

General Elections 1990: An Analysis of Electoral Manipulation

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Abstract

The article aims at assessing the general elections of 1990 with reference to discussions about rigging. It studies different methods of rigging that are generally used in the elections. The rigging methods can be divided into the common practices of rigging and the sophisticated methods that are used to get the desired results through apparently a fair and free electoral process. Elections of 1990 were conducted in a highly polarized environment after the dismissal of the government of Benazir Bhutto. Benazir Bhutto and her party i.e. the Pakistan Peoples Party (PPP) were under pressure with reference to the cases that were filed against the dismissed government. At the same time, its opponent the Islami Jamhoori Ittehad (IJI) was a major component of the caretaker government and enjoyed support of the then President Ghulam Ishaque Khan. It was believed that Ghulam Ishaque Khan did not dissolve the government to welcome the PPP again in the seat of government so he made arrangements to pave the way for the IJI's success in the electoral process. The present study is an effort to find the level of electoral manipulation by the government and the IJI and the logic of allegations of manipulation levied by the PPP against them.

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Introduction

Elections and manipulation of elections are generally discussed simultaneously in every corner of the world. Pakistan is no exception. Both the authoritative as well as the democratic governments avail every opportunity including manipulation of elections to extend their ruling period, amending constitution, winning support of prominent persons, polling bogus votes or juggling with the results of the elections. There exist different methods of manipulating election results among which few are fairly sophisticated and are used to tamper with election results in favour of a party or an individual.

Methods of Electoral Manipulation

Sophisticated methods of rigging help manipulate the election results without making anybody annoyed and keeping safe from leaving any proves to be reported. Following are some of them:

- In the poor countries where majority is uneducated, media can be used as a tool to mould the election results. The only thing that needs to be cared of is to establish control on media. To utilize prime time for election campaign and manage to make the opponent get least time or least significant time for campaigning. It helps to create an image and win support of many passive voters and others as well. Using media at prime time can perform two types of functions. It not only helps to build image in public but also may help to inform common people about the negative points of the political opponent.¹
- Another source of moulding election results is strong propaganda against the political opponents particularly providing proves to the common people about their links

1 Pippa Norris, *Why Electoral Malpractices Matter: Foe Legitimacy* (Harvard City: Harvard and Sydney Universities), 7. Also see Farhatullah Babar, *et. al., Democracy and Elections: How Elections are Stolen in Pakistan* (Islamabad: Peoples Institute of Democracy), 7; Iffat Humayun Khan, *Electoral Malpractices during the 2008 Elections in Pakistan* (Karachi: Oxford University Press, 2011), 27.

with foreign countries, the enmity of which is topic of general discussion.²

- To create split in the opponents' votes; an opposition can be created that can hardly prove to be a winning party but is capable of creating division in the votes of the political opponents. This method can be used other way round as well.³
- Amendments or violation of election laws can also be used as a tool to pressurize the political opponents. Such laws can be enacted that create hindrance in polling votes in the favour of a political party.⁴
- Foreign observers' opinion is generally used as a tool to certify that the elections were free and fair. If the observers are selected carefully and given least time to spend in the countryside to understand local politics, they will hardly be able to understand the indirect means used to mould the election's results.
- Just before the elections, sympathies and support of the selected candidates can help to improve voters' support towards a particular political party or an individual.
- Delimitation of constituencies to favour an individual, group or party also helps to create impact on election results without naming it manipulation.⁵

In addition to all the aforementioned methods certain other means of rigging can be used as well; for example changes in the Voters' Lists, issuance of Bogus National Identity Cards (NICs), preventing submission of nomination papers of opposition candidates, to bribe staff at polling stations, to bribe polling agents, misuse of postal ballots, bogus votes of voters generally and that of the women particularly, to spend more money on election campaign, usage of government's sources, change of ballot boxes at polling stations and creating law and order

2 Norris, *Why Electoral Malpractices Matter*, 7, 12-13. Also see Khan, *Electoral Malpractices*, 25.

3 Babar, *et. al.*, *Democracy and Elections*, 7.

4 Norris, *Why Electoral Malpractices Matter*, 8, 27-28.

5 Babar, *et. al.*, *Democracy and Elections*, 7.

situation at the polling stations.⁶ Bogus NICs are mostly issued to the people who are not eligible to cast votes. This is done mostly through women's cards. It is generally difficult to recognize women due to *pardah* [Urdu: covering the face]. Since these methods of rigging can easily be identified; political parties try to avoid them in the fear of being reported with evidence. The PPP alleged that some of these sources were used by the IJI to win the elections but could not prove its point due to non-availability of evidence. In the following pages allegations and counter allegations of rigging about the 1990 elections are discussed to analyze and create comparatively better understanding about the facts and factors of the incumbent elections that are generally perceived were used by the government to get the desired results.

General Elections 1990: A Brief Introduction

The party based elections and democracy was restored in 1988 after a long period of Martial Law. In the elections, a split mandate was received by the political parties as none could manage to get 2/3rd majority. Such a mandate brought different political parties in government at centre and in the provinces which created hitches in coordination between the two. This and many other difficulties of management resulted in the dissolution of the assemblies in August 1990 and the next elections held in October 1990. In the elections of October 1990 the IJI — an alliance of eight political parties — and the Peoples Democratic Alliance (PDA) — an alliance of four other political parties — were the major contestants. Major parties in the IJI were Pakistan Muslim League (PML), the Jamaat-e Islami (JI) and the National Peoples Party (NPP) along with smaller parties whereas in the PDA, the PPP and the Tehrik-e Istiqlal were prominent political parties.

The PPP was winner of the previous elections held in 1988 and was expecting success in the upcoming elections as well but being doubtful of its victory, it formed an alliance with other parties for the first time since its creation. The PPP believed that formation of alliance will help it win

6 Some of the electoral malpractices are discussed in Khan, *Electoral Malpractices*, 1.

comprehensively, but the results proved otherwise. The IJI, in alliance with other parties like the ANP in NWFP and the MQM in Sindh managed to win clear majority and was able to form government at Centre and in all the four provinces. The PPP could win only 44 seats in the National Assembly and rejected the election results. There were many reasons for this rejection as it was not expecting such a clear defeat at the hands of the IJI. Secondly, it could create negative impact on its vote-bank which needed to be made intact for future. Thirdly, the PPP claimed that there was a very minute difference between the votes polled in the favour of both the alliances and the percentage of votes received by the PPP did not decrease as compared to the elections of 1988. Still there was a huge difference of seats won by both the parties.⁷ This and many other arguments questioned the reliability of the elections which is being debated up-till now without any outcome. A closer study of the methods used to make the IJI's success possible informs nothing clearly whether the elections were stolen or not? The only evidence about rigging is the Supreme Court's proceedings with reference to the petition of Air Marshal (R) Asghar Khan against General (R) Mirza Aslam Beg for misusing his powers to fabricate the election results according to the then government's will. A brief account of different expressions and court's proceedings are discussed in the present study to check if the IJI was really involved in the rigging or it was just propaganda by the PPP.

Anecdotes of Election Day Malpractices

Rigging and the allegations of rigging in the elections are not something new in the electoral history of Pakistan. There had been such allegations against the election management

7 In the elections of 1990 for National Assembly, the IJI received 37.37 percent of the total valid votes and got 106 seats while the PDA received 36.83 percent of the total valid votes and it got only 44 seats. Government of Pakistan, *Report on the General Elections 1990*, (Islamabad: Election Commission of Pakistan) III: 191. This difference of seats raised questions about the validity of the election results. Abid Tihami, *Bud-Unwanion, Moasharti Kharabiyon pr Sahafati Taftiesh*, [Urdu: a Journalistic Investigation of Corruption and Social Evils], 342, 436.

and the government in almost each election held in Pakistan. In the presidential elections of 1964-5, opposition levied allegations against Ayub Khan for rigging the elections. Zia-ul Haq faced criticism for tempering the results of referendum arranged by him. In the elections of 1990, after having a clear impression that it will lose, the PPP levied allegations of rigging against the government. It also alleged that wherever the administration was unable to stuff bogus votes in the ballot boxes, it tampered the results through juggling with the figures.⁸

After seven months of the elections of 1990, the PDA published a White Paper⁹ highlighting different methods used by the government to get the desired results. It alleged that an election cell was created in the President House being managed by the army officials and bureaucrats to control election results. According to the White Paper major role in this cell was played by Roedad Khan and General Razaqat and was headed by the latter. There were instructions that all the results must be submitted to the election cell in the President House which had to forward them to the Pakistan Television (PTV) for live telecast. The PPP alleged that in many constituencies, more than twenty-five thousand votes were stuffed in the ballot boxes in favour of the IJI candidates. It claimed that those who could not be saved with the support of bogus votes were helped to win elections in the President House.¹⁰ The PDA further alleged that General (R) Hamid Gul and Asad Durrani were also involved in this activity.¹¹ Roedad Khan rejected these

8 *How an Election was Stolen: PDA White Paper on Elections 1990* (Islamabad: Peoples Democratic Alliance, 1991).

9 *How an Election was Stolen: PDA White Paper on Elections 1990*.

10 Pakistan Institute of Legislative Development and Transparency, *A Dispassionate Analysis of How Elections are Stolen & Will of the People is Defeated: Reflection in the Electoral History of Pakistan (1970-2008)* (Islamabad: Pakistan Institute of Legislative Development and Transparency, 2008), 15. Also see Munir Ahmad, *Jurnail Shahi* [Urdu: General's Rule] (Lahore: Gora Publishers, 1997), 59.

11 Ahmad, *Jurnail Shahi*, 59; Sehar Siddiqui, *Ghulam Ishaque Khan: Saddar Islami Jamhooria Pakistan, 1988-1993: Shakhsiyat, Kirdar, Khidmat* [Urdu: *Ghulam Ishaque Khan: President Islamic Republic of Pakistan, 1988-1993:*

allegations saying he was not aware of any such activity or existence of any election cell.¹² The Supreme Court of Pakistan in its decision on the Human Rights Case No. 19 of 1996 declared that the elections cell was created in the President House in the general elections 1990 and ordered the future governments and administration to avoid repeating such practices as it was against the human rights. The court declared that election of the representatives was the right of the people of Pakistan and nobody had the right to change outcome of elections according to their personal will.¹³ General Razaqat and others also owned the existence of election cell but no evidence is yet available that could prove the IJI's involvement in the working of this cell.

Benazir Bhutto alleged that the government had made a comprehensive plan to make the IJI's electoral victory sure. According to her, in the first instance almost fifty polling stations were selected in every constituency where selected/favourable polling staff was appointed to execute government's plan to help the IJI win.¹⁴ They were asked to send results of their polling stations to the Administrative Officers before sharing it with the representatives of political parties and the Returning Officers. They also had clear instructions to not provide certified copies of results to the polling agents of different political parties particularly to the agents of PDA. According to the leaders of PPP, at the time of vote count and submission of results to the polling agents, election results were tampered to support the IJI candidates. According to Benazir, government could not force the returning officers in Sindh to help the IJI candidates win hence the duty was performed by law enforcing agencies. She stated that representatives of the law enforcing agencies stamped bogus votes in favour of the IJI

Personality, Character and Services] (Islamabad: Ali Publishing Bureau, 2008), 362.

12 Siddiqui, *Ghulam Ishaque Khan*, 362.

13 The Supreme Court of Pakistan (Original Jurisdiction) Human Rights Case No. 19 of 1996. Dated October 19, 2012.

14 *Dawn*, October 27, 1990.

representatives.¹⁵ To further strengthen her argument she told that in favour of Ghulam Mustafa Jatoi, almost 80,000 bogus votes were polled. She also had objections about the election campaign of the IJI as it used funds from national exchequer for the election campaign and for increasing attendance in its public meetings. She exclaimed that the PDA's participation in the provincial assemblies' election was only an effort to not leave the field open for her political opponents i.e. the IJI.¹⁶ These and many other objections and claims were made public by the PDA to explain its failure in the elections of 1990. The caretaker government and the Election Commission of Pakistan (ECP) rejected these allegations.

The then Secretary General ECP took the allegations serious. He told that the electoral process was done in the presence of polling agents of political parties. In each polling station, votes' count was done in front of the polling agents and the results were signed by them. Copies of the election results of every polling station were issued to the polling agents. He asked the PDA leadership to provide copies of election results signed by its representatives to make a comparison with that of the publicized results to check the juggling of the digits alleged by the PDA.¹⁷ The PDA could not provide any such copies to prove its point.

The PPP told that the caretakers utilized the compulsion of providing the National Identity Cards (NICs) to cast vote as well as the caretaker government issued NICs to younger people to cast votes for the IJI. It also alleged that almost two hundred thousand bogus votes were registered to

15 To prove her point Benazir gave the example of returning officer of Pasur who refused to fulfill his responsibilities for the PA elections because of the arrangements to change the election results. Similarly returning officers of NA-1 Peshawar and NA-160 Nawab Shah declined to work for PA elections. *Dawn*, October 27, 1990. Also see Abid Tihami, *Intikhabat 90 ka White Paper* [Urdu: White Paper on Elections of 1990] (Lahore: Jang Publishers, 1990), 169 and *Pakistan Times*, October 27, 1990.

16 *Dawn*, October 26 and 27, 1990.

17 *Jang*, June 16, 1991.

increase the vote bank of IJI.¹⁸ There were allegations that the postal ballots were also used in favour of the IJI by the administration. There was an impression that many of the women who had died were still listed in the voter lists. Their votes and votes of those who did not use their right to vote were used to strengthen the IJI position in the elections.¹⁹ There was an allegation that in some polling booths, votes of the PPP were stolen or put aside to avoid them to be part of total votes polled in its favour. The Chief Election Commissioner's statement that apparently it seemed that voter turn-out will be lower than the previous elections was also highlighted by the PDA members to strengthen their allegations because according to the figures of reports of the ECP voter turn-out was increased in comparison with the elections of 1988 particularly in Punjab. The point was strengthened by the argument that wherever the voter turnout was increased, the IJI won in that constituency.²⁰

18 To get a voter registered is an easy task. All that a person has to do is to send an application with a copy of NIC to the magistrate of his region to get him registered as a voter. Many of the people get themselves registered without submitting copy of NIC. It was believed that many of the people got themselves registered in an organized way to use their votes to mould the election results in favour of the IJI. *How an Election was Stolen*, 168-69. Also see Tihami, *Intikhabat 90 ka White Paper*, 157.

19 Tihami, *Intikhabat 90 ka White Paper*, 160.

20 In 71 National Assembly constituencies of Punjab, voter turnout increased by five percent to twenty-seven percent. The IJI won fifty five of these as compared to the elections of 1988's victory in thirty constituencies. It also won thirteen out of sixteen constituencies, where voter turnout had fallen from point one percent to twenty percent. Anwar H. Syed, "The Pakistan People's Party and the Punjab: National Assembly Elections 1988 and 1990", *Asian Survey*, XXXI, No. 7 (July 1991): 588-89. On the polling day, it was claimed that the PPP workers were harassed. Syed Qaim Ali Shah, a candidate for Sindh PA reported that the PPP workers were arrested on a large scale from his constituency. Sardar Muqem Khan from Jacobabad reported that Soomro changed election results after losing the elections. NA-95 candidate reported that 7 polling stations of his constituency remained closed till 2 pm. *Dawn*, October 28, 1990. Jam explained that in the constituency of Ilahi Baksh Soomro and Ghulam M. Mehar, the PPP created problems while counting of votes was in progress. Six ballot boxes in that constituency remained uncounted and in one polling station, polling could not be held. In Sukhar, the IJI workers were intimidated. *Dawn*, October 27, 1990. Islamuddin Sheikh alleged rigging in his constituency i.e. NA-53. He said that thousands of bogus votes were polled in his

According to the PPP, its active workers were detained or arrested to earn bad impression for other workers particularly in Sindh. The PDA's most of allegations proved wrong. The Election Commission mentioned that those who were arrested just before the elections were detained under criminal cases and not for political reasons.²¹

Nawaz Sharif, the then president of the IJI rejected all the allegations of rigging. He stated that foreign observers monitored the elections and declared them free and fair. Furthermore, the process was watched over by the judiciary which was impartial. He further said that it was a tradition of the PPP to reject electoral process after facing defeat. He gave example of the elections of 1988 as the PPP had alleged rigging in Punjab because the IJI had won there. He said if Benazir Bhutto was true why did she avoid to bring facts in common knowledge during her Premiership as being in government it was not difficult for her because all the records could freely be utilized to prove her point. According to him it was just a face saving attempt of the PPP which had no factual base. Another argument of the IJI leadership was that through rigging only marginal difference could be created. The quantum of success of the IJI itself was an evidence of public support for the IJI.²² Mian Shahbaz Sharif announced that he could produce evidence of Jehangir Badar's²³ illegal activities to win the elections in NA-96. Mian Ehsan-ul Haq, one of the members of the PML gave an open challenge to the PPP leadership to compete in any constituency of Lahore in by-elections to prove the authenticity of their argument. According to him votes were

constituency. He denied to accept election results and demanded fresh polls under the supervision of neutral administration. *Dawn*, October 26 and 28, 1990. Winning candidate of this constituency had been victorious in the same constituency in the elections of 1985 and 1988 for that matter, voters of this constituency criticized allegations of rigging against their candidate. *Nawa-i-Waqt*, June 14, 1991.

21 Government of Pakistan, *Report on the General Elections 1990*, (Islamabad: Election Commission of Pakistan) III: 276.

22 *Pakistan Times*, October 26, 1990 and *Dawn*, October 28, 1990.

23 One of the prominent leaders of PPP.

cast in favour of the IJI by those who generally did not participate in the previous elections.²⁴

The then Caretaker Chief Minister of Sindh Jam Sadiq Ali stated that the PPP was responsible for firing and rigging in Sindh. He said that the PPP made every effort to win the elections in Sindh without considering its legal perspective.²⁵ Muhammad Khan Junejo, Ch. Shujaat Hussain, Ghulam Haider Wyne, Malik Khuda Baksh Tiwana, Muhammad Yameen Khan and many other prominent PML leaders challenged the validity of the PDA's *White Paper*. They argued that the PDA published it almost seven months after the elections, and termed that it could have been published earlier if it was justified in its claims.²⁶ Balochistan government also called all the rigging allegations on the part of the PPP to decrease the tension of such a clear defeat.²⁷

Mir Taj Muhammad Jamali, the then Chief Minister of Balochistan (1990-1993) and an IJI member, stated that there was some rigging in the province under the guidance of caretaker government, but the statement was contrary to the facts. In the province, Jamhoori Watan Party (JWP) could win only two National Assembly and nine Provincial Assembly seats. The Caretaker Chief Minister at that time, Mir Humayun Khan Mari was son in law of Nawab Akbar Bugti, the leader of the JWP and if there was any role of the caretaker government in rigging, the JWP could have won clear majority at least in the provincial assembly. Chances of rigging cannot be ruled out completely but the allegations without concrete evidence can only create an impression in peoples' minds as a propaganda tool.²⁸ Taj Muhammad Jamali announced that ten deputy and assistant commissioners were suspended for misconduct in the

24 *Dawn*, October 28, 1990.

25 *Dawn*, October 25 and 26, 1990.

26 *Nawa-i-Waqt*, June 14, 1991 and *Jasarat*, June 17, 1991.

27 *Dawn*, October 28, 1990 and *Jang*, June 15, 1991.

28 Muhammad Farooq Qureshi, *Nawaz Sharif: Aik Hukmran aik Siyasatdaan* [Urdu: Nawaz Sharif: A Ruler, A Politician] (Lahore: Qaumi Publishers, 1994), 30-31.

elections of 1990.²⁹ The PPP took this statement as an evidence of rigging but none of the deputy commissioners were actually suspended for such activities. Later, it was clarified by the CM that if any of the officers had played any role in rigging they would face consequences and might be suspended. With this explanation, the story based on CM's statement became superfluous.³⁰ The Chief Election Commissioner rejected the story based on the statement of CM Balochistan as only the Chief Election Commissioner could take action against those responsible for misconduct in the electoral procedures.³¹ Keeping in mind all the allegations and counter allegations, a question arises that if there were no proofs of rigging, were the elections fair?

The Chief Election Commissioner did not agree with the mere statements. He asked for solid evidence for the allegations and complaints to take action against the malpractices exercised during the elections. He was even ready to nullify the elections in the constituencies where the rigging was proved with evidence. According to an analysis of the Chief Election Commissioner, the PPP's vote bank remained intact. According to him, the IJI mainly secured votes of independent candidates as the success rate of independents was quite low as compared to the previous elections particularly that of the 1988 elections. 1,323 applications were submitted in the Chief Election Commissioner reporting misconduct in the elections but hardly any evidence was provided along with the applications which made the case feeble. The applications that were supported with proof drew attention of the Chief Election Commissioner and necessary action was taken.³²

29 Anwar H. Syed, "The Pakistan People's Party and the Punjab: National Assembly Elections 1988 and 1990", *Asian Survey*, Vol. XXXI, No.7, (July 1991).

30 *Report on the General Elections 1990*, Vol. III, 344 and Qureshi, *Nawaz Sharif*, 30-31.

31 Tihami, *Intikhabat 90 ka White Paper*, 170 and 178-79.

32 *Report on the General Elections 1990*, Vol. I, 226. *Report on General Elections 1993* mentioned that out of 145 only one petition succeeded on technical grounds and remaining 144 were dismissed because the

Most of the applications lacked specific information to take action. In the complaints, it was mentioned that official transport was used by the candidates during elections and members of opponent parties were harassed. Some of the applicants alleged that in certain regions government officers particularly the Civil Servants were transferred and promoted to get their support in the electoral process and election campaign of the IJI. The Home Secretary denied these allegations. There was an allegation of use of public funds by the candidates of the IJI to win sympathies of the common people in certain constituencies through welfare work just before the elections.³³ Secretary General of the

petitioners had no proves for what they claimed. *Report on General Elections 1993*, Vol. III, 4.

- 33 Federal Minister for information, Syeda Abida responded to the allegations that the government of Punjab had a *Tameer-i-Watan* [Urdu: Construction of the Country] programme which was not stopped due to the dissolution of the assemblies. This programme consisted of the construction of rural roads, up-gradation of schools, medical facilities etc. As these projects were in process under the MPAs, so the funds were released for those projects to keep the development work continued. It was said that the public welfare projects could not be stopped due to the propaganda of those who did not do any thing for the underprivileged people during their twenty months rule. *The Pakistan Times*, September 18, 1990. Similar explanations were given by other leaders including CM Punjab Wyne. He further added that these funds were released without any discrimination of party affiliations for public welfare and not for the election campaign of IJI candidates. *The Pakistan Times*, October 11 and 19, 1990. Jatoi was of the view that if the caretakers were working to improve the condition of common people there was no harm in it. He said that only those were raising objections that had no interest in the public welfare. *The Pakistan Times*, October 19, 1990. Jatoi rejected all the claims of issuing money to the IJI candidates. He said that the money provided by the World Bank for construction of roads and basic infrastructure was not used by the caretakers. Under annual development programme some of the projects were being run but these projects were started after following the process prescribed by the government and with the approval of Chairman/Secretary Union Councils. *Report on the General Elections 1990*, Vol. III, 267 and *Dawn*, October 15, 1990. These were the projects about which the PDA raised allegations of distribution of money among the IJI candidates from development funds. Fazal of the JUI (F) criticized the decision of the JI to give fifty Lac rupees to each of the IJI candidate for development projects during interim period. He was of the view that Junejo and Bhutto did the same and Nawaz Sharif was repeating the same mistake. *The Pakistan Times*, September 25 and October 9, 1990. Tihami, *Intikhabat 90 ka White Paper*, 169.

PPP said that the IJI used all the methods to manipulate election results and become more successful than it deserved. It allotted plots to non-deserving people; announced facilities to the *Lumberdars* [Urdu: Registered Representatives of Village Community] and crores of rupees were spent on the chairmen and councilors of Municipal Committees, District Council and Union Councils to get desired election results.³⁴ The PPP/PDA cited newspaper clippings to support its claims which were not acceptable for the ECP as evidence. According to the Constitution of Pakistan, newspaper clippings cannot be used as primary evidence even in the courts.³⁵ This made the case of the PPP/PDA unsubstantiated for any legal action by the ECP. Justice Khalilur Rehman Khan pronounced that 24 applications of rigging were submitted in the ECP.³⁶ There was a claim by the PPP workers that the IJI used its workers to poll bogus votes with the help of polling agents and polling staff in NA-114, NA-115 and NA-120. The IJI leaders and workers vehemently rejected the claims.³⁷ There was a complaint of registration of 476 bogus votes in a constituency of Lahore but the complainant failed to identify bogus names. The PDA complained that the ECP was informed that thirty constables were provided to each of the IJI candidate to run the election campaign on which almost twenty crore rupees were spent by the caretaker government from the national funds. The counsel of the complainant failed to provide any evidence of the claim and the case was dismissed. There was another complaint that the IJI got

34 *The Pakistan Times*, September 18, 1990.

35 *Report on the General Elections 1990*, Vol. III, 265.

36 *Dawn*, October 25, 1990. Some of the official members told that the number of registered complaints was 30.

37 Tihami in his book *Intikhabat 90 ka White Paper* published about the rigging arrangements in PP-226 Bahawalnagar-II. According to the ECP the statements in this book were forged. There was no reality in the allegations. The ECP mentioned that the signatures of the Presiding Officers published in the book were not original. *Report on the General Elections 1990*, Vol. III, 336-37. *Dawn*, October 25, 1990. Also see *Jasarat*, June 14, 1991. The PDA member for NA-149 initially accepted the results and later he alleged rigging. *Jasarat*, June 22, 1991.

more coverage on electronic media, particularly on state owned media centers, than any other party. It was alleged that the PTV gave more projection to various components of the IJI in comparison with all other parties. The PDA claimed that the national media was also used as a tool for negative projection of the PPP government from 1988-90 which helped the IJI to gain more public support. Ministry of Information and Broadcasting took the position that it gave equal time to all the parties and political alliances. Since the IJI was a huge alliance and had cooperation of many regional political parties, it got more time on national and private media. The ministry explained that the PTV was not allowed to edit statements of political leaders even if they were propagating against others as it was part of the election campaign.³⁸

Under the Representation of the People Act, 1976 103 applications were filed. The commission conducted hearings and disposed off the applications according to law. Twelve complaints were filed with reference to the malpractices by the political parties and others during polling. Eight complaints were not supported by evidence and thus dismissed by the ECP. Only four applicants could prove their point for which the ECP ordered fresh polls at few polling stations of some constituencies. The ECP also ordered fresh elections in some of the constituencies as well.³⁹ There were

38 *Report on the General Elections 1990*, Vol. I, 226-32.

39 The Election Commission of Pakistan ordered to conduct elections in 5 polling stations of PS-14 Jacobabad-5. But one of the candidates asked to hold elections again in the constituency as there had been mass disturbance in the constituency. Elections were held again in the constituency in June. Candidate who won the election in November 1990 became successful again in the by-elections held in June 1991. In PF-46 Mansehra-5, one of the candidates filed a petition that he was announced the winner, but later the vote bags were re-opened without his notice and his rival was declared successful. The ECP ordered re-polls in the entire constituency. Re-poll was held in one polling station of PF-51 Kohistan-2 due to complaints of rigging in the elections. Polling was stopped in one of the polling stations of PF-59 Bannu-2 by the presiding officer due to disturbance. Re-poll was held in that constituency to check any kind of corruption or rigging in the elections. The poll was stopped in PB-15 Qilla Saifullah by the member of election commission due to the situation of law

thirty-three complaints for recounting among which only four applications were accepted for recounting of ballot papers for being supported with the required evidence.

The famous 'Mehran Bank Case' is generally considered as a part of the efforts of the then caretaker government to manipulate the election results. According to the petition, filed by Air Marshal (R) Asghar Khan in the Supreme Court of Pakistan, politicians were provided money from the accounts of Mehran Bank through its President Younis Habib who admitted that he provided money to the politicians but none of the politicians accepted any such allegations and denied receipt of any money from any source. There was a general rejection of this statement and people criticized it as a tool to divert opposition's attention from the PPP government's corruption during its third tenure.⁴⁰ Lieutenant General (R) Asad Durrani, former

and order, and was conducted later. Due to worst law and order situation, the polling at PB-35 Lasbela-2 was stopped and was held later. Polling was stopped in PB-38 Turbat-2 and the ECP announced to hold fresh elections in the constituency. But re-poll in just three polling stations was held with the order of the Supreme Court of Pakistan. *Report on the General Elections 1990*, Vol. I, 169-75 and 233. NA-29 Tribal Area-3 the ECP ordered re-counting of votes and the runner up won the election. In NA-156 Jacobabad-1 one of the polling stations votes were counted for the second time and the runner up in this constituency won the election for NA-156. After assessment of the conditions it was ordered to re-poll in 13 polling stations of PP-82 Gujranwala-4. In PP-134 Sheikhpura-1 re-polling in 21 constituencies was ordered with the consent of the candidates. A candidate and one of the voters in this constituency filed petitions to hold fresh election but the ECP rejected the petitions. PF-25 Sawabi-2 runner up candidate in this constituency wanted recounting of the votes but his petition had no solid grounds, so was dismissed by the election commission. *Report on the General Elections 1990*, Vol. I, 169-75 and 233-34.

- 40 Zaffar Abbas, "True Confessions?", *The Herald*, July, 1996. 15. Abbas Bukhari, *Benazir*, 195. General Babur presented list of the politicians who remained on the payroll of ISI and were from anti-PPP bloc. The amount paid to the politicians with their respective names was Nawaz Sharif Rs. 3.5 Million, Mir Afzal Khan Rs. 10 Million, Lieutenant General Rafaqat Rs. 5.6 Million (for disbursement to media), Jamaat-e-Islami Rs. 5 Million, Abida Hussain Rs. 1 Million, Altaf Hussain Qureshi and Mustafa Sadiq Rs. 0.5 Million, Ghulam Sarwar Cheema Rs. 0.5 Million, Ghulam Mustafa Khar Rs. 2 Million, Malik Mairaj Khalid Rs. 0.2 Million, Misc smaller groups Rs. 3.4 Million, Ghulam Mustafa Jatoti Rs. 5 Million Jam Sadiq Ali Rs. 5 Million,

Mohammad Khan Junejo Rs. 2.5 Million, Pir Pagara Rs. 2 Million, Smaller Groups in Sindh Rs. 5.4 Million, Abdul Hafeez Pirzada Rs. 3 Million, Jousaf Haroon Rs. 5 Million, Muzaffar Hussain Shah Rs. 0.3 Million, Ali Akhtar Nizamani Rs. 0.6 Million, Arbab Ghulam Aftab Rs. 0.2 Million, Pir Noor M. Shah Rs. 0.3 Million, Arbab Faiz Mohammad Rs. 0.3 Million, Ismail Rehan Rs. 0.2 Million, Humayun Khan Mari Rs. 5.4 Million, Jamali (first name unavailable) Rs. 4 Million, Kakar (first name unavailable) Rs.1 Million, Liaquat Baluch Rs. 1.5 Million, Jam Yousaf Rs. 0.75 Million, Bizenjo (first name unavailable) Rs. 0.5 Million, Nadir Mengal Rs. 1 Million. Mubashir Zaidi, "Foreign Democracy", *The Herald*, April 2000, 27-28. Detail of distributed money was also published in *Jang*, June 12, 1996. Details of affidavit of Asad Durrani are also published in the *Original Jurisdiction of the Supreme Court*, October 19, 2012, 14-15. A petition was filed by Asghar against Beg in the Supreme Court which was taken under the Human Rights Case No. 19/1996 in which he told that Beg distributed 15 crore rupees among different politicians to keep them united against the PPP. The money was drawn from Mehran Bank through the then ISI Chief Asad Durrani. According to Asad Durrani's statement Asghar Khan also received money, CMA No. 109/97. Details of misuse or distribution of money are available in *The National Assembly of Pakistan Debates: Official Report*, Volume III, No. 10, April 20, 1994, 1318-25. Allegations and counter allegations are provided in *The National Assembly of Pakistan Debates: Official Report*, Volume III, No. 11, April 14, 1994, 1449-77 and *The National Assembly of Pakistan Debates: Official Report*, Volume III, No. 13, April 25, 1994, 1696-1715. Details of money and mode and purpose of the money illegally received from Mehran Bank is provided in *The National Assembly of Pakistan Debates: Official Report*, Volume IV, No. 11, 1333-34. The case remained pending for a long time and the PPP tried to reopen it in the middle of 1996. None of the allegations were proved by the PPP government against any of the politicians at that time. *The National Assembly of Pakistan Debates: Official Report*, June 11, 1996, 300-344. Another thing that is important that there was a scam of four billion rupees amongst which 14 Crore rupees were disbursed on the order of Beg, through an agency to the politicians. Here arises a question that why 14 crore rupees had remain under discussion and the remaining amount was totally ignored. It is believed that members of the PPP including the president of Pakistan were beneficiaries as the president sold his land through Younis Habib that was not legally documented 29 *benami* (fake) accounts were highlighted in which the money was deposited by the President of Pakistan Farooq Lughari. Rauf Tahir, "Sadar Lughari ki Zameen ka Tanaaza" [Urdu: Contention of President Lughari's Land], *Weekly Zindagi*, June 24-30, 1994, 6-8. Mukhtar Hassan, "Sadar ky Khilaf Dastavaizi Saboot" [Urdu: Documentary Evidence Against President], *Weekly Zindagi*, June 8-15, 1994. An interview of Younis Habib with Rafiq Afghan, *Weekly Zindagi*, May 7-13, 1994, 43-5. Rafiq Afghan, "Corruption ky Mutaafin Johard main Siyasatdano ki Dubkiyan" [Urdu: Politicians' Fumbles in the polluted Pond of Corruption], *Takbeer*, May 26, 1994. Last hearing was done in November 1999 and later the decision of the Court was withheld. Ardeshir Cowasjee, "We Never Learn from History-5", *Dawn*, August 25, 2002. The case was reopened in January 2012 but the

Director of Inter Services Intelligence (ISI) claimed that the money was distributed among the politicians to run the election campaign. He submitted an affidavit in the Supreme Court during the hearing of the famous Human Rights Case 19 of 1996. In the affidavit, he provided a list of prominent politicians and journalists who received financial support from the ISI to run their election campaign against Benazir during the elections of 1990. In this list prominent politicians like Nawaz Sharif, Ghulam Mustafa Jatoi, Muhammad Khan Junejo, Mir Afzal and many others were nominated for receiving money from the ISI. He told that almost sixty million rupees were provided by the Chief of Army Staff, General Mirza Aslam Beg, through the ISI to the politicians to strengthen their election campaign. Out of this amount fifteen crore rupees were distributed among the politicians.⁴¹ He explained that the President of Pakistan Ghulam Ishaque Khan and the Caretaker Prime Minister Jatoi were well informed before money was distributed.⁴² The case was left pending in 1999 and was reopened in January 2012 and the Supreme Court gave its judgement about the case on October 19, 2012. During the proceedings of Human Rights Case No. 19 of 1996, in their statements Younis Habib, the president of Mehran Bank, Asad Durrani and of Aslam Beg admitted that the money was used during the general elections 1990. But none of the politicians had accepted that they received money through ISI, Younis Habib or any other government source. In its decision, the Supreme Court ordered to collect evidence of receiving the money by the politicians.⁴³ Beg said while answering to a journalist on

petitioners could not present any evidence that any of the politicians received the money from the ISI representatives.

- 41 Supreme Court Proceedings, Human Rights Case No. 19 of 1996. Dated: June 16, 1996.
- 42 Makhdoom Syed Ghayoor Abbas Bukhari, *Benazir, Beiti Sy Qaid Tak* [Urdu: Benazir: From Daughter to Leader] (Lahore: Multi Media Affairs, 2004), 195. Also see Mubashir Zaidi, "Foreign Democracy", *The Herald*, April 2000, 27-28.
- 43 The Supreme Court of Pakistan (Original Jurisdiction) Human Rights Case No. 19 of 1996. Dated October 19, 2012.

February 8, 1993 that in the elections of 1990 there was a hidden hand who managed the elections that was the reason the losers and the winners were unaware of the causes of their failure and success respectively.⁴⁴ Another opinion about this was that the ISI might have spent money to keep unity inside the IJI ranks as member parties had differences which could lead to dissolution of the alliance. It was believed that the PPP government was not dissolved to bring it back on the seat of government through elections and that could only be avoided if the IJI was united.⁴⁵ Some of the people argue that Younis Habib admitted providing money to different politicians but none of the politicians accepted receiving any money from him or any of his sources. Therefore, this is not an evidence of usage of money through government sources as the claimed recipients have rejected the statement and there exists no evidence of any such practice.

Foreign Observers and Media Reports about Elections 1990

The elections of 1990 were conducted under the guidance of judiciary and were observed by many foreign institutes who gave positive comments about the conduct of the elections but later the reports discussed and analyzed some factors that made the demeanor doubtful. Three teams of foreign observers came to Pakistan to observe the electoral process. The group of observers from France consisted of four people; two lawyers and two magistrates. They observed that highly sophisticated methods were adopted to distort or mould the election results. Another team of foreign observers named the National Democratic Institute (NDI) from Washington came to see the process. According to the

44 Murtaza Anjum, *Siyasat, Aaien aur Addalat*, [Urdu: Politics, Constitution and the Court] (Lahore: Fateh Publishers, 2001), 86, 159.

45 There was an argument that establishment did not want the PPP to come again into power for which it wanted the IJI to maintain its status as an alliance. The ISI not only supported members of the IJI but also spent money as well. Zafar Abbas, "Ballot Ahead", *The Herald, Supplement*, August, 1990. 40.

NDI, apparently hardly any evidence of rigging was available and the process seemed free and fair but statistical study clearly indicated serious irregularities. Electoral process in almost fifteen percent of the total constituencies was questioned among which most belonged to the IJI. The NDI raised doubts about thirty-one constituencies. Overall it appreciated the security arrangements made by the government and the ECP's efforts to conduct free and fair elections. It commented positively with reference to the ECP's dealing of the complaints of rigging and other issues. It further commented about the polarized environment with reference to pre-election scenario. According to the NDI, President Ghulam Ishaque Khan's decision of dissolving the assemblies on corruption charges and references filed against the PPP in special courts and the control of the IJI leadership on the national resources favoured it in the electoral process. It discussed killing of candidates, party workers and civilians during election campaign and election days. Atrocities against polling agents, polling staff and voters also attracted the foreign observers.

The NDI issued its final report in January 1991 which stated that probably fifteen percent success of the IJI was due to the government's planning. It mentioned that this surveillance was result of a tough scrutiny of political and social conditions in Pakistan and the reaction of common people with reference to the election results. After obtaining first-hand knowledge of public opinion about election results through its representatives' meetings with the common people of Pakistan the NDI observed that in very few polling stations, the polling staff seemed partial but it was not an evidence of rigging to the extent that was mentioned by the PDA leaders. According to the NDI report the vote of third party brought the IJI in government with a comprehensive majority.⁴⁶ The NDI suspected rigging in fifteen percent constituencies but did not mention precise details of these constituencies and also gave a general comment on

46 NDI Affairs, *The October 1990 Elections in Pakistan*, 97-101.

malpractices without definite information.⁴⁷ The comments that are not specific with reference to province, region and constituency cannot gain the attention of the government machinery or that of the Election Commission to take any action to check the authenticity of the claim.

An independent English Language Print Media (ELPM) observed that during the election campaign, Pakistani media gave almost equal coverage to different political parties with reference to their election campaign. The ELPM delegation rejected the PDA's claims regarding change of ballot boxes and expulsion of polling agents from polling stations. The delegation appreciated the tolerant and cooperative attitude of polling agents and polling staff and called it positive for the growth of democracy in Pakistan. French delegation observers raised some doubts about the process on the Election Day.⁴⁸ The leader of the delegation said "the elections were generally open, orderly and well administered". He appreciated the counting procedure as well. The delegation was unable to find any support for its claims about malpractices. It also mentioned in the report that the malpractices were not too massive to create impact on election results.⁴⁹ It also mentioned that there was some misconduct when the ballot boxes were being shifted from polling stations to the central place for counting. The claim

47 A. Rasheed, "Election 90 NDI ki Raye aur Tajaveez", [Urdu: Elections of 1990, Opinions and Suggestions of NDI] *Nawa-i-Waqt*, February 23, 1991. Also see "No evidence of Fraud: NDI", *The Nation*, January 16, 1991, Ahmad Rasheed, "Electoral Reform is Needed", *The Nation*, January 16, 1991, "October Polls Fair: Says the NDI Report", *The Muslim*, January 16, 1991, "Final Report Released: NDI Doubts Fairness of Polling on 15% Seats", *Dawn*, January 16, 1991 and "NDI Final Report Terms Elections' 90 Fair", *Pakistan Times*, January 16, 1991.

48 Yasin Rizvi, *Election 90 in Pakistan: A Frank and Outspoken Review of the Election Process in Pakistan with Interesting Data List of MNA's and other Interesting Data* (Lahore: Feroz Sons Ltd.), 103-106. U.S. Assistant Secretary of State said that French observers were provided the information by some political parties and they did not visit the polling stations personally. *Report on the General Elections 1990*, Vol. I, 276-77.

49 National Democratic Institute for International Affairs, *The October 1990 Elections in Pakistan*, (National Democratic Institute for International Affairs, 1991), 60-61. Also see *Report on the General Elections 1990*, Vol. I, 275.

was rejected by the administration for the reason that votes were counted at the polling stations immediately after the polling was over. There was no need to shift them to another place for counting so the claim proved baseless.

SAARC observers' group found the elections free and fair without any convincing complaints,⁵⁰ however, it criticized the appointment of Jatoi, a prominent opposition leader as the caretaker Prime Minister. It called it against the democratic norms for conducting free and fair elections.⁵¹ In the opinion of Canadian team the elections were "fair and free, firm and friendly".⁵² It specifically observed the process in Gujrat where Benazir Bhutto, the ex-Prime Minister of Pakistan raised doubts about rigging. The team was satisfied with the electoral conduct and did not find malpractices of polling staff or others. The team mentioned the elections as fair, free, frank, and fantastic. They also observed the polling process in Lahore and Faisalabad⁵³ and gave positive opinion regarding the electoral process.

Journals, newspapers, and individuals analysed the electoral process differently and gave their opinion about it. Plenty of opinions and analytical observations are available, highlighting different aspects of the electoral process with quite variance. International media appreciated the maintenance of law and order on the polling day.⁵⁴ George

50 *Report on the General Elections 1990*, Vol. I, 274-75.

51 Tihami, *Intikhabat 90 ka White Paper*, 174.

52 *Report on the General Elections 1990*, Vol. I, 276.

53 Rizvi, *Election 90 in Pakistan*, 108. Also see Tihami, *Intikhabat 90 ka White Paper*, 175.

54 *Report on the General Elections 1990*, Vol. I, 277. *Washington Times* called elections free, fair and well organized. British journal *Economist* wrote that Pakistani Bureaucracy and Army wanted to separate Benazir from government in a legal manner which was done through elections of 1990. The Journal wrote that apparently the elections were free and fair. Tehran Radio broadcasted that the SAARC observers have given the report that the elections were not free and fair and there were many events of violence in the elections. *Times* correspondent wrote that there were no complaints of harassment or fraud. *Independent of Sunday* published a report that the allegations of rigging in the elections were not true. *Khaleej Times* wrote that it was asked to the government of Pakistan to not disqualify Benazir to contest the elections as she did too many good things for Pakistan at

H. W. Bush, the then President of United States of America commented that “the general elections in Pakistan were free and fair which reflected the will of the people. The voting process was generally open, free from violence and orderly”.⁵⁵ Spokesperson of the US State Department also described the process free and fair.⁵⁶ National newspapers like *Nawa-i-Waqt* and *Musawat* opined that the elections were free, fair and peaceful. *Nawa-i-Waqt* observed some misconduct in certain constituencies but declared it as reasonably limited.⁵⁷ Analysts of *Friday Times* made a comparison of 1988 and 1990 elections’ for voter turn-out and the votes polled in favour of the IJI and the PPP candidates generally in different constituencies of Punjab. The *Friday Times* found almost thirty constituencies where the IJI’s victory was result of bogus votes registered and polled. It suggested that among these thirty seats, the PPP could have won twenty-eight if the elections were fair. There was an observation that Benazir’s government was not dismissed to let it come back and there must have been some arrangements to keep her out of power through the elections of 1990. It was argued that Benazir’s efforts to repeal the Eighth Amendment in the Constitution of Pakistan were major reason of her dismissal. The repeal of Eighth Amendment was not possible without the cooperation of the IJI for Benazir government but unfortunate for the PPP, the IJI did not support her. For the President these efforts were actually made to curtail his powers and limit his role to symbolic head of the state only.⁵⁸ Another point that was

international level. It was the result of this that she was not disqualified to contest the elections but she faced such a comprehensive defeat in the elections. Voice of Germany said that the allegations of rigging are an old tradition in Pakistan which were being repeated in the elections of 1990. Tihami, *Intikhabat 90 ka White Paper*, 174-76.

55 *Report on the General Elections 1990*, Vol.I, 273. Also see *Jang*, March 11, 1991 and *The Muslim*, March 12, 1991.

56 Tihami, *Intikhabat 90 ka White Paper*, 176 and *Pakistan Times*, October 26, 1990.

57 *Report on the General Elections 1990*, Vol. I, 278-82.

58 Syed, “The Pakistan People’s Party and the Punjab”.

taken by the national newspapers was comparatively less attendance of voters in the polling stations but the election results shown improved voter turn-out.⁵⁹ People and media generally and print media particularly highlighted this difference as a source, to question the neutrality of the government in conducting free and fair polls.

The ECP responded to the PDA's *White Paper on Elections of 1990* with a detailed report countering all the claims of the PDA and established most of the allegations unjustified and unjustifiable only as a face-saving act of the PPP after a comprehensive defeat at the hands of the IJI. The ECP explained that the PDA suspected manipulation of elections in seventy constituencies and filed election petitions for only thirty five.⁶⁰ Omer Asghar Khan, Secretary Information of the PDA called the ECP partial for its response because according to him the allegations were levelled on the IJI and not the ECP and it was responsibility of the IJI to respond not that of the ECP. The ECP was criticized generally for its statement for being unaware of the election cell's existence at President House.⁶¹ According to Jatoi, the source of information of the *PDA's White Paper* was newspaper clippings which were neither acceptable for any courts as evidence nor were considered an authentic source of information.⁶² The PPP used a statement of the caretaker PM Jatoi which he gave in January, 1991. He stated that Nawabzada Nasrullah Khan and few other prominent politicians' electoral defeat was result of a comprehensive plan. He told that he was the caretaker PM at that time but had no powers to interfere in that decision.⁶³

59 Tihami, *Intikhabat 90 ka White Paper*, 163.

60 *Report on the General Elections 1990*, Vol. III, 11-243.

61 M. Ismail, "EC Answer to PDA's White Paper Unsatisfactory: Omer", *Frontier Post*, November 21, 1991. Also see *Nawa-i-Waqt*, November 21, 1991 and *Jasarat*, December 9, 1991.

62 *Report on the General Elections 1990*, Vol. III, 346-48.

63 Syed, "The Pakistan People's Party and the Punjab". Tihami, *Intikhabat 90 ka White Paper*, 173. Jatoi in an interview to *Nawa-i-Waqt* said that the IJI victory was a result of election strategy in which anti-PPP vote was saved from being divided among many parties. An interview of Jatoi by Jazib

Later, Jatoi disowned this statement and explained that he only gave a hint about political planning. He said that he did not mention about any rigging plans against these politicians.⁶⁴ Benazir used the statement of Jatoi at different occasions to prove that Nawaz Sharif's premiership was result of rigging.⁶⁵ After being suspended from the IJI, Agha Murtaza Poya stated that almost 25 National Assembly constituencies were rigged in favour of the IJI.⁶⁶ Poya's statement could not get due importance as he gave such statements after he was expelled from the IJI, so the statement could be the result of anger against the IJI leadership for being expelled from a ruling alliance. Secretary General of the IJI and JI, Professor Abdul Ghafoor commented that instead of calling others responsible for her defeat, Benazir should focus on the reasons for which she lost the confidence of the people of Pakistan. Altaf Hussain, Azeem Ahmad Tariq (MQM) and Syed Ghaus Ali Shah (IJI) responded the PPP's allegations with counter allegations of rigging in Sindh by Benazir and her supporters.⁶⁷ This argument shows the attitude of non-acceptance of electoral defeat by political leaders of almost every party that was part of the elections of 1990.

Another important feature of the elections of 1990 was Asghar Khan's petition filed in the ECP alleging the government of Punjab for announcing privileges for *Lumberdars* to get their support in the elections. He alleged that caretaker government of Punjab gave 200 million rupees to the IJI candidates to initiate development projects

Sohail and Nawaz Raza, published in *Nawa-i-Waqt*, July 19, 1991. He denied any act of rigging against Nasrullah or other prominent leaders. *The Nation*, January 5, 1991. Also see "Jatoi's Unbuttoning", *Frontier Post*, January 5, 1991. Jatoi stated that most of the information published in *White Paper* was gathered from newspapers and was not authentic. *Jang*, September 21, 1991, *Pakistan Times*, September 28, 1991 and Mohammad Waseem, "By-Elections: More of the Same", *Dawn*, January 14, 1991.

64 *Report on the General Elections 1990*, Vol. III, 345.

65 *Keesings Record of World Events*, News Digest for November 1992. 39193.

66 Personal interview with Agha Murtaza Poya, Islamabad: July 20, 2007.

67 Qureshi, *Nawaz Sharif*, 30-31.

in their constituencies to increase the number of votes. In the application, caretaker government was also alleged for transferring government officers. The ECP did not entertain the application because Asghar Khan did not attach affidavit with it. The ECP took a position that details of transfers were not provided with the application and it could not entertain the application as an unsystematic document. The petition faced rejection for being based on apprehension.⁶⁸ The IJI argued that such application could only be entertained if the details of each transfer were provided by the applicant with the dates of transfers. It was reasoned that generalized statement cannot become base to prove electoral manipulations to convert results towards victory of a specific or favoured candidate. The IJI leadership claimed that the Chief of ECP was selected and appointed by Benazir and the process was conducted under the guidance of judiciary and the ECP. Most of the government sources criticized Benazir for giving inappropriate, vague, baseless and inaccurate figures to prove rigging in the elections during polling. It was said that if she was aware of malpractices in the polling she could consult the courts with solid arguments and could prove her point.⁶⁹

In general perception, elections of 1990 were free, fair and impartial but statements and petitions filed by the politicians raised doubts about the process. There were claims of rigging which could not be proved by the PDA/PPP or any other source but element of doubt also could not be

68 The ECP after looking into the matter got the proof that none of the officials involved in the election duty was transferred so the allegation was rejected by the ECP. *Report on the General Elections 1990*, Vol. III, 265. *Dawn*, October 20, 1990. *The Pakistan Times*, October 9 and 20, 1990. Tihami also levied such allegations on caretakers with slight change of figures as he wrote that in Punjab all the candidates of the IJI were given 75 hundred thousand rupees as development fund along with the right to get government jobs for more than 50 people which were rejected by ECP. Tihami, *Intikhabat 90 ka White Paper*, 161. The Chief ECP had announced that any of such practices could make election of any of candidate null and void but it was important that evidence of such allegations was not provided to the ECP.

69 *The Pakistan Times*, October 28, 1990.

eliminated for unavailability of evidence. If the process is closely studied it can be realized that the sophisticated methods of rigging like usage of media prime time, attracting the expected winning candidates and keeping the political opponents under pressure to plan election campaign on defensive were well used by the IJI but this was something that the PPP also tried as it formed an alliance with parties who did not face any allegations of corruption and did not need to plan a defensive campaign. The process can be explained in both the ways as a strategic plan of the IJI or the usage of sophisticated methods to manipulate the election results intelligently.

The argument that the caretaker government was not neutral is comparatively weak as in such a situation caretaker governments are formed from the opposition. In countries like Pakistan, where every institution is directly or indirectly involved in politics, purely non-partisan, neutral government is hardly possible.

The PILDAT report discussed that in the elections of 1990, the IJI got most of the votes of independents and that of the parties and the alliances like Pakistan Awami Ittehad that was there in 1988 elections and disappeared in the 1990 elections which increased quantum of the success of IJI.⁷⁰ Although the PILDAT had reservations about shifting of these votes in favour of the IJI but it did not have any evidence of some manipulation in this activity.

Conclusion

Keeping in view all the facts and factors that were active in the elections of 1990, it can be gauged that the elections were comparatively free, fair and impartial. Although there were stories of rigging on the polling day, manipulation of the results in the election cell, in the President House and that of the arrangements before the actual polling to make one of the parties successful yet these can be the efforts made by any of the participants in the elections and were adopted by both the winners and the losers of the 1990 elections. As far

70 *A Dispassionate Analysis of How Elections are Stolen*, 17.

as the PPP's allegations are concerned, it proved hardly any of them. Claims were made in public but none except a few could be sustained with documentary evidence. It is generally believed that rigging allegations were only face saving effort of the PPP government which otherwise could prove that its supporters were annoyed with its performance. The reports of international observers did not mention any specific information regarding the malpractices during or after the polling. They only mentioned about the doubts. One of the prominent developments regarding the malpractices was Asghar Khan's petition that was disposed of in the last quarter of 2012. The Supreme Court found existence of elections cell in the President House and there were claims of distribution of money among the politicians but none of the politicians accepted the allegation of receiving money. As far as existence of election cell in the President House is concerned, it does not prove juggling with the election results because according to the election rules, results of each of the polling stations are signed by the political agents of the political parties. Still nothing is proved regarding manipulation of the election results. At the same time possibility of manipulation cannot be rejected altogether.