CIVIL MILITARY RELATIONS IN CONTEMPORARY PAKISTAN

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Governance in Pakistan is a delicate balancing act between the military chiefs and the elected civilian government. It is a power-sharing arrangement whereby the military has important influence over foreign, security and key domestic issues, and mediates confrontations among feuding political leaders, parties or state institutions- if such confrontations are deemed threatening to political order and stability. Although the civilian government enjoys considerable autonomy for political and economic management and exercise of state authority, it is expected always to consider the military's sensibilities. The military has repeatedly demonstrated that it can and will influence the nature and direction of political change without necessarily assuming power.

How to cope with this kind of 'soft' military intervention is a common dilemma for civilian leaders of states that have experienced prolonged military rule. The civilian regimes that succeed military rule face serious identity crises. On the one hand, these governments want to prove that they are not under the tutelage of the military and can act autonomously. On the other hand, they cannot afford to alienate the military leadership, whose support is crucial to their survival. Their task is complicated by the fact that the top brass are loath to surrender the power and privileges that they enjoyed during the years of military rule. The military ensures that there are sufficient constitutional and political safeguards to sustain their entrenched position in the period after their withdrawal from direct rule. Extended military rule in a multi-ethnic and diversified society also increases political fragmentation and creates vested interests supporting authoritarian and non-democratic political arrangements. These conditions make the task of political management difficult for any post-martial law civilian regime aiming to establish its credentials as a genuine democratic government while not alienating the senior commanders.

The Transition to Civilian Rule

The ascendancy of Pakistan's military began shortly after the country achieved independence in 1947. The rapid degeneration of the political process enabled the military to become an important decision-maker at the national level, culminating in the direct assumption of power by the Army Chief, General (later Field Marshal) Ayub Khan, through a coup in October 1958. He ruled under martial law until June 1962, when he civilianised his regime by co-opting some politicians and establishing a constitution which legitimised the continuation of his rule after the withdrawal of martial law. A second coup was staged in March 1969' by General Yahya Khan, who surrendered power to an elected civilian leader in December 1971' after the military debacle

in the 1971 Indo-Pakistan war. The military overcame the trauma of defeat within a few years, and General Zia ul-Haq reasserted military dominance by overthrowing the civilian government in July 1977. He presided over the longest period of martial law in Pakistan's history (July 1977 December 1985) and handed power over to a civilian government through a carefully managed disengagement.

The civilian system that replaced Zia's military rule in 1985 enabled the military to shift its emphasis from overt 'rule' to a more subtle, but still ubiquitous 'role'. Instead of exercising power directly (although the coup option is still available), the military has become a formidable political actor, influencing the nature and direction of political change. This planned transition began when Zia introduced far-reaching changes in the 1973 Constitution, emphasising an all-powerful President (Zia himself) and a weak Prime Minister.

> The Constitution was also amended to allow Zia to continue serving as Army Chief after the restoration of civilian rule (making him Pakistan's longest-serving Army Chief, from March 1976 till his death in August 1988). He created the semblance of a participatory system by setting up a parliament through non-party, regulated election and installing a docile Prime Minister, Mohammad Khan Junejo.

Zia saw his relationship with the Army as crucial to his survival and thus guarded its professional and corporate interests. He underlined his primacy in the political process, not merely through his enhanced presidential powers, but also by projecting his position of Army Chief as a 'bridge' between the newly established civilian government and the powerful armed forces.1 He periodically lashed out at the civilian government to keep it in line. When the Prime Minister tried to assert his autonomy, Zia sacked him in May 1988, thereby demolishing the civilianised system he had created. He was trying to co-opt another set of civilian leaders who could serve as 'adjuncts to military supremacy' when he was killed in an air crash in August.2

The military's decision not to assume power after Zia's death led to the holding of multi-party elections and subsequent transfer of power to a civilian government in December 1988.3 Since then, the Army Chiefs have emphasised professionalism and no direct involvement of soldiers in politics; they have generally supported the democratic process and civilian governance.4 This

support is tactical, however, based on a realistic assessment of the political situation. It does not change the fact that they are central to the political process.

A Pivot in the Power Structure

The Army Chief is a pivot in Pakistan's post-1988 power structure. Together with the President and the Prime Minister, he constitutes one-third of the 'Troika' -an extra-constitutional arrangement for civilian-military consensus-building on key domestic, foreign policy and security issues. The Troika meets periodically; senior military and civilian officials are summoned to give briefings relating to the issues under discussion. The Army Chief also holds meetings separately with the President and Prime Minister on political and security affairs. Another institution that has gained prominence is the Corps Commanders' meeting. Presided over by the Army chief, this conference includes top commanders, Principal Staff Officers at the Army Headquarters and other senior officers holding strategic appointments. Its members not only discuss security and organisational and professional matters, but also deliberate on domestic issues such as law and order, and general political conditionsÑespecially when the government and the opposition are engaged in intense confrontation. These discussions are intended both to underline senior officers' political concerns and to develop a broad-based military consensus. Executing the consensus decisions is left to the Army Chief, thereby strengthening his position when he interacts with the President and the Prime Minister.

A smooth interaction among the Troika members ensures the military's support for the Prime Minister, which contributes to general political stability. If serious differences develop among these key players, political uncertainty and instability are likely. The Prime Minister - the civilian side of the power equation - can find him or herself in a difficult situation. The military is well placed to exert pressure on him. Furthermore, the 1973 Constitution, as amended by Zia in 1985, greatly strengthened the position of the President vis-a-vis the Prime Minister, making it difficult for the latter to emerge as an autonomous power.

The Prime Minster's position was boosted somewhat by an April 1997' Constitutional amendment curtailing the President's powers so that he cannot dismiss the Prime Minister. However, so long as the Prime Minister presides over divided and mutually hostile political forces, he will have to work in harmony with the President - and the Army.

The military's primary consideration is not direct exercise of power, but protection and advancement of its professional and corporate interests. If these interests can be protected, it would prefer to stay on the sidelines. Given military's political experience, organisational resources and institutional strengths, its senior commanders are reasonably confident that they can pursue such a strategy. The senior commanders are willing to negotiate their interests and accommodate the civilian leaders. What is not acceptable to them, however, is a frontal attack on their institutional and corporate interests as they define them, a deliberate campaign to malign the military, or unilateral decision-making by the civilian leaders on matters which directly concern them. They will not support a discredited civilian government nor allow the military's name to be used by civilian leaders, whether in government or in opposition, in their power struggle. The scope for manoeuvre for the civilian leaders can thus expand if they establish a

relationship of trust and confidence with the military.

The Military's Interests

Among the Pakistani military's major interests and concerns, six stand out:

■National security is obviously paramount. During the Zia era, the military directly controlled nuclear policy and the conduct of the Afghan War. Nuclear policy has remained their close preserve, even under civilian rule. Benazir Bhutto complained in September 1991 that she was denied information about highly sensitive aspects of the country's nuclear programme during her first term as Prime Minister. The role of the Foreign Office and the civilian leadership in formulating and implementing the Afghanistan policy increased after the 1989 withdrawal of Soviet troops, but senior Army commanders and the Inter-Service Intelligence (ISI) continue to have a significant input. Similarly, the Army maintains deep interest in policy towards India, including Kashmir. The military elite are not opposed in principle to Indo-Pakistani rapprochement, but they are concerned that the civilian government not ignore what they see as New Delhi's 'hegemonic' agenda. Strong and credible conventional defence and nuclear-weapons capabilities are considered vital to ward off Indian pressures and to enable Pakistan to conduct independent foreign and domestic policies. Unless the military is satisfied that there are credible guarantees against India's efforts to interfere, it will resist surrendering its nuclear-weapon option and advise caution on normalising relations. Furthermore, the military-like most civilian policy-makersÑwill not want to improve bilateral relations unless India addresses the issue of Kashmir.

■Overseas weapons and equipment procurement is another military interest with foreign-policy implications. The three military services thus press the civilian government to pursue foreign policy to facilitate this objective.

■Military autonomy and civilian non-interference in internal organisational matters and service affairs is jealously guarded by senior commanders. The service chiefs generally resist any Ministry of Defence tampering with their personnel recommendations, including promotions, transfers and postings. Military leaders view their autonomy and civilian non-interference as crucial in maintaining service discipline and professionalism. If the political leaders are able to make in-roads into the military and establish their lobbies, the senior commanders think, the military's overall discipline, organisational coherence and institutional capacity to cope with the political environment will be compromised.

■The military is opposed to any unilateral cut in defence expenditure by civilian leaders. Its senior commanders are prepared to discuss budgetary issues with their non-military leaders, but they are opposed to critical public statements by government leaders or to any reduction that has not previously been cleared with them.

■The repeated exercise of power under martial law has enabled officers to accumulate considerable perks and privileges, which the military inevitably wants protected - along with generally improving service conditions.

■The military also expects a civilian government to ensure socio-political stability. The senior

commanders therefore constantly review the government's political and economic management, especially its interaction with the political adversaries, the handling of law and order, and such issues as corruption, use of state machinery and patronage. Army Chiefs have not hesitated to comment publicly on the political situation, advising political leaders to put their house in order, not to crush their opposition, to settle contentious issues through political means and negotiations, and on the need to establish a corruption-free, transparent and effective administration. Their interest in these matters stems from the assumption that a polity in turmoil cannot sustain a professional military. Furthermore, with the military's industrial and commercial activities expanding through its four welfare foundations, the government's economic and industrial policies have also acquired direct relevance.5

On a number of occasions, top Army commanders have used their influence to moderate a conflict among the politicians and/or forced them into a settlement when they felt that a confrontation would cause a major constitutional or political breakdown. They supported the President in removing civilian governments in August 1990, April 1993 and November 1996, having concluded that these governments could no longer ensure domestic peace, stability and order. In December 1997, on the other hand, the Army ultimately supported the Prime Minister in his bitter confrontation with the President and the judiciary.

The Military and the Intelligence Agencies

The military also relies on intelligence agencies to influence the political process. Using intelligence services to monitor dissident political activity is nothing new in Pakistan. However, the role of the Military Intelligence (MI), the ISI and Intelligence Bureau (IB) increased during the Zia era. While the MI is a purely military agency, the ISI might be called 'semi-military'. The ISI's Director-General is a serving Army officer (a Lieutenant-General or Major-General), but he is appointed by the Prime Minister and reports both to the civil and the military authorities. The IB is a civilian agency. Although the MI focuses on military-security related affairs, it overstepped its domain during the Zia years by becoming involved in domestic political activity and undertaking some political assignments similar to those given to the ISI. It also counter-checked the intelligence gathered by the ISI and other agencies and played an important role in implementing orders to dismiss the governments in August 1990 and November 1996.6

The ISI and the IB have been more active in domestic politics. The former gained prominence due to its association with the Afghan War and the close links it cultivated with the US Central Intelligence Agency (CIA) in a 1979-80, which enabled it to amass sizeable material resources.7 Since the withdrawal of the Soviet troops from Afghanistan, the MI and the ISI have focused more on domestic Pakistani affairs, the latter working to implement the military's political agenda. In the 1988 general elections, Army leaders directed the ISI to help to establish a right-wing political alliance to counterbalance the expected victory of Benazir Bhutto's Pakistan People's Party (PPP). The ISI arranged the reunification of the Pakistan Muslim League (PML)'s two faction, and then encouraged a number of other parties to join the PML to set up an electoral alliance, named Islami Jamhoori Itehad (IJI). The ISI remained associated with the IJI election campaign and helped to coin anti-PPP slogans.8 In September-October 1989, two ISI officers launched Operation Midnight Jackals in a bid to sway PPP members of the National Assembly to back a vote of no-confidence against the Bhutto government.9 Similarly, the agency played a

role in the switching the Mohajir Qaumi Movement (MQM)'s support from Bhutto to the opposition. However, Bhutto managed to survive the no-confidence vote. The ISI was again active in the October 1990 general elections. It obtained Rs 140 million ($6.45m) from a banker and distributed it mainly to the IJI and other Bhutto opponents.10 In the case of the October 1993 general elections, the MQM leaders maintained that they withdrew from the National Assembly contest under pressure from the Army and the ISI.

Information collected by intelligence agencies is used by the Army Chief to take up internal and external security issues in Troika meetings and in his individual meetings with the President and the Prime Minister. The President has also relied on such intelligence to formulate charge sheets against civilian governments he has dismissed. The Army authorities persuaded the caretaker government that was in power from November 1996' February 1997 to give the military greater say in the civilian IB's affairs, by inducting more Army personnel in the service, and giving the MI a greater role in it. Intelligence gathering has become increasingly important for senior commanders pursuing behind-the-scenes political intervention. These agencies have been used to support or oppose a particular political group and to encourage the government's adversaries to take it on.

Benazir Bhutto and the Military

Benazir Bhutto was in power twice - from December 1988-August 1990 and from October 1993-November 1996 - in each case heading a coalition government. Despite the military's distrust of the PPP, Bhutto was allowed to assume power in December 1988 (following Zia's death that August) after the PPP emerged as the largest party in the parliamentary elections. She made three major concessions towards the military: support for a five -year term for acting President Ishaq Khan, a Zia loyalist who enjoyed the military's support; retention of Lt.-Gen. Yaqub Ali Khan (Zia's Foreign Minister) in her cabinet to ensure continuity in Afghanistan policy; and a promise not to make unilateral reductions in defence expenditure and service conditions. She publicly lauded the military's role in restoring democracy and vowed to strengthen the armed forces by making resources available to them. The military budget continued to rise during both terms and her government worked closely with the military on Afghanistan and the nuclear issue. Her second government's efforts to improve relations with the US, especially the one-time waiver to the application of the Pressler Amendment in 1995-96, were appreciated by the military, enabling the latter to receive weapons and equipment withheld by the US since October 1990.11

Bhutto's relations with the military soured, mainly because of her government's political and economic mismanagement and bitter confrontation with her political adversaries that virtually paralysed the administration. Senior commanders also bridled at what they took to be civilian interference in the military's internal and organisational affairs.

The military considered its internal autonomy to be challenged by the civilian government's interference with appointments and transfers. The first dispute arose in May 1989, when the government changed the ISI's Director-General to reduce the ISI's involvement in domestic politics.12 Army Chief General Mirza Aslam Beg reluctantly agreed, but was annoyed by the Prime Minister's decision to appoint a retired Major-General instead of a serving officer, as was

traditional. General Beg also resented the government's efforts to persuade the Army not to press punitive action against the officers who had been removed from service for indiscipline after the execution of Benazir Bhutto's father, former President and Prime Minister, Zulfikar Ali Bhutto.13 A more serious row developed when the government unsuccessfully attempted to retire Admiral Iftikhar Ahmad Sirohi, Chairman of the Joint Chiefs of Staff Committee, in 1989. Similarly, the government's attempts to interfere with retirement and extension of some senior officers in June-July 1990 further strained civil-military relations.14 The military was also wary of Bhutto's keenness to cultivate India's Prime Minister, Rajiv Gandhi, during his visits to Pakistan in December 1988 and July 1989. Army intelligence sources collected enough evidence on the dialogue between the two leaders to lead the Army commanders to view her as unreliable on security matters.

The government's position towards the military was also weakened because of its disappointing political performance. It was so haunted by fear that the ruling coalition might collapse that the government spent most of its energies on sustaining its partners' support through political compromises, material rewards and corruption. Political freedoms increased during this period, but Bhutto was unable to adopt policies for long-term socio-economic transformation.15

The government and military also developed differences over how to handle a 1989-90 breakdown of law and order in Sindh, caused by ethnic divisions in the province. Army authorities, while assisting Sindh's civilian authorities, resented what they perceived as the government's attempt to use troops to settle its scores with political adversaries. In an attempt to distance themselves from the government, the Army commanders asked for no political interference in their work, permission to set up military courts, and the invocation of a constitutional article that restricted the superior judiciary's powers to enforce fundamental rights in areas under army control. The civilian government refused. This severely strained civil-military relations and the Army Chief issued several public statements on the Sindh situation with strong political overtones.16 The opposition political parties sided with the Army by supporting its demands, and the dispute went unresolved.

Most disastrous was the Bhutto government's confrontation with the Punjab, whose provincial government was controlled by the opposition IJI, with Nawaz Sharif as Chief Minister. The federal government and the Punjab's provincial government confronted each other on nearly every administrative and political issue, causing much confusion and uncertainty.

In the face of these developments, the Prime Minister's relations with the President deteriorated. President Ishaq Khan supported the military in its confrontations with Bhutto and criticised her political and economic management. The Troika broke down. After detailed consultations between the President and the Army Chief and a decision on the political situation in the Corps Commanders' meeting in late July 1990, the President sacked Bhutto in the first week of August.17

The Second Bhutto Government

Benazir Bhutto began her second term of office in October 1993' after her party and the allies won the largest number of seats in the National Assembly in the 1993 general elections. She

again headed a coalition but she had the advantage of having two provinces - Sindh and the Punjab - under the party's control. A PPP government was also established in the North West Frontier Province (NWFP) in April 1994. A PPP nominee, Farooq Ahmed Leghari, was elected President. Bhutto's relations with the military were much improved as her government studiously avoided interference in its internal affairs and considered its input on major security and foreign-policy matters.

What got the Bhutto government into trouble in 1996 was its abysmal performance in the civilian sector and its failure again to provide an effective and transparent administration. Ethnic violence in Karachi and Hyderabad intensified during 1995-96 as the MQM hardcore and law-enforcement agencies (the police and rangers) confronted each other.18 Amid this confrontation there emerged a nexus among organised crime, drug mafia, Afghan War veterans and the MQM. The result was increased violence, including indiscriminate killings by unidentified gunmen, arson and looting of government and private property. Unable to cope with the situation, the government gave a relatively free hand to the police and the rangers, who resorted to excessive force. There were serious complaints about human-rights violations as a number of accused died in police custody. There were also religious-sectarian killings, mainly but not exclusively in the Punjab, as two extreme groups of Shi'a and Sunni Muslims engaged in an armed gang war.19

The economy too began to falter in 1996, after reasonable growth during 1994 and 1995. Inflation, devaluation, price hikes, poor fiscal management and corruption added to the government's woes. The International Monetary Fund (IMF)'s pressures for structural changes, declining foreign-exchange reserves and the threat of defaulting on loan repayments dogged the government.

As in its first term, the ruling PPP and the main opposition, the Pakistan Muslim League (PML)-Nawaz (the former IJI) engaged in combative political discourse. It was a bitter struggle, and Bhutto created additional problems for her government by antagonising the top judiciary in an attempt to fill it with political appointees.20

The President expressed concern about deteriorating economic conditions and advised Bhutto to take effective measures against civil unrest and crime, including alleged corruption by her husband Asif Ali Zardari. The ensuing breach between the two became a complete rupture after Bhutto's estranged brother, Murtaza, was killed in a police shoot-out in Karachi in September 1996 and the Prime Minister hinted that this could have been done at the President's behest.

Army Chief General Jehangir Karamat interceded to defuse the conflict between the President and the Prime Minister, but he soon decided that Bhutto was not amenable to advice. By this time, Bhutto's popular base had eroded. The PPP was a shambles, it had been neglected by the leadership and the population at large was disaffected by inflation and general economic insecurity. The opposition parties organised street protests and demanded the government's dismissal. Under these circumstances, the President had no difficulty in enlisting the Army Chief's support to remove Bhutto from office21

As in 1990, this dismissal was carried out coup-style. The Army took control of the Prime Minister's house, all key government offices and media stations in Islamabad before the

President issued the dismissal order. Airports were closed for several hours, mobile phones and pagers were switched off, and the MI took control of the IB headquarters in Islamabad. The Army Corps headquarters in the four provincial capitals were open on the night of the dismissal and passed on the initial instructions of the Presidency and the Army headquarters to top civil servants.

Nawaz Sharif and the Military

Nawaz Sharif began his first term as Prime Minister in November 1990, with the endorsement of the President and leading military officers. Groomed during Zia's martial law, he won the appreciation of the senior commanders, thanks to his defiant posture towards the first Bhutto government.22 He maintained cordial relations with military leaders and did not reprimand the Army Chief, General Beg, for publicly opposing the government's pro-US policy during the 1991 Gulf War. A supporter of strong military deterrence, Sharif continued to allocate considerable resources to the military. And he left the military personnel's various perks and privileges alone. Nonetheless, civil-military differences once again emerged over appointments and transfers, maintaining law and order in Sindh, and the government's performance both at home and abroad.

Civil unrest in Sindh, which had caused problems between the Army and the two Bhutto governments, created similar strains for the Sharif government. Although the Army agreed to undertake a security operation in May 1992, it again balked at being viewed as an instrument of the civilian government. As the security operation was launched in rural areas, an opposition stronghold, Army commanders realised that the government wanted them to target PPP workers and that the local administration was protecting the pro-government elements. They also felt that the security environment could not improve unless similar action was taken in the urban areas. In June, the Army decided to extend its operation to the urban areas, resulting in a direct confrontation between the Army and the MQM activists who were entrenched there, and causing much embarrassment to the Sharif government, as the MQM was its ally. Some cabinet members publicly expressed strong resentment towards the Army decision, the Sharif government disowned these statements but the damage was done. Tensions were worsened by allegations that the government tried to 'buy off' the Army Chief and senior commanders with substantial material rewards. General Janjua, at a Corps Commanders' meeting in late 1992, referred to government efforts 'to corrupt the Army'.23

The military also worried about the government's foreign-policy performance. In October 1990, a month before Sharif assumed power, the US retaliated against Islamabad's nuclear programme by invoking the 1985 Pressler Amendment to suspend economic assistance and military sales to Pakistan. While agreeing that Pakistan should not unilaterally surrender its nuclear-weapon options, the military expected the government to devise a diplomatic solution for reviving weapons procurement from the US. Such a prospect was marred, however, as Islamabad and Washington diverged on issues of drug-trafficking and the activities of the Pakistan-based Islamic extremists - the so-called Afghan War veterans. In 1992, the US State Department placed Pakistan on the 'watch list' of states allegedly sponsoring terrorism (it was removed in 1993). The military, concerned about Pakistan's image abroad and keen to obtain weapons, felt that the

government was not doing enough to counter these unfavourable developments.

What kept the strains in civil-military relations under control was President Ishaq Khan's support for the Sharif government. He acted as a bridge and a buffer between Sharif and the top commanders. But this crucial relationship was damaged when, having successfully neutralised the PPP-led agitation in December 1992, Sharif's advisers decided to take steps to curtail the President's power.

The stage for a confrontation was set when the Army Chief, General Janjua, died of a sudden heart attack in January 1993. Sharif and his advisers insisted on appointing Corps Commander Ashraf as the new Army Chief. As his connections with Sharif were well known, the President used his discretionary powers to appoint the little-known General Abdul Waheed Kaker, to the position instead.

Sharif retaliated by declaring that his government would amend the constitution to deny the President this discretionary power. The ruling party subsequently indicated that it might not nominate Ishaq Khan for a second term when his term expired in late 1993, sparking a power struggle between pro-President and pro-Prime Minister camps. The main opposition party, the PPP, repeated its demand to hold fresh elections under a neutral administration.

The Army Chief tried unsuccessfully to mediate the conflict, but there was no respite. Sharif lost patience and accused the President of conspiring to dislodge his government in a national address on April 17 . The strategy of going public against the President did not help Sharif, but only alienated the top brass - already unhappy about the government's performance. As expected, the President moved decisively, first by seeking the blessings of the Army Chief. He then approached the PPP for support, which was willingly offered.

After securing his position, the President dismissed Sharif the next day on charges of corruption, nepotism, terrorising opponents, violating the Constitution and subverting the armed forces' authority.24 A legal battle ensued, and on May 26 the Supreme Court declared the Presidential order as unconstitutional and restored Sharif's government. The confrontation did not end. Much to the Prime Minister's dismay, the Punjab and NWFP governments were collaborating with the President, making it difficult for the restored federal government to function effectively. In a bid to oust the pro-presidential Governor and Chief Minister in the Punjab, Chaudhry Altaf Hussain and Manzoor Watto respectively, Sharif used his parliamentary majority to pass a resolution which called upon the President to hand over the Punjab administration to his own nominee. Without seeking the required approval of the President, the Sharif government issued a proclamation to implement the resolution. This bid failed because the Army Chief refused to make any paramilitary forces available to effect the change in the Punjab on the grounds that the presidential proclamation was unauthorised.

It was after this take-over bid that the Army Chief and other senior commanders decided to contain the crisis. In a July 1 special meeting, the Corps Commanders underlined the need to use constitutional and legal methods for resolving the crisis and suggested that, given the widespread demand for new elections, it would be desirable to hold them. These views were communicated to the President and the Prime Minister by the Army Chief. Meanwhile, the opposition, led by

the PPP, infuriated by the government's attempt to take over the Punjab government, declared that it would not accept anything other than new general elections and announced a 'Long March' to Islamabad to blockade the city until the government resigned.

The Army Chief and his senior staff engaged in hectic mediation between the President and the Prime Minister to develop a mutually acceptable formula for elections. The Chief also met Bhutto and persuaded her to withdraw her 'Long March' call. It was this intense military pressure that made the President and Prime Minister quit their offices simultaneously, making way for a caretaker government to hold new elections that brought in Bhutto for a second term as Prime Minister.25

The Second Sharif Government

Sharif returned to power in February 1997' after a gap of over three years. His government dominated parliament with over two-thirds of the seats in both houses. The PPP was reduced to 17 seats in the National Assembly and was almost destroyed in the Punjab's provincial assembly. Sharif's PML-N party also assumed power in three provinces - NWFP, the Punjab and Sindh. The President and the military elite welcomed the change, especially the magnitude of Sharif's success, hoping that he would be able to create a stable, effective and transparent administration.

Sharif adopted a new strategy during his second term using his numerical strength in parliament to secure his hold over power, undermining other Troika members and state institutions. He engineered the passage, in April 1997, of the 13th constitutional amendment, which withdrew the President's power to dismiss the government and dissolve the National Assembly. The amendment also assigned the Prime Minister a greater role in appointing service chiefs, thereby eliminating the President's discretionary powers. The 14th amendment, passed in July, enhanced the party leader's powers at the expense of party members in parliament and provincial assemblies by declaring that a member would lose his or her seat if he or she defected, violated party discipline or voted against the party. The party leader was the final authority in judging members' conduct on these matters with no recourse to the judiciary or any independent authority. This amendment in effect created a dictatorship for the party leader and insured Sharif against any intra-party dissension.

The parliament also adopted new legislation in May 1997' to dilute the autonomous character of the accountability process established by the caretaker government in November 1996 for dealing with corruption complaints against those holding high public offices. The power to appoint the Chief Accountability Commissioner shifted from the President to the Prime Minister. The latter's secretariat was assigned a key role in initiating and investigating charges of corruption, thereby making it possible for the ruling party to use the accountability process to pressure political adversaries.26

While taking these measures to strengthen its position, the government also took care to avoid triggering any negative reaction from the military. Before introducing the 13th amendment, the Prime Minister discussed the matter with the Army Chief, General Jehangir Karamat. Although the top commanders had valued the President's dismissal powers over the government - since this

was one avenue for the military to press for change - the Army Chief agreed out of respect for Sharif's electoral mandate. Similarly, General Karamat was consulted before the government asked the Naval Chief to resign after his alleged involvement in defence-deal kickbacks in April 1997, and on the appointment of a new Naval Chief. The government agreed to induct army officers between the ranks of captain and colonel on a permanent basis into the police, the IB and the Federal Investigation Agency (FIA) helping to satisfy long-term military aspiration for greater control over intelligence services.27 In March 1997, Lt.-Gen. Moeenuddin Haider was appointed Governor of Sindh within a week of his retirement, although the MQM, an ally of the ruling PML-N, wanted to hold the post. Another Lt.-Gen., appointed Governor of NWFP by the caretaker government in November 1996, was allowed to continue by Sharif. Finally, Sharif accepted Army's proposal to allow the Army Chief to hold simultaneously the post of Chairman of the Joint Chief of Staff Committee when its incumbent, Air Chief Marshal Farooq Firoz Khan, retired in November 1997.

The crisis that nearly destroyed the second Sharif government started with its confrontation with the judiciary. The crisis erupted when the Chief Justice, Sajjad Ali Shah, asked for the elevation of three Chief Justices and two senior judges of the provincial High Courts to the Supreme Court. The government nullified this recommendation by reducing the number of Supreme Court judges through an executive order. As the Chief Justice persisted in his demand, the government threatened to pass a law to legitimise the executive order. This dispute turned into a general confrontation between the superior judiciary and the executive. The government used its executive powers and control of the parliament and the media to discredit the Supreme Court, especially the Chief Justice, while the Chief Justice employed his constitutional authority and judicial powers to challenge the government.

Taking advantage of the crisis, opposition leaders filed several court challenges against Sharif and the constitutional changes he had introduced. The Supreme Court took up these cases and suspended the 14th amendment regarding party discipline and the defection of members of parliament. The government saw this action as an attempt by the Court to dislodge it from power. When, in response to bitter criticism from Sharif and other party leaders, the Supreme Court initiated contempt of court proceedings, the government retaliated by amending the contempt of court law in parliament.28 When the President delayed signing the new legislation by invoking his constitutional powers to keep the matter pending up to 30 days, the ruling party threatened to impeach him.

Some of the judges who diverged from the Chief Justice's strategy of confrontation were encouraged by the government to revolt. This caused the first ever split in the Supreme Court, with pro-government and pro-Chief Justice judges passing orders against each other. When government supporters mobbed the Chief Justice's court to disrupt contempt proceedings against the Prime Minister, the Chief Justice approached the President and the Army Chief to make troops available for the Court's security.29 As the President endorsed the demand, battle lines were clearly drawn between the government on the one hand, and the Chief Justice and the President on the other. The opposition parties supported the Chief Justice.

The Army leadership grew increasingly alarmed at these developments. It temporarily defused the situation by persuading the Prime Minister to appoint judges recommended by the Chief

Justice. Later, the Army Chief tried to restrain Sharif from impeachment proceedings against the President, but to no avail; the crisis escalated. Pro-government judges ordered the suspension of the Chief Justice. The Prime Minister then asked the President to appoint a new Chief Justice, which he refused to do. While the government repeated its threat to impeach the President, the Chief Justice restored the powers of the President to dismiss the government, the pro-government judges hurriedly suspended this order.

Without the Army's support, the President could neither avoid impeachment nor remove the Prime Minister from office. All previous government dismissals had been implemented through the Army. But this time, crucially, the military elite refused to side with the President. Removing the Prime Minister and dissolving of the National Assembly less than 12 months after the elections would have been awkward, especially because the government's support - both in parliament and outside - was still intact. The confrontation was expected to persist and any caretaker administration would have faced serious problems in holding new elections. Such a situation was bound to affect Pakistan's faltering economy. The senior commanders therefore felt that removing the President was the least problematic way to resolve the conflict. Realising that the Army would not support him, the President decided to resign.30 The Chief Justice was subsequently eased out when the acting President appointed a new Chief Justice proposed by the government.

The crisis exposed the continuing frailty of Pakistan's political and constitutional arrangements. The outcome can be interpreted as a success for Sharif, but it also underscored his dependence on the military. With a new, pliant President in office, Sharif may be tempted to use his parliamentary support to strengthen his position even further. However, in the face of serious political and economic problems, he will continue to need solid military support.

Conclusion

The military's decision to stay in the barracks after President Zia's death in 1988, began Pakistan's democratic transition. However, the four civilian governments that followed were troubled by the necessity of balancing democratic imperatives with the legacy of long military rule. These governments, dependent on fractious and diverse political forces, have had to contend with a powerful and disciplined military that guarded its professional and corporate interests jealously.

The military elite concedes that governance is not one of its primary tasks, and gives this right to the civilian leaders. But the military leadership also firmly believes that it must play an autonomous role, with input into important political decisions and that it must mediate when political competition between civilian groups appears disorderly. The elite is prepared to support a government as long as it ensures stability and effectively performs its duties towards the citizenry and the state, and does not threaten military interests.

This is a power-sharing arrangement, a hybrid between civilian and military rule. It has created a space for the political leaders and participatory political processes, it has expanded the scope of political freedoms; and the infrastructure of civil society is growing. However, sustaining this space and political leaders' room for manoeuvre depends on working harmoniously with the

senior commanders. The greater the confidence and trust between the two, and the smoother the functioning of the Troika, the better are the prospects for stability and continuity in the political process.

Civilian governments face numerous handicaps which make it difficult for them to command the political process fully. Pakistan's civil order and domestic political economy is in turmoil. Widening ethnic, regional and religious-sectarian cleavages, the after-effects of the Afghan War, and weapons proliferation, all pose serious challenges to the government.

Pakistani society is now so fractured, inundated with sophisticated weapons, brutalised by civic violence and overwhelmed by the spread of narcotics that it is no longer possible for any civilian government to operate effectively without the Army's support.

The Army is more deeply involved now than a decade ago in support activities for the civilian government: law-and-order tasks; relief and rescue operations after natural disasters; the use of its organisational and technological resources for public welfare projects; greater induction of its personnel in civilian institutions; anti-terrorist activities; and containing narcotics trafficking.

Competing political forces tend to be intolerant towards each other, thereby undermining political institutions and processes. There is no consensus among them as to how to keep the military out of politics. On the contrary, feuding politicians have not hesitated to use the military to dislodge their adversaries from power. In a situation of acute confrontation and crisis, the military can always find civilian support for its expanded role.

The military's position has also been strengthened because South Asia's regional security environment has not improved with the end of the Cold War. Pakistan's security predicament persists because of civil war in Afghanistan, and because Pakistan and India are engaged in an undeclared nuclear-weapons and missile race. Such regional insecurity increases the military's relevance to decision-making.

All these factors make it easy for the military to maintain its central role in the political process. The military's profile depends on the civilian government's performance - how it maintains economic and political stability and civic peace and order, and how it deals with the military's professional and corporate interests. The military's options increase if the government's political and economic performance falters, if it faces a crisis of legitimacy aggravated by popular unrest in the major urban centres, or if political competition turns nasty. The military retains the capability to veto Pakistan's transition to democracy.

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NOTES

1. Daily Jang (Lahore), 19 March 1986.

2. See Omar Noman, Pakistan: Political and Economic History Since 1947 (London: Kegan Paul, 1990), p.118.

3. For an analysis of the military commanders' decision not to assume power, see Hasan-Askari Rizvi, 'The Legacy of Military Rule in Pakistan'. Survival, vol. 31, no. 3, May-June 1989, pp. 255-68.

4. The Army Chiefs in question were Mirza Aslam Beg (1988-91), Asif Nawaz Janjua (1991-93), Abdul Waheed Kaker (1993-96) and Jehangir Karamat (1996 to present).

5. The military has four foundations which own industrial enterprises and engage in business and commercial activities. Their profits are used for the welfare of former service personnel and their families. They include the Fauji Foundation and the Army Welfare Trust (Army), the Shaheen Foundation (Air Force) and the Bahria Foundation (Navy).

6. Iftikhar H. Malik, State and Civil Society in Pakistan (New York: St Martin's Press, 1997), pp. 100-101. See also The Independent, 6 November 1996; and Daily Jang, 5 November 1996.

7. For the ISI's connections with the CIA, see Lawrence Lifschultz, 'Dangerous Liaison: The CIA-ISI connection', Newsline (Karachi), September 1989, pp. 49-54.

8. Army Chief General Aslam Beg admitted in a May 1995 interview that the Army did not trust the PPP in 1988. As the PPP was expected to win the elections, the Army decided to balance the situation by creating the IJI. See The Nation (Lahore), 9 May 1995

9. Speaking to the press after being removed from service, one of the officers involved in Operation Midnight Jackals said, 'toppling the Benazir government was not my own mission but I was assigned this task'. See The News (Lahore), 9 July 1994. For details of the operation, see ibid., 5 and 6 August 1994; 'The Anatomy of Operation Midnight Jackals', The Nation, 25 September 1992.

10. The then ISI Chief gave a list of people who received funds during the 1990 general elections to the National Assembly in June 1996. It included several prominent political leaders, among them Nawaz Sharif; Ghulam Mustafa Jatoi, caretaker Prime Minister at the time; and Mohammad Khan Junejo, a former Prime Minister. See Herald (Karachi), July 1996, p. 15. In February 1997, General Beg maintained that it was ISI practice to support certain candidates under the President's directions and that, in 1990, the ISI made funds available to the IJI. See The Muslim (Islamabad), 25 February 1997. Beg also maintained that the ISI distributed Rs 60m ($2.76m) to the political parties while Rs 80m ($3.69m) were used as a special fund. See Pakistan Times (Lahore), 17 June 1997; and Altaf Gauhar, 'The Mysteries of Secret Service Funds', The Nation, 6 May 1994.

11. The 1985 Pressler Amendment to the US Foreign Assistance Act made it obligatory for the US President to issue annual certification that Pakistan did not possess a 'nuclear explosive device' as a pre-condition for the release of economic assistance and military sales to Pakistan. In 1990, President George Bush refused to issue such a certification, thereby stalling new economic assistance and military sales to Pakistan from 1 October. This embargo also applied to weapons, military equipment and F-16 aircraft Pakistan had ordered and paid for before the above date. Under the 1995 Brown Amendment, the US administration released weapons and military equipment withheld since October 1990, but no new military sales were permitted. For 28 F-16 aircraft, the US was to refund Pakistan's money by selling these to some third country. As the US could not find a buyer, the F-16 issue is still pending; Pakistan is pressing for the refund of its money.

12. To the annoyance of the Army and the intelligence establishment, Bhutto appointed a committee headed by a former Air Force Chief, Air Chief Marshal Zulfikar Ali Khan, to review the working of the ISI and other intelligence agencies and to recommend measures to improve their performance. The report was not made public and there is no evidence to suggest that the government implemented any of its recommendations.

13. General Beg claimed in April 1995 that he controlled the urge to assert his authority as Army Chief three times: immediately after Zia's death in 1988; on the appointment of a retired officer as ISI chief; and when Bhutto sought reprieve for the dismissed Army officers. See Daily Pakistan (Lahore), 27 April 1995.

14. See Saeed Shafqat, Civil-Military Relation in Pakistan (Boulder, CO: Westview Press, 1997), pp. 228-29; and Samina Ahmad, 'The Military and Ethnic Politics', in Charles H. Kennedy and Rasul B. Rais (eds), Pakistan 1995 (Boulder, CO: Westview Press, 1995), pp. 103-31.

15. These freedoms included releasing a large number of prisoners sentenced by the military courts and partial relaxation of controls on electronic media.

16. Army Chief Beg said in a July 1990 statement that if the Army was given the necessary legal authority, it would restore 'absolute peace and harmony' in Sindh 'in the shortest possible time'. See 'Army in Aid of the Civil Power', Defence Journal (Karachi), vol. 16, nos. 7-8, July-August 1990, pp. 37-49, 57-58.

17. In dismissing the Bhutto government, President Ishaq Khan cited several grounds, including corruption and nepotism; wilfully undermining and violating Constitutional arrangements; usurping the provinces' authority; failing to maintain law and order in Sindh; and the National Assembly's inability to discharge 'substantive legislative functions' because of internal discord, dissension, corrupt practices and buying political loyalties by offering material inducements.

18. In May 1992, when Nawaz Sharif was Prime Minister, the Army resumed a security operation in Sindh under Article 147 of the Constitution which Bhutto inherited when she assumed power. The Army brought down the level of violence, but it could not fully control the situation. On 30 November 1994, the Army decided to end its operation and handed back responsibility to the police and the paramilitary rangers, although the civilian government wanted the Army operation to continue.

19. The Pakistan press covered the killings and other incidents of violence during 1995-96 in detail. The Herald and Newsline published several investigative reports on ethnic and religious violence in 1996.

20. In August 1994, the government appointed 20 new judges to the Punjab High Court. Thirteen of them were PPP activists; three were known for their political links with PML-Junejo (a coalition partner). Some of them had nominal, if any, High Court-level experience. See the report in The Friday Times, 11-17 August 1994.

21. The President gave nine major grounds for dismissing Bhutto's second government: widespread killings of innocent people, especially those in police custody; 'malicious' propaganda against the presidency and the armed forces with reference to Murtaza Bhutto's murder; delay in implementing the Supreme Court judgement on appointing judges; attempts to destroy the judiciary's independence; failure to separate the judiciary and the executive; bugging the telephones of judges, senior civilian and military officials; corruption, nepotism and breaking rules and administrative procedures; transferring civil servants on political considerations and inducting a cabinet minister who faced legal proceedings; and failing to reconsider oil and gas disinvestment deals sent back to the cabinet by the President.

22. Nawaz Sharif was appointed to the Punjab provincial cabinet during martial law. In 1985, he was appointed Chief Minister of the province and remained so after the IJI won provincial elections in the Punjab in 1988. In the early 1980s, the martial-law government returned his family's industrial concern Ittefaq Industries, which had been nationalised by the elder Bhutto government in 1972.

23. See Ahmed Rashid, 'Death of a Pragmatist', The Herald, January 1993, pp. 55-56a. One widely circulated story was that, as strains surfaced in civil-military relations, Sharif offered an expensive car to the Army Chief, which he refused to accept.

24. The President also referred to the charge levelled by General Janjua's widow that her husband was poisoned, alleging that the pro-government elements could be involved because Janjua had developed differences with the Sharif government. Subsequent medical investigations showed that the general had died of a heart attack. For the text of the dismissal order, see The Nation, 19 April 1993. See also Najam Sehti, '101 Days that Shock Pakistan', The Friday Times, 22-28 April 1993, p. 3; and Samina Yasmeen, 'Democracy in Pakistan: The Third Dismissal', Asian Survey, vol. 34, no. 6, June 1994, pp. 572-88.

25. For an informed discussion of the political developments during May-July 1993, especially the Army's role, see Zafar Abbas, 'Enter the Army', The Herald, July 1993, pp. 19-24a; Zahid Hussain, 'Day of the General ', Newsline, July 1993, pp. 24-30a; and Hasan-Askari Rizvi, 'The Year of Dramatic Changes', The Nation, 31 December 1993.

26. The 'Accountability Bureau' in the Prime Minister's secretariat was headed by Saifur Rehman, a Nawaz loyalist and business friend who was also a Senator on the ruling PML-N ticket.

27. See Dawn, 3 and 20 May 1997; and the Muslim, 1 July 1997.

28. While commenting on the suspension of the 14th amendment, Sharif said that the Chief Justice's action was 'illegal and unconstitutional' and that it would revive 'horse trading' in the parliament. He also maintained that the Chief Justice had created a situation that, was both 'unfortunate' and 'undemocratic'. See ibid., 30 October 1997.

29. For the government's efforts to split the Supreme Court, see Zafar Abbas, 'How the Judiciary was Won', The Herald, December 1997, pp. 33-35. For the government's involvement in the mob attack on the Supreme Court, see Idrees Bakhtiar, 'The End of Civility', pp. 42a; Zahid Hussain, 'Winner Takes All', Newsline, December 1997, pp. 22-27; and the Muslim, 29 and 30 November 1997

30. For details about the last stage of the confrontation, see New York Times, 2 and 3 December 1997; and Dawn, 3 December 1997.