

Performance of the Government in the National Assembly of Pakistan, 1988 and Influence of the Opposition: A Critical Analysis

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ABSTRACT

Political leadership has a vision to run the political process according to the political ethos in which they have been politically educated. It has endorsed that their political attitude was immature enough to reach the political decisions consensually and through intercommunicative linkages. One of the observations is that some of the political forces may hinder the smooth sailing of democratic process which was the result of institutional imbalances. This imbalance was structured through constitutional design and it worked against the democracy due to un-matching of political ideals. This conflict of ideals created the obstacles in harmonizing the working relationships between the office of political executive, presidency and the opposition. In its short span of government, it was infused the spirit of political mobilization among the masses which aligned themselves with political entities with the realization of being an active agent of political bargaining. Benazir government tried its best to adjust the views of all political stake holders in political decision making which unfortunately aborted due to the dismissal of government after the period of eighteen months. It was relatively Politics of Reconciliation and Accommodation come out that political power was shared and it was the spirit of consociationalism which unfurled the political chess to absorb the grievances which were lent out in the form of input in political system. It was the government of eighteen months which had to survive the shocks of law and order, political maneuverings and less bargaining aptitude of presidency and the opposition benches. The conflict between the office of the executive, presidency and the opposition resulted in the dissolution of the elected government. Here it could be cited that political stability could be accrued and sustained if there is much plausible attitude for political acts in the form of forbearance, bargaining and consensual way of approaching the issues of personal interests.

KEYWORDS: Democracy, Governance, Benazir Bhutto, Opposition, and Centre-provinces Relations.

1- INTRODUCTION

Pakistan has inherited parliamentary system of government from United Kingdom with some amendments in Indian Act of 1935 introduced in 1947. From the very beginning opposition faced tremendous problems and crises in Pakistan. Government was not ready to accept the legitimate role of the opposition. Pakistan Muslim League (PML) took the government on the basis of election in 1946 and opposition was very weak and fragile in the country. [1] PML focused on defense as well as economy. At the time of independence, Pakistan faced various types of external as well as internal threats. PML government prioritized defense on democracy and other disciplines of governing. Initially opposition was fragmented with different groups and factions, but later opposition groups and small parties organized themselves and challenged the hegemony of PML. G.M Syed and Abdul Ghaffar Khan were pioneers in that context, who formed opposition in West Pakistan where People Party was organized by G.M Syed. The second kind of opposition came from inside PML by those who had parted their ways with party leadership, and formed a new party. For instance Awami Muslim League, Jinnah Muslim League and Azad Pakistan Party came out of PML. "New parties were formed when a career seemed to be making no progress in old party." [2]

However opposition was very weak and with no strong roots in the people of Pakistan at that stage, as it had no proper ideology nor any solid programme. [3] In East Pakistan, opposition consisted of different small groups that came out in opposition to Muslim League. Muslim League was in power in center as well as in the provinces. To compete with Muslim League several small organizations and groups merged and formed broader alliance for that purpose. [4] The governments of PML in Pakistan and Congress in India were not outcomes of any proper parliamentary elections in their respective new countries, rather both parties held on to power because of their majority in respective parliaments based on pre-partition election of 1946. [5]

Consequently at that time opposition was not in a position to challenge government policies. However opposition in East Pakistan formed alliance in the shape of united Front and ousted Muslim League in provincial election in East Pakistan. After seeing success of United Front many other parties also formed alliances but these mostly lasted only during election time. The PML government used every fair and unfair means to keep opposition away from

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government. It even passed many laws against opposition. The government postponed elections twice time but opposition could not perform its role because no effective opposition existed in the parliament till 1954. [6] Congress had only ten members as well as Azad Pakistan Party had only three members in the parliament. Both parties were very vocal about secular and democratic Pakistan while Muslim League was against secularization in the country. [7]

The League ignored all demands of opposition during the Objective Resolution and adopted Objective Resolution as a policy principle for forming the future constitution. At that time Pakistan National Congress demanded that the resolution be circulated for eliciting public opinion but government did not accept and stayed stubborn. [8] The Pakistan National Congress criticized resolution strongly and called it against the fundamental rights of minorities. Moreover congress blamed that it is clear cut violation of Quaid-i-Azam's vision. Congress had proposed some amendments in the resolution but again government was not ready to accept. [9]

However government was maintaining that entire approach of objective resolution was to incorporate Islamic ideology in the constitutional framework and that Pakistan will be a progressive and modern state. [10]

The non Muslims opposition members moved the amendments in the Assembly and Pakistan National Congress supported the amendments. However government again rejected all amendments and showed collaboration no-compromising attitude. [11] The Constitution draft was presented by Liaquat Ali Khan on 28th September, 1950 in which he suggested that Objective Resolution be adopted as a principle for future State policy. [12] The federal system of government with a bicameral parliament was proposed. Both Houses will have equal powers in the new constitution but opposition criticized it and its major attack was on strong centre as well as financial powers of the centre. [13]

The Ulama and some religious parties were also not satisfied and had reservations regarding Islamic State. According to them the provisions related to Islam are not adequate in the draft because the nomenclature of the State and religious qualification of the head of the State are missing. In East Pakistan parties didn't accept the draft and drafted an alternate draft in Grand National Convention in Dhaka on 5th November, 1950. [14] Here they demand provincial authority and proposed that centre would handle only foreign policy, defense and currency. [15] They also demanded socialist republic as well as Bengali as a State language. [16]

Liaquat Ali Khan collaborated with opposition and invited suggestion from various schools of thoughts. The second report of Basic Principle Committee (BPC) was presented in Assembly on 22nd December, 1952 by the Prime Minister Khwaja Nizamuddin. The second report distributed powers on equal basis between East Pakistan and West Pakistan. [17] The second B.P.C report distributed power into three lists, i.e. Federal, Provincial and Concurrent list. The second report was silent on language issue. Opposition from East Pakistan criticized second report of BPC. The party formula and Hussain Shaheed Suhrawardy called it against the principles of democracy. The Khilafat-e-Rabbani party and United Islamic Front supported the opposition's stance in that context. Both parties were in favour of unicameral legislature with limited authority of centre, where defense, currency, foreign policy would remain in the hands of centre. [18] In West Pakistan media criticized the second report severely. [19]

The leadership of West Pakistan was not ready to accept the second report because in it East Pakistan was given equal powers against four Provinces of West Pakistan [20]. From Punjab politicians criticized it and considered it conspiracy against Punjab. They interpreted it as an attempt to establish Bengali domination over the whole country. [21] The Islamic provisions of report were opposed by the Hindu opposition members. The provision regarding no law would be enacted that would be repugnant to the Quran and Sunnah was strongly opposed by Hindus. They wanted protection of their personal law of Hindus from Islamic provisions. They highlighted their apprehensions on the title of State and religious qualifications of the Head of the State. However when their demands were not accepted they walked out from the House and didn't participate in the proceeding of the legislation. [22]

Meanwhile, Khawaja Nazimuddin was dismissed from premiership and Muhammad Ali Bogra took charge of the office. He presented his formula on 7th October, 1953 in which he proposed bicameral legislature i.e. upper House and lower House. Both Houses had equal power. Bogra formula introduced new mode of parity and electoral system. He proposed that the head of the state will take part in election from zone other than which P.M belonged to. He claimed that his formula will eliminate provincialism. [23] Mian Iftikhar- Ud -Din (Azad Pak Party) openly criticized Bogra formula in the Assembly on October 22, 1953. Mr. Fazlul Haq (Krishak Saranuk Party) called it as a 'Huge Bluff' on a trusting community. [24]

Opposition parties passed a resolution against Bogra formula on October 1953. [25] The formula was criticized by Pak National Congress members on the floor of Assembly and declared that it showed the lack of vision and lesser spirit of democracy in Muslim League. [26] The one unit bill was another test for government and opposition. The North West Frontier Province (NWFP) Assembly approved the one unit scheme but Sardar Abdul Rashid was not in the favour of one unit scheme. Basically he was in the favour of Zone federation plan. [27]

However his proposal was not accepted and he was removed from the ministry. Pir of Manki Sharif was also against the one unit scheme and boycotted the proceeding of the Assembly. The one unit scheme was passed on 12th December, 1954 but C.M Abdul Sattar Pirzada opposed bill publically. Majority of the members and politician were with C.M, against the one unit scheme. Consequently he was also removed from his office and Muhammad Ayub Khuro became C.M of Sindh. G.M Syed supported Pirzada and appreciated his bold stand against one unit. [28] Government of Sindh victimized the opposition members of Sindh and detained many politicians like Abdus Sattar Pirzada, G.M Syed, Pir Ellahi Baksh and Qazi Fazal-Ullah on a charge of conspiring to murder the members of the cabinet. Through such tactics government pressurized the opposition and got the bill passed in the Assembly

with 109 votes in favour of bill. [29] Sheikh Abdul Majjid Sindhi, one of the opposition members stated, "Hyderabad was converted into a military camp to decide a purely constitutional issue". [30]

In Punjab opposition and government was in favour of one unit scheme and passed bill on 30th November, 1954. Bahawalpur and Khairpur States also favoured the bill and merged with one unit scheme. In Baluchistan Kalat, Makran, Lasbela and Kharan had already agreed to merge. Khan-i-Azam of Kalat, had signed agreement in that context on 1st January, 1954. [31] Dr. Khan Sahib and Mushtaq Ahmed Ghurmani were designated as Chief Minister and Governor respectively. However Federal Court had declared one unit scheme null and void and explained that Governor General had no powers to declare one unit scheme. Consequently one unit scheme was again moved in the second assembly on 23 August 1955. Awami League, Azad Pakistan Party and Krishk Saramik Party opposed the bill in Assembly. Mian Iftikhar -Ud- Din was one of those who openly opposed bill on the floor of the house. [32] Sheikh Mujib-Ur-Rahman criticized the name of East Pakistan and demanded that Bengal has its own history that is why its name should not be changed without the consent of Bengali people. He was the great opponent of the bill. [33] In spite of all the opposition, government passed the bill with majority of 43 votes in the Assembly. [34]

Opposition also criticized the second draft of the constitution of 1956, especially the Islamic provisions in the draft. Mr. Suhrawardy was opposition leader at that time in the Assembly. He stated that Islamic provisions are baseless because without providing fundamental rights to masses, Pakistan cannot become an Islamic State. [35] Moreover Islamic provisions will create division in the society especially among minorities. Awami League, Pakistan National Congress and Ganatantric Dal were also against the Islamic provisions of constitution of 1956.

Meanwhile government collaborated with opposition and passed two amendments that had been moved by Hindus minority members. The first amendment was moved by K.K Dutta that was related to Hindu educational institutions. The bill permitted them to establish educational institution under their will and wish without any bounds. The second bill was moved by Raj Ras Mandal in which he demanded that government should grant protection services rights as well as fundamental rights of Hindus. Both bill were admitted and passed as government showed wholehearted cooperation. [36]

But Awami League did not participate in the proceeding of the House and refused to sign on the constitution document. However, Hussain Shaheed Suhrawardy showed positive behaviour and put his signature on the constitution. Under the new constitution Chaudhry Muhammad Ali took charge of the office of Prime Minister with the coalition of Muslim League, but his behaviour towards Muslim League was very harsh and unbecoming of a Prime Minister. He appointed Dr. Khan Sahib as Chief Minister of West Pakistan in spite of Muslim League's opposition. [37] This decision by Prime Minister caused huge crises in the country and Muslim League demanded removal of Dr. Khan as CM, but Governor Mushtaq Ahmed did not accept such demands on the basis of constitutional obligations. [38] The crises ended with the resignation of Chaudhry Muhammad Ali from the office of Prime Minister as well as from the membership of Muslim League. [39] On September 8, 1956 Hussain Shaheed Suhrawardy formed coalition government but soon he had to resign (because of his conflict with Sahibzada Iskander Ali Mirza). On 11th October, 1957, I. I. Chundrigar became the new Prime Minister with the help of Republican Party on 18th October, 1957. Historically the Republican Party had supported Muslim League on the issue of one unit. Secondly Muslim League replaced joint electorate and separate system was adopted on the demands of the Republican Party. [40]

Later on I. I. Chundrigar resigned over differences with the Republican Party on 15th December; 1957. After him, Feroz Khan Noon formed a coalition government that consisted of five political parties. While Republican and Saramik Krishnak Party accepted ministerial portfolios in his cabinet, rest of the parties did not accept any Portfolios. [41]

Unfortunately Noon's government could not survive long and was dissolved by President Iskandar Mirza. Martial Law was imposed and Ayub Khan was declared supreme commander of the country on October 9, 1958. [42] Ayub Khan banned all political activities in the country under Elective Bodies Disqualification Ordinance (E.B.D.O). He introduced basic democracies system that comprised of eighty thousands members. Moreover he changed the system of government and introduced Presidential system of government in the country. To get legitimacy for his government he passed new constitution in 1962. [43]

All political Parties were against 1962's constitution because it didn't offer any space for forming new political party. But the new Assembly passed political parties Act in 1962 in which the rights of association was accepted to some extent. Basically Ayub Khan's supporters wanted to form a new political party, the Convention Muslim League. Later on Ayub Khan joined the party and was nominated presidential candidate by the party. On 5th October, 1962 opposition established alliance known as National Democratic Front under the leadership of H.S Suhrawardy. The main purpose of the alliance was the restoration of parliamentary democracy in the country. [44] Several other political parties were great supporter of that alliance on the issue of parliamentary democracy. [45] The alliance was at full swing but unfortunately H.S Suhrawardy passed away on 5th December, 1963. The alliance remained in working position up to June 1969. Khawaja Nizamuddin was one of very famous figure who started the struggle for the revival of democracy in the country and started his work in the Assembly. His struggle became fruitful and he succeeded in forming an alliance of combined opposition parties on 21st July, 1964. [46]

The combined opposition parties nominated Fatima Jinnah as Presidential Candidate against Ayub Khan in the presidential election of 1965. Fatima Jinnah was candid like snow and her character was beacon of light in the politics as well as other field of life. She had superior character compared to other politician of Pakistan. [47] In spite of all the positive traits, she could not win the election and election results were very surprising. Ayub Khan

had secured 28939 votes from West Pakistan and 21012 votes got from East Pakistan. While Fatima Jinnah got 10257 from West Pakistan and 18134 from East Pakistan. [48]Fatima Jinnah and opposition blamed government of rigging and using government sources in election campaign. But on the issue of war in 1965 the whole opposition demonstrated cooperation with the government.

However, opposition criticized government strongly on the ceasefire via Tashkent Declaration on 1966. The points of declaration were not acceptable and even Ayub's own cabinet member Z.A Bhutto criticized it. Nawabzada Nasrullah Khan was active in opposition politics. He united various parties on eight points and formed a new alliance on 1st May, 1967 called Pakistan Democratic Movement (P.D.M). [49]The alliance demanded restoration of democracy and lifting the state of emergency from country. While on the other side Ayub Khan criticized alliance and said that if the alliance were to succeed, it will be a great disaster for the country. [50] Ayub locked up some leader of the alliance due to their harsh speeches against government. In such circumstance new political parties strengthened the hand of opposition and joined alliance with a new name Democratic Action Committee. [51]Students as well as masses stood up against Ayub government.

Opposition arranged agitation programme against government with the collaboration of students in Rawalpindi. Police used force that resulted in a casualty. The death of one student speeded up the agitation movement and the condition of law and order became worse. After witnessing the whole scenario, Ayub Khan decided to invite opposition for table talks. Opposition accepted Round table conference and participated in conference with their demands. In response to opposition's demands, Ayub Khan lifted the state of emergency from the country and released political prisoner including Z.A Bhutto and Wali Khan. In spite of all the efforts, Z.A Bhutto and Maulana Bashani did not participate in the conference. Ayub Khan showed relatively lenient behaviour towards the opposition and released more than thirty four political prisoners including Sheikh Mujeeb-Ur- Rehman. In spite of all such measures Ayub Khan could not save his government and the conference could not produce any workable understanding between the government and opposition. Consequently Yahya Khan declared Martial Law in the country. He conducted first general elections under the Legal Framework Order (L.F.O). After elections, civil war started that caused the dismemberment of East Pakistan in Bangladesh. Z.A Bhutto took control of the government and started political witch hunt and put kept several opponents in jail. Bhutto also dismissed coalition government of N.A.P and J.U.I in Baluchistan. Opposition started joint struggle against Bhutto government and J.U.I government (in NWFP) resigned under the leadership of Mufti Mahmood on 13th March, 1973. In that vein, opposition launched an alliance in the shape of United Democratic Front (U.D.F). [52] More than ten Political Parties were part of that alliance, whose major task was the restoration of real democracy as well as Provincial autonomy in the country. All political parties agreed on 12 points that were known as the Islamabad Declaration. Opposition started movement but incident of Liaquat Bagh Rawalpindi increased the gap between government and opposition. Police had opened the fire on meeting of U. D. F. that caused fifteen death and lot of wounded on March, 1973. [53] The opposition condemned the brutal act of government and U.D.F decided that opposition will not attend parliament session at all. [54]The situation made Z. A. Bhutto invite opposition for table talks who accepted for the sake of national interest as the timely completion of the new ever constitution was a major task before the parliament. Bhutto was in the favour of Presidential system of government but opposition was wanted Parliamentary system in the country. [55]

However the opposition and government worked together remarkably well and passed the constitution of 1973 with majority votes of 137 on 13th April, 1973. But opposition was not ready to spare government on the issue of Baluchistan and demanded that government must reinstate constitutional rule in the Province. For that objective opposition moved the motion in the National Assembly under the leadership of Muhammad Azam Farooqi (J.I). During the proceeding of the house, opposition severely criticized government and blamed that government is repeating history of East Pakistan conflict. [56] Opposition threatened government that it will start civil disobedience movement. Civil disobedience movement could not succeed due to the use of force by government against opposition. [57] However government accepted the demands of opposition on the issue of Ahmadi and declared them non Muslim through Constitutional amendments. [58] Government introduced two bills in the Parliament in which any Member of Parliament could be detained even during the session of Parliament. Through such type of legislation government wanted to victimize opposition especially National Awami party.

Government banned N.A.P on 10th February, 1975 and arrested many leaders of N.A.P. Opposition protested against this in the Parliament as well as out of the Parliament. They boycotted sessions of Assembly, while on the other side; Speaker of the National Assembly got twelve members forcefully expelled from Assembly. Choudhary Zahoor Ellahi, Ahmad Raza Qasuri and Malik Salman were well known persons that were expelled from Assembly. That is why fourth Constitutional amendment was passed without any opposition. [59] The Fifth Amendment was related to Judiciary cum fundamental rights of peoples that was presented in national Assembly on 1st September, 1976. It was criticized by opposition strongly and Professor Abdul Ghafoor Ahmed alleged that government wanted to keep away opposition from the legislation. [60] During the second reading of the bill opposition boycotted the proceedings of Parliament but government completely ignored opposition and passed the bill. Same was the case during the sixth constitutional amendment, when, once again, the government showed stubbornness against opposition. Z. A. Bhutto announced general election schedule to be held on March, 1977.

Opposition formed a very grand alliance Pakistan National Alliance for that purpose on 10th January, 1977. Nine Political Parties were in alliance and Mufti Mahmood was president of the alliance. Nawabzada Nasrullah Khan was nominated as Vice President of the alliance. Elections results were very surprising for the alliance because P.P.P had

scored a landslide victory. PPP got 155 seats, while P.N.A secured only 36 seats in the National Assembly. P. N. A. blamed government of rigging and boycotted the elections of Provincials Assemblies. It also decided to launch massive movement against government on 11 March 1977. During the movement of PNA, law and order situation of the country became worse that caused many deaths and injuries. [61]

The situation of country compelled Bhutto to talk with opposition and he invited opposition for dialogue but opposition was not ready for it at the time. [62] The first session of Assembly started on 26th March, 1977 but opposition rejected to participate and alleged that the assembly is fake and forged.

The Pakistan National Alliance presented its three demands;

- (I)- Resignation of Z. A. Bhutto;
- (II)- Impartial Election Commission;
- (III)- Election under the supervision of army cum judiciary.

However government did not accept the demands of P.N.A and P.N.A announced nationwide strike on 26th March, 1977. While on the other hand government arrested leaders of P.N.A on 25th March, 1977. However government could not control the opposition even after resorting to using unconstitutional measure. Army was critically watching the whole scenario and on 5th July, 1977 declared Martial Law in the country. Majority of opposition members were very happy on the arrival of Martial Law in the country. [63]

Opposition during the Zia era was very passive and inactive, PPP was the major victim of Martial Law and it was running without any leadership after the death of Z. A. Bhutto. While P. N. A. joined Zia cabinet after negotiations but soon resigned on the basis of some issue with Zia -Ul -Haq, as Zia wanted to dissolve interim government before holding the elections. [64] Zia postponed elections twice that created distrust among politician and they started to think on that. Opposition concluded that the support of Zia was a fatal mistake. Zia-Ul-Haq got unlimited power through temporary constitutional Ordinance in March 1981. [65]

Zia was against parliamentary system as well as political parties. He announced August plan on 12th August, 1983 in which he recommended more power to President than Prime Minister. [66] Moreover he got an extension as a President through referendum on December, 1984. After his extension, he announced that general elections will be held in February, 1985 on non party basis.

Meanwhile opposition launched anti Martial Law movement known as Movement for Reconstruction of Democracy (M.R.D) on 6th February, 1981. It was the first major alliance that was made against military regime. It consisted of Pakistan Democratic Party, Tehrik I Istiqlal, Awami National Party, Pakistan People Party, Qumi Mahaz -i- Azadi, Muslim League (Qasim Group), Jamiat Ulama Islam (Fazal- Ur- Rehman), Pakistan Mazdoor Kisan Party, National Democratic Party Pakistan, National Party, Awami Tehrik and National Awami Party. While Jaamat Islami and Muslim League (Pagaro) did not join M.R.D. [67] M. R. D. was a mixture of various parties that had different political philosophies. But all parties were united on restoring democracy as well as constitution of 1973. [68]

M.R.D launched a countrywide movement in the country in February, 1981 but the hijacking of P.I.A aircraft by Al-Zulfiqar had weakened the M.R.D position. Sardar Abdul Quyyum parted ways after that incident. M.R.D announced civil disobedience movement in 1983 but it was very passive in N.W.F.P, Baluchistan and Punjab. However movement was very active in Sind especially in rural areas. Meanwhile, Zia banned all political activities and arrested leaders of M.R.D, and eventually succeeded in crushing the movement. But M.R.D succeeded to some extent and it built pressure on Zia and he announced general election. [69] Party based elections were held on 25th February and 28th February, 1985 in National Assembly and Provincial Assemblies respectively. The turnover remained 52.93 percent in National Assembly and 56.82 percent in Provincial Assemblies in spite of opposition's call of boycott. Peoples also rejected six ministers of Zia cabinet, who contested in election. [70] Zia used their defeat in his favour and declared that election was fair and free. One of western diplomat in Islamabad also supported Zia's stance. [71]

Some observers claim that opposition's boycott did not succeed due to the lack of leadership in opposition. Although the Assembly based on of none party basis, but it was against the concept of National Security Council [72]. Zia accepted the will of members. He has withdrawn the proposal regarding Security Council. [73] Zia nominated Muhammad Khan Junejo as P.M who was not a well-known personality at the time but had experience as Railway Minister. He had worked with Ayub Khan and Zia's cabinet too. He was sworn in on March 23, 1985 as Prime Minister and got majority vote from National Assembly. As Senate and National Assembly started to work, both the houses divided into two groups, official group and opposition group. [74] Most of the time, official group consisted of P. M. L. Pagaro people.

In fact PML was in power in centre as well as in provinces while opposition was baseless and split into various schools of thoughts. On September 30, 1985 the eighth amendment was introduced in the assembly and passed without any hindrance as the real opposition was not present in Assembly. Zia-Ul-Haq addressed the Assembly on 17th October, 1985 and said,

"You have brought in my amendments, You have endorsed my stance that the constitution of 1973 needed some changes... by creating a balance in the powers to be exercised by the president and prime minister, dictatorship is ought to be buried deep and for ever ... that the seed of democracy which we planted two years ago has germinated, and is now bearing fruit." [75]

Under the 8th amendments Zia has lifted Martial Law on 30th December, 1985 but he remained President as well as Army Chief. Governorships of provinces were equally distributed among civilians and military. In such circumstances, observers criticized that the civil government is working under the shadow of army and the real power is in the hands of army. [76] Later on Zia dismissed Junejo government on May 29, 1988 because of difference on Afghan policy and other matters. He declared election schedule and started favouring PML (Fida) but all plans were ruined after his sudden death in air crash on August 17, 1988. [77] After his death, Ghulam Ishaque Khan took over the President's office as he was then chairman of Senate. General Mirza Aslam Baig became Chief of the Army. Both officials agreed on five points as under;

- 1- Continuation of Zia policies in the country;
- 2- Rule of law and justice in the country;
- 3- Protection of Islamization process in the country;
- 4- Support of Afghan policy and;
- 5- Revival of democratic government in country. [78]

Both agreed on holding election in the country and President announced the election schedule. On assurance of President and army Chief, political parties started elections campaign wholeheartedly.

2- GENERAL ELECTIONS-1988

In Pakistan's political history, last elections were held in March 1977, in which Pakistan People's Party secured two third majority. Then General Zia- Ul- Haq, who was then Chief of Army Staff, ousted the government on allegation of violence and civil disorder through military coup d'état, that was code named as Operation Fair Play. Martial Law was lifted on 30th December, 1985 and a controlled form of democracy was introduced in the country on non-party based elections held soon after in 1985. As a result of non-party and technocratic elections, Mr. Muhammad Khan Junejo became the Prime Minister of Pakistan. The non - party based Parliament provided legitimacy to all Martial Laws acts since 5th July, 1977 and incorporated the 8th amendment in constitution of Pakistan that empowered the president with special powers of dissolution of the National Assembly under Article 58(2) b.

The President Zia-Ul-Haq used the same power and dissolved the National Assembly on May 29, 1985 asserting that the government is inefficient and is slowing down the Islamization process. [79] Furthermore, President alleged that the Junejo's government failed to maintain law and order in the country particularly in Sind and Karachi. In the dissolution announcement President declared that elections would be held on 20 July, 1988 and would be on non-party basis.

Ms Benazir Bhutto filed a petition in the Supreme Court of Pakistan against President's decision about non-party based election in the light of fundamental rights of citizens to freedom of association. [80] Supreme Court reversed the ban on political parties and on September 16, 1988, just two months before the election day, declared that the general election be held on party basis. [81]

3- CONTESTANTS OF GENERAL ELECTIONS OF 1988

The P.M.L was divided into two groups: one group was in favour of Zia under the leadership of Nawaz Sharif and the second group against Zia after dissolution of Assemblies under the command of Muhammad Khan Junejo. [82] Zia had wanted to unite PML but without Muhammad Khan Junejo. [81] In fact, prior to his death, Zia and Nawaz Sharif both were trying to unite the party. For that objective Zia met Pir of Pagaro and Nawaz contacted Junejo. [83] On August 05, Pir Pagaro met Zia in the Army House and agreed to remove Junejo from top leadership of P.M.L. [84] But Zia's sudden death dismissed all effort regarding the unity of PML. Mir Zafarullah Khan Jamali also met Junejo on 21st August, for uniting PML. Majority of right wing parties wanted election on alliance basis against PPP. Therefore Islami Jamhoori Ittehad (IJI) was formed on 6th October, 1988. [85] IJI agreed on seven points agenda as under;

- 1-Enforcement of Islamic law in the country;
- 2-Equality in society;
- 3- Cheap and fast justice;
- 4-Protection of rights of women;
- 5-Support of Afghan policy;
- 6-Support of Kashmir issue;
- 7- Development of Nuclear Energy. [86]

One perception is that Inter Services Intelligence (I.S.I) played a vital role in establishing IJI because establishment was afraid that PPP will not follow the policy of military regime. General Hameed Gul was considered the mastermind behind the establishment of IJI. [87] IJI claimed that they would bring change in the country: for instance, separation of Judiciary from executive, education will be given priority over defense, reforms in tax system. [88] IJI leaders claimed that they would bring Shariah law and the nation would not accept the leadership of a woman in the country. They alleged that Jewish lobby was supporting Benazir Bhutto and U.S (United States) Congress member Solarz was a great supporter of Bhutto in that context. [89]

In addition to the alliance, twenty five other political parties also played their role in the election of 1988 and some independents candidates also competed for parliament. However, the main competition was between IJI and Pakistan People's Party (PPP). IJI had been formally founded by Ghulam Mustafa Jatoe in 1988 and it dissolved in 1990. It consisted of seven parties; Pakistan Muslim League (Nawaz Group), National People Party (Ghulam Mustafa Jatoe), Jamaat-e-Islami, Jamiat-Ulma-Islam (Nizam-e-Mustafa Group), Jamiat-e-Ahle Hadith (Ladhanvi Group), Jamaat-e-Mashaik Pakistan (Azad Group) and Hizbullah Jihad. IJI was dominated by PML (N) and Jamaat-e-Islami. [90]

Muttahida Qaumi Movement (M.Q.M) had boycotted the elections but interestingly its candidates fought election without using party cover. Several other Political Parties also took part in the election like Jamiat-e-Ulema Islam (Fazal-Ur -Rehman), Jamiat-Ulema-Islam (Noorani), National Democratic Party, Awami National Party (A.N.P), Tehriki -Istiklal, Pakistan Democratic Party, Pakhtunkhwa Milli Awami Party, Jamhoori Watan Party and others.

4- ELECTIONS STRATEGY

The Pakistan People Party fought election on the slogan of socio economic development, promotion of education and health facilities for common people. Furthermore, it emphasized on the welfare of common people of the society. It introduced itself as democratic, socialist and liberal party of Pakistan. The IJI's agenda of election was not much differing from of PPP. However I.J.I put much focus on continuation of Islamization that was started during the Zia era. The rest of the programme about socio economic development and welfare of the common man was the same as Pakistan People Party. [91] IJI introduced itself as a conservative Islamic political party.

5- RESULTS OF ELECTIONS

According to the results announced by the Election Commission of Pakistan, PPP got first position with 92 seats, whereas IJI got second with 55 seats in the National Assembly. [92] Independent candidates became important with 27 seats. No political party could get majority in the parliament. IJI performance was very poor in Sind where even leader the of the opposition, Ghulam Mustafa Jatoe, could not succeed his native constituency. [93] In provincial assemblies' election, PPP has succeeded in capturing majority in Sind, while in other provinces it could not get clear majority. In Punjab IJI appeared as major party with 108 seats out of 240. In Baluchistan J.U.I and B.N.A bagged eleven seats each. In N.W.F.P Peoples Party got 21 seats, whereas IJI secured 29 seats. The independents members and small party's role was viable in centre as well as in the provinces except in Sindh. For any government formation in these regions, the support of a substantial part of these elements were necessary, therefore PPP and IJI tried their best to get their support. However PPP won this race against IJI and made an agreement with M.Q.M whereby Altaf Hussain met Benazir Bhutto on 2nd December and agreed a deal known as the Declaration of Karachi. [94]

6- FORMATION OF THE GOVERNMENT

PPP got 92 seats in National Assembly and became the single largest party in the National Assembly. The acting president Ghulam Ishaque Khan offered the Government to PPP. Benazir Bhutto took oath as prime Minister of Pakistan on 2nd December, 1988. It was a landmark event in the history of Pakistan because Pakistan was under the grip of extremist elements and Hudood laws were also very serious attack on the freedom and rights of women. It was remarkable that a woman took charge as the Prime Minister of Pakistan. [95]

The PPP formed government after forming a coalition with M.Q.M and some other independents members. Before forming the government, Ms Benazir Bhutto made three commitments with established. First, in the election for the presidency, PPP would support Ghulam Ishaque Khan; secondly, the Foreign Minister, Sahibzada Yaqub Khan, would not be replaced at any cost; and thirdly, the defence budget would be passed without any deductions. In Presidential elections, Ghulam Ishaque Khan was elected for five years on 13th December 13th, 1988. I.J.I performed as opposition party in National Assembly and Ghulam Mustafa Jotahi was elected as the opposition leader in the House.

The preceding analysis would be helpful to understand the contribution of opposition in the House.

7- PRIVILEGE MOTION REVOLUTION OF ARTICLE 56(3) OF THE CONSTITUTION OF PAKISTAN 1973

On October 30th, the elected members of the National Assembly took oath of allegiance and all committed that they would protect democracy, constitution and Islamic ideology of Pakistan. [96] The Urdu newspaper, Mashraq Lahore, wrote an editorial in which editor advised government as well as the opposition that both will have to perform their duties within their limits and for sake of national interest. [97] Second session of National Assembly commenced on 6th December 1988 with the recitation of Holy Quran. As session started, Syeda Abida Hussain, a well known member of IJI had moved the motion under article 56(3) that was related to address of president to the Parliament. [98]

Article 56 (3) is an essential part of parliamentary history because through this article President gives the policy outline of the State. Abida Hussain added that it is a mandatory constitutional obligation to be observed at the

inauguration session of National Assembly after every general election, president must address the National Assembly otherwise the proceedings of the Assembly would be illegitimate. [99]

She offered numerous examples from British political history. According to her, Queen permanently opens the first session of British Parliament with her address. In light of article 56(3) she claimed that first the president of the country should address the House as only then would the session formally start otherwise the entire proceeding of the House would be unconstitutional. Ghulam Hyder Whyn and Sheikh Rasheed Ahmed both were the members of IJI and great supporter of the motion. Sheikh Rasheed indicated that Governor General of India always addressed the House from 1921 to 1947. [100]

He Quoted the High Court of Calcutta;

"If a legislative meets and transacts legislative business with the Parliamentary address by the Governor when required under Article 76, its proceedings are illegal and may be questioned in a Court of Law" [101]

Ch Aitzaz Ahsan PPP staunchly questioned the motion of opposition on the grounds that; first, the Article 56(3) is not a solitary deal to the National Assembly, rather it covers the entire parliament, National Assembly as well as Senate. Moreover, the President has not been hitherto selected by the Parliament. Therefore the proceeding of the House cannot be unlawful because of the absence of the address by the president. The House can keep continue its proceeding without address of president. The opposition members Ch. Muhammad Ashraf, Nawabzada Nasrullah Khan and a lot of others vehemently sustained the motion of Syeda Abida Hussain with. However Dr. Sher Afgan Khan Niazi from Azad Parliamentary Group (APG) mentioned the constitution's Article 50 that elucidated upon the composition of the Parliament.

According to Article 50 parliament consists of the President and two Houses: National Assembly and Senate. So in the light of this article, the President cannot address National Assembly Separately. Mawlana Abdul Sattar Khan Niazi suggested that Houses be adjourned for one hour for of consideration of the decision and stated that motion should be admitted for debate. In spite of huge hue and cry the privilege motion was not admitted by Speaker of the National Assembly. Basically confrontation ensued between IJI and PPP at a very early stage. After the results of the elections, Benazir Bhutto alleged that the previous administration was involved in rigging, while Nawaz Sharif blamed that, in Sindh, P.P.P was openly supported by the administration. [102] The motion was a link in the chain of confrontation between PPP and IJI.

At the time of opposition's motions in the House, Mr. Ghulam Ishaq was the acting president of Pakistan. After Zia's death, he took charge as interim president as he was the chairman of Senate, and as per the constitution it's chairman Senate who takes the presidency in the absence of the president. The election for President was held on December 13, 1988 in which Ghulam Ishaq Khan was elected president for the next five years. IJI and PPP both supported Ghulam Ishaq Khan. He got 603 votes while Nawabzada Nasrullah Khan was second with 140 votes. Nawabzada was an old friend of PPP but he was ignored by PPP due to the deal with Ishaque Khan prior to the elections. [103]

Opposition wanted to suspend the proceedings of the House on the issue of president's address to the National Assembly. The proceedings of the house could not be halted as Article 56(3) did not prohibit so. The motion shows the stubbornness and non-cooperation of the opposition.

8- OPPOSITION'S PRIVILEGED MOTION AGAINST DAILY JASARAT

Mrs. Aamira Ehsan from IJI moved a privilege motion against press news that was published in *Daily Jasarat* on 4th December against Nawaz Sharif. She alleged that *daily Jasarat* is the newspaper of PPP. [104] According to opposition member, the Prime Minister had contacted to Governor of Punjab through her trusted person and asked him to postpone oath taking ceremony of the chief Minister of Punjab. This action on the part of Prime Minister is the violation of constitution of Pakistan that is why it should be debated in the House. [105]

The speaker of the National Assembly ruled out the motion on the basis that privilege motions are granted to members so that they may perform their duties in the House without any interruption and constrain. The source of motion is not trustworthy and not relevant to the House's business. Sheikh Rasheed Ahmed, Syeda Abida Hussain and Ghulam Hyder Whyn supported the motion and alleged that Prime Minister and PPP are intervening in the Punjab political affairs which are an undemocratic and unconstitutional act by the federal government. On rejection of the motion, all opposition members walked out of the National Assembly. It was the 2nd session of the House where opposition walked out from the House. It shows that the conflict between IJI and PPP started at an early stage in December 1988.

The opposition moved a motion in the parliament on a basis of a news story, which was illogical and couldn't be justified. The political parties level allegations against each other in the press as it is routine work of the political process. However, this situation exposes the tensions between IJI and PPP in the House. Undoubtedly the situation in Punjab was very tense because PPP was not ready to accept Nawaz' government in spite of IJI's electoral dominance with 108 seats against PPP's 94. In spite of utmost efforts, PPP could not succeed in preventing IJI from forming government in Punjab. In fact, the establishment and the president of Pakistan were strong supporters of Nawaz Sharif. [106]

9- THE FEDERAL EMPLOYEES BENEVOLENT FUND AND GROUP INSURANCE (AMENDMENT) BILL, 1988

Khawaja Ahmed Tariq Raheem, from PPP, moved the bill and requested the Speaker to suspend the rule 92(2) under the rule of 262 so that it could be considered urgently. Ch Abdul Ghafoor (JI) opposed the bill on the basis of time and stated that treasury benches must give time to everyone so that everyone can pass comments on it. Furthermore, we wanted to move amendments in the bill, so if you suspend the rule then how could we move amendments in it.

Ch. Ameer Hussain also supported the argument of Ch. Abdul Ghafoor and asked that sufficient time must be given for debate. However, the treasury benches explained that bill could not be debated at that level and referred to the select committee. The opposition accepted the government's stance on bill and showed positive attitude. Actually every knew that the bill could not be debated without select committee report. The same bill was debated in the House when it was moved by the government after the report of select committee.

In 2nd session of the National Assembly which opened on December 21, the bill was moved by Javed Jabber with the report of Select Committee. Only two members from opposition were present in the National Assembly, while the rest boycotted the session. These two members were Syeda Abida Hussain and Chaudhry Shujaat Hussain. Syeda Abida Hussain questioned the bill and demanded amendments in the bill. On the other hand her demand was not deemed pragmatic by the government benches and Khawaja Tariq Raheem informed the House about the significance of the bill.

Khawaja Tariq Raheem explained that prior to the proposed bill; an entitled person could get benefits up to the age of 65 years. However, now he would be able to get the advantage up to the age of 70. In case of the death of spouse, other members of the family would have the right of getting share according to the law. Syeda Abida Hussain said that government must admit rights of deputed servant. [107] She also pointed out several other flaws in the bill. However, Khawaja Tariq Raheem elucidated on all these queries and elaborated on the determination of government regarding the bill that the federal government incurred no financial implications in the bill, and that they've only provided the cover for a greater number of years along with providing the cover to the surviving spouses and children. He further compensates opposition in these words "if the honourable member wishes to bring in any further amendment I can assure her. Let her bring a private member bill and we would certainly be very cooperative." [108]

So the motion was adopted by the government for further processing on the bill and amendments moved by opposition were not admitted.

10- DELIMITATION OF CONSTITUENCIES (SECOND AMENDMENT) BILL, 1988

Khawaja Tariq Raheem moved the bill in the House and requested the suspensions of the rules so as to it could be referred to select committee. On this bill opposition did not permit any annotations. When bill was offered after the report by Select Committee, Syeda Abida Hussain delved into the bill and identified that the reserved seats of women had been granted for the first time in Pakistan in 1952 and Constitutions of 1956, 1962 and 1973 had been acknowledged the prominence of women reserve seats exclusively. [109]

General Yahya Khan had not ignored the rights of women. She stated that the reality is that women find it difficult to be elected through the normal process. The new law, which is being passed now, will make sure that the reserved seats of women ceased within this term of the parliament. She asked for modifications in the bill but her demands were rejected by the government and motion was adopted for further processing as the government was not ready for collaboration with the opposition.

11- THE CIVIL SERVANT (AMENDMENT) BILL, 1988

This bill was as presented by Khawaja Tariq Raheem who also asked the speaker for suspension of for rules for quick consideration. Ch. Muhammad Ashraf raised the point of order that suspension of the rules was the conducts of dictatorship era. However, other members of oppositions did not evaluate the bill and the bill was denoted to select committee. In others words, opposition had recognized the plea of government for the reason that government had promised that debates would be held on bill after the report of select committee. At this juncture the opposition's conduct was optimistic. As soon as the bill was presented for the second time, opposition played its usual role and heated debates ensued in the parliament.

Khawaja Tariq Raheem explicated the bill for a moment in the House. The original constitution of 1973 section 13 stated that a person, who had attained a service of 25 years, could be sent home without assigning any reason, and without any opportunity of hearing etc. The Supreme Court of Pakistan issued direction about the section 13 that it was against the Islamic injunctions and principles of natural justice. [110] In the bill servants had rights of appeal and personal hearing without which they couldn't be terminated from their services. The section 13 was inserted in the Act that approved that all servants could continue their service up to the age of sixty. [111]

Syeda Abida Hussain confronted the bill and seriously opposed it. She had assumed that the civil servants were a community of persons who were, by and large, prime beneficiaries of the State of Pakistan. They were often endowed with properties, plots and agricultural lands. She criticized the bill illogically as the personal hearing and

filing the appeal is the fundamental right of every citizen of Pakistan and without giving the chance of hearing, any court could not declared the punishment and penalty. Oppositions had opposed the bill only for the sake of opposition in the lower House. Moreover government was amending the bill on special order of Shariat Court.

12- PRESENTATION OF THE FEDERAL BUDGET FOR THE FISCAL YEAR 1988-1989

The caretaker government had prepared the budget without the presence of National Assembly in June 1988 under the Article 86 of the constitution of Pakistan. Under that law, the caretaker government had no powers to pass the budget. It had got expenditure approval from the president for four months only. President also had no powers to approve expenditure for running the business of government for more than four month. For additional approval, the President marched a reference in the supreme court of Pakistan, but he court granted approval for only one month in that perspective. [112]

Pakistan People's Party formed government on December 04, 1988, and Mr. Ehsan -Ul- Haq Piracha took charge as the Finance Minister of Pakistan. On the directions of Supreme Court of Pakistan, he presented the budget in the National Assembly of Pakistan on 8th December 1988. [113] Supreme Court had issued the directive that the budget must be passed as soon as the National Assembly came into existence. [114] Pakistan Peoples Party's government submitted the order of Supreme Court and offered the budget which was prepared by caretaker government in June 1988.

Ghulam Hyder Wain (JI) inhospitably disapproved the budget and indicated that government had disappointed the masses of Pakistan it did not act on the party policy of socio-economic development of the common people. Furthermore government has firm belief on Philosophy of Pakistan Muslim League. Government is copying five points of Muhammad Khan Junejo's program. In this way government is trying to get rid of proper budgeting in the shelter of Supreme Court directions while government has enough of time to preparing the budget in proper sense. [115]

The care taker government had sent an intent letter with some terms and conditions only and did not sign any permanent agreement with International Monetary Fund (I.M.F). The present government didn't have any such constraints, as it had power to accept or reject the terms and conditions. The government has accepted all demands of IMF and it has made an agreement with IMF for next three years that agreement will push the country in a gravely adverse economic situation. He said that in the light of such environments existent rule has not rights to pitch the accusation on custodian government. [116] He said that government has imposed an extortionate amount of taxes on the poor people. He cited that import surcharge tax worth one hundred twenty cores is the example of such taxes that would raise the cost of basic necessities for common people of Pakistan. He had offered certain propositions to government for the upward mobility of the people and federal provincial harmony. These included

- 1-National commission award should be awarded at once.
- 2-Engery crisis to be reducing through "Kalabagh" Project [117]
- 3-Sind water should be divided.

On Kalabagh project opposition was fragmented as many notable members were divided on Kalabagh dam issue. However opposition raised the issue only for giving tough time to the government. Sind water dispute should be referred to Supreme Court and it should be time bounded

Opposition criticized the law and order condition of the country that was deteriorating day by day. Government must take care of it and the prisoners should not be released from jails without first conducting appropriate investigation and assessment. In some measure, certain submissions by the opposition were very realistic, but various were found to be rationally inadequate for the government. Sind water dispute was no doubt a very noteworthy issue but it didn't need to be referred to the court because there was already an Authority working on it.

Mr. Byram Dinshawji Avari defended the government's position and elucidated that the agreement with I.M.F and World Bank was binding because of the letter of intent (by the interim government) and it was an international commitment that could not be retracted by Pakistan. Pakistan was a deep-rooted partner of I.M.F and without getting aid, the affairs of government could not sustain. The preceding governments had initiated this particular undertaking, and nobody could blame present-day government in that sense. [118] Akbar Ali Bhatti put forward the suggestions for reduce the rate of inflation in the country, and he did not merely criticize the government. He asked:

- 1-All expenses of government as well as defense expenditures be condensed and reduced by a minimum 10%.
- 2-The federal and provincial ministers' be curtailed to least possible.
- 3-The irregularities in government institutions and autonomous bodies to be eradicated.
- 4-Loans to be award to small industries; as it would provide healthier production.
- 5- Government to formulate budget for a second time and present it in National Assembly on January 26, 1988.

The opposition member's suggestions were, to some extent, judicious but all were not adequate. For instance the reduction in defense budget was not an easy task. Secondly, prior to assuming the office, Prime Minister Benazir Bhutto had made some assurances to the establishment and defense budget was on top of that list of assurances. In the history of Pakistan, no civil government has ever had enough power to cut the defense budget, whereas the current government was already very fragile. Sardar Ashiq Muhammad Khan Mazari pointed out that government has allocated insufficient budget for family planning and it is a fact that if we do not pay heed on that issue, no efforts of economic development would succeed. Consequently government needed to incorporate a valid and dynamic programme of family planning in the country. Since the majority of opposition comprised of conservatives,

they were unanimously against family planning programme. Every opposition member delivered long discourses against the family planning and tried to prove it un-Islamic and against the Shariah law. Mrs. Attiya Inayatullah had labeled the budget as "old wine in a new bottle." [119] Drug issue in Pakistan was a serious and scorching issue that was utterly neglected by the government. In Pakistan, there were sixty thousands heroin addicts that was a great tragedy for the civil society of Pakistan. Government needed to overhaul the P.N.C.B that dealt with drug addicts. Additional, an important issue of Biharis settlement in Pakistan was a main concern, but then unfortunately government did not allocate funds for that purpose. Biharis are the people who had supported Pakistan in East Pakistan against Mukti Bahini in 1971 war. [120] At the time, they were going through desperate times in Bangladesh. Unfortunately, they were still in Bangladesh and every opposition raised the issue when they were in opposition, but as soon as they took government, their words didn't follow any action. Government must arrange for funds for the establishment of separate jail for women. PPP contested election with the promise of betterment of women and resolving the issues of women. But in actual budget government did not allocate substantial funds for that purpose. Furthermore she expressed her optimism Kalabagh issue and pointed out that the foreign assistance was on offer for that scheme. She also lamented that this issue had been made a political issue and hoped that the PPP government would candidly take that subject. Muhammad Ashraf Chaudhry (IJI) passed inappropriate comments on the budget and indicated that government did not write even a single word about the freedom of Kashmir in the budget manuscript. [121] He delivered an extensive speech in National Assembly that was entirely irrelevant to budget but the opposition cherished his demagogic discourse. He was also a supporter of Kalabagh dam and demanded that Kalabagh dam must be built immediately. Opposition commented disparagingly on budget but they contributed very little on pertinent subject matter. Certainly some were very constructive and offered certain good suggestions on the budget but the majority was only there to display their presence in the House.

13- HEADSHIP OF WOMAN AND VIOLATION OF CONSTITUTION

Point of order is considered as, "To call the attention of the assembly and of the presiding officer to violation of the rules an omission a mistake or an error in procedure and to secure a ruling from the presiding officer on the question raised." [122] IJI was a mixture of rightist political parties cum some small religious parties. From the very first day, they were against the leadership of woman and it had started election campaign with the slogan of "Pakistani Peoples will not accept the leadership of a woman." [123] Raja Muhammad Zaheer Khan of IJI raised point of order in National Assembly about the headship of women. According to his statement it was unquestionably a violation of the constitution if any woman were to take charge as the head of State. He quoted the resolution of the constitution: "Wherein the Muslims shall be enable to order their lives in individual and collective sphere in a accordance with the teaching and requirements of Islam as set out in the Holy Quran and Sunnah" [124] He supposed that according to Hadith of Holy Prophet (P.B.U.H) the woman had no right of governing. That is why we would be violating the teaching of Islam and the Constitution of Pakistan. Sheikh Rasheed Ahmed also supported Raja Zaheer Khan. Hafiz Hussain Ahmed strongly supported the opposition's members and said that Pakistan came into being on the Ideology of Islam and appointment of a woman as head of the State would be a violation of the ideology and a violation of Islam. He recommended that the issue of women as Head of State be referred to the Islamic Ideology Council so that it could be settled. [125]

The Speaker of National Assembly ruled out the point of order of the opposition and opposition walked out from the House. Opposition pointed out the issues that were not the about to the procedure and conduct of National Assembly particularly legislative business. The Elections 1988 were held under the cover of Constitution of Pakistan 1973 and Prime Minister Benazir Bhutto was elected through election. Moreover the constitution did not enforce ban on women's appointment as head of the State. In addition, Pakistan's parliamentary system was very similar to western parliamentary system that provided equal chance of promotions without any discrimination. Such behaviors of the opposition in the National Assembly shows that opposition's approach was that of non cooperation rather stubbornness.

14- DISSOLUTION OF BALUCHISTAN PROVINCIAL ASSEMBLY

In the Provincial elections of 1988 the J.U.I bagged eleven seats in the Baluchistan Assembly and B. N. A. secured only six seats in the Assembly. The J. U. I. and B.N.A designed coalition government with the help of some other members. It was a thought-provoking development in the Baluchistan Assembly when PPP and IJI jointly established a parliamentary group called "Likeminded Parliamentary Group." [126] That group consisted of 15 M.P.As who were elected as independent, or from PPP and I. J. I. They made a written declaration according which the group was bound to remain united on establishing the government or formation of the opposition. Moreover any member of the group would not hold talk with any party without prior approval of the group and new entrance in the group was not permitted. [127]

For the formation of the provincial government, J.U.I granted the authority to its provincial chief, Muhammad Khan Sherani M.N.A, to negotiate with likeminded parliamentary groups. The P.P.P, I.J.I and some independent members jointly elected Mr. Zafarullah Khan Jamali from IJI as chief minister of Baluchistan. However it was a fragile

government as the supporting members had differences in all respect, like ideology and mind set. Muhammad Musa Khan, a retired military general, was the Governor of Baluchistan at that time. He was appointed by late General Zia –Ul –Haq. The Governor dissolved the provincial assembly under article 112(1) of the constitution on the advice of the Chief Minister on 15th December 1988. [128] The Chief Minister was from I.J.I but P.P.P had supported him after election for the formation of the government. On dissolution of the provincial assembly, opposition M.N.As put on stormy protest in the National Assembly and accused Benazir Bhutto of engineering the move against the provincial government.

Nawabzada Nasrullah Khan spoke on the point of order and said that P. P. P. government had taken an unconstitutional and undemocratic step in Baluchistan. So National Assembly should take action against it. Sheikh Rasheed Ahmed also supported Nawabzada Nasrullah Khan on that issue and further enlightened by referring to a news item that a settlement between B.N.A and JUI had been reached but the federal government had sabotaged the process and disbanded the Assembly. [129]

Nawabzada Nasrullah Khan identified that the election of chief Minister was in itself controversial and majority members in the Provincial Assembly had later casted a vote of no confidence in him. In such circumstances, how could he give advice of dissolution of the Assembly to the Governor? Sheikh Rasheed Ahmed enlightened the house about the Article 112(1) in these words;

“Explanation-Reference in this article to Chief Minister, shall not be construed to against whom a notice of a resolution for a vote of no confidence has been in the provincial assembly but has not been voted upon or against whom a resolution for a vote of no- confidence has been passed or who is continuing in office by virtue of clause (2) of article 134 or a provincial Minister performing the functions of Chief Minister under clause (1) of Clause (3) of article 135.” [130]

Ghulam Hyder Whyn also blamed the PPP government and said that PPP government had done the same in 1973 that created chaos and disturbance the Baluchistan and put the province into civil war that lasted four years. Now again the same party’s government is repeating history in the same province that would be harmful for the whole country generally and for the democracy specially.

Syeda Abida Hussain, Mawlana Abdul Sattar Khan Niazi, Rana Nazeer Ahmed Khan and other members of opposition recorded furious protests against government's alleged role in Balochistan and demanded that it to be referred to of standing committee of the National Assembly of Pakistan. However the government completely overruled the allegations of opposition. Benazir Bhutto insisted that she had no prior information of the governor’s decision. However she believed that the governor had taken the step in accordance with the constitution of Pakistan. Dr. Sher Afgan Khan Niazi supported the government’s stance.

Ch. Atizaz Ahsan defended the government said “The governor shall dissolve the provincial assembly, if he is advised by the chief Minister.”[131] Furthermore, the federal government had not intervened in Baluchistan and the objections of opposition were absolutely irrational. Moreover, Chief Minister of Baluchistan did not belong to PPP rather he was a member of IJI. Additionally the Governor was also not related to PPP but was appointed by General Zia-UI-Haq. How could opposition, in such conditions, blame the federal government? On the basis of this, the motion of privilege by opposition was ruled out. In response, opposition walked out of the House on the rejection of the motion.

The Attorney General, Mr. Yahya Bakhtiar, presented two point formulas for the restoration of Balochistan assembly. He stated that if IJI could help in restoring 1973 constitution to its original shape, then the Provincial Assembly of Baluchistan would be restored at once. However IJI categorically declined the proposal and called it the “subject of bargaining” over 8th amendment. In addition, the IJI explained that Punjab Chief Minister, Nawaz Sharif, had already contemplated Jamili’s expulsion in view of his close ties with PPP. Further, Governor Musa had not been replaced by PPP, so that is sufficient evidence of the wrong done by PPP. [132]

Later on the Baluchistan High Court restored the Provincial Assembly. The order admitted that fact that Zafarullah Khan Jamili had no power to give advice under article 133(3) of the constitution. [133] The J.U.I (F), B.N.A and IJI formed tripartite alliance on 26th January, 1989. As a result of the alliance, B.N.A Chief, Mr. Nawab Akbar Bugti, became new Chief Minister of Baluchistan. The analysis presented above highlighted different aspects and opened many new dimensions in the political history of Pakistan. First, the opposition was not in favour of restoration of 1973 constitution to its original shape and was in favour of 8th amendment. Later on, the same members passed their vote against the same amendment. On the other hand, the government was authoritative and did not accept motions, except only for debating in the House. The opposition and government members in the National Assembly continued in a similar vein for the following two years.

15- CONCLUSION

The opposition’s role during the period during the above period was not remarkable but the ineffectiveness and inefficiency stemmed from, among other factors, the fragile state of democracy in the country. The opposition could not maintain its balance relations between elected government and non-democratic powerful elements in the country like military and President. In fact during the power game it could play role as counterweight between President and Prime Minister and could save the system but it had failed in that context. Instead of strengthening the democratic system, the opposition repeatedly aligned itself with non-democratic powers. Instead of seeking to replace the incumbent government through democratic procedures, the opposition always sought to secure an alliance with the

powerful President or appealed for direct military intervention. There is little doubt that in the period the opposition played in the hands of anti-democratic forces and weakened not the government but democracy in the country. In the period of the first PPP government, the opposition's role was negative as since day one it made it clear that it would not wait for give the government the stipulated period of time to rule the country. The IJI was an alliance of different parties and all of them wanted the PPP government sacked. The Islamic element was strongly against the government especially on the issue of woman headship. The IJI moved a motion on the issue of woman headship in the National Assembly of Pakistan in which it claimed that Benazir Bhutto was not eligible for the post of Prime Minister because woman headship was against the injunctions of Islam. When the motion was not admitted the IJI boycotted the proceedings of the National Assembly. The dissolution of Baluchistan Assembly by the government also created unnecessary agitation drove the government and the opposition further apart.

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