

Semblance of civilian control?

Military, elections and the latest coup conspiracy in Pakistan



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Generally, Pakistan is considered by most observers as a classic example of a praetorian state, in which the military perceives itself as the sole guardian of the country's national sovereignty and moral integrity, the chief initiator of the national agenda and the major arbiter of conflict between social and political forces. Over time, the armed forces became so deeply and widely entrenched in all spheres of the Pakistani state that today they are not dependant on any formal prerogatives to exercise influence over all significant decision-making processes or to secure their corporate interests. It can be stated that Pakistan until today has never experienced the best case scenario of civil-military relations which is generally described as 'civilian supremacy'. In consequence, since its existence, the state oscillated between various types of military rulers, elected political authoritarianism and some democratic intermezzos. Concretely, the military either took over directly or tried to make sure that a compliant civilian government was in power, accepting the dominance of the military in all significant policy fields. This happened either through threatening and/or constraining an already elected government or via interfering with the political party sphere in general and the electoral process in particular. In both cases, the military applied all forms of influence, undermining any substantial development of democratic culture, norms and procedures. Enforcing break-ups and/or reshaping existing parties to create pro-military parties which were later used as 'political proxies', organizing parties in opposition, initiating vote(s) of confidence and party defections (horse trading) in order to destabilise governments, monitoring and harassing politicians to keep them in check, manipulating election timing, malfeasance and fraud during the election campaign as well as rigging the actual ballots, were just some elements of the 'extra-constitutional tool box' used by the armed forces to entrench the military's position in the country's political arena.

Having this trajectory in mind, the question which appears today is - are the last five years also just a brief intermezzo of an elected government or does the military top brass once again find it necessary to take 'more formally' matters into their own hands? In this context, several observers are claiming that Pakistan is not on the eve of a critical juncture which will break the patterns of the traditionally military - dominat-

ed politics which subsequently lead to a consolidation of democracy. They are convinced that the basic determinants which were responsible for military takeovers in the past did not change fundamentally. Protagonists of this viewpoint proclaim that one has to expect once again a 'visible intervention' by forces which are not in favour of a democratic transfer of power (from one civilian government to another one), which would be the first time in the country's troubled political transition. This debate gained further momentum through Senator Raza Rabbani which warned about potential attempts of initiating a political roll back by undermining the constitutional and political achievements of the current government. He even went a 'dramatic step' further by raising his serious concerns about the potential threat of the establishment of an extra-constitutional caretaker government in order to derail the upcoming elections. Being one of the main architects of the 18th Amendment, a constitutional endeavor which can be interpreted as an expression of the political will by civilians to strengthen their position towards the military, was seriously disturbing the enthusiasm regarding democratic prospects. This series of alarm signals seemed even more plausible in the context of the sudden appearance of the influential cleric Muhammad Tahir-ul-Qadri who demanded that the current government should step down before the end of the term in favor of an extra-constitutional caretaker government of technocrats which should have the support of non-electoral institutions, namely the Supreme Court and the military.

However, it is argued here that these pessimistic scenarios only partly reflect the political realities in current Pakistan. But before one should subsume such concerns as mentioned above under the category of 'traditional Pakistani conspiracy theories' one should take following phenomena and observations into consideration.

First of all there is a clear trend towards a general improvement of civil-military relations. In this context one can state that in recent years, some fundamental cornerstones for the future composition of civil-military relations were put in place which could change the trajectory of civil-military relations in Pakistan. Indications that the relationship between the civilian leadership and military echelons in the country moved from extraordinary confrontation towards an

increasing degree of cooperation are very promising. This finds its most visible expression in the re-introduction of making policy by regular, mutual consultation which is reflected by an increase in meetings between soldiers and politicians as well as briefings and hearings with military's top brass in the parliament. This was made possible by a growing conviction that the deeply entrenched confrontational attitude



between civilians and soldiers must be avoided to stabilize the political situation. Therefore, free and fair elections are accepted as a sine qua non from both sides.

Second, the military is too preoccupied with its 'double burden'. The involvement in several internal security missions through the whole country forced the supreme command to be active on 'two fronts'. On one side the armed forces have to carry out unconventional anti-secessionist and counter-terrorist activities. On the other side, they want to be able to deal with India in a conventional manner. Being aware of this, several Pakistani based militant groups have been carrying out terrorist acts against India like the 2008 Mumbai attack to undermine the normalization of ties between Islamabad and New Delhi. The rationale behind it is to provoke Indian troop concentration at the frontier with its hostile neighbour to force Pakistan's military to keep its attention on this border as well. The overall aim of the terrorists is to compel the army to maintain its force level at the eastern flank in order to create room to manoeuvre for other/affiliated terrorist groups operating in areas located in western parts of Pakistan like the Federal Administered Tribal Areas

(FATA). The fact that the Pakistani military recently announced a 'New Military Doctrine' which identifies India not as the major enemy anymore and point to domestic militant extremist forces especially Tehrik-e-Taliban Pakistan (TTP), the anti-Shia Lashkar-e-Jhangvi (LEJ) and the Baloch nationalist elements as the new dominant threat. This can be seen as an indicator for the severity of the internal security situa-

tion in Pakistan. To sum up, the military has no room to manoeuvre. Subsequently they have no interest or free capacities to stage another coup d'état.

Third, the military top brass is confronted with the additional tasks of maintaining internal coherence. Not because of a remarkable factionalism or a disruption of the chain of command and discipline but more in the form of a social transformation of the armed forces. Officers and rank and files have to deal with major shifts in the recruitment patterns which are marked by ethnic-cultural and socio-economic features. The need for the reduction of Punjabi dominance as well as a change from upper-middle class to the lower middle class which are predominantly from urban than rural areas as recruiting base is striking. Besides this 'social change', the cohesiveness is further challenged by frustration over the ambiguous performance of the armed forces during the last decade of counterterrorist activities. Furthermore, there is a perception among soldiers that this war lacks public support among the Pakistani people and furthermore, efforts and losses are not recognized by the international community which is seen as a root cause for their

involvement. On top of this, there are certain indicators that the armed forces, especially the Army and paramilitary units, are increasingly confronted with Islamist elements from within. Several successful high profile terrorist attacks on facilities and personnel of the Pakistan Armed Forces were only possible with support from insiders which must be seen as proof for a worrying degree of infiltration by Islamists. Having this in mind and being aware that all martial law administration has proven to be extremely harmful to the armed forces as an institution, the military leadership has not only undertaken a new assessment of the internal security situation but has also tried to enhance political ownership. In other words, the armed forces are attempting to gain political support and legitimacy from the elected government in order to enhance their opportunities in managing the cohesiveness and order of its personnel.

Fourth, in the last decades Pakistan has experienced a consolidation of constitutional power as a countervailing force against formal military intervention into politics. This is can be contributed to several factors. Besides a (colonially) inherited belief in constitutional documents as a sole source of political legitimacy, the 1973 Constitution is the only document of national consensus (not taking amendments into account). Additionally, there is a phenomenon which can be described as the cultivation of a certain 'constitutional loyalty' by military rulers. This created a constitutional culture, which especially drew the latest military ruler Pervez Musharraf into a 'circulus diaboli'. Within its search for political-constitutional legitimacy for its extra-constitutional leadership, he was forced to carry out various measures of constitutional engineering. In consequence, he not only accepted the supremacy of the constitution but also made himself dependent on the support of the judiciary. Therefore, one can state that Pakistan has significant constitutional power. Even if this does not mean that the constitution is strong enough to avoid a priori any future military coup. However, the constitution has restricted the army and will contribute to the regulation of civil-military relations as well as to the establishment of civilian control. In this context, the armed forces made the experience that they cannot rule without being kept at bay by the constitution and as a result are losing public support as well as the image as the guardian of the state. Therefore, measures such as

the 18th Amendment and the appearance of a strong new judiciary represented by the Supreme Court, as an independent actor will contribute towards the strengthening of constitutional culture and power.

Fifth, there is immanent change of external factors. Basically it seems that the international community is willing - unlike in the past - to take on a more responsible role when it comes to civil-military relations in Pakistan. Above all, the US as the most significant partner established its bilateral relations with the country primarily on military-to-military contacts from the 1950s onwards. This seriously compromised the weak civilian governments which had to start with extremely limited resources and had to deal with the tremendous challenge of postcolonial state-building. In consequence, the US contributed to wane the instable oversight of the growing armed forces and intelligence services instead of strengthening civilian institutions. In brief, Pakistan's security apparatus was empowered at the expense of the country's democratic future. Today, increasing efforts are made to intensify civil-to-civil contacts between US and Pakistan governments as well as to support cooperation between civilians and the military. Additionally the EU is starting to play a crucial role in the improvement of the relations between politicians and military top brass by initiating projects of enhancing the quality of governance and strengthening democratic processes. However, external actors have to take the sensitivity of Pakistan's establishment and people regarding foreign influence carefully into account. Experiencing regular drone-attacks, unauthorized foreign military and intelligence operations on its own soil (killing of Osama Bin Laden in Abbottabad by US special forces or the Raymond Allen Davis incident, when a CIA contractor killed several Pakistani intelligence operatives) as well as the 'Memogate affair' did not only deteriorate US-Pakistan relations but might also rupture the opportunity to act as an 'broker' of the new fragile civil-military rapprochement. But despite the fact that anti-western feelings are at the peak, there is awareness among the military leadership as well as the civilians that the 'global environment' is not in favour of military rule or some kind of civil-military hybrids anymore and that they have to face strict consequences by the donors.

To sum up, it appears that the process in which the military is increasingly separat-

ing itself from civilian affairs will most likely continue. However, this does not mean that Pakistan's Armed Forces are willing to transform into something which Samuel Huntington once described as a "politically sterile and neutral agent" of the (civilian) government. The political development is still far from being a sustainable process of democratization. Despite positive trends especially the signs of a new professionalism among politicians and political parties as well as the growing cheekiness of the judiciary when it comes to keeping soldiers in check regarding extra-constitutional manoeuvres - there are no reasons to drop the notion of Pakistan as a 'failed democracy'. Taking the high political sensitivity of the military top brass and their habits of 'commenting' activities of civilians into account, it seems that it will still remain a feature of Pakistani politics that soldiers will not accept any civil-military scenario in which they have no political role. Undoubtedly the armed forces will continue as the major stakeholder in the political power structure. As a result, the soldier's informal influence in decision-making will very likely remain the norm rather than an exception. But the military knows about its own limitations and is also aware that Pakistan is in a very challenging situation which goes beyond the 'traditional existential threats' which the country has been facing since its existence. The country is confronted with major socio-economic problems, it is heavily dependent on foreign resources and it is experiencing its most challenging internal security situation in which Islamabad is not only confronted with militant sub-nationalisms but also with increasingly fundamentalist elements which are turning against the Pakistani state, its former principal. Furthermore sectarianism is at its peak which leads to a culture of violence which raises serious concerns about the democratic governability of the country. In such a situation, the soldiers seem to understand that neither the country nor the armed forces can withstand another coup. Rewriting civil-military relations and the continuation of the 'de-militarized' electoral process of 2008 are possible. Therefore it appears quite promising that the current government is more than just another democratic interlude in Pakistan's history.

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