

“Whoever wins in the upcoming elections, the loser will most certainly be the Pakistani voter, who can expect little improvement in governance or accountability.”

## Pakistan on the Brink of a Democratic Transition?

C. CHRISTINE FAIR

For perhaps the first time in recent memory, Pakistan's battered democracy could prove naysayers wrong. A national election is expected in May 2013. If it produces a government, it will mark the second time that such a democratic transition of power has taken place. Also, the government that stepped down in March became the first democratically elected administration to serve out a more-or-less complete term. Unfortunately, events of recent months have marred both the tenure of the outgoing administration and the constitutionality of the transition. And even under the best of circumstances, the myriad challenges awaiting the new government will be daunting.

Since 2008, Pakistan has been governed (in the loosest sense of the word) by the Pakistan Peoples Party (PPP). The PPP government came into power via reasonably free and fair elections held after General Pervez Musharraf stepped down as president. The PPP cobbled together a fraught coalition, which included its archrival, the Pakistan Muslim League-N (PML-N), led by former Prime Minister Nawaz Sharif. However, the unprecedented partnership between the two long-time foes collapsed in the summer of 2008 due to serious disagreement surrounding the reinstatement of a controversial Supreme Court chief justice, Iftikhar Muhammad Chaudhry.

President Musharraf had removed Chaudhry from office in 2007 after the chief justice publicly opposed government actions such as the extrajudicial execution and/or apprehension (“disappearing”) of Pakistani citizens, as well as a series of privatizations in which Musharraf's cronies

purchased public assets at below-market rates. The PPP, for its part, was not anxious to reinstate Chaudhry, whom the party feared would reverse key Musharraf-era legislation that had allowed party members to contest elections in the first place.

Most important, Chaudhry opposed the National Reconciliation Ordinance (NRO), an executive order issued by Musharraf in 2007. The NRO, which was brokered by the Americans, sought to reconcile President Musharraf and then-PPP leader Benazir Bhutto by granting legal amnesty to an array of PPP politicians. The amnesty was necessary for these politicians to contest elections scheduled for late 2007 and to hold political office despite previous allegations of criminal wrongdoing.

The NRO did not extend such amnesty to the PPP's political foes. Washington put its heft behind the NRO because it was anxious to keep Musharraf on as president, valuing him as a counterterrorism partner, but recognized that his government lacked legitimacy. US officials hoped that if Bhutto became prime minister, her legitimacy would bolster Musharraf, who would remain as president.

Bhutto was assassinated in December 2007. Widespread belief that Musharraf was somehow behind her killing dashed his electoral ambitions and those of his party, the Pakistan Muslim League (Quaid-e-Azam) (PML-Q). Musharraf had assembled this party early in his presidency with defectors from mainstream parties. The PML-Q had formed a government following army-rigged elections in 2002 and had rubber-stamped Musharraf's policies.

By the summer of 2008 it was clear that the PPP would not reinstate Chaudhry of its own accord. Both to punish the PPP and to force the government to a breaking point, the PML-N withdrew

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from the governing coalition and threw its support behind a mass movement of lawyers (the so-called Lawyers Movement) who had mobilized to demand Chaudhry's reinstatement.

As protesters under the banner of Sharif's "Long March" joined forces with the Lawyers Movement, the cities of Lahore and Islamabad were seized with tumult. In an effort to defuse the standoff, Army Chief Ashfaq Parvez Kayani brokered a settlement between the PML-N and the PPP that culminated in the justice's reinstatement in early 2009. Chief Justice Chaudhry since then has had an enduring soft spot for the PML-N and its leadership, given their role in restoring his job.

Chaudhry, true to his word, vacated the NRO later in 2009. With their amnesty suspended, PPP politicians again became vulnerable to prosecution. The Supreme Court selectively employed the various corruption charges against President Asif Ali Zardari and others, thereby ensuring that the PPP government remained weak and under constant threat. Curiously, the court did not order the prosecution of members of other political parties who also had criminal allegations pending against them and who never had amnesty in the first place.

The army doubtless supported the court's harassment of the PPP. The military has long regarded the PPP government as obsequious to the Americans and embarrassingly inept. Worse, from the generals' perspective, the PPP leadership has repeatedly sought to interfere in the army's affairs. For example, in April 2008, President Zardari announced that Pakistan would pursue a "no first use" nuclear policy. This directly contravened the army's nuclear deterrent posture, which privileges the option of nuclear first use to dissuade India from any military action on Pakistani soil. In July 2008, Zardari again riled the military when he announced that the army's premier spy agency, Inter-Services Intelligence (ISI), would come under civilian control. Needless to say, both of these plans evaporated under the army's outrage.

The PPP government also encouraged US legislation in 2009 that would require Washington to withhold security assistance if the army interfered in the governance of the country. In response, the ISI orchestrated a disinformation campaign regarding the bill to whip up public denunciations of American meddling in Pakistani affairs.

However, lacking a viable alternative to the PPP, the military did not want the government to fall. As odious as the PPP is to the generals, they are also wary of the PML-N, in part because of Sharif's alleged role in the attempted assassination of Musharraf in 1999. A new political option was needed.

## SAVIOR IN THE WINGS?

The search for just such an alternative marked the next period of Pakistani politics. The army is suspected of backing the political rise of Imran Khan and his Pakistan Tehreek-e-Insaf party (PTI). Khan is a much-beloved former cricket star and known lothario who left the game to take up charity work and a political career in Pakistan. Until 2011, he had made few political inroads, but in that year he burst onto the national stage in what he called a tsunami, drawing huge crowds of men and women of all ages.

Khan railed against government corruption. He mobilized public antipathy toward American drone strikes, demanding an independent foreign policy that did not rely on the United States. He made a number of preposterous promises to "end" graft and expand the tax base. But he avoided taking a considered and principled stand on the Pakistan Taliban, a criminal and terrorist network that has killed tens of thousands of Pakistanis. Khan favors negotiation with the Pakistan Taliban, rather than military confrontation.

Some of the Supreme Court's most vigorous activism took place during the height of Khan's popularity. For example, in the fall and winter of 2011, the Supreme Court hounded Zardari over "Memogate"—a scandal surrounding the alleged role played by Husain Haqqani, Pakistan's ambassador to the United States, in securing American assistance to help Pakistan's civilian politicians control the army. Had Zardari in fact attempted such a maneuver, it would have been completely consistent with Pakistan's long-flouted constitution, which places authority over the military in the hands of the civilian government. But the Supreme Court, egged on by the PML-N, cast Haqqani as a traitor and forced him out of office.

In June 2012, the high court ousted Prime Minister Yousaf Raza Gilani after he refused to pursue corruption charges against President Zardari. Some worried then that the government

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*Pakistanis are deeply divided about what kind of policies their country should pursue.*

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would fall, but once again, the PPP and its leadership proved more robust and wily than its critics had believed. Raja Pervez Ashraf soon assumed Gilani's position. And as Khan's tsunami dwindled to a trickle, the court also ceased its efforts.

The PPP-led government limped on after the ousting of Gilani and exiling of Haqqani. It even garnered accolades at home for its handling of a November 2011 tragedy in which US and NATO forces killed 23 Pakistani soldiers at an army outpost on Pakistan territory. The government shut down the supply routes that the Americans use to transport war matériel to Afghanistan. Months later, Pakistan reopened the routes when it became apparent that Washington was forging a logistical strategy that cut Pakistan out of the loop entirely.

In September 2012, US Secretary of State Hillary Rodham Clinton designated the Jalaluddin Haqqani network as a foreign terrorist organization, a decision that would have been inconceivable had the supply routes remained open without official interruption. (The Islamist insurgent group, which has fought US-led forces in Afghanistan, has long enjoyed the support of elements within the Pakistani security establishment.) In fact, Pakistan watchers speculated that the US government might even declare Pakistan a state sponsor of terror. However, when Pakistan reopened the supply routes, it once again established itself as a critical part of US policies in Afghanistan and South Asia.

## THE SOFT COUP

In early 2013, just as it looked as if the government was going to achieve the unprecedented feat of serving out its five-year term without a coup or other extra-constitutional proroguing of the parliament, Muhammad Tahir-ul Qadri, a Canadian religious scholar, arrived on the Pakistani political scene. Qadri's rise was meteoric. Even though he had previously advised Musharraf and President General Mohammad Zia ul-Haq (the Islamist coup maker who governed Pakistan from 1978 until his death in 1988), Qadri was virtually unknown among Pakistanis. Yet almost immediately upon his arrival he began to draw some of the largest crowds Pakistan had seen in years.

Some Pakistanis, however, were wary that this latest savior had been thrust into Pakistani living rooms, video parlors, and tea stalls with the help of the army. Qadri traveled in a "mobile command

center," a highly fortified container on wheels, which moved about while Qadri addressed crowds from within. Some cynical Pakistanis joked that the scholar enjoyed a "martyrdom-proof box" while ordinary Pakistanis and even public officials risked terrorist violence without the security of a fortified conveyance.

Qadri's shenanigans, despite their absurdity, nearly brought down the government. He held massive sit-ins in Islamabad, virtually shutting down the capital. Qadri, like Khan, complained about corruption and political dysfunction, and he hinted that an army-backed technocracy might be the way forward. His suggestions should have been dismissed as preposterous, but many saw the army's hand in the matter, and indeed believed that the military had manufactured the drama to legitimize a coup.

Others, such as this author, doubted a hard coup was ever in the making. After all, should the army seize power yet again, Pakistan would face sanctions and international ostracism. Given Pakistan's precarious economic predicament, ongoing security operations throughout the country, and deep popular distaste for direct army rule, it is unlikely that the men in khaki sought to seize direct power.

With Qadri's hijinks in full swing, the Supreme Court swiftly stepped into action. In January 2013 it ordered the arrest of Prime Minister Ashraf and 15 others under various charges of corruption. Qadri and his mob of peaceful miscreants eventually departed the stage—but only after extorting a raft of extra-constitutional concessions. Most egregiously, Qadri insisted that, in advance of this year's election, the government step down and appoint a caretaker administration in consultation with himself and the army by March 16, 2013. This date, which was agreed to, was critical if rarely noted: It was two days before the government's term was set to expire. By coercing the administration to end its term two days early, Qadri and his army allies subtly undermined the claim that this government completed its lawful term. Coincidentally, when Ashraf acquiesced to Qadri's demands, the court again retracted its PPP-specific talons.

While many breathed a sigh of relief that a hard coup had been averted, others understood that the army had in fact engineered a soft coup. Alas, few Pakistanis—and fewer international observers—noticed, much less cared about, the orchestrated miscarriage of constitutionality perpetrated by the

Qadri-army combine. After all, Qadri, a Canadian (and thus legally barred from contesting elections in Pakistan), using street theater and with the presumed assistance of the military, had forced an elected government to yield. By some measures, the upcoming election has already been tainted—likely the army's goal in the first place. This is not a military ready to retreat to its garrison without a fight.

## AN ARMY WITH A COUNTRY

While much is at stake for Pakistan's nascent democracy, the army also has a great deal at risk: namely, its ability to run roughshod over democracy. The army has long promoted itself as the only institution able to protect Pakistan from domestic and foreign foes. In its attempts to prove its own efficacy, it has exploited inter-party rivalries to sow discord and maximize political incompetence: The worse the politicians appear, the more noble and competent the army seems.

The army has used its privileged place in Pakistani society to demand the lion's share of the budget and to pursue risky policies toward Afghanistan and India. The army has also attracted international opprobrium for its history of sponsoring nuclear proliferation through, among other means, the "procurement networks" of Abdul Qadeer Khan, the father of Pakistan's atomic bomb.

Yet the military's domestic political influence may be diminishing. The PPP government this March became the second Pakistani administration to serve out a (roughly) complete term. The first to do so was the one elected in 2002 under Musharraf's military government. Thus the PPP government became the first to serve a full term (minus the two extra days for a caretaker administration) under an entirely civilian dispensation.

It is true that during the past five years the PPP has become known for industrial-strength corruption, a refusal to expand Pakistan's tax base by imposing industrial and agricultural taxes on parliamentarians and their patronage networks, the failure to mitigate chronic power and gas shortages, and an inability to manage pervasive security problems or end violence against religious and ethnic minorities. Despite these shortcomings,

the PPP government's achievements have been as notable and unprecedented as they have been unremarked upon in the international media.

After all, the outgoing parliament has passed more legislation than any previous Pakistani legislature, and it has taken important strides toward becoming more active in foreign and defense policy, an area long dominated by the army. While the parliament walks a fine line with the military establishment, the Pakistani electorate has become accustomed to seeing the army's authority publicly questioned, and it now expects politicians to be active in crafting security policy. Equally groundbreaking is the fact that President Zardari was the first sitting president to devolve extensive presidential powers to the prime minister and central government power to the provinces.

With a second constitutional transition in the offing, the army knows that its wings are slowly being clipped. But if the next government comes to power without a strong mandate, the army may be able to manage the political process and

even take over the government if it chooses. This may explain the military's recent indirect manipulations of the civilian government. The army knows that Pakistanis will not tolerate a coup: As irked as citizens are by the

current state of governance, surveys by the Pew Global Attitudes Project, WorldPublicOpinion.org, and this author consistently show that Pakistanis prefer even a flawed democracy to an armored state.

The best that the army can hope for is that no party attracts a majority or even a robust plurality of votes in the upcoming election. Without a clear majority, the resulting government will have to be formed from a fractious coalition that may include political rivals. From the army's point of view, the ideal new government is one that is shaky, ineffective, and unable to exert control over the armed forces or influence defense policy or key foreign policies (especially toward India, the United States, and Afghanistan).

## DIVIDED ELECTORATE

The army may get what it wishes for. A February 2013 poll fielded by the Sustainable Development Policy Institute (SDPI) for the *Herald* (a Pakistani monthly magazine) suggests

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that the upcoming election will be close, and that a hung parliament is the most likely outcome. The poll found that among those respondents who claimed to be registered to vote, 29 percent said they would vote for the PPP, 24.7 percent for the PML-N, and 20.3 percent for Imran Khan's PTI. Several regional and ethnic parties barely broke into double digits.

While the poll found little variation in these figures across age groups and genders, it did find that support for the parties varies by region. For example, the PTI fares better in urban areas, whereas the PPP and PML-N have more support in rural areas. Sindhis and Seraiki speakers are most likely to vote for the PPP, while Punjabis and Hindko speakers are more inclined toward the PML-N. The PTI draws support from Hindko speakers and many Pashtuns.

Not only are Pakistanis deeply divided along party lines, they do not agree which of the issues confronting the state are the most important. Respondents were given a list of issues and asked to select the most pressing problems facing the country. While poverty, corruption, power crises, illiteracy, and extremism were the most common choices, no issue garnered more than 17 percent of the responses. Responses differed according to the respondent's socio-economic status, place of residence (rural or urban), and level of education.

Pakistanis are even more deeply conflicted when it comes to their nation's foreign policies, including relations with the United States, India, Afghanistan, and China. The United States and Pakistan have a long and tortured history together. While both sides have frequently been disappointed in the alliance, the last decade has been particularly challenging. The SDPI asked respondents whether Pakistan should have a "strong alliance" with the United States. Despite public outrage over drones and other unpopular American policies, respondents were ambivalent, with nearly one-third answering "yes," another third "no," and the remainder "maybe."

Pakistanis are similarly divided about their country's relations with India. One of the PPP government's greatest accomplishments was offering India "most favored nation" trade status. (India had offered Pakistan the same status in 1996 and a reciprocal arrangement is now being implement-

ed.) Respondents surveyed by the SDPI were not terribly enthusiastic about this breakthrough. In fact, a plurality of interviewees believed Pakistan should not have made the offer (43 percent), with 28 percent agreeing with the move and another 29 percent undecided.

The PPP government also tried to make overtures to Afghanistan. Policy makers have emphasized that they would like a cooperative relationship with Pakistan's western neighbor, even though the army backs a more interventionist approach. According to the SDPI poll, Pakistanis are equally divided about how best to pursue relations with Kabul. When asked whether Pakistan should "actively promote a government favorable to its own interests in Afghanistan," roughly equal percentages of respondents answered "yes" (33 percent), "no" (35 percent), and "maybe" (32 percent).

Despite all of the anti-American fulmination in Pakistan, Pakistanis do not appear to be ready to kick the Americans out. Survey respondents were asked to select the countries most benefi-

cial to Pakistan from a list that included China, India, Iran, Russia, Saudi Arabia, and the United States, as well as countries associated with the South Asian Association for Regional Cooperation and "Muslim countries" in general. China

proved most popular, with 15 percent of the respondents identifying it as the "most beneficial." But the other countries and groups of countries, including the United States, polled similarly, at roughly 11 to 13 percent: statistically, more or less a dead heat.

Pakistani views on the parties' foreign policy approaches are similarly fragmented. When asked which party would "handle Pakistan's foreign affairs in the best possible manner," respondents were divided: 30 percent and 29 percent respectively identified the PPP and the PML-N. As on domestic issues, Khan's PTI claimed the support of 21 percent of those surveyed. The other parties all drew support in the single digits.

Interestingly, when asked to say which party would handle Pakistan's foreign affairs in the worst possible manner, respondents were most likely to nominate the PPP for this ignominious distinction (38 percent). The PML-N came in second place, with 18 percent, and the MQM (Mutehida Quami Mahaz, a party generally representing Pakistan's

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Urdu-speaking migrants from India) ranked third with 12 percent.

## OPTIONS IN A HUNG PARLIAMENT

The results of the *Herald* and SDPI survey imply two important realities for the upcoming election. First, no single party can dominate the polls. Second, Pakistanis are deeply divided about what kind of policies their country should pursue at home and abroad and what the new government's priorities should be. Thus, whichever party forms the government will have to rely on a coalition, and it will have to navigate a fissiparous electorate whose priorities vary by province and ethnicity more than according to gender or age.

Seeing the writing on the wall, seasoned politicians are abandoning their parties for new opportunities. Such side-switching is not unusual for Pakistani politics, and has given rise to a widespread epithet: *lotas*. The *lota* is the water pot that Pakistanis use for toilet hygiene. In the course of its use, the *lota* must tip back and forth, similar to the way in which some politicians move back and forth between parties without shame or consequences.

The survey data make clear that, to remain in power, the PPP will have to cling to its current allies and try to offset defections by enticing rival candidates with significant vote banks into its tent. Its current allies include the Awami National Party (ANP, which represents mostly Pashtuns in Karachi and areas bordering Afghanistan), the MQM (which enjoys support from Pakistan's Urdu-speaking peoples), and the Pakistan Muslim League-Quaid-e-Azam (PML-Q). Both the ANP and the MQM tend to be more secularly inclined and ethnic-based. Had Bhutto not been assassinated, Musharraf and his American supporters hoped that the PPP would win the 2007 elections with the support of the PML-Q.

Based on the *Herald*/SDPI survey, the current PPP alliance could secure 38 percent of the vote. Arrayed against the PPP are the PML-N and virtually all of the religious parties, as well as the PTI. If these parties were to form a coalition against the PPP, they could win the election. Such a grand coalition is unlikely but not impossible. With the

race between the PPP and the PML-N so close, the PTI could choose to be a kingmaker by throwing in its lot with one of the big parties, or it could join forces in a grand coalition of all opposition parties.

Whatever political permutation wins out, it is clear that the opposition will be fierce and that the new government will have conflicted aims, with no clear mandate about which domestic and foreign policies it should pursue and prioritize.

## DANGEROUS GAMBLE?

The army may have secured its near-term interests by weakening the PPP and ensuring that whatever government emerges from the elections will be feeble, divided, and vulnerable to inter-party and intra-party disagreements. In contrast to near-certain political deadlock, the army will seem comparatively mature, capable of steering Pakistan through dangerous waters.

But stability will remain elusive, because the army has yet to fully recuperate its image among Pakistanis. The bin Laden affair, raging internal insecurity, questions surrounding the military's cooperation with the US drone program, and the disappearances of citizens in Balochistan and elsewhere have left many Pakistanis suspicious about what their army is doing and with whose support.

With a weakened army and a shaky coalition, the new government will be unlikely to muster the political will to undertake the serious reforms needed to end Pakistan's long and dangerous descent. Pakistan's obstacles are enduring and massive. Among numerous difficult tasks, it needs fiscal reform, police reform, and an overhaul of the legal code to help the state deal with the many criminal and terrorist threats facing the nation.

To meet these policy challenges, Pakistan needs a strong democratic government that enjoys a broad base of support across provinces, ethnicities, ages, and genders. But this is an unlikely outcome. Whoever wins in the upcoming election, the loser will most certainly be the Pakistani voter, who can expect little improvement in governance or accountability. ■