

Restoration of Democracy in Muslim Countries: A Case study of Muhammad Khan Juneju Government in Pakistan (1985-1988)

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Abstract

The long-running debate over Islam and democracy has struck a watershed moment. Since the outbreak of the Political upheavals in late 2010, political Islam and democracy have been closely associated. The question of whether they are interoperable is now mostly moot. Neither of them can now operate without the other. On 14th of August 1947 Pakistan was emerged on the map of the world as an Islamic democratic state but the dream of its founder could not become true and it had to face autocratic and non-democratic traditions. After a long struggle democracy was restored under Muhammad Khan Juneju but could not establish its roots and had to face the wrath of military dictator. This article will highlight the background of the struggle for democracy and the style of government of Juneju which eventually faced the music of COAS Zia Ul Haq.

Key Words: Muhammad Khan Juneju, Government, Democracy, Islam

Introduction

Democracy is practiced in the majority of developed countries across the world. In contrary, Islamic nations, which account for over one-fifth of the world's population, are primarily non-democratic. These states, which are primarily situated in Asia and Africa, at the same time, it is racist and

intolerant, financially impoverished, and politically autocratic. Religion, however, in these countries, (Islam) plays a major role. Religion is important not just in their spiritual lives;

It also has a significant influence on their geopolitical and cultural conduct. Islam is a symbol for Muslims. A religion, a set of daily (or other periodic) rituals, a set of ethical and moral norms, and a frame of reference or a point of view. The congruence of Islam with democracy has emerged as a major issue in contemporary Islamic political and social philosophy. The dispute over their appropriateness has been a huge problem and a popular matter of meaningful conversation that has surged across the media and political and intellectual spheres globally, particularly in the West. The argument over the democratisation of the Muslim world erupted shortly after the Cold War ended, as nations throughout the world started to shift away from totalitarian government and adopt, often by default, the democratic system advocated by Western liberal democracies. The Muslim world was not an exception to this aspect, since the democratization framework was used to understand the political trends of various countries across the region. The putative reluctance of Islamic states to democratic politics, on the other hand, was thought exceptional.

What is Democracy?

Before going to dig out the aspects of democracy in Pakistan under Juneju during the years 1985-1988 it is pertinent to explain the word democracy. As form of government, democracy as a concept can be traced back to Greek Philosophers. Word democracy is the combination of two Greek words demos (people) and Kratos (rule) mean rule of the people¹. Hence in modern times democracy does not mean that people's rule but they choose their rulers or control rulers i. e. not direct democracy but representative democracy.² Diamond defined democracy as system of government that meets three essential conditions; meaningful, extensive, fair and unrestricted competitions among political parties for all effective positions of government power at regular intervals; a highly inclusive level of political participation in the selection of leaders and policies through regular and fair elections; and a level

of civil and political liberties—freedom of expression, freedom of the press, freedom to form and join organizations.³

Islam and Democracy

Some people assumed that democracy has no room in the political system of Islam. Which is not correct as Islam is not only a religion but a complete code of life. Thus a political system which is an important aspect of society also is discussed in Islam. As the great Muslim thinker and poet Allama Iqbal has justly said, “Juda ho deen siyasat se to reh jaati hai changezi” (take religion [morality] away from politics and you have tyranny). History of Islam is evident that when Holy Prophet Muhammad PBUH established the state of Madina it was based on consultation, justice, equality and accountability. After Holy Prophet his successors continued the practice which was set by Prophet Muhammad PBUH. As democracy is a type of government in which all the decisions are taken with lot of debates and consultation the same practice is practiced in Islam as well. As a word of ‘Shura’ is mentioned in Quran for governance. “They govern with mutual consultation.” The spirit of a real democracy is also consultation.

In the modern days it has become talk of the town western democracy better but the democracy which was presented by Holy Prophet and his four Righteous Caliphs Abu Bakar, Umar, Usman and Ali is more proficient. As the basic pillars of democracy justice, accountability, equality and consultation were completely practiced in during their era. It is true that the democratic government which were established during the Righteous Caliphs was derailed after the martyrdom of fourth Cali Hazrat Ali and it replaced nepotism with It may be rightly said that the true democratic government established during the early period of Islam had been that of the Righteous Caliphs. However, it has been a sad aspect of Muslim history that such an ideal rule concluded after the martyrdom of Hazrat Ali. This shows that Islam had been the pioneer of democracy its successors have neglected their traditions and values. It may be said that Islam had been the pioneer of democracy, but its followers in general have forgotten their own values along with the democratic system of governance. It is satire of account that modern

Muslim political scholars and literati, also narrating western democracy as a model.

Democracy and Islamic Countries

If we look the Islamic countries we saw three main groups based on their existing democratic performance.

Crumbly States in the Middle East, South Asia and Africa

There few countries which are unstable and had week political system such as Afghanistan in South Asia, and Iraq, Yemen, Libya and Syria in the Middle East and North Africa (MENA) region, extending to a host of countries in Sub-Saharan Africa, such as Nigeria, Somalia, Mali and Sudan in all these countries the prevailing situation of democracy is very very thin. Mostly they are far away from democratic spirit.

Stable autocracies in the Middle East endowed with oil and resources are in no hurry to democratize

It was being expected that after the third wave of democracy the democracy would spread in these countries but so for they are mostly autocratic in style like UAE and Saudi Arabia.

Muslim Eurasia too is autocratic, drawing some of its legitimacy in preventing radical Islam

The Muslim majority countries of Eurasia can also be listed as they were a part of authoritarian of USSR and that rule of USSR make the transition of democracy very problematic in these countries. Kyrgyz Republic which has religious homogeneity, Kazakhstan and Uzbekistan the democratic institutions of these countries are not strong to resist the civil liberties abuse faced by their population. Although religion diversity is provided in these countries but mainly it s on papers.

There is another group of countries generally found in Europe, Asia and Africa which have made a considerable progress in democracy such as Pakistan, Turkey, Indonesia, Bangladesh and Malaysia. These are considered having highest rank in terms of democracy as compared to other Islamic countries. Majority of the Islamic countries are in the transition of democracy.

Transition of democracy in Pakistan under Juneju

There are episodes in the life of a nation that expose the real nature of its polity. One removes the veil from the façade of power and exposes its real face. One such episode took place in 1977 that has displayed the true nature of power structure in Pakistan when COAS General Zia-ul-Haq imposed martial law in the state and became martial law administrator and then president of Pakistan. Nothing has been left to the imagination of the people. Since the creation of Pakistan, like many other under developed or third world countries, Pakistan most of the time had been under military rule. This newly established state witnessed martial laws in 1958, 1969, 1977 and 1999 which was imposed by COAS General Ayub Khan, Yahya Khan, Zia-ul-Haq and Pervez Musharraf respectively. All the time military regimes run the state according to their wishes and they hired political elite which was ready to work under the Khaki shadow.

After imposition of martial law, the real powers vested in the hands of Zia, although President Fazal Elahi was there who was not removed by Zia and continued his services as president but was like a show piece as Zia was running the affairs according to his own wishes. With the consent and approval of Chief Justice of Pakistan Justice Yaqoob Ali Khan, the CJ of High Courts of respective provinces were appointed governors of respective provinces. This martial law was a clear violation of the constitution of 1973. As under article 6, the abrogation or undermining the constitution by force is considered as high treason. Even it is very much clear under article 12(2), 243 and 244 that the armed forces are under the control of federal government and they are bound to act according to the direction of the government.

The imposition of martial law is always considered as ultra-constitutional act. The mourning aspect is this that all the martial law dictator considered themselves right and assume their self as the loyalist to the nation and state. Even Zia managed to get the support of the judiciary. The main purpose to get the support of the judiciary was to save himself from death sentence which is described in the constitution under article 6. He was afraid of trial under this article. So, judiciary validated his martial law with some

recommendations⁴. As the CJP was not in favor to dissolve the constitution and the establishment of military courts. He (CJP) even asked Zia to president must not be deposed and after the elections, army must go back to barracks. When SCP started to hear the petition of Bhutto's case, the CMLA Zia relieved CJP from the office under martial law order.⁵

The SCP issued its judgement in constitutional petition filed by Bagum Nusrat Bhutto (the wife of Zulfiqar Ali Bhutto) and validated the imposition of martial law under the doctrine of law of necessity which was firstly introduced in Pakistan by Justice Munir In the case of Molvi Tameezuddin in 1954⁶. A care taker government/interim government was made in which president was Fazal Elahi but real powers were in the hands of Zia. Many civil military personnel's were included in main stream decision making process⁷.

To get the support of the judiciary, Zia meet with CJP Yaqoob Ali Khan and requested him to support him (Zia) in the process of restoration of democracy in the state. Zia further gave assurances to CJP that the elections would be held according to the time frame provided by the constitution as he did not suspend the constitution as Ayub did but put the constitution in abeyance. CJP also gave some suggestions to Zia about his role.

Provisional Constitution Order (PCO)

Zia attempted to take away the society from democratic to autocratic under his policy of Islamization. He himself assumed the charge as CMLA and he formed a military council which would decide all important matters of the state. Press and political parties were under his control as under the PCO no political party could be formed without the permission of Election commission. Furthermore the president had the powers to ban any political party. According to the law of PCO, only those political parties could contest election which were registered by 11th October 1979. Zia become so authoritative under this PCO that even no martial law order could be challenged in any court of law.

Second Provisional Constitution Order (PCO)

In 1981, second PCO was introduced by Zia in which the constitution was badly amended even this PCO completely changed its true democratic spirit. Article 6 which was about the abrogation of the constitution was suspended. And under the powers of Zia, all martial law's order were given legitimacy by SCP as judiciary was brought under control after this PCO. Zia proved himself a power hungry man. He grabbed all the powers in his hands. Even he held a referendum and got himself elected as president and Fazal Elahi was forced to leave the office. He used Islam for this cause and in referendum the voters were asked a question that whether they like the process of Islamization in the state and there were only two options yes or no. in an Islamic state who will differ? So Zia successfully elected himself as president of Pakistan.

Movement for the Restoration of Democracy

The prominent feature of parliamentary democratic system of government is the politics of alliances. The history of Pakistani politics had seen many alliances such as United Front (UF) 1970.

Front 1953, National Democratic Front 1962, Combine Opposition Parties (COP) 1964, PDM

1967, Democratic Action Committee (DAC) 1969, UDF 1973, PNA 1977 etc. after the break of PNA, JI and ML pagara group decided to join hands with PPP to give tough time to Zia in his autocratic style of government. So this new group emerged titled as MRD. MRD announced its prime objectives such as abolition of censorship, to end the military courts, restoration of 1973 constitution and fresh elections.

MRD announced a movement against Zia for the restoration of democracy on 14th of April 1984. Keeping in view the changing scenario and mounting pressure, Zia made promise to hold elections but MRD keeping in view the vulnerable condition of Zia did not postpone the movement. In fact this was the first big success of MRD over Zia. After referendum Zia decided to hand over the power and he announced that elections would be held on 25th and 28th of March 1985 on nonparty basis.

Order No 14 of 1985: Revival of the constitution of 1973 (RCO)

Zia issued RCO on 2nd March 1985 as Muhammad Waseem argued that the purpose of this RCO was to make some suitable changes in the constitution. As after this RCO, he (zia) got all the powers to appoint all the services chiefs, PM, Governors, and judges of SCP and All HCs. Even under article 58(2)(b) he got the powers to dissolve the assemblies and governments. This article proved very fatal in the coming years and destabilized the political system of Pakistan and made president more powerful than the prime minister which is against the true nature of democratic system. Even he very cleverly got indemnity under article 270A from all his ordinances and martial law orders. Zia also successfully got the assurance to stay in power in uniform for the next five years.

The process of transition

These elections were going to be held on nonparty based which was indorsed by the amendment in the constitution. As per the law of this amendment, a candidate had a need of support of minimum 50 people as a precondition to the elections. The state machinery under Zia was actively monitoring the process and movements of MRD. On the other hand, MRD miscalculated or misjudged the response of the public. They (MRD) were thinking that the public would boycott the nonparty based lections as MRD boycotted the referendum. They announced the boycott of the election misjudging the intention of the public. on the other hand, Zia administration arrested many prominent leaders and their workers and put them behind the bars. Because it was took as an offence to boycott the elections. Print media was under lot of censorship. Even there was a threat of ban to support MRD.⁸

Both MRD and Zia administration was expecting that there would be low turnout in the elections. To show the world his credibility and to give a fare face to the elections, Zia planned to leave the restrictions on the leaders of the opposition who were in jail but they did not accept the proposal of the government.⁹ there was unexpected high turnout which shows public interest in elections. On this high turnout government was happy but opposition was astonished. It was reported that there was 52.2% turnout.¹⁰ Many new faces

succeeded while many prominent leaders could not win their seats.¹¹ New faces in the assembly were ready to work under the umbrella of military establishment. they preferred their own interests on the state. They developed good feelings for Zia as they were the beneficiaries of the system.

Muhammad Khan Juneju elected as Prime Minister

Muhammad Khan Juneju who was a prominent agriculturist of Sindh and had served in Ayub cabinet earlier was less prominent political figure. His name was proposed by Pir Mardan Shah

Pagaro as prime minister. Because of his less prominent political background, for the sake of his

(Zia) future, he was acceptable for Zia. As Shuja Nawaz has narrated that in his first meeting with

Zia, Zia asked Juneju that he (Zia) has decided to elect him (Juneju) as prime minister on this

Juneju didn't thank him rather he (Juneju) asked him that when you are going to remove the martial law. This was unexpected question for Zia but he managed and replied that his martial law would support him in future. As Zia wanted to rule as Amirulmomeneen in his religious empire.¹² In this way a new democratic era was started and a party less assembly elected Juneju as PM on 23rd of March 1985.¹³

In the presence of elected prime minister the most challenging thing was the transition of power from military to civil government. Although the power was transferred but because of many factors the civilian government was not in commanding position. The first and the foremost aspect was this that the constitution was not fully in operation and country was being run by PCOs and RCO. The main reason behind this was the intention of Zia as he wanted the continuity in his process of Islamization which he started in 1979.¹⁴ The other challenging aspect was this that Zia was ruling the state since 1979 exclusively and he was not in mood to share powers. To safeguard his intention he amended the constitution and under the 8th amendment he got maximum powers which would secure his position and control over parliament and prime minister. In the presence of 8th amendment it was not

possible for any prime minister to run the state against the wishes of the president.

Although in the presence of 8th amendment, Juneju's position was weak and he was bound to act on the advice of the president but instead of this Juneju repeatedly asked Zia to lift the martial law and to restore the constitution of 1973.¹⁵ Even Juneju refused to appoint all the members as minister whose name were given by Zia. He dropped all the names given by Zia and accepted only Mahbub-ul-Haq as minister for planning and development and Yaqoob Ali Khan as foreign minister.¹⁶ Even Juneju criticize on the facilities which were given to the military personals.

Soon there emerged differences mainly on petty issues and these differences were not about policy matters but about self powers such as prime minister refused to appoint some secretaries recommended by president.as well the issue of protocol. Even when Zia decided to make a visit of Africa than Juneju refused to sign the summary and said that being a democratic and parliamentary.

Prime minister it is his prerogative to make foreign visits.¹⁴ The relationship between Zia and Juneju became problematic when later ordered as reported by M.Waseem and A.Mehmood to take Mercedes staff cars from many senior generals and changed them with small Suzuki cars. This annoyed many senior commanders.

On the other hand Juneju being an elected PM tried to take some steps according to his wish and without the consultation and prior approval of the president. Prime minster Juneju gave his five points program in December 1985. The main objective of his program were as;

- I. The instituting of an Islamic democratic political system in the state.
- II. The elimination of illiteracy
- III. The upgrade of an fair economic order
- IV. The eradication of corruption and other social evils
- V. The consolidation of national integration.¹⁵

This program was welcomed by the whole public. The Juneju government tried to achieve the target set in the program. To achieve the target the

government gave 5000000 to each MNA to spend in their respective areas or constituencies in two fields' rural development and education. To eradicate illiteracy two projects were started Nai Roshni and Iqra Pilot. Unfortunately these two projects which were started to eradicate illiteracy soon had to face lot of problems because of corruption and mishandling of these projects. The Juneju government tried to sustain the impetus and due to its efforts first time in last 16 years the inflation rate was on 3.4 which was lowermost since 1969.¹⁷ Production was higher than it was being expected and this was because of positive attitude of the government towards the industry. Deregulation policy remained on swing and was not stopped. To get an amount of 1788 crores, the Juneju government had to impose taxes in the budget of 1987-88. Because of these taxes the business community protested against the budget.¹⁸ Initially Zia did not interfere in Juneju's policies and remained quiet but when he felt that Juneju is creating his hegemony than Zia created some hurdles in the way of Juneju who actually was his handpicked.

Juneju's Foreign Policy

As mentioned earlier that Juneju tried to run the system according to his own wishes and tried to use his powers as an elected prime minister without noticing that under 8th amendment the president had enough powers to destabilize his government even president can dissolve his government. But instead of this Juneju decided to make his own foreign policy. He adopted the policy of reconciliation. On the issue of Afghanistan, Juneju consulted with different leaders of political parties even with Benazir. To get the support of political parties on the issue of Afghanistan, Juneju called a roundtable conference as Juneju was interested in dialogue with USSR over the issue. On the other hand Zia wished to launch a pro Pakistan government in Afghanistan. Zia took this whole activity of Junejun as plot. Zia clearly stated that Pakistan would not sign any agreement with Najeebullah (the sitting ruler of Afghanistan). The gulf between Zia and Juneju widened when Zia, DG ISI and Foreign Minister Yaqoob Ali khan meet with US Diplomat in October 1987 and discussed to replace the sitting ruler with Zahir Shah. In such type of dialogues the prime minister must be consulted but Zia did

not do that eventually Juneju become annoyed and he removed Yaqoob Ali Khan from the cabinet. Even as stated by A.Mehmood that unofficially Juneju asked the foreign office to no send any file to the presidency. This shows how personal egos hurt the political system of Pakistan. On 14th of April 1988 the PM Juneju signed Geneva Accoerd and in the result of the Accord Najeebullah came to power. It was also signed that Pakistan will stop the supply of all kinds of arms to Afghanistan and on the other hand USSR will withdraw its troops from Afghanistan. This step of Juneju further deteriorated his relations with president Zia who took it as a defeat. Now Juneju came face to face with Zia who was considering himself the only in charge of foreign policy of Pakistan. The Geneva Pact was actually a victory of Juneju over Zia although it was temporarily. Zia took it as plot especially when he was thinking that now it is the time for Pakistan to get the fruits of his sacrifices.¹⁹

Juneju and Military Establishment

Being an organized institution there is no doubt that military establishment had been ruling the system directly or indirectly. Before 1985, military establishment ruled the state directly from 1958 to 1971 and then from 1977 to 1985 directly. Keeping in view the mounting pressure of opposition parties Zia decided to restore democracy in the state. Muhammad Khan Juneju was a handpicked PM. During the early days of Juneju government the civil military relations remained normal but soon this honey moon period came to an end when Juneju tried to become a real PM. In the presence of 8th amendment the president was more powerful than the PM. The position of PM was just like a subservient to president. Being a CMLA and COAS Zia had enjoyed full control of the state but after the restoration of democracy his powers were in sharing mood. Keeping in view his future Zia had picked a low profile person for the post of PM. The motive behind this move was only this that he (Juneju) could not interfere in his (Zia) policies. When Juneju started to use his authority as PM it was unbearable for Zia. This widened the rift between president and PM which resulted in dissolution of Juneju government.

Juneju started to make his own foreign policy on the other hand Zia was very much curious about his own foreign policy and this was the reason that he (Zia) proposed the name of Sahbzada

Yaqoob Ali Khan as foreign minister of Pakistan. But on the issue of Afghanistan, Juneju removed Yaqoob Ali Khan and kept the portfolio in his own hand.²⁰ The visit of Juneju of USA was another grace for him which urged him (Juneju) to take some steps which was acceptable for Zia. Juneju by using his authority removed IB head Major General Naik Muhammed from his post and this was done without making any conversation with president Zia. Zia took it as humiliation and challenge for his authority.²¹ Mistrust touched to its peak when Zia suspected that Juneju is playing in the hands of Benazir Bhutto and on the other hand when Ghulam Mustafa Jatoi launched his own political party Juneju took it as conspiracy against him by Zia. So their mistrust was mounting with each passing day.

Ojhri Camp incident and Confrontation between Zia and Juneju

When Juneju and Zia were in a trust deficit modd the incident of Ojhri Camp took place. A very few days before signing Geneva Accord a dreadful incident took place in Rawalpindi near a populated area of Faisabad. This incident is known as Ojhri Camp catastrophe. This incident took place on 14th of April 1988 which resulted in loss of property and life. In fact this was a blast in an ammunition depot. This ammunition was received from CIA which was stored there and its ultimate destination was Afghanistan. The people of all the walks of life demanded for an high profile independent inquiry to fix the responsibility. Juneju accepted the demand of the public and formed a committee to dig out the reality and to find the truth. It is assumed that this committee find out that General Akhtar Abdurehman responsible for this tragedy. General Akhtar was former ISI head and currently was serving as Joint Chief of Staff Committee and he was considered as right hand of Zia as well. This inquiry committee recommended his removal.²² On the other hand Zia was eager to save his Generals²³. Once again after this tragedy army was being criticized that why they made this depot in populated area.

Dismissal of Juneju's Government

The tension between Zia and Juneju touched to its peak and their relations reached to the point of no return. Zia was also thinking that after the publication of this inquiry report Juneju may force Zia to resign from the office of COAS. When Juneju returned to Pakistan after a successful visit of South Korea, Philphine and China, Zia dismissed by using the power of 58(2)(b) of the constitution which was given to president after 8th amendment dismissed the government of Juneju and made a promise to the nation of new elections within the time frame of the constitution which would be held on 17th of November 1988. He also dissolved provincial assemblies. During his period of three years Juneju tried his level best to regain its constitutional powers but he had to face a very tough hurdle in the form of Zia. Zia's announced elections could not be held as when Zia was coming back from Bahawalpur along with two US officials and top military brass they were killed in an air crash. As Mahmood stated that "First phase of transition under General Zia as a President is thus the classic example of military rule in a civilianized form which is called a hybrid regime"²⁴

Conclusion

Islam is not democracy, and democracy is not Islam. Many people regard Islam as neither a religion nor a fanatical political force. It is viewed as a civilisation and way of life that differs from Muslim nation to Muslim state but is motivated by a common ethos that is inherently more humanitarian than most Westerners comprehend. Democratic phase which was started in the state of Pakistan after a long struggle could not establish its roots as general Zia successfully crafted the role of military in politics through 8th amendment as he was serving as COAS. He got indemnity of all his actions before lifting the martial law in December 1985 from the assembly. In the presence of 8th amendment there was an imbalance of power tilted in favor of president. In fact this amendment gave a permanent edge to the president on the prime minister and PM remained in vulnerable position in the presence of this amendment. In spite its satisfactory performance Juneju could not complete its constitutional term of five years and his government was

dissolved on the charges of maladministration and corruption. In fact the actual reason of his dismissal was his ambition to use his authority as PM of a democratic country. In fact this transition from power was a classic example of hybrid regime.

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- ⁸ Hassan Askari Rizvi, *op.cit.*, p.185
- ⁹ Muhammad Waseem, *op.cit.*, pp.397-98.
- ¹⁰ Ijaz Shafi Gillani, *Pakistan at the Polls*, Islamabad, n.d., pp.40-54.
- ¹¹ General Muhammad Zia-ul-Haq [1924-88]', <http://www.gatlineducation.com> retrieved on 2nd March 2009.
- ¹² *Amir-ul-Momineen* is the title of the head of the state in an Islamic state. The first four caliphs of Muslims adopted this title and then it was used by the hereditary monarchs of Ummaids and Abbasids even. Zia liked to be called as *Amir-ul-Momineen*. He introduced Islamic conjunctions and replaced the word Parliament with *Majlis-i-Shura* (means parliament working with *Amir-ul-Momineen* to give him advice on affairs of the government).
- ¹³ Shuja Nawaz, *cross sword*, p.381.
- ¹⁴ President Zia's statement in *Dawn*, 26 October 1984.
- ¹⁵ Junejo's statement in *Jang* (Lahore), 26 March 1985 and prime minister's statement in the National Assembly on 25 March 1985.
- ¹⁶ Sahibzada Yaqub Ali Khan was a retired Major General, who as a Chief Martial Law Administrator of East Pakistan refused to conduct an army action against Bengalis. He was demoted from Lt. General to Major General and then retired from the army. He was from Armour Corps and Gen. Zia-ul-Haq had served under him. While Mr. Mahbub-ul-Haq was an economist of international repute.
- ¹⁷ *Economic Survey of Pakistan* (Islamabad: Economic Advisor's Wing, Ministry of Finance, 1987), p.xi.
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