
Political Manoeuvres of General Zia-ul-Haq to Consolidate Power

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The research has explored the political strategies of General ZiaulHaq he adopted to legitimize the power as a ruler of Pakistan in late 1970s and in the first phase of 1980s. It explains how Zia exploited the situation when Pakistan was trapped by political chaos and how he built confidence among his colleagues to overthrow Zulfikar Ali Bhutto, postponed the elections that restrained the transferring of the powers to the elected representatives of the public. It informs about the political use of Islam by Zia, how he made the use of constitutional amendments and judiciary to consolidate the power. The study is supportive for the students of Pakistan Studies, history of Pakistani army, particularly in second half of the twentieth century and for those who want to conduct research on the policies of ZiaulHaq. It is also helpful for the Pakistani politicians and policy-makers who are responsible for formulating the policies for the country to attain good governance for the public welfare after a deep analysis and observation of the history.

Introduction

In late 1970s Pakistan was under the menace of political instability that attracted the attention of the then military chief, General ZiaulHaq for imposing Martial Law for the third time in July, 1977. Zia exploited the situation that later proved supportive for him to rule Pakistan for almost 11 years. He began devising various plans to overcome the country for long time. 'Operation Fairplay' was one of the most important plans of Zia to legitimize the authority. Notably, June 1977 experienced a blend of problems which could bring Pakistan into a civil war. General ZiaulHaq met Zulfikar Ali Bhutto on his wish to discuss the deteriorated situation of the country. Lt. General Sawar Khan, Lt. General Chishti, Lt. General Ghulam Hassan, Lt. General Iqbal and Lt. General Jahanzeb Arbab were also the participants of the discussion. Rigging in the elections was discussed in the meeting. When General Ghulam Hassan presented the evidence of rigging, Bhutto shouted, hammered the table and negated the assessment of the General about the rigging. This act of Bhutto infuriated the military leadership.¹

Chaotic situation, created by the PPP leadership, forced General ZiaulHaq to call a meeting at the evening of 4th July, 1977 in the General Headquarters. The agenda of the meeting was to cope with the unsatisfactory law and order situation in the country. After concluding the meeting Zia compelled the top Brass to act and take some sort of action to avert the damage to the national stability and security. All the famous political leaders, including Bhutto, were arrested under the banner of 'protective custody'. The code name of that military operation was finalised as 'Operation Fairplay' that began at the night of 4th July and ended with the morning of 5th July, 1977. Martial Law had been declared throughout the country and later on ZiaulHaq sworn in as the President of Pakistan on September 16, 1978. He appointed military officials as provincial governors; General SadiqAbbasi, Governor of Sind, Major General Rafaqat, Governor of NWPF, General Raheem-u-Din, Governor of Baluchistan and Lt. General Sawar Khan, Governor of Punjab.²

When FazulElahiChohadry completed his extended term in September, 1978 as the President, most of the advisors around Zia thought that he should become President just to reject the mercy petition unilaterally, filed by Bhutto (as Bhutto had been arrested under the charge of facilitating the murder of Nawab Muhammad Ahmed KhanQasuri) or on his behalf to the President. They were sure about the fact ifFazulElahiChohadry remained the President he would accept the petition.³ Z. A. Bhutto, Mufti Mahmood and some other political leaders were released from 'protective custody' on July 28, 1977. August 1 and 2 were the days when limited political activities were allowed and Bhutto initiated election campaign through his impressive public speeches. These speeches, later on, annoyed *Military Junta*. The military planned to contain him somehow.⁴

Some statements of the military officials could reflect that Bhutto would continue to divide the nation which was already in a situation of civil war. Therefore, they thought, Bhutto had to go 'and the court proceedings, that found him guilty of murder and sentenced to death, were judged to be the necessary tonic for a nation needing new direction and hence a new leadership'. Bhutto was hanged and buried in Larkana. Now, Zia was fearless to control the reins of power to run a state.⁵ Many Pakistani and foreign authors, critics and politicians condemned the execution and showed disrespect for the governing trends of ZiaulHaq. Even today, the hanging of Bhutto is remembered as the murder of democracy in Pakistan and it is named as 'judicial murder' in the history of Pakistan.⁶ Later on, Zia adopted the following measures to legitimize his authority.

(a) Postponement of Elections

Zia wanted to deny the transfer of powers to the elected representatives of the public. He postponed the elections that enabled Zia to weaken the opposition who had a strong desire to promote democratic norms. Ian Talbot gives a brief account of the causes behind the delay in elections under Zia regime that caused a colossal damage to the political system of Pakistan and could not pave the way for flourishing the true norms of democracy in the days to come. Zia declared that:

*“My sole aim is to organize free and fair elections which would be held in October this year. Soon after the polls, power will be transferred to the elected representatives of the people. I give solemn assurance that I will not deviate from this schedule”.*⁷

The nation was quite optimistic in this regard but the discussion of the relevance of democracy never allowed these promises to be materialized. Zia was not in favour of the Western style democracy and considered it unsuitable for Pakistan. All these controversial discussions caused a further delay in holding the elections. Then in 1983, the ‘Council of Islamic Ideology’(CII) supported the Presidential form of government and recommended it for Pakistan. All the political parties were banned while declaring these parties un-Islamic on the basis of the decision made by the advisory council.⁸

Gen. Zia had been emphasizing on the so called facts that he had neither political ambitions nor does the army want to be distracted from its profession. Instead, his focus was on the introduction of the Islamic system in Pakistan. Zia’s first address to the nation on 5th July, 1977 reflects that he paid a special attention towards the implementation of Islamic system which required more than three months. On September 30, 1977, Zia got the support of anti-Bhutto Pakistan National Alliance (PNA) to initiate the investigation of the errors committed by Bhutto government. The investigation took a long time and drove Zia to hold elections in November, 1979. In this way, “the initially promised three months were extended to nearly two-and- a-half years”.⁹

Zia announced the general elections for November 17, 1979 keeping in view the support of PNA. But, soon after the execution of Bhutto in April, Zia got deprived of the support of PNA as it had withdrawn from the government. Now, Zia and his military commanders were not going to give up the power as they had removed the main hurdle of their way-Bhutto. The preparations were made to hold these elections on 28 November, 1979 on non-party basis just to minimize the strength of the political parties.¹⁰ Zia made extensive amendments in Political Parties Act of 1962 that restrained the process of participation of political parties in General elections. According to the amended act, registration of political parties with Election Commission was mandatory. All the parties were supposed to submit their annual fiscal report and were bound to hold intra-party elections. Registration of any party could be cancelled in case of violating the definition of ideology of Pakistan.¹¹

While announcing the postponement Zia clearly said that the country would be controlled by ‘real martial law’. Zia assured the public that they should not get frightened as he had aimed at ensuring law and order situation, to have an end to economic turmoil, to uproot social evils and ushering in of an Islamic order.¹² Zia pledged himself to establish Islamic democracy and guaranteed the social and public welfare and security through effective measures. But PPP’s success in local bodies’ elections of 25 and 27 September, 1979 changed the mind of Zia, who, later on, never thought of holding general elections immediately.

“It was under these circumstances that President Zia’s indefinite postponement of elections and imposition of stricter Martial Law hastened the end of the controversy about PPP’s chances of victory in the forthcoming elections”.¹³

ZiaulHaq adopted two-pronged strategy towards holding general elections; first to strengthen his position as the President through holding a national referendum and second to minimise the threat of opposition after holding non-party based elections. For the security of these political motives the elections were postponed now and again. Finally, referendum was held on 19 December, 1984 in which Zia received 97.71 per cent ‘Yes’ vote.¹⁴

(b) Islamization

Islamization was the major tool used by ZiaulHaq to fulfil his political motives. History witnesses that Islam had been playing its political role almost in every regime after the inception of Pakistan. But, in 1970s and 1980s, it was in full swing when the wave of Islamic revivalism manipulated the Arab world after Arab-Israel war of 1973. ZiaulHaq got its maximum benefit through launching the programme of Islamization. Zia’s Islamization got influenced by two factors: first the regime was in search of legitimacy and second, Islam had been sheet anchor of all the regimes after independence.¹⁵ Zia’s Islamization can be categorised in the following way:

- 1- Punitive measures: legislation was made to deal with the vices like theft, adultery and drinking. Hadood Ordinance was announced in 1979 to determine the punishments of amputation of hands, stoning and flogging respectively.
- 2- Zakat was levied on all bank accounts at the rate of 2.5 % and the current accounts were an exception. Zakat and Usher Ordinance was introduced in 1979 for proper circulation of the wealth among all the Pakistanis.
- 3- Dichotomy between science and religion was deplored and the scholars were instructed for working with the spirit of Jihad on the models of Al-Azhar University.¹⁶

Zia had found PNA as a strong opposition of Bhutto which had assured peoples’ attachment to Islam. Now, the stage was set for Zia to exploit religion. For the satisfaction of the public, media was used to organize Islamic programmes, Zakat and Usher Ordinance was introduced, profit and loss accounts in the banks were encouraged and severe punishments were ordered for those not observing the sanctity of the holy month of *Ramzan*.¹⁷ Changes in regional environment, instability in Afghanistan, Iranian Revolution and Soviet invasion in Afghanistan provided Zia with a chance to collaborate with religious political parties. The collaboration aimed at the revival of Islam in Pakistani society that facilitated the ‘proliferation’ of *Deeni Madrassah* and training camps. United States and Saudi Arabia assured their support to strengthen this nexus between the militant groups (in later years) and the military regime.¹⁸

ZiaulHaq did make the right use of judiciary to make the process of Islamization effective. On February 7, 1979 a constitutional amendment was made on the orders of the President to validate the authenticity of various laws. Shariat Benches were created as far as the decisions of the High Courts were concerned. For Supreme Court, Shariat Appellate Bench was created.¹⁹ Soon after assuming the power as a Chief Martial Law Administrator ZiaulHaq was in curiosity about the demise of Bhutto and his political party i. e. PPP. Zia had a fear of the revival of PPP due to the popularity of its leader who could topple Zia if the elections were held in short order. Zia's situation was precarious as he could not take aggressive actions against Bhutto during first two years of his regime. Then, Zia got the legal cover for these actions and finally began the process of Islamization of the Pakistani society.²⁰

Islamization was one of the best tools in the hands of ZiaulHaq to legitimize power. Some writers view the process as a genuine product of Zia's Deobandi-influenced piety and others consider it as the tool for legitimizing the power. Further, Zia was seeking national stability and unity through the process and conditioned the survival of Pakistan with the deep observation of the Islamic teachings.²¹ According to ZiaulHaq and his advisors, the major purpose of the Islamization was to avoid the influence of the secular portrayals. It was initiated to reject the colonial inheritance and to deny the earlier political and economic experiences. As Zia was the staunch follower of Maudoodi's Jamaa't-i-Islami, therefore he believed in true interpretation of the Holy Quran for having guidance to deal with all the matters of life and to find internal happiness. Zia tried his level best to superimpose the Islamic institutions which did not give way to the secularly defined practices to flourish in Pakistan.²²

Most of the military officials gave their consent towards the process with confused minds. A large group thought that Islamization would not be taken seriously that could pacify the religious extremists. A small number took the process seriously with a belief that after promulgating the harsh Islamic rules in Pakistani society they would be called as progressive and enlightened. These enlightened ones considered Pakistan as the developing state that had given them a chance, like the British, to educate the Pakistanis to their own educated and sophisticated level.²³ Zia masterfully used the 'Islamic boom' and turned Islam into national ideology while declaring it as cornerstone of the Pakistan. They found a sigh of relief after finding an alternate to these problems in the shape of 'truly Islamic path of development'. The masses were optimistic to experience an Islamic society in the days to come. It means that it was only a political use of Islam this time from the hands and mind of a military dictator.²⁴

(c) Constitutional Protection

Legal protection was need of the hour for General ZiaulHaq to exercise the authority without any interference of the opponents. Zia was not happy with the prevailing judicial system in Pakistan as it had been interfering in exercising his authority. He amended the article 199 of the constitution on May 26, 1980 to

remove these types of hurdles from the side of judiciary. A separate press release warned the Bar Association for inviting the leaders to address. Now, the situation was almost under the control of Chief Martial Law Administrator who could exercise his authority without any legal hurdles.²⁵ After the military coup of 1977, the official working was under the CMLA order no. 1 of 1977. Provinces were working under the Provincial Martial Law Order. Now, military courts' writs seemed losing its grip on the official and provincial working as civil and High Courts started challenging its decisions. It gave a way to the administrative hurdles in the smooth working of the government. Zia devised a plan to minimise the interference of these courts in decision-making of the military courts. For that, he ordered to include article 212(A) in the constitution of 1973 under Provisional Constitutional Order (PCO) in 1981, after consulting it with justices Anwar-ul-Haq, Molvi Mushtaq and Sharif-u-Din Pirzada. The order prohibited civil and High Courts to interfere in the proceedings of military courts.²⁶ Some of the amended articles are presented here to analyse the political wisdom of ZiaulHaq.

- 1- The President was empowered to dissolve National Assembly and on such occasions he was responsible to hold elections within 100 days.
- 2- The President could appoint any member of the National Assembly as Prime Minister who had to obtain a vote of confidence from National Assembly within sixty days.²⁷

At the same time, Zia was well aware of the fact that he could not give a single chance to his opponents to manipulate the situation. When protests of Movement for Restoration of Democracy (MRD) caused chaos like situation during the non-party based elections of 1985, many political leaders and workers were being put behind the bars. Meanwhile, Zia announced the 8th constitutional amendment on November 14, 1985 'which changed the parliamentary character of the constitution of 1973 to a considerable extent, virtually making it a Presidential system'.²⁸ Zia chose Muhammad Khan Junejo as Prime Minister. Junejo, soon, got the vote of confidence from the National Assembly and embarked on cabinet formation. Furthermore, Zia tried to consolidate his measures through 9th constitutional amendment in 1986 for making the Sharia laws and regulations effective. But the amendment was not adopted as he had to face a failure in creating morality brigades to enforce the system of prayers and "puritanical regulations".²⁹

(d) Use of Judiciary

General ZiaulHaq did make the right use of judiciary to remove all the hurdles from his way and to achieve his political goals. He not only influenced the judicial decisions but also threatened and executed his opponents changing the judicial setup. Therefore, judiciary did never try to decline Zia's amendments in spite these were adopted after going through the process of discussion among the elected representatives who used to give consent for that. Zia had dominated the judicial system of Pakistan to such an extent that it did not dare to remove his name from article 270-A of the constitution until April, 2010, almost 22 years and five

elections after his death.³⁰ With the arrival of martial law in 1977 the judicial bodies, particularly Chief Justice, had to show loyalties towards Zia. That is why Chief Justice Yaqoob Ali Khan was swiftly removed and Zia-friendly Justice AnwarulHaq was appointed as Chief Justice on September 20, 1977- the same day when Begum Nusrat Bhutto filed a petition to challenge Martial Law.³¹

Various changes in judicial system during Zia regime gave him executive superiority over the judiciary. The example of the case of Begum Nusrat Bhutto is sufficient to understand the intelligence of Zia to counter his political foes legally. Begum Bhutto had registered a petition against Chief of Army and others. She argued that the detentions of Zulfiqar Ali Bhutto and other workers of PPP were unconstitutional. Zia used a shrewd way to counter the petition and introduced the “doctrine of state necessity” and the petition was dismissed.³² Senior lawyer SharifuddinPirzada said:

“Zia’s action on that day was not a coup, but was valid based on the old Roman doctrine of state necessity, as the only proper means of ousting a usurper who had illegally assumed power as a result of massive rigging”.³³

“In case of Begum Nusrat Bhutto v Chief of Army Staff came yet another endorsement of the doctrine of necessity, wherein “intervention” was declared lawful, in the best and larger interest of the nation”.³⁴

Zia ordered the formation of thirteen special courts with a particular purpose of the execution of Z. A. Bhutto. Later on, these courts had nothing to do with any sort of cases, but were replaced with thirteen Disqualification Tribunals each headed by a judge of the High Court and a serving Brigadier.³⁵

Conclusion

In short, ZiaulHaq was much more clever as for as his political manoeuvres are concerned. His intelligent use of strategies differ him from his predecessors, Ayub Khan and Yahya Khan and successor, General Pervez Musharraf. Due to his unmatched political wisdom he enjoyed the longest tenure as the Chief Martial Law Administrator as compared to the mentioned three. Execution of Z. A. Bhutto, the most popular leader in the political history of Pakistan, manipulating the public on the name of Islam, reorganizing the parliament, constitutional amendments according to his needs and use of judiciary for achieving his political motives are the examples of this wisdom. Unlike his predecessors Zia did never allow his opponents to conspire and show agitation towards his policies rather he curbed them through devising a suitable plan. In addition to that, Zia had strong circle of his colleagues who had been advising him to stick with the strict rules and regulations to exercise his powers freely.

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