

# ***Dictatorship in Pakistan: A Study of the Zia Era (1977-88)***

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## **Abstract**

*Authoritarianism has contributed immensely to democratic disruptions and dysfunctional democracy in Pakistan. Forces impervious to representative democracy and dissent rallied round the most repressive military regime of General Zia-ul-Haq which declared democracy opposed to the psyche of the Pakistani people, repeatedly chanted the mantra of a vaguely defined and distorted concept of Islamic democracy, a veiled Islamic dictatorship, and defeated all attempts at egalitarian change. Zia's vigorous pursuit of power and his carefully crafted and tried typology of constitutional and political measures left the country politically poorer and more polarized than it ever was. The junta considered as kosher everything including the misuse of religion, law and institutions such as the army, judiciary and civil bureaucracy that would ensure its longevity in power.*

## **Introduction**

In this age of democracy there are a large number of nations still struggling for their right of self-determination. Pakistan is one such country which, having lived half of its

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life under the direct military rule and the remainder under its shadow is not out of the woods yet. Following the death of Quaid-i-Azam Muhammad Ali Jinnah, the founder of Pakistan, and since the assassination of Liaquat Ali Khan, her first Prime Minister, there has been no stopping the military from acquiring power and all its trappings.<sup>1</sup> With every Martial Law, the military has extended its power base, monopolized decision-making and developed and expanded its corporate interests. Like historical events in general, every Martial Law in Pakistan has been informed by the previous ones and has differed more in form than in motivation. A baggage of colonial history, post-colonial failures of politicians, judiciary, the media, and the masses to stop encroachments on democracy and rule of law, have encouraged Bonapartist trends in the military mired in colonial traditions and intolerant of representative democracy. Ironically, there was no dearth of conservative hangers-on for the Raj and had never been since Independence for the praetors who disrupted with impunity the country's fragile democracy. Add to this, the unscrupulousness of the more resourceful and developed democracies, which, in hot pursuit of national interest, either watched or actively supported these disruptions thereby making a mockery of their so-called commitment to democracy and constitutionalism. Even some leading luminaries of the twentieth century Europe such as the philosopher of history Arnold Toynbee were inclined to perceive democracy as an anachronism in developing countries like Pakistan in the wake of Ayub's *coup d'état* in 1958. Such influential counsels in favour of authority, akin to those proffered by the colonial-orientalist critiques of the idea of responsible government in colonies or east in general, were to rationalize and strengthen incumbent or potential dictatorships among the nations that won their freedom or right of self-determination after much sacrifice under the

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1 For an influential view regarding the military's stake in the political system see, Ayesha Siddiqi, *Military Inc: Inside Pakistan's Military Economy* (London: Pluto Press, 2007).

colonial rulers. While condoning democratic disruptions or exculpating the dictators under the misinterpreted doctrine of necessity, these endorsements were the fulfilment of legality to the otherwise illegitimate rule in Pakistan by men like Ghulam Muhammad (1951-54), Generals Sikandar Mirza (1955-58), Ayub Khan (1958-1969), Yahya (1969-1971), Zia-ul-Haq (1977-1988) and last but not least General Musharraf (1999-2008). All of these backdoor entrants into power either avoided/manipulated elections or followed the referendum-route to consolidate it.

In contradistinction to the generally uncritical tone and tenors of contemporary writings on the military government of Zia-ul-Haq, the purpose of this paper is to delineate the idiosyncrasies of his rule, his support base, and the extent to which the junta undermined democracy in Pakistan. Accordingly, those of his policies and actions would be under focus which had a direct or indirect bearing on the future of representative democracy in the country.

At the outset, a few words by way of introduction about Zia's family background would help us understand his career better and so too the policies that he pursued after imposing the Martial Law in the country on 5 July 1977. Born in 1924, Zia hailed from a plebian Arain family from Jullundur, where his father Maulvi Akbar Ali served as a clerk in the Indian Railway. In spite of his humble means and religious orthodoxy, Akbar Ali subscribed to the prevalent popular dictum: knowledge is power, and sent his son to the prestigious St. Stephen's College of Delhi by the Cambridge Mission. The religious ambiance of St. Stephen's was to complement Zia's childhood grounding in Islamic faith and its ritual. For Akbar Ali to crave quality education and a military career for his son was in keeping with the prevailing trends among the Punjabi Muslims to seek a living through soldiering.<sup>2</sup> A King's commission, monopolized for a long time by the British and reluctantly opened to the Indians,

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2 For a lucid presentation of how the *Raj* kept the soldier in good stead in peace-times and war, see, David Omissi, *The Sepoy and the Raj: The Politics of the Indian Army, 1860-1940*, (London: Macmillan, 1994).

was a sure passport to a financially secure service and social mobility. However, it was little unusual for an Arain to seek to enter army. In the social hierarchy of the Punjab, the Arains, almost all Muslims, were placed at the lower rung, and were categorized by the race-conscious Anglo-Indians as one of the "non-martial" races. Good cultivators although the Arains were, they found the doors of military careers virtually shut to them. Zia joined the army during the World War II, when the exigencies of the war and shortage of officers compelled the British to shed racial stereotypes and expand the recruitment to hitherto excluded/ marginalized groups. Short and plump, and sporting a moustache, Zia did not apparently inspire awe as he lacked the usual aura of a cavalry officer in uniform or in *mufti*. Nor was he known to follow *esprit de corps*, which was characteristic of the elitist cavalry officers, to whom clubbing and imbibing came so naturally. Conservative and generally out-of-place in somewhat exalted company of the Anglophile officers, Zia's only habit unbecoming of a man of his religious moorings, and generally odious to religious purists, was smoking. Otherwise, he was punctual and punctilious in prayers and other rituals of Islam.<sup>3</sup> Following Partition, like most Muslims from the East Punjab, his family moved to Pakistan, where the shortage of civil and military officers created ample opportunities for the incoming refugee officers.

Zia's military career was steady but hardly outstanding. However, Zulfiqar Ali Bhutto, the Prime Minister of Pakistan, promoted him over seven other generals in February 1976 against the advice of the retiring General Tikka Khan of East-Pakistan fame. Bhutto bypassed more decorated recommendees of Tikka Khan and instead appointed Zia-ul-Haq, apparently touched by the latter's humility, sycophancy or by the receptions of officers' wives and children that Zia would arrange as Corps Commander

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3 The claim by Roedad Khan, Zia's Interior Secretary, that Zia as President never minded if his friends and cronies did not join him for prayer, is unpersuasive when tested against Zia's intolerance for progressive forces and his orders for compulsory *namaz* in offices.

Multan on the occasion of the Prime Minister's visits to the city. "Bhutto fell victim", says Sher Baz Khan Mazari, the former head of the National Democratic Party (NDP), "to his own penchant for flattery and sycophancy".<sup>4</sup> Zia, who had earlier presided over the army tribunal that tried officers for the 1973 conspiracy to topple the Bhutto government, kept the Prime Minister posted about its progress and in so doing developed a direct link with him. Bhutto considered Zia, as Nawaz Shareef would later consider Musharraf, a pliant, unimaginative choice, but sixteen months later Zia overthrew him.<sup>5</sup> It may well be that Zia, a religious reverse of Ayub and Yahya, was underestimated by Bhutto who considered him incapable of political 'mischief'. It is equally possible that Bhutto had heeded the Hamoodur Rehman Commission (1972) Report, which, having taken notice of the 'amoral' conduct of some senior army officers during the 1971 War, recommended that only practicing Muslims should be appointed in future as Commanders-in-Chief.<sup>6</sup> Moreover, Bhutto might have considered, in his moment of triumph, the rampart of constitution, particularly Article 6 declaring Martial Law and its abetment as treasonable offence as sufficient deterrence against political adventurism by the Generals. Whatever might have been the real reason behind Zia's appointment, the politically shrewd Bhutto failed to prejudge his appointee properly.

For his part, Zia made all out efforts to keep the confidence of the Prime Minister and till the crucial moments of the PNA's (Pakistan National Alliance) anti-government agitation, following the controversial General Elections of 1977, he publicly reiterated loyalty to the elected

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4 Sher Baz Khan Mazari, *A Journey to Disillusionment* (OUP: Karachi, 1999), p.534.

5 Mary Anne Weaver, *Pakistan: In the Shadow of Jihad and Afghanistan* (New York: Farrar, Straus and Giroux, 2002), p.57.

6 For an account of the conduct of some senior officers during the war, see, *The Report of the Hamoodur Rehman Commission of Inquiry into the 1971 War*, (Lahore: Vanguard Publishers, n.d.), pp. 535, 541-42.; also Rao Rasheed's *Jo Mein ne dekha* (Urdu: What did I see?); Susan Brown Miller, *Against Our Will: Men, Women and Rape* (Simon and Schuster 1975).

government. Only hindsight would enable Bhutto and any number of critics of Zia that his (Zia's) pretensions of piety, probity or loyalty were simple window-dressing.<sup>7</sup> Behind the scene, the army had been looking for an opportunity to strike and dislodge the government which had come into power at the corpse of Martial Law following the military's defeat in the 1971 War with India. The military had only grudgingly acquiesced to the civilian supremacy and remembered well how some of their seniors were summarily dismissed by Bhutto government after the war and how the fall of Dacca was televised nationwide in Pakistan. Unaccustomed to civilian control since the assassination of Liaquat Ali Khan, they made a speedy recovery from the traumatic drubbings of 1971 which had forced their hands momentarily. They very well craved power and perquisites and sardonically watched the diminishing authority of the populist Prime Minister. Conceding the prevalence of Bonapartist trends in Pakistan Army, Bhutto in his interview to Oriana Fallaci, the famed Italian journalist, had once claimed that at the moment "the fat and flabby generals are tired."<sup>8</sup> Not a happy augury for Pakistan, democracy, and for Bhutto, that moment was now past. The army was now gearing for a political comeback. Steeped in colonial traditions, it favoured status quo and abhorred progressive politics. The military shared with the wealthy and vocal groups of Pakistani society including the conservative landed aristocracy, the religious parties and *ulema*, the industrial bourgeoisie, business community, bureaucracy, and the conservative press<sup>9</sup> a contempt for Bhutto's 'socialist' regime. They were equally aware of the steadily increasing and consequential unease in the western capitals, particularly in Washington, over Bhutto's socialist, pro-Arab, Pan-Islamic, and pro-Third World rhetoric and

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7 It was too late and inconsequential for Bhutto to call (from his death cell) Zia "a very strange and mercurial person, a liar and a double crosser", See, Stanley Wolpert, *Zulfi Bhutto of Pakistan* (OUP: New Delhi, 1993), p.52.

8 Oriana Falaci, *Interview with History*, Trans by John Sheply, (USA: Liveright, 1979), pp.182-209.

9 The newspapers to persevere in critiquing the PPP regime were *The Nawa-i-Waqt*, *Zindagi*, and *The Jasarat*.

theatrical poses.<sup>10</sup> They were not oblivious to the general western disdain for the popular, reformist, nationalist leaders such as Iran's Mosadeq, Chile's Allende, Ghana's Nkruma, Cambodia's Sihanouk, and Egypt's Jamal Nasir. They hoped, therefore, to galvanize these internal and external sources of opposition to the regime, as and when necessary, and were comforted by the fact that western media and governments had little sympathy for the Bhutto government and his "ambitious" nuclear programme. Later during the 1977 PNA's movement, Bhutto lambasted the Americans for conspiring to derail his government, triggering a warning from Cyrus Vance, the Secretary of State, that such statements would seriously damage Pak-US relations. The gulf between the Americans and Bhutto had never been so wide. While Bhutto branded the PNA's campaign as engineered and financed by the Americans, who wanted to punish him for refusing to wrap up Pakistan's nuclear programme and for lending support to the Palestinian cause, the army was inching close to take over. Zia had already looked into contingencies. He surrounded himself with like-minded officers, mostly fellow Jallundaris or *mohajirs* like himself. He appointed General Faiz Ali Chishti, a fellow Arain, as Commander 10 Corps, infamously known in the country as coup-maker. Having advanced the date of general elections by one year, the over-confident Bhutto failed to grasp the magnitude of opposition to his regime.

The military coup of 5 July 1977, argues Muhammad Waseem, was not "a reactive militarism" to correct the political situation or bring back order, and must be seen against the egalitarian reforms of Bhutto government "and the institutional stresses which military had to endure under the previous government and the way it was ensconced back into the seat of power with a mission to undo most of its

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10 For a specimen of Bhutto's views on these subjects, see, Z. A. Bhutto, *The Myth of Independence* (1958); and Z. A. Bhutto, *Third World: New Directions*, (London: Quartet Books, 1977).

predecessor's leftist policies".<sup>11</sup> Doubtless, the army takeover was an orchestrated move to restore the status quo ante and reverse Bhutto's egalitarian reforms and ensure the military's supremacy over all the institutions of the state. The generals sabotaged the near-successful parleys between the government and the opposition PNA and plunged the country into the longest and arguably the most gruesome Martial Law of its history.<sup>12</sup> The army sabotage was confirmed by Professor Ghafoor Ahmad of the Jamat-i-Islami and Maulana Kausar Niazi of the PPP, who were part of the negotiating teams.<sup>13</sup> Zia's maiden speech and self-portrayal of a reluctant coup-maker who would hold the upcoming October 1977 elections and would not "dissipate powers of Martial Law Administrator on anything else"<sup>14</sup> did not convince many. To most Pakistanis, it was a political *déjà vu* and a replay of earlier military coups in the country. However, Zia faced a situation qualitatively and quantitatively different from the one Ayub faced in 1958. While Ayub had to deal with a disarrayed opposition, Zia encountered a monolithic PPP (Pakistan Peoples Party) under its charismatic leader, Bhutto. The *junta* soon realised that despite his diminishing popularity, Bhutto, on balance, was still the country's most popular leader. And doubts, if any, in this regard were cleared by the public welcome for Bhutto when released momentarily on bail by Justice K. M. Samdani of the Lahore High Court. According to Hamid Khan, a leading Pakistani jurist, the "belligerent and

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11 Muhammad Waseem, *Politics and the State in Pakistan* (NIHCR: Islamabad, 2007), (reprint), p.349.

12 Interestingly the man who announced on 3 July the rejection of the accord that the two teams had agreed to was Asghar Khan who was allegedly in clandestine contact with the Services Chiefs to whom he wrote a letter urging non-compliance with Bhutto's orders. Later, even Zia would admit the receipt of this letter which in his view was tantamount to sedition-mongering,

13 See, Ghafoor Ahmad, *Aur Election Na Ho Sakay* (Urdu: And Elections could not be held), (Lahore: Jang Publications, 1990; and Kausar Niazi, *Aur Line Kat Gai* (Urdu: And the line got cut), (Lahore: Jang Publications, 1987, reprint 2006).

14 *The Pakistan Times*, Lahore, 6 July 1977.



bellicose speech of Bhutto at Leghari House in Lahore on 13 September 1977 ... and his words intimidated and frightened the already scared members of the military *junta* who decided to get rid of him once and for all".<sup>15</sup> The virtual 'reign of terror' that Zia let loose against the PPP must, therefore, be seen in this perspective.

Martial Law brought into power the most repressive regime with dire consequences for the civil society, constitution, judiciary and the future of democracy. Wary of possible retribution under Article 6, Zia did not abrogate the constitution but having put in abeyance those provisions which could obstruct his authority or having manipulated the Eighth Amendment in it, mutilated it beyond recognition. His words and actions revealed a total disregard for the sacrosanct law that he called "a piece of paper" he could tear apart at his own free will. Living to its reputation of appeasing the authority-in-prime, the Supreme Court of Pakistan did "the ultimate favour to the military regime by legitimizing it in the Nusrat Bhutto Case (1977) under a 'distorted' doctrine of necessity and even conferred on the CMLA (Chief Martial Law Administrator) the power to amend the constitution and without setting any date or deadline for holding the general elections.<sup>16</sup> Defiant political parties and their leaders were placed under various forms of restraints. The right-wing Jamat-i-Islami and the Muslim League became his natural allies and recipient of favour. Zia was at home generally with the *Sunni ulema* but seldom with the Shiite Muslims.<sup>17</sup> The Sunnite *ulema*, in particular Wahabis, considered Zia as godsent. Against the chasm of secularist regimes of Ayub and

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15 Hamid Khan, *Political and Constitutional History of Pakistan* (OUP: Karachi, 2005), p.331.

16 Kelson, the theorist of successful revolution and of the doctrine of necessity, did not agree with the way the Supreme Court interpreted and applied his theory to legitimize an unpopular military coup d'état.

17 Zia and General Fazle Haq, Governor of the NWFP (now Khyber-Pakhtoonkhwa) were accused of patronizing anti-Shiite elements and were blamed for the assassination of Allama Arif Hussaini, a leading Shiite cleric, who was allegedly murdered by a serving army officer, Captain Majid Gilani, who absconded later and has since remained untraceable.

Bhutto, they perceived in him a variant of *ulema*-friendly medieval monarchs like Firuz Tughlaq or Aurangzeb Alamgir. Pandering to them, Zia often vented his dislike for the secular parties and western democracy. He basically distrusted politicians.<sup>18</sup> The “unelectable” *ulema* generally concurred with Zia’s own brand of Islamic democracy “suited to the psyche of the people”.<sup>19</sup> Their contempt for the parliamentary democracy was echoed by the Ansari Commission Report, which defended presidential system, opposed political parties, and thus ‘Islamized’ Zia’s political agenda. Impliedly, Zia and Ansari were challenging the *raison d’être* of Pakistan and the political acumen of its founding fathers, especially Jinnah, who himself headed a party, the Muslim League, and supported parliamentary form of government. With the military-mosque alliance in place, the future of democracy was at stake.<sup>20</sup> Bereft of popular support, Zia was most relentless in attacking democracy and party politics.

Haunted by the PPP’s electoral prospects, Zia and his cronies created every possible hurdle to block its way and when nothing else seemed to work, they masterminded Bhutto’s ‘judicial murder’ and executed it with military precision.<sup>21</sup> According to Bhutto’s biographer, Stanley Wolpert, Zia detested Bhutto and had hatched a plot not only to remove Bhutto from power but also from this world. Zia simply wanted, insists Wolpert, “to savage the man, who while promoting him to head the army, had also enjoyed publicly demeaning and abusing him”.<sup>22</sup> Wolpert’s views are seconded by Roedad Khan, Zia’s Interior Secretary, who was informed

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18 Weaver, *Op. Cit.*, p. 59.

19 “Zia’s Interview to John Edwards of Yorkshire Post, 20 October 1973”, in President Zia-ul-Haq’s Interviews to Foreign Media, Vol. VI, Jan-Dec- 1983 (Islamabad: Government of Pakistan).

20 For more on alliance between the two, see, Hussain Haqqani, *Pakistan: between Military and Mosque* (Lahore: Vanguard, 2005).

21 For proceedings of the trial, See, Syed Afzal Haider, ed., *Bhutto Trial: Documents* (Islamabad: Pakistan Academy of Letters, 2009), 2nd edn.

22 Stanley Wolpert, *Zulfi Bhutto of Pakistan: His Life and Times* (Karachi: OUP, 1993).

by Zia that "it is either his (Bhutto's) neck or mine".<sup>23</sup> Unlike Wolpert and most writers, Lawrence Ziring would not consider Zia as a conspirator. Impressed by Zia, as by Ayub, he subscribed to the official view that they (generals) were "reluctant coup-makers".<sup>24</sup> The *junta* elevated some judges of the superior courts who were ignored by Bhutto government.<sup>25</sup> The reconstituted Lahore High Court and Supreme Court of Pakistan led by Maulvi Mushtaq Hussain<sup>26</sup> and Sheikh Anwar-ul-Haq respectively caved in to the official pressure. The Lahore High Court sentenced Bhutto to death for the murder of Nawab Muhammad Ahmed Khan Qasuri, father of the PPP renegade Ahmad Raza Qasuri.<sup>27</sup> The Supreme Court by a majority of four to three upheld the verdict. Contrary to the Pakistan Prison "Code" for hangings, Zia ordered Zulfi Bhutto's "murder in the dead of night on 4 April 1979".<sup>28</sup> While Bhutto was under trial, a media campaign was launched to demonize him by the Ministry of Information led by Mehmood Azam Farooqi, the minister belonging to the Jamat-i-Islami. The Jamat-i-Islami celebrated Bhutto's trial and execution. Not content with Bhutto's execution, Maulana Maududi, founder of the Jamat, defended not only the regime's four volume White Paper against the PPP government and Bhutto's demonization, but went so far as to

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23 *Ibid.*, p. 327.

24 Lawrence Ziring, *Pakistan in the Twentieth Century: A Political History*, (Karachi: OUP, 1997), pp.426-27.

25 Bhutto expressed his lack of confidence in Sheikh Anwar-ul-Haq by submitting an application that the latter should neither appoint nor sit on the bench that would hear his appeal against the death sentence awarded him by the Lahore High Court. Ghafoor Ahmad, *Op.Cit.*, p.23.

26 Mushtaq who was an aspirant for the office of the Chief Justice of the Lahore High Court was denied the exalted appointment by Bhutto. Mushtaq never forgave Bhutto for that and his pet hate for Bhutto which was evident during the latter's murder trial was confirmed by one of Mushtaq's friends. See, Hafeez Malik, "Zia is Dead: Long Live Pakistan", *Journal of South Asian and Middle Eastern Studies*, xxii, 1, Fall 1988.

27 Strangely enough, Qasuri named Bhutto in the FIR but later applied in vain for the Party ticket to contest the 1977 elections.

28 Wolpert, *Op. Cit.*, p.329.

demand a ban on the PPP's participation in future elections to avert a situation like the separation of East Pakistan.<sup>29</sup> Thus the judges, generals and the Islamists co-shared responsibility for Bhutto's "dubious" trial and conviction on flimsy evidence. The recent assertion by Naseem Hasan Shah, the only surviving Apex Court judge from the Bench that upheld Bhutto's execution, that Bhutto was convicted because he antagonized the court leaves no doubt in anyone's mind that Bhutto was not given a fair trial.<sup>30</sup> Having used the superior courts as an instrument of authoritarian control, the military *junta* did not waste a moment to control its fallout.

Assuming they had removed the real hurdle to their power, they created every possible roadblock to democracy. Having crossed all the limits, Zia let loose all kinds of repression against the PPP workers and sympathizers of democracy. Dissenting journalists and former PPP ministers were publicly lashed and non-conforming university professors were jailed or dismissed.<sup>31</sup> Benazir and Nustrat Bhutto were imprisoned. The long ordeal of Bhutto and Bhutto family can be gauged from Bhutto's last testament, *If I am Assassinated*, which he penned from jail and also from Benazir's *Daughter of the East*. It was no wonder that (in 1982) the Amnesty International accused Pakistan of the worst human rights violations. Repression increased as and when Zia decided to postpone the elections, being unsure of "positive results". Evidently "the PPP's electoral potential dictated the President's policy to large extent".<sup>32</sup>

Determined to play a long inning, Zia embarked on a controversial course of calibrated accountability before

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29 Haqqani, *Op.Cit.*, p.139.

30 Justice (R) Naseem Hasan Shah linked Bhutto's sentence to the offence that the latter had given the judges.

31 To quote a few examples, journalists Nasir Zaidi and Kamran Rizvi were lashed; and university lecturers Mushahid Hussain, Omar Asghar Khan, and Khalid Mehmood from Punjab University, and Dr Muhammad Saleem, Jameel Omar, and Tariq Ahsan from Quaid-i-Azam University were either dismissed or thrown into jails.

32 Waseem, *Op. Cit.*, p. 364.

elections which ran parallel to Bhutto's court trial. In this regard, the military government, the Jamat-i-Islami, the Muslim League, and the National Democratic Party of Wali Khan were on the same page. Knowing that the elite groups (business community, professional middle classes, and orthodox sections of petty bourgeoisie) which had supported the PNA in its 1977 movement now found a sanctuary in the military government, they were unwilling to take the risk of elections. Doubtless, the fear of the PPP victory haunted the military *junta* as much as it frightened these parties. Cognizant of the PPP's strengths and handicaps of his conservative-cleric allies, Zia had already roped in the PNA through the bait of office and thirteen cabinet berths. Thirteen special courts were set up. According to Hamid Khan, "these courts got nowhere with the cases because the main purpose of the exercise was achieved by the execution of Bhutto."<sup>33</sup> Later, these courts were changed and their place was filled by thirteen Disqualification Tribunals each containing a High Court judge and a serving Brigadier. The accountability drive remained lopsided and the PPP-specific. It was launched just to browbeat the diehard supporters of the PPP and to change their loyalties. Seeing the opportunity, the Jamat-i-Islami, the JUI and the Muslim League accepted this backdoor entry into power, albeit in the name of Islam and democracy, endorsing what Zia called "the politicians' canine craving for office". History was repeating itself. Islam was put in the service of authority by its votaries, just as Christianity by the evangelicals in the service of monarchy in Middle Ages, which in turn bred Lutheranism or democratic and atheist revolutions. The PNA, therefore, shared responsibility for Zia's various acts of commission and omission including Bhutto's execution and strangulation of democracy. And by the time the short honeymoon between the two ended, Zia, having soiled their hands with Bhutto's murder, deprived them of their catchy

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33 Hamid Khan, *Op. Cit.*, 351.

slogan of *Nizam-i-Mustafa* and became the self-appointed leader of what Omar Noman calls "military theocracy".<sup>34</sup>

Zia was not the first ruler to have declared Islam and Pakistan as synonymous. Pakistan's drift from official Islam to Islamism, as Saeed Shafqat has shown, was gradual.<sup>35</sup> Unlike India where the state "consistently violated its professed (secular) ideology",<sup>36</sup> Pakistan committed itself to an Islamic system, albeit a progressive one, during its gestation period. In fact, from 1940 onward the Muslim leadership increasingly took on board religion and religious symbols projecting the future state of Pakistan as an Islamic state consistent with the views of Allama Iqbal as articulated in his magnum opus, *Reconstruction*.<sup>37</sup> After Independence, the Constituent Assembly of Pakistan, under pressure from the Majlis-i-Ahrar and Maulana Maududi-led Jamat-i-Islami, the parties that opposed the demand for Pakistan, passed the famous Objective Resolution in March 1949, which was a blend of Islamic and Western liberal democratic traditions.<sup>38</sup> Before Zia, it was the government of General Yahya Khan which vied to exact through the LFO (1970) a commitment from the future parliament and parliamentarians (under the threat of a Presidential veto) to frame a constitution consistent with the ideology of Pakistan. It is another matter Yahya government did not survive to see its plan through. Bhutto gave a timeframe under the 1973

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34 Omar Noman, *Pakistan: A Political and Economic History Since 1947* (London: Kegan Paul International Ltd. 1988), p.144.

35 For details, see, Saeed Shafqat, "From Official Islam to Islamism", in Christopher Jaffrelot, ed., *Pakistan: Nationalism without a Nation*, (New Delhi: Manohar, 2002), pp.131-147.

36 Sumanta Banerjee, "The Politics of Violence in India and Kashmir", in Rupesingh and Khawar Mumtaz, eds., *Internal Conflicts in South Asia*, (Oslo: Sage Publications, 1996), p. 93.

37 A prime example of how religion became a powerful instrument of mobility and a damper on secular Bengali identity can be found in Rafiuddin Ahmed, *The Bengal Muslims, 1871-1906: A Quest for Identity* (Delhi: OUP, 1981).

38 For an overview of the pressure from these two parties, see, Vali Raza Nasr, *The Vanguard of Islamic Revolution: the Jamat-i-Islami of Pakistan*, (London: I. B. Tauris, 1994).

Constitution to Islamize the laws in Pakistan and took a few steps (prohibition, Friday as weekly holiday, ban on gambling and betting on horse racing) into that direction. It was during the anti-Bhutto agitation by the PNA that religion was brought once again to the centre-stage of national politics. A political assortment of centralists, Islamists and secularists, the PNA rechristened its otherwise secular campaign against electoral malpractices as the Nizam-i-Mustafa Movement. Even the celebrated secularists in the PNA such as Nawabzada Nasrullah Khan, Wali Khan, and Asghar Khan countenanced this use of religion for political gain. The mill of Islamization was therefore around Zia's neck. And he used it with consummate craftiness for the sake of legitimacy and longevity of his rule. He repeatedly harped on the theme that Pakistan could not survive without Islam, and that an Islamic system was the *raison d'être* for the establishment of Pakistan. "There had been military coups before", so observed Roedad Khan, "but now for the first time, a *maulvi*, a deeply religious person was the Head of the State, the Head of Government and the Army Chief – a frightening combination".<sup>39</sup> In Roedad Khan's view, Zia was "determined to recreate the Islamic legal and social order which had originated in the tribal area more than a thousand years ago".<sup>40</sup> Unlike most westerners who thought Zia "wrapped himself in a cloak of religion",<sup>41</sup> Roedad's impressions were shared by Lawrence Ziring who had no doubts about Zia's sincerity in this connection.

Zia introduced *zakat* and *ushr* applicable to all Muslims sans the Shiites who "buoyed by the pride of Iranian Revolution" refused to pay *zakat* and opposed Islamisation that the *junta* had set in motion in 1979, based on narrow

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39 Roedad Khan, *Pakistan: A Dream Gone Sour*, (Karachi: OUP, 1998), (reprint), p.94.

40 *Ibid.*

41 Louis D. Hayes, *The Struggle for Legitimacy in Pakistan*, (Lahore: Vanguard, 1986), p.252.

Sunnite interpretation of Islamic theology and law.<sup>42</sup> The government also set up a Federal Shariat Court, Sharia Faculty, and appointed a Majlis-i-Shura (consultative council). It issued Haddood Ordinance, although punishments awarded under it were set aside by the Shariat Court under public protests. In Zia's scheme of things, women's were the ornament of home and their evidence was half as good as that of a man under the Law of Evidence. Women Action Forum, a body of urban-educated women protested against these laws and generated worldwide concern. To avert any possibility of court intervention, he muzzled the courts further by promulgating the Provisional Constitutional Order (1980, 1981) and retired the recalcitrant Supreme Court judges like Justice Durab Patel and F.G. Ibrahim. The *junta* also curtailed press freedom through censorship, selective distribution of government advertisements, print quota, and public lashing and imprisonment of defiant journalists.

Zia spent eleven years and state resources, backed with the military might, to depoliticize Pakistan. It is another matter that the policies he adopted contributed to greater political controversies and polarization.<sup>43</sup> He used education as a foil and as an instrument of state control. Diversity in curriculum was discouraged in Curzonian fashion with added emphasis on uniformity and Islamicity. National Curriculum Committee of the government was tasked to review and amend the work of Provincial Committees and standardize it in cahoots with the National Educational Policy. To inculcate national fervor and patriotism among the youth, a compulsory subject of Pakistan Studies was introduced for the Secondary, Collegiate and First Degree examinations. The syllabus of history courses was revised to begin with the Arab conquest of Sind in 712 and omitted the pre-Islamic period of Indian history. As in the post-revolution France, Soviet Union, and Iran, government-

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42 S. V. R. Nasr, "Islam, the State and the Rise of Sectarian Militancy in Pakistan", in Jaffrelot, *Op. Cit.*, p. 88.

43 Hasan Askari Rizvi, *The Military and Politics in Pakistan, 1947-1997*, (Lahore: Sang-e-Meel Publications, 2000), p.252.



approved text-books became a vehicle of subjective history, official nationalism, and state biases. Democracy and pluralism received hardly any support from the obscurantist *ulema* and their patron, General Zia. Zia blamed the high figure of 80 percent illiteracy in Pakistan on the alien rule and colonial powers. To tackle the problem of illiteracy, nearly 12,000 mosque schools were opened in 1983-84 and obliged to adopt an expanded curriculum introducing modern scientific disciplines.<sup>44</sup> He threatened to remove a teacher like “a carbuncle” who would “poison our younger generation with an ideology that was secular or alien to the Pakistani ethos”.<sup>45</sup> Lacking intellectual profundity and ideological depth, Zia regime sought to “Islamize” education that would promote dogma, discourage free inquiry or dissent and block progress.<sup>46</sup> Apart from this, it banned students unions at colleges and the universities.<sup>47</sup> Progressive student organizations were either put under various restraints or left at the mercy of more organized IJT (Islami Jamiat-i-Tulba), the student wing of Jamat-i-Islami. In a replay of national politics, Zia fragmented student politics on grounds of sect, *biraderi* and ethnicity. Better than the Raj or his benefactor-become-foe Bhutto, Zia perfected the art of Machiavellian politics and left behind a society more confused and rant than it ever was. Despite these measures, Zia could not cope with the lingering question of legitimacy, as opposed to legality that the Apex Court had provided his rule. For the essentials of legitimacy,

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44 Ian Talbot, *Pakistan: A Modern History*, (Lahore: Vanguard, 1999), P. 279.

45 For Zia’s views on the subject, see, Saleem Azam, ed., *Shaheed ul Islam Muhammad Zia-ul-Haq* [Urdu: Martyr of Islam Muhammad Zia-ul-Haq], (London: Indus Thames, 1990), p.162.

46 For more on Zia’s ideologically motivated education policy, See Rubina Saigol, *Knowledge and Identity: Articulation of Gender in Educational Discourse*; K.K. Aziz, *The Murder of History*, Rubina Saigol, Hoodbhoy and A.H. Nayyar, and Tariq Rahman, *Language, Ideology and Power*, (2002).

47 Strangely enough the ban was upheld by the Supreme Court of Pakistan and the unions remain un-restored to this day.

as emphasized by Mattei Dogan,<sup>48</sup> based on the freedom of speech, freedom of association, freedom to assembly, truly democratic elections, open competition among the political parties, and judicial independence, were conspicuous by their absence during his eleven years of absolute power.

The crisis of legitimacy pricked Zia as much as it had pricked Ayub Khan. Hence, he held a controversial presidential referendum in 1984. As expected, the polling wore a deserted look and the tired election staff stamped and stuffed the ballot papers. The question posed in the constitutionally deviant referendum was tricky: a yes vote to Islamization was to be translated a yes vote for Zia. Zia denied that he had asked for a vote on Islam but on his government's services for Islam.<sup>49</sup> The manner of referendum, low turnout (around ten to fifteen percent against the official tally of 62.15 percent), and exaggerated results tarnished the presidency and its incumbent. The referendum became a subject of comics and the humorous Pir Pagaro, Zia's political ally from Sind, attributed the supposedly high turnout to voting by 'angles'. Regardless, Zia received messages of congratulation from within and outside of Pakistan and persevered in the power game with a manufactured mandate. Earlier, he had nominated a 287 member Majlis-i-Shura as an Islamic substitute for parliament. Lacking power and comprising unelectable *ulema*, technocrats, retired military officers, members of the PNA and a few PPP turn-coats, Majlis-i-Shura could neither influence government policies nor did it lend legitimacy to its creator. However, it provided the regime the needed channel of networking with the country's influentials, who felt indebted to their benefactor. Below the Shura, Zia government, although reluctant to hold general elections, had already created elected local bodies (District Councils, Union Councils) to develop a new cadre of

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48 Mattei Dogan, "Political Legitimacy: New Criteria and Anachronistic Theories" in *International Social Sciences Journal*, June 2009, p.196.

49 Interview to Hussain Haqqani, 7 December 1984, "President of Pakistan General Zia-ul-Haq's Interview to Foreign Media", Vol. III, Jan-Dec 1984, (Islamabad: Government of Pakistan), pp. 275-81.

politicians, the ones who would be supportive of the Zia regime.<sup>50</sup> With the objective of creating alternative political elites at the local level, he assigned them generous development funds which they used and misused so freely. Generally perceived as the reincarnation of discredited Basic Democracy System, the system was defended nevertheless by Zia, as he found more than enough members of general public who were eager to accept and work the local bodies.<sup>51</sup> With powers relating to law and order, police, treasury, jail, and certain matters pertaining to administration vested in the Deputy Commissioner, General Zia knew the art of creating vested interests, hence, these pseudo representative bodies, which cushioned the dictatorship and harvested its benefits.

Zia was candid enough to admit that "gaining power is easier than giving it up".<sup>52</sup> That is why he attached utmost importance to his first and real constituency, the army. To maintain a grip on the army, he developed and patronized a Jullundur lobby in it.<sup>53</sup> In and outside the army barracks, he preached and encouraged venal propaganda against liberal or progressive politicians and blasted Western democracy calling it un-Islamic. He kept military contented with expansion and new weapons with greater opportunities for career advancement. He skillfully reduced potential challenges from politically ambitious senior commanders through reassignment and retirement.<sup>54</sup> He fixed a quota of 10 percent in the civil services for the released or retired officers in Grade 17 and 18, and 10 percent for Grade 19 and above.<sup>55</sup> He reserved seats in universities and professional colleges

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50 Shahid Javed Burki and Craig Baxter, *Pakistan Under Zia*, (Colorado: Westview, 1991), pp.125-26.

51 Lawrence Ziring, *Pakistan in the Twentieth Century*, (Karachi: OUP, 1997), p.465.

52 Weaver, *Op. Cit.*, p.58.

53 General Akhtar Abdur Rehman, Lt. General Faiz Ali Chishti, Lt. General Ghulam Gilani Khan, Lt General Zahid Ali Akbar were all from Jallundur.

54 Louis Hayes, *Op. Cit.*, p.264.

55 Charles H. Kennedy, *Bureaucracy in Pakistan*, (Karachi: OUP, 1987), pp.122-23.

for the soldiers' sons and daughters, and offered the officers agricultural state lands and residential plots. He persuaded the conservative Gulf countries to seek the services of Pakistan army officers to train their own armies. He introduced the culture of duty-free Mercedes and limousines for the President, Prime Ministers, Governors and Chief Ministers. As Chancellor of the Quaid-i-Azam University, Islamabad, a liberal graduate school, he abolished its Senate, curtailed academic membership of its Syndicate, and appointed two unqualified brigadiers as its professors. He disallowed the arrest and prosecution of army personnel by the civil police and courts. Although Zia was not the first one to have lavished state bounty on the army, his real constituency, for personal political gain, it broke new records under his rule.

Praetorianism, lacking popular support, tends to strengthen coercive arms of the State. Zia brought to the army the required modernization, courtesy of support from the conservative Gulf Cooperation Council. Indulging in blandishment of Saudi Arabia and declaring any attack on it as an attack on Pakistan, Zia won Saudi sympathy and finances to pay for the F-16 fighter jets. In 1981 and 1987, America promised Pakistan 3.2 billions and 4.2 billion dollars respectively as military and economic aid. The American money went a long way in strengthening the army and consolidating the Zia regime. Not all that money was judiciously used for the stipulated purpose. Behind his regular protestations of Islamic piety, he and his close companion, General Akhtar Abdur Rehman, a former ISI (Inter Services Intelligence) boss and CJCS (Chairman Joint Chief of Staff) managed to accumulate the most ill-gained wealth of all.<sup>56</sup> The stories of corruption by the higher military bureaucracy surfaced in the international media as *The Times* published the "World's Richest Generals" and "Leakage in the Arms Pipeline". Nonetheless, Zia had the longest tenure

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56 A testimony to this effect was provided to Sher Baz Mazari by Humayun Akhtar, son of General Akhtar Abdur Rehman, who said Ijaz-ul-Haq, Zia's son, had only 250 million dollars, which was not even a fragment of what he (Humayun) possessed. See Mazari, *Op. Cit.*, p.587.

of office in Pakistan, which was due less to good governance than to subtle moves like ad-hocism, western support, exploitation of religion, misuse of army, para-military and police, persecution of the opposition, disunity and opportunism of the politicians, and the Afghan War.

As a President, Zia continued to extend his tenure as Army Chief and later appointed a Deputy Chief (General Mirza Aslam Beg) to oversee the routine matters. He had learnt from the fate of General Ayub Khan who, in his twilight, was abandoned by the Commander-in-Chief, Yahya Khan. Buying the American thesis that Pakistan had become a front-line State after the Soviet occupation of Afghanistan, he agreed to fight the proxy American War. The Americans were quite impressed with Zia's commitment to fight Afghan War to the end, and Brzezinski, who had been the National Security Advisor in Carter Administration, praised him for that, if for no other reason, in his posthumous essay on Zia.<sup>57</sup> He made Pakistan the arsenal of Afghan resistance, guerrilla training and a base of the largest CIA network. Seen in Washington and many Western capitals as fighting the West's last battle against communism, America and the developed democracies put national interests before ideology while Carter and Regan administrations overlooked his worst human rights record. During the Afghan War sophisticated weapons and contrabands made their way into Pakistani bazaars, specifically into the troubled city of Karachi, the agonizing legacy of Zia. He went on augmenting and exploiting political polarization in the country. To his comfort, political parties, other than the PPP, were not genuinely interested in elections. Launched in February 1981, the MRD (Movement for the Restoration of Democracy) suffered since 1984, despite the initial upheavals it caused, from internal discord and the adverse impact of a plane hijacking by Al-Zulfiqar. Zia enjoyed the support of the civil bureaucracy and of the industrialist beneficiaries of denationalization. Other factors responsible for the longevity

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57 Zbigniew Brzezinski, "The West's Debt of Honor", in Saleel Azzam, *Op. Cit.*, pp.54-7.

of his rule were industrial peace, increased levels of remittances and revival of the economy. In 1985, Zia decided to civilianize Martial Law with no intention of relinquishing power. Party-less elections were, therefore, held in that year with the twin objective of blocking the PPP's comeback and creating a king's party of political lightweights in the new National Assembly. The scripted plan was implemented with great care. Even the election date was timed to coincide with Benazir's maternity confinement. Zia chose to remain the uniformed President with enhanced presidential powers to make key appointments, dismiss the government, and dissolve the assemblies. Following the elections, he appointed the relatively unknown Muhammad Khan Junejo as the Prime Minister who then sired the official Muslim League. Having enjoyed absolute power and limelight for eight years, Zia was not ready for the oblivion due to the growing independence of the Prime Minister and the legislators. Junejo's maiden speech on the floor of the National Assembly was an eye opener for the Generals attending the ritual. "Democracy and Martial Law cannot coexist", so thundered Junejo, and continually urged the same until the Martial Law was lifted on 31 December 1985. Zia could not brook this 'betrayal' and the cynicism to which he and his military confidantes and colleagues were subjected following the deadly explosions in the army depot at Ojheri Camp in Rawalpindi in 1988. Visibly disturbed by the popular uproar and the demand for the trial of the Generals, he was looking for 'patrons' and not 'prosecutors'. Junejo, who had ordered an inquiry into the tragic incident, was rumored to have been contemplating (as defense minister) the removal of Zia as the Army Chief and of General Akhtar Abdur Rehman, former head of the ISI, as the Chairman Joint Chiefs of Staff. As if Ojheri incident was not enough, the Chor incident added fuel to the fury against the army, as some army officers and public were involved in brawls over bazaar eve-teasing of girls by the former. The angry public resorted to violence and arson. Military vehicles were attacked and the local Muslim Leaguer MPA joined the protest against the officers. Using presidential power, Zia

dismissed the Junejo government and dissolved the Assemblies in May 1987, restoring the status-quo ante as in 1985.

The dismissal of Junejo isolated Zia-ul-Haq. Little by little Junejo had earned public sympathy. His austerity measures, though symbolic, were well received in the public. For the first time extensive developmental works were undertaken in the rural areas by the revitalized local bodies. Junejo liberalized media and was generous towards the opposition. He declared all the political parties and their leaders as patriotic and invited them (including Benazir Bhutto) to a conference prior to signing the Geneva Accord, all against Zia's expressed will. Therefore, when Zia struck the Junejo government, there was hardly a word of sympathy expressed in the defense of presidential order. It is another matter that the incumbent Chief Ministers including Nawaz Sharif of Punjab, then a blue-eyed boy of the establishment, abandoned Junejo for Zia at whose behest they tried to "hijack" the Muslim League creating in the end a breakaway pro-Zia Muslim League (Fida). With Zia in twilight zone, the Supreme Court of Pakistan declared mandatory registration of political parties (under the Political Parties Act, 1962) with the Election Commission as unlawful. The Apex Court's decision pre-empted Zia's plan to hold party-based elections minus the PPP which had refused to seek registration with the Election Commission. Rather than showing any respect to the court's decision, Zia tried to evade it by announcing party-less elections once again.<sup>58</sup> That Zia had played his innings and was living on borrowed time was indicative of the Supreme Court's decision and its newfound independence. With the Cold War over, the Americans, unlike Zia, were no longer keen in the Afghan imbroglio. In fact, Washington had begun to consider him a liability, distrusting his talk of an Islamic Confederation and his

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58 According to Shahid Javed Burki, even though Zia had promised to hold elections within 90 days of dismissal of Junejo, it was unlikely that he would have kept his promise, see, Shahid Javed Burki, *Pakistan: Fifty Years of Nationhood*, Lahore: Vanguard, 1999), p.65.

unswerving support for the fundamentalists among the Afghan *mujahideen*.<sup>59</sup> Similarly, Zia was not on the same page with General Aslam Beg on important policy matters, particularly in relation to Afghanistan. And Zia's corps commanders, many years his juniors, were not so close to the aging chief who now received only "filtered" reports. Having lived in the safe sanctuary of the Army House till his death, Zia tried to give this impression that he was still part and parcel of army life, but these were sure signs of a growing sense of insecurity. After the Ojheri Camp disaster, Zia did not spend a night away from the Army House. His plane crash in August 1988, whether an act of sabotage or divine intervention, not only saved the isolated General from a possible retribution but also the nation from the hardened opponent of democracy. Zia's death raised fresh hopes for a return to representative democracy in Pakistan.

### Conclusion

To conclude, from Jinnah to Zia, politics in Pakistan revolved around personalities. Informed by a self-serving and selective reading of Muslim history, colonial legacy, and social conditions, a perennial quest in Pakistan for 'extraordinary men' left little room for the lesser leadership after the demise of Jinnah and assassination of Liaquat Ali Khan. Lesser politicians failed to deliver. They could neither inspire awe among the people nor stop political maneuverings by the more developed bureaucracy and military. Factors such as illiteracy, unemployment, poverty, disorganized party-politics, and political unrest facilitated praetorian disruptions. Politicians recovered some ground after the military defeat in 1971 but failed to utilize the reprieve to strengthen parties and democracy. The return of praetorianism could not be prevented for all times simply by rhetorical hyperbole or under the threat of punitive

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59 Christina Lamb, *Waiting for Allah: Pakistan's Struggle for Democracy*, (India: Viking Penguin, 1991), p.91.



constitutional clauses. A sustained political culture of tolerance and accommodation was as necessary as was the political empowerment of the people, development of the media, the political parties, and the judiciary. Even Bhutto, arguably the country's most popular leader after Jinnah, could not put Pakistan on the path of democracy, as he disallowed dissent within the PPP, curbed the opposition and the press, and sought to manipulate judiciary. The partisans of Bhutto should have learnt the importance of organized politics and institutionalized power after the fall of his government and his sad ending. The military, no matter how disciplined or well-equipped, could never ride roughshod in Pakistani politics, if it were to face the phantom of organized opposition. Despite being a popular politician, Bhutto was unable, like his predecessors, to translate personal popularity into popular support for institutions.<sup>60</sup> By his own admission, he had no time for party organization.<sup>61</sup>

The imposition of Zia's Martial Law must be seen, therefore, as the by-product of that lingering hiatus of institutional development in Pakistan which gave its better organized army an edge over the remaining sub-structures of the State and political forces. Its brutalities were in fact proportional to its own insecurities, the radicalization of national politics and the resilience of the PPP. Zia regime relied heavily on coercion, conservative elites, religio-political organizations, and its foreign friends. Courtesy of the military regime, religious leadership accepted backdoor entry into power and tasted temporal authority beyond its electoral potential. To legitimize itself and to protect status quo, it transported religion into politics and developed a

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60 Louis Hayes, *Op. Cit.*, p.251.

61 Philips E. Jones, *The Pakistan People's Party: Rise to Power*, (OUP: Karachi, 2003), p.473.

nexus with the orthodox *ulema* whose knowledge and interpretation of Islam and general worldview was medieval and disharmonious to the views of Iqbal and Jinnah who perceived modern democracy and the parliament in perfect harmony with Islamic teachings, and were opposed to dictatorship, whatever its form.

Eleven years of Zia were the wasted years as far as democracy is concerned. Even his death did not remove obstacles to democracy. Four elected governments fell prematurely and in a row due to the anti-democratic constitutional innovations of Zia, i.e., the Eighth Amendment, which changed the country's parliamentary system into a presidential one except in name. As elected governments would hold office during the pleasure of the indirectly elected president, it made mockery of democratic principles. In adversity, politicians and people learnt, however, to appreciate the merits of democracy and demerits of the army rule. Moreover, political repression during the Martial Law had a silver-lining to it. It galvanized support for democracy and even reconciled the bitter political rivals, the Pakistan Muslim League (N) and the PPP, the two largest political parties, which amended the Constitution twice, first during the second Nawaz Sharif government and secondly during the present PPP government, and thereby restored the parliamentary supremacy. Fortunately for Zia, his sudden death saved him from popular backlash and an ignominious end. But his military successor, General Musharraf, who played havoc with the Judiciary and the Constitution, had to quit after country-wide demonstrations of lawyers and the Civil Society. Declared by the Supreme Court as guilty of treason, he was allowed the safety of self-exile by the present PPP government. Neither Zia's Islamicity nor Musharraf's pseudo liberalism could earn them significant popular support. They complemented

each other in seeking the death of democracy under the cloak of Islamic piety and pseudo liberalism.