Electoral Politics and Electoral Violence in 2013 Elections: The Case of Punjab

Saeed Shafqat
Maheen Saleem Khosa

A Publication of the Centre for Public Policy and Governance

Forman Christian College
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Preface

Elections, electoral processes, and the centrality of political parties in making the transition from authoritarian to democratic regimes and sustaining democracy has been extensively studied and the literature analyzing the experience of developing states is rich and insightful. However, in case of Pakistan the subject has remained understudied. It is only recently that elections, electoral processes and the changing dynamics of civil-military relations have drawn some attention towards the role of political parties in streamlining the electoral system and constructing and sustaining democracy. This study is an attempt to bridge that gap and contribute in a small way on the literature that improves our understanding on the changing dynamics of electoral politics, violence, election administration and the prospects of democratization in Pakistan.

The study has grown out of a research on exploring the Patterns of Electoral Violence in Punjab: Elections 2013, which was funded by a grant from the United States Institute of Peace (USIP). Ms. Maheen Saleem Khosa was the Lead Researcher and was assisted by two Research Assistants Burhan Bhutta and Abdul Hanan. The team was tasked to collect data on the incidence of electoral violence in the chosen districts; Lahore, Multan, Gujranwala and Sheikhpura. To determine the scale of violence the team conducted 45 interviews and three policy dialogues. They were able to secure reasonably good data from the Punjab Police who were extremely helpful during the course of the research. For the purpose of interviews and fur-

ther information on the elections officials from the Election Commission of Pakistan and key political parties (especially PML (N), PTI, PPP, PML (Q), MQM and JI) were very forthcoming and helpful for the research.

During the field work and while conducting interviews and policy dialogues, it became evident the incidence of electoral violence was relatively low in Punjab and was overshadowed by the incidence of terrorist acts throughout the country and allegations of rigging. I was supervising the research and in consultation with the Lead Researcher we decided to develop and expand the research into a Monograph. The original work remains the centrepiece which focuses on the degree and nature of electoral violence in the selected districts of Punjab and the role of Election Commission of Pakistan (ECP) in conducting the elections of 2013.

Given this context, the study argues that the elite consensus, reformed and democratized political parties are a perquisite for promoting democratic values; respect for dissent and minorities, freedom of expression and upholding virtues of constitutional liberalism and building party system and sustaining democracy. While fair, transparent and credible electoral process backed by effective electoral administration are important factors in curbing electoral violence and strengthening the processes of peaceful transfer of power from one elected government to another. The study also makes several recommendations in improving the functioning of ECP and is emphatic in particular in recommending that the position of Chief Election Commissioner should not be the exclusive domain of the judiciary and be open to administrators and other eminent persons.

Over nine months of research and several drafts on which

List of Acronyms

Awami National Party	ANP
Chief Election Commissioner	CEC
Computerized National Identity Card	CNIC
District Coordination Officer	DCO
District Police Officer	DPO
District Returning Officer	DRO
Election Commission of Pakistan	ECP
Electronic Voting Machines	EVM
Federally Administered Tribal Areas	FATA
Institute of Policy Studies	IPS
Jamaat-E-Islami	JI
Jamiat-E-Ulema-E-Islam	JUI – F
Khyber Pakhtunkhwa	KPK
Movement of Restoration of Democracy	MRD
Muttahida Majlis-e- Amal	MMA
Muttahida Quami Movement	MQM
National Database Registration Authority	NADRA
National Assembly	NA
Pakistani Awami Tehreek	PAT
Pakistan Muslim League (Nawaz)	PML (N)
Pakistan Muslim League	PML (Q)
Pakistan Peoples Party	PPP
Pakistan Tehreek-e-Insaf	PTI
Presiding Officers	POs
Provincially Administered Tribal Areas	PATA
Provincial Assembly	PA
Returning Officers	ROs
Representation of Peoples Act	ROPA

Abstract

Elections 2013 – Electoral Context:

The May 2013 Elections are a milestone in Pakistan's democratic development, with the first democratic transition in the country's history, where one democratically elected government completed its tenure and handed over power to the next. While the completion of the first ever five year term for a government was cause to be hopeful, uncertainty loomed large on the conduct and holding of elections. Four factors appear to have conditioned the electoral process and prospects in 2013. First, given the checkered history of democracy in Pakistan, the lingering fear of military intervention persisted[1]. Second, escalated terrorist acts and worsening security situation created an air of uncertainty about the elections[2]. Third, speculation on 'youth voter' participation and the challenge presented by Pakistan Tahreek-e-Insaf (PTI) as a new and untested force raised concern among the established status quo parties and their support bases. Fourth, on the administrative side, moves to empower the autonomous Election Commission of Pakistan (ECP) following the 18th Constitutional Amendment raised expectations and also concerns about its capacity to carry out its new role.

Given this context the study explores three sets of questions; first, how electoral process, the Election Commission of Pakistan and political parties have contributed to promote the prospects of sustaining democracy and representative government in Pakistan? Second, what has been the scale of electoral violence in the Punjab, in 2013 elections? Third, how strengthen-

ing of ECP and the party system could help in sustaining democratic process and representative government in Pakistan?

Notes

1. The potential threat of military intervention is relevant when establishing the context of fear and uncertainty for the elections. Although the threat did not materialize, the protest movement led by Dr. Tahirul Qadri created apprehensions as to the motivations and actors behind it, particularly the military. All of this created an uncertain electoral context which is important for purposes of this discussion.
2. The threat had an uneven impact on voter turnout nationally. However, turnout in Punjab remained fairly consistent which is our focus for the purpose of this study.

Introduction

The May 2013 Elections are a milestone in Pakistan's democratic development, with the first democratic transition in the country's history, where one democratically elected government completed its tenure (2008 – 2013) and handed over power to the next. The Pakistan People's Party (PPP)-led coalition was jolted on several occasions, but it managed to survive[3]. While the completion of its term is an achievement, the performance of the democratically elected government – federal, provincial and local – does not rouse much confidence. Poor governance, persistent adversarial relations between the executive and the judiciary, allegations of corruption and the inability of the political leadership to build consensus to combat terrorism continued to cast aspersions on the democratic process and civilian regime's capability to sustain democracy[4]. The Pakistan Muslim League N (PML-N) and all other political parties entered the electoral arena in May 2013 burdened with the poor performance of the PPP led coalition government, yet the expectation was that the electoral process would not only ensure peaceful change over from one elected government to another but also consolidate electoral procedures and democratic norms. However, building the credibility of electoral process and its outcome and sustaining democracy continues to be a nightmarish enigma.

Democracy has multiple meanings; it implies freedom of expression and association, representative government, adult franchise, peoples' participation in decision making, equality of rights and responsibilities, protection of minorities, respect for law, constitutional liberalism. All these combined or combination of some is equated with democracy. Theoretically, the literature

on democracy could be classified in four set of categories. First, one set of scholars argue that democracy is a function of culture; a second group argues that it is a function of a level of literacy – the higher the literacy levels, the greater the prospects of democracy; a third school argues that democracy is a function of level of development – as societies develop economically, the prospects of democracy become brighter; and finally, another school of scholars argues that democracy is a function of elites – it is elite consensus on democratic values which livens up the prospects of democracy. In developing societies where institutions are relatively weak or fragmented, elite cohesion could play a pivotal role in the construction of democracy. In case of India, their elites have over the years demonstrated – despite internal differences – a broad consensus on the values of crafting and sustaining democracy. Conversely in Pakistan, the elites are still struggling to build a broad consensus on designing and consolidation of democracy and a representative form of government.

1.1 *Military, Democracy and Elections:*

This study broadly aims to draw attention to three issues. First, to what degree are political parties democratized and project the democratic aspirations of the electorate? Second, elections are important procedural components of democratic aspirations in a society. In Pakistan, these are severely conscribed by the military-hegemonic system. Consequently, electoral competition manifests violence, which could overplay political and cultural sources of conflict and undermine the democratic process. This puts the onus on political parties to curb violence and ensure smooth and peaceful electoral process and change over from one to another government. Pakistani political parties are found wanting in this endeavour. It is in this context the study weaves interrelationships among electoral processes, the role of Election Commission of Pakistan (ECP), the nature and degree of electoral violence in the selected districts of Punjab and understanding of political parties on the meanings of democracy. Thus, the study argues

that while holding elections, sufficient attention must be paid to strengthening the substantive components of democracy – rule of law, respect and tolerance of dissent and minority rights, religious and cultural pluralism, and freedom of association[5]. It is our contention that substantive components remain the key missing link in the discourse on electoral process in Pakistan. Third, under the PPP-led coalition government (2008-2013), there has been a qualitative change in civil-military relations. The indications were that nuanced power-sharing mechanisms between the civilian and military sides had evolved. After the May 2013 elections the expectation has been that power sharing mechanism between civil and military would be not only sustained but consolidated, however, the current dispensations and discourse among the political parties does not rouse much confidence and promise.

Theoretically, elections facilitate the stability of the electoral process and the formulation of an electoral system. Political parties demand and compete on transparent, fair and just electoral laws. In Pakistan, during 1970-2013, ten national elections have been held. In all these elections (including the May 2013 elections), the military was a key player, sometimes explicitly and on other occasions implicitly. What can we learn from the May 2013 elections to project the prospects of democracy and party system?

A number of studies have explained and analysed the centrality of the military in Pakistan's politics[6]. In a military hegemonic system, according to Saeed Shafqat, the military has "a monopoly of control over strategic policy issues and decision making institutions in the country. It can manipulate and steer the behaviour of political leaders and interest groups in a chosen direction. In the social and cultural sense the public also shows greater trust and confidence in the military as compared to political parties. This lends legitimacy to the military's hegemony"[7].

This hegemonic power creates a "coalition of the willing", with

individuals, groups and political parties whose interests and ideology not only converges with the military but they also voluntarily accept its hegemonic position. The military assumes that the situation is Hobbesian, therefore, all instruments – including coercion, intimidation, patronage, and graft – are used to foster the coalition of the willing (by the Zia and Musharraf regimes).

The military hegemonic system under President General Pervez Musharraf (1999-2008) skilfully reinvented the Pakistan Muslim League (as the PMLQ), the Muttahida Majlis-e- Amal (MMA) alliance of religious parties, and the Muttahida Quami Movement (MQM) as alternatives to mainstream political parties. The 2002 elections gave a boost to the PML-Q, the MMA parties and the MQM, and changed the discourse of politics in Pakistan. The narrative tilted towards the right, restricting the liberal-secular social and political space. This right-leaning coalition also demonstrated that the religious parties were equally pragmatic in building coalitions and could continue to perpetuate. This forced the PPP and the PMLN to find ways to collaborate and survive, but they also leaned towards the right.

In 2007, Musharraf's decision to remove the Chief Justice of the Supreme Court had three unanticipated consequences. First, it shook the foundations of the political order that his regime had so assiduously crafted (2002-2007). Second, it galvanised the lawyers' community and prompted a strong, extended series of public protests. It also caused commotion among the urban upper middle class which made appearance in these protests. This created an opportunity for the PPP and PML-N. They were initially reluctant to join in, but as the protests continued, they mobilised their party workers. Third, confronted with a defiant higher judiciary and rebellious lawyers, Musharraf sought a 'deal' with the major political parties to hold elections in 2007[8]. (Elections were delayed by the assassination of Benazir Bhutto, and were held in February 2008.)

This redefined the terms of engagement between the military

and the political parties, and could be taken as the end of an era of military hegemony in Pakistani politics. Consequently, as we approached the 2013 elections, the Pakistani experience revealed three disturbing trends.

First, despite building and sustaining the longest coalition government at the federal and provincial levels, the political parties and their leadership have not been able to strengthen party system. The present organizational structure of the political parties and conduct and behaviour of political leaders continues to reinforce the popular perception that the electoral process does not necessarily strengthen political parties or alter the behaviour of its leadership, and that elections intensify factionalism[9].

Second, with each election, the ideological centre of political parties has shifted towards the religious right. The success of PML-N in certain districts of Punjab in May 2013 elections, its conduct and nebulous stance on the issue of terrorism and in dealing with Taliban is a clear manifestation of that ideological shift. The liberal and pro-poor factions within each party have considerably weakened[10]. Such discourse not only defines the limits and functioning of political parties but also weakens their resolve to respect dissent and pluralism, protect minorities, and pursue just and socio-economic welfare-oriented policies.

Third, increasingly political parties have become instruments of biradari/tribal affiliations and criminal mafias that acquire power, and receive and distribute patronage, but do little to educate and inform citizens or work for their welfare and create employment opportunities. Consequently, political parties are seen and become centres of patronage distribution, and are perceived by the public as obstructing good governance and undermining representative character of electoral process. Did the May 2013 elections and its outcome in anyway change this perception or reality?

1.2 Socio-political Environment and May 2013 Elections:

The following could be identified as the key themes during and immediately after the May 2013 elections:

1. Before every election, political parties, analysts and international observers, each in their own way, identify the inadequacies of electoral system in Pakistan. Political parties invariably reveal a lack of trust in the incumbent party and accuse it of oppressing its opponents. However, in May 2013, the situation was somewhat different. Political parties were divided on how to combat corruption, terrorism and improve governance, but were by and large united on two points: perpetuating the party led civil government of political parties with limited modification, and second, keeping the military out of politics. On both counts they had limited success because they showed little enthusiasm in consolidating party system and constitutional liberalism—the two essentials on which the edifice of democracy could be built.

2. Each election rouses the demand to disengage, curb, and – if possible – eliminate the role of the military from politics. However, political parties and leaders find it difficult to build consensus on how to do that. The outcome of each past election has been a strengthening of the military's role in the political system. During 2008-2013, the military continued to be the guarantor for sustaining democracy. In 2014 the PML-N led federal government is seemingly less willing to invest in strengthening party system and upholding constitutional liberalism and more keen in seeking accommodation with the military to prolong civilian rule. Such an approach of the political leadership re-invigorates military to retain hegemony and drawdown power sharing concessions. This makes the future of democracy precarious in the country.

3. Each election has stirred criticism on the role of state (especially the intelligence agencies) in manipulating the process, and compromising its fairness. As a result, elections do not rouse public confidence and this adversely affects voter participation, which shows a worrying trend. It declined from 63 percent in 1977 to 43.1 percent in 1988, and then to 41.2 percent in 2002)[11]. In the 2008 elections, though, voter participation marginally increased to 43.65 percent[12].This turnout was expected to double in the upcoming elections with the Election Commission of Pakistan (ECP) projecting an 88 percent voter turnout in the 2013 elections[13]. While this proved to be hugely optimistic, the actual voter turnout was 55 percent, the highest ever in the country's history. Yet, voter turnout is an important indicator of democratic dispensation and faith in electoral process among the people of Pakistan. According to the ECP, over 86.4 million votes were registered in the 2013, compared to nearly 81 million in the previous elections[14]. Despite a segment of the public still fearing manipulation by the intelligence agencies, the 2013 elections seemed to be different in the sense that the possibility of rigging by intelligence agencies was at best limited if not impossible, given the focus on the election and the media's self-assumed watchdog role. Interestingly, during the 2013 elections and afterwards, the opposition political parties, civil society, media and other observers have laid greater blame on the role of ECP, judicial system and the partisan conduct of the interim governments, particularly in the Punjab.

4. Although all political parties demand – the party in power also recognises the need for –an autonomous and independent election commission, yet both remain apprehensive on its autonomy. Therefore, the critical question has been how to make the election commission fair and just, so that voters and parties have confidence in it. The 2013 elections did mark a little bit of departure from the previous pattern. The 18th and 20th constitutional

amendments have substantially altered the structure of the ECP and turned it into an autonomous body[15].

The 18th amendment replaced the president's appointment authority with a consultative process to select the Chief Election Commissioner (CEC) and four members of the ECP. These officials are appointed at the recommendation of a parliamentary committee comprising members from both the treasury and the opposition benches. The CEC now also has considerable financial autonomy, with budgetary powers transferred to the commissioner's office from the ministry of finance. The CEC's tenure is three years, with the responsibility to prepare, implement and monitor a 5-year strategic management plan[16].

5. Political parties have contributed little in terms of raising substantive issues to inform and educate citizens about the need for good governance, security and economic development. This begs the question: under the military hegemonic system, how were political parties disabled, de-institutionalised or allowed to fragment? Confronted with disabilities, what strategies did the political parties adopt to disrupt military hegemony and strengthen the party system? Apparently none, as the manifestos of political parties show a lack of focus and resolve on policy issues.

6. Despite widespread citizen apathy and a lack of trust in the electoral process, there is little that any political party is doing to politically engage the ordinary Pakistani. Only recently have Imran Khan's Pakistan Tehreek-e-Insaf (PTI) and Tahir-ul-Qadri's Minhaj-ul-Quran made some efforts to mobilise the youth. This also pushed the PML-N government in the Punjab province to reach out to the youth[17]. Despite these youth mobilisation efforts, there is a growing impression that political parties have become irrelevant to the political process.

Citizen confidence in political parties could be boosted through mass mobilisation and active citizen engagement on political issues. That is possible if the political parties come up with specific programs and agendas of change and welfare. The challenge for political parties and their leadership is to build faith in the party system as a pre-requisite to democracy and as an alternative to the military. The record of political parties on this count is not very inspiring. Did political parties behave differently in the May 2013 elections? The PML-N's resounding success in 2013 elections brought back attention on the pivotal issue would the newly elected party in power be able to build a coalition that has public confidence and legitimacy, and provide an alternative to military hegemony?

1.3   *Research Methodology:*

The thrust of this study is conceptual and analytical yet, while exploring electoral violence it pursues empirical research, to the degree that fieldwork has been done in four selected districts in Punjab: Lahore, Multan, Gujranwala and Sheikhupura. These districts have been selected to ensure an equitable geographic and demographic distribution across Punjab. Lahore was selected due to its strategic importance as the provincial capital and because it is the largest district in Punjab (in terms of population). Multan was chosen to represent Southern Punjab and ensure geographic equity. The two smaller districts – both in terms of geography and registered voters – were selected primarily because of their reputation as being significantly violence prone. Both districts have high crime rates, and social and political violence. As such, they were districts where the probability of electoral violence was high. The section draws on qualitative research and interviews together with data on violence garnered from media reports and Punjab police data. Initial data collection will be done through media reports and data collected by the Punjab Police on election violence. Key incidences of electoral violence collected through the initial data collection will then be studied further through field trips to

the relevant constituency for detailed interviews with various actors.

In order to assess the role of state institutions, the research will also conduct a detailed study of the ECP. The research will review ECP's Code of Conduct, Election Laws and the electoral process; as well as the working of the ECP in collaboration with other state bodies. The section on political parties and their commitment to democracy will rely on a review of party manifestos and campaign activities of political selected political parties[18].

Notes

3. The initial coalition of PPP-PML (N) and others ended on the question of whether to reinstate the Supreme Court judges Former President Pervez Musharaf had sacked. Khalid Qayum, "Sharif Quits Pakistan Coalition over Musharraf Ouster," *Bloomberg,* May 12, 2008, accessed August 10, 2014, http://www.bloomberg.com/apps/news?pid=newsarchive&sid=a7BBQubhH1mI&refer=home. Subsequently JUI-F also withdrew from coalition and the MQM continued threatening to leave and remained part of the ruling coalition until February 2013.

4. See for example: Afzal Bajwa, "Yes My Lord," The Nation, February 18, 2010, on the judiciary-government stand-off on the issue of appointment of Supreme Court and High Court judges. On the matter of the letter written to the Swiss courts to reopen graft cases against see: President Zardari, "Swiss Letter: The End," *Express Tribune*, February 10, 2013.

5. Marc F. Plattner, "Populism, Pluralism and Liberal Democracy," Journal of Democracy 1, No. 21 (2010).

6. See for example: Hasan Askari Rizvi, *The Military and Politics in Pakistan* (Lahore: Sange meel, 1986 updated and revised edition 2000); Stephen P. Cohen, *Pakistan Army* (Berkeley: University of California Press, 1984) and Ayesha Jalal, *The State of Martial Rule: The origins of Pakistan's Political Economy of Defence* (Cambridge: 1990) also by the same author, see: Ayesha Jalal, *Democracy and Authoritarianism in South Asia* (Lahore: Sange Meel, 1990). On a similar theme see also, Ayesha Siddiqua, *Military Inc., Inside Pakistan's Military Economy* (Karachi: Oxford, 2007) and also Ayesha Jalal, *Democracy and Authoritarianism in South Asia* (Lahore: Sange Meel, 1990).

7. Saeed Shafqat, *Civil- Military Relations in Pakistan: From Zulifikar Ali Bhutto to Benazir Bhutto* (Boulder: Westview Press/Pak Book, 1997). pp 7-8

8. The National Reconciliation Order promulgated on 5 October 2007 by Musharaf, see Beena Sarwar, "Daughter of the East Returns - with West's Aid," *Asia Times Online*, October 19, 2007.

9. See for example, Dr. Khalil Ahmad, *Siyasi Partian Ya Siyasi Bandobast: Pakistani Siyasat Ke Pech-o-Khum Ka Falsafiyani Muhakma (Urdu),* (Lahore: Alternate Solutions, 2012).

10. Murders of Salman Taseer (4 January 2011) and Shahbaz Bhatti (2 March 2011). Torching Christian settlements in Gojra (1 August 2009) and Badami Bagh (9 March 2013).

11. For some insightful, reliable, concise information and data on Pakistani elections, see *Elections in Pakistan: Background Paper February 2007* (Islamabad:PILDAT,2007).

12. *National Assembly Turnout,* Election Commission of Pakistan, 28 May 2009.

13. Sikander Shaheen, "ECP Eyes 100pc Increase in Voters' Turnout" *The Nation*, October 18, 2012.

14. "General Elections 2013," Election Commission of Pakistan, accessed June 20, 2014, http://ecp.gov.pk/GE2013.aspx

15. The 18th and 20th Constitutional amendments ensure independence of the Election Commission to hold free and fair elections.

16. "About ECP," Election Commission of Pakistan, accessed June 20, 2014, http://www.ecp.gov.pk/AboutECP.aspx.

17. Chief Minister Punjab initiated the launch of youth festivals, sports events, and distributed laptop among the youth; Danish schools and Ujala scheme among others.

18. Since the focus of this research is largely Punjab, this section will focus on national level parties, as well as parties with a reasonable presence in Lahore.

Chapter I

Elections and Political Parties in 2013

Elections are pivotal for constructing and sustaining democracy and representative form of government. Free and fair elections are largely considered to be indicative of a functioning democratic system. In such a system elections perform three critical functions; first, give citizens voice and right to choose their representatives; second, ensure successive transition of power from one government to another; third, maintain that elections are held on regular intervals. The foundational aspect of functioning electoral systems is political parties which function as self-contained democratic units within the larger system. Pakistan's political parties, unfortunately, have historically suffered from democratic underdevelopment for a number of reasons. The first, and most persistent, reason is the predominance of the military hegemonic system in the country. Strategic and convenient manipulation of political parties by this system has left them de-institutionalized and opportunistic.

To borrow Zafarullah Khan's apt expression, political parties in Pakistan were 'disabled by design' by successive military regimes—invoking and enforcing the Political Parties Order 1962, amended in 1979 and further expanded in 2002. While the military regimes persisted in regulating and curbing the political parties, on their part the leadership of political parties contributed little in streamlining the organizational structures; the leadership selection process, holding elections within the party, separating the party office from governmental position or making transparent funding procedures for the political parties.

Most importantly, they showed little interest in promoting inter-party collegiality and faith in the smooth and effective functioning of party system, on which the efficacy of party system could be constructed and sustained[19].

In modern day politics, leaders and reformers must have clarity and conviction on the principles they stand for and the message they want to convey to the masses. In Pakistan, politics is driven by the political parties but few have clearly spelled out ideology, mission or goal and their political persuasions are generally guided by the leader who heads the party. Most of the Pakistani political parties do not have any formal think tanks, however, within parties, there are committees and task groups comprising of key individuals who strategize party policies on issues of national importance. This deliberation reflects in each party's stance on important issues in debates in the legislature, media, and party declarations. Additionally, before every general election, the crux of these policies is presented in the form of a party manifesto, which is a documented declaration of the party's intentions and the vision that it has for the country. Party manifestos are therefore central to a competitive electoral process[20].

This section will provide a brief profile of the major political parties in the electoral landscape in Pakistan. It will study the election manifestos of key political parties in the 2013 elections and assess: a) the importance placed on a party manifesto as a campaign tool; b) the extent to which parties relied on policy issues to engage with the electorate; and c) the likelihood of following through on these issues based on previous election experience. In particular this study will focus on three main issues: terrorism and developing a sound counterterrorism strategy; a commitment to the future of democracy democratic development; and minorities and human rights.

2.1   Pakistan Muslim League (Nawaz):

The PML (N) is a center right conservative political party in Pakistan. It represents one of the largest political forces in the country and won 30% of the popular vote in the 2013 general elections. It is currently headed by Prime Minister Mian Mohammad Nawaz Sharif. The party's biggest stronghold is in Punjab where it currently holds the majority vote and leads the Provincial Assembly. It has 312 seats out of 371 in the Punjab Assembly[21].

2.1.1   History:

The Party's contemporary history can be traced back to the 1987 Parliamentary elections when the PML split into two sections; one lead by the former Prime Minister Junejo and the other by veteran politician Fida Mohammad Khan. The latter was ultimately taken over by Mian Mohammad Nawaz Sharif, the then Chief Minister of Punjab, in 1988. The PML-N established close bonds with the civil bureaucracy, establishment and the Pakistan Armed Forces and was influential in all matters relating to national interest in the early 90s. It became the first party in Pakistan's history to gain a two thirds majority vote in general elections in 1997. The party formed the federal government under the leadership of Mian Nawaz Sharif and Pakistan saw a period of economic growth and progress in the next few years. Unfortunately, due to its excessive interference within the Armed Forces including a summary dismissal of the then Chief of Army Staff General Jehangir Karamat the party suffered a setback of popularity with the masses. In 1999 a military coup led by General Musharraf ended the PML-N government. The party leadership went into exile and the party was further split into two factions with the dissidents being led by the Chaudhrys of Gujrat to form the PML (Q) group. In 2001, the party formally adopted the name of Pakistan Muslim

League-Nawaz. The party took part in the 2008 elections and won 68 seats in the National Assembly. In 2013 elections it has emerged as the largest party securing 129 seats out 272 in the National Assembly[22]; however, its victory has been marred by allegations of rigging, particularly in Punjab.

2.1.2 Ideology:

PML (N) seeks to establish a peaceful, humane and socially just society with equal opportunities for all in concordance with the universal principles of Islam. The vision of PML (N) is a strong, democratic, developed, prosperous and just Pakistan in which every citizen enjoys equal opportunities to develop and grow without any discrimination. The party claims to envision a harmonious society based on universal principles of social justice as enshrined in golden teachings of Islam. This pronounced ideological drift towards right also deepens the gap between what the party projects as party's ideology and how it has demonstrated its governance practices during one and half year rule.

2.1.3 Structure and Policy Making Process:

The party has a General Council which serves as the major platform from where key activities are initiated. The Council consists of elected representatives from all provincial councils as well as nominated members from Gilgit/Baltistan and the Federally Administrated Tribal Areas (FATA). The office bearers of the party as well as another 200 members who have been nominated by the party president and who represent special interest groups are also part of the Council. The Council elects the central office bearers of the party. It has the authority to pass resolutions on all matters[23]. The Central Working Committee is nominated by the party president from amongst the members of the General Council. It consists of at least 15 and a maximum of 40 members. This Committee is the main executive body of

the party and works for the advancement of the party's aims and objectives. It controls and regulates the actions of all the provincial leagues[24].

2.1.4 Electoral Manifesto 2013:

PML N focused quite heavily on economic revival in their manifesto for the 2013 elections. The theme for their manifesto was "Strong Economy, strong Pakistan"[25]. In particular, the party focused on the energy crisis plaguing the country, reiterating their commitment to ending this crisis during campaign rallies.

PML N's stance on counter terrorism and militancy in the country however, was quite vague. Despite the debilitating security situation in the country, they party's manifesto did not address this issue in significant detail. The manifesto discussed "mainstreaming FATA" and "extending political rights to its citizens" but outlined no strategy as to how this was to be achieved. Additionally the manifesto mentions the need to "amend anti-terror laws" and increase capacity of the security sector but again stops short of proposing an actual strategy for these activities. The manifesto also makes no mention of the need to develop a concrete and cohesive counterterrorism strategy, much less what such a strategy would look like.

The party manifesto is vague and subdued on the issue of minorities. Ironically and for some inexplicable reason the minority issues have been clumped together with a number of other "social issues". While surface level concerns such as "passing legislation against enforced conversions" have been mentioned, there is no plan for how this will be achieved.

In terms of commitment to democracy and strengthening democratic institutions, the manifesto fares marginally better. The manifesto highlights the need for democratic governance throughout the country and as discussed in the "Charter of

Democracy" signed by PML N and PPP in 2006. In particular it addresses the issue of bringing democracy to all levels through the empowerment of a local government system. The manifesto promises to conduct local government elections within six months as mandated by the 18th Amendment to the Constitution and "devolve political, administrative and financial responsibility and authority to elected representatives of local governments"[26]. The reality is that the Punjab government has adopted a Local Government Act 2013, which defies the very spirit of this clause and the government has used delaying tactics to hold the local government elections.

2.2 *Pakistan People's Party (PPP):*

The Pakistan People's Party is a center left, progressive and democratic political party. The PPP is one of the most popular and powerful political forces in the country and has been voted into power on five different occasions. From 2008 and 2013, the Party ruled the country as part of a coalition government, with party leader Mr. Asif Ali Zardari holding the office of President of Pakistan. The PPP has largely been credited with facilitating democratic development in the country by passing the 18th constitutional amendment and leading Pakistan's first transition from one democratically elected government to the next.

2.2.1 History:

The Peoples party was founded in 1967 in Lahore and Mr. Zulfikar Ali Bhutto was elected as the first Chairman. The party manifesto titled "Islam is our Religion; Democracy is our Politics; Socialism is our Economy; All Power to the People", vocalizes the basic party ideology[27]. The PPP was able to attract the youth, the working class and the poor who were promised a country free from feudal and capitalist control. By the year 1970 it became the largest political force contesting the elections. However, the outcome of 1970 elections remains

a watershed in the history of Pakistan and was preceded by the subsequent separation of East Pakistan in 1971. The PPP has not been able to uphold its promises and perform to the satisfaction of its supporters and has gone through another period of demoralization after the assassination of Benazir Bhutto. The Party leadership is now headed by Bilawal Bhutto Zardari (son of Benazir Bhutto) but effectively under the control of Mr. Asif Ali Zardari. In recent years the party's support base has considerably shrunk, particularly in Punjab, yet it continues to retain considerable popular vote bank in Sindh and the South of Punjab.

2.2.2   Ideology:

The PPP has continued to espouse pro-poor and welfare oriented stance for economic development and championed restoration of democracy. The PPP asserts it is committed to upholding freedom of expression and fundamental rights; including freedom from hunger and want, religious freedom and advocates equality before law.

2.2.3   Structure and Policy Making Process:

The Central Executive Committee of the Party includes representation from all provinces. The Manifesto Committee gives its recommendations to the CEC. Opinions of relevant technocrats and experts are taken into consideration before any final decision is made. The Federal Council is also composed of across-the-board representation from all provinces. The Provincial Presidents and General Secretaries are responsible for leading the provincial wings of the party.

2.2.4   Electoral Manifesto 2013:

The PPP, contrary to preceding years, had a very low key presence in the campaign period during the 2013 elections,

largely due to the terrorist attacks across the country which were targeting secular parties. Despite this, the party came out with a very comprehensive manifesto for the 2013 elections. PPP is the only party to consistently have made each of its manifestos publicly available and easily accessible. The PPP manifesto still rests largely on their core values of provision of basic needs to the people – *roti (bread), kapra (clothing), makan (housing)*.

The PPP has been vociferous in denouncing and campaigning against terrorism. The PPP manifesto promised to develop a comprehensive National Security Plan with the broad goal of providing safety and security to all Pakistani citizens. The party also pledges to "utilize strategic communications as a tool to counter fundamentalist and militant rhetoric" and "devise a comprehensive security strategy to prevent attacks on major urban centres[28]". For the most part however, the manifesto is declaratory and weak in substance and does not present any concrete counter terrorism strategy.

In terms of democratic development, the manifesto also talks about the party's commitment to democracy and continuing on from "having laid the foundations for a sustainable, accountable and robust democracy in Pakistan[29]". It talks at length about the constitutional amendments passed during the PPP tenure – 18th, 19th, 20th – all of which devolve power to the provinces. The manifesto is vague in terms of discussing what happens next, but mentions the need for accountability at all levels and conducting local government elections.

Having lost two of its own leaders to violence against religious minorities[30], the PPP manifesto is more explicit and bold in addressing minority issues than PML N. The manifesto highlights PPP's previous achievements towards mainstreaming minorities in the country such as abolishing the system of separate electorates for minorities. The manifesto discusses

a number of important aspects regarding the protection of minorities and their rights, such as protecting places of worship. It also addresses the need to make reparations for assets, incomes and opportunities lost due to targeted violence. In the longer term the manifesto pledges to conduct extensive curriculum reform to promote respect for diversity.

2.3   Pakistan Tehreek-E-Insaf (PTI):

Although the latest to enter the political arena, the PTI has established itself as one of the largest political parties in Pakistan in a very short span of time. It follows a progressive, nationalist political agenda with definite Islamic undertones. The party leader, Imran Khan, is a renowned former Pakistani cricket captain. The party has a significant vote bank in all of Punjab as well as Khyber Pakhtunkhwa (KPK), Balochistan and Upper Sindh. Currently the party holds majority of seats – 35 out of 46[31] – in KPK and leads the provincial assembly. PTI wishes to create a modern, democratic Islamic republic which advocates complete political, religious, and economic freedom.

2.3.1   History:

The Tehreek (literally movement) was originally initiated as a socio-political movement in 1996. Imran Khan was elected as leader of the party and the constitution was approved by the Central Executive Committee in 1999. The party is very vocal on what they term as the elitist high jacking of the political process in Pakistan. They are intensely critical of the entire political order which they consider 'corrupt, inefficient and morally bereft'. The PTI believes that the country never remained true to its founding ideals and therefore did not get a chance to develop properly. The PTI leadership asserts that their agenda of reform is based on Jinnah's vision of a peaceful and harmonious Pakistan. The PTI pleads for a democratic system, which ensures justice, equality and prosperity for all

citizens. Their promise to establish the rule of law and make Pakistan stand on its feet with dignity and respect has captured the hearts of the young population who have become one of the major forces for the party.

2.3.2 Ideology:

Justice, humanity and self-esteem is the slogan of the party. The Tehreek is committed to transparency in governance and across the board accountability. The party manifesto states human development as being their highest priority. Their mission is to 'establish the rule of law and ensure protection of human rights through an independent and honest judiciary, strive for the social development and economic prosperity of citizens, especially the poor and under privileged masses'[32].

2.3.3 Structure and Policy Making Process:

Unlike some of the other major national political parties, the decision making process in the PTI is generally consultative. The PTI claims to have a pool of technocrats and experts in various fields who deliberate and provide input on all major issues. Information sharing is done through a virtual global network which also provides a forum for dissemination as well as critique of proposals and policies.

The Insaaf Research Wing is a national level group which carries out research which has either been commissioned by the Central Executive Committee of PTI or by the various research committees on matters of national interest. The Insaaf Youth Wing and the Student Federation are active in providing support to the party in all its activities and implementation of policies[33].

2.3.4 Electoral Manifesto 2013:

PTI's campaign rhetoric focused largely on the endemic corruption in the country and the corrupt nature of all the status quo parties, particularly PML N. In terms of countering terrorism and militancy in the country, the key aspect of the party's stance was engaging with militant groups and withdrawing from the US led war on terror. The party manifesto also reiterates this stance and highlights the need to convince militants to lay down their arms and come to the negotiation table. The manifesto also discussed de-weponization across the country. It discusses making the National Counterterrorism Authority (NACTA) effective as a single authority under the direct control of the Prime Minister[34]. The manifesto also calls for improving the criminal justice system and anti-terrorism legislation but neglects to be more specific about how.

In terms of democratic commitment, the PTI manifesto discusses the development of grassroots democracy and the creation of an effective local government system throughout the country. Specifically, the party talks about taking governance to the village level and creating "Village Councils" which will be responsible for governing each village. The manifesto outlines giving financial and legal autonomy to these Village Councils so as to truly empower them. It also puts the onus for city development to city governments which will be responsible for raising revenue.

On violence against minorities the PTI manifesto is clear and categorical in showing zero tolerance towards abuse or threat of violence towards any minority group; and bans hate speech and literature.

2.4   *Pakistan Muslim League (Quaid):*

The Pakistan Muslim League (Q) is the dissident faction that was once a part of the PML (N) group. It gained prominence in 2002 and emerged as the 'King's Party' and headed the government at the federal and provincial level securing 118 seats in the national and 209 in the Punjab Assembly[35]. The party is led by veteran politician Chaudhry Shujaat Hussain and was most recently an ally of the PPP led Federal Government of Pakistan from 2008 to 2013. It aspires to promote a culture of reconciliation and accommodation in politics. It has launched a massive campaign to organize itself at the grassroots. The party plans to introduce reforms in the social, economic and other sectors of the society in order to bring about a real change in the life of the common man.

2.4.1   History:

The party traces its roots back to the All India Muslim League as does PML-N. Although it had started as a dissident faction from the now PML-N group, PML (Q) has expanded considerably in a few years to become a major political force and in the 2008 elections won 27.5% of the popular vote and claims 69 of the 272 elected members in the National Assembly. Since then, however, the party has gone through another phase of turmoil with some members who define themselves as the 'like-minded' group and are opposed to the current leadership splitting away from the party.

2.4.2   Ideology:

PML (Q) is committed to creating an enabling environment for Pakistan's people and believes in "humanity first" and in tolerance and co-existence. Their vision encompasses democracy, defense, development, diversity and devolution[36].

2.4.3   Structure and Policy Making Process:

The Central Council of PML (Q) is composed of almost 1500 elected members from all across Pakistan as well as the President and General Secretary of the provincial leagues and Islamabad Federal territory league. The Central Working Committee consists of about 200 members of which 150 are elected by the council, while 50 members are nominated by the party president. This working committee is the principle executive body of the party. The president nominates an Executive Committee of about 30 members from this Central Committee who work as an advisory body for the party president on all matters. This Committee works like a think tank and all major issues are discussed in this forum[37]. The Central Parliamentary Committee of about 20 members is constituted by the Executive body and supervises and controls the activities of the parliamentary board. Final policy decisions are taken by this committee. During the policy making process the party seeks advice from relevant experts and technocrats in the related fields, especially while drawing out social sector and economic policies.

2.4.4   Electoral Manifesto 2013:

During 2008-2013, the PML-Q although became part of the coalition at the federal level, however, its leadership appeared fragmented and rudderless. At the time of 2013 elections, the party leadership either could not muster support or realized that its support has dwindled hence did not participate in the elections with vigor and any clear campaign strategy. Despite that it won – seats and preserved its traditional support base in a limited way. The party did however put out a brief electoral manifesto for 2013.

PML (Q) has a very vague stance on terrorism in the party manifesto. The party denounces terrorism and militancy but has

little to say regarding countering the threat of terrorism in the country. Somewhat uniquely, the PML (Q) manifesto addresses the issue of inner party democracy if only to say that the PML (Q) office bearers are elected according the party constitution and that the party strongly believes in inner party democracy. The manifesto does not say much on the local government and grassroots democracy. In terms of minorities, the party manifesto merely declares them equal citizens in Pakistan and pledges that minorities will have full have full freedom of worship and the right to employment in all sectors of the Pakistani state[38]. On violence against minorities the manifesto does not offer anything substantive.

2.5 Mutahida Qaumi Movement (MQM):

MQM is one of the largest political parties in Pakistan. Its founder and leader is Mr Altaf Hussain. Evolving from its predecessor organization, the All Pakistan Mohajir Student Organization in 1979, the party developed into the MQM of today in 1984. They have introduced a new trend in the political culture by providing a non-feudal based political philosophy. Generally regarded as a liberal and progressive party, MQM holds the fourth highest number of seats in the National assembly. Altaf Hussain retains the title of 'Quaid' and is the party leader.

2.5.1 History:

Initially the movement was launched to protect the rights of the Mohajir (immigrant) community who saw themselves as victims of discrimination by the quota system which gave preference to Sindhi community for employment in the civil services as well as admission into educational institutions. In 1997, MQM replaced the term Mohajir with Mutahidda (united), and launched a campaign against feudal domination.

2.5.2   Ideology:

MQM believes in realism and practicality. Its goals are 'eradication of political authoritarianism, abolition of feudal system, promotion of cultural pluralism, and devolution of power to the grass root level and to achieve maximum provincial autonomy'. MQM believes in induction of the common man in the power structure to provide maximum opportunity to economically and socially deprived people -"empowerment for all", for a better and safer life for today and tomorrow.

2.5.3   Structure and Policy Making Process:

The Central Coordination Committee of the party also known as the Rabita Committee is led by the party leader Altaf Hussain. It consists of 24 members from Pakistan and 10 from London, UK, and is responsible for setting the political agenda. The Central Executive Body of the party has representatives from all four provinces and assists the Coordination Committee in policy making, organizational matters, as well as manifesto preparation. All long term policies require endorsement by Altaf Hussain. There are thirty central areas of work or party wings linked with the community where issues are identified. MQM also has a community management wing, which works at the grass root level and picks up issues of interest for further debate.

2.5.4   Electoral Manifesto 2013:

Among the mainstream political parties the MQM manifesto appears to be systematic, well thought out and does take a position on certain issues confronting Pakistan. The party is explicit and bold on combating terrorism. The MQM manifesto calls for the establishment of a National Counter Terrorism

Policy in consultation with elected representatives, police, and bureaucracy and under the unified command of the armed forces. The party manifesto also calls the de-politicization of the police and the de-weaponization of Pakistan. In the longer term the party advocates alleviating poverty and spreading education[39].

MQM also has a very clear stance on the development of democracy at the grassroots level and a local government system. The manifesto asks for elected Local Government System should be installed & elections for Local Government Systems be held within 3 months of the holding of General Elections in Pakistan[40]. The manifesto further develops a complete model of local government from the district level down to the Union Council level.

On issues of minorities and their protection, the MQM has a bold and imaginative stance. It calls for repealing of all existing discriminatory laws against non-Muslims and treating non-Muslims as equal citizens of the state. As compared to other party manifestos, the MQM manifesto also proposes abolishing the use of the term "minority" in a bid to mainstream all Pakistan citizens as equal[41].

2.6   *Jamaat-E-Islami (JI):*

The Jamaat is a well-established religious political party in Pakistan. JI propounds Islamization of Pakistani state by calling for changes in the legal order and it has been selective in supporting and participating in electoral politics in Pakistan. The Party leader is called Ameer, and currently Mr. Siraj ul Haque holds that position.

2.6.1   History and Ideology:

The party was founded by Syed Abul A'la Maududi in 1941;

subsequently he was unanimously elected as its first Ameer in the founding session. Maududi was prolific writer and was influential in advocating the role of Islam in Pakistani polity. The Jamaat claims that Pakistan was created in the name of Islam and it can survive and function only if Shariah laws and Islamic Ideology is enforced by the state. It calls for making Pakistan an Islamic and Ideological State.

2.6.2   Structure and Policy Making Process:

The Jamaat support base is relatively small and spread around the country; however, the party has strict rules of membership. The members play a key role in electing the Ameer of the party. The Ameer is the official Party leader and is elected by members for a term of five years. The Majlis-e-Shura is the most important decision making body of the organization. The Majilis- e-Shura is responsible for implementation of the party's ideology and the constitution. All major policy issues are determined and decided by the Shura. It is composed of about 70 members, out of which a 15 member working committee is nominated by the Ameer. Below this there are various Working Groups and Sub Committees which work on national and international affairs and provide the executive working committee with guidance on policy decisions. The committees usually meet three times a year. The stimulus for identification of any issue comes from either the media or the constituents. Issues are openly debated and majority vote determines the matter. However in keeping with the Muslim practice of ijma (consensus), the majority must convince the minority with evidence and wisdom of the basis of their decisions.

JI also has subsidiary organizations like Islami Jamiat-e-Talaba (student organization), Tanzeem-e-Asatza (teachers' organization) and district level committees who work in concert with the party. The Jamaat claims to have its own Think Tanks and also have affiliation or provides patronage to some. For

example, the Islamic Research Academy is working as the knowledge body of the organization. It conducts research on new and emerging themes and also translates and publishes books. The Institute of Policy Studies (IPS) claims to be an independent institute that also provides support to the party on social and political issues. The Institute defines international relations, and religion and faith as key areas of research and provides policy guidelines to the Jamaat on its areas of interest. The party has a two way link with the Institute. The research of the institute is used to identify issues and when there is a need to develop some documented evidence, a request is made to the Institute. For example, in context of economic policy formulation we were informed that the Majlis-e-Shoora has asked the IPS to prepare an economic plan for next 20 years for Pakistan.

2.6.3 Electoral Manifesto 2013:

The JI manifesto mentions the need to eliminate terrorism and lawlessness but provides no guidelines on how to accomplish this, other than stopping all drone operations, suicide attacks and military operations. The manifesto is silent on local government. In terms of minorities, it merely mentions providing them the rights as equal citizens of Pakistan.

2.7   *Awami National Party (ANP):*

The Awami National Party is a nationalist, left-leaning political party of Pakistan. The Party's current President is Senator Asfandyar Ali Khan. The party predominantly has a Pashtun following and is popular in the Federally Administered Tribal Areas (FATA), KPK and parts of Balochistan. In the last general elections of 2008 the party got 2% of the popular vote. ANP won10 seats in the NA; and 48 (out of 124) in the KPK Assembly.

2.7.1 History and Ideology:

Most of the founding members of ANP had originally formed a Socialist alliance with Zulfiqar Ali Bhutto's Pakistan People's Party in the 1970 elections. This turned out to be a short lived connection since the ANP was a strong believer in Pashtun nationalism and there were ideological differences with the Peoples Party, which deepened once the PPP assumed power in 1971. Some of the Pashtun leaders had Soviet backing and many of them fled to Russia during the eighties fearing persecution from General Zia's regime. In 1986, the party took its current day shape as a result of merger of several nationalist groups with the National Democratic Party. Khan Abdul Wali Khan, an influential Pashtun leader was elected as its first president and Sindhi socialist Rasul Bux Palijho was elected its first secretary general. The party in its present name was formed in 1986. From 1986 to 1988 ANP was a member of the Movement of Restoration of Democracy (MRD).

Peace, democracy and development are the party slogans. To understand the ANP ideology, it is important to understand the underlying four principals of the party: firm stance on secularism, absolute equality between men and women that no democracy can effectively function if it is to be confined under a religious or a feudalistic national setup and a strong belief in peace.

2.7.2 Structure and Policy Making Process:

There is a National Central Council composed of about 600 elected representatives. They are responsible for electing the various office bearers throughout the country. These office bearers then identify people of influence and intellect within the party who form the Central Executive Body through another process of election. This committee consists of about sixty

representatives and is the supreme executive body. Thus the whole system is transparent and there is an effort to elect the right people in the committee. The president of the party alone does not have any power, he has to consult and take on board the committee for all major policy decisions. Working committees are also present at the district and provincial levels, as local context is deemed to be important for issue identification and decision making. In addition, advice is solicited from experts in various fields before any policies are formalized.

2.7.3   Electoral Manifesto 2013:

The ANP party manifesto strongly denounces terrorism and violence in the country. It discusses establishing the writ of the state in FATA and PA TA, purging terror networks from these areas and integrating them into the mainstream. The ANP is the only party which discusses developing a standard policy for compensation for victims of sectarianism, terrorism and extremism. It also mentions modernizing and reforming existing security policies.

In terms of commitment to democracy, the manifesto mentions working towards the strengthening of the democratic process. It also discusses holding local government elections as a "high priority" and implementation of the 18th amendment.

The ANP manifesto is perhaps the most decisive on the issue of minority rights and violence against them. It is the only party that categorically discusses reviewing and removing "all discriminations against religious minorities in the Constitution and the law" and ensuring "affirmative action to integrate religious minorities as equal citizens". The manifesto specifically refers to the 1973 constitution and pledges to continue "efforts to repeal amendments relegating minorities to a secondary status"[42]. The manifesto also discusses prohibiting incitement to violence against citizens of other ethnicity, faith and religions.

2.8 Jamiat-E-Ulema-E-Islam (JUI –F):

The Jamiat is a far right, religious political organization of Pakistan. Currently the party is split into three groups with the strongest led by Maulana Fazal-ur-Rehman. The Jamiat believes in enforcement of strict Islamic law and has contributed to the establishment of several madrassas across Pakistan.

2.8.1 History:

The Jamiat is a Deobandi organization and was formed when the then Jamiat Ulema-e-Hind split up in 1945 after serious disputes emerged within the party about creation of Pakistan. The party first came into limelight politics under the leadership of Mulana Mufti Mahmood to oppose the modernization policies of the then government of Pakistan in the 1960s. Since then the party has continued to be part of alliances with other political parties in which it continues to be vocal on a number of national issues, yet it has not been able to achieve significant electoral success.

2.8.2 Ideology:

The Jamiat is an ideological movement with political dimensions. It is also an intellectual movement which focuses on solutions to Pakistan's problems in the light of Islamic principles. The vision of the party is that Islam is complete code of life. According to Jamiat, Man is God's Khalifa on earth and the mission assigned to him should be fulfilled.

2.8.3 Structure and Policy Making Process:

Whenever new issues are evident the party analyzes them according to Sharia. There are three political decision making bodies in the party; their details are given below:

1. Majlis-e-Amoomi - the largest deliberation body in the party
2. Majli-e- Shura (45 members); including lawyers, intellectuals, doctors.
3. Majlis-e- Amila- (14 members)- this is the first level of debate for any issue

All important decisions are taken by the Shurah and it meets two or three times per year. In Amila, all members are selected by the Ameer. Vice presidents are usually chosen from within the Shura. In the decision making process, the Shura is the final authority. Policy articulation is done by Shura and Ameer highlights important issues. The party manifesto is also formulated by the Shura. For policy making, opinions are taken from experts but there is no formal mechanism for data collection and inclusion in deliberation and policy making.

In case of national controversial issues, a council with 750 people takes decision after three days of deliberations. Decisions are taken after mutual consultation or majority opinion, while in the case of equal votes, the Ameer gives a final decision. Decisions are taken about economy, education and foreign policy. Experts are there to guide the process and subject-wise division is made. This is all reflected in the party's Manshoor. The manshoor is articulated after analyzing policy statements and taking the views of experts on various issues. The Ameer of the Jamiat often takes initiative to resolve issues. For the implementation process, Network Committees are made by Shura.

2.8.4 Electoral Manifesto 2013:

The JUI – F manifesto does not mention anything specific concerning terrorism and violence in the country, beyond mentioning that the War on Terror has terrorist activities in Pakistan and the region. The JUI – F makes no reference to democracy and local government in its manifesto. As per minorities, the party only states that rights of minorities will be

protected as is indicated by Islam.

2.9   *Summary Conclusion:*

This brief description and analysis of political parties and their manifestos shows that political parties in Pakistan continue to have weak mechanism for selection of leadership and its succession within the party. The organizational structure is relatively loose and unstructured and gives space to the key leader to maneuver and keep it personality centric, thus most political parties continue to be dynastic (PML-N, PML-Q, PPP, JUI-F/S and ANP) or revolve around a personality (MQM). Same is the case with regional political parties. In this sense political parties show propensity for factionalism and factional splits are not uncommon in Pakistan's political parties. In terms of rules of selection, succession and well defined ideology JI appears as an exception and is perhaps the most well organized political party in the country.

These constraints adversely affect political parties and their leadership's ability to built party system, which in turn keeps the sustainability of democratic process and representative government precarious. Political parties need to recognize that alternate to military hegemony cannot be constructed without democratizing political parties and erecting the party system.

While examining the manifestos we were keen to have a deeper understanding of party positions on three specific issues; their stance on terrorism, support for democracy and minorities. On all three indicators the result is mixed. The political parties, which have been targeted by the militants, have definitive and bolder stance in curbing and dismantling terrorism (PPP, MQM, and ANP). Similarly on minorities and violence against them political parties which are strongly opposed to terrorism tend to have sympathetic view on protecting minorities. On support for democratic set the stance of most political parties

as revealed by their manifestos is cosmetic and does not correspond with the structures or decision making centers of the political parties. This leads us to conclude that civil society, party affiliates, support groups, academia, business groups and social activists need to be more vocal in voicing public issues so that political parties are encouraged to take position on combating and resolving these and incorporate them in their manifestos, so that when parties assume power they develop policies to achieve what they promised in the manifestos. So that voters hold them accountable for upholding promises and delivering services to the people.

Notes

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20. Shemrez Nauman Afzal and Zoya Sameen, *"Delivering on Promises: Assessing Implementation of Political Party Manifestos,"* Jinnah Institute, 2013.
21. "Overall Party Position, Provincial Assembly," Election Commission of Pakistan, accessed June 1, 2014, http://ecp.gov.pk/overallpartypositionPA.pdf
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23. "About PML (N)", PML (N) Website, accessed May 12, 2014, http://www.pmln.org/
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25. "PML N Electoral Manifesto 2013", PML (N) Website, accessed May 10, 2014, http://www.pmln.org/documents/manifesto-english.pdf
26. Ironically, over a year after coming into power, Punjab has yet to conduct LG elections
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39. "MQM Electoral Manifesto", MQM Website, accessed May 10, 2014, http://www.mqm.org/manifesto2013
40. Ibid
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42. "About ANP", ANP Website, accessed on May 15, 2014 http://awaminationalparty.org/main/?p=4554

Chapter II

Electoral Violence in Punjab

Is electoral violence unique to Pakistan or countries that make transition to democracy? This section examines this with particular reference to 2013 elections in Punjab. The literature on the subject is nebulous; however, significant scholarship appears to convey that the transition to democracy has historically been accompanied with a parallel increase in political violence. According to Reif (2009) electoral violence is endogenous to democratization. Cleaning up elections in the short term increases incentives for competitors to engage in electoral violence, which in the long run generate mass awareness of and demand for pro-democratic electoral reforms[43]. This seems to imply that electoral violence is a phenomenon specific to unstable democracies or those transitioning to democracy. Is it really the case?

The evidence from around the world negates that conclusion and suggests that a great deal of nuance be added to it. If electoral violence is a standard by-product of democratization, why have some countries been able to achieve democracy without resorting to violence?[44] Moreover, if electoral violence is ONLY the preserve of transitional states, then why do elections in established democracies consistently fall prey to violence?[45]

These are pertinent questions and their broader implication is that the general constraints that impinge on electoral processes in different parts of the world are accompanied by sets of constraints and opportunities specific to individual historical and geographic contexts[46]. More specifically, each

individual election needs to be contextualized within the larger framework of a country's history, democratic development and demography.

The objective of this section is to explain, understand and interpret the scale of electoral violence in the May 2013 elections held in Pakistan and particularly Punjab. It aims to assess the evidence of electoral violence in Punjab in light of relevant literature on the subject, and delineate patterns of violence.

3.1   Defining Electoral Violence:

Before assessing electoral violence in detail, it is important to define the term and understand its meanings. There are varying meanings and interpretations of electoral violence. It has been broadly defined as the most extreme form of electoral fraud with electoral fraud encompassing activities such as ballot rigging, vote buying etc[47]. This definition presents an interesting perspective as it considers both fraud and violence along one spectrum. However, it does not provide much insight into the nature and intent behind electoral violence. Megan Rief who has extensively studied electoral violence provides an equally wide-ranging definition, she says, "Coercive campaigning and election violence are any spontaneous or organized actions by candidates, party supporters, election authorities, voters, civil society, or other political actors that employ physical harm, intimidation, blackmail, verbal abuse, violent demonstrations, psychological manipulation, or other forms of coercion (or the threat thereof) aimed at disrupting, determining, hastening, delaying, reversing or otherwise influencing an election and its outcome"[48].

A more potent and comprehensive definition is provided by a report on Electoral Violence in Asia by the United Nations Development Programme (UNDP). The report defines electoral violence as "any acts or threats of coercion, intimidation, or

physical harm perpetrated to affect an electoral process, or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to influence the process of elections — such as efforts to delay, disrupt or derail a poll — or to influence the outcomes: the determination of winners in competitive races for political office, or securing the approval or disapproval of referendum questions[49]".

We find several overlaps and cross cutting features in the Reif – UNDP definitions. For the purpose of this study we would pick and choose from both but rely more on the UN definition given that it is precise and relevant, particularly in the case of Punjab in the 2013 Elections. The UNDP definition puts greater emphasis on violent acts which is significant for the purpose of this study. It is also more specific in terms of discussing the relationship between violence and an electoral process. This means that the motivation to resort to violence can be assessed in conjunction with the electoral process and electoral competition. Thus it helps in making the distinction between spontaneous eruptions of electoral violence as opposed to premeditated violence which is important in assessing the causes and responses to such violence, examining the case of Punjab[50].

3.2   *Electoral Landscape in Punjab:*

The elections of 2013 are unique in Pakistan's electoral history, and within this context Punjab represents an even more interesting and complex picture. This is for two major reasons. One, in the lead up to the elections, the country witnessed a wave of terror attacks the Tehreek-e-Taliban Pakistan (TTP, or Pakistani Taliban) which were motivated by an ideological opposition to incumbent parties taking part in the democratic process and desire to subvert the state system. This violence must necessarily be viewed differently from violence and misconduct which is geared towards success in the electoral

process. Punjab remained relatively sheltered from the first kind of violence which ironically makes the province a good case study for violence as a product of an electoral process as the distinction between electoral process violence and terror attacks is more apparent[51].

The second factor that makes Punjab unique is the nature of electoral competition in the province in these elections. Electoral competiveness had in general increased in these elections, with 17.17 candidates per each National Assembly (NA) constituency compared to 8.28 in 2008[52]. The previous elections were boycotted by several parties, in particular the Pakistan Tehreek-e-Insaf (PTI) and the Jamaat-e-Islami both of home had the potential for electoral success in Punjab. The elections were therefore largely a run-off between the Pakistan Muslim League N (PML (N)) and the Pakistan Peoples Party (PPP). The reentry of all the parties of who boycotted the elections in 2008 was largely responsible for the increase in candidates per constituency. In Punjab in particular, for the first time a third party challenged the duopoly that has long held Pakistan's electoral politics in a stranglehold. Electoral success of smaller provincial parties notwithstanding, the entrance of the PTI saw a national level party as a viable electoral competitor for the first time. The intensity and nature of electoral competition therefore changed in the province, which had long been considered a stronghold of the Pakistan Muslim League N (PML (N))[53].

As a manifestation of this competition, and because other provinces were under incessant threat of terrorist, pre-election campaigning was significantly concentrated in Punjab. Because of this, and because Punjab has the largest number of seats in the National Assembly, coverage of campaigning in the province dominated the electronic media. This led to the conclusion that the main electoral battle was being fought in Punjab[54]. Additionally, the so-called "youth bulge" and the consequent largest number of first-time voters raised speculations about

how these first time voters would cast their vote, and how it would affect the electoral outcome.

3.3   *Profiling Electoral Violence in Punjab:*

This section will provide a brief profile of election related violence across the four selected districts as well as examine each district. Second, it will assess perceptions of violence (and electoral fraud) in each district held by relevant parties[55] and conflate these with patterns suggested by the data[56]. This will help evaluate whether there is any disconnect between the reality of electoral violence and how it is perceived by relevant interest groups. Third, it will go beyond electoral violence and assess incidents of electoral fraud and misconduct in each district. Furthermore it will analyze if there is any relationship between the nature of violence and these incidents.

The 2013 elections were thought to be the most violent in the country's history[57]. This was primarily because of the terrorist attacks before and during the elections, and not strictly because of electoral violence. Violence in Punjab remained at a minimal compared to the rest of the country, particularly in the four districts studied for this report. Lack of comparable data from previous elections unfortunately, makes it difficult to make an adequate comparison between elections.

Table 1 below gives a breakdown of the total number of election related violent incidents in Punjab, based on data collected by the Punjab police.

Total Electoral Violence in Punjab			
	Murders	Quarrels	Aerial Firing	Display of Weapons
Punjab	12	128	89	182

Table 1

Figure 1 gives a categorized breakdown of violent incidents in the selected districts as a percentage of total violent acts committed in Punjab within each category[58].
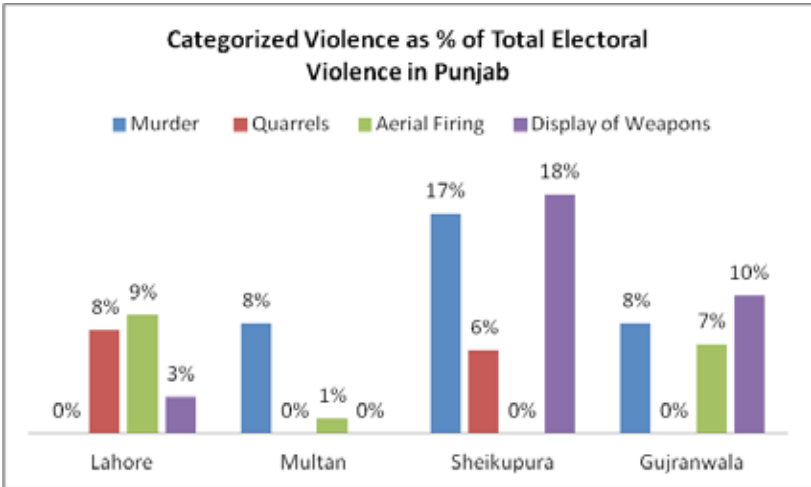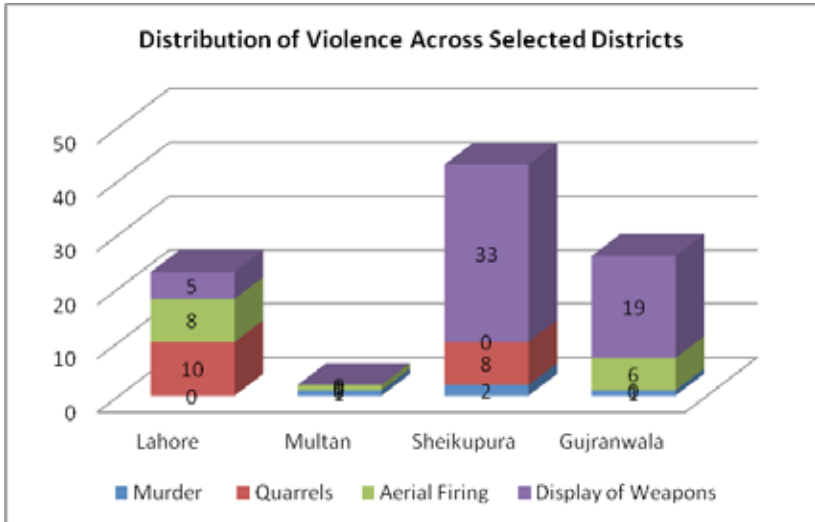

Figure 1

Figure 2

Figure 2 presents a comparative breakdown of violent incidents in the four districts in absolute numbers. In terms of major incidents, only four reported incidents led to the loss of life. Three of these occurred in the smaller districts studied (in terms of both voter population and geography) i.e. Gujranwala and Sheikupura[59]. Conversely, there were 27 reported incidents of quarreling in the four districts out of which the largest number was in Lahore, the largest district studied. In terms of the largest number of incidents, Sheikhupura had the highest number, as well as having the highest number of incidents of displaying weapons by a large margin; followed by Gujranwala.

The data collected through news reports shows minor discrepancies from these findings. For example, there are no incidents of violence reported in the news for District Sheikhupura on Election Day, while there a number of incidents reported to the police. Additionally, incidents of quarrels have been reported in the news for District Multan, while none appear to have been reported to the police. The nature of the reported incidents in the news displays one significant pattern: most of the incidents are spontaneous in nature, as opposed to pre-mediated, deliberately orchestrated violence. This is based on an assessment of the nature of the reported incidents. On polling day, most incidents are minor quarrels between polling agents and party workers of opposing parties at polling stations. A majority of the pre-election incidents also do not appear to be pre-planned with the bulk of them being minor quarrels over issues such as banner posting. Further to this, all political parties[60] maintain that violence was not used as a premediated campaign strategy by any party, or as a strategy to derail the electoral process in any way. In addition to each party's individual stance, all parties are also in agreement that violence was not used as a campaign tool by any other party as all.

In terms of the perceptions regarding electoral violence,

distinct patterns emerge within the narrative espoused by each interested party in each of the four districts. All political parties maintain that physical violence was not a significant factor in the elections in Punjab. More specifically, it was not used as a premeditated campaign strategy by any party, or as a strategy to derail the electoral process in any way. However, opposition parties are in agreement that the elections in Punjab were rigged, but they vary on the degree of the rigging and who was responsible for it. PTI firmly maintains at the rigging was orchestrated by PML (N), and conducted with the compliance of the caretaker government and district administration[61], while conceding that violence was not a dominating factor. PPP reiterated the stance that there had been electoral fraud and rigging during the elections, and put the responsibility for this on the military, intelligence agencies, and the state apparatus[62]. Both PML (Q) and JI had similar stances holding the judiciary and incumbent government responsible for the electoral fraud[63]. The PPP was the only party that held the military and intelligence agencies responsible however[64].

The PML (N), as the incumbent and winning party naturally maintained that there was negligible violence and no rigging during the elections, and their electoral victory was the result of a well-planned and executed campaign. In terms of the election administration officials, the ECP largely absolved itself of responsibility of Election Day activities. The ECP stated that their responsibility was overseeing the process of election administration, and preparing policies and procedures for election management which were then to be executed by the District Returning Officers (DROs), Returning Officers (ROs) and district administration. Implementation of the electoral process – particularly on polling day – was therefore not the ECP's responsibility, and by extension, consequent violence and rigging was also not their purview.

District administration officials (including district police) maintain

that there was no deliberate violence, rigging or misconduct on their part, and while spontaneous acts of violence did occur, they were negligible and duly handled. One common strand in all these narratives was the idea minor incidents of violence are normal during the electoral process as elections are often used by conflicting parties as a proxy battleground to settle old scores. Interestingly enough, this was a view held by all political parties, as well local administration and ECP officials.

3.3.1   Lahore:

As the provincial capital, Lahore was home to the some of the most closely fought and high profile electoral battles in the province. There are both symbolic and electoral implications for domination in Lahore. Whosoever dominates in Lahore is likely to dominate Punjab, and whosoever dominates Punjab – would be dominating the National Assembly. Party leaders and high profile members were also contesting from several major constituencies in Lahore. Additionally, given the largely urban nature of the PTI support base, Lahore was the hub of their campaigning. All of these factors combined explain the electoral violence in Lahore. As seen in the previous two graphs, Lahore had the highest number of electoral quarrels in the four districts studied, out of which a clear majority were on Election Day. Spontaneous eruptions of small scale violence are a by-product of intense electoral competition, and this was the dominant trend in the incidents of violence reported in Lahore.

A breakdown of violent incidents in terms of instigators and recipients of violence is given in Table 2[65].

	Lahore		Sheikupura		Gujranwala	
	Ac-cused	Com-plain-ant	Ac-cused	Com-plain-ant	Ac-cused	Com-plain-ant
PML (N)	4	1	3	4	3	5
PTI	3	3	0	1	0	0
PPP	0	0	0	0	1	0
PML (Q)	0	0	0	1	1	0
Police	0	1	0	1	0	0
Elec-tion Staff	0	2	0	2	0	0
Voters	1	0	0	0	0	0
Un-known	2	3	7	1	5	5

Table 2

In Lahore, PML (N) is the most highly accused which was perhaps expected given the fact that it was the ruling party and played a dominant role in steering political activities in the district. Interestingly, the PTI is a close second, contrary to their stance as the victim in these elections. Following from this, PTI is also the most frequent victim of violence, while the party/institutional affiliation of victims is unknown in a similar number of incidents. Anecdotal evidence suggests that the average PTI voter was largely unaware of electoral practices which led to skirmishes with election staff and rival parties.
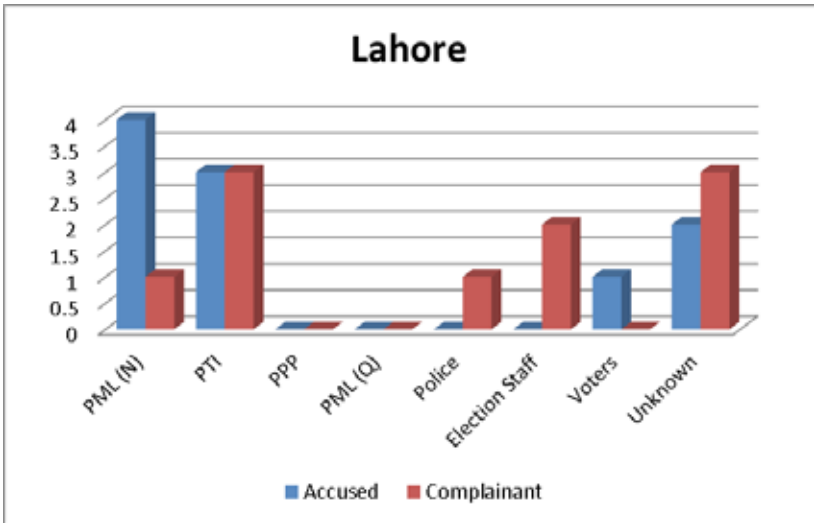
Figure 3

3.3.2 Sheikhupura:

Sheikhupura is a district which had the reputation of being one of the most violence ridden in Punjab. It turned out to have the highest number of violent incidents of all four of the districts. However, a majority of the incidents were in the display of weapons category, which is more a cultural characteristic in the district as opposed to incited by the elections.

Moreover, other exogenous factors also need to be considered when evaluating electoral violence in Sheikhupura. Particularly, April to June is wheat harvesting season in Punjab, which is traditionally considered to be a time full of clan conflict. Prominent clans and biradaris are generally heavily involved in politics, with electoral battles often boiling down to competition within the clans. Given that the elections coincided with harvest season, it is likely that some of the violence carried out under the guise of the elections was in fact motivated by clan rivalries. This is corroborated by the graph below which indicates that the

political/institutional affiliation of the largest number of accused persons in violent incidents remains unknown. PML (N) is the second highest in accused, while being the most frequent complainant as well.
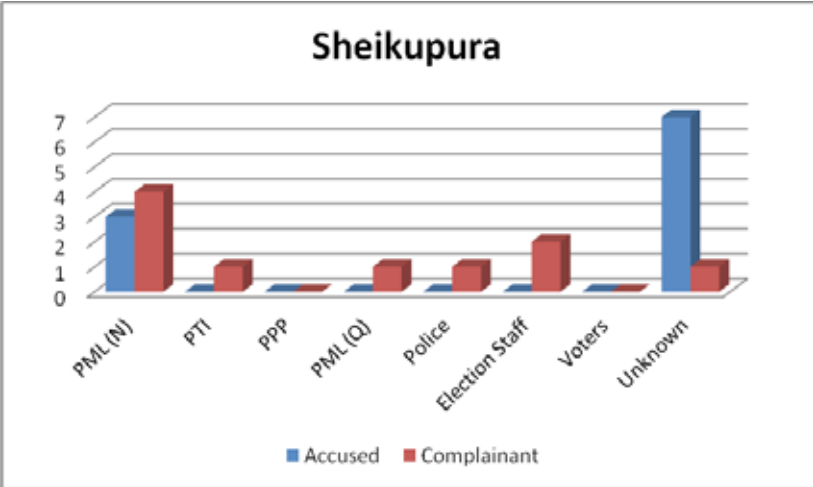
Figure 4

3.3.3 Gujranwala:

Gujranwala presented a similar picture as Sheikhupura, with the political/institutional affiliation of the largest number of accused persons in violent incidents remaining unknown, as shown by the graph given below. Identical to Sheikhupura, PML (N) is again the most frequent complainant. In a complete reversal from Lahore, the presence of PTI both as accused and victim is completely absent in Gujranwala. This could be explained by the emphasis PTI placed on Lahore during their campaigning, arguably at the expense of smaller districts.
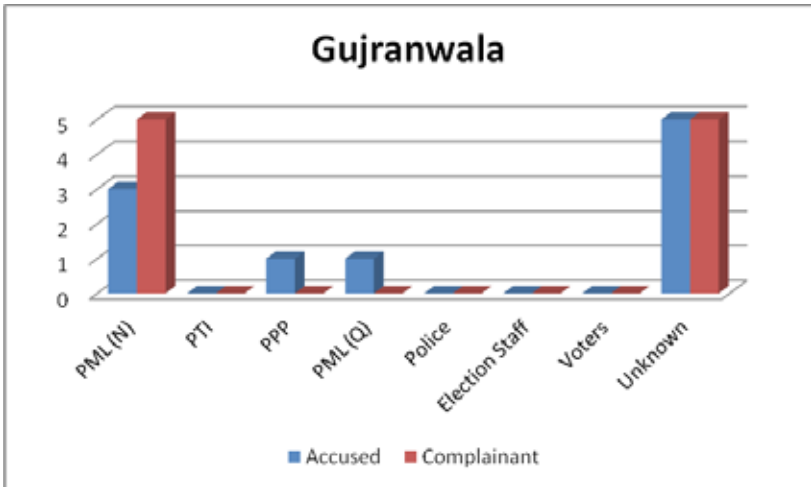
Figure 5

3.3.4   Multan:

The data suggests that Multan was fairly calm during the electoral period. Out of the four categories, only one incident of aerial firing was reported during the entire election period. Data gleaned from news reports asserts more activity, most of which are minor clashes on polling day, none of which were reported to the police. PML (N) is notably involved in a majority of these incidents. However, it has not been possible to assess responsibility for the violence as most incidents discuss a clash amongst two parties as opposed to victims and perpetrators.

3.4   Causes of Electoral Violence in Punjab:

Three major causes can be attributed to electoral violence in Punjab. One, the nature of the electoral violence in Punjab, particularly in Lahore implies that spontaneous electoral violence tends to erupt in an environment of uncertain and intense electoral competition. Violence among political parties

was not very frequent in these elections. Punjab presented a picture of an overzealous election process. The electoral stakes in Punjab were very high and the changing nature of competition in the province made the outcome of electoral battles in the province uncertain. The very nature of electoral competition in this intensely charged atmosphere led to electoral violence. Relatively harmless manifestations of electoral competition include displaying of banners, distributing paraphernalia, corner meetings, and on a larger scale, rallies and jalsas. In case of Punjab and the districts studied rallies remained free of inter party violence – primarily due to intense security – but the smaller displays of electoral competition led to violence in most cases. It is in interesting to note that the most seemingly innocuous activity – displaying banners – appears to have caused a significant amount of skirmishes, particularly in Lahore.

The second factor – more specific to politics in Punjab – is the nature of political parties and how they are structured as organizations. The main problem with political parties in Punjab is that do not function as organizational or ideological entities. Rather, they are run as personal fiefdoms or factions by particular families and clans, thereby loyalty to the clan or the individual leader becomes a critical factor for support and recruitment. Similarly at the local level the electoral campaign strategies are not designed and managed by the central party leadership but by the individual candidate at the local level. Therefore political parties try to field candidates who are strong local players (based largely on tribal and biradari affiliations, and past electoral success) so often many local candidates will have contested elections from multiple party platforms. The election in a particular constituency is therefore almost always between the same families/clans and power players, just under a different label. Often these competitions are a matter of familial rivalry and prestige, which plays into conflicts erupting around elections under the guise of electoral violence. Clashes

between workers of two political parties therefore have more of a likelihood of being driven by personal vendettas rather than ideological or political grounds.

The third factor is election administration. Inadequate or deliberately mal-administrated institutional mechanisms create the space for violence and misconduct to take place during an electoral process. In discussing the nature and causes of electoral misconduct and violence, the administrative aspect of conducting an election is often largely ignored. Institutional arrangements and electoral system design have a key role to play in the administration of an election. In systems where a small number of votes can make a big difference on the election outcome, such as first-past-the-post arrangements misconduct is more likely to occur[66]. In the next chapter we will explore in detail the role of ECP in the 2013 elections in Punjab.

How an election is conducted and managed is critical to ensuring the legitimacy of the results. In that sense, electoral administration has a pivotal role in ensuring that an election is perceived as free and fair, and deters any form of violence. The transparency of the electoral process, neutrality and autonomous status of electoral administration has a strong bearing on electoral violence: those elections recognized and perceived to be adequately free, fair and transparent are less likely to experience electoral violence than those where allegations of mismanagement or deliberate cheating are prevalent[67].

It is important to reflect on the scale of electoral violence in Punjab, and understand why such incidents remained manageable throughout the electoral process. The most important reason for this is that there was a broad consensus amongst all political parties regarding the importance of the democratic process, and a collective intent towards the continuation of this process. Second, the installation of interim

governments at the federal and provincial levels was carefully crafted on the basis of a consensus amongst the dominant political parties, and following the mandated procedure[68]. Although there was debate about specific appointments within the government, it was largely accepted by almost all political parties. This is corroborated by findings from the data and field interviews which conclusively indicate that deliberate and intentional violence was not used by any party as a campaign strategy. Such an attitude and recognition minimized the proclivity of political parties to resort to large scale violence (pre and post-election) that could potentially derail the electoral and – more broadly – the democratic process. Therefore, despite the widespread allegations of rigging throughout the country, no party has refused to accept the mandate of the elections.

It is also important to assess the possible intent behind electoral violence. Aside from efforts to derail the general electoral process, violence can also be used as a means to manipulate results and dominate the elections. It is clear that the focus of most parties (especially post-election) has been on alleged incidents of rigging, a tool more effective in manipulating results than violence, particularly in the case of Punjab. For those with malafide intent, rigging – and not violence – was therefore the tool of choice. This again kept the scale of violence minimal and manageable.

Notes

43. Megan Reif, "Making Democracy Safe: Explaining the Causes, Rise, and Decline of Coercive Campaigning and Election Violence in Old and New Democracies," In *APSA 2009 Toronto Meeting Paper,* 2009.

44. Stephanie M. Burchard and Dorina A Bekoe, "Rejoinder: What Does Electoral Violence Signify?" *Foreign Policy,* June 10, 2013, accessed on July 16, 2013, http://afpak.foreignpolicy.com/posts/2013/06/10/what_does_electoral_violence_signify_a_rejoinder_to_reif_and_naviwala

45. Understanding Electoral Violence in Asia, *United Nations Development Programme Report*, 2011: 2-4.

46. Sarah Birch, "Post-Soviet Electoral Practices in Comparative Perspective," *Europe-Asia Studies* 63, No. 4 (2011): 704.

47. Kristine Höglund, "Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, And Consequences," *Terrorism and Political Violence* 21, No. 3 (2009): 415.

48. Megan Reif, "Making Democracy Safe: Explaining the Causes, Rise, and Decline of Coercive Campaigning and Election Violence in Old and New Democracies," In *APSA 2009 Toronto Meeting Paper,*

2009.

49. Understanding Electoral Violence in Asia, *United Nations Development Programme Report,* 2011: 5-6.

50. Unfortunately, for the purposes of this study, the nature of the violent incidents studied makes it difficult to definitively assess the difference between these types of violence. To the extent possible, we have made that distinction based on the purported intent behind the incident, and the intended outcome.

51. This is not counting the kidnapping of former Prime Minister Yousuf Raza Gilani's son Ali Haider Gilani from a Pakistan Peoples Party (PPP) gathering in Multan on May 9th 2013. This kidnapping was claimed by a banned militant group called Al-Mansooreen Brigade.

52. Final Report 2013, *European Union Election Observation Mission Pakistan,* 2013: 24.

53. Barring the 2002 elections, which are largely considered single party elections given that both PML (N) and PPP contested the elections with their leadership in absentia, leading to the breakaway PML (Q) sweeping the elections.

54. Pakistan General Elections, *Commonwealth Observers Mission Report,* May 2013: 17

55. Constructed through interviews in each district

56. The primary source of data used for the purpose of this section is the Punjab Police. The data has been collected for a period of 61 days (March 17th 2013 to May 13th 2013). All graphs given below are based on police data collected for this time frame. The data has categorized into four broad categories by the Police i.e. Murder, Quarrels, Aerial Firing, Display of Weapons. Within these categories the first two are considered more serious offences, and details (such as party affiliations of involved persons) are only collected for these two categories and not the minor offences. Additionally, as the data has been collected at the district level, there are some inconsistencies in the details collected. These will be explained further as and when they impact our analysis. As a supplementary data source, we have collected data from news reports of violent incidents in these four districts. This will be used to facilitate our analysis where necessary.

57. Election Observation Report, *Free and Fair Election Network,* 2013: 12.

58. Police data for Multan indicates very low levels on violence in the four documented categories. For this district we will rely on interviews and data collected through news reports.

59. The fourth occurred in Multan during Ali Haider Gilani's kidnapping by the militant group, Al-Mansooreen Brigade, when one of his aides was shot dead by the assailants. As previously mentioned this incident is not a part of our analysis.

60. Political parties questioned for this study are PML (N), PTI, PPP, PML (Q), MQM and Jamaat-e-Islami (JI)

61. PTI holds the Presiding Officers and polling station staff responsible for the rigging stating that they were responsible for replacing actual ballot boxes with pre-stuffed ballot boxes. They further hold that at specific polling stations in select constituencies Presiding Officers were handpicked by the caretaker government, and were PML (N) loyalists.

62. Distinct from the PTI's stance was the implication of the Returning Officers in the rigging who party officials claimed were responsible for changing results.

63. In particular the Returning Officers.

64. When pressed further PPP, PML (Q) and JI all conceded that their electoral loses were to a certain extent also because of past performance, but inevitably circled back to the issue of electoral rigging.

65. Police data with details such as political/institutional affiliations of parties involved in violent incidents is only taken for incidents deemed to be of a more serious nature i.e. murders and quarrels. The figures presented in this table therefore are taken from these two categories. Multan is noticeably absent because the district did not have any incidents in these two categories.

66. Robert A. Pastor, "The Role of Electoral Administration in Democratic Transitions: Implications for Policy and Research," *Democratization* 6, No. 4 (1999).

67. Understanding Electoral Violence in Asia, *United Nations Development Programme Report,* 2011.

68. More detail on the process of appointment of the caretaker government will be given in the next section.

Chapter III

Electoral Administration – Assessing the Election Commission of Pakistan

The creation of independent electoral commissions and delegation of electoral governance to independent court systems (or election tribunals as is the case in Pakistan) has been thought to have the potential to reduce electoral conflict[69]. Election commissions have the potential to insulate elections from politics and coercive power. However, the mere existence of an independent electoral management body is not sufficient to deter election violence. There are two key reasons for this: a) the technical capacity of an electoral management body may be limited, and actual or perceived misconduct may be a consequence of lack of capability; and b) electoral management bodies often work under a cloud of suspicion and mistrust, which can be created by (actual or perceived) concerns regarding the body's technical capacity or impartiality.

In particular, in the developing countries electoral accidents occur at the intersection between political suspicion and technical incapacity[70]. In this context we will critically assess and evaluate the role of the recently constituted and revitalized ECP.

This section will provide a brief overview of the ECP and its basic structure and functions. In addition to a brief history of the evolution of the ECP since its creation, it will specifically focus on reforms that have affected the body prior to the elections of 2013. The section will then assess the role of the ECP and its institutional partners in the 2013 elections, with a particular

focus on key administrative and planning deficiencies.

4.1   *Election Commission of Pakistan:*

The Election Commission of Pakistan is an independent body, constitutionally mandated to conduct and manage free and fair elections in the country. The commission is responsible for conducting elections for the National Assembly, the Provincial Assembly, Local Government; preparing and annually revising electoral rolls for national and provisional assembly elections; organizing Senate election and conducting any necessary by-elections; appoint election tribunals for the resolution of post-election disputes; to hold referenda as and when deputed to do so by the President; decide disqualification of members of Parliament and Provincial Assemblies[71]; conduct Presidential elections; and develop rules for the appointment and management of election officials and functioning of the organization[72].

The Election Commission was formed in 1956 with the promulgation of the first Constitution of Pakistan. To date, the organization has been responsible for conducting ten elections in the country (1970, 1977, 1985, 1988, 1990, 1993, 1997, 2002, 2008 and 2013). However, prior to the 2002, the Election Commission functioned mostly as an ad hoc body, performing its duties only when an election was to be conducted, and not on a permanent basis[73]. The Election Commission order of 2002 made it mandatory to establish a permanent election commission; increased the number of commissioners from three to five; and decreased the term of the Chief Election Commissioner (CEC) from five years to three years[74]. However, up until the 2008 elections the president still held chief authority over the election commission's appointments and functions, thereby limiting the body's authority. This was rectified by the 18th and 20th constitutional amendments. The 2013 Elections are therefore unique in that they mark a departure from the

previous elections in the authority – and consequent role – played by the ECP.

Currently, the commission is composed of five members, a CEC as Chairman and four members, representative of each of the four provinces. While the CEC and the Commissioners are responsible for the strategic leadership of the body, the ECP Secretariat in Islamabad is responsible for managing human and material resources, formulating policies and implementing them to facilitate the ECP in performing its functions. The secretariat consists of a Secretary Election Commission, who is supported by various Joint Secretaries. The Joint Secretaries in turn are assisted by Deputy Secretaries and Section Officers[75]. The ECP has over 1800 permanent staff members spread across the country in four provincial offices, twenty-eight regional offices, and 125 district and agency offices[76].

4.2 *Electoral Legal Framework:*

As it stands the electoral legal framework in Pakistan is an interconnected and complex web of scattered laws and regulations. In addition to constitutional provisions there are 22 main legislative acts, orders, and rules governing the ECP and the electoral landscape in Pakistan[77]. In addition to these, there are also numerous subject-specific notifications, rules, directives and codes of conduct issued by the ECP.

Out of these the constitutional provisions are paramount, and govern the most fundamental aspects of electoral administration such as mechanism for the constitution of the ECP; roles and responsibilities of the ECP and its members; core ECP functions and duties; and separation of election dispute resolution from normal judicial processes[78]. The second critical legislation is the Representation of Peoples Act (ROPA), 1976. This is the main legislative instrument under which elections to the National Assembly are held and prescribes

the framework for the conduct of elections including the format ballot papers, how nominations are to be made, roles of key officials during the electoral process, polling day procedures, how ballots are to be counted, circumstances under which there can be a recount, powers of the election commission, electoral offences, procedure for election dispute resolution, the process for scrutiny of candidate nomination papers, and other such matters.

The complete list of electoral legislation is given in the table below.

1.	The Election Commission Order, 2002
2.	The Conduct of General Elections Order, 2002
3.	The Political Parties Order, 2002
4.	The Political Parties Rules, 2002
5.	The Allocation of Symbols Order, 2002
6.	The National Assembly and Provincial Assemblies Allocation of Reserved seats for women and Non-Muslims (Procedure) Rules, 2002.
7.	Procedure for Trial of Election Petitions relating to General Elections
8.	The Presidential Election Rules, 1988
9.	The Representation of the People (Conduct of Election) Rules, 1977
10.	The Representation of the People Act, 1976
11.	The Representation of the People Act, 1976 (as made Applicable to the FATAs)
12.	The Electoral Rolls Act, 1974
13.	The Electoral Rolls Rules, 1974
14.	The Delimitation of Constituencies Act, 1974

Table 3

Although electoral violence is illegal under existing electoral legislation, it is prosecuted as a normal criminal offence. It is pertinent to note that most of the existing legislation deals with the procedures for conducting an election, with very little focus on issues such as violence and intimidation. These laws are also fairly antiquated. Electoral violence, particularly non-physical violence, as an offence, therefore, gets lost within this confusion of electoral laws which provides space for it to be used as a tool during the electoral process. The scattered and disjointed nature of the various laws means that temporary election officials roped in to perform duties related to the elections are often unaware of the various powers and prerogatives they have to prevent electoral violence. These ambiguities, overlaps and scattered nature of electoral laws, therefore leave lacunas for electoral violence, which political party having access to administrative machinery in Punjab has skillfully exploited.

4.3   Electoral Reforms and Consequent Impact:

As part of a reforms process initiated after the 2008 elections, the ECP launched a five year Strategic Plan in May 2010. The plan was developed as a result of a six month long consultative process, involving both internal and external stakeholders, as well as incorporating feedback obtained from post-election reviews in 2008. The plan is based on 15 goals, each of which is further divided into multiple smaller objectives. The plan is a comprehensive and relevant roadmap encompassing many of the problems faced by the ECP in the past[79].

The Strategic Plan was largely seen as a very positive step for an organization that had long been underutilized, as well as the target of political misuse. It was a sign of the ECP taking ownership of not just the process of conducting elections, but facilitating the overall democratic process. It was also an indication of the ECP functioning as a permanent organization,

rather than on an ad hoc basis, as it had done so up until 2002. What was even more promising was several targeted reforms in the plan were pursued during the 2013 electoral process. Of particular importance were legal reforms and the electoral rolls.

4.3.1 Legal Reform:

The 18th and 20th constitutional amendments were fundamental in revitalizing the election commission and were aimed at substantially altering the structure of the organization, bringing it closer to being an administratively and financially autonomous body. This was a critical step towards establishing the ECP's status as a fair and just electoral management body, and was aimed at addressing apprehensions held by political parties on that front.

The 18th amendment is seen as a landmark achievement in Pakistan's legislative history as the first law to limit presidential powers since General Zia's regime[80]. Passed in 2010, this was particularly significant for the ECP, as the President's authority to select the CEC and the four commissioners was replaced with a consultative process[81]. A 12 member parliamentary committee – comprising equal members from the treasury and the opposition benches – is now responsible for the appointment of the election commissioners[82]. The financial autonomy of the CEC has also increased. The added autonomy ostensibly places the onus for conducting free and fair elections on the Election Commission.

The 20th constitutional amendment, passed in 2012, further empowered the ECP. The 20th amendment established, for the first time, clear and definitive rules and procedures for the institution of a caretaker government for the period between the dissolution of parliament and the elections. The 18th amendment had already laid some groundwork for this by limiting the power of the President to appoint the caretaker Prime Minister by

requiring this appointment to be made after a consultation between the President, the Prime Minister and the leader of the opposition[83]. A similar process is followed for provincial chief ministers. This was a particularly important step for the legitimacy of the elections. This is because the district and provincial government play a critical role in the management of the electoral process, particularly on polling day[84]. For a province like Punjab, where one party had a significant incumbency advantage, the establishment of a completely neutral caretaker setup, responsible for the administration of the electoral process is therefore critical.

The extent of the actual impact of this amendment was unfortunately negligible. There are two reasons for this. First, there is general consensus among the opposition parties that the caretaker government, in direct contradiction to the spirit of the 20th amendment, was not strictly neutral. While the constitution lays out a process for the appointment of the chief minister of a province, there is no such process mandated for lower level appointments in the bureaucracy. While proper procedure was therefore followed for the more high profile appointments such as the Prime Minister or the Chief Minister Punjab, other smaller but equally critical appointments were highly questionable. Appointments in the bureaucracy in Punjab were reportedly made at the discretion of a few select officers without any institutional input and without following proper procedure. However, when questioned about the appointments and transfers of serving officers, the representatives of the caretaker government in Punjab maintained that this reshuffling was being done at the directive of the ECP, and with the goal of ensuring free and fair elections in the province[85]. The lack of transparency coupled with the fact that the key bureaucratic appointments were carried over from the PML (N) government and were presumed to be loyal to PML (N) created an air of mistrust around these appointments. This was corroborated by all opposition political parties interviewed for the purpose of

this study. These parties were universally in agreement that the caretaker appointments at the local level were not neutral. PML (N), as the incumbent party, was the only outlier who maintained that the caretaker setup was completely neutral.

Second, while the federal and provincial level appointments were still scrutinized to an extent by the ECP[86], there was little to no accountability for appointments at the local level. In the bureaucracy for example, all local level appointments were made by the District Coordination Officer (DCO), while those for the police were made by the (DPO). The transparency of these transfers and appointments therefore remains unclear. By extension, the trickledown effect of a neutral caretaker setup is difficult to assess.

This becomes especially problematic in the face of allegations of rigging and maladministration in the elections. In the four districts studied for this research, there is almost unanimous agreement amongst the opposition parties that the district and local administration officials were complicit with the incumbent PML (N) government. While most choose to blame the executive functionaries[87] for deliberate misconduct, there are some who believe that the supporting functionaries provided by the judiciary were also complicit[88].

There is also a common belief that while the supporting institutions were intentionally corrupt, the ECP was – at worst – administratively handicapped. Going further, the ECP is also thought to only be responsible for establishing the administrative framework within which an election will take place, but not the actual implementation. By extension therefore, any illegality that occurs during the electoral cycle (misconduct, violence, rigging) is thought to be the purview of the supporting institutions. Interestingly enough, there is little that is said about the need for accountability mechanisms on the part of the ECP.

In consultation with the political parties, the civil society and other stakeholders, the ECP also proposed two more amendments (21st and 23rd) to these laws, largely concerning powers of the ECP. However, these amendments were not tabled on the floor of the parliament and were not passed as a bill. The ECP also recommended changes to the amount of expenditures potential candidates are allowed to spend on their campaigns, but these were also not implemented[89].

4.3.2   Electoral Rolls:

Improvement in the electoral rolls was perhaps the most significant achievement of the ECP in the 2013 elections. The electoral rolls in the 2002 were only partially computerized, which meant that it was not possible to check for duplicate or unverified entries[90]. Although there were some improvements made in the 2007 rolls, they were still largely lacking[91]. In April 2011 a bill was passed in parliament making the holding of a valid Computerized National Identity Card (CNIC) a prerequisite for voter eligibility[92]. Based on this requirement, the ECP collaborated with the National Database and Registration Authority (NADRA) in updating the electoral rolls with the CNIC acting as a unique voter identification device.

NADRA prepared draft electoral rolls by crosschecking the 2007 rolls with their own data to avoid duplicate entries and other errors, such as deceased voters or wrong/fictitious entries. 44 million entries on the 2007 list were verified, while the remaining 37 million were removed, on the basis of duplication or unverifiable data (such as missing CNIC information). Based on their own data, NADRA also placed approximately 36 million eligible citizens not included on the 2007 on the 2013 lists[93]. The electoral rolls also included, for the first time, photographs of voters.

The 2013 electoral rolls are therefore generally seen as being considerably more accurate, and by extension, credible than their predecessors. Political parties, voters and elections observers alike have been unanimous in acknowledging these updated rolls as a success on the part of the ECP. Omissions, duplications and errors in electoral rolls lead to potential for significant electoral malpractice and fraud which has been witnessed in elections in Pakistan in the past, and was a major concern this time around. The concern was exacerbated by the shifting electoral landscape in Pakistan – and Punjab in particular – which predicted the largest voter turnout in the country's history. The shifting scale of voter turnout meant that there also was potential for misconduct at an unprecedented scale, in case of inadequately prepared electoral rolls.

4.3.3   Codes of Conduct:

In another unprecedented move, the ECP also developed codes of conduct for political parties, observers, polling personnel, the media and security personnel. Of these, of particular interest to us is the Code of Conduct for Political Parties and Candidates. The content of the code broadly covers broad areas: a) reiteration of provisions of electoral laws; and b) code of ethics. The code is designed to govern general conduct of candidates, party workers and their supporters. Broadly it requires parties and candidates to follow all rules and regulations issued by the election commission and avoid activities that constitute offences under electoral laws. It also lays out rules for acceptable campaign behavior including aspects as specific as banner sizes. In particular the code clearly prohibits the use of violence during the campaign period and on Election Day – including but not limited to physical violence. Voter intimidation is strictly prohibited under this code. The code also requires political parties and their candidates to denounce the use of violence and intimidation as a tool.

Although in principle this Code was designed to limit electoral malpractice (including but not limited to violence) on part of the political parties and ensure peace during the campaign period, it ended up having very little impact. The content of the code broadly covers broad areas: a) reiteration of provisions of electoral laws; and b) code of ethics. While both these parts of the code effectively outline what constitutes electoral malpractice, the code itself does not define any enforcement mechanisms. In the absence of clear enforcement mechanisms, the first part of the code merely adds to the confusion of electoral laws in the country; while the second is rendered meaningless without any recourse against violators.

Additionally, there is very little ownership of the Code among political parties. Although the ECP maintains that the code was developed through a consultative process, it remains unclear how thorough this process was[94]. Irrespective, it is clear that the code was not prioritized by the political parties, and there was little effort made to familiarize party workers with its provisions. That, combined with inadequate enforcement mechanisms, meant that the Code was largely ignored, both in the campaign period and the on polling day, leading to electoral violence and misconduct.

4.3.4   Future Reforms:

While we were conducting this research, the ECP was in the process of finalizing a new strategic plan for the next five years (2014 – 2018). This plan continues a number of reforms the ECP initiated through the previous plan and were implemented in the Elections 2013. In particular, the plan discusses mechanizing electoral operations before the next general elections. According to this strategic plan, the ECP plans to pilot electronic voting machines (EVM) and biometric voter identification in the coming year. ECP intends to be prepared

to implement EVM and biometric voter identification by June 2017[95].

4.4   Electoral Administration Network:

The ECP requires extensive institutional support in conducting the electoral exercise. District administration, security agencies, government employees, and even members of the judiciary are all part of the electoral administration network, particularly on polling day[96]. The ECP in Punjab was provided administrative support in 2013 by 36 District Returning Officers (DROs) and 149 Returning Officers (ROs), drawn from the judiciary. The DROs and the ROs have a critical role both – pre and post polling. They are responsible for scrutinizing candidate nominations, approving the polling scheme, and consolidating and transmitting election results to the ECP.

Additionally, on polling day the ECP was supported by 40,078 Presiding Officers (PO) in as many polling stations across Punjab. These POs were further supported by 216,714 Assistant Presiding Officers, and 108,357 Polling Officers[97]. Polling day are all government employees, generally teachers from government schools and colleges who are all ultimately answerable to the local and district government.

Although these functionaries are constitutionally answerable to the election commission during the electoral process, ultimately they report to their own primary authority i.e. the executive or the judiciary. For the executive functionaries, there is definite incentive to facilitate the incumbent government during the elections, which is exactly what has been alleged by opposition parties in the province. At the district level, in theory, all executive functionaries are answerable to the DRO during the electoral process, and the DRO is authorized to take notice of wrongdoing on the part of presiding officers and take appropriate action. However, this was not something the DROs

and ROs appear to have done. This can be for a number of reasons: cognizance of the temporary nature of their duties[98]; inadequate training provided in the pre-election period; lack of awareness of their duties; or deliberate oversight to facilitate misconduct, as is alleged by a few opposition parties.

The figure given below describes the chain of command for key functions in the electoral administration network.
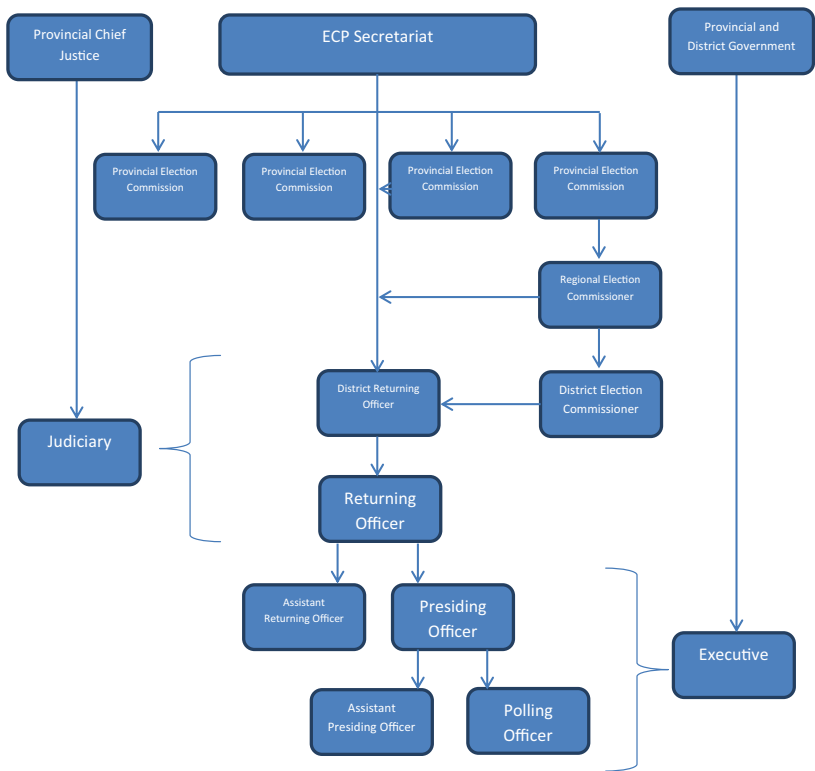

Figure 5

There are two things to be noted from this diagram: a) the nucleus of power for this entire network rests entirely with

the DROs and the ROs; b) there seems to be a disconnect between the ECP and the rest of the network, originating from this very nucleus. The latter point is particularly important for us as it highlights the main fissure in the electoral administrative system where actual or perceived fraud, misconduct and violence can take place. For example, the ROs allegedly made last minute changes to the polling station scheme and polling staff and the ECP has no central record of these changes or final lists of actual stations and staff used on Election Day. Such unaccounted for changes resulted in suspicions about possible motivations[99].

Security during the electoral process was provided primarily by local law enforcement agencies, and consequently suffers from the same issues as polling staff. The chain of command here is even more complex in situations where the army is deployed. In Punjab, six committees were formed to oversee security arrangements and monitoring cells were formed at the district level. Polling stations were categorized as Normal, Sensitive and Highly Sensitive. Security arrangements were then made according to the sensitivity of each polling station. 4,481 polling stations in Punjab were categorized as highly sensitive, while 8,451 polling stations were declared sensitive. Increased security personal was deployed at the sensitive polling stations. The army was deployed at the polling stations deemed highly sensitive[100].

Security efforts in Punjab were generally thought to be effective. Election Day activities proceeded more smoothly than anticipated with a large-scale security effort in place[101]. District police in the districts interviewed corroborate this, and maintain that the Punjab police remained efficient which kept violence in Punjab minimal.

4.5   Election Dispute Resolution:

Pre-election dispute resolution is primarily the domain of the ECP and the designated ROs. Complaints can be filed to either at any point during the campaign period. These can be related to any election offence (including violence). Once the complaint is filed ECP/ROs are responsible for following up on it and making sure it is adequately resolved. Unfortunately, there are no designated mechanisms for the resolution of these complaints, particularly those submitted to the ECP. There is also no clear record with the ECP on breaches and responses to breaches of code of conduct.

4.5.1   Election Tribunals:

The primary means for post-election dispute resolution are Election Tribunals. Constitutionally, challenges to the results of a national or provincial assembly election can only be resolved through an Election Petition presented to an Election Tribunal[102]. Election Tribunals are constituted by the CEC who requests names of serving High Court judges' from each provincial High Court Chief Justice. Election Petitions can only be filed once the results have been published in the official Gazette of Pakistan. A petition can be filed within 45 days from the date of publication of the official results. Petitions are submitted to the ECP secretariat, which is responsible for administratively processing them and forwarding them to the appropriate Election Tribunal. An ET decision tribunal can only be challenged in the Supreme Court.

A tribunal is constitutionally mandated to resolve within 120 days of receiving each petition. However, this very rarely happens. Conversely, there are disputes lingering from the 2008 elections which have yet to be resolved. The primary reason for this is the excessive utilization of writ petitions[103]. A writ petition drags on the proceedings of the court beyond the

constitutionally mandated time frame. Another reason for this delay is the lack of capacity of the Election Tribunals. The sheer number of petitions faced by the tribunals – in addition to their primary case load – makes it very difficult for them to resolve petitions within the constitutionally mandated timeframe. The lack of resolution adds to the perception of an illegitimacy of election results.

Since the installation of Nawaz Sharif government at the federal level and particularly since June 2014 the role of ECP in conducting the 2013 elections in the country has come under strong criticism. The PTI has been most vociferous in challenging the credibility and transparency of elections in Punjab. It has alleged that the elections have been rigged and in this rigging the Punjab interim government, the ECP Punjab and segment of higher judiciary has acted in concert. Initially the PTI demanded recounting of elections in the four constituency of Punjab but unable to get a sympathetic response from the provincial government , the ECP and the higher judiciary the PTI became more noisy and resorted to street protests culminating in the August 14 Long March(Azadi March), resulting in a sit at Islamabad in front of the parliament. While the sit in (Dharna) continues, it has drawn the attention of citizens on the transparency, fairness and credibility of electoral process in Pakistan. This has led to a public discourse on the need of reforming the electoral process, strengthening the ECP and elevating the responsibilities of the political parties and government in power to ensure that reformist measures are instituted and that is step in the right direction.

Notes

69. Fabrice E. Lehoucq,"Can Parties Police Themselves? Electoral Governance and Democratization," *International Political Science Review* 23, No. 1 (2002): 31.
70. Robert A. Pastor, "The Role of Electoral Administration in Democratic Transitions: Implications for Policy and Research," *Democratization* 6, No. 4 (1999).
71. Under Article 62 and 63 of the Constitution
72. Each of these functions is mandated under a particular article of the constitution.

73. The Legal Framework Order (LFO) 2002 required there to be a "permanent" Election Commission to be appointed at the discretion of the President. It also added the conduction of Senate elections into the mandate of the ECP.
74. How Independent is the Election Commission in Pakistan, *PILDAT Background Paper,* February 2008: 8
75. Election Commission of Pakistan Five-Year Strategic Plan 2010 – 2014: 7.
76. "The 2013 National and Provincial Assembly Elections in Pakistan", *Final Report of the Joint International Election Observation Mission of the National Democratic Institute for International Affairs and the Asian Network for Free Elections,* May 2013: 19
77. Out of these, 8 are related to Senate Elections, while the remaining 14 deal with the National Assembly and Provincial Assembly Elections. Provinces have also made local government acts which are in different stages of litigation. How far they will survive constitutional challenges remains to be seen.
78. Part 8 of the Constitution, Articles 213 to 226 deal with these aspects of election administration. This is apart from qualifications and disqualifications made according to articles 62 and 63 mentioned earlier in the study.
79. At the time of this study, the ECP was in the process of finalizing its next 5 year Strategic Plan 2014 – 2018.
80. It can be argued that the 1997 PML (N) term also saw the removal of Article 58 2(b) of the constitution which expands presidential power, but the 18th amendment was unique in the breadth and scope of the issues it addressed.
81. Specifically the 18th amendment has removed the words "in his discretion" for the President, while discussing ECP appointments
82. Article 213
83. Prior to the 18th amendment, the caretaker PM was announced solely on the discretion of the President. The 18th amendment added a consultation requirement, but did not address the issue of a lack of consensus. The 20th amendment clarified this further by mandating in article 224 A that in the event of a failure of the PM and the leader of the opposition to reach a consensus, a list of three names is to be forwarded to an eight member parliamentary committee comprised of four members each from the treasury and opposition benches. If the committee is unable to make a decision within three days, the names are to be forwarded to the ECP. The ECP is then constitutionally bound to make a decision in two days.
84. Article 220 of the constitution mandates that all executive authorities in the Federation and the Provinces are required to assist the Chief Election Commissioner and the Election Commission in the discharge of their duties in the electoral process
85. "Caretakers Ignore Merit, Make Politicised Appointments," *The News,* April 16, 2013, accessed on July 10, 2013, http://images.thenews.com.pk/16-04-2013/ethenews/t-22280.htm and "Shahbaz Sharif's Men Shifted, but Issues Remain," *Pakistan Today,* April 16, 2013, accessed on July 10, 2013, http://www.pakistantoday.com.pk/2013/04/16/city/lahore/shahbaz-sharifs-men-shifted-but-issues-remain/?printType=article
86. And the Supreme Court of Pakistan, in the case of Federal appointments
87. Polling station staff and local security agencies
88. District returning officers and returning officers
89. This was discussed by Joint Provincial Election Commissioner ECP Khaliq-uz-Zaman during a policy dialogue held as entitled "Electoral Administration in Elections 2013 – Dynamics, Issues and Lessons Learnt Brief on Policy Dialogue".
90. Pakistan General Elections, *Commonwealth* Observers Mission Report, May 2013: 11.
91. The 2013 National and Provincial Assembly Elections in Pakistan", *Final Report of the Joint International Election Observation Mission of the National Democratic Institute for International Affairs and the Asian Network for Free Elections*, May 2013.
92. Election Laws Amendment Bill, 2011
93. Electoral Rolls Pakistan Factsheet, *International Foundation for Electoral Systems,* March 2013
94. Civil society organizations in particular have reservations about the amount of consultation involved in the development of this code.
95. Election Commission of Pakistan Second Five-Year Strategic Plan (2014-2018), Draft
96. The National Judicial Policy 2009 declared that judicial functionaries would not be a part of electoral administration. However the ECP requested the Chief Justice of Pakistan to provide judges to act as returning officers for the commission.
97. "Stats", Election Commission of Pakistan, accessed on September 20, 2013, http://ecp.gov.pk/Misc/Stats/Punjab/NA%20STATION.pdf

98. None of the DROs and ROs we contacted for the purpose of this study were amenable to participating in this research.

99. Final Report 2013, *European Union Election Observation Mission Pakistan*, 2013: 6.

100. This was discussed by Joint Provincial Election Commissioner ECP Khaliq-uz-Zaman during a policy dialogue held as entitled "Electoral Administration in Elections 2013 – Dynamics, Issues and Lessons Learnt Brief on Policy Dialogue".

101. Final Report 2013, *European Union Election Observation Mission Pakistan,* 2013: 5.

102. Article 225 of the Constitution and ROPA 52

103. A writ petition is a constitutional remedy available to a person aggrieved of any illegality and breach of human rights. Aggrieved persons can bring a writ petition against an order passed by the Election Tribunal on the grounds of illegality and that he/she has no other remedy available in law against that order.

Conclusion

5.1   Strengthening Democratic Process and Institutions in Pakistan:

There was a great deal of trepidation and uncertainty surrounding the 2013 elections, given Pakistan's turbulent electoral history, as well as the current political and legal environment at the time. Initially the 2013 elections were perceived and graded by many observers as a marked improvement over past elections, and overall successful enabling the smooth transition of the democratic process. However, in August 2014, these elections have been vociferously denounced as massively rigged and fraudulent by two political parties—the PTI and the Pakistani Awami Tehreek (PAT), which did not participate in the elections. As a result of these allegations and protests organized by these parties the credibility of the 2013 has been compromised. The jury is still out there. However, our research shows, violence remained minimal – and more importantly manageable – in Punjab through the electoral process. Most importantly, despite allegations of rigging, no political party has completely refused to accept the broad mandate provided by the electoral outcome to each political party. This is because for the first time in decades, all political parties in Pakistan appeared to have resolved to the continuation of the electoral process and abide by its outcome. For the most part there was a consensus amongst the political parties to uphold the legitimacy of the elections, and not to reject the electoral outcome in absolute terms. This augers well for building faith in the democracy and could be considered a positive development. The lack of intent to derail the political process therefore contributed greatly in keeping electoral violence at a minimum, particularly in Punjab[104]. If this culture of political maturity continues to evolve, it can be hoped that electoral violence could be further reduced as laws, procedures

and monitoring mechanisms are put in place.

In terms of election administration, the issues of capacity, autonomy and effectiveness of ECP have come under criticism. Initially and immediately after the elections there was greater praise on ECP's conduct of elections. The role of the ECP has evolved considerably over the past two decades. Progress in each individual election signifies a – much needed – gradual strengthening of the organization, which is integral for the conduct of free and fair elections in the country. There is still significant room for improvement however, both in terms of the electoral governance and implementation. The allegations of rigging have considerably tarnished the image of ECP, which given new autonomy was still in infancy phase. Besides streamlining the role of ECP we also need to initiate processes which could empower the citizens, civil society and institutions of electoral management and governance. In that spirit we are making a few recommendations as possible way forward to streamline and strengthen processes of democratic consolidation in the country.

5.2   Political and Civic Education:

The Pakistani electoral experience reveals that the conduct, behavior and performance of parliamentarians demands that they be provided assistance in education about parliamentary laws and procedures.   Members get elected to the parliament, and they are not fully conversant   with the issues that confront their supporters nor are they familiar with the rules of the parliament. In fact they also have limited knowledge about civic education, civic virtues and citizen rights. In most cases the parliamentarians do not have the support staff that could help them in formulating and expressing their views on specific issues of significance that may be brought for discussion and debate in the parliament. They should be provided with information, and affiliated support staff. They should know how to conduct

the business within the parliament and how to pursue a bill or a piece of legislation. Although both in the provincial and federal legislatures, parliamentary committees are formed, which have multi-party representation but their empowerment and ability to contribute on legislation formulation remains conscribed.

To educate and inform the parliamentarians it would be worthwhile to establish a training academy for parliamentarians or provide them some exposure and training at an academic institution. Such a facility could be created with the help from government or non-governmental organizations. Its function would be to familiarize the parliamentarians with practices and conduct of the parliament. Senior parliamentarians, policy makers and academics could contribute in such an arrangement. The duration of training or an orientation course could be for two to four weeks.

5.3   Parliamentary Supremacy and Elite Consensus:

To establish and consolidate a participatory political system, the political leaders and political parties need to develop consensus on electoral laws, the supremacy of the ECP and its independent statutory status and the rules of succession. Elections must be held at regular intervals and term limit could be reduced to four years instead of five. Elections should be accepted as legitimate instruments of sharing and transfer of power. In Pakistani case the politics of agitation, street protest and resolution of issues and policies through parliament remains illusionary, therefore political parties must be encouraged to recognize the legitimacy and supremacy of the parliament for conflict resolution and consensus building.

5.4   Perception and Accountability of Parliamentarians:

There is growing perception in Pakistani politics that political

leaders who seek participation in the electoral process, or form political parties, contest elections and assume power, have as their only objective to interfere in the working of bureaucracy, to seek supremacy over the bureaucratic apparatus and procedure in order to advance personal interests or to ensure that their illegitimate tasks are accomplished. Public welfare is neither their goal nor intention. This suggests political leaders are in politics for wrong reasons. With such objectives the political leaders and the political parties cannot provide an alternative to the military's hegemony in politics. This perception about parliamentarians and public attitude could be altered only if mechanisms of accountability are stabilized and given legitimacy as part of the electoral process. Assumption of power through electoral means does not mean unchecked and non accountable power. Accountability has to be nonpartisan. If, through accountability only the opposition leadership is harassed, that may also backfire and the political leaders would restore to all sorts of illegal methods to remain in power or join with those who are in power. This would make accountability a farce and an illegitimate process. This has been a general practice in Pakistan and must change. Accountability from above and through the instruments of executive power or ordinances enhances military hegemony rather than strengthen political process and political parties. It is imperative therefore that rather than constituting special judicial tribunals, efforts be made to develop legal instruments and constitutional provisions that have a mandate that citizens could be made to comply.

5.5 Reform and Strengthen Political Parties:

To strength democratic order we need to reform the political parties. Unless we democratize political parties, encourage elections within the political parties, develop and implement rules and procedures to choose their leadership at various levels, democratic order cannot acquire stability. The political parties in Pakistan need a large scale purging of their leadership.

This purging does not have to come from any outside source (i.e. outside the party), but from within. These decisions will have to be made by the leaders of the political parties and their supporters and members. If through electoral process the members of the political party still decide to retain dynastic character of their party or retain its decadent leadership, it is their choice. It should be noted that democratization cannot occur without democratization of political parties.

Reformed and democratized political parties are the best guarantee for a democratic order, its continuity and stability. Such political parties and party system would provide an alternative to military hegemonic system. Those political parties and political leaders who aim to ensure transfer of power from military hegemony to civilian ascendancy need to understand this. Therefore the agenda for defining the parameters of government – opposition relationship should include reform of party system. Greater effort must be made in streamlining and devising rules for political parties. Party leaders need to recognize that politics entails bargaining, i.e. bargaining to protect each contender's interests and developing consensus on the rules to be applied nationally and uniformly. Unfortunately, in our political culture, bargaining is equated with sell out, whereas it should be recognized as a legitimate political process to resolve conflict and build consensus. In this sense, bargaining is crucial for making transition from a military hegemonic to democratic order, bargaining also provides the political leaders with an opportunity to consolidate the party system, encourage democratic norms, make dissent acceptable within the party and encourage consensus building, mitigate differences and develop interest aggregation within and among the political parties. If the political parties fail to accomplish this task now, military hegemony will persist and the political leaders and political parties will have to remain content with functioning and operating under hegemonic conditions. Civilian supremacy over the political order will

remain an illusion.

5.6   Leadership and Elite Commitment to Democracy:

Political leaders in Pakistan seemingly find it difficult to comprehend that democracy is achieved through popular struggle, but masses do not construct democracy, it must be constructed somewhere else. It is the task of political and other elites who are committed to uphold democratic ideals, civic virtues and values. It is they who have to devise ways and means to strengthen the respect for law, rules, procedures and practices that are so essential for the establishment of democracy. Simultaneously nurture and promote a culture of tolerance, ethnic and religious harmony, respect for dissent and protection of minorities. Such procedures and values manifested by the Supremacy of the parliament, respect for law, justice for all and ownership by the citizens hold the key for democratic consolidation. It is the intermeshing of procedural and substantive components of democracy outlined at the outset of this study that could consolidate democracy and representative form of government.

For almost three decades Pakistan has been making a transition to democracy with small gains and major challenges, it has not been a smooth going. If this democratic transition fails to gain ground, it will not be because our political culture is intolerant and devoid of democratic values, but because the political leadership in government and opposition could not rise above petty personal interests. That they either do not have faith in democratic process or do not cherish democratic ideals and values, hence prospects of democratic sustainability remains fragile.

The experience of many Latin American Central European countries, including Turkey shows that t transition to democratic order from authoritarian rule could be accomplished in two

stages, in the first stage the political elites and political parties tend to develop consensus among them. They plan to come to an agreement on the rules of succession and develop a mechanism through which smooth transition from military or authoritarian rule to democracy could occur. As demonstrated by the previous PPP government (2008-2013), at this stage they could concede that sharing power with the military was a short term but unavoidable goal. The political elites and political parties need to inform the citizen as to why power sharing at this stage is a tactical goal. Pakistan went through this phase during 1985 -1993, but in a more nuanced form 2008-2013. In the second stage, the aim of the political elites and political parties should be to strengthen the political parties, develop the participatory and democratic institutions, establish the supremacy of law and pave the way for consolidating democratic governance. This could be accomplished by building independent media, formulating rules leading to changes in the structure of the political parties, and by encouraging a process of elections within the political parties, and developing the professional capacity of the bureaucracy. Once political elites and political parties attain consensus building, eliminate areas of conflict and confrontation, minimize hostility, they could enforce checks on the political ambitions of the military. This would happen only if they learn to negotiate and bargain. Absence or failure of bargaining process would impede both transition to democracy and its consolidation. Without strengthening political parties and developing consensus on the nature and direction of the political process, they will not be able to establish supremacy of the civilian institutions. Now the challenge for the political leaders (both in the ruling party and the opposition) is to consolidate democratic process, promote respect for the government and political dissent, stabilize political parties and consolidate parliamentary institutions. Simultaneously they must strengthen independent media, judiciary and a professionally trained and competent bureaucracy. If they seize the opportunity the prospects for good governance and consolidation of democratic

order would brighten. Would Pakistan's political leaders rise to the occasion?

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1. Atif Raheem, Lahore
2. Waqas Hasan, Lahore
3. Amjad Abbas, Lahore
4. Adnan Jamil, Lahore
5. Dr. Imran Mari, Lahore
6. Yousaf Haider, Lahore
7. Muhammad Abbas Chaudry, Lahore
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33. Ch. Mehmud Bashir Virk, Gujranwala
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37. M. Adnan Zafar, Multan
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42. Mian Suleman Ali Qureshi, Multan
43. Malik Aamir Dogar, Multan
44. Akhtar Malik, Multan
45. Nouman, Multan
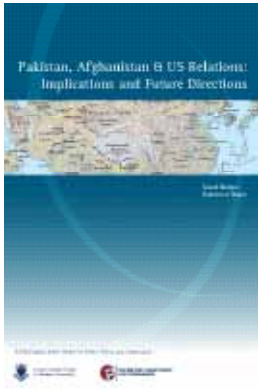
Saeed Shafqat and Raheem ul Haque

Pakistan, Afghanistan & US Relations:
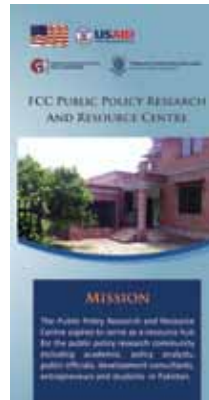Implications and Future Directions

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