



# Pakistani elections: A setback for federalism and democracy?

BY SAJID MANSOOR QAISRANI

**After** three years of military rule, an elected government is in place in Pakistan. The country's new prime minister, Mir Zafarullah Khan Jamali, heads a weak coalition government that could muster just enough support to survive a vote of confidence. While observers said that election-day procedures were for the most part fair, they did not consider the election rules to be entirely free or fair (see box "How fair and free were the Pakistani elections?").

General Pervez Musharraf, the Chief of Army Staff, continues as the country's president as the result of an extra-constitutional and controversial referendum with powers to sack the elected assemblies and the federal and provincial governments. And, under his tight control, the federal system seems to be weaker than ever before.

Commenting on the situation, Sanaullah Baloch, a former member of the National Assembly from Balochistan, said that the military has taken everything directly into its own hands and that Pakistan is no longer a federal democratic state. I.A. Rehman, Director of the Human Rights Commission of Pakistan, suggested that "The federal system is being eroded," and that "The new dispensation is based on unified command – it has failed earlier and it will fail again." An ongoing tussle between Pakistan's military leadership and political institutions is what most people predict, and some believe that the new government will not survive beyond a year.

There were many firsts in the elections held on October 10, 2002:

- the number of National Assembly seats was increased to 342 from 217;
- the minimum voting age was reduced to 18 years from 21 years;
- graduation with a bachelor's degree was made the minimum educational qualification for candidates for the assembly;
- 60 assembly seats were reserved for women; and
- 10 assembly seats were reserved for non-Muslims.

## Changing the rules

The Musharraf establishment had made it clear even before the start of the campaign that it would not allow two former prime ministers return to power. One of them, Benazir Bhutto, had been prime minister from 1988 to 1990 and from 1993 to 1996. The other, Nawaz Sharif, was the prime minister who was overthrown by Musharraf. The government decreed that the membership of either Bhutto or Sharif in any political party would disqualify that party from contesting the election. In addition, a new law was enacted stipulating that any person who had served twice as the prime minister or as the chief minister of a province would not be entitled to seek a third term in office.

To avoid disqualification Nawaz Sharif's party, the Pakistan Muslim League, changed its leadership. Benazir Bhutto's party,

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**Sajid Mansoor Qaisrani** is currently working for the leading Pakistani women's rights NGO, Aurat Foundation, as Director of Resource Service.

the Pakistan Peoples Party, used another tactic: it registered a party under a slightly different name, the Pakistan Peoples Party Parliamentarians, without Bhutto as a formal member.

A process to undermine these parties also had begun long before the election was called. Breakaway factions had been created and potential winning candidates from the two parties had been coaxed and coerced to join these factions. Corruption cases had been withdrawn against those politicians who had assured the military government of their support while charges had been laid against some who had dared to reject the offer.

## Intimidation and a slim majority

On election day there were widespread complaints of intimidation and vote rigging. But, notwithstanding these interventions, the Musharraf establishment at first failed to form a government of its own choice. So then the horse-trading and arm-twisting began, and, in the end, Jamali managed to form a coalition that would have a slim majority in the Assembly.

The voter turnout was 41 per cent nationwide. A breakaway, pro-Musharraf faction of the erstwhile Pakistan Muslim League, the PML-Q, won 118 seats in the 342-member National Assembly. The successor to Bhutto's party, on the other hand, won the second-largest representation with 81 seats.

Perhaps the most surprising outcome of the election was the success of a religious group, the Mutahidda Majlis-e-Amal (or MMA). This party is a loose coalition of Muslim religious parties of all shades, which, with 60 seats, has emerged as the third-largest political force in the assembly. These elements had been brought together by some former insiders of the regime with the tacit support of conservative groups strongly opposed to General Musharraf's pro-West policies. They succeeded in forming a government in the North-West Frontier Province and in becoming a coalition partner in Balochistan.

Under the circumstances, the Musharraf establishment had to depend on smaller groups to form a government to its own taste. The constitution's "defection clause" was suspended to allow 10 members of the successor to Bhutto's party to join the coalition. This breakaway faction cast their crucial votes for the election of Mir Zafarullah Khan Jamali as prime minister.

## A government of breakaway factions

The largest element of Jamali's coalition government is the PML-Q, the pro-Musharraf faction of the original Pakistan Muslim League. It enjoys the support of four smaller parties and the 10 defectors from the successor to Bhutto's party. It also received the endorsement of other small groups and parties in the assembly that are not formally part of the coalition.

For many, Jamali's emergence as the Pakistan Muslim League-Q's candidate for premiership came as a surprise. He had been chosen because the regime did not want a prime minister from the provinces of Punjab or Sindh. Coming from Balochistan, the least populous province, Jamali has a small power base and so

## Party Standings in the National Assembly

Party	Abbrev.	Seats
Pakistan Muslim League (Quaid-e-Azam)	<b>PML-Q</b>	118
Pakistan Peoples Party Parliamentarians	<b>PPPP</b>	81
Muttahida Majlis-e-Amal Pakistan	<b>MMA</b>	60
Pakistan Muslim League (Nawaz Sharif)	<b>PML-N</b>	19
Muttahida Qaumi Movement	<b>MQM</b>	17
National Alliance	<b>NA</b>	16
Pakistan Muslim League (Functional)	<b>PML-F</b>	5
Pakistan Muslim League (Junejo)	<b>PML-J</b>	3
Pakistan Peoples Party (Sherpao)	<b>PPP-S</b>	2
Pakistan Awami Tehrik	<b>PAT</b>	1
Pakistan Muslim League (Zia-ul Haq)	<b>PML-Z</b>	1
Pakistan Tehrik-e-Insaf	<b>PTI</b>	1
Muhajir Qaumi Movement Pakistan	<b>MQM-P</b>	1
*Balochistan National Party	<b>BNP</b>	1
*Jamhoori Watan Party	<b>JWP</b>	1
*Pukhtunkhwah Milli Awami Party	<b>PMAP</b>	1
Independents, including 12 from FATA**		14

\* parties pushing for greater provincial autonomy

\*\* Federally Administered Tribal Areas

is considered a weak prime minister by many analysts. He does not have a strong personal following within the ruling coalition.

The Pakistan Muslim League-Q is currently under great strain as its members feel that they are not being accommodated to the same extent as members of the smaller coalition groups. And there are dangers of a split within party ranks.

The fragility of the government can be gauged from the fact that, shortly after endorsing Jamali as prime minister, the Muttahida Qaumi Movement (or MQM) decided to withdraw its support. It was only with great difficulty that this, the fifth largest party in the assembly, was manoeuvred back into the coalition.

### Pressure on the federation

The federation of Pakistan is under pressure from a variety of factors. The popular parties that support federalism and the rights of constituent units have been weakened by the Pakistani establishment's attempts to maintain its centralist control. The regional parties and groups that had waged a long struggle for the economic, cultural and social rights of the constituent units have been swept off the political stage. This has created a dangerous void in a country where price spirals have put the necessities of life beyond the reach of the common citizen and unemployment is at an all-time high.

The presidency and the parliament are likely to remain on a war-path. Nawaz Sharif's former party and the successor to Bhutto's party are bitterly opposed to Musharraf because they attribute their defeat to his actions. Together with the religious party, the Muttahida Majlis-e-Amal (or MMA), they are also opposed to the package of constitutional amendments known as the Legal Framework Order, which was made a part of the constitution by the Musharraf government days before the convening of the National Assembly. In this struggle the opposition parties have the backing of major elements of Pakistani civil society.

### Anti-Americanism and religious orthodoxy

The opposition religious party is also vociferously challenging the government's pro-West policies. Its leaders are demanding that the General should leave the post of Chief of Army Staff by March. They have threatened country-wide protests if the

government backs a possible U.S. attack on Iraq. They are also demanding an immediate end to the presence of U.S. troops and officials in Pakistan. Furthermore, they want the weekly holiday shifted back to Friday from Sunday and support the imposition of restrictions on co-education and liberal television programs. This party's popularity may heighten friction with India.

There is another tension in Pakistan, shown by the opposite poles of those calling for autonomy and those wanting a centralized form of federalism. The part of the intelligentsia advocating a centralized federalism believes that the federation is stronger today than ever before. Characterizing the election results as a genuine expression of public opinion, this element argues that this is the first time in the country's history that the forces of autonomy have been virtually wiped out in the provinces. The autonomists captured only three seats in Balochistan; in the North-West Frontier Province and in Sindh they did not even win a single seat. "The weaker the autonomists, the stronger the federation," is the mantra of these intellectuals.

These same people attribute the decline of the autonomy movements in part to the creation of newly empowered local governments. They also attribute the weakening of the autonomy movements to another factor: the breakdown of unofficial channels of capital flow after the terrorist attacks on the U.S. of September 2001. This, they say, dried up the financial resources of the forces of autonomy, which no longer have access to unaccountable money.

These intellectuals argue that the choice of a prime minister from Balochistan may further strengthen "federalist forces". Balochistan is the smallest and weakest but most radically separatist and resource-rich province in the federation. Pakistan's only abundant non-renewable resource, natural gas, comes from that province. (6)

### How fair and free were the Pakistani elections?

Human Rights Watch (New York City, USA):

"Pakistan's military government has employed a variety of legal and political tactics to control the process and outcome of the elections. Those tactics include constitutional amendments giving President Pervez Musharraf virtually unfettered powers over parliament and government, and the revision of electoral procedures that effectively eliminate the leaders of the two major political parties from participating in the election."

International Human Rights Commission (Lahore, Pakistan):

"The International Human Rights Commission (IHRC) while appreciating the efforts of the Election Commission of Pakistan observed that the elections 2002 were held in a fair, free and transparent manner. In its detailed report on Elections 2002 released here today, the IHRC declared that these elections were free and fair since the 1970 election in the history of Pakistan."

- Dawn, Lahore, Pakistan, Nov. 9, 2002

EU Election Observation Mission to Pakistan (Brussels, Belgium):

"The holding of a general election does not in itself guarantee the restoration of democracy. The unjustified interference with electoral arrangements ... resulted in serious flaws being inflicted on the electoral process. Additionally, questions still remain as to whether or not there will be a full transfer of power from a military to civilian administration."