, the PML-Jinnah and the PPP-Sherpao got 4, 2 and 2 general seats respectively. Eight political parties had one general seat each.

The voter turnout for the National Assembly was 41.8 per cent.

The Punjab Provincial Assembly was dominated by the PML-Q that got 216 general seats. The PPP came second with 65 general seats. The PML-N obtained 43 seats. The National Alliance obtained 16 general seats and the MMA got 11 general seats. The PPP-Patriots won 8 general seats.

The PPPP had the leading position in the Sindh Provincial Assembly with 62 general seats. The MQM got 41 seats. The PML-Q won 18 general seats. The National Alliance, PML-Functional and the MMA got 16, 13 and 8 general seats.

The NWFP (Khyber-Pakhtunkhwa) was dominated by the MMA that got 66 general seats. The PPP-Sherpao won 13 general seats. The PML-Q, the PPPP and the ANP got 10 general seats each. The PML-N obtained 5 general seats.

The Balochistan Assembly results showed that the PML-Q and the MMA won 21 and 18 seats respectively.

Four other parties were represented in the Assembly in addition to some independent members.

Post-Election Situation/Government Formation

The military government engaged in political engineering to enable the PML-Q to form a coalition government at the federal level. It won over the MQM and most independent members for supporting the PML-Q. The National Alliance led by Farooq Khan Leghari and some small parties also agreed to support the PMLQ for the formation of the government.

The military government succeeded in winning over 10 members of the National Assembly belonging to the PPPP. They defected and labeled them as the PPP-Patriots and extended full support to the PML-Q efforts to set up a new government. These defections were facilitated because the military government did not revive the constitutional article that prohibited the parliamentarians from changing political parties. Six of these PPPP defectors were accommodated in the Federal Cabinet. The defection clause was revived when the required defections had been made and no more defections were required.

The National Assembly held its inaugural session on November 16, 2002 and elected Zafarullah Khan Jamali as the Leader of the House and Prime Minister on November 21 with a bare minimum vote of 172 votes in a House of 342 members. The original nomination of Jamali came from President General Pervez Musharraf and the PML-Q accepted the nomination and pursued it. He took the oath of office on November 23.

The indirect election to the 100 member Senate, the upper house, was held on February 24 and 27, 2003. It held its first session on March 12. The 1973 Constitution was revived in phases. Some articles of the 1973 Constitution were revived on November 16, 2002, when the National Assembly held its inaugural session. On December 31, 2002, more articles were revived and the full restoration of the Constitution was completed on March 12, 2003, when the Senate opened its first session, marking the completion of the Parliament.

The Provincial Assemblies were inaugurated gradually. The NWFP (Khyber-Pakhtunkhwa) Provincial Assembly opened on November 25, 2002 and the MMA leader Akram Khan Durani took the oath as the Chief Minister on November 30. The Punjab Provincial Assembly also held its first session on November 25 and the PML-Q leader Chaudhry Pervez Illahi took over as the Chief Minister on

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

November 29. The Balochistan Provincial Assembly was inaugurated on November 28 and on December 1, the PML-Q's Jam Mir Muhammad Yousaf took the oath as the head of a coalition government. The Sindh Provincial Assembly held its first session on December 12 and a coalition government under the PML-Q leader Ali Muhammad Mahar was installed on December 17.

The most outstanding feature of the 2002 election results was the extra-ordinary success for the MMA which formed the provincial government in NWFP (Khyber Pakhtunkhwa). It was part of the coalition governments in Sindh and Balochistan. Pakistan's Islamic parties never obtained such a success in the past. However, the MMA disintegrated by 2007-2008 and these parties could not perform so well in the 2008 election.

The military government and the intelligence agencies, especially the ISI, was active during the election period in favour of the PML-Q and it played a role in securing defection of the members, cultivating coalition and helping the PML-Q for the Senate election.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

The 2008 Election

The 2008 election represented the triumph of political and democratic forces and provided an opportunity to civilian political and societal groups to pursue an expanded role in political and societal affairs. The efforts of the military government of General Pervez Musharraf to sideline the nationwide political parties, the PPP and the PML-N, failed miserably and these two political parties effectively demonstrated their popular support. The Musharraf-led military dominated authoritarian rule and its close civilian allies were rejected by the electorate.

The rise of Islamic parties in the 2002 election was reversed in 2008 because the domestic and external factors that helped their fortune in 2002 did not exist in 2008. These parties returned to their normal political standing which was limited and area-specific.

Election Backdrop

The 2002 elections enabled the military government of General Pervez Musharraf to civilianize itself by co-opting the PML-Q and some other political parties and weakening the role of the major political adversaries like the PPP and the PML-N. His rule got another boost when, on December 26, 2003, he managed to get the 17th constitutional amendment approved by the two houses of the Parliament because, in addition to its regular civilian allies, the MMA agreed to support the constitutional amendment. It gave parliamentary endorsement to the LFO (August 2002) that enhanced the powers of the President through unilateral amendments in the Constitution and provided parliamentary cover to the military rule, 1999-2002. On December 30, 2003, he obtained a vote of confidence in his Presidency by the Parliament and Provincial Assemblies. This was not a constitutional requirement but Musharraf wanted to strengthen his democratic credentials. He promised to guit as the Army Chief by December 31, 2004.

Pervez Musharraf's political triumph could not be attributed to the growing resilience of the civilian elected institutions and processes created in 2002 or the political clout of the co-opted political leadership. He owed his holding on to power to his capacity to use the State apparatus and patronage to his advantage. The support of the military, especially the Army high command was critical to longevity of his rule. This enabled him to make use of the ISI and the MI to his political advantage. That is the main

reason that he did not want to quit as the Army Chief.

His continuous manipulation of the political forces caused alienation even among those civilians who stood by him. His decision to change prime minister without any credible reason caused concern among his loyalists. Mir Zafarullah Khan Jamali was asked to resign in June 2004 for no obvious reason. On June 20, 2004 Chaudhry Shujaat Hussain assumed this office as a stop-gap arrangement. When Shukat Aziz, the then-Finance Minister, got elected to the National Assembly, he replaced Shujaat Hussain on August 20, 2004. The PML-Q and its allies had no role in prime ministerial changes. They endorsed the decisions made by Pervez Musharraf and felt belittled by these unilateral changes by Pervez Musharraf.

The stage for his downfall was set by a self-created political crisis, when on March 9, 2007, he summoned the Chief Justice of the Supreme Court to his office to ask him to resign. On the Chief Justice's refusal, Musharraf first announced his removal but later changed it into suspension and filed a reference against him to the Supreme Judicial Council.

This incident and mistreatment of the Chief Justice by the police triggered a nationwide protest spearheaded by the lawyers who were joined by the political parties and societal groups. It turned into a nationwide movement targeting General Pervez Musharraf and other top commanders of the Army.

A 13 member bench of the Supreme Court set aside the reference against the Chief Justice in July, enabling him to return to his position. However, the protest against Musharraf continued in one way or other.

Meanwhile Musharraf lost the sympathy and support of most Islamic groups, including some in the MMA when he ordered military operation against the Red Mosque in Islamabad to knock out radical and militant Islamic activists based in this mosque. This operation alienated large sections of Islamists and the militant groups were alarmed that the Musharraf government was now confronting them with force.

Another ill-advised move was to get him re-elected on October 6 from the Parliament and Provincial Assemblies that were completing their regular tenure in November. The civil society groups, lawyers and most political parties opposed this move but Musharraf went ahead to get himself elected.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

As the political situation seemed to be slipping out of Musharraf's control and his relationship with the Supreme Court was extremely uneasy, he imposed a State of Emergency on November 3, 2007, held the Constitution in abeyance and issued a provisional constitutional order requiring the judges to take a new oath of office. The majority of judges of the Supreme Court and Provincial High Court either refused to take the new oath or they were not invited to take the new oath. All such judges lost their job. In this way Musharraf got rid of the Chief Justice and a large number of other judges. The political re-action was most negative and ignited public protest once again.

On Novermber 28, 2007 he vacated the office of Army Chief and appointed General Ashfaq Pervez Kayani as the Chief of Army Staff, losing the direct control of the Army. He took the oath as the civilian president (for second term) on November 30.

On December 14, he announced several changes in the Constitution to strengthen and secure his position and on December 15, he withdrew that state of emergency and returned to constitutional rule.

Meanwhile the National Assembly completed its tenure on November 15 and Pervez Musharraf appointed Muhammad Mian Soomro, Chairman of the Senate, as the Caretaker Prime Minister on November 16. He served as Caretaker Prime Minister from November 16, 2007 to March 25, 2008, when the elected Prime Minister assumed office. The National and Provincial elections were scheduled for January 8, 2008. This date was changed to February 18, 2008 after violence erupted in the aftermath of assassination of Benazir Bhutto on December 27, 2007.

In 2002, two state-owned TV channels and one private sector TV covered the election. By 2008, at least 10 private sector news channels covered election campaign and voting. This was in addition to the state-owned TV channel. These channels competed with each other in providing news and coverage of the election process. Modern communication technology was used by political parties and candidates. This included text messaging, cellular phones, websites and blogs, and e-mail. There was widespread publicity in the streets through posters, handbills and billboards. Some of it violated the election code of ethics.

International observers from 21 countries came to Pakistan during the election period. The EU Election

Observer Team had 119 members. Pakistani observers belonging to non-official organizations also monitored the election process.

The military and paramilitary personnel were deployed for the polling. The Army provided 34,000 personnel and paramilitary made 47,000 personnel available for the last couple of days of the election. The Police performed the regular security duties.

The U.S., the UK and the EU provided funding and technical assistance for the election process, including making of voters list, capacity building for holding elections. For example the USAID provided \$ 22.19 million and the U.S. State Department provided \$ 6.87 million for various election related campaigns like voters' education, training to election staff and independent monitoring.

The Competing Players

The PPP and the PML-N actively participated in the election while their leaders, Benazir Bhutto and Nawaz Sharif returned to Pakistan on October 18, 2007 and November 25, 2007 respectively. Nawaz Sharif's earlier bid to return to Pakistan on September 10 was foiled by the Musharraf regime when he was refused entry on arrival at the Islamabad Airport and forced to return to Saudi Arabia.

The return of Benazir Bhutto was made possible through long drawn negotiations between the Musharraf regime and Benazir Bhutto spread over several months and encouraged by the United States. On October 5, 2007 President Pervez Musharraf issued the National Reconciliation Ordinance (NRO) that stipulated the withdrawal of prosecution of people who are "falsely involved for political reason or through political victimization in any case" commenced between January 1, 1986 and October 12, 1999. It also said that any order passed by the court in absentia against an accused will be viewed as being without a legal basis and will not be acted upon.

Benazir Bhutto returned to Pakistan and aggressively pursued the election campaign. After her assassination on December 27, 2007, her son, Bilawal was designated as Chairman of the PPP and her husband, Asif Ali Zardrai was named a Co-Chairman who actually spearheaded the PPP election campaign.

Nawaz Sharif assumed the leadership of his party, PML-N,

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

on return, which gave a boost to the party.

The 6 party electoral alliance of Islamic parties, the MMA, collapsed long before the election. Its constituent elements contested the election separately or collaborated with other parties in their individual capacity.

A coalition was set up under the name of All Pakistan Democratic Movement (APDM) that included the PML-N, Pakistan Tehrik-e-Insaf, and Pakhtunkhwa Mili Awami Party (PMAP). The Jamaat-i-Islami worked closely with it. Practically this coalition did not work. The APDM decided to boycott the polls but the PML-N decided to stay in the electoral process. Other three parties boycotted the polls.

The PML-N announced the boycott of the polls soon after the assassination of Benazir Bhutto. However, as the PPPP decided to contest the election and appealed to the PML-N to opt for the election, it decided to contest the election. Three parties from Balochistan also boycotted the polls. These were Balochistan National Party (Mengal), Jamhoori Watan Party and National Party.

Five faction of the PML – Quaid-i-Azam, Functional, Junejo, Jinnah and Zia – decided to merge as the PML in May 2004 under the leadership of Chaudhry Shujaat Hussain. Soon afterwards, the PML-Functional decided to maintain its separate identity and contested the 2008 election separately. The National Alliance of 2002 splintered and its component parties either joined the unified PML or revived their separate identity.

The MQM not only contested election in urban Sindh but nominated some candidates in other provinces. It did not win any seat in the Punjab, NWFP (Khyber-Pakhtukhwa) and Balochistan.

In all 36 parties and alliances fielded candidates for the National Assembly election.

Key Issues

The major political parties had issued manifestos which focused on all socio-economic issues, especially price hike and inflation. The lack of adequate health care and education facilities, poverty and under-development were noted in most manifestos and commitments were made to improve the quality of life for people. The law and order and internal security issues were raised in the speeches and statements of leaders. Power shortage and economic

problems were also raised. Foreign policy and security issues were discussed in broad terms. As a matter of fact, the manifestos of different political parties were overlapping.

In addition to broad domestic and foreign policy themes the candidates raised constituency related specific issues, mainly addressing welfare and better civic facilities.

The PPPP election campaign was dominated by the images of Zulfikar Ali Bhutto and Benazir Bhutto and how they had to face unnatural deaths. The speeches of these leaders were played in some PPPP election meetings. The PML-N was more critical of the Musharraf regime than the PPP. It avoided any adverse comment about Benazir Bhutto.

The Islamic parties that contested the election raised Islam-oriented themes and highlighted how the people were neglected by the military government of Pervez Musharraf. The JUI-F emphasized its efforts to serve people as a part of the MMA government in NWFP (Khyber-Pakhtunkhwa).

The election campaigning was low-keyed because of threat of terrorism. There were several instances of bomb explosions and suicide bombings in January-February 2008 that dampened election enthusiasm. There were less big public meetings and rallies or marches.

Election Results

The military maintained a non-partisan profile in the course of the election. There were no complaints of interference of the ISI or the MI in the election process.

It was a split mandate. No political party got an absolute majority in the National Assembly. The PPPP emerged as the single largest party with 95 general seats. This number rose to 122 by adding the reserved seats for women and non-Muslims won by the PPPP. The PML-N came second with 72 general seats and 20 reserved seats for women and non-Muslims (Total 92). The erstwhile ruling PML-Q won 41 general seats and 12 reserved seats (Total 53). The MQM won 19 general seats, all from urban Sindh. Its strength reached 25 by adding reserved seats. The ANP won 10 general seats, all from NWFP (Khyber-Pakhtunkhwa). It also won 3 reserved seats for women. Independent candidates won 10 seats.

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

The voter turnout for the National Assembly was 44.4 per cent.

Islamic parties failed to repeat the performance of the 2002 election. The JUI-F got more seats in the National Assembly than any other Islamic Party. The Jamaat-i-Islami and Imran Khan's Pakistan Tehrik-e-Insaf had boycotted the election.

Though the mandate was divided reflecting increased political polarization in Pakistan. However, the political parties with centrist, moderate and liberal views dominated the election results. Two political parties, the PPP and the PML-N that faced the wrath of the Musharraf regime came on the top, reviving the pattern of two dominant political parties.

Post-Election Situation/Government Formation

The PPP and the PML-N were joined by the MQM, the ANP and some independent members to set up a coalition government at the federal level. Yousaf Raza Gilani of the PPP headed this government on March 25, 2008, after being elected unanimously by the National Assembly. The election of the speaker, Dr. Fahmida Mirza, first woman speaker of the National Assembly, was through unanimity. This engendered much optimism about the future of democracy.

The cooperation between the PPP and the PML-N proved short-lived. By August 2008, the PML-N withdrew from the Federal Government and decided to sit in the opposition. The coalition government continued with the MQM, the ANP and independent members.

Presidential election was held in September and Asif Ali Zardari, co-chairman of the PPP, was elected by defeating the PML-N nominee.

At the provincial level, coalition governments were installed. In the Punjab Assembly, the PML-N had a comfortable majority with the support of independent members. However, it brought the PPP on board which stayed in the coalition even after the PML-N left the coalition government at the federal level. The PPPP and the PML-N partnership in the Punjab broke down and the PPPP left the government but the PML-N continued to rule Punjab comfortably.

The Sindh Provincial Assembly was dominated by the PPP. It secured the cooperation of the MQM and smaller political parties and independents to set up a coalition government. In Khyber-Pakhtunkhwa, the ANP-led coalition government was installed. The provincial government in Balochistan was also a coalition of several political parties, led by a PPPP leader.

The National Assembly elected in the February 2008 election completed its normal term on March 16, 2013. The Provincial Assemblies were completing their normal term on different dates in March-April. However, these were dissolved within a week of expiry of the term of the National Assembly to hold the national and provincial elections simultaneously in May 2013.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Conclusion

Pakistan had 9 general elections during 1970-2008. These were held in December 1970, March 1977, February 1985, November 1988, November 1990, October 1993, February 1997, October 2002 and February 2008. With the exception of the 1977 elections, the results were accepted by the political parties, although these complained about official interference in some of the elections.

The military establishment, especially the ISI and the MI (to a lesser extent) interfered in the electoral process, especially when the elections were part of the exercise to shift from direct military rule to a civilianized rule. There were serious complaints of the ISI manipulation of the 1988 and 1990 election. Subsequently their role was low keyed, although they closely monitored the electoral process. A major shift was witnessed in the 2008 election when the Army and its intelligence agencies maintained a non-partisan profile and provided security assistance to the Election Commission on its demand.

Some violence occurred in the campaigns of all elections. Some deaths were also reported. The reports of electoral irregularities were also noticed in all elections. However, these incidents were not very common and did not affect the elections results. These complaints were dealt with on individual basis.

The May 2013 election symbolizes democratic continuity from one civilian government to new election, leading to the setting up of another elected civilian government. It is a positive development and a sign of hope in Pakistan's troubled political history.

Part 2: Electoral Data: Its Deconstruction and Interpretation

Dr. Ijaz Shafi Gilani

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 1: 1970: An Election which Divided and Polarized the Nation

The 1970 Election caused separation and social polarization in the country. In its very first election a young nation tasted the seamier side of competitive elections in divided societies.

The 1970 elections turned out to be highly divisive. On state level, it caused separation of half the country. On social level, it sowed the seeds of lasting polarization between the PPP voters and the rest.

We shall take a brief look at these two developments. It may, however, be pointed out that the results of the 1970 election have been analyzed by scholars and commentators more thoroughly and extensively than perhaps any other of the subsequent 8 national elections. The reasons are many.

It was Pakistan's first national election, and for the first time, it revealed the preferences of the ordinary citizens of the country. Until then popular preferences in the world's 5th largest country, as it was then, had remained largely hidden. The elites of various variety had their own imaginations and ideals about what the common citizenry should believe and what was the best direction for the country. But whether or not their preferences matched with popular imagination was unknown.

Furthermore a year long election campaign had polarized the population along all the major ideological and interest-based themes which were in vogue at the time. They ranged from the ideal of Pakistan as an Islamic state to populist socialism, ethnonationalism and secular nationhood of a liberal variety. The results of the elections shocked some groups and elated others. On the whole the Islamist groups were shocked to find that populist socialism and ethno-nationalist ideas had won at the polls defeating by substantial margins the upholders of the ideals of Islamic State and a strong federation under Pakistani nationhood.

Most of the subsequent analyses of electoral outcome focus on the dramatic success of Zulifkar Ali Bhutto's populist socialism in what was then West Pakistan (today's Pakistan) and Awami League's ethno-nationalism in what was then East Pakistan (today's Bangladesh). In West Pakistan Bhutto had won 39% of votes and 54% of the seats to the national Parliament. In East Pakistan, Awami League had won more than 90% of the legislators to be sent to the Parliament. Neither of the two had any presence in the other province. Thus Pakistan's first national election had sharply polarized rather than unify the nation.

Furthermore within West Pakistan, Bhutto's populist socialism had created sharp class-based polarization which pitted the vast majority of poor, dispossessed and humiliated masses against the middle and upper class business and social elites.

It took a whole year before the electoral outcome culminated in a change of government. And it was by no means a pleasant transfer of power. It was transferred to the Indian army in the East Pakistan, and back to Martial Law in the West Pakistan.

In East Pakistan power was transferred to the Indian army, which, in turn, handed it over to the Awami League in due course. Pakistan's Federal Government had lost in a civil war fought to avert the electoral outcome in East Pakistan. The Indian army aided the anti federation Bengali nationalist Awami League. The outcome was the creation of Bangladesh.

In West Pakistan, a reluctant army handed over power to Zulfikar Ali Bhutto first as Chief Martial Law Administrator and President and later as the Prime Minister. Bhutto moved rapidly to institutionalize the socially-polarized outcome of the election in West Pakistan into a mandate of massive nationalization of industry, banking, natural resources, education, health and other social services. The mandate gained through the 1970 election was seen as a mandate to create a new Pakistan.

Considering the massive consequences of the electoral outcome, it is not without reason that some of the most extensive theoretical and empirical studies on Pakistani society and politics are rooted in answering questions raised by the results of the 1970 election. It will be difficult for us to add to the insights provided by that extensive literature, but a quick summary of how the vote was split among various political parties in West Pakistan (today's Pakistan) would help.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Post Election Developments

Since West Pakistan in itself became a federation of four federating provinces, Mr. Bhutto was compelled to form coalition governments at the centre and two of the four provinces. In forming these coalitions, he joined hands with various parts of the other three parliamentary groups. His partners included one part of the Muslim League(s). It was the Muslim League faction led by Abdul Qayum Khan. He chose the dominant regional party, National Awami Party in forming provincial governments in the NWFP (now KP) and Balochistan. He also chose one of the religious parties, JUI, then led by Maulana Mufti Mehmood (Maulana Fazal ur Rahman's father). In theory such coalition building should have healed the polarization caused by the divisive nature of the 1970 election. But as subsequent events were to demonstrate, it did not.

There were, however, two exceptions. The first was the near unanimous passage of a new Constitution for the country (the 1973 Constitution) and the second was to reconcile the nation to the separation of East Pakistan as a new country (Bangladesh).

Barring these two exceptions, Pakistan's new Parliament remained polarized inside the house, and was unable to soften polarization in the society at large. A nation-wide election in which nearly 60% of the adult population had voted created a highly mobilized society. In the absence of deeply rooted legitimacy of popular politics and weak rule of law, the new Pakistan muddled through another five years of vacillating between hopes for democracy and authoritarian urges to bring order and prosperity.

Table 1: 1970 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
AL	39.2%	160
PPP	18.6%	81
CML	7.4%	7
QML	4.5%	9
JI	6%	4
Others	21.7%	23
Independent	7%	16
TOTAL	100%	300

Source: Philip Jones, The Pakistan Peoples Party Rise to Power, Oxford University Press, 2003, based on Election Commission of Pakistan

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 2: 1970 Punjab

National Assembly seats from Punjab Province and its Regions

	Votes (%)	Seats (n)
PPP	41.7%	62
CML	12.7%	7
CVML	5.1%	2
QML	5.4%	1
JUI-WP	5.2%	-
JUP	10.0%	4
JI	4.7%	1
NAP-W	-	-
PDP	2.3%	-
Others	1.2%	-
Independent	11.7%	5
TOTAL	100%	82

Source: Philip Jones, The Pakistan Peoples Party Rise to Power, Oxford University Press, 2003, based on Election Commission of Pakistan

Table 3: 1970 Sindh

National Assembly seats from Sindh Province and its Regions

	Votes (%)	Seats (n)
PPP	44.9%	18
CML	6.8%	-
CVML	1.8%	-
QML	10.7%	1
JUI	4.9%	-
JUP	6.9%	3
JI	10.3%	2
PDP	0.1%	-
NAP-W*	0.4%	-
Others	1.7%	-
Independent	11.1%	3
TOTAL	100%	27

^{* (}Later day ANP)

Source: Philip Jones, The Pakistan Peoples Party Rise to Power, Oxford University Press, 2003, based on Election Commission of Pakistan

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 4: 1970 NWFP (Khyber Pakhtunkwa)

National Assembly seats from KP Province and its Regions

	Votes (%)	Seats (n)
PPP	14.3%	1
CML	4.1%	-
CVML	0.6%	-
QML	22.6%	7
JUI	25.5%	6
JUP	-	-
JI	7.2%	1
PDP	0.3%	-
NAP-W	18.5%	3
Others	0.7%	-
Independent	6.3%	7
TOTAL	100%	25

Source: Philip Jones, The Pakistan Peoples Party Rise to Power, Oxford University Press, 2003, based on Election Commission of Pakistan

Table 5: 1970 Balochistan

National Assembly seats from Balochistan Province and its Regions

	Votes (%)	Seats (n)
PPP	2.4%	-
CML	11%	-
CVML	-	-
QML	10.9%	-
JUI	20%	1
JUP	-	
JI	1.2%	
PDP	2.4%	-
NAP-W	45.2%	3
Others	1.0%	-
Independent	6.8%	-
TOTAL	100%	4

Source: Philip Jones, The Pakistan Peoples Party Rise to Power, Oxford University Press, 2003, based on Election Commission of Pakistan

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 2: 1977: An Election which Transferred Power from Civilians to Military

The social and economic polarization caused during the seventies took its toll in 1977. It is quite evident that competitive elections require a modest degree of social and economic harmony. Should that be absent, elections provide a platform to blow up rather than heal socio-economic divisions. After all elections are a means to mobilize the citizen.

A highly polarized and mobilized citizenry led Pakistan into chaos in 1977. It was fuelled by irregularities in the election process. A vast majority believed the election was stolen, while the government denied it. Irrespective of those claims and counterclaims, the PPP and its competing alliance, Pakistan National Alliance (PNA) were neck and neck in terms of voting strength.

The outcome of this election never came to fruition by way of leading to a new government. Instead the military stepped in to impose Martial law. The power was transferred not from one civilian to another, but from civilians to the military.

Table 6: 1977 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
РРР	58.6%	155
PNA	35.8%	36
Others	-	1
Independent	-	8
TOTAL	100%	200

Note: Election results were disputed, and no Assembly was formed based on its outcome

Source: Church World Service, Pakistan/Afghanistan, Free and Fair Election Network, Elections in Pakistan (1970-2008), 2010

Table 7: 1977 Punjab

National Assembly seats from Punjab Province and its Regions

	Votes (%)	Seats (n)
PPP	61%	107
PNA	35.5%	8
Others	-	-
Independent	-	-
TOTAL	100%	115

Source: Church World Service, Pakistan/Afghanistan, Free and Fair Election Network, Elections in Pakistan (1970-2008), 2010

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

Table 8: 1977 Sindh

National Assembly seats from Sindh Province and its Regions

	Votes (%)	Seats (n)
PPP	61.6%	32
PNA	32.2%	11
Others	-	-
Independent	-	-
TOTAL	100%	43

Note: Election results were disputed, and no Assembly was formed based on its outcome

Source: Church World Service, Pakistan/Afghanistan, Free and Fair Election Network, Elections in Pakistan (1970-2008), 2010

Table 9: 1977 NWFP (KP)

National Assembly seats from KP Province and its Regions

	Votes (%)	Seats (n)
PPP	39.6%	8
PNA	48%	17
Others	-	-
Independent	-	-
TOTAL	100%	26

Note: Election results were disputed, and no Assembly was formed based on its outcome

Source: Church World Service, Pakistan/Afghanistan, Free and Fair Election Network, Elections in Pakistan (1970-2008), 2010

Table 10: 1977 Balochistan

National Assembly seats from Balochistan Province and its Regions

	Votes (%)	Seats (n)
PPP	49.2%	7
PNA	-	-
Others	42.4	-
Independent	-	-
TOTAL	100%	7

Note: Election results were disputed, and no Assembly was formed based on its outcome

Source: Church World Service, Pakistan/Afghanistan, Free and Fair Election Network, Elections in Pakistan (1970-2008), 2010

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 3: 1985: Transition from Martial Law to 'Oversight by Military'

In 1985 military rulers decided to civilianize political authority by sharing but not transferring it completely to civilian politicians. In the meanwhile, changes in global economy and technology had started to affect the social profile of Pakistani population. We shall explain the impact of these two phenomena in this section.

The 1985 election was never taken seriously by analysts or the political class because it was not standard competitive election among political parties. No political parties were permitted. Every candidate contested in his or her individual name. Consequently the election data are also not available under standard party names. Accordingly the implications and consequences of this election have to be understood differently. This election turned out to be a transition between military rule and civilian governments with military oversight. One can say it was a transition from 'overlordship' to 'oversight'. A more charitable term for this process was civilianization of military control.

It would, however, be imprudent to ignore the political consequences of the 1985 election. The 1985 election is significant on at least 3 courts.

Firstly, it gave birth to a new generation of political leaders. This was true for those who eventually came to lead the Muslim League as well as the Peoples Party. By 1985, the Pakistan-born generation, born after 1947, was coming of age to replace their elders. This election provided a platform to them to enter into politics and the Parliament. Benazir Bhutto did not participate in the election, but her return to Pakistan and participation in politics was facilitated by it. Nawaz Sharif became a political leader, even if under the shadow of military oversight, through this election.

Secondly, the 1985 election sowed the seeds of a two party parliamentary system. Once a non-party election had produced a Parliament, the elected Parliament was permitted to form political parties. This process gave birth to a Muslim League which subsequently became a key player in politics. It was birthed under military oversight, but assumed a character of its own over the period of its adulthood. The military had thus created, unwittingly or otherwise, a sound basis for the functioning of competitive democracy.

Since 1985 Pakistan's political scene thrived because the PPP and Pakistan Muslim League were able to accommodate large sections of Pakistani voters under their banners. This was a sharp departure from 1970 where the social classes attracted by the PPP had one political platform, while its opponents were divided among several small political platforms. The two social groups were neck and neck on the streets but the latter were no matter to PPP on the formal political platform of the Parliament. This mismatch between strength in society and strength in the Parliament was a principal cause of breakdown of competitive democracy in 1977. The 1985 election was blemished by not allowing political parties and would be seen a farce because they were a deliberate attempt by the military to cunningly exclude PPP from representation in the Parliament. And yet they produced a result which helped in creating a sound basis for competitive elections in subsequent years. One could argue that even 'flawed elections' turned out to be bitter than 'no elections'.

Thirdly, the outcome of 1985 election was seen by the military as a relatively low cost procedure to manage politics in the country. It seems that they came to the conclusion that 'oversight' is better than overlordship. They institutionalized this through the 8th Amendment to the 1973 Constitution. To the outsiders it would seem illegal, immoral. Perceptions among the military were a different matter. They probably saw it as a benign mechanism which was in national's interest to serve the cause of popular welfare, stability of the nation and its guardian armed forces. In doing so the military became an unseen political party which managed popular politics from behind the scene through surrogates.

The policy was unlawful and not permitted by the Constitution of Pakistan, nevertheless it delivered many dividends. It created the infrastructure for competitive politics and healed social divisions in the country by providing adequate representation to competing social forces in the Parliament.

There was, nevertheless, a serious casualty on the way. There was no serious reference to 'rule of law' or safeguarding the nation's Constitution. That battle was left for a later day as we shall observe after several electoral episodes over the next twenty years.

Electoral Data: This Election was held on a non-party basis, thus election results can be summarized in the same way as for all the other eight elections in this Report.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 4: 1988: Oversight becomes a System

The 1988 election was held in very unusual circumstances. Its reason arose because General Zia ul Haque felt uncomfortable with the outcome of his experiment with sharing of power with civilians through the 1985 election. He wanted the sharing process to stop short of complete transfer. But in his view the civilians were too impatient and wanted complete transfer. As a consequence he dismissed the elected Assembly and announced fresh election. It is unclear whether he was determined to carry through the election. But as fate had it, he died in an air crash before the election date.

Despite a number of voices to the contrary, the military decided to go ahead with election as scheduled. It was a short period, 90 days only, for all the episodes to have taken shape, the dismissal of an Assembly, announcement of fresh elections, the air crash and an election on the scheduled dates. In fact a massive flood in the plains of Punjab during the same period had also caused added uncertainty.

None of this, however, was as consequential for the future of elections in Pakistan as the evolution of Muslim League into an alliance which became a platform for all social forces opposed to the PPP. From all accounts, the alliance called IJI, Islamic Democratic Alliance, was crafted by the military in the run up to the 1988 election. But once crafted it took a life of its own. It provided a political home to scattered social forces. There was a serious gap between the power of these forces in society and their enfranchisement in the Parliament. Their street power, we had witnessed in 1977, was far greater than their share in the Parliament. The new Muslim League led alliance, IJI, bridged the gap between their social and political empowerment.

We can call this the STP Gap, or Social to Political Gap. The STP Gap, we now learn in hindsight, can greatly harm the legitimacy of Parliaments through competitive elections. It seems that competitive elections should not only be a vehicle to empower every citizen but also to enable a variety of social groups to be represented in the Parliament in some share comparable to their numerical share in social power. It is a complex matter and may not have an easy answer. And yet we can not ignore its relevance to both analysis and action in a democratic society.

Looking ahead to the 2013 Election, it is conceivable that the social classes gathered under Imran Khan's PTI may suffer from a comparable STP gap. If they are unable to reach the Parliament in sizeable numbers, because elections are competitive and the fallen get no share in the prey, they would feel severely disenfranchised. There is indeed a new gap between the social power of an emerging class of urban and peri-urban professionals, traders and businessmen and their ability to reach the Parliament. It is a subject for serious concern after the 2013 election. But for the moment, we return to 1988 election and the crafting of a Muslim League alliance, as its former Director General has conceded, in the corridors of Islamabad's premier intelligence agency, the ISI.

The outcome of 1988 election split four ways. The PPP received highest numbers of votes, at 39%, although only 94 seats, which fell short of a simple majority in a house of 206.

The second largest group was IJI whose seats were considerably fewer than PPP at only 55%, but it was not far behind in its share in votes which stood at 30%.

The third group comprised several small players. They were, as many analysts described, natural allies of the IJI, but their inclusion in this hurriedly crafted entity could not be ensured within the 90 day period.

The fourth group comprised a completely new phenomenon, the emergence of a natirist party in Urban Sindh, Karachi in particular. The MQM's election to the national Parliament was a particularly striking aspect of the 1988 election.

In hindsight we can understand the elation of young officers who had not only crafted Pakistan's second largest political force, but also added new ways of managing their own political objectives. The 1988 election had demonstrated that if political parties in the Winner Take All System were to be neck and neck at the polls, a small degree of manipulation by adding or denying groups of votes would tilt the balance disproportionate to the size of manipulation. The balancer could call the game. Once this lesson was learnt the military decided to manage politics through oversight and manipulation rather than undertaking the harder and harsher road to overlord.

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

The system of Managing by Oversight was institutionalized through three artifacts in the trade craft: the 8th Amendment, Political Cell in the ISI and the Presidents' office. This triangular artifact was to play an important role for another 25 years in Pakistan's electoral history.

Table 11: 1988 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
PPP/PDA	39%	94
PML (N)/IJI	30%	55
JUI-F	2%	7
ANP	2%	2
Independent	19%	40
All Others	8%	8
TOTAL	100%	206

Note:

This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (ECP) documents.

Source:

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 12: 1988 Punjab

National Assembly seats from Punjab Province and its Regions

	All Punjab			Punjab-1 (North and		Punjab-2 (Western)		Punjab-3 (South)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP/PDA	40%	53	41%	26	37%	12	40%	15	
PML-N/IJI	37%	45	39%	22	30%	6	39%	17	
Independent	15%	12	12%	3	25%	6	11%	3	
All Others	8%	5	8%	1	8%	2	10%	2	
	100%	115	100%	52	100%	26	100%	37	

Legend:

North and Central (Rawalpindi, Gujranwala and Lahore Division) Western (Sargodha and Faisalabad Division) Punjab-1

Punjab-2

Punjab-3 South (Multan, Dera Ghazi Khan and Bahawalpur Division)

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 13: 1988 Sindh

National Assembly seats from Sindh Province and its Regions

	All Sindh			dh-1 achi)	Sindh -2 (Rest of Sindh)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	47%	31	16%	2	63%	29
IJI	11%	-	10%	-	12%	-
Independent	36%	15	61%	11	22%	4
All Others	6%	-	13%	-	3%	-
	100%	46	100%	13	100%	33

Legend:

Sindh-1 Karachi (Karachi Division)

Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division) Sindh-2

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

Table 14: 1988 NWFP (KP)

National Assembly seats from KP Province and its Regions

	All KP		KP-1 (Malakand)		KP-2 (South)		KP-3 (Peshawar)		KP-4 (Hazara)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
ANP	17%	2	15%	-	6%	-	38%	2	1%	-
JUI-F/MMA	10%	3	11%	-	25%	2	4%	1	3%	-
IJ	27%	8	32%	2	31%	2	19%	-	31%	4
PPP	23%	9	35%	4	4%	-	34%	5	15%	-
Independent	16%	11	7%	-	22%	8	5%	-	38%	3
All Others	7%	1	-	-	12%	1	-	-	12%	-
	100%	34	100%	6	100%	13	100%	8	100%	7

Legend:

KP-1

North (Malakand Division) South (Dera Ismail Khan, Bannu, Kohat Divisions) Peshawar Valley (Peshawar, Mardan Divisions) Hazara (Hazara Division) KP-2 KP-3

KP-4

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 15: 1988 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balochistan		Baloch (Quetta		Balochistan-2 (Kalat & Makran Zone)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP	7%	1	10%	1	5%	-	
IJ	21%	2	18%	-	23%	2	
JUI-F/MMA	17%	4	28%	3	9%	1	
Independent	18%	2	6%	-	26%	2	
Regional/Others	37%	2	38%	-	37%	2	
	100%	11	100%	4	100%	7	

Legend:

 $Balochistan\, {\bf 1}$

Quetta Zone (Quetta and Zhob Divisions) Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions) Balochistan 2

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 5: 1990: The Flowering of Oversight System

A new term surfaced during the 1990 election, it was called *Election engineering*. The term reflected the new trade craft discovered to manage politics. The new method was illegal and a serious breach of rule of law, but it was in some ways benign because it stopped short of rigging the ballot boxes on the election day. The unlawful stealing of popular will could be managed through pre-poll, and if need be, post poll rigging.

The 1990 election happened by exercising this newly discovered method of oversight. The President employed the 8th Amendment and the Political cell of the ISI prompted a group of small voting blocks, together adding up to less than 10% of total vote, to join the IJI alliance. It was not so difficult because they belonged to a like-minded social class in society. To someone who was to put higher value on political order, stability and prospects of good governance over rule of law, it may seem to be a service to patriotism rather than an unlawful act. In hindsight, this was the prevailing sentiment among those who despised the PPP and its corruption-ridden government.

The election data show that backdoor support from the system of oversight was just enough to tilt the balance of power from the PPP to the IJI. The IJI gained 7% in votes, but its seats in the Parliament rose by 89%. Conversely the PPP lost 2% of votes, but its seats in the Parliament shrank by 53%.

The newly discovered system of oversight worked perfectly. That is the reason why we have, with some pain, titled this chapter, flowering of the oversight system. The system was successful in booting out Benazir and ushering in Nawaz Sharif as the nation's new premier. The system was to be equally successful two years later when Nawaz Sharif was booted out to usher in Benazir for a second time. But, by then cracks in the system had started to appear. We shall explain that in the next chapter.

Table 16: 1990 All Pakistan Picture

National Assembly Seats from All Pakistan

	Votes (%)	Seats (n)
PPP/PDA	37%	44
PML (N)/IJI	37%	104
MQM/HPG	6%	15
ANP	2%	6
MMA/JUI-F	3%	6
Independent	11%	21
All Others	4%	8
TOTAL	100%	204

Note: This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (ECP) documents.

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 17: 1990 Punjab

National Assembly seats from Punjab Province and its Regions

	All P	All Punjab		Punjab-1 (North and Central)		Punjab-2 (Western)		b-3 th)
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	38%	14	39%	4	37%	5	39%	5
PML-N/IJI	49%	92	51%	44	52%	22	46%	26
Independent	8%	6	7%	3	9%	-	9%	3
All Others	5%	3	3%	-	2%	-	6%	3
	100%	115	100%	51	100%	27	100%	37

Legend:

Punjab-1 North and Central (Rawalpindi, Gujranwala and Lahore Division)

Punjab-2 Punjab-3 Western (Sargodha and Faisalabad Division)
South (Multan, Dera Ghazi Khan and Bahawalpur Division)

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

Table 18: 1990 Sindh

National Assembly seats from Sindh Province and its Regions

	All Sindh		Sin (Kar	d-1 achi)	Sindh-2 (Rest of Sindh)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP/PDA	42%	23	17%	1	54%	22	
MQM/HPG	27%	15	68%	12	7%	3	
Independent	16%	5	2%	-	23%	5	
All Others	15%	3	13%	-	16%	3	
	100%	46	100%	13	100%	33	

Legend:

Sindh-1 Karachi (Karachi Division)

Sindh-2 Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 19: 1990 NWFP (KP)

National Assembly seats from KPK Province and its Regions

	All KP		KP-1 (Malakand)		KP-2 (South)		KP-3 (Peshawar)		KP-4 (Hazara)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
ANP	15%	6	2%	-	-	-	41%	6	-	-
JUI-F/MMA	20%	4	15%	-	32%	1	24%	1	9%	2
PML-N/IJI	25%	8	36%	2	23%	1	5%	1	44%	4
PPP/PDA	22%	5	31%	3	23%	2	25%	-	8	-
Independent	17%	9	16%	1	16%	7	4%	-	38%	1
All Others	1%	0	-	-	6%	-	1%	-	1%	-
	100%	32	100%	6	100%	11	100%	8	100%	7

Legend:

KP-1 North (Malakand Division) KP-2 South (Dera Ismail Khan, Bannu, Kohat Divisions)

KP-3 Peshawar Valley (Peshawar, Mardan Divisions)

KP-4 Hazara (Hazara Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 20: 1990 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balochistan			nistan-1 a Zone)	Balochistan-2 (Kalat & Makran Zone)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP/PDA	15%	2	18%	1	13%	1	
PML-N/IJI	9%	1	9%	1	9%	-	
JWP	19%	2	8%	-	26%	2	
JUI-F/MMA	19%	2	32%	1	10%	1	
Independent	4%	1	2%	-	6%	1	
Regional/Others	34%	3	31%	1	36%	2	
	100%	11	100%	4	100%	7	

Legend:

Balochistan 1 Quetta Zone (Quetta and Zhob Divisions)

Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions) Balochistan 2

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 6: 1993: Threat to Oversight System

In 1990 Nawaz Sharif had benefitted from the system of military oversight. But some frictions had appeared at the outset. The system of oversight had not predicted the right proportions of his victory in Punjab. He performed better than they had anticipated and as a result, felt strong enough to argue that he, and not Mustafa Jatoi, should be the next premier. Nawaz Sharif prevailed, but the seeds of conflict had been sown. The oversight system employed the President's office to keep the Prime Minister in check.

Meanwhile, Nawaz Sharif had started to come of age as a skilled politician. He used the Prime Minister's office to put together a popular agenda and a populist image. These were the years when he conceived of the Yellow cab scheme and the motorway. He also became a skilled user of television to promote his image as a forward looking person to deliver economic development and welfare of the masses. His detractors were often misled by his 'know nothing' 'dilettante' image that was part of his reputation, more generally but specially among the chattering classes.

The political classes, most notably the PPP and its partisans, were missing out on two changes in Pakistani society. Firstly, the economic and technological changes of previous twenty years had altered the class composition of society. The size of the utterly miserable and socially humiliated bottom class had shrunk, while the new poor who felt strong enough to one day emerge out of poverty, had grown. The PPP continued to enjoy an edge among the former group, the poorest of the poor. But, among the rest, the PPP and Muslim League led IJI were almost equal. And that was the space into which the vast majority of Pakistanis were now situated.

The exit poll data from 1990 election had shown that vast majority of Pakistani voters were gravitating to an ideological middle. The PPP and the Muslim League led IJI attracted near identical socio-economic profile of voters. The social polarization which defined Pakistan's first election in 1970 was beginning to phase out.

Interestingly it took more than twenty years for our political and intellectual class to come to terms with this change. Many analysts in 2013 continue to refer to the right, left, liberal and progressive ideas as the basis for their assessment of Pakistani voters. It is likely that such assessments of Pakistani society will come to rest after the nation's tenth election in 2013.

Secondly, the political class in Pakistan refused to recognize the possibility that PPP voters would one day walk out of it and join the Muslim League. They also refused to conceive of the possibility that despite his origin in the system, Nawaz Sharif's could one day revolt against the system of military oversight and become a strong supporter of rule of law.

Twenty years later, Nawaz Sharif speaks for rule of law, although it is still to be seen whether he will practice it. It would be particularly testing if a choice was to be made between the ideology of rapid development and governance on the one hand and rule of law on the other. On occasions there is a trade-off between the two.

History has shown that rule of Law delivers lasting benefits. Nawaz has poor track record on respect for rule of law. During his previous tenures in government, his priority was economic development with or without rule of law. It is, however, conceivable that given the media's ability to play back his sound bites from years in wilderness, a changed judiciary, and a powerful society, his instinctive responses would be reined-in by reason.

In 1993, the oversight system worked quite smoothly. A group of small voting blocks was enticed to part ways with Nawaz, and he fell off in this balancing game. In fact the illusory success of the system was greater than the underlying reality. As the appearances went, Muslim League (Nawaz) polled only **73** seats in the Parliament compared to **104** in the previous one, he had to concede government to PPP which won **88** seats.

Not many paid enough attention to the fact that the PML-N had raised its polling ratio by **3**% points even though its several allies in the IJI had parted ways. Data from exit polls showed that disillusioned voters of PPP had started to change their political loyalties. The view that Pakistani elections operated beyond the rule of law was so deeply entrenched that bitter truths could be

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

ignored by assigning them to fraudulent electoral practices. Myopia about truth was an un-foreseen spill-over of 'democracy above rule of law'. It not only crippled the prospect of good governance by popularly elected leaders, but also blinded them to listening to popular voices through electoral data. Ironically the only polling data or analysis of electoral outcome to which they paid courteous attention was the one which reinforced their unrealistic and often outdated perceptions about Pakistani society and its voters.

Benazir Bhutto accepted to be the new beneficiary of elections under military oversight. But the system was already beginning to fall apart. She learnt more about it to her peril a few years later in 1997.

Table 21: 1993 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
PPP	38%	88
PML (N)	40%	73
PML (Others)	4%	6
ANP	2%	3
Independent	7%	16
All Others	9%	20
TOTAL	100%	206

Note:

This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (ECP) documents. Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Source:

Table 22: 1993 Punjab

National Assembly seats from Punjab Province and its Regions

	All Punjab			Punjab-1 (North and Central)		Punjab-2 (Western)		b-3 th)
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	39%	50	38%	15	36%	12	43%	23
PML-N	45%	53	48%	31	43%	11	43%	11
PML (Others)	5%	6	7%	6	3%	0	3%	0
Independent	6%	5	4%	0	14%	3	5%	2
All Others	5%	2	3%	0	4%	1	6%	1
	100%	116	100%	52	100%	27	100%	37

Legend:

Punjab-1

North and Central (Rawalpindi, Gujranwala and Lahore Division) Western (Sargodha and Faisalabad Division) South (Multan, Dera Ghazi Khan and Bahawalpur Division) Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Punjab-2 Punjab-3 **Source**:

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 23: 1993 Sindh

National Assembly seats from Sindh Province and its Regions

	All Sindh		Sind (Kara		Sindh-2 (Rest of Sindh)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP	52%	32	36%	6	56%	26	
PML-N	30%	10	41%	6	28%	4	
Independent	8%	1	2%	0	10%	1	
All Others	10%	2	21%	1	6%	1	
	100%	45	100%	13	100%	32	

Legend:

Sindh-1 Karachi (Karachi Division)

Sindh-2 Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 24: 1993 NWFP (KP)

National Assembly seats from KP Province and its Regions

	AII KP		KP-1 (Malakand)		KP-2 (South)		KP-3 (Peshawar)		KP-4 (Hazara)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PML-N	26%	10	20%	1	34%	3	-	-	59%	6
PPP	15%	5	15%	1	4%	-	37%	5	-	-
PML-Q/ (Others)	5%	0	-	-	-	-	-	-	20%	0
Independent	11%	9	10%	0	33%	8	3%	0	7%	1
All Others	43%	9	55%	4	29%	1	60%	3	14%	0
	100%	33	100%	6	100%	12	100%	8	100%	7

Legend:

KP-1 North (Malakand Division)

KP-2 South (Dera Ismail Khan, Bannu, Kohat Divisions)KP-3 Peshawar Valley (Peshawar, Mardan Divisions)

KP-4 Hazara (Hazara Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 25: 1993 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balo	All Balochistan		istan-1 a Zone)	Balochistan-2 (Kalat & Makran Zone)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP	17%	1	18%	0	16%	1	
PML-N	10%	0	6%	0	12%	0	
PKMAP	13%	3	32%	3	3%	-	
Independent	9%	1	2%	0	13%	1	
Regional/Others	51%	7	42%	1	56%	6	
	100%	12	100%	4	100%	8	

Legend:

Balochistan 1 Quetta Zone (Quetta and Zhob Divisions)

Balochistan 2 Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 7: 1997: Failure of Oversight System

The outcome of 1997 election was a departure from the trend initiated in 1970. It was a trend in which the PPP commanded nearly **40%** of the national vote bank while the remaining **60%** was divided among a number of its competitors. This trend was reversed. PPP's number two, the Muslim League moved in to switch the role.

In 1997 Muslim League, led by Nawaz Sharif, polled **46**% while the PPP scored **22**% and the remaining was divided among several small competitors. The outcome caught most of competitors, including PML-N itself, by surprise. It also caught the leaders of military oversight by surprise. Most analysts and researchers would fall in the same category.

The surprise was so severe that a large number of analysts considered it the outcome of 'election day fraud', which they find as the most compelling explanation.

The story told by our data is, however, different. Our deconstruction of electoral data shows that 1997 was the culmination of a long term trend in which the PPP was gradually but quite steadily losing ground to the Muslim League in Punjab. The Muslim League was successful in building up a large bloc of vote initially through coalition politics, in which it was helped by the establishment or the system of military oversight. However, what it lured under military oversight was retained by it even when the military oversight changed its favourites.

The largest gain to the Muslim League came from the traditional vote bank claimed by two of the leading religious parties, JUP, JUI and JI. These three parties which had scored between them **21**% of vote bank in 1970 were reduced to a negligible number by the 7th election in 1997. Meanwhile the PPP vote bank made a minor swing in favour of the PML-N in 1993 and a massive swing in 1997.

These long term gains surfaced themselves in the 1997 election in Punjab. By 1997, the PPP vote bank in Punjab had declined from 42% in 1970 to 22% while the combined Muslim League vote had risen from 23% to 59%. In a Winner Take All system an edge of this size is a much larger edge in parliamentary seats. Thus PPP received not a single seat from Punjab in 1997, whereas in 1970 it had 76% of all seats from Punjab.

The electoral outcome of the 1997 election is still seen with suspicion because it surprised everyone. The outcome of Punjab vote in 2013 may allay or reinforce the suspicion that persists about the electoral outcome of 1997.

The electoral outcome of 1997 incapacitated the most potent instrument in tool-box of military oversight. If the two major players were neck and neck, minor acts of favour or its denial could tilt the balance in either direction. But if the gap between the two was massively in one's favour, then this method was no longer effective. Thus if the military was to continue its role it would have to revert to overlording, rather than an 'oversight' role discovered in 1985.

The ability to manage politics through the provisions of the 8th Amendment seemed to have ended. A new relationship between the leaders of oversight and the civilian Parliament needed to be worked out. It was a difficult process which was not completely comprehended. The change on political landscape had not been anticipated. It was out of step with several other social and institutional realities.

The system fell apart after few accidents which expressed themselves in the brawl at Supreme Court, unceremonious removals of military leadership and failed adventures and initiatives in Pakistan's India policy. The military imposed martial law because it could no longer remove an elected government by switching small favours to its competitors.

Over the next decade Pakistan held two more elections, both under the system of 'overlordship' rather than 'oversight'.

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 26: 1997 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
ррр	22%	18
PML (N)	46%	136
MQM/HPG	4%	12
ANP	2%	10
Independent	14%	21
All Others	12%	9
TOTAL	100%	206

Note:

This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (ECP) documents.

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 27: 1997 Punjab

National Assembly seats from Punjab Province and its Regions

	All Punjab (_	Punjab-1 (North and Central)		b-2 ern)	Punjab-3 (South)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	22%	-	21%	-	19%	-	26%	-
PML-Q/0	5%	-	8%	-	3%	-	2%	-
PML-N	59%	109	62%	50	57%	25	58%	34
Independent	11%	6	6%	2	18%	2	12%	2
All Others	3%	-	3%	-	3%	-	2%	-
	100%	115	100%	52	100%	27	100%	36

Legend:

Punjab-1 North and Central (Rawalpindi, Gujranwala and Lahore Division)

Punjab-2 Western (Sargodha and Faisalabad Division)

Punjab-3 South (Multan, Dera Ghazi Khan and Bahawalpur Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 28: 1997 Sindh

National Assembly seats from Sindh Province and its Regions

	All Sindh		Sin (Kar	d-1 achi)	Sindh-2 (Rest of Sindh)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP	32%	18	11%	1	40%	17	
MQM/HPG	20%	12	57%	10	6%	2	
PML-N	19%	9	23%	2	17%	7	
Independent	14%	5	1%	-	18%	5	
All Others	15%	2	8%	-	19%	2	
	100%	46	100%	13	100%	33	

Legend:

Sindh-1 Karachi (Karachi Division)

Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division) Sindh-2

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

Table 29: 1997 NWFP (KP)

National Assembly seats from KP Province and its Regions

	All KP		KP-1 (Malakand)		KP-2 (South)		KP-3 (Peshawar)		KP-4 (Hazara)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
ANP	16%	10	13%	1	2%	1	53%	8	-	-
JUI-F/MMA	7%	-	5%	-	8%	-	8%	-	5%	-
PML-N/IJI	27%	15	36%	5	20%	4	6%	-	60%	6
PML-Q/0	2%	-	-	-	4%	-	0%	-	-	-
Independent	34%	9	11%	-	64%	8	6%	-	25%	1
All Others	14%	-	35%	-	2%	-	27%	-	10%	-
	100%	34	100%	6	100%	13	100%	8	100%	7

Legend:

KP-1 North (Malakand Division)

KP-2 South (Dera Ismail Khan, Bannu, Kohat Divisions) KP-3 Peshawar Valley (Peshawar, Mardan Divisions) KP-4 Hazara (Hazara Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 30: 1997 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balochistan			nistan-1 a Zone)	Balochistan-2 (Kalat & Makran Zone)		
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	
PPP	8%	-	11%	-	5%	-	
PML-N/IJI	15%	3	19%	2	13%	1	
BNP	18%	3	5%	-	27%	3	
JUI-F/MMA	13%	2	27%	2	7%	-	
Independent	7%	1	5%	-	9%	1	
Regional/Others	39%	2	33%	-	39%	2	
	100%	11	100%	4	100%	7	

Legend:

Balochistan 1 Quetta Zone (Quetta and Zhob Divisions)
Balochistan 2 Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions)

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Source:

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 8: 2002: Regression from Oversight to Military Rule

The national election in 2002 was the first after the imposition of Martial law government by General Pervez Musharraf in 1999.

It was interesting that when he decided to hold election, he borrowed from the example of Pakistan's first Martial Law in 1958. Like General Ayub Khan he established a faction of Pakistan Muslim League and promoted it as the dominant Muslim League. The faction was named PML (Pakistan Muslim League) and became known as PML-Q; wherein the Q stood for Quad-i-Azam. But unlike Ayub Khan he chose not to be its President. Instead a prominent power-broker politician, Chaudhry Shujaat Hussain, was chosen to head it.

The party made its debut for the 2002 election and was helped by the military and its intelligence agencies without much of a fig-leaf during the election. It harassed, coaxed, coerced and bribed them to desert what was until then the Muslim League led by Nawaz Sharif (PML-N). The harassment was also extended to the PPP and its leader Benazir Bhutto. But the focus of pre-election intervention was mostly targeted against PML-N.

Interestingly, the election failed to deliver the intended outcome in its entirety. As the data shows the PML-Q or the Kings party, as it became known at the time, failed to get a clear edge. It received only **26**% of vote and **29**% of seats in the Parliament. The group of politicians who had been coaxed, coerced and bribed to be part of the Kings party required a dozen or more fresh recruits to their ranks and several allied parties, in order to form a majority in the Parliament. This feat was achieved by using unlawful methods to create a wedge among those elected on a PPP ticket in the National Assembly. The new recruits became known as the PPP-Patriot group.

As it appeared in retrospect, the entire activity was not only unlawful but shameful for eminent politicians. The election had, however, been held within a year of the epic event of attack on the World Trade Center on September 11, 2001. Pakistan was under tremendous pressure on its borders where India had concentrated its troops to such an extent that some analysts list it under India's mini-wars against Pakistan. Given this sense of insecurity and Musharraf's threat that unless elected politicians subdued to him, he would continue his Martial Law, many politicians acquiesced. They even passed the 17th Amendment to Pakistan's Constitution. This Amendment provided immunity to Musharraf against treason, since he had breached the Constitution in 1999. The newly elected Parliament also granted key powers to the President, who would normally exercise ceremonial powers in the Constitution which he had breached in 1999.

In retrospect it is evident that all key political players compromised and humiliated themselves. The two principal actors, Benazir Bhutto and Nawaz Sharif, remained disgraced in enforced exile. The act of humiliating civilian politicians reached its climax.

Apparently, this was the turning point after which the tide was in the reverse direction. First came the lawyers movement of 2007, followed by the 2008 elections, removal of Pervez Musharraf and the passage of an 18th amendment which reversed the 17th Amendment excesses.

These successive steps were to culminate in Musharraf's internment in 2013 and his trial for Benazir Bhutto's murder and the breach of nation's Constitution. What began in Pakistan's 7^{th} election in 2008 seems to have come around a full circle by its 10^{th} election in 2013.

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 31: 2002 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
PPP	26%	63
PMLQ	26%	78
PML (N)	12%	15
MMA	11%	45
MQM	3%	13
Independent	9%	28
All Others	13%	30
TOTAL	100%	272

Note:

This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (ECP) documents.

Source:

Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 32: 2002 Punjab

National Assembly seats from Punjab Province and its Regions

	All Punjab		Punjab-1 (North and Central)		Punjab-2 (Western)		Punjab-3 (South)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	27%	36	25%	15	23%	5	31%	16
PML-Q/Others	35%	72	36%	35	34%	15	36%	22
PML-N	17%	14	19%	8	19%	4	13%	2
Independent	9%	14	9%	6	9%	5	8%	3
All Other	12%	14	11%	5	15%	2	12%	7
	100%	150	100%	69	100%	31	100%	50

Legend:

Punjab-1 North and Central (Rawalpindi, Gujranwala and Lahore Division)

Punjab-2 Western (Sargodha and Faisalabad Division)

Punjab-3 South (Multan, Dera Ghazi Khan and Bahawalpur Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 33: 2002 Sindh

National Assembly seats from Sindh Province and its Regions

	All S	All Sindh Votes (%) Seats (n)		dh-1 achi)	Sindh-2 Rest of Sindh)		
	Votes (%)			Votes (%) Seats (n)		Seats (n)	
PPP	37%	27	14%	2	46%	25	
MQM	15%	13	40%	12	6%	1	
MMA	11%	6	28%	5	4%	1	
PML-Q/Others	14%	8	4%	0	20%	8	
Independent	7%	1	2%	0	8%	1	
All Others	16%	6	12%	1	16%	5	
	100%	61	100%	20	100%	41	

Legend:

Sindh-1 Karachi (Karachi Division)

Sindh-2 Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 34: 2002 NWFP (KP)

National Assembly seats from KP Province and its Regions

	AII KP		KP-1 (Malakand)		KP-2 (South)		KP-3 (Peshwar)		KP-4 (Hazara)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
MMA	42%	29	51%	7	35%	7	57%	12	26%	3
PML-Q/0	13%	4	10%	0	10%	0	1%	0	35%	4
PPP (Sherpao)	3%	2	6%	1	1%	0	5%	1	-	0
Independen	17%	12	2%	-	38%	12	2%	0	19%	0
All Others	25%	0	31%	0	16%	0	35%	0	20%	0
	100%	47	100%	8	100%	19	100%	13	100%	7

Legend:

KP-1 North (Malakand Division)

KP-2 South (Dera Ismail Khan, Bannu, Kohat Divisions)

KP-3 Peshawar Valley (Peshawar, Mardan Divisions)

KP-4 Hazara (Hazara Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 35: 2002 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balochistan			histan-1 a Zone)	Balochistan-2 (Kalat & Makran Zone)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
MMA	22%	6	38%	4	11%	2
PML-Q/Others	16%	2	13%	-	17%	2
JWP	8%	1	0%	-	14%	1
PKMAP	8%	1	19%	1	1%	0
Indepentdent	7%	1	4%	0	9%	1
Regional/Others	39%	3	26%	1	48%	2
	100%	14	100%	6	100%	8

Legend:

Balochistan 1 Quetta Zone (Quetta and Zhob Divisions)

Balochistan 2 Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 9: 2008: Transition to Democracy and Rule of Law

A few years ago, we published a paper on the subject of rigging and stealing of election. This study had demonstrated that eight elections in Pakistan beginning with the first one in 1970 and the eighth election in 2008 were flawed by one or more of three forms of rigging: pre-poll, polling day and post-poll. Our conclusion was that the problem of corruption in democracy goes beyond election. It is instead rooted in the acceptability of democracy without rule of law.

It is our view that for most part of Pakistan's history, its elite placed higher value on development and democratic elections than on rule of law and strict adherence to the Constitution. The protection of Constitution came third in the hierarchy of values. Yet experience has shown that rule of law is the foundation stone. A decade of development and a decade of democratically elected leaders were easily swayed away in the absence of strict adherence to the Constitution and rule of law. Without that foundation development and democratic elections are 'a giant on feet of clay'.

The 2008 election was shaped by the lawyers led movement for rule of law. Interestingly the election was seriously flawed due to pre-poll rigging through what was known as National Reconciliation Ordinance (NRO). Its final outcome was shaped by unlawful conduct which kinked the playing ground to produce a divided Parliament and an ineffective government. The data ahead shows that the mandate was split three ways rather than two which could generate an effective government and an effective opposition. The PPP received 31% of vote, whereas the two Muslim League(s) received 23% (PML-Q) and 20% (PML-N).

After the election, the two partners at NRO, PPP and PML-Q, split their ways and the major opponent of the NRO, PML-N, was invited to from government with the major promoter of NRO, the PPP. On the other hand, PPP's NRO partner, PML-Q, sat in the opposition.

This did not seem to reflect ground realities; and was therefore eventually reversed in the concluding years of the government when NRO partners came together and PML-N parted ways with PPP's coalition government.

The split outcome of the 2008 election facilitated the formation of a colourless and weak government. Despite its failure in governance, however, it presided over a number of structural changes which facilitated legislation to devolve power to the provinces and uphold the rule of law.

We have argued elsewhere in a PILDAT publication that a weak and divided government produced by 2008 election made an unwitting contribution to Pakistan's drive towards 'democracy under rule of law'.

Table 36: 2008 All Pakistan Picture

National Assembly seats from All Pakistan

	Votes (%)	Seats (n)
PPP	31%	89
PMLQ	23%	42
PML (N)	20%	68
MQM	7%	19
ANP	2%	10
Independent	11%	30
All Others	6%	13
TOTAL	100%	271

Note: This table is for Analytical purposes only. It might contain APPROXIMATIONS, by way of rounding off, or minor omissions, for lack of availability. However these approximations do not affect the analytical point. For purposes of exact data, please consult Election Commission of Pakistan (CCP) decumpate.

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

Table 37: 2008 Punjab

National Assembly seats from Punjab Province and its Regions

	All P	unjab		ab-1 d Central)	-	ab-2 :tern)	_	ab-3 uth)
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	29%	44	27%	13	25%	8	34%	23
PML-Q	29%	28	26%	4	29%	11	32%	13
PML-N	30%	64	40%	46	26%	6	20%	12
Independent	11%	13	7%	6	20%	6	10%	1
All Other	1%	1	0%	-	0%	-	4%	1
	100%	150	100%	60	100%	31	100%	50

Legend:

Punjab-1 North and Central (Rawalpindi, Gujranwala and Lahore Division)

Punjab-2 Western (Sargodha and Faisalabad Division)

Punjab-3 South (Multan, Dera Ghazi Khan and Bahawalpur Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 38: 2008 Sindh

National Assembly seats from Sindh Province and its Regions

	All Sindh		Sino (Kara		Sindh-2 Rest of Sindh)	
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	44%	32	24%	3	55%	29
MQM	30%	19	69%	17	7%	2
Independent	3%	1	2%	-	3%	1
All Others	23%	9	5%	-	35%	9
	100%	61	100%	20	100%	41

Legend:

Sindh-1 Karachi (Karachi Division)

Sindh-2 Rest of Sindh (Mirpur Khas Hyderabad, Sukkur and Larkana Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 39: 2008 NWFP (KP)

National Assembly seats from KPK Province and its Regions

	All I	KP		(P-1 lakand)		P-2 uth)		9-3 iwar)		P-4 zara)
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
ANP	16%	10	17%	2	6%	2	38%	6	1%	-
JUI-F/MMA	12%	4	7%	-	24%	3	10%	1	1%	-
PML-N/IJI	12%	4	3%	-	2%	-	4%	-	40%	4%
PML-Q/0	14%	5	16%	2	10%	1	15%	-	29%	2%
Independen	24%	13	14%	-	46%	11	8%	1	5%	1%
All Others	22%	10	43%	4	12%	1	35%	5	24%	-%
	100%	46	100%	8	100%	18	100%	13	100%	7

Legend:

KP-1 North (Malakand Division)

KP-2 South (Dera Ismail Khan, Bannu, Kohat Divisions)KP-3 Peshawar Valley (Peshawar, Mardan Divisions)

KP-4 Hazara (Hazara Division)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 40: 2008 Balochistan

National Assembly seats from Balochistan Province and its Regions

	All Balochistan			Balochistan-1 (Quetta Zhob Zone)		an-2 an Zone)
	Votes (%)	Seats (n)	Votes (%)	Seats (n)	Votes (%)	Seats (n)
PPP	22%	4	23%	2	22%	2
PML-N/IJI	4%	-	8%	-	1%	-
PML-Q/0	5%	4	23%	1	23%	3
JUI-F/MMA	13%	2	23%	2	6%	-
Independent	24%	3	13%	1	33%	2
Regional/Others	34%	1	10%	1	15%	1
	100%	14	100%	6	100%	8

Legend:

Balochistan 1 Quetta Zone (Quetta and Zhob Divisions)

Balochistan 2 Kalat & Makran Zone (Kalat, Makran, Nasir Abad and Sibi Divisions)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Election 10: 2013: The First Election under Rule of Law

As we approach May 11, 2013, it is self evident that the 2013 election is quite different from all the nine which preceded it. It is not flawed by pre-poll rigging identified by us in a separate paper ¹which explained how popular will was stolen even before the polling day.

From all available accounts, the state institutions have not engaged in illegal activities to influence the outcome of this election. The Election Commission of Pakistan has performed its functions independently of the executive, and the Supreme Court has served as a powerful watch-dog. Some parties, notably the three whose alliance ran the country during 2008-2013 have complained that non-state actors are denying them level playing field through threats of violence. Their claim is challenged by their opponents, who accuse them of using this excuse to conceal their low appeal among the voters. But no party has accused the State apparatus of illegal interference in the election process. It is in this sense that we are titling the story of this election as, the *First under Rule of Law*.

The outcome of the election remains unpredictable, as it must be in a competitive environment. The recent most pre-election poll was released by Gallup-PILDAT Electoral Forecast Platform on March 4, 2013. While some reports were floated in the media after that, those were not considered as reliable by Gallup Pakistan which has stayed away from, as one of its Election Updates put it, Electoral Fortune telling.

Polling Data: Electoral data will obviously be revealed on May 11, 2013. Meanwhile we provide polling data released in a Gallup-PILDAT Report on March 4. No major pre-election poll was done thereafter. In our view we should compare the electoral outcome on May 11 to understand the difference between our March 4 estimates and the electoral outcome on May 11. Some of those differences may be explained by the possibilities of errors in an estimation. Others may be explained by the impact of election campaign on voter choices. We eagerly look forward to engage in that introspection.

^{1.} For details, please see PILDAT Background Paper A Dispassionate Analysis of How Elections are Stolen and the Will of People is Defeated, January 2008: http://www.pildat.org/Publications/publication/elections/HowElectionsStolen.pdf

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 41: 2013 All Pakistan Picture: Pre Election Polling Data

Consolidated National Score of Leading Players

Based on average of 2 National Polls conducted independently by IRI and Gallup Pakistan

All Pakistan	IRI (Nov.2012)	GP (Feb.2013)	PWF consolidated Average (Feb.2013)
ALL PAKISTAN			
PML-N	32%	41%	36.5%
PTI	18%	14%	16%
PPP	14%	17%	15.5%
PML-Q	2%	4%	3%
PUNJAB			
PML-N	49%	59%	54%
PTI	19%	14%	16.5%
PPP	8%	10%	9%
PML-Q	_*	5%	-
SINDH			
PPP	32%	37%	34.5%
MQM	16%	19%	17.5%
PTI	9%	7%	8%
PML-N	8%	6%	7%
Independent/Regional	_*	17%	-
KP			
PTI	32%	28%	30%
PML-N	12%	34%	23%
JUI-F (MMA)	6%	10%	8%
ANP	3%	11%	7%
PML-Q	_*	3%	-
PPP	_*	9%	-
Balochistan			
Regional Parties/IND	_*	36%	-
PPP	18%	17%	17.5%
JUI/MMA	_*	18%	-
PML-N	13	12%	12.5%
ANP	_*	13%	-
PTI	8%	3%	5.5%

^{*}Data Not available from IRI Poll

 $IRI\ Poll\ figures\ have\ been\ reproduced\ from\ reports\ Published\ in\ Newspapers.\ Gallup\ bears\ no\ responsibility\ of\ its\ authenticity.$

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

Table 42: 2013 Punjab Top Parties: Pre Election Polling Data

(The data was released on March 4, 2013, just at the beginning of Election Campaign)

	Percent saying	the Party is their	20 year average polled by Party
	First Choice (%)	Second Choice (%)	Votes %
PML-N	59%	12%	35%
PML-Q/0	5%	5%	21%
PTI	14%	30%	NIL%
PPP	10%	2%	29%
All Other	17%	-	36%
	100%	100%	100 %

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 43: 2013 Sindh-I (Karachi) Top Parties: Pre Election Polling Data

	Percent saying	the Party is their	20 year average polled by Party
	First Choice (%)	Second Choice (%)	Votes %
MQM	45%	4%	42%
PTI	11%	18%	-
PPP	10%	2%	19%
All Other	34%	-	39%
	100%	100%	100%

Legend: Sindh-1 Karachi Division

Note: In case of Sindh, the 1993 election was not included in computing 20 year average because one of the leading parties in Sindh, MQM, had boycotted that election.

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 44: 2013 Sindh-2 (Rest of Sindh) Top Parties: Pre Election Polling Data

	Percent saying	the Party is their	20 year average polled by Party
	First Choice (%)	Second Choice (%)	Votes %
PPP	51%	8%	48%
MQM	5%	1%	5%
PML-N	5%	3%	5%
PML(Q/0)	0%	1%	19%
All Other	39%	-	23%
	100%	100%	100%

Legend: Sindh-2 Hyderabad, Sukkur, Larkana, Mirpur Khas Divisions

Note: In case of Sindh, the 1993 election was not included in computing 20 year average because one of the leading parties in Sindh, MQM, had boycotted that election.

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

Table 45: 2013 KP Top Parties: Pre Election Polling Data

	Percent saying	the Party is their	20 year average polled by Party
	First Choice (%)	Second Choice (%)	Votes %
PML-N	34%	19%	12%
PML(Q/0)	3%	6%	7%
PTI	28%	40%	NIL%
ANP	11%	7%	7%
JUI/JI/Others	27%	-	72%
	100%	100%	100%

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 46: 2013 Balochistan Top Parties: Pre Election Polling Data

	Percent saying the Party is their		20 year average polled by Party	
	First Choice (%)	Second Choice (%)	Votes %	
JUI-F/MMA	18%	6%	11%	
PPP	17%	2%	13%	
ANP	13%	13%	2%	
ALL Others	52%	-	74%	
	100%	100%	100%	

Source: Gilani's In Jex of Electoral Record (1970-2008) based on data provided by Electic n Commission of Pakistan (www.gallup.com.pk)

Conclusion

In 2013, voters will re-align their loyalties to make it a 'Critical Election' in the terminology of electoral studies.

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Concluding Analysis: The end of left-Right alignment in Pakistani Politics

The left right alignment birthed in Pakistan's first Critical election in 1970 and is likely to see its demise forty years later in the nation's second Critical Election in 2013.

In our view, the 2013 Election is likely to be a CRITICAL ELECTION as defined in the terminology of electoral studies. Voters will re-align and Pakistan's electoral landscape will be very different five years from now on the eye of its 11th election.

World-wide electoral studies describe Critical Elections as those that show large scale voter re-alignment and shift in historical party affiliations. As an example, the American election of 1936, which brought Franklin Roosevelt to power, is considered as a critical election. Many decades later the election in 1984 which brought Ronald Reagan to victory is also considered a critical election. In both cases, voters re-aligned and there were shifts in historical party affiliations.

In our view the 1970 election in Pakistan was not only its first but also a critical election. It shaped voter trends which continued for the next 40 years. Many analysts called it the shaping of left-right alignment among voters.

Midway, in 1988, the right-wing vote bank, which until then was split among several traditional right wing patriarchal parties and religious parties, became consolidated under a Muslim League led alliance. The alliance later emerged as a new Muslim League. In the years that followed the left-right dichotomy started to mellow down.

In our view the left-right distribution of votes that began in 1970 will largely end in 2013. In the diction of electoral studies it will be a 'critical transformation'. This is an analysis in anticipation of the results. Once the results are out we shall study the new alignment of voters to give a new label to replace the historic left-right alignment in Pakistani politics.

Table 47: Long term Trend Data on PPP and PML(s): Realignment between 1970-2013

	PPP and PPP led Alliances	Muslim League(s) and PML led Alliances	
1970 CRITICAL ELECTION	39% (in then West Pakistan which is Present day Pakistan	23%	
1977	58.6 %	35.8 %	
1985	Election without political parties		
1988	39%	32%	
1990	37%	37%	
1993	38%	44%	
1997	22%	46%	
2002	26%	39%	
2008	31%	45%	
2013 CRITICAL ELECTION	May 11 data (?)	May 11 data (?)	

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk) Note:

Details on the composition of Muslim League (s) is available separately

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 May 2013

Table 48: Long term Trend Data on Religious Parties: Realignment between 1970-2013

	JI	JUP	JUI (F)	Total share of votes
1970	Contested independently Share of votes: 6%	Contested independently Share of votes: 8%	Contested independently Share of votes: 7%	21%
1977	Joined several other parties including Pakistan Muslim League to form the nine- party Pakistan National Alliance (PNA) which eventually dislodged Bhutto.			Election was annulled. Vote count unreliable
1985		Party less election		
1988	Part of Muslim League led alliance: IJI IJI scored 32 % votes nationally	Part of PAI, another alliance led by the tiny faction of Muslim League. PAI scored 4 % votes nationally	Contested independently. Scored 2% nationally	JUI: 2% Others: 0.4% Alliance figures undeterminable
1990	Part of Muslim League led alliance IJI IJI scored 37 % votes nationally	JUP (Noorani) Scored 1.5 % nationally	Contested independently. Scored 3 % nationally	JUI : 3 % JUP: 1.5 % Alliance figures undeterminable
1993	Disassociated from IJI. Formed its own alliance called PIF. Scored 3%	Formed IJM Scored nationally 2.4 %		PIF: 3 % IJM: 2.4 % Others (MDM): 1 %
1997	Boycott	Contested independently	Contested independently	
2002		Part of MMA		MMA: 11 %
2008	Boycott	Boycott	Part of MMA Scored 2 % nationally	MMA: 2 %
2013	May 11 Data (?)	May 11 Data (?)	May 11 Data (?)	May 11 Data (?)

Source: Gilani's Index of Electoral Record (1970-2008) based on data provided by Election Commission of Pakistan (www.gallup.com.pk)

A Story of Pakistan's Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013 $\,$ May 2013

New Voter Alignments

According to pre-election polls, more than 50% of the national vote will be claimed by PML-N and the PTI. Approximately 10% might be polled by regional parties in KP, Balochistan and Sindh.

The PPP's electoral fortune is under deep clouds.

The vote polled by religious parties is likely to be concentrated in KP. This type of distribution could not be explained by left-right alignment of 1970.

Pakistan's 10th Election is likely to be a Critical Election in terms of voter re-alignments. But, more importantly it will be the *First Under Rule of Law*.

APPENDICES S

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Appendix 1: Reflections on Election Campaign 2013

How to Make Sense about A Vibrant Volatile and Unpredictable Electoral Race

We expect an interesting election on May 11, 2013. In some ways its outcome remains unpredictable.

The May 11 election would be PAKISTAN'S 10th NATIONAL ELECTION (1970-2013). In March 2013, we published the findings of **Gallup Pakistan-PILDAT Pre Election Poll**. It measured voting intentions at the start of a vigorous election campaign. We shall now wait for the actual polling to happen on May 11. It would be interesting and revealing to see the difference between the estimates at the start of the campaign and the final outcome. Among other things, it would provide an insight into whether and how election campaigns affect the final outcome.

In our view, pre-election polling has several functions, one of which is 'fortune-telling'. Unfortunately, the focus on fortune-telling clouds other important contributions of pre-election polls. Pre-election polls can be quite revealing about the dynamics of an election and electoral campaign. They help us understand, at the start of electoral campaign, inclinations of various types of voters, geographically, demographically and socio-economic wise. Who among them switches voting loyalties during the campaign can then be understood and gauged by comparing it with results on the election day (*Election data*) and Exit Polling survey data (Exit poll).

Considering the high level of volatility in voter behaviour in this election, we will not focus on fortune telling and will instead concentrate on understanding the dynamics of election campaign.

This short paper looks into two questions related to election campaign in 2013: WHY IS THE CAMPAIGN SO PUNJAB FOCUSED and WHAT LIES BEHIND NAWAZ-IMRAN RIVALRY which appears to be the heart of the campaign.

WHY IS THE CAMPAIGN SO PUNJAB FOCUSED

The province of Punjab has 148 or 55% of the total of 272 electoral seats in the National Assembly. But, that is not the only reason for this election campaign to be focused on Punjab. The key reason is that it is the only electoral territory where electioneering at this stage of the election CAN MAKE A DIFFERENCE.

The remaining electoral territories are much less open to change through massive campaigning. They are either unipolar, with one dominant party, MQM in Karachi and PPP in the rest of Sindh; or relatively small electoral territories, with local interests split along several national and regional parties. The latter picture is true for the two electoral territories in Balochistan, one representing 2% and the other representing 3% of the National Assembly. There are four electoral territories in Khyber Pakhtunkhwa (KP), three of which represent 3% each and the fourth represents 5% of the National Assembly, their small size does not justify large scale province-wide electioneering. Added to this, of course is the potential for violence and the threat of militant attacks on large rallies. Furthermore, all of these territories can be reached by television advertising, a medium which is being used extensively in this election campaign. It is for the first time that television is being used on this scale in any election campaign in the country.

Political Vacuum in Punjab

Important as they are, none of the reasons mentioned above is the PRINCIPAL REASON for Punjab being the focus of electoral campaign. The principal reason is the political vacuum created by the collapse of PPP's vote bank across the province.

Election data show that PPP was already losing ground, in Punjab quite consistently since 1988. Its vote bank in 1990 was 42%, which dropped to 40% (1990); 39% (1993); 22% (1997), 27% (2002) and 29% (2008). This long term decline was not helped by the extremely poor performance during the years of President Zardari (2008-2013).

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

Since Pakistan practices Winner Take All Electoral System, by the late 1990s, PPP's vote bank had lost the potential to win parliamentary seats in Punjab. The PPP had received temporary relief during 2002-2008, when PPP's competitor Muslim League was sliced into two factions (PML-N and PML-Q), thus allowing PPP to win a modest number of Punjab seats in two elections. After the last election (2008), voters of Muslim League largely congregated under the dominant faction of Muslim League led by Nawaz Sharif (PML-N). This left the vote bank of PPP and its local leaders in total despair as well as rudderless in the absence of a dynamic political leader.

The vacuum created by the collapse of PPP vote bank in Punjab provided a big opportunity. It was a massive vote bank. Until the 2013 election, it was always the single largest regional component in the PPP's national vote bank. PPP's disillusioned vote bank in Punjab started to look upon Imran Khan as an alternative to lead them, notwithstanding the conventional view that his was a right-leaning party while PPP was a liberal-progressive party.

Imran Khan attracted them because they wanted to desert the PPP and to them Nawaz Sharif was not an attractive enough leader. Moreover their views had been impassioned for a long time in his opposition during which they had voted against him.

Imran Khan's right wing Pakistani nationalism also appealed to many in the PML-N vote bank. This was particularly true of a new Muslim League vote which he had mobilized after shedding Nawaz Sharif's traditional 'Army's blue-eyed boy' image in the 1990s. He had attracted them because compared to his alternatives at that time in Punjab, he personified the prospects for success in business and a prosperous thriving Pakistan led from the heartland of Punjab. He did not necessarily appeal to their passions as a charismatic leader, but offered enough hope which appealed to their pragmatic interests. When Imran Khan emerged on the scene, he started to appeal to them as yet another alternative. His platform on national issues was quite similar to that of Nawaz, but he combined it with personal charisma.

The combination of charisma and pragmatic interest based appeal is generally a political winner in the elections of our times. That is the story behind him becoming a key threat to Nawaz Sharif's vote bank. For more than half of Nawaz Sharif voters, Imran Khan became the second best choice, as shown in the Gallup Pakistan polls as early as 2010.

As Imran Khan's PTI picked up political steam in 2011, many of those, whose loyalties were split between PML-N and PTI, began to switch their voting intentions in Imran's favour. Thus by early 2012, Imran Khan had become a formidable challenge to Nawaz Sharif in his bid for primacy in Punjab. Imran Khan's voting intention ratings rose from under 10% to around 12% in early 2011 and beyond 20% by the end of that year. According to analyses by Gallup Pakistan at that time, his vote bank comprised three nearly equal streams; **New Voter** stream (who had not voted before), **PPP switchers** and **PML-N switchers**.

But as the prospects of next election became clearer and more certain, some in the PTI's intending voters vote bank were tempted to return to the fold of their parent party. They were to begin with split-minded. Switching away from a long time partner is a hard decision. It seems that those who had parted ways from the PPP did not return, because PPP appeared to be a lost case. But in the case of PML-N it was different; they still seemed vibrant and a good prospect. We know from world-wide electoral studies that many split-minded switchers have a tendency to return to their parent parties as elections draw near. This explains PTI's set-back after mid-2012 and explains its voting Intention rating around 15% in early March 2013.

The purpose of this narrative is to explain the VOLATILE NATURE OF VOTE BANK IN PUNJAB. Volatility and a history of switching back and forth create prospects for a luring and protecting contest. The PTI will try to lure them; the PML-N will try to protect them. In the sections that follow our readers will find more on the same theme. It explains why this election is focused on Punjab and the reason behind PML-N – PTI rivalry to be at its centre stage.

WHAT LIES BEHIND NAWAZ-IMRAN RIVALRY

Since Imran Khan's PTI is a new comer, we have tried to analyze switching behaviour in its favour. This is indicated by Arrow Signs in the data Tables (see Gallup Report # 3). You may find them of analytical interest in your research work. Our analysis of the vote in Punjab, which is by far the largest and the critical electoral territory, shows that Imran Khan's vote bank is a

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013 May 2013

combination of three streams. The first stream comprises of New Voters (those who did not vote in the last election, 2008, for reasons of apathy or because they were under-age); the second stream is Switchers from PPP; and the third stream is Switchers from PML-N/Q.

Among the currently 'Intending to Vote for Imran Khan', the distribution is: New Voters (29%); PPP Switchers (42%); PML-N/Q Switchers (24%); all others (5%). In our analysis the PTI's potential vote on the polling day could also come from a fourth stream, which comprises voters who currently regard him as their Second Choice. This is a large group, nearly twice as large as his currently Intending Voters. The exact figures are provided in the data tables (see www.gallup.com.pk).

If Imran Khan is able to convert 'Second Choicers' to 'First Choicers', he may succeed in creating the 'wave of success' or as he describes it the 'tsunami' of his victory. The Second Choicers are mostly in the current vote bank (intending voters) of PML-N. Consequently it is understandable that the election campaign is focused on PML-N efforts to guard their vote bank and Imran Khan's efforts to lure away his 'Second Choicers' out of PML-N.

This contested bloc of votes constitutes nearly 15% points of the national vote (30% of all voters in Punjab), and the key reason for making 2013 a very interesting election for Pakistan. This bloc of votes is the un-realized potential of Imran Khan. He had not realized it, our poll shows, at the start of the campaign in March 2013. Would he succeed in realizing all or part of it during the final phase of the campaign ending on May 11? We would have to wait and see. We do not believe that surveys would be able to measure this highly volatile behaviour of a shifting vote bank.

It is not for us to favour Imran Khan's efforts at luring away his 'Second Choicers' or for PML-N's efforts to guard them within their own vote bank. We characterize this bloc of votes as the 'Soft-belly of PML-N' or the 'Luring Ground of PTI'. But we have no favourites between the two, since we have chosen to be a non-partisan research institution. It is not for us to advise PTI on how to lure voters from the PML-N soft belly or to advise PML-N on how to protect them.

But researchers who choose to be partisan to a party (which is an equally legitimate public service) may read our data tables and design their advocacy efforts. We have placed our data tables in the public domain and provided them equal opportunity. That is our humble and modest contribution to this election campaign.

PML-N's SOFT-BELLY: 30% of Vote Bank in Punjab

To summarize again, our data tables show that a sizeable voting population in Punjab, as large as 30%, is potentially volatile in choosing its favourite party. While nearly 50% of PML-N voters in Punjab say they have NO SECOND CHOICE and they are determined to vote for PML-N. However, a sizeable majority, 40% say PTI is their Second choice. In other words, they are vulnerable to switching.

The reverse is also true.

Many among PTI voters say, PML-N is their second choice. But since PML-N is the front runner, it would understandably be more threatened.

This volatility of voters in Punjab may continue through May 11, and the outcome of Imran-PML-N contest on this turf will settle the outcome of this election.

A Story of Pakistan's Transition from *Democracy Above Rule of Law* to *Democracy Under Rule of Law*: 1970-2013

May 2013

Appendix 2: Exit Poll to Explain Electoral Outcome

We plan to conduct a nation-wide EXIT-POLL SURVEY on the election day. Once again the objective would NOT be to out-guess the actual results by a few hours, but to provide a serious analysis of **What happened**, **Where**, **Why did it happen the way it did and Who voted for Whom?**

There are many competing views about voting patterns expected from youth, women, rural and urban dwellers and the motivations behind choosing one type of candidate over another.

While the Election Commission of Pakistan (ECP-Poll) results will give the total tally, we will combine the ECP Poll Data and Gallup Exit Poll data to answer 3 big questions pertaining to who voted for whom and why:

- 1- What happened where?
- 2- Who (geographic, socio-economic and demographic profile) voted for whom?
- 3- Why did it happen the way it did?

We believe a serious research analysis based on the twin data sources provided by ECP poll data and Gallup Exit poll data would help us to provide a meaningful basis for discussion on the media and policy deliberation by the next government and the honourable benches of Parliamentary opposition.



Islamabad Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Tel: (+92-51) 111 123 345 | Fax: (+92-51) 226-3078

Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore
Tel: (+92-42) 111 123 345 | Fax: (+92-42) 3569 3896
E-mail: info@pildat.org | Web: www.pildat.org