

Pakistan: A Year after the Democratic Elections

Rajshree Jetly¹

Introduction

Pakistan emerged out of a decade of military rule under President Pervez Musharraf on 18 February 2008 when the general elections were held. During the last period of President Musharraf's reign, Pakistan was reeling under economic malaise and a serious political crisis. The civil society inspired a broad-based people's movement, led by the lawyers that eventually resulted in the end of military dictatorship and the dawn of a new era of democratic governance. Now, it has been one year since Pakistan re-entered the democratic world and the question is whether Pakistan is in a better state now than it was prior to 18 February 2008. This paper reviews the state of Pakistan a year after the installation of the democratically-elected government.

The country's democratic credentials remain weak largely due to the failure of its leadership. The leaders of the key political parties, the Pakistan People's Party (PPP) and the Pakistan Muslim League-Nawaz (PML-N), which came together to form a coalition government on an anti-Musharraf and pro-democracy platform, have not succeeded in turning Pakistan around. Democracy, which was seen as the solution to Pakistan's problems, has not delivered. The frail democratic institutions, perennial civil-military stand-off, fragile political consensus and increasing sectarian tensions have caused Pakistan to be trapped in a political quagmire, thus making the attainment of democracy a difficult task.

This is not surprising given that Pakistan has been under the influence of direct military rule for more than half the years of its existence. The political leadership has not been able to focus on governing Pakistan and has been struggling for the most part against military dictatorships and internecine fighting. Add to that is the fact that many of Pakistan's prominent leaders have been tainted by allegations of corruption and misconduct. It is, thus, hardly surprising that the political leaders have been unable to put country before self.

A Crisis of Leadership

Despite being voted into power in the February 2008 elections with a big mandate, the coalition government, led by the PPP and the PML-N, has not been able to hold itself together. There is serious infighting both within the parties and between the parties which is

¹ Dr Rajshree Jetly is a Research Fellow at the Institute of South Asian Studies, an autonomous research institute at the National University of Singapore. She can be contacted at isasrj@nus.edu.sg.

leading to greater political instability. This, in turn, is weakening the government's ability to deal with the major challenges in the form of separatist movements, rise of Islamic militancy and terrorism. Internal factionalism in Pakistan is also straining its relations with external powers such as the United States and India. The political parties have also lost the trust of the electorate as they have largely failed to deliver on their election promises.

The February 2008 elections were dominated by three basic issues, namely, the restoration of the democratic process; the reinstatement of the judges who were overthrown during the Emergency declared by General Musharraf in November 2007; and the repeal of Article 58 2(b) which gives the President powers to dismiss an elected National Assembly, elect governors of various provinces, and appoint the Chief of Army Staff and other service chiefs.

In any meaningful assessment of the performance of the government, the extent to which these three goals have been met must first be examined. A closer look reveals that the return to democracy has not been as successful as hoped for. This is largely due to the weak and self-serving leadership, particularly the leader of the PPP, Asif Ali Zardari, who is also the President, and Nawaz Sharif, the leader of the PML-N which is presently in the opposition.

Zardari came into power by default, being the widower of the former Prime Minister Benazir Bhutto who was assassinated before the February elections. Whatever hopes there may have been that President Zardari was going to be a leader committed to the revival of Pakistan have been dashed as he quickly manoeuvred himself into a position of absolute power. He managed to first get himself appointed as the co-chairperson of the PPP and a few months later, in August 2008, albeit under pressure from various quarters, secured the resignation of President Musharraf and removed him from the political scene. He also initially successfully marginalised his political rival, Nawaz Sharif, and got himself elected as President of Pakistan, a post which ideally should have been party neutral.

President Zardari's credibility weakened as he failed to follow up on two critical promises made by his party – the restoration of the judiciary and the repeal of Article 58 2(b) of the Constitution. The restoration of the judiciary has been a key issue since November 2007 when Musharraf dismissed about 60 judges and placed many noted judges and lawyers under house arrest. The move triggered huge protests across the country and led to the Lawyer's Movement which became part of the cause célèbre of the public and the election platform of the PPP and the PML-N. Unfortunately, President Zardari dragged his feet on the restoration of the judiciary. The judges were reinstated in a piecemeal manner and the expectation that the entire judiciary would be fully restored, including Chief Justice Iftikhar Chaudhry, was not met.

It took a year and a few months, more precisely, 22 March 2009, for President Zardari to finally acquiesce on this demand amid huge protests in the country. It was believed that President Zardari was deliberately keeping Chief Justice Chaudhry out of office to avoid any risk of the latter reopening corruption cases against him or revoking the National Reconciliation Ordinance (NRO) which provided him legal immunity.² An independent judiciary is one of the key pillars in a democratic system of government and any party committed to the restoration of democracy must be equally committed to the restoration of democratic institutions of which the judiciary is a major one. However, President Zardari was

² Some believe that the army may have initially also been reluctant to reinstate Chief Justice Chaudhry as he had locked horns with the military establishment in the past over innumerable cases of 'missing people' who had disappeared or were being illegally detained by the security agencies as part of Pakistan's war on terror.

clearly putting his self interest before the party or the nation and he has lost the trust of the people.

Another critical issue relates to the repeal of Article 58 2(b). Having promised to repeal this provision, President Zardari has yet to deliver on this. In his 28 March 2009 address to both Houses of Parliament, he repeated that the Parliament should form a committee that would work towards resolving this issue through a constitutional amendment. A similar promise was made in his maiden speech to both Houses of Parliament in September 2008, just after he was sworn in as President. Yet, little was done by way of implementation then. In this respect, President Zardari stands accused of doing what Musharraf did during his regime where all powers were concentrated in the office of the President who had the right to dismiss a legitimately elected parliament. Article 58 2(b) is anathema to the concept of democracy because it hangs like the sword of Damocles over democracy.

Yet, there is a real personal incentive for President Zardari to retain Article 58 2(b) because from his perspective, Punjab is a province where the PPP is weak relative to the PML-N and Article 58 2(b) would be a seductive weapon to have in case the balance of power shifts. It should be remembered that the PML-N remains very strong in Punjab, which is the single most important province in terms of electoral calculation as well as political and economic power.

The other fallout of President Zardari retaining Article 58 2(b) while holding the office of President is that it has made the office very powerful. This is beginning to create rifts within the PPP, as the centre of power which should be with the Prime Minister in a parliamentary democracy appears to be with the President. There have been reports of growing differences between President Zardari and Prime Minister Yousuf Raza Gilani. The former's dipping popularity could well enhance the political stakes for Prime Minister Gilani. Moreover, should the reinstated Chief Justice Chaudhry revoke the immunity provided to President Zardari under the NRO, it could place Prime Minister Gilani in the driver's seat as the leader of the PPP.

Institutional Crises

Compounding President Zardari's plunging popularity is the sorry state of party politics in the country. The two major political parties, the PPP and the PML-N, have a long and bitter history of rivalry, which is not helping Pakistan in this fragile political climate where so many different forces are threatening to tear the country apart. Both parties, after being in the political wilderness for nearly 10 years, returned to power through a coalition. Unfortunately, the marriage was short-lived and both parties are back to being adversaries. Nawaz Sharif walked out of the coalition in August 2008, citing irreconcilable differences especially over the issue of the restoration of the judiciary. After parting with the PPP and sitting in the opposition, he declared that for the sake of preserving the democratic process, he would not actively work to destabilise the government.

However, following the Supreme Court's ruling that the Sharif brothers could not hold office due to their previous convictions, Nawaz Sharif proved that he was prepared to take off the gloves. Nawaz Sharif's brother, Shahbaz Sharif, was removed from his post in February 2009 as Chief Minister of Punjab and Governor's rule was imposed for about a month. The Sharif brothers claimed that this move was politically motivated and engineered by President Zardari to sideline Nawaz Sharif and get the PPP back in Punjab. Nawaz proved that he had

the ability to galvanise the masses by agitating for street marches and protests. He adroitly linked the protest to the popular call for the reinstatement of Chief Justice Chaudhry and was able to bring so much pressure on the government that it was forced to back down from its earlier position. The army, which was fearful of the *Jihadis* taking advantage of the situation, was also keen to see a quick end to the crisis. Chief Justice Chaudhry was reinstated and Shahbaz Sharif returned as Chief Minister of Punjab following a new ruling by the Supreme Court one month after its earlier ruling.

Recent surveys place Nawaz Sharif well ahead of President Zardari as the best person to lead Pakistan, at 31 percent against eight percent. Whether this will tempt Nawaz Sharif to further undermine President Zardari and the PPP in the hope of taking power remains to be seen. However, as long as Article 58 2(b) remains with President Zardari, the struggle will continue. The real problem is that with Pakistan in a near dysfunctional state, it cannot afford these kinds of political fights which may be otherwise viewed as healthy in a functioning democracy. A poll conducted by the United States-based International Republican Institute (IRI) in late 2008 showed that 88 percent of the Pakistani people felt that the country was headed in the wrong direction. If this continues, the state will simply weaken and this will open the doors for the army to reassert itself in the governance of Pakistan.

The army has so far acted responsibly with respect to the unfolding events in Pakistan. Its reputation was tarnished with Musharraf's growing unpopularity and it is committed to staying in the background for now. Nevertheless, the army continues to be very involved in high level decision-making and is calling the shots on crucial security issues. The army remains a major impediment to civilian democratic rule. For one, there is always the threat of a coup and Pakistan's history suggests that this is not an unlikely threat. Even if there is no coup, the army is so integrated into every aspect of Pakistan that it is unrealistic to expect it not to play a key role. Thus, Pakistan is stuck with a situation where it will be very difficult for it to really achieve unfettered civilian, democratic rule. And now, more so than ever before, given the security threats to Pakistan, the civilian administration needs the army's support and goodwill. The ideal situation would be for the civilian leadership to establish supremacy over the army but the reality is that this is unlikely to happen in the near future.

This is despite the fact that General Ashfaq Parvez Kayani, after taking over from Musharraf, has made some reassuring gestures, including the withdrawal of military officers from the government civil departments to distance itself from civil administration. The army also displayed remarkable sagacity in not using the crisis surrounding the dismissal of the Punjab Assembly to its own advantage. It has instead used its position to work towards resolving the problem by applying pressure on the political parties to keep on course and not slip into greater trouble and chaos.

Internal and External Security

The general weakness in political governance has also been a major stumbling block in Pakistan's ability to deal with ethnic movements, creeping Talibanisation of the country, and terrorist activity. The Baluchistan crisis, which was reignited in 2004, has recently taken another dimension with reports that the Taliban are now asserting themselves in Baluchistan with the newly formed Tehrik-i-Taliban Balochistan. With the Al-Qaeda/Taliban base shifting to Baluchistan, there is a danger of the Baluch cooperating with Al-Qaeda/Taliban forces for strategic reasons which would further compound the problem of fundamentalist terrorism in Pakistan. Recent overtures to bring dissident nationalist forces to the negotiating

table, including a Rs46.6 billion package for the province, may not be effective as the problem is too deep-rooted to be resolved by pork-barrel politics.

Pakistan is also under considerable pressure to deal with Islamic fundamentalism which has clearly taken on a militant role. Religious extremism in Pakistan has now become so potent that it is a threat to the very state itself. The recent capitulation by Pakistan to implement Sharia law in the Malakand division of Swat and the relative proximity of Swat to the capital city raises fears of the entire country coming under the grip of rampant Islamisation. In fact, the government's failure to contain Islamic militancy was already evident in July 2007 with the siege of the Lal Masjid by religious extremists in the heart of Islamabad. That incident and the recent Swat events are grim reminders of how far the tentacles of Islamic radicalism have spread in Pakistan and how ineffective the government has become. Pakistan is slowly losing the fight against militancy. This is largely due to a weak government which is unable to stand firm and is capitulating to extremist demands and making compromises. The army is also not able to gain an upper-hand on these militant activities reflecting the magnitude of the problem where the full might of the state and the military is being put to test

Islamic fundamentalism is also integrally connected to rising incidents of terrorism. This is another major challenge for Pakistan. While the world at large blames Pakistan for global terrorism by allowing Al-Qaeda-linked training camps and supporting cross border insurgencies, Pakistan itself is now becoming a victim of fundamentalist terrorism. For example, according to figures compiled by the Pakistan Institute for Peace Studies, in 2008 alone, there were a total of 2,148 terrorist, insurgent and sectarian attacks reported across the country, killing 2,267 people and injuring 4,558. The United States National Counterterrorism Center's report revealed that the loss of lives related to Islamic militancy was greater in 2007 than in the previous six years combined.

Linked to this issue of rising fundamentalism is the challenge Pakistan faces at the international level where the key issue is global terrorism whose roots are in the Pakistan/Afghanistan area. This is creating tremendous problems for Pakistan's international relations with two key countries which have been victims of Islamic terrorism, namely, the United States and India. Both these countries have been increasing the pressure on Pakistan to put an end to cross-border and global terrorism. This naturally creates tremendous difficulties for Pakistan in balancing its foreign policy equations with domestic politics.

India-Pakistan relations have always been rocky but there was a period from 2004 onwards when there were many positive developments and relations were on the uptrend. When President Zardari took office, he continued with the efforts to reach out to India and surprised many by going against conventional policy and practice in Pakistan by publicly making statements that were not necessarily in line with the orthodox views of the Pakistani establishment, particularly the military. For example, President Zardari went as far as to term the militants operating in Kashmir as 'terrorists'. He also announced a "no-first-strike" policy with respect to nuclear weapons and said that India had never been a threat to Pakistan.

However, after the Mumbai attacks in November 2008, relations are back on shaky ground. It is difficult for Pakistan to cede too much to India without risking a backlash at home. At the same time, India cannot push the envelope too far as that could weaken the present Pakistan government, leaving the field open for interests that are inimical to cooperation with India. Pakistan's Interior Adviser, Rehman Malik, has conceded that the Mumbai attacks were partially planned in Pakistan and has announced the arrest of a number of accused. He has

also stated that Pakistan intended to prosecute these individuals. Nevertheless, India is unlikely to ease pressure on Pakistan too quickly, partly because of the scale of the attacks on its financial capital and partly due to the upcoming general elections where the Indian government cannot afford to be seen as giving in to Pakistan.

As far as United States-Pakistan relations are concerned, a stable Pakistan is vital to the United States' interests for a range of issues, the most pressing of which is the war on terror. United States President Barack Obama has recently approved the deployment of 17,000 additional troops to Afghanistan, reinforcing the fact that the new United States administration is focusing on Afghanistan and Pakistan rather than Iraq. He has also proposed a five-year US\$2.8 billion military aid to Pakistan to fight extremism under the Pakistani Counterinsurgency Capability Fund. This is in addition to the US\$7.5 billion of civilian assistance that Washington will give to Pakistan over the next five years.

However, while Pakistan is still clearly seen as an ally, there seems to be a subtle shift in tone from the George Bush era when the United States' foreign policy was overly generous to Pakistan. Suspicions continue to linger in some United States quarters on the Inter-Services Intelligence's alleged complicity with the Taliban and Pakistan's inability and/or unwillingness to fight Al-Qaeda. In his new strategy towards Afghanistan and Pakistan, President Obama has made clear the fact that the increase in aid and training is on the condition that Pakistan demonstrates its commitment in rooting out Al-Qaeda. President Obama has stated unequivocally that "there is no doubt that in the FATA (Federally Administered Tribal Areas) region of Pakistan...there are safe havens where terrorists are operating" and that "after years of mixed results, we will not provide a blank cheque".

The United States' unilateral military action on Pakistani territory using drone attacks has complicated the situation. Notwithstanding public proclamations on both sides, with President Zardari asserting that the drone attacks threaten the sovereignty of Pakistan and President Obama reassuring that the United States would consult Pakistan before launching the drone attacks, there is strong suspicion that there exists a tacit understanding between the United States and the Pakistani government to allow the use of Pakistani territory to launch the attacks. This was as much as admitted to, much to the embarrassment of Islamabad, by the Chairman of the United States Senate Intelligence Committee, who said that the Unmanned Aerial Vehicles are operating from an airbase inside the country.

President Zardari is already viewed as pro-American and he has to work all that harder to placate domestic constituencies that he is on their side and not the Americans. The general public opinion in Pakistan is not in favour of United States military action against Al-Qaeda and the Taliban. According to the poll conducted by the IRI in October 2008, 63 percent of the people opposed cooperation with the United States and 73 percent remained opposed to United States military incursions in the tribal areas. Unlike Musharraf, President Zardari is head of a democratic civilian government which means he is answerable to the people. This makes it harder to make unpopular choices which may sometimes be the right ones.

What is particularly distressing to Pakistani foreign policy officials is the developing entente in recent years by India and the United States for two major reasons – one, both the United States and India have been victims of terrorist attacks whose roots can be traced to Pakistan and, two, both the United States and India have recently developed a close working relationship. The United States has openly recognised India as a responsible rising

democratic power that deserves its support. In previous years, Pakistan was always able to play off India and the United States but that is less likely now.

Conclusion

The people of Pakistan and the political parties had campaigned long and hard against military rule with a vision of democracy that would revive the flagging fortunes of the state. That vision is yet to be realised and, in some ways, Pakistan is in a worse state than it was earlier, particularly in terms of political stability and security. Pakistan's democratic experiment has not yielded the promised fruits in its first year. Perhaps one year is too short a gestation period and Pakistan's fledgling new democracy needs more time to find its feet.

Based on the first year of the democratic government, it appears that Nawaz Sharif has gained the upper hand over President Zardari despite the latter starting off on a high. Nawaz Sharif has clearly proved himself to be the more seasoned politician who knows how to bide his time and when to strike. Most significantly, he has proved that he is able to galvanise grass roots support which is critical to democratic legitimacy. President Zardari, on the other hand, came to power on the strength of the late Benazir Bhutto's popularity but he himself does not carry the public. While the first year was dominated by President Zardari, all indicators point to Nawaz Sharif gaining in political strength and moral ground in the year ahead. But either way it'll be a roller coaster of a political ride.

In the final analysis, an enlightened Pakistani leadership remains the key to Pakistan's future. It must move beyond internal squabbles and destabilising politics and focus on getting Pakistan back on track. Pakistan's civil society has made great strides recently and the citizens of Pakistan have showed an abundance of patience in their hope for genuine democracy and peace in their country. The army has also stepped back to allow the civilian leadership to establish itself. It is now up to the political leaders of Pakistan to salvage the democratic future of the country.

oooOOOooo