

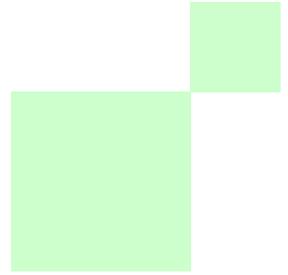


Centre for
Civic Education
Pakistan



Pakistan

**Country Report Based on Research and Dialogue with
Political Parties**



About this report:

Political parties are indispensable for making democracy work and deliver. Finding the proper conditions for better internal functioning and effective legal regulation of political parties is of key importance anywhere.

This report is a result of world-wide research and dialogue with political parties. Together with national and regional research partners, International IDEA is improving insight and comparative knowledge. The purpose is to provide for constructive public debate and reform actions helping political parties to develop.

For more about the Political Parties' programme, please visit www.idea.int/parties

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Methodology

The six parties selected are the mainstream parties with reasonable representation in the elected democratic institutions. Ideologically, they represent the entire spectrum of left–centre–right in the country’s political landscape. In-depth interviews were conducted with the leaders of the selected parties. The political parties researched are Pakistan People's Party, Pakistan Muslim League, Pakistan Muslim League-Nawaz, Muttahida Qaumi Movement, Jamiat-i-Ulema-i-Islam (Fazal) and Jama'at-i-Islami. A few opted to respond by sending written replies to the questionnaire. The websites of the political parties were also browsed to collect information/data.

For the country context and external regulations, information was collected from the Election Commission of Pakistan and was extracted from the Constitution and relevant laws and rules. Relevant information has also been utilized from various reports prepared by civil society organizations and research bodies.

Background

Political parties as an institution remain underdeveloped in Pakistan. As a result of imbalances between a strong military establishment and a weak civil society, the power pendulum continues to swing in favour of the military and inhibits the development of a functioning democracy. Some analysts argue that the failure of political parties to evolve as organic and normative institutions has made it possible for the military to expand its role and assume power.

However, the fact is that imperatives of national security often determine the country’s democratic path. After the attacks on New York and Washington on 11 September 2001 the country made a paradigm shift in its policy and abandoned its pro-Taliban (Afghanistan) stance to join the so-called global war against terrorism. In the wake of related developments, the country also embarked on a peace process with India.

On the domestic front the military ruler, General Pervaiz Musharraf, who assumed power on October 12, 1999 after a bloodless coup, introduced the “Devolution of Power Plan-2000” to empower the districts in 2000. However, the federally controlled local government system (non-party based but highly tilted towards military political design) was criticized by opposition parties. General Musharraf was later elected as president through a nationwide referendum in April 2002 and, after a vote of confidence in the Electoral College in 2004, was deemed to be elected president until 2007. The Constitution, however, outlines a different method for electing the president.

Pakistan had its 8th general election on 10 October 2002 after three years of military rule. Before that the country had had five general elections within a short span of 12 years. In 1985 (party-less elections), in 1988, 1990, 1993 and in 1996 (party-based elections). The country had its first general election in 1970 on the basis of adult franchise and that resulted in the separation of East Pakistan (now Bangladesh). The second general election was held in 1977. Its results were disputed by the opposition which resulted in martial law. Since then the country has had a highly controlled democracy, intrusively mentored and monitored by the military establishment and its intelligence outfits.

Just before the elections in 2002 President Musharraf amended the constitution at a press conference (now these amendments have been adopted through a constitutional mechanism in the Parliament in the shape of the 17th amendment). His set of amendments, besides drastically altering the balance of power, also had some positive elements such as the restoration of a joint electorate in the country (a system where all religious minorities vote together), lowering the voter age from 21 to 18, increasing the number of seats in the democratic institutions with special quotas for women and religious minorities, making intra-party elections mandatory and banning parties and groups promoting sectarian or ethnic hatred.

Electoral system

Pakistan has a first-past-the-post system on the basis of adult franchise for 272 direct constituencies of the National Assembly. There are 60 reserved seats for women and ten for religious minorities to be elected through the party lists on the basis of gained votes for direct constituencies. There is a threshold of 5% minimum votes to qualify for these reserved seats.

The Senate (upper chamber) is comprised of 100 members, all indirectly elected. It also has reserved seats for women, technocrats and religious scholars. Twenty-two Senators (including four technocrats/religious scholars and four women) are elected from each of all the four federating units by the members of the provincial legislatures. Four Senators including one technocrat/religious scholar and one woman, are elected from the Federal Capital by the members of the National Assembly. Eight Senators (no reserved seat for technocrat/religious scholars or women) are elected from the Federally Administered Tribal Areas in such manner as the President may, by order, prescribe.

In the provincial legislatures there are also seats reserved for women and religious minorities to be elected through the party lists on the basis of gained votes for direct constituencies. There is also a threshold of 5% minimum votes to qualify for these reserved seats. The breakdown of provincial legislatures is as follows: Punjab 371 seats (297 direct constituencies, 66 reserved seats for women, 8 reserved for minorities), Sindh 168 seats (130 direct constituencies, 29 reserved seats for women, 9 reserved for minorities), North Western Frontier Province (NWFP) 124 seats (99 direct constituencies, 22 reserved seats for women, 3 reserved for minorities) and Balochistan 65 seats (51 direct constituencies, 11 reserved seats for women, 3 reserved for minorities).

Party system

Political parties have mushroomed in Pakistan. Every shade of political opinion or religious/sectarian denomination is now organized as a fully fledged party. Thanks to the Constitution, there is no condition as to the minimum membership or votes threshold. Presently over 90 parties submit their internal election certificates and annual income and expenditure statements to the Election Commission of Pakistan to qualify for an election symbol. Sixty two parties stood for the last parliamentary elections in 2002 and 16 parties and two alliances obtained representation in the National Assembly; 12 parties and two alliances won seats in the Senate and a few more in the provincial assemblies. This is the highest number of political parties to reach the representative institutions in Pakistan. Interestingly, seven out of 16 are single legislator parties in the National Assembly.

Table 1. Parliamentary situation: (on the basis of the results of the 2002 Election)

Parties represented ^a	% of votes	Seats in lower chamber	Seats in upper chamber	Seats held by women in lower chamber	Seats held by women in upper chamber
Pakistan Muslim League	26.63	118	35	22	10
Pakistan Peoples Party-Parliamentarian ^b	28.42	80	11	15	1
Mutahida Majli-i-Amal ^c	12.28	59	19	12	2
Pakistan Muslim League -Nawaz	12.71	18	4	4	1
Muttahida Qaumi Movement	3.55	17	7	3	2
National Alliance	0.49	16	2	3	1

^a Now this composition has changed because three factions of PML (Junejo, Jinnah and Zia and the National Alliance) have merged into the ruling Pakistan Muslim League. ^b About 21 members of the PPP-Parliamentarian have broken away from the party to the treasury to form a Patriot faction. ^c An alliance of six religious parties.

Political party law: instrument of political engineering

The two laws regulating political parties in Pakistan were both devised by military rulers. The first one enforced in 1962 by General Ayub Khan was later amended by another military ruler, General Zia, in 1979 and the Political Parties Order 2002 was promulgated by General Pervez Musharraf.

With the imposition of the first martial law in 1958, political parties in Pakistan became a target of the military rulers. General Ayub banned all political parties in 1958. After four years the General tailored the system of Basic Democracy and in 1962 the Political Parties Act was promulgated to allow political parties under a formal regulatory framework. General Zia also banned political activities in 1977 and amended the Political Parties Act in 1979 to start registration of political parties with a mandatory submission of their accounts to the Election Commission. The requirement for registration of political parties existed until 1988, when the Supreme Court of Pakistan in the Benazir Bhutto case (PLD 1988 SC 416) struck it down, ruling that it was against the fundamental rights enshrined in the Constitution.

With a desire to regulate political parties and to shape the political landscape, General Pervez Musharraf also came up with a Political Parties Order (PPO) on 28 June 2002. The basic flaw of this one-man law is that the law-giver himself has never been part of any political party. Though the word registration does not figure in the PPO 2002, the law lists certain preconditions (including holding internal elections) for obtaining an election symbol from the Election Commission. Through Legal Framework Order-2002 and the 17th Amendment, the PPO 2002 has been kept in the Sixth Schedule of the Constitution. According to Article 268 (2) of the Constitution, the laws specified in the Sixth Schedule cannot be altered, repealed or amended without the previous sanction of the President.

Research findings

In Pakistan political parties have suffered from poor organizational capacity, financial constraints and a highly centralized, elitist leadership that has often undermined the development of strong democratic institutions in the country. Owing to the hierarchical nature of parties and their leader-centric approaches, party units at lower levels (district and union) are generally not encouraged. The leaderships of the parties and the elected representatives also neglect to seek public input after elections. As a result, parties have not been able to align their national campaigns with the aspirations of the people at the local level.

One can draw many conclusions from the information collected through this study. It is clear that almost all political parties in Pakistan are highly centralized and typically structured around the personality of their main leader. This contributes to a lack of internal democracy within the parties, and can inhibit a party's ability to develop as a cooperative institution. Though women's wings do exist in many parties, their roles are often marginalized or only superficial. In the parties' main organization, women are rarely encouraged (see Annex). Furthermore, for party workers, opportunities for merit-based promotions are limited or non-existent.

These and other factors point to a greater need for institutionalized checks and balances within parties to ensure that the top-most leadership is kept accountable and responsive to the voices of those below: the party workers, members and constituencies. Respondents across party lines noted a number of key areas for reform, including a need for:

- Better communication between the party leaders, workers and members
- Stronger local party branches
- More opportunities for merit-based promotion and selection of party leadership
- Training made available for party members to improve the institutional capacity
- Improved mechanisms within parties for public outreach
- Less interference from the political/military establishment in party affairs
- Greater involvement of female party members and candidates
- Increased transparency in party finances and fundraising

Most parties claimed that their leadership was elected, either directly or through the party's highest executive council or committee. Parties continue to assert that they are actively institutionalizing internal democratic procedures, even though this is not always apparent. One of the largest parties failed to provide a copy of its constitution.

Leadership in Pakistan is a matter of resources rather than organizational talent. In many cases party leadership is appointed/nominated and most of the internal elections are cosmetic. All these factors keep Pakistani parties highly personalized and they depend on patronage in order to get support.

Table 2. Party leadership

Party	President	Background	Secretary General	Background
Jama'at-i-Islami	Qazi Hussain Ahmad	Religious scholar	Syed Munawar Hassan	Religious Teacher
Jamiat Ulema-i-Islam-F	Maulana Fazlur Rehman	Religious teacher	Maulana Ghafoor Haidri	Religious Teacher
Muttahida Qaumi Movement	Quaid Altaf Hussain	Political activist	Convener Dr. Imran Farooq	Doctor
Pakistan Muslim League-N	Shahbaz Sharif (in exile)	Industrialist	Iqbal Zafar Jhagra	Engineer/landlord
Pakistan Muslim League	Ch. Shujat Hussain	Industrialist/Landlord	Syed Mushahid Hussain	Journalist
Pakistan Peoples Party (without any legal status)	Benazir Bhutto (in exile)	Landlord	Jhangir Badar	Lawyer
PPP-Parliamentarian	Makhdoom Amin Fahim	Landlord	Raja Pervaiz Ashraf	Businessman

Ostensibly all parties have a system of selecting party candidates for various elections but owing to the constraints of the first-past-the-post system, the 'electable' are privileged over enthusiastic party workers. In many instances (with the exception of religious parties), candidates seeking party tickets apply along with a prescribed fee and a Parliamentary board/committee oversees the selection process. In many cases candidates may be chosen from among those wielding influence (wealth) within the constituency.

Similarly, the decision-making process of determining party policy is top-heavy. In most cases the central councils/committees of the parties are responsible for making major decisions. In this way decision-making powers appear to be concentrated in the hands of leaders and ordinary members/workers are rarely consulted.

Table 3. Decision-making control within the parties

Party	Who controls decision making in the party
PPP	Chairperson, Central Executive Committee, and Federal Council
PML-Q	Central Working Committee
JI	Shura
JUI-F	General Council.
PML-N	Central Working Committee (Majlise Amla)
MQM	Rabita (Coordination) Committee

Source: Respective Party Constitutions.

Membership

Most parties claim that their membership is growing and claim to have a proper system of record-keeping (both manual and in few cases computerized), but they failed to provide exact membership figures. All parties claim to have mechanisms for conducting regular membership campaigns and orientation of new members. However, it is difficult to verify how extensive these campaigns and trainings are. The ruling Pakistan Muslim League has launched a countrywide membership drive to enrol five million new members in 2005.

Funding

In the *Global Corruption Report 2004*, published by Transparency International, Pakistan figures in a category of states where investment in political parties can yield desired policy outcomes sought by the investors in the game. The report places Pakistan in the category of the countries with ‘medium political corruption’, where the culture of irregular payments in government policy-making, policy consequences of political donations and the odd reality of illegal political donations do exist.

All democracies thrive on political parties, which in order to exist, organize, campaign and communicate, require and spend money. The costs of running a successful political party have risen considerably over the past few years. Functional parties need permanent staff, well run secretariats and a sufficient amount of money to run both electoral and routine campaigns because a quiet spectator is never in the game.

In Pakistan for all these tasks, parties mostly rely upon the leaders’ purse or a highly secretive and centralized system of donations. The prevailing practice deteriorates the country’s democracy into a plutocracy marred by the citizen’s exclusion from the political process. The way political parties are funded often raise unanswered questions in Pakistan and being weak actors on the country’s political scene, parties often shy away when questioned about their funds and keep their lips closed on this subject.

Table 4. Details of party funds 2003-2004

Party Name	Opening Balance	Income	Expenditures	Closing Balance	Value of Assets	Sources of Funds
Jamaat-e-Islami	377,995	2,958,880	2,863,674	473,201	1,533,321	Contributions from members and supporters
Jamiat-Ulama-e-Islam (F)	433,468	1,138,428	1,138,428	nil	nil	Donations, General Council Meetings and sales of copies of the Constitution
Muttahida Quami Movement	349,241	4,005,389	3,821,294	341,312	1,343,405	Muttahida Qaumi Fund (MQF) and donations from Party workers
Pakistan Peoples Party Parliamentarian	1,000	nil	nil	1,000	nil	Received during the year
PML (N)	64,659 and \$306	1,724,630	1,805,899	-(16,610)	24,683,462	Subscription/donations from party workers/parliamentarian
Pakistan Muslim League	4,334,115	3,256,503	5,952,344	1,638,273	28,666,506	Membership fee/donations from members/ donations from Members of Parliament and Assemblies party fund/bank profit

Source: The Gazette of Pakistan, September 16, 2004 by order of the Election Commission of Pakistan

If one goes by the declared income and assets of political parties, then this amount is far less than their professed expenditures.

Conclusion

Can the parties with their present state of affairs be a vehicle for advancing the country's democratic development? During the past 57 years, Pakistan's experiences with democracy have been transitory, as brief democratic rules have been followed by prolonged military regimes. As a nation, however, Pakistan has time and again refused to forget the incremental lessons in parliamentary democracy. Due to this fact, the four military regimes that Pakistan has seen have all finally reverted to controlled and guided democracy in the quest for legitimacy. 'Basic democracy' of General Ayub Khan and 'Islamic democracy' of General Ziaul Haq were efforts to appease popular sentiments and 'sustainable democracy' of General Pervez Musharraf is also not different from the two previous experiments with democracy.

All the three military dictators patronized and promoted their own factions of Pakistan Muslim League—the party claiming to be the founder of the country—to block the way for normative political forces. In order to supplement their efforts to monopolize the political sphere, the military rulers as unfair referees have framed biased rules for the political game. The outcome is a paralyzed parliament run by privileged puppets. The country badly needs well organized organic political parties to bring the nation out of the existing quagmire.

Annex

Women in Central Leadership of Political Parties

Party	Women represented
Pakistan Muslim League (Central Cabinet). Total Number : 29	Women: 3. (1-Dr. Hamida Khorho, Senior Vice-President, 2-Mrs. Yaqut Jamil-ur-Rehman, Vice-President, 3- Begum Mehnaz Rafie, Vice-President). Women's share: 10%
Pakistan Peoples Party (Central Executive Committee). Total Number: 41	Women: 2. (1-Mohtarma Benazir Bhutto, Chairperson 2-Begum Nusrat Bhutto, Rahbar Chairperson). Women's share: 4%
PPP Federal Council. Total Number: 52	Women: 4. (1- Benazir Bhutto 2-Begum Afsar Riza Qizilbash 3-Begum Dr. Ashraf Abbasi 4- Senator Mrs. Rukhsana Zuberi). Women's share: 7%. (No Women Wing on the party website)
Pakistan Muslim League (N) Central cabinet. Total Number: 23	Women: 1. Begum Tehmina Daultana, Vice-President. Women's share: 4%
Jamiat Ulama-e-Islam (F) Markazi Majlis-e-Shoora (Central Executive Committee). Total Number: 39	No women members. Women's share: zero. (No Women Wing on the Party Website)
Jamaat-i-Islami Pakistan (Central Leadership). Total Number: 9	No woman members. Women's share: zero. Link to JI Women Wing's website (www.khawateen.org) present on party web page
Muttahida Quami Movement (Central Coordination Committee). Total Number: 11	Number of women: 2. (Nasreen Jalil & Mumtaz Anwar). Women's share: 18%