

# Evolution of Democratic System in Pakistan & Political Evolution Since 1971

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## Political evolution in a state


- ▶ **Geography** + Population
- ▶ Leadership
- ▶ Political parties
- ▶ Manifestos
- ▶ Constitutions (Supremacy)
- ▶ Independence of Judiciary
- ▶ Rule of Law
- ▶ Transparency
- ▶ Accountability
- ▶ Role of media




## Liaquat Ali Khan (October 1895 – 16 October 1951)

- ▶ Born in Karnal
  - ▶ Studied at Aligarh & oxford
  - ▶ Jinnah nominated him as secretary general of league in 1936
  - ▶ Initially a nationalist
  - ▶ After failure of RTCs, Liaquat also instrumental to bring Jinnah back
  - ▶ Jinnah tabled a resolution for re election of Liaquat as SG and termed him as his right hand
  - ▶ Passage of “Objectives resolution “ to his credit
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## Objectives Resolution

- ▶ One of the most important documents in the constitutional history of Pakistan.
  - ▶ Passed by the first Constituent Assembly on **12th March 1949** under the leadership of Liaquat Ali Khan.
  - ▶ The most significant thing was that it contained the basic principles of both Islamic political system and Western Democracy.
  - ▶ Served as **preamble** for the constitutions of 1956, 1962 and 1973 and ultimately became the part of the Constitution when the Eighth Amendment in the Constitution of 1973 was passed in 1985.
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## Main features of the Objectives Resolution:

- ▶ **Sovereignty** of the entire Universe belongs to Allah alone
  - ▶ Authority should be delegated to the State through its people under the rules set by Allah
  - ▶ Constitution of Pakistan should be framed by the Constituent Assembly
  - ▶ State should exercise its powers through the chosen representatives
  - ▶ Principles of democracy, freedom, equality, tolerance and social justice
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## Main Features

- ▶ **Muslims** shall live their lives according the teaching of **Quran and Sunnah**
  - ▶ **Minorities** can freely profess and practice their religion.
  - ▶ There should be **Federal form** of government with the maximum autonomy for the Units
  - ▶ Fundamental rights including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality should be given to all the citizens of the state.
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## Main Features

- ▶ It would be the duty of the state to safeguard the interests of minorities, backward and depressed classes.
  - ▶ **Independence of judiciary** should be guaranteed
  - ▶ Integrity of the territory and sovereignty of the country was to be safeguarded
  - ▶ The people of Pakistan may prosper and attain their rightful and honored place amongst the nations of the world and make their full contribution towards **international peace** and progress and happiness of humanity.
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## 4 Governor Generals

- ▶ Mohammad Ali Jinnah 1947–48
  - ▶ Kh Nazim ud Din 1948–51
  - ▶ Ghulam Mohammad 1951–55
  - ▶ Iskandar Mirza 1955–56
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## Kh Nazim ud Din 1948–51 1951–53

- ▶ 1922 –1929–Chairman of Dhaka Municipality
- ▶ Worked as Education Minister of Bengal
- ▶ 1943 –Chief Minister of the province
- ▶ He set up a committee Basic Principles Committee in 1949 on the advice of Liaquat Ali Khan to determine the future constitutions of Pakistan.
- ▶ In 1953 GG GM dissolved his govt



## Ghulam Mohammad 1951–55

- ▶ 1895–1956
- ▶ Civil servant
- ▶ Finance Minister
- ▶ Drafted 5 years plan
- ▶ In 1954, the Assembly tried to change the constitution to establish checks and balances on the Governor-General's powers but GM dismissed the Assembly,
- ▶ that was challenged in the Sindh High Court by Maulvi Tamiz uddin, the Speaker of the Assembly. The court's Justice Sir Georges Constantine ruled the Governor-General's decision illegal, but the ruling was overturned by SC, led by Chief Justice Munir, in a split decision
- ▶ Illness, took leave in 1955 the acting GG Mirza, dismissed him, died in 1956.



## Mohammad Ali Bogra 1900–1963

- ▶ Bengali origin
- ▶ 3<sup>rd</sup> PM (1953–55)
- ▶ Served as health & finance minister
- ▶ Served as Ambassador in Burma , Canada & USA
- ▶ GG Ghulam Mohammad Selected him to replace Kh Nazimuddin
- ▶ **BOGRA FORMULA**– Bi-cameral legislature
- ▶ A provision was also put in place that stated that if the President of Pakistan were from West Pakistan, then the Prime Minister would have to be from East Pakistan, and vice-versa
- ▶ Bogra was forced to resign by Iskandar Mirza , again assumed Ambassadorship at USA . In 1962 assumed office of the Foreign Minister.



## Ch Mohammad Ali 1905–1980

- ▶ 4<sup>th</sup> PM– 1955–56
- ▶ Civil servant– secretary General
- ▶ To reinforce his position he set up Planning committee (all secretaries were members)
- ▶ Planning committee was infact a parallel cabinet of secretaries , SG functioning as PM.
- ▶ 1951– finance Minister
- ▶ Constitution of 1956



## Huseyn Shaheed Suhrawardy 1892–1963

- ▶ From Bengal
- ▶ 5<sup>th</sup> PM 1956–57
- ▶ due to differences with Iskander Mirza resigned in 1957



## Ibrahim Ismail Chundrigar Oct 1957–Dec.1957

- ▶ In the Interim Government, Chundrigar took the portfolio of Commerce.
- ▶ After independence assumed portfolio of Commerce, Minister Law
- ▶ Ambassador to Afghanistan
- ▶ Governor NWFP & Governor Punjab
- ▶ 6<sup>th</sup> PM
- ▶ resigned as PM in December 1957



## Feroz Khan Noon

- ▶ Educated at Oxford
- ▶ Noon was the High Commissioner of India to the United Kingdom from 1936 – 1941.
- ▶ Special envoy of Jinnah
- ▶ Chief Minister Punjab 1953 –1956
- ▶ 1956–57 Foreign Minister of Pakistan
- ▶ 16 December 1957 –7 October 1958  
7th Prime Minister



## Iskandar Mirza 1899–1969

- ▶ Last governor General First President
- ▶ 6 years served Army & Joined Indian Political Service
- ▶ Served as AC,DC, PA and Defence Secretary
- ▶ 1954 Governor east Pakistan
- ▶ An advocate of One Unit
- ▶ First Constitution drafted
- ▶ Office of Governor General replaced with President
- ▶ During 2 years 4 PMs changed
- ▶ He believed with 15% literacy rate democracy is not suitable system
- ▶ 7<sup>th</sup> October 1958 imposed Martial law appointed Ayub as Martial law administrator
- ▶ 27<sup>th</sup> October Ayub declared himself President Mirza fled to London





## Iskandar Mirza 1899–1969

- ▶ Riffat Begum & Naheed Begum wives
- ▶ Lived in exile in London
- ▶ Died in London , Yahya did t allow him to be buried, Shah Iran facilitated and buried with state protocol



## Ayub Khan 1907–74

- ▶ First military ruler and second president
- ▶ First native commander of Army (superseded 2 senior Generals) Iskandar was instrumental in Ayub's promotion
- ▶ Youngest full general and self appointed Field Marshal
- ▶ 1960 held an indirect referendum
- ▶ 1962 constitution, reflected his personal preferences regarding the federation



## Ayub Khan– Significant events

- ▶ Ayub Khan introduced the Muslim Family Laws through an Ordinance on March 2, 1961 under which unmitigated **polygamy** was abolished, consent of the current wife was made mandatory for a second marriage . The Arbitration Councils established under this law.
- ▶ Presidential Elections 1965, Gen Azam dropped and Fatima contested Ayub won 64 % votes
- ▶ 80000 Basic democrats as electoral collage (later increased to 120000 BDs)



## Ayub Khan

- ▶ **Indus Waters Treaty 1960**: Treaty was signed to resolve the water disputes of rivers
- ▶ Despite this accord the relations remained cold
- ▶ **Tashkent Accord (10<sup>th</sup> Jan 1966)**: After war with India Ayub signed a pact with India at Tashkent . This diplomatic initiative provided opportunity for opponents to criticise him .
- ▶ Pro US policies



## AYUB KHAN

- ▶ His close associate Dr Abdus alam established Pakistan national Space Agency & upper atmospheric research Commission (SUPARCO) in 1961
- ▶ Celebrated the Decade of Development
- ▶ Initiative to control Population– Family Planning program(6<sup>th</sup> largest Population)



## Yahya Khan(1917–1980)

- ▶ 3<sup>rd</sup> president of Pakistan 1969–71
- ▶ Born in Chakwal, an ethnic Pushtoon
- ▶ At time of Partition he was only Muslim Instructor posted at Staff collage Quetta
- ▶ At the age of 34 he was promoted as Brigadier
- ▶ 25<sup>th</sup> March 1969 Ayub handed over power to yahya



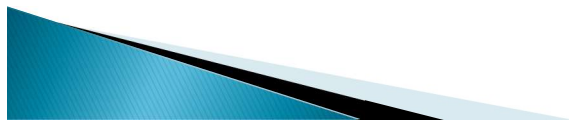
## Challenges confronted by Yahya

- ▶ Transform the one man rule into a democratic state
- ▶ Had to perform multiple roles: draft the provisional constitution.
- ▶ Resolve one unit question
- ▶ Caretaker head of the country
- ▶ Satisfy the frustration of eastern wing



## YAHYA KHAN

- ▶ Dissolved the one unit restoring the pre-1955 provinces of West Pakistan
- ▶ One man one vote
- ▶ Doubled quota for Bengalis in defence services
- ▶ Established links between China- USA



## Second Martial law March 1969

- ▶ General Yahya issued L.F.O
- ▶ First General elections 7<sup>th</sup> Dec 1970
- ▶ Elections first time on adult franchise basis
- ▶ Delay of First session of Parliament

## Political Realities

- ▶ Awami League
- ▶ AL won almost all seats in East pakistan but none in West pakistan
- ▶ PPP
- ▶ AL had 162 and PPP 88 seats
- ▶ Yahya failed to effect a compromise instead launced operation searchlight Mujib was arrested

## ZA BHUTTO

- ▶ 4th President of Pakistan
- ▶ 9th Prime Minister 1973 – 1977
- ▶ Founder of PPP
- ▶ Educated at Berkeley and Oxford
- ▶ a barrister
- ▶ Joined cabinet of Mirza as youngest member minister commerce and also served Ayub as Foreign Minister
- ▶ Proponent of operation Gibraltar
- ▶ Failure of operation , He lost the portfolio
- ▶ Tug of war started
- ▶ **Tashkent Accord (10<sup>th</sup> Jan 1966)**
- ▶ Founded PPP
- ▶ Popular politics
- ▶ Elections 1970

## ZA Bhutto

- ▶ Interim Constitution adopted 17/04/1972
- ▶ Constitution Commission April 1972
- ▶ Report presented in Dec 1972, unanimously passed April 1973 & promulgated in Aug 1973
- ▶ Father of Pakistani nuclear program
- ▶ Treated opposition with iron hand
- ▶ Educational reforms, established AIOU, QAU, AIMC, Gomal university, Engineering Council, Institute of Theoretical Physics, Pakistan Academy of Letters & Cadet college Razmak


## ZA Bhutto

- ▶ Education Policy provided remission of fees & grant of scholarships for higher education to the children of low-paid employees
- ▶ Turbulence in Baluchistan
- ▶ Insurgency
- ▶ 2 CMs sacked
- ▶ Banned NAP
- ▶ Trial by **Hyderabad Tribunal**
- ▶ Labour policy
- ▶ Labour Courts
- ▶ Passport reforms
- ▶ Export of manpower


## ZA Bhutto

- ▶ Nationalization of Banks 1974
- ▶ Qadianis Declared Minority 1974
- ▶ Bangladesh recognized 1974
- ▶ Improved relations with China & Muslim block
- ▶ Early elections in 1977 & victory of PPP
- ▶ PNA boycotted PA elections
- ▶ Martial Law in Karachi ,Lahore & Hyderabad
- ▶ PPP-PNA Talks
- ▶ Martial Law

## Fazal Illahi Ch.


- ▶ 1904–1982
  - ▶ 5<sup>th</sup> President
  - ▶ Parliamentary Secretary, Minister for health & Education
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## Pakistan National Alliance (PNA)


- ▶ 9 parties alliance to dislodge Bhutto from power
  - ▶ Implementation of Islamic order was its election slogan
  - ▶ PNA contested election by using one symbol
  - ▶ Alleged rigging in polls
- 



## Movement for the Restoration of Democracy (MRD)

- ▶ 1981
  - ▶ Formed to restore the democratic order
  - ▶ Withdrawal of martial law and impartial elections
  - ▶ Sind was hub of MRD activities
  - ▶ Mounted pressure on Zia to hold elections, non-party elections were held. MRD Boycotted only PML & JI contested
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## Islami Jamhuri Ittihad (IJI)

- ▶ 1988 against PPP
  - ▶ 9 parties alliance
  - ▶ IJI won seats in Punjab
  - ▶ Nawaz Sharif emerged as powerful figure
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## Alliance for Restoration of Democracy

- ▶ Comprises of PPP & PML
- ▶ Agenda: return of civilian rule
- ▶ Makhdoom amin Fahim Led the alliance




## Constitution 1956


- ▶ First constitution, Parliamentary form
- ▶ President head of state
- ▶ Unicameral Parliament
- ▶ 300+10 members (150+150+10)




## Constitution 1962

- ▶ Constitution commission 1960
  - ▶ Headed by Justice [Shahabuddin](#)
  - ▶ Commission submitted report 1961, adopted on 1-03-62
  - ▶ Presidential system, all executive authority with President
  - ▶ Unicameral legislature
  - ▶ Federal System
  - ▶ Indirect electoral system-80000 basic democrats as an electoral college
- 


## Constitution 1962

- ▶ Term of assembly 3 years
  - ▶ Norm established if President from West Pakistan Speaker was to be from East Pakistan and vice versa
  - ▶ Passage of Political parties Act 1962
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## 1973 Constitution

- ▶ Parliamentary Form
  - ▶ Federal
  - ▶ Bicameral legislature(1947–73 Unicameral)
  - ▶ 10 seats reserved for minorities (separate electorates)
  - ▶ 5 years term
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## Charter of Democracy(CoD)

- ▶ 36 points CoD
  - ▶ Constitutional Issues
  - ▶ Code of Conduct
  - ▶ Free & Fair Elections
  - ▶ Civil & Military Relations
  - ▶ UNIQUE DOCUMENT OF OUR HISTORY –  
Magna carta of our political history
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## CoD

- ▶ An attempt to achieve the ideals of Parliamentary system.
- ▶ Essentials for democracy identified
- ▶ An agenda, manifesto, an ideal or political slogan
- ▶ An attempt to redefine relations of different actors



## Why Cod?

1. Individually not possible to bring change.
2. Both in Exile.
3. Time constraint, both in 50s.
4. Both did not complete tenure in office—confrontation not solution.
5. Bar on 3<sup>rd</sup> time Premiership (NS derived benefit)
6. COD a proof – Politics art of possible.



## Why CoD?

7. To block Military takeovers,
8. CoD is actually realization of the importance of Opposition;
9. To mobilise the masses;
10. To pressurize Govt, enhance their bargaining value
11. In their absence parties badly suffered



## CoD

- President enjoyed enormous Powers
- Transfer of powers from President to PM
- Appointments of Governors, 3 Services Chiefs, CJSC
- 17<sup>th</sup> amendment says President will make top military appointments "in **consultation** with PM" rather than **advice**-----  
Consultation not binding on President
- April 2004
- 13 Members Body
- Composition: President, PM, Speaker, LoO, Chairman Senate, CMs, CJSC, Chiefs Army, Navy, Air
- Demanded replacement with DCC
- All security states have NSCs

Powers of PM

Abolishment of NSC

## CoD

- C.List by PPP Govt.
- Promised abolishment after 10 years
- Dissatisfaction of Smaller Provinces
- NWFP PA passed resolution to abolish CL
- Federal list have 114 items
- 18<sup>th</sup> amendment abolished C.List
- Inspiration from Germany
- Reduce burden on SC ?
- To reduce the powers of SC?
- Exclusive jurisdiction to interpret Constitution

Abolishment of Concurrent List

Federal Constitutional Court

## CoD

- Inspiration From Sweden and Serbia
- To Promote democratic values and Participation of masses
- Inspiration from South Africa

Democracy Commission

Truth and Reconciliation Commission

## CoD

- Realization of the Importance of Opposition as an Integral Part of Democratic process
- Effective say and due role in nomination of Chairmen of PACs ,
- Appointment of CEC
- For nomination of Higher Judiciary 50 % representation in Joint Parliamentary Committee
- In Politics No Role of Intelligence Agencies
- Not To Assume Power With The Help of Army
- ▶ Rotation Of The Office Of CJCS
- ▶ Debate on Defence Budget in Parliament

Due role of opposition


Re-defined civil- military relations

### Factors affected the Implementation of CoD


Assassination of BB  
 Declaratory in Nature legally not binding  
 No Dead Line  
 No implementation mechanism  
 Non- cooperation between 2 major political parties



## Benazir Bhutto 1988–90 1993–96

- ▶ Twice elected
  - ▶ 1<sup>st</sup> woman PM of Muslim Block
  - ▶ Restoration of democracy
  - ▶ Did not complete tenure
  - ▶ Decade long self-exile
  - ▶ Young charming, well educated
  - ▶ Opposed in Punjab by CM Sharif
  - ▶ As per essence of Zia's amendment She was supposed to be nominated 1<sup>st</sup> by President GIK and afterwards be elected by the parliament
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## Benazir Bhutto 1988–90 1993–96

- ▶ For 2 weeks GIK did not nominate her
  - ▶ He bought time to bargain with BB(Finance ,Defence& Foreign Affairs)
  - ▶ Political alliances with ANP & MQM
  - ▶ NS did not accept SC nominated by federal Govt, announced to establish Radio and Bank
  - ▶ Break of alliance with MQM resulted into violence
  - ▶ Mehrangate Scandle
  - ▶ Mutraza Killed
  - ▶ Leghari used Article 58(2-B)
  - ▶ Violence in Karachi
- 

## Benazir Bhutto 1988–90 1993–96

- ▶ Separation of judiciary from executives by 23 March 1994




## Ziaul Haq


- ▶ CMLA 5-7-1977 to 16-09-1978
- ▶ President 16-09-1978 to 17-08-1988
- ▶ Era of despotic islamization
- ▶ PCO 1981
- ▶ Referendum 1984
- ▶ Junejo worked as PM 1985–88
- ▶ A promise to have elections within 90 days
- ▶ Elections postponed
- ▶ All political leaders except Naseem Wali were arrested
- ▶ Bhutto was sentenced to death
- ▶ MRD 1983
- ▶ 8<sup>th</sup> amendment



## Ziaul Haq


- ▶ Emergence of MQM -to get recognized Mohajirs as 5<sup>th</sup> ethnic group
  - ▶ Party less polls 1985
  - ▶ NA & cabinet dissolved
  - ▶ Collection of Zakat & Ushar
- 

## Asif Ali Zardari 2008-13


- ▶ The accidental President
  - ▶ 11<sup>th</sup> President
  - ▶ Spouse of assassinated former lady PM & son -in-law of ZAB
  - ▶ 3 PMs
  - ▶ General Kayani COAS -2007-13
  - ▶ 2 CJs
  - ▶ PM Gillani disqualified & sent home
  - ▶ SC Judges reinstated 2009
  - ▶ 18<sup>th</sup> amendment
  - ▶ Aghaz-i-Haqooq-i-Balochistan Package
  - ▶ Identity crisis resolved -NWFP renamed as KP
  - ▶ NFC Award
  - ▶ GB Reforms
- 

## Mian Nawaz Sharif

1990–93 ,1997– 99,2013–17

- ▶ Thrice PM
  - ▶ During two tenures worked with 5 CJs & in 3<sup>rd</sup> term worked with 6 CJs
  - ▶ During two tenures worked with 5 COAS & in 3<sup>rd</sup> term worked with 3 COAS
  - ▶ Out of 16 COAS worked with 8 COAS
  - ▶ Privatization
  - ▶ Through 12<sup>th</sup> amendment Special Courts were established Article 212B was added
  - ▶ Special Courts became bone of contention between judiciary and NS
  - ▶ Special Courts were considered parallel judiciary and rejected by judiciary
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## Mian Nawaz Sharif

- ▶ His govt was dismissed but in May 1993 he got relief from SC
  - ▶ GIK–NS both had to go–3<sup>rd</sup> force played the role
  - ▶ During 2<sup>nd</sup> tenure he had 2/3 rd. majority
  - ▶ 13<sup>th</sup> Amendment
  - ▶ Nuclear tests
  - ▶ Vajpayee s Lahore Visit & Lahore declaration 1999
  - ▶ Kargil 1999
  - ▶ New wave of sectarian militancy 1999
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## 6 point formula

- ▶ Mujeeb hired the services of top economists & academicians
- ▶ He wanted to get that approved from NA after success in elections
- ▶ West Pakistani politicians & establishment assumed it as succession plan



## Judicial activism

- ▶ Vocal response to the remarks of Judges
- ▶ To bring judiciary under pressure
- ▶ To make credibility of court controversial



## Electoral reforms

- ▶ THE Elections Act, 2017—major milestone in electoral reforms
- ▶ greater administrative & financial autonomy to the (ECP)
- ▶ more effective participation of women in the electoral process besides bringing eight election-related laws into the act.



- ▶ 1947 to 1955, 22 provincial cabinets were dismissed or forced to resign — five in East Bengal, four in Punjab, four in NWFP, and eight in Sindh. No government was changed through a no-confidence vote in the provincial legislatures.

