

Civil-Military Relations in Pakistan

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INTRODUCTION

The chequered history of civil-military relations has become a substantive part of conventional wisdom about Pakistan. It is dotted by military coups, constitutional breakdowns, dissolution of elected assemblies and periodical reform efforts in the direction of restructuring the state. Pakistan shared the praetorian phenomenon with various other Third World countries from Latin America, Asia and Africa including Argentina, Brazil, Chile, Burma, Indonesia, Thailand, Ghana, Nigeria and Uganda. A generation of scholars from Finer, Janowitz and Huntington onwards drew upon various case studies to build theoretical formulations to explain the problematic nature of civil-military relations in these countries.¹ Subsequently, scholarly research moved into the domain of transition from military to civilian rule. Combined with two other streams of transition, one from communist to representative rule such as in Eastern Europe as well as Vietnam and Kampuchea and the other from dynastic to parliamentary rule such as in Nepal, the process of democratization has produced a huge amount of research in the framework of comparative politics. The two processes of militarization and civilianization of the state system, especially when these represent recurrent patterns of rule such as in Pakistan, together shape the political context, which is the subject of the present enquiry.

The civil-military 'gap' is not a phenomenon confined to countries such as Pakistan. In Britain, somewhat reverberating the 'gap' project in the US,² public opinion surveys point to divergence of opinion about public life between the society and armed forces. These opinions relate to matters ranging from the former's preference for individualism over group cohesion to its support for liberalism as the moral and philosophical foundation of democracy.³ Liberal democracies live with this division in their midst.⁴ In a comparable situation of France, military has been traditionally considered to be an embodiment of the 'nation in arms', which according to Vennesson is a powerful myth with its roots in conscription cushioned by nationalism.⁵ While studies based on opinion surveys in Western societies have looked at the problems relating to the 'gap', no empirical data of that kind has been generally available relating to countries such as Pakistan. However, a recent survey of democracy in South Asia brought out some interesting observations about that country. On

the one hand, people wanted army to set things right in the political system. On the other hand, they overwhelmingly favoured rule of public representatives.⁶ It is obvious that there are no straight dichotomies of political behaviour or public policy, which crystallize and epitomize civil-military relations in Pakistan.

While it is interesting to search for the roots of militarism, it is even more significant to look at the pattern of military disengagement from an overt political role. The way military seeks to establish a link with the civilian institutions in a post-withdrawal scenario brings out its potential to secure its interests as a stakeholder in the power structure of the state. In a longer term perspective, this transition shapes the politico-constitutional vision of the ruling set-up. Egypt presents a classic case of a successful military disengagement from politics in recent decades. This process instantly transformed the military into an interest group, imbued with a relatively constrained access to society. However, like other militaries in the similar process,⁷ Egyptian military was not without 'politicism' even after disengagement. It has been argued that military disengagement is conceptually separate from transition to democracy. This can be limited only to formal civilian control over armed forces such as in Syria and Iraq under Ba'th Party and in Egypt under Sadat and Hosni Mubarak.⁸ The process of withdrawal most typically leaves 'authoritarian enclaves', 'reserved domains' and other manifestations of incomplete disengagement, along with conditions for re-engagement in certain cases such as Nigeria, Sudan, El Salvador and Pakistan.⁹ Civil-military relations in post-military 'democratic' states assume a high level of significance insofar as these provide a measure of military's potential to establish a working relationship with civilian institutions in general.

The Latin American case studies of democratization present two broad perspectives. First, military effectively maintains the ability to exercise control over public policy and safeguard its institutional interests after the transfer of power. Brazil and Chile comprehensively represent this model. Here, the mode-of-transition perspective characterizes the democratization process with continuity rather than change in terms of military's pre-eminent role in decision making on top. The second perspective focuses on the electoral dynamics and its impact on public attitudes towards participatory politics, institutional accountability and patron-client relations. It has been argued that the transformative nature of the whole civilianization process through elections, formation of a representative ruling set-up and the ongoing discursive practices in and outside the parliament cannot be overstressed. This process involves decline in the military's power in terms of control over policy as well as

public discourse.¹⁰ In other words, there is more to democratization than a mere farcical transfer of power. In certain other cases such as El Salvador, it was the US pressure that led to reforms in police, judiciary and the electoral system and the improved human rights situation in the early 1990s, after the military regime had resisted outside efforts to curb oppression and allow internal criticism and contestation for a decade.¹¹

In an attempt to conceptualize civil-military relations in Africa in the period of transition, Jendayi Frazer finds it ironical that democratization focuses on electoral and constitutional reforms rather than new institutional arrangements to control military.¹² In his view, an institutional strategy would involve putting in place structural counterweights in terms of re-charting the relationship between the executive, legislature and the security apparatus. The transition process shapes policy choices. However, these choices are path dependent, pulled by 'forks in history' such as mega events in the past or 'policy martingales' reflecting chance fluctuations of history.¹³ In the context of the present enquiry, we can observe that the institutional imbalance in the realm of civil-military relations has typically underscored the two processes of military takeover and civilianization in Pakistan. In both cases, the military's security orientation operates as dependent and independent variables in the international and domestic politics respectively. The military is as much oriented to the world outside the national boundaries as inside them as part of its defence mechanism. This puts it in a category different from other institutions of the state. The fact that a typical Third World state undergoes tremendous institutional pressures in the process of state-making at home, as well as the fact that it does not control the international environment in which it operates, finally creates an acute security predicament.¹⁴ This situation can lead to even further securitization of the national vision if global powers subordinate the regional security dynamics to their own strategic framework such as through proxy wars or troop deployment in the region.¹⁵ In Pakistan, consciousness and projection of national security emerged as the leading determinant of the world view of the ruling elite in the context of the presence of a much larger and stronger India next door. It is instructive to compare this phenomenon with the way the 'national security syndrome' operated in Turkey, which has been afflicted with a similar problem of civil-military relations. The Turkish military assumed control as well as oversight of public policy, merged issues of security with politics, played the role as agency for defining security and constrained the civilian authority.¹⁶ Again, somewhat along the lines of securitization of the national vision in Pakistan in the perspective of asymmetry with India, perceived regional imbalances underscored the national security orientation at the cost of democratic deficit in Turkey.¹⁷

How far can structural factors, in this case the institutional apparatus of the military overriding a weak political community, operate without a substantive input from human agency? Can political leaders emerging in the transition period adopt strategies that can lead to civilian supremacy over armed forces? In a comparative study of South Korea and Indonesia, Kim, Liddle, and Said argue in favour of initiatives of the political leadership as determinants of the fate of the democratic project.¹⁸ In their view, political leaders can be constrained or enabled by structural factors in taking autonomous and consequential decisions in the direction of establishing civilian supremacy. Thus, president Chun Hwan (1980-88) of South Korea played the opposition leaders Sam and Jung against each other, pulled the emergent middle class out of its conservative mould, depoliticized the officer corps, stopped appointment of military personnel as civil servants and put up the defence spending for parliamentary scrutiny. As opposed to this, under successive Indonesian presidents, Habibie, Abdurrehman Wahid and Megawati, officer corps barred the way to civilian control over the defence budget and to prosecution of those accused of war crimes in East Timor.¹⁹

PAKISTAN: SETTING THE ANALYTICAL CONTEXT

Pakistan is a classic example of a praetorian state. Here, army has emerged as the guardian of the state, the initiator of national agenda and the chief arbiter of conflict between social and political forces. The longevity and recurrence of army's role in the business of the state has a temporal dimension related to the period and duration of direct military rule, indirect military rule, informal but effective military input in governance and military's subordination to civilian supremacy. Any project of analysis into the nature and character of army's involvement in politics would need to define and categorize its role through various phases of Pakistan's history. Table 1 seeks to give a broad profile of army's role in Pakistan.

Table 1 - Patterns of Rule in Pakistan: 1947-2007

	TYPE	DURATION	PERIOD
1	Direct Military rule	17 years	1958-1962, 1969-1971, 1977-1985, 1999-2002
2	Elected government under a military president (retired or serving general)	15 years	1962-1969, 1985-1988, 2002-2007
3	Elected government under a civilian president: 'Rule of Troika'	11 years	1988-1999
4	Supremacy of non-parliamentary forces under the formal parliamentary rule	11 years	1947-1958
5	Civilian supremacy	6 years	1971-1977

Army's direct rule covers 17 out of 60 years of the post-independence period. Another span of 15 years was characterized by rule of elected governments under three military presidents, one in mufti, i.e. Ayub, and two in uniform, Zia and Musharraf. The ruling generals insisted that they presided over 'real' democracy, which was free of all the ills of a 'sham' democracy under politicians.²⁰ 11 years each were taken by 'rule of troika' comprising president, prime minister and COAS (Chief of Army Staff), and rule of non-parliamentary forces led by civil bureaucracy in the early post-independence period. The period of credible civilian supremacy under Z.A. Bhutto was as short as 6 years.

The following discussion focuses on three major aspects of civil-military relations in Pakistan. First, we argue in favour of going beyond the army's corporate interests and institutional ethos to analyze the postcolonial state in Pakistan, which in a typical as well as not-so-typical way led to ascendancy of the extra-parliamentary forces. We propose to look into the 'forks in history', which pulled the administrative, financial, and intellectual resources of the state in the direction of a resilient and overarching 'policy martingale' in the post-independence period. As Hamza Alavi argues, the ruling elite in the new state emergent from British India drew upon the two institutions of army and bureaucracy.²¹ In his view, the role of agency in bringing up the new structure of power through the pursuit of a vehement agenda of state formation through partition of India was played by the Muslim '*Salariat*' which was socially embedded in the middle class.²² Partition gave birth to a relatively new

ethnic hierarchy led by the migrant elite, with Punjab as the power base of the new state. The two factors of class and ethnicity determined the shape of political events in a comprehensive way. We shall focus on the way the state elite, supported by its constituency in the educated, professional and commercial middle classes, dealt with political leadership typically drawn from the tribal and landed elite in the context of share-out of the state's resources. It is there that we must look for a clue to army's ascendancy to power.

The second aspect of our present enquiry relates to the historical-structural analysis of the economic and political power of army. We shall argue that army in the mid-2000s continues to be socially embedded in the rural and increasingly urban sectors of Punjab. Also, the strategic role of the top brass in the policy-making process draws heavily on its historical progression of power and privilege. We shall follow a model of path dependence in the context of the evolving position of army in the constellation of powers ruling Pakistan. The function of preservation of the social and political order in the country devolved squarely on the officer corps in the tortuous process of state building. The more the army entered into the business of the state, the more adversely it affected the growth of political institutions. It is almost a structural requirement of a post-coup ruling set-up to adopt the agenda of de-institutionalizing politics. We propose to look at the way the army pursued its nation-building project and lent its worldview to other institutions and groups. The direct army rule, encompassing less than two decades, dispensed with the need to negotiate terms of reference with rival elite groups. At other times, army was obliged to co-opt or coerce members of the executive, legislature and judiciary. In addition, the army leadership felt the need to establish legitimacy of its rule for acceptance in the wider public. This led to adoption of ideologies ranging from 'Developmentalism' to '*Islamization*'.

Finally, we plan to focus on the patterns of civil-military relations as part of the process of democratization. This entails a discussion of army's preferences and priorities in terms of putting in place constitutional formulas for government formation. The Pakistan army continues to be shy of committing its institutional resources to the day-to-day administration of the country.²³ Instead, it typically relies on the existing state institutions to deliver on that score. It is true that the number of retired and serving officers appointed in various sectors of the state apparatus jumped manifold under military rule. However, it did not bring about a qualitative change in the nature and character of the administrative structure, which continued to be in the hands of civilian bureaucracy. Similarly, all the four military coups were followed by the process of civilianization through elections. Indeed, politics in

Pakistan is in a perennial process of democratization, which is dotted with periods of military and non-military rule. This has brought about a more or less stable pattern of civil-military relations whereby all civilian ruling set-ups remain acutely sensitive to army's preferred set of policies. The last phase of post-military democratic dispensation (1988-1999) was characterized by the 'rule of troika' with COAS as the key person popularly perceived to be at the helm of affairs from behind the scene. Each of the two stints of Benazir Bhutto and the first stint of Nawaz Sharif in office were cut short by president at the behest of army while the latter's second term in office was put to an end through the 1999 Musharraf coup. In this context, the discretionary space available to civilian governments shrank considerably.

This lends special significance to the institutional-constitutional framework put together repeatedly by army. In Pakistan, law has typically operated at the centre of the power struggle between army and the political elite. We shall argue that army in Pakistan has a larger than life role beyond its corporate interests and security orientation. This role is enmeshed with the statecraft proper, underscored by the requisite constitutional framework. Generals in Pakistan swear by the Constitution. This puts them in a category different from the Latin American officer corps, essentially because the institutional-constitutional framework of the state in Pakistan has a presumably higher potential for defining and sanctioning the exercise of legal authority than its counterpart in the latter. At the core of this issue lies the fact that British imperialism was maturer than the French and Dutch and, with a larger margin, Spanish and Portuguese maritime empires in terms of establishment of the rule of law, internally differentiated administrative structure and non-arbitrary sources of legitimacy. Transplantation of British laws and institutions in colonial India 'objectified' the patterns of authority and lent a potentially autonomous role to bureaucracy, judiciary and later the emergent legislative bodies.²⁴ The principle of constitutional legitimacy to be operational in the form of rule of public representatives is the *grundnorm* of the state of Pakistan. Army is constrained to operate accordingly, by temporarily suspending the rules of game relating to the elective principle and division of powers between various organs of the state. It then re-writes these rules and incorporates them in the corpus of laws. It is the 'constitutional' approach of the Pakistan army to the business of the state that distinguishes it from its counterparts from Latin America. Politics in Pakistan is characterized by a regime of basic human rights protected through the writ jurisdiction of higher courts, electoral expression of the public will and commitment to search for a legal cover of the perceived non-democratic measures taken by the government. Constitutional wrangling over issues of

policy and division of power between various organs of the state characterises the period of transition when the outgoing military dispensation seeks to preserve as much of the legal and institutional space under the future 'civilian' set-up as possible.²⁵

Partition of India created a grossly anomalous situation. The Pakistan movement was led by the Muslim elite from northern and western India – especially the provinces of UP and Bombay. These elite from the Muslim minority provinces dominated the umbrella national party Muslim League that established Pakistan in Muslim majority areas in northwest and northeast of India. The government of Pakistan was dominated by these elite, which migrated to the new country after partition. Both the first governor general Jinnah and first Prime Minister Liaqat Ali Khan were migrants from India. Similarly, higher bureaucracy and judiciary as well as the industrial elite were predominantly migrants²⁶ from the *Urdu* - and *Gujrati* - speaking community alone. By 1951, 7.2 million Muslims had migrated, constituting 20 per cent of the population in (West) Pakistan, as opposed to India where migrants accounted for 1 per cent.²⁷ Migrants shaped the new state in important ways. Politics in Pakistan suffered from structural discontinuity in terms of establishing a state apparatus from scratch along with a whole new institutional apparatus. Migrants shaped the psyche of the new nation along feelings of insecurity at the hands of India, commitment to Islamic ideology and the need to unite against all odds. Political imagination of the migrant community was characterized by an all-Pakistan approach to public life and intolerance of sub-national identities.

The new state was characterized by institutional imbalance. While the executive wing of the state was dominated by migrants, the Constituent Assembly formally represented 'local' elements. It was elected before partition by provincial assemblies from the Muslim majority areas now constituting Pakistan. The government sought to bypass the parliament whenever possible and rule through the higher bureaucracy, which was itself migrant-dominated. This pattern of asymmetrical distribution of power between the executive and the legislature was reflected through the loss of parliamentary sovereignty. For six decades, politics in Pakistan has been characterized by a low power potential of parliament. The country enjoyed a situation of parliamentary sovereignty - at least in a legal sense - only from 1972-77 and 1997-99. The migrant elite, and later unrepresentative elites of one persuasion or the other, dreaded the prospects of their exit from power in the event of elections. The perceived dysfunctionality of elections for the ruling elite has been a permanent feature of politics in the country. Feelings of insecurity vis-à-vis India revolving around the Kashmir conflict led to a

cult of unity in Pakistan at the obvious cost of provincial autonomy. Bureaucracy, which was re-organized on an all-Pakistan basis, controlled the financial and institutional resources in the provinces much to the chagrin of local leaderships. Four out of five provinces, East Bengal, Sindh, NWFP, and Baluchistan demanded autonomy in the face of the perceived hegemony of the Punjab-dominated Centre, especially in its bureaucratic incarnation.²⁸

The political and constitutional perspectives of the migrant-led bureaucracy defined the national agenda, which was shared and upheld by army. One can argue that the state in Pakistan in its formative years was almost predisposed to giving army a predominant place in the power structure. By 1958, the decade-long process of state formation had led to emergence of an establishment that managed to wrest initiative from the hands of politicians. The first 'civilian' coup had already taken place in 1954, when Governor General Ghulam Mohammad dissolved the Constituent Assembly. The judiciary, which extended its blessings to the act of dissolution of parliament in 1954, subsequently legitimized the 1958 coup.

Katherine Adeney and Anderw Wyatt look at the interplay of structure-agency dynamics in South Asia, respectively identified with the legal-constitutional framework and the power-wielding elite on top.²⁹ In ethnic terms, the role of agency was played by the migrant leadership and the Punjab elite. In the 1950s a process of '*Punjabization*' of the state set in.³⁰ In terms of class dynamics, the establishment continued to draw on the middle class from Punjabi and *Muhajir* communities, remotely followed by *Pakhtuns*. This class displayed a 'statist' perspective characterized by centralization of power in the hands of the federal government at the cost of provincial autonomy, Islamic ideology as a supra-legal source of legitimacy and a relative lack of tolerance for ethnic identities. Both the structure and agency gravitated towards the state elite represented by the *Punjabi-Muhajir* middle class. Elections were constantly postponed ever since the promulgation of the Constitution in 1956. The prospects of transfer of the political initiative, along with its implications for policy and privilege, to the elected representatives of people increasingly engaged army in the business of the state.

GENESIS OF MILITARY INTERVENTION IN POLITICS

Research about ascendancy of army in Pakistan typically focuses on the vacuum in the political system due to disintegration of the Muslim League after partition and decay of political institutions in general.³¹ Some point to ambitions of generals to forestall shift of power to public representatives such as in 1958. Others consider army's serious

reservations about rapprochement with India which was resisted at various times in history.³² Examples of estrangement between civil and military wings by the state range from the 1948 UN-sponsored ceasefire in Kashmir, which led to the aborted Rawalpindi Conspiracy Case, to the 1999 visit of Indian Prime Minister Vajpayee to Lahore, which was followed by the *Kargil* conflict. Still others argue that the American connection strengthened Pakistan army and more generally authoritarian rule dotted by the three phases of strategic relationship between the two countries in the 1950-60s, 1980s and 2000s.³³ It has also been argued that Pakistan's pursuit of parity with India in defence potential put army into a commanding position in the corridors of power.³⁴ This phenomenon, also known as 'India syndrome', continued to operate for half a century after partition.³⁵ It has been pointed out that threat perceptions vis-à-vis India produced two major schools of thought among the elite: one conservative, which looked at India as a potentially hegemonic power in the region; the other ultraconservative, which saw India seeking to destroy Pakistan at the first opportunity.³⁶

The major strength of army drew on Punjab, which was the power lease of the country. The GHQ (General Headquarters) of the Indian army for north-western provinces was located in Rawalpindi. By the First World War, Punjab alone accounted for two-thirds of cavalry, 87 percent artillery and slightly less than half of the infantry of Indian army.³⁷ Within Punjab, certain 'martial casts' were considered fit for recruitment. Among Muslims these castes included *Gakkhars*, *Janjuas*, *Awans* and some *Rajputs* tribes from the northern region. The Punjab government under Unionist Party remained very sensitive to the welfare of its soldiery and therefore to the well-being of the peasantry from recruitment areas. When canal irrigation lands were colonized in the first two decades of the 20th century, grants to soldiers, pensioners and ex-soldiers amounted to half a million acres.³⁸ The government started a tradition of allocating state resources such as land as rewards for military service, which has continued into the 21st century. During the recruitment drive in the First World War, bureaucracy and army co-opted the landed elite as suppliers of soldiers for the army. In this process, Punjab emerged as 'a quasi-military state'.³⁹ Later, when elected assemblies emerged in the 1920s, the government sought to establish a loyal and conservative electorate and thus safeguard the interests of peasant-proprietors who provided soldiers for the army. Special provisions were made to give vote to soldiers. In due course, the military vote comprised 31.6 per cent of the entire provincial electorate; in military recruitment districts, voters relating to soldiery in one way or the other accounted for more than 70 per cent of the electorate.⁴⁰ The Unionist Party in Punjab amply represented the emerging rural-military elite.

As partition degenerated into communal riots in West Punjab, certain military units were put together as Pakistan Military Evacuation Organisation (PMEO) to safely escort Muslim refugees from East Punjab. In this process, army officers and soldiers were politicized.⁴¹ *Anti-Indianism* took deep roots in Punjab where refugee families suffered casualties while crossing the border. The army's sense of insecurity at the hands of India accelerated during and after each armed conflict or confrontationalist posture. This happened after the Kashmir war 1947-49, Indo-Pakistan wars of 1965 and 1971 – the latter inflicting a comprehensive defeat on Pakistan, Indian occupation of *Siachin* Glacier 1984, Indian military exercises Brass Tacks 1987, the ostensible nuclear stand-off between India and Pakistan 1990, the *Kargil* conflict 1999 and the troop deployment on borders 2000. Each episode increased the sense of national insecurity in army and the ruling elite. As army got politicized, politics became militarized in the sense that national policies and priorities were increasingly set by army. Over time, army built the myth of simple, honest, innocent and hardworking masses who were exploited by politicians. This was a continuation of the tradition of paternalistic rule of 'guardians', which was carefully enshrined in the colonial government.⁴² According to this view, people were mobilized by political parties in pursuit of their personal, factional, tribal and ethnic agendas, and thus did gross disservice to the national interest. The process of state formation was destined to bring up military as a leading factor. Indeed, politics in Pakistan displayed major features of military politics even before military takeover. Generals had made their preferences known in terms of foreign and defence policies and domestically in the direction of controlling leftist and ethnic parties through various means. C-in-C General Ayub conducted strategic negotiations directly with his counterparts in Washington DC bypassing his political bosses at home. Army enjoyed a level of autonomy that was denied to all other institutions. Army largely upheld and reinvigorated the new state's institutional, constitutional and attitudinal perspectives and finally emerged as guardian of its territorial as well as ideological frontiers.

Under Ayub (1958-1969), army's super ordinate role in the elite structure was clearly established, even as the civil bureaucracy continued to be in charge of administration in major fields of public life. The Ayub system was dynamic in economic activity along with its attendant processes of urbanization, income inequalities and job insecurity. At the same time, that system was extremely status quo-oriented. It represented a rigid institutional model of rule under the 1962 Constitution, which rendered parliament and political parties totally powerless. There was no way to enter the system for politically active or ambitious

individuals, groups or communities. The failure of the Ayub system in 1969, subsequently followed by a vehement year-long campaign for elections held on 7 December 1970, put army on the defensive. It has been argued that the image of army moved downwards from a saviour of the nation to less charitable roles through various stages before and after Ayub's fall.⁴³ Ayub's successor General Yahya was acutely conscious of the need to preserve the high profile of army as custodian of the nation's faith and trust. He soon moved to install a civilian cabinet, even as important decisions continued to be taken by the martial law secretariat or directly by GHQ in Rawalpindi. Sensitivity about its public image influenced army in terms of deciding the level and scope of its involvement in the day to day administrative and oversight functions. In the initial phase of the coup, army exercised control over administrative activity through supervisory teams and military courts. Soon after, army was withdrawn to barracks and civil bureaucracy continued to be in charge as before.

Stephen Cohen has mentioned three generations of army leadership, British, American and Pakistani, corresponding to Ayub, Yahya and Zia.⁴⁴ Ayub represented a generation of Sandhurst trained generals, imbued with an ethos of guardianship and status quo-orientation in terms of maintenance of the social and political order. Yahya and his colleagues belonged to the 'American generation' trained under the Military Assistance programme (MAP). They were less paternalistic and more liberal towards the reformist agenda. Zia, on the other hand, was 'local' in vision and style, and thus represented the 'Pakistani' generation. It can be maintained that the later army generals belonged to the third category along with variations of style and approach according to the nature of their exposure to foreign training. In style, army leadership has moved from elitism and modernism of Ayub and conservatism and populism of Zia onwards to liberalism and reformism of Musharraf. However, all along army rule has represented exclusivism, pragmatism and authoritarianism punctuated by political repression. The change in the recruitment pattern of army in class and regional terms in the 1960s and 1970s,⁴⁵ brought in hawkish elements who would typically like to set things right in all spheres of public activity, nab corrupt politicians and uphold a right-wing reformist agenda as well as embrace Islamic ideology as the ultimate ideational sanction of the state.

The Bhutto government (1971-77) represented a major setback to the ongoing ascendant position of army in its overt or covert political role at least for a short time. Under Bhutto, a number of military officers were retired including the army and air chiefs. He condemned Bonapartism in army and restructured its leadership by replacing commander-in-chief with

Chief of Army Staff (COAS) and bringing in Chairman of the Joint Chiefs of Staff Committee on top of the three services.⁴⁶ One can see a parallel situation of civilian assertion of supremacy over armed forces in South Korea under Chun as mentioned earlier and even more significantly, in Argentina after the defeat in the Falklands War in 1982.⁴⁷ The Supreme Court verdict in Asma Jillani Case in April 1972 declared Yahya's coup as an act of usurpation, illegal and unconstitutional in nature. It maintained that the coup maker should be 'tried for high treason and suitably punished'. This alone will serve as deterrent to would be adventurers.⁴⁸ The Bhutto government remains the only example of a civilian ruling set-up in Pakistan's history that enjoyed formal effective supremacy over armed forces.

The central point of our argument about army's role in Pakistan is that it enjoyed support from various elite sections of the population within the dominant Punjabi and Muhajir communities. This fact transcended the conceptual formulation of 'gap' between military and society. The clue lies in the specific elite composition of Pakistan, which served as the ultimate and stable constituency for Praetorianism. From the 1968-69 anti-Ayub movement through the 1970 elections and the 1977 anti-Bhutto movement to Zia's martial law (1977-85), populist forces including industrial labour, students, lawyers, intelligentsia, party workers from the leftist and ethnic parties and the general masses looked at themselves to be on the opposite side of army, bureaucracy, *ulema*, the capitalist class and the landed elite. Z. A. Bhutto symbolised these forces as a charismatic leader riding the wave of popularity in (West) Pakistan through the 1970 elections and later as president and prime minister. The elite groups of various persuasions joined hands during the 1977 anti-Bhutto movement and subsequently gravitated towards Zia's martial law government (1977-1985). The mainstream politics, with its epicentre in Punjab, was divided into pro-Bhutto and anti-Bhutto camps for a quarter of a century, the latter comprehensively identified with army in general and Zia in particular. This explains the way Islamists joined hands with army under several military and non-military governments for three decades after 1970. The actual or potential alliance between the mosque and army continued to be a formidable challenge to the mainstream political parties, ethnic parties and, in its post 9/11 reincarnation, to the liberal project of the Musharraf government.⁴⁹ From the 1980s onwards, the ISI (Inter Services Intelligence) operated and sponsored links with various Islamic groups. These groups ranged from Afghan mujahideen and Taliban in the 1980s and 1990s respectively to Islamic parties in Pakistan led by JUI (*Jamaat Ulema-e-Islam*) and JI (*Jaamat-e-Islami*) during the two decades.⁵⁰ In the post-9/11 situation, American scholars, politicians and media commentators often accused the Musharraf government for continuing to operate these

relations.⁵¹ In the context of war against terrorism, Musharraf was considered a 'marginal satisfier' who was 'adept over time at manoeuvring with the religious political establishment'.⁵² Pakistan was advised to develop its national identity not on the basis of 'radical Islam nor in reflexive opposition to India'.⁵³

Civil bureaucracy has been conceived as a potential ally of army in its opposition to politicians. As we noted, Alavi's conceptual formulation about the state in Pakistan focuses on the military-bureaucratic establishment. Relations between the two state apparatuses have not moved along unilinear lines. Civil bureaucracy lost its power and prestige proportionate to the comprehensive inroads made by army into the official policy and administrative personnel. Still, it continued to be the main institutional vehicle through which military rule was operationalised.⁵⁴ The Musharraf government's devolution plan took away both power and lustre from various bureaucratic positions, especially at the district level. However, the higher bureaucracy was able to thwart major reform efforts in the direction of decentralisation, accountability and performance.⁵⁵ At the other end, the business community comprised the Muhajir commercial elite from Bombay followed by Calcutta and Delhi in the early years. It was augmented by the emergent bourgeoisie of Punjab –again led by migrants from East Punjab in India–in the last quarter of the 20th century. The business community has been a stable constituency of successive military regimes from Ayub to Musharraf. Showing its acute dependence on the development planning channels of the government from the early post-independence years to the mid-2000s, the bourgeoisie in Pakistan availed official patronage in pursuit of the latter's project of industrialization. Z. A. Bhutto's policy of nationalization in the 1970s had acutely damaged the leading industrial houses. The latter lent full financial backing to the anti-Bhutto movement in 1977, and made a common cause with Islamic opposition during the movement. The business community has been against Pakistan Peoples Party (PPP) for nearly four decades. It shuns all politics, especially of the populist variety identified with PPP, and finds army rule as a stabilizing factor. In recent decades, the economic activities of welfare organisations of the army, air force and navy, viz. Fauji Foundation and Army Welfare Trust, Shaheen foundation and Bahria Foundation have developed huge stakes of the military in the economy, even to near monopolistic control over construction and transportation sectors.⁵⁶

ARMY: THE PROJECT OF CONSTITUTIONAL ENGINEERING

Current approaches to the phenomenon of praetorianism dwell on a dichotomy between constitutional politics and military politics.⁵⁷ Formally, a military coup displaces a

constitutional government through extra-constitutional means. Thus Generals Ayub, Yahya, Zia and Pervez Musharraf intervened in politics in 1958, 1969, 1977 and 1999 respectively by dissolving the parliament and dismissing the lawful government. However, the story does not end there. Constitutionalism provides the strongest undercurrent for political and administrative activity in Pakistan. Constitutionalism bounced back after each coup. Military governments were obliged to hold elections and quit office, such as in Nigeria, Turkey, Bangladesh and Ghana. The constitutional tradition continues to haunt military leaders in government till they transfer power to civilians, except in such atypical cases as Burma.

In Pakistan, all the four military governments sought to keep the prevalent constitutional set-up intact with the exception of those articles and clauses which related to the elective principle in one way or another. When President Iskandar Mirza launched his coup on 7 October 1958, he declared that the country will be governed as nearly as possible 'in accordance with the late constitution'.⁵⁸ Courts were to continue their functions as before. The military government resolved to build a new democratic system and tighten up the existing laws.⁵⁹ When the specter of elections loomed large on the horizon in 1957-58 and threatened to disrupt the prevalent privilege structures, army moved in. It thwarted the process of installation of an elected government in office and thus prevented the balance of power from tipping in favour of the political leaders who would have enjoyed a new source of legitimacy in the form of electoral mandate. Weber points to the modern state as a bearer of sovereign prerogatives and creator of legal norms whereby elections provide legitimacy to rulers without necessarily opening up the state system to general masses.⁶⁰ The competing forces tend to find their respective stable positions in the state through parliamentary elections.⁶¹ But in a typical Third World society, electoral mobilization is often not commensurate with the institutional level of political actors and tends to assume a movement character.⁶² In 1958, the Pakistan military acted before the impending elections and saved the situation for the ruling elite. In 1970, circumstances forced Yahya's military government to go ahead with elections because social and political groups had been far too mobilized during the anti-Ayub movement. The 1970 elections produced results, which were dreaded by army for 23 years inasmuch as it radicalized politics along ethnic, linguistic, class and sectarian lines. In 1977, Zia's coup was launched in a spirit of reactive militarism,⁶³ inasmuch as interests of various groups – military, bureaucracy, industrialists and *ulema* – were threatened by the all-out lawlessness. The 1977 coup, as indeed the 1999 coup, did not abrogate the 1973 constitution. Typically, only certain articles relating to elections and elected assemblies were rendered inoperative.

Charles Kennedy has given an interesting checklist of measures, which the coup makers in Pakistan felt obliged to take after taking over power. They would typically 'avoid legal chaos', 'make things legal in the short term' 're-invent local government', 'intimidate the civil bureaucracy and the superior judiciary' and 're-write the constitution'.⁶⁴ Each time a new Bonaparte launched a coup, he faced the issue of 'constitutionalizing' his action in various steps. It involved, beyond mere stretching of interpretation of law, assumption of powers to change the law itself. That in turn required the higher courts to provide legitimacy to the military government that came through in several cases starting with the Dosso Case in 1958 to Zafar Ali Shah Case in 2000, with the exception of the Asma Jilani Case in 1972. In the 1978 Begum Nusrat Bhutto Case and 2000 Zafar Ali Shah Case, the Supreme Court allowed the military government to amend the constitution. The judiciary was subjected to taking a fresh oath after the 1977 and 1999 coups, in the backdrop of continuation in force of the 1973 Constitution sans its provisions relating to electoral entities. Both Zia and Musharraf, under their respective Provisional Constitution Order(s) of 1980 and 2000 forced the judges of higher courts to show allegiance to the new 'constitutional' reality instead of the Constitution itself. Appointment of senior judges under Musharraf, much as under Zia, was carried out with extreme partiality. Lower down, appointment of district and sessions judges was similarly scrutinized with a view to eventually rigging the elections, in which they would serve as returning officers.⁶⁵

Army's political vision focused on the leadership factor not on the participation factor. It believed that an executive president was ideally equipped with the authority and vision to lead the nation to the Promised Land. For half a century, army has favoured the presidential system for Pakistan. In the view of army, parliamentarism meant dispersion and dilution of state authority, because the leader of the house would be typically committed to keeping his majority on the floor. In this process, he would be obliged to accommodate members of minority communities, smaller parties and many others who were suspect in the eyes of the state for one reason or the other. Ayub's military government (1958–62) served the function of transition from parliamentary to presidential system. Later, when Yahya's government was bogged down in military operation in East Pakistan in 1971, he prepared a draft constitution that was reportedly presidential – despite the fact that the presidential system was comprehensively rejected during the 1968-69 anti-Ayub movement. Similarly, army had its reservations about the parliamentary system of the 1973 Constitution. Zia's military government (1977–1985) again served the function of bringing about transition from a

parliamentary to semi-presidential system by changing the Constitution from within under the 1985 8th Amendment. Successive presidents dissolved assemblies and dismissed governments in 1988, 1990, 1993 and 1996 under Article 58(2) (b) of the 8th Amendment, allegedly at the behest of army. The Nawaz Sharif government took away presidential powers to dissolve the National Assembly by passing the 13th Amendment in April 1997. However, the political situation changed after the 1999 coup. In the aftermath of the 2002 elections, the Musharraf government restored Article 58(2) (b), first through LFO (Legal Framework Order) and then by getting the 17th Amendment passed by the newly elected parliament.

While the constitution explicitly provides for civilian supremacy over armed forces, the latter have generally sought a role for themselves in the business of the state.⁶⁶ General Ziaul Haq announced the establishment of the National Security Council (NSC) as a supra-cabinet advisory body with a strong military presence, as part of his Revival of Constitution Order (RCO) in 1985. However, in the face of opposition from the newly elected parliamentarians prior to lifting of martial law in December 1985, Zia agreed to drop it from the draft of the 8th Amendment. As opposed to this, Musharraf established NSC as part of his Legal Framework Order (LFO) in 2003, which was subsequently formalized through an act of parliament, as part of a deal with the religious opposition *Muttahahida Majlis Amal* (MMA). The idea was that if army did not rule directly it should remain an active player on the political stage in an informal capacity. Even without NSC, army chief's presence behind the scene was popularly acknowledged throughout the 1990s. Not surprisingly, the rule of the two prime ministers Benazir Bhutto (1988-1990 and 1993-1996) and Nawaz Sharif (1990-1993 and 1997-1999), with a civilian president in place after Zia, first Ishaq (1988-1993) and later Leghari (1993-1997), was often described as the 'rule of troika' comprising President, Prime Minister and COAS. Army hoped that NSC would leave a strong imprint of the army's thinking not only on the specific context of formulation of defence and foreign policies but also on the way the state exercised its authority.

We can now discuss an innovative approach to the pattern of rule by generals that seeks to bring the masses into a participatory mould without giving them any role in the business of the state. This strategy focused on vote rather than seat in the local bodies elections. Here, the public input was channeled through the ballot at the district and sub-district levels but no transfer of power was envisioned at any level in a substantive sense. The idea of local self-government has taken deep roots in the army's mind. One can find a rationale for this in the

quest for keeping the social and political order safe from politicians operating at higher levels. Following a powerful streak of paternalism, somewhat along the pattern of internal differentiation in the army between the officer cadre and common soldiers, local self-government attracted the imagination of successive military rulers. Ayub introduced a comprehensive system of Basic Democracies (BD) that became a part of the 1962 Constitution. People elected members of local bodies who acted as an electoral college for election of president as well as National and provincial assemblies. Ayub's BD system was conceived essentially as a subordinate structure under the district administration. The system was meant to depoliticize the society, thereby seeking to revive the classical British colonial model of top-down flow of patronage outside the domain of the emergent nationwide political activity. The idea was to disenfranchise the masses in terms of a direct political input into the business of the state. Politics was effectively boxed into districts and thus localized to the detriment of political parties.⁶⁷ At the same time, the BD system served the function of providing a source of legitimacy at the grassroots level where people craved for an exercise in ballot in one form or another.⁶⁸ This model was rendered unpopular through a nation-wide movement against Ayub Khan. However, later Zia found the Ayub model useful inasmuch it could take care of linking the grassroots leadership with the state's patronage system via the district administration, bypassing the political parties. The non-party dynamics of local bodies was arbitrarily extended to elections for the National and provincial assemblies in 1985.

Office holders of local bodies operated as clients of the state administration from where flowed financial resources as well as contacts with relevant departments that helped establish their credentials in the local community. Over time, local bodies emerged as the military governments' natural constituency, which bypassed and discredited the local patterns of leadership associated with members of the National Assembly (MNAs) as well as members of provincial assemblies (MPAs). Not surprisingly, the political leadership and parties all along looked at official initiatives in the direction of devolution of power with great suspicion. The government of Pervez Musharraf (1999--) moved on similar lines in the face of public demand for general elections. He chose to go for local bodies elections instead in 2001. He formulated a devolution plan to establish grassroots democracy by forming a third tier of government at the district level, led by an indirectly elected officer called Nazim. The local bodies office holders emerged as the nation-wide support base for Musharraf for his presidential referendum in 2002. He again mobilized *Nazims* for organizing a public rally for him on 12 May 2007, as a response to the lawyers' movement in opposition to his reference

against Chief Justice of Pakistan in March. It was widely speculated that *Nazims* would play a key role in the forthcoming elections in late 2007.

Military rulers found various advantages in reactivating local bodies. First, it provided them a source of legitimacy in terms of mass mandate in the absence of elections for the national and provincial assemblies, which would have involved transfer of power to a civilian set-up. Secondly, politics was localized, thereby minimizing the role of such extra-local entities as political parties. Thirdly, public activity surrounding these elections was tied down to local issues relating to development work and flow of funds for various projects. Substantive issues concerning sectoral allocation of resources and distribution of power across the nation became redundant. In other words, the national agenda disappeared from electoral activity. Fourthly, as electoral contestants did not represent political parties, they could not promise nor deliver on promises of change in policy in the representative institutions once they were elected. Under these circumstances, policy remained firmly in the hands of the state elite on top. Finally, the military governments typically sought to undermine the political foundations of parties and politicians at the constituency level represented by party workers, clients, vassals, and agents. A rival pattern of leadership elected directly by people into local bodies ranging from Village Councils and Union Councils to District Councils enjoyed a quantum of legitimacy that far superceded the moral but informal influence of party workers in the constituency.

CONCLUSION

Our observations point to the fact that civil-military relations in Pakistan drew on the lack of domestic institutional potential of the state to deliver on the promise of democracy, as enshrined in the 1935 India Act as amended by the 1947 India Independence Act. The insecurity syndrome relating to state building at home in the context of regional security complex kept the military establishment from letting the political initiative go out of its hands, even when it was not in the government. The comparative perspectives from Latin America, Africa and Asia clearly bring out the distinct context of praetorianism, which is represented by a wider space than merely the 'gap' between military and society. The constellation of powers ruling Pakistan has a shared policy agenda and ideological orientation. Army has increasingly moved into the centre stage of this constellation. We have observed that the function of safeguarding socioeconomic and political order in Pakistan was assumed by army in the background of structural discontinuity that occurred at the time of partition. The migrant-led state put in place an institutional apparatus and a tradition of constitutional

thinking and practice which, at least by default, prepared the ground for military takeover. We have noticed that army's role was path dependent in terms of its historical roots in British India and presence in the decision making channels on top. Finally, we showed how army developed a set of constitutional preferences and priorities relating to the form of government, distribution of power between various institutions of the state both horizontally and vertically and parliamentary sovereignty. We have argued that the ruling elite's worldview has been subsumed under the army's commitment to a set of policies, ideological formulations and institutional mechanisms. Musharraf faced difficulties on all these counts in the year 2007, as his erstwhile Islamist allies turned against him, and both bar and bench rebelled against his act of rendering the Chief Justice non-functional. Political parties struggled to take the initiative in their hands. There seemed to be a scenario in making, much like anti-Ayub and anti-Zia movements in 1968-1969 and 1983 respectively, which could become a fully fledged anti-Musharraf movement. While Washington's support has been relevant for keeping Musharraf in power, an all-out mobilization of political forces could create serious problems for the prospects of the Musharraf government to stay.

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