

Hide-and-Seek Politics of PNA vs. Counter Strategy of Power Resumption: Estimation of General Zia's Measures Before Non-Party Elections 1985

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Abstract:

The fervent and startling 80s were fateful for the opposing Pakistan National Alliance (PNA) as their strategies against Z. A. Bhutto (1928-1979) and General Zia-ul-Haq (1924-1988) failed one after the other. Zia emerged as the master controller of nation's destiny and his stratagem worked effectively to cope with the national and international circumstances. He equivocally turned the Russian intervention into Afghanistan into his favor. He not only consolidated his rule but also proved capable of curbing any political movement against him whatsoever it be PNA or MRD—the Movement for Restoration of Democracy. The research paper entails the hide-and-see politics [the term once coined by the US President Woodrow Wilson (1856-1924) in 1910] of the said alliance and the counter strategy of power resumption launched by General Zia-ul-Haq, the then Chief Martial Law Administrator. There are a number of lessons for future lot of politicians.

Keywords: Hide-and-Seek; Counter Strategy; Power Resumption; PNA; MRD; Bhutto; Zia; Constitution of Islamic Republic of Pakistan 1973.

Introduction

The middle-class movement led by the Pakistan National Alliance (PNA) gave way to another military coup on 5 July 1977. General Muhammad Zia-ul-Haq took over the administration of the country by declaring martial law. The coup took place soon after a press conference, held by Mr. Zulfikar Ali Bhutto, in which he had offered to reopen dialogue with opposition about the minor details of the agreement, already reached between the two parties i.e. the government and the PNA (Dawn, 1977) This trust deficit paved way for unconstitutional forces, giving an air that the politics had failed, hence General Muhammad Zia-ul-Haq, Chief of the Army Staff (COAS) suspended the 1973 Constitution, followed by the dissolution of federal and provincial cabinets, national and provincial assemblies and declared himself the Chief Martial Law Administrator (CMLA). The Prime Minister Bhutto and the opposing PNA leadership were taken into 'safe custody'. (Dawn, 1977) General Zia, later in his address to the nation gave reasons for his measures, by asserting that the hide-and-seeK politics of both government and opposition led the country to constitutional crisis and he had to intervene as the armed forces could not sit as 'silent spectators' in the greater interest of the nation. Moreover, he denied any future ambitions as the armed forces would resume their professional duties once the current situation got normalized. (Dawn, 1977) In his views, the coup was only a step to fill in the vacuum created by the political leaders. He called himself 'a true soldier of Islam', stepped in for a sole aim to organize a free and fair election in October 1977, and to restore constitutional democracy. (Ahmad M. , 1980) Zia assured the nation that the armed forces would remain neutral in the furthering electoral process and would go back to the barracks soon after the resumption of democracy. (Raza, 1997) Thus General Zia turned the untoward national

and international circumstances in his favor and used its counter- strategy well in terms of how and when.

Consolidation of Martial Law and Measures to Counter National and International Pressure:

In order to play his cards well, at the first hand, General Zia set up a 4-member Military Council (MC) comprising Chairman Joint Chiefs of Staff Committee (JCSC) and 3 military chiefs. For assistance in policy making and better administration the services of some capable generals and civil servants were also rendered and also a number of rigorous martial law regulations (MLRs) were brought into force. (Zafar, 2001) In addition; special military as well as summary courts were established to curb the opposition of any kind. The severity of the action could be estimated by the fact that the decisions of these courts in no way be challenged in any court of law.

Apparently, General Zia projected himself a reluctant ruler like his predecessor military echelons, but his real intention soon came to lime light within the one month of his takeover when he postponed the October 1977 General elections for the sake of accountability of corrupt politicians. As per Safdar Mahmood (2000), Zia initially termed his coup d'état a 90-day game but after consolidating his position he extended it to the longest ever military rule which in turn damaged the very socio-political fabric of the country. (Mahmood, Pakistan: Political Roots and Development 1947-1999, 2000)

Mr. Z.A. Bhutto, who was initially released on 28 July 1977, was rearrested on 3 September 1977 in connection with the murder of Mr. Ahmad Raza Kasuri's father, Nawab Muhammad Ahmad Khan. (SM Zafar, 2001) Martial law administration faced legal confrontation by Mrs. Bhutto's petition filed before the Supreme Court in which legitimacy of Zia's coup was challenged. (Dawn, 1997) All his subsequent actions including Martial law order No. 12 detaining Mr. Bhutto and his colleagues. (Ziring, Pakistan in the Twentieth Century: A political History, 1997) However, the Herculean sword of the doctrine of necessity justified the military coup d'état. (Saleem A. , 2005) The Supreme Court also issued a directive to the CMLA to arrange for the early

holding of elections. (Hamid, *Autobiography of a General*, 1988) After declaring legitimate by the Supreme Court, Zia became more ardent to get rid of Z.A Bhutto. He set up special military tribunals for trying members of the Bhutto regime. As a result, majority of PPP leadership and its ministers was disqualified and punished. (Saleem, 2005) A special tribunal under justice Shafi-ur-Rehman of the Lahore High Court was set up to probe into all specific charges of corruption, abuse of power during Bhutto regime. (Azfar, "Constitutional Dilemmas in Pakistan, 1991) Zia government published a series of white papers focusing the conduct of elections, misuse of media, personal conduct of former ruling party, treatment of fundamental state institutions, misappropriation of the state-power, etc. (Azfar, 1991) In addition, a murder trial of Mr. Bhutto was reopened in the Lahore High Court, and it was through this case, Zia finally got rid of Mr. Z.A Bhutto by executing him on 4 April, 1979. (Dawn, 1979)

General Zia, on October 16, 1979, after tightening the grip over the country politics finally called off the elections announced for November 17. (Dawn, 1979) The limited political activity allowed until then was ceased and all political parties were outlawed, sealing their offices and freezing their funds. All strikes, processions and meetings were strictly banned. Several political leaders were detained. (Dawn, 1979) Opposition newspapers including pro-PPP *Musawat* of Lahore and *Saddaqaat* of Karachi were closed. The rest of the press was put under strict censorship. Even the foreign press was asked to extend cooperation with the government. Zia, who intervened into the country politics on the name of "Operation Fair Play" planned, changed it into an unfair play. Apparently Zia came without political ambitions but from the very start he took a number of measures to consolidate his rule, including the delaying tactics about holding elections, extending the friendly bound toward politicians, by manipulating carrot and stick policy in order to get cooperation regarding the execution of Z.A Bhutto. (Hamid, 1988) He asserted that the ushering of martial in the true form was purposely an acceleration of the effects to enforce Islamic measure, holding of a reasonable

prime line for essential consumer items and setting up economic development leading to national prosperity and integrity. (Hamid, 1988) According to Lawrence Ziring (1997)“Zia made repeated attempts to assure his more adroit citizen that his Islamization programme was genuine and was aimed at neither destroying his rivals, nor perpetuating his rule”. (Ziring, 1997) But there was a great contradiction between theory and practice. K.M. Arif’s observation further supports this fact. He is of the view that all the CMLAs to date were absolutely authoritative as they, although wore presidential hats as it was a multifold requirement, derived their source of power from abrogating or at least suspending the Constitution. Hence, their position was illegitimate above any accountability. (Arif, “The Role of the Military in Politics: Pakistan 1947-1997” , 2000)

Earlier Zia skillfully utilized the energies of the PNA movement in his favour in order to consolidate his rule. Some people from the opposition ranks got opportunity to join Zia’s so called civilian government with an intention to introduce as well as consolidate the Islamic Socio-economic System (*Nizam-i- Mustafa*) in the country as well as for securing a final but firm date for holding the general elections. PNA movement was in fact, hijacked by General Zia’s ambitions of introduction of Islamic system. But Zia contrary to their expectations introduced severe form of martial law in 1979 and used the name of Islam to ensure his vested interests. (Ahmad M. , 1988) He soon got rid of PNA leaders who resigned in trap the make preparation for participation in the forthcoming general elections, that were never held and the PNA had to lick the dust. (Ahmad M. , 1988) Instead, Zia in these two years tried his level best to change the political land-scope of the country within the framework of the then existing political system. Successive dates set for the holdings of elections were changed and various political parties either promoted or demoted. (Arif, 2000)

The procedure to change the existing electoral system that started right from Zia’s intervention, culminated on 13 September 1979. (Dawn, 1979) He issued a Presidential order in which proportional representation was introduced. It

required the political parties to field their candidates in 192 national Assembly and 640 Provincial legislature constituencies. Interestingly, the candidates securing the highest votes in their respective constituencies were not to be declared elected. Instead, the parties' quota in the legislature was to be determined by totaling the votes polled by the candidates of each party. In the Presidential order a provision was added that a party was to secure at least 5 per cent of the national total in order to be represented. (Review, 1979) Critics called this system a replica of the West German Model with some inevitable amendments. Furthermore, the presidential order demanded the regularization of political parties to the EC which, in turn, could refuse registration on the allegations of antagonism to military, judiciary or ideology of the country. The political parties through this presidential order were required to hold intraparty elections and ensure internal scrutiny. (Yousaf, Pakistan: A Study of Political Developments 1947-1997, 1998)

Clearly no party at time was capable of fulfilling the criterion specified by the Zia Government and it required three to six months to meet the terms for registration and to qualify for participation in the polls announced for 17 November 1979. In these conditions, the Presidential order was severely resented by almost all the political parties and termed it a delaying tactic to postpone the elections. (Times, 1979)

On the other hand, Zia managed to ease the public pressure by holding local bodies elections on 25 and 27 September 1979, well before the announced polls of 17 November 1979. The results of the local bodies elections threatened General Zia on account of the victory of the pre-PPP candidates. Muhammad Waseem (1989) while analyzing Zia's decision of postponing elections observes that "The impetus of his (Zia's) decision came from the victory of the pro-PPP elements, the *Awam-Dost* (friends of the people), in the local body elections held on 25 and 27 September 1979. Elections of many of the successful contestants were subsequently disputed in High Courts leading to unseating of quite a few of them. However; the PPP's electoral stance

and potential was the prime focus of presidential moves in order to secure his position. (Waseem, *Politics and the State in Pakistan*, 1989) Zia termed these local polls as truly Islamic on the plea that these polls would bring about sincere and effective national leadership that was not possible to emerge through general elections based on the normal party system. Zia's decision to hold municipal polls before general elections raised a storm of criticism even among his erstwhile allies the PNA that accused him of following his predecessor General Ayub Khan who once used this forum, contrary to its mandate, for the consolidation and extension of his rule.

Zia wanted to create an electoral college comprising local body members but without PPP element so that it could be utilized effectively when required. Hence the PNA altered its policy of 'accommodation' with open confrontation to the Martial Law Regime. (Arif, 2000) PNA, however, was by no means capable of checking PPP's inroads to the public popularity because it had lost its legitimacy by supporting the martial law regime. Again, to quote Waseem "the PNA's support base had been rapidly eroded as their potential for extending protection to the interest groups dreading the PPP's come back was increasingly distrusted. The dynamics of the institutional structure underlying the state system of Pakistan seemed to bounce back with full vigor. The martial law government showed both the capacity and willingness to mobilize its institutional resources to block the way to a PPP victory in elections. As for the PNA, its regional and religious parties had a limited constituency which did not command the sympathy of the establishment in term of long-term solution of the political crises." (Waseem, 1989)

The municipal polls results were awesome because they gave an overwhelming majority to the independent candidates in disguise. The polls although held party-less basis, yet they gave way to more than 50 per cent seats to pro-PPP candidates be rids all kinds of enticement of martial law regime. (Waseem, 1989)

The local election 1979 was a good indicator of active participation of country's electorates. Voters' participation was enormous, indicated by the sheer size of the turnout,

demonstrating severe disgust for the military rulers. The electorates gave their verdict against the legitimacy of status quo, despite all kinds of stratagem to exclude the PPP from the political process the *Bhuttoism* remained triumphant and proved a crushing blow to the martialic future designs. General Zia in retaliation postponed the general elections. Fearing that the outcome would be repeated, he took a firm stand that the country did not need elections for the sake of elections only. (Dawn, 1979)

Dilemma of legitimacy eventually led Zia to establish an alliance with the conservative elements in the country. Zia had already experienced it in the days following the Bhutto's execution by offering posts to PNA leaders in the federal cabinet. Again, some parties of PNA including JIP and PML (Pagara Group) were re accommodated providing legitimacy to an already under pressure martial law regime. This legitimacy encouraged Zia in 1980 to reshape the existing political culture. He promulgated Provisional Constitutional Order 1980 (later amended and refined as PCO 1981) under which a body of advisors (*Majlis-i-Shura*) was created as an alternative to the cabinet with its unscrupulous helpless nature. (Baxter, 1984)

Zia, unlike his military predecessors, asserted upon a conservative ideology with a view to Islamize the polity because the circumstances left no option for him except the abrogation of entire political system through low-pace process of Islamization. The process began with the suggestion of separate electorates for Muslim and Non-Muslim voters, and the promulgation of *Hudood* Ordinance 1979. It was in its real essence, a politically motivated attempt, however sufficient enough to win support from conservative quarters of the public and optimum legitimacy for the military rule.⁴³

After ensuring political stability, Zia paid special attention to secure legitimacy on the international scene. For this purpose, he established close links with the Middle East countries. Zia regime closely identified itself with the Saudi Government, provided military training to officers from various Muslim countries and in turn got huge financial assistance from Saudi Arabia as well as other Muslim

countries. Pakistan, during Zia's period also secured huge financial and military assistance from USA enabling the regime to prevent the country from facing a total economic collapse, as well as correcting the military imbalance between India and Pakistan.⁴⁴ Furthermore Russian invasion (1979) on Afghanistan helped Zia, on one hand, in securing US aid as well as in consolidating his regime on the other. Hugh Tinker entails the whole situation by asserting that General Zia although promised early elections but later he termed them un-Islamic as a stroke of his stratagem thereby alarming those who termed him 'simpleton' rather he proved himself a 'shrewd political operator. General Zia's position on both national and international fronts unexpectedly changed due to Russian intervention into Afghanistan in December 1979. Tinker also analyzed both national and international repercussions of the invasion and discussed US policy of 'Vietnam vs. Afghanistan', a long cherished dream of US to level the score with USSR. So, the year 1979 thus constitutes a watershed in the career of Zia-ul-Haq when he threw down his apron of an interim administration and came out boldly with a stance of establishing an Islamic State thus he would hold elections on non-party basis in the due course of time. (Omar, 1988)

With this mind-set General Zia, on 24 March 1981, promulgated the Provisional Constitutional Order (PCO), stressing that interim provisions were the call of the time and the PCO would provide necessary safeguards to face the threat to the sovereignty and integrity of the country and its ideologue. (Dawn, 1981) In PCO, a Federal Council (*Majlis-e-Shura*) was suggested to setup which was to be consisted of persons chosen by Zia's wishes. Apparently, the purpose of the *Shura* was to assist the administration and debate over the acts of Martial Law but only those political parties were considered to participate in it which had been registered with the Election Commission. The real purpose of this provision was to keep the unregistered PPP out from future political activity. Also, the future politics were to be confined to those groups and organization which were acceptable to the military. The PCO offered presidential powers in order to dissolve any such organization if it, in his opinion, would be

working against the security and ideology of the nation. Besides, PCO had an incision on the powers of the courts requiring an oath of allegiance from the judges of all the courts, failing which were ceased to hold their office. (Mahmood, 2000)

MRD Replaces PNA:

Zia's strategy worked well but the opposition parties did not sit in silence. They were trying to accumulate their stray energies in order to reorder their house. General Zia enjoyed an autocratic position for next five years (1979-1983) until the Movement for Restoration of Democracy (est. 1981, hereafter MRD) challenged his legitimacy. (Arif, 2000) Besides in USA, the policy towards Pakistan was under strong criticism and the pressure was mounting on Zia with an urge to restore democracy in the country. Senators John Glenn and Claiborne Pell and Congressman Stephen Solarz had continuously been condemning the Zia's dictatorial regime. They also pressed the US Administration for curtailing aid and returning power to democratically elected representatives. In 1981, a number of political parties organized themselves as the MRD. By mid-1983 they decided to launch a civil disobedience campaign against Zia with the view to force him to hold elections. (Khan, 2001)

Earlier Zia had gone through a failed experiment of establishing his (first & nominated) *Majlis-e-Shura* in December 1981. It met a month later in January 1982 but served little purpose to the people as well as the President, in as much as its members were quite vocal in denunciation of various government policies and their effective implementation but were unable to expurgate the government or seek its removal. Hence the government was forced seriously to consider the option of controlled democracy obtained through an elected *Majlis*.

Faced with the mounting domestic and international (especially US) pressure, General Zia announced a new plan on 12 August 1983; interestingly made public just two days before the MRD was to launch its movement. The August plan, as it came to be known, contained the road map of a future constitutional structure for the country. The major components of the plan were:

1. Fresh elections (non-party basis) for both national and provincial assemblies would be held by March 1985.
2. These elections by no means would disturb the power balance.
3. For power-sharing, special constitutional measures would be arranged. (Yousaf, 1998)

The August 1983 plan was although a step towards constitutionalism, yet question was still there, if the representative system was to be restored by the military regime, it would be in what form and how best the position of the military and, above all, of General Zia could be safeguarded. (PEER, 1983) In other words, he was still in the quest of legitimacy but this time through constitutional measures. The proposed amendments to the 1973 constitution envisioned an authoritative president of the country, with immense constitutional powers in hand, equivocally capable of dissolving the national assembly, would appoint Governors and send any constitutional bill back to the NA for its reconsideration. Hence, there was no doubt that he, fatefully, would be the next President of the Country. Hamid Yousaf while analyzing in the pursuit of Zia's previous conduct, observes that, "As might have been expected Zia's proposals announced on 12 August caused utmost frustration. First, his promise to hold elections after more than 18 months caused no enthusiasm. It also met with disbelief in view of Zia's record of broken pledges. Secondly, the proposed amendments implied a fundamental alteration of the Constitution by the arbitrary will of one man and could not be acceptable to the political parties which had been agitating for the restoration of the national document in its full integrity". (Yousaf, 1998)

In order to materialize the power-sharing plan, Zia proposed some fundamental changes in the Constitution 1973. These changes suggested that:

1. In the restored Constitution, after certain amendments, there would be no new role of the Armed Forces.

2. Elections would be held for national and provincial assemblies followed by the Senate elections as per procedure.
3. Martial law would be lifted after completion of the entire process by 23 March 1985.
4. Chairman of the Joint of Staff Committee and other three chiefs would be appointed by the President as he would be the supreme commander of the Armed Forces.
5. PM would also be appointed by the President and after appointment he would seek the vote of confidence with 60 days.
6. The President could disband the NA if in his opinion; the PM had ceased to enjoy the support of the majority leading to fresh elections in the time span of seventy-five days.
7. Any bill could be sent back to the National Assembly for reconsideration if President deemed so
8. The President would not declare emergency in the country without consulting the National Security Council (NSC) whose composition and number of members was to be announced later. He would also select Governors of the Provinces and the CEC. (Yousaf, 1998)

Conclusion

Apart from the question of legitimacy whether Zia was going to secure or not, after altering the basic character of the Constitution, the nation had to pay a heavy price for ensuring the civilian rule which was yet under cloud. The office of the PM just proved to be a puppet, subordinated to the presidency. Lawrence Ziring (1997) termed it as the return of the British Raj in which the President had replaced the Viceroy with extraordinary powers to enjoy. (Ziring, 1997)

Zia did not obscure the fact that the Prime Minister would serve at the exclusive pleasure of the President not the parliament. The legislators were to be directly elected; the President would not be. Avoiding Ayub's Electoral College system, Zia's President would be elected by the combined

vote of the National Assembly and provincial legislatures. Consequently, President Zia ul Haq won his own survival and continuance into the power corridors which by no means, rely upon the newly elected assemblies. These conditions led to Zia's most abrupt decision to hold a national referendum which, in turn, provided him legitimacy to hold the reigns of the country until his sudden demise in 1988.

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