

The Violation of Civil Mandate by Military in Pakistan: A Case Study of 1999's Musharraf Takeover

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Abstract: *Military intervention in politics has been the most prominent feature of Pakistani polity since the day she was born in 1947. So every time the army imposes martial law by dethroning the civilian government, people hardly care for this change of guards. The elections held in early 1997 caused Nawaz Sharif to be the Prime Minister for next five years for the second time. He carried a heavy majority in the parliament to make him all powerful and credible. However, soon differences between the army chief and the then Prime Minister emerged over certain issues, keeping the two institutions fighting for a while. The situation took serious turn in October, 1999 when the elected government was sent packing, assembly dissolved, and the 1973 constitution was put in abeyance. The country saw yet another murder of people's mandate. However, what astonished everyone was the reaction of the masses in general. Even those who had elected MP's to the corridors of power didn't show any solidarity with them nor mourned their political death. Instead people welcomed those in uniform to be the new makers of nation's destiny. This is no good omen for democracy to take roots in a country where democracy is the accepted way of living.*

Keywords: Pakistan; civil; military; coup

Introduction:

Civil-military relations are at the heart of a central concern of democracy. However, Asian politics has shown two major characteristics over the last twenty years as far as the interaction between the two is concerned. These are the erosion of democracy and significant influence of military on the course of political change. In certain countries the military has either directly assumed power or it is playing political role in cooperation with other political parties and actors. With the exception India, hardly any country in south Asia has been successful in restricting the Defenders of Borders to its designated constitutional responsibilities. In the course of military involvement in civilian affairs, it has developed an everlasting taste for power and prestige. Weak democracies and thirst for power have gathered to make military a stake holder in country's civilian affairs.

Managing the coercive power of the military, making sure that those who govern don't become tyranny to the governed is the central focus of civil military relations. However, in Pakistan military has come to identify itself with the state rather than see itself as just one of the key components of a constitutional state.¹ Increasingly, Pakistan army is seen by many as a corporate entity that functions as the most effective political party in the country.² They have got distinct institutional interests upon which they can never make any compromise. Being the strongest of all state institutions, the army is always in a better position to give practical shape to its perceived institutional interests. In this regards, the Generals can go the extent of imposing martial law at the cost of derailing democratic continuity. However in the

background, an impression is created in the society that the armed forces have the ability to handle a situation when it goes out of the control of civilian government.³ A reason is provided to the citizens to welcome the men in uniform as the new rulers of the state.

This research paper would try to answer the core and basic question that why military intervened and took over the affairs of the state in October, 1999. Was it coup or counter coup? Did army line up in unison to protect what it calls its institutional interests?

The research paper would further develop the hypothesis between the performance of the civilian government and military intervention. Any inefficiency/ underperformance would cost the government favorable public opinion/response, causing the army to make a coup with least inconvenience.

Historical Accounts:

Civil military relations in Pakistan have not only been turbulent throughout our history, it has also been an uneasy relationship in the process of historical growth with frequent military interventions. Over the years, through coups and largely unfettered access to state resources, the army used its significant coercive powers with the underlying threat of its military might to challenge the authority of the state and capture power time and again. The armed forces in general remain a key and dominant element in Pakistan's polity. They are powerful enough to move and fill any vacuum they may see in the political system of the state. Although they don't have any constitutional role in country's civilian affairs, they have crafted a role for themselves.⁴

¹. Mazhar Aziz, *Military control in Pakistan, The Parallel State*, (New York, Routledge, 2008).

² Shuja Nawaz, *Cross Swords, Pakistan, its Army and the Wars Within*, (Oxford, Oxford University Press, 2008).

³ Askari Rizvi, *The military and Politics in Pakistan, 1947-1997*, (Lahore, Sang e Meel Publications, 2013).

⁴ Shuja Nawaz, *Cross Swords, Pakistan, its Army and the Wars Within*, (Oxford, Oxford University Press, 2008).

Interestingly Government in Pakistan is a pendulum swinging between democracy and military rule.⁵ Pakistan Army, since independence, has maintained the tradition of hampering the political process time and again⁶ through coup d'etat, the scourge of mid-20th century to make its presence felt.⁷ Interestingly at times military involvement in political affairs has both been direct and indirect. It has had a tremendous influence on the direction that Pakistan has taken.⁸

Military's ascendancy⁹ as is called has a long history that appeals to common sense. The cumulative bitterness, frustration and pain accompanying Pakistan's creation, and the continued threat to its existence from its larger neighbor has conditioned much of its political history since 1947.¹⁰ The desire of Akhand Bharat still dominated Congress politics and were willing to go to war even to reunify India and Pakistan. Public statements by Indian extremist leaders coupled with Kashmir dispute and forced annexation of Junagadh and Hyderabad states further strengthened the apprehensions of Pakistan of Indian domination. The occupation of Goa by the Indian Army was interpreted in

Pakistan as a warning signal. Ironically the fear of Indian domination thus became a very important factor in guiding Pakistan's internal and external policy actions.¹¹ Afghanistan also couldn't reconcile itself to Pakistan and gave hostile gestures to make the latter feel insecure. The insecurity of Pakistan led to heavy expenditures on arms and troops.¹² As the newly born country didn't have enough industrial base to support the huge defense expenditure, it turned towards foreign countries. The 'United States Military

Assistance Program (MAP) in 1954, accession to the South East Asia Treaty Organization (SEATO) later that year, and joining the Baghdad Pact (later the Central Treaty Organization, CENTO) in 1955¹³ not only channelized funds to the defense arena and strengthened defense capacity but also exposed the personals of armed forces to advanced trainings of developed nations. This institutional superiority of armed forces in terms of financial as well as human capacity coupled with their exposure to civil administration in the wake of weakening writ of the state gave them enough confidence to interfere in matters what can be called purely domain of civilian influence.

To begin with, parliamentary democracy was ended by a military coup d'état on October 7, 1958.¹⁴ Field Martial Ayub Khan abrogated the 1956 constitution and assumed the power of Chief Martial Law Administrator soon after dismissing the civilian political dispensation. There were some who accepted the coup as inevitable given Pakistan's weak political system

⁵.Bidana Chengappa, "Pakistan's fourth military takeover," journal of Strategic Analysis, (April, 2008), <http://www.tandfonline.com>.

⁶.Aslam Khan, "Civil military relations: The Role of Military in the Politics of Pakistan", (Master thesis, LUND UNIVERSITY, CENTRE FOR EAST AND SOUTH-EAST ASIAN STUDIES, Spring, 2012).

⁷.Amina Ibrahim, "Guarding the state or protecting the economy?" Occasional Paper, Development Studies Institute, London School of Economics and Political Science, (Houghton Street, London, February, 2009).

⁸.Inderjit Sinder, "The Pendulum of Leadership Change and Challenges of Civil Democracy and Military Rule in Pakistan", International Journal of Education and Research Vol. 1, (December 2013).

⁹ Mazhar Aziz, Military control in Pakistan, The Parallel State, (New York, Routledge, 2008).

¹⁰ Wayne A. Wilcox, "The Pakistan Coup d'état of 1958, journal of Pacific Affairs", Vol. 38, No. 2 (summer, 1965).

¹¹ Askari Rizvi, The military and Politics in Pakistan, 1947-1997, (Lahore, Sang e Meel Publications, 2013)

¹² Wayne A. Wilcox, "The Pakistan Coup d'état of 1958, journal of Pacific Affairs", Vol. 38, No. 2 (summer, 1965).

¹³ Mazhar Aziz, Military control in Pakistan, The Parallel State, (New York, Routledge, 2008).

¹⁴ Wayne A. Wilcox, "The Pakistan Coup d'état of 1958, journal of Pacific Affairs", Vol. 38, No. 2 (summer, 1965).

while others attributed it the superior organization, training and leadership of the armed forces.¹⁵ Unfortunately soon after winning freedom from British imperialism, the politicians had failed to think above their narrower communal and regional interests and were found involved in ruthless race for power and fighting with each other. The net result of all this was that people had lost hope in the system to relieve them of the miseries they faced in the newly born country and so were waiting for the saviors desperately. The army had been in better position to cash on people's imaginations.

Ayub Khan introduced the concept of 'Controlled Democracy' to win public will and legitimacy for the years ahead. The Army General framed the constitution in 1962 in a way to have maximum powers at his disposal and opened up the political field by introducing the system of Basic Democracy. Given all good and bad works, Ayub had to surrender to the mounting public pressure and handed over power to General Yahya Khan in 1969. The new Chief Martial Law Administrator had no planning to stay in power for long. He held elections in 1971 under the Provisional Constitution Order, the kind of elections that resulted in the breakup of the united Pakistan. Yahya transferred power to the newly emerged national leader, Zulfikar Ali Bhutto in a peaceful manner. The country was back to representative democracy once again with Z.A. Bhutto as the Prime Minister.

General elections have often proved to be disastrous for Pakistan. The 1971 elections resulted in the disintegration of the country while the next in 1977 caused serious differences among the political forces and actors. When the date for election was announced, the general impression was that a strong opposition would emerge which would serve as an effective check

¹⁵ Ibid.

on the unbridled activities of the PPP.¹⁶ But the election results stunned everyone with surprise with PPP winning 155 seats while 35 went to the Pakistan National Alliance. All the opposition parties termed the elections rigged and refused to accept its results. There started demonstrations on larger scale in the country by the all the opposition political parties who demanded fresh elections in the country. The situation worsened as time went on by any standard with every round of negotiations making no headway. Even the Chief Election Commissioner made public statements that elections had been rigged. As the deadlock prevailed between the PPP and PNA leadership over the legitimacy of elections, it was time for the army to enter into the show. General Zia ul Haq struck and imposed martial law for the third time in Pakistan's short history on 5th July, 1977. The 1973 constitution was put in abeyance and the country witnessed its longest military rule, lasting for eleven long years.¹⁷

October, 1999 Coup:

Pakistan is an appropriate model of praetorian state with military playing an active role in the mainstream politics of the country. After eleven years of hide and seek with democracy, Pakistan once again returned to military rule with the COAS General Pervez Musharraf taking over power from Prime Minister Nawaz Sharif on October 12, 1999 in a bloodless coup. Arguably, democratic reversal occurs at the moment of the coup, but for the military, 'democratic reversal' brings about the coup.¹⁸ By the time the elected Government of Islami Jamhoori Ittehad was sent packing, Pakistan for more than 25 out of its 53 years of existence, the military was in power.

¹⁶ Tahir Amin, "1977 Coup D'état in Pakistan", *Journal of History and Culture*, Vol.XXVIII, No.2 (2007).

¹⁷ Masood A. Zahid, "Dictatorship in Pakistan: A Study of the Zia Era (1977-88)", *Pakistan Journal of History and Culture*, Vol.XXXII, No.1 (2011).

¹⁸ Mazhar Aziz, *Military control in Pakistan, The Parallel State*, (New York, Routledge, 2008).

Thus, when the Army took charge of the government in Pakistan for the fourth time in October 1999, most foreign political observers were not surprised. However interestingly unlike the previous military coups in Pakistan, the Government of General Musharraf did not impose martial law in the country. Moreover the coup left Pakistan as the only state in South Asia with a military government in power.¹⁹

Apparently Sharif's immediate provocation for sacking Musharraf and precipitating the political crisis was the clash of interests between the two state institutions. The army chief, before his departure for Sri Lanka, to attend the 50th anniversary celebrations of the Sri Lankan Army, had made some moves which affected the interests of the prime minister.²⁰ Army Chief, General Musharraf forced the then Corp Commander Quetta to retire while transferred Corp Commander Mangla. The former, Lt General Tariq Parvaiz was the younger brother of the then Federal Minister for Communication in Sharif's Cabinet. Interestingly Corp Commander Mangla had allegedly been found involved in leaking the proceedings of the Corp Commanders meeting to the Executive Head of the State. Now this was something unique to happen. Given their institutional interests, army men are expected to show greater loyalty to the military as institutions and keep institutional priorities on top. These two steps of the Army Chief were enough to antagonize the PM on the one hand while on the other drew sharp lines between the two heads of their respective institutions. However this was one of the manifestations of their conflicting approaches as the two could well be seen at logger head for some time.

¹⁹. Ishtiaq Hossain, "Pakistan's October 1999 Military Coup: Its Causes and Consequences", Asian Journal of Political Science Volume 8 Number 2 (December 2000).

²⁰. Chengappa as cited above.

The tension between military and civil leadership began during the time of Army Chief, General Jahangir Karamat when the latter complained of mismanagement of governmental affairs in a public gathering and asked for remedial measures. The message between the lines was clear to the civilian ruling junta. Sharif responded strongly by showing doors to the Army Chief in October, 1998. Making the Army Chief resign was something that political history saw for the first time in Pakistan. In the next move, the Prime Minister forced Admiral Fasih Bukhari to quit too. Being driven and misled by his past arbitrary but successful political encounters, such as throwing out the president, chief justice, naval chief of staff, and even the army chief, Sharif deemed it appropriate to continue to operate in the same way.²¹ Now the latest two successful encounters with armed forces gave Nawaz Sharif enough confidence to meddle in the affairs of the former.

Calling it a structural factor, one of the major factors that contributed to 1999 military takeover was PM's attempt to move away from "Troika" model of power sharing in Pakistan.²² The three arms of the triangle were composed of the Prime Minister, President and Army Chief with each balancing the other by not allowing anyone to disturb or tilt the system to its own advantage. However, with the scraping of 58(2) (b) from the 1973 Constitution, the power balance shifted drastically in favor of the Prime Minister. Article 58 2 (b) was the clause in the

²¹ Abdul Shakoor Khakwani, "Civil-Military Relations in Pakistan: The Case of the Recent Military Intervention (October 12, 1999) and Its Implications for Pakistan's Security Milieu", Department of Business Administration

B.Z. University, Multan, Pakistan, ACDIS Publication Series, 2003, <http://www.acdis.uiuc.edu/>.

²² Ishtiaq Hossain, "Pakistan's October 1999 Military Coup: Its Causes and Consequences", Asian Journal of Political Science Volume 8 Number 2 (December 2000).

constitution of Pakistan as instituted by General Zia-ul-Haq in 1985 which empowered the president to dismiss an elected government. In essence, this article prevented the army from direct takeover.²³ The argument carries weight as since the addition of this provision to the Constitution, Pakistan had not undergone any martial law. Every time there were complaints of the poor performance of the government, assemblies were dissolved and new elections were ordered. 58 (2) (b) had certainly blocked the way rather the excuse for the martial law in the country. However, the 1990's era was marked by instability caused by the tug war between prime minister and president while the army chief played the role of mediator. Ironically 58 (2) (b) was no solution to the given issue, rather was part of the problem.

However two factors added fury to the fire. Sharif's act of commission when Karamat left service in October, 1998, was to antagonize the army with the replacement of Lt General Nasim Rana, the DG-ISI, by a new officer, Lt General Zia Uddin. More importantly, this was reportedly done without active consultation with the new COAS, namely General Musharraf.²⁴ Inter Services Intelligence is Pakistan's apex spy agency whose reputation touched new heights after its influential role in Afghan War against the defunct USSR in 1980's. The head of ISI directly reports to the prime minister of the country. So probably Nawaz Sharif wanted someone as Director General who could be trustworthy enough to keep the former informed of what can be ill-intentions of the army against the civilian government. This antagonized army

²³ Abdul Shakoor Khakwani, "Civil-Military Relations in Pakistan: The Case of the Recent Military Intervention (October 12, 1999) and Its Implications for Pakistan's Security Milieu", Department of Business Administration

B.Z. University, Multan, Pakistan, ACDIS Publication Series, 2003, <http://www.acdis.uiuc.edu/>.

²⁴ .Ibid.

for two reasons. First, as said earlier the Army Chief had not been taken into confidence in the appointment of new DG ISI. Second, over the years army had insulated itself from interference of civilian government in almost every aspect that mattered to its institutional interests. General Musharraf was not happy with the new appointment and to demonstrate his displeasure, he was waiting for the right occasion. The occasion came after four months later, the high profile visit of A.B. Vajpayee to Lahore in February, 1999. The Army General remained absent on the occasion.²⁵

The Kargil factor proved to be the last nail in the coffin. Although the two arch rivals were involved in confrontation many times since independence, Kargil was the first battle between the two since they had acquired nuclear weapons in May, 1998. In the case of Kargil episode, the Kashmiri militants or the Pakistan army, whosoever were involved tried to highlight the Kashmir issue by taking control over the main route through Kargil.²⁶ However there is a difference of opinion as there some scholars who believe that Kargil was a deliberate effort on the part of the military to sabotage the efforts of the civilian government to improve relations with the next door neighbor, India. Those on the other pole maintain a different opinion. The Kargil move was aimed at bringing the Kashmir issue under international spotlight.

Nawaz Sharif complained that he had been kept in dark of the Kargil operation and so transferred the entire blame on the military when the international community lined up against Pakistan in the wake of Kargil episode. Being an army man, Musharraf had all the praise for the

²⁵ Bidana Chengappa, "Pakistan's fourth military takeover," journal of Strategic Analysis, (April, 2008), <http://www.tandfonline.com>.

²⁶ Musarrat Javaid Cheema, "International Community on Kargil Conflict", A Research Journal of South Asian Studies Vol. 28, No. 1, January – June 2013.

successful conduction of operation on mountainous heights. Considered purely in military terms, the Kargil operations were a landmark in the history of the Pakistan Army, maintains Army General.²⁷ Pakistan, though appearing stronger in the field by occupying strategically

Important military route, was in very much awkward position politically and diplomatically.²⁸

International pressure had a demoralizing effect on Prime Minister Nawaz Sharif.²⁹ Moreover, there was a difference of opinion between PM Sharif and General Musharraf over the military withdrawal from Kargil. While Musharraf stated that there would be no Pakistani pull-back, Sharif was simultaneously planning to rush to Washington and "surrender unilaterally" to India. The Pakistani perception of the Kargil affair is projected as a military victory but a diplomatic debacle for the country against India.³⁰ The rift was widening.

The day when Nawaz Sharif dismissed General Musharraf, the former committed a blunder by violating the institutional norms of the army in the appointment of the new army chief. Historically two types of authorities make an institution in any given setting: line and staff authority. Line authority is the one considered primarily responsible for performing main activities (for which the organization exists essentially), and staff authority assists line authority in giving specialized advice.³¹ Over the

²⁷ Pervez Musharraf, *In the Line of Fire, A Memoir*, (London, Simon and Schuster, 2006).

²⁸ Musarrat Javaid Cheema, "International Community on Kargil Conflict", *A Research Journal of South Asian Studies* Vol. 28, No. 1, January – June 2013.

²⁹ Pervez Musharraf, *In the Line of Fire, A Memoir*, (London, Simon and Schuster, 2006).

³⁰.Ibid.

³¹ Abdul Shakoor Khakwani, "Civil-Military Relations in Pakistan: The Case of the Recent Military Intervention

years Pakistan military had maintained the tradition that the army chief was from the main fighting corps, line authority in this case. Significantly, Prime Minister Sharif's choice of Lt General Zia Uddin as the new COAS had departed from tradition in a big way considering that no DG-ISI has ever become the army chief till now in Pakistan.³² The new Army Chief was from the Engineering Corps and not from the mainstream fighting wing of the military. As such, the army as a whole was bound to react.³³

Musharraf displaced a lawfully elected civilian government which had come into power on the strength of an overwhelming vote by the Pakistani masses.³⁴ Pakistan's fourth general elections took place in the winter of 1997. The PML (N) performed exceptionally well. It won 136 seats out of 207 general seats in the National Assembly.³⁵ Interestingly the takeover was a walk over for the military despite the fact that a good majority had voted Sharif and his company to the corridors of power. Why no one resisted

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B.Z. University, Multan, Pakistan, ACDIS Publication Series, 2003, <http://www.acdis.uiuc.edu/>.

³² Bidana Chengappa, "Pakistan's fourth military takeover," *Journal of Strategic Analysis*, (April, 2008), <http://www.tandfonline.com>.

³³ Abdul Shakoor Khakwani, "Civil-Military Relations in Pakistan: The Case of the Recent Military Intervention

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³⁴.Inderjit Singh, "MILITARY RULE VERSUS CIVILIAN RULE: AN ANALYTICAL STUDY ON THE PEOPLE'S CHOICE OF LEADERSHIP IN PAKISTAN", *International Journal of Humanities and Social Science*, Vol. 1 No. 8; (July 2011).

³⁵ The first ten general elections in Pakistan. A story of Pakistan's transition from democracy above rule of law to democracy under rule of law: 1970-2013. PILdAT, 2013.

this radical unconstitutional action? Why no one came out on the roads to show solidarity with the democratic dispensation? Why no one mourned the murder of yet another people's mandate? Rather it was welcomed by the people in Pakistan.³⁶ The answer lies in some harsh realities.

Societal factors³⁷ further complicated the situation to the disadvantage of the elected government. "Unless some miracle can help the Sharif government to bring the economy back from the brink of disaster, and restore its tarnished image, an unconstitutional coup is entirely on the cards".³⁸ Inefficiency had reached to a point where civilian government had virtually surrendered certain vital state owned institutions to the army for mismanagement. So even before the coup of 1999 in which General Pervez Musharraf overthrew Nawaz Sharif, the Army had taken over large parts of the state by invitation.³⁹ The army was making its way while civilian government was giving way.

In democracy, performance provides legitimacy to any elected government and a strong base to stand on. However, in a developing country like ours elected government becomes more vulnerable to a military coup for being found non-responsive to the basic problems and demands of the voters. The year 1998 was perhaps the worst in terms of financial indicators, particularly when sanction kicked off in the wake of May explosions. Economic situation worsened with poverty, inflation and unemployment going up. Pakistan's politicians did not seem to be bothered by their country's dire economic

situation. They went ahead with their extravagant spending spree on themselves.⁴⁰ The attack on Supreme Court building further added to the discredit of the government, antagonizing the civilized society. The government was standing on lame foundations.

The concepts of working and shirking carry extra importance for the government elected through popular vote. If it shirks what it has been mandated or elected for, it is punished with extreme comfort. And the extreme form of this punishment is coup d'etat by the military.⁴¹ Once the support base in the masses is lost for under performance, the mandate of the government is put into question and the government finds it difficult to resist a coup. For that reason, within the country hardly a dissenting opinion is expressed. Astonishingly sensible Pakistanis are not unhappy that the army is once again in charge.⁴²

Conclusion:

Democracy, the cherished political way in Pakistan has yet to take roots to thwart or resist military takeover. Army has been found derailing democracy once the elected government has either tried to interfere in its institutional affairs or hurt its interests. However, lack of any oversight and accountability mechanism even legitimate interference by civilian authorities is unacceptable to those in uniforms. Bringing army subordinate to the will of elected government would take many long years in Pakistan. However, the task can be made easy once the

³⁶.Ibid.

³⁷ Tahir Amin, "1977 Coup D'état in Pakistan", Journal of History and Culture, Vol.XXVIII, No.2 (2007).

³⁸ Ayesha Jalal cited by Hossain on page 41.

³⁹ Inderjit Sinder, "The Pendulum of Leadership Change and Challenges of Civil Democracy and Military Rule in Pakistan", International Journal of Education and Research Vol. 1, (December 2013).

⁴⁰ Ishtiaq Hossain, "Pakistan's October 1999 Military Coup: Its Causes and Consequences", Asian Journal of Political Science Volume 8 Number 2 (December 2000).

⁴¹ Peter D, Feaver, Armed Servants, Agency, oversight and civil military relations, (Harvard University Press, Cambridge, 2003).

⁴² Wayne A. Wilcox, "The Pakistan Coup d'état of 1958, journal of Pacific Affairs", Vol. 38, No. 2 (summer, 1965).

government wins people's confidence by starting delivering on citizen's grievances. Robust support base in masses can give government enough strength to force army not to encroach what falls in the jurisdiction of the civilian authorities.

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