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Previewing Pakistan's 2013 Elections

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March 2013

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Introduction and summary

Over the past decade, U.S. engagement with Pakistan has experienced periods of close cooperation, mutual mistrust, and near-breakdown. Contemporary American policy attention on Pakistan since 2001 has primarily focused on the threat of terrorism and how to respond to domestic militant actors that threaten the security of the United States, Pakistan's neighbors, and the Pakistani people. Even as the United States realigns its military investments in neighboring Afghanistan over the coming years, Pakistan will remain an important concern for U.S. statecraft, and for reasons broader than just the counterterrorism context. Pakistan is a nuclear-armed state with a growing population of approximately 190 million people—as many as two-thirds of whom are under age 30—and is strategically located between the Indian Ocean and the Persian Gulf, neighboring China, India, and Iran. Pakistan's responses to its many internal political, economic, and security challenges over the coming years will have a major impact on the South Asian region and beyond.

Understanding the country's potential future course on almost any issue requires an understanding of Pakistan's internal political processes and how those processes might be changing. Over the past five to six years, Pakistan's political system has experienced a heavily contested and ongoing decentralization of power. The durability of these shifts is still highly uncertain, as Pakistan's historical cycle of military coups may attest. But understanding the competing interests of, and building partnerships with, a broad range of Pakistani political actors will be a requirement for effective U.S. engagement with Pakistan in the coming years.

Since the 2007–2008 period, the powerful central authority constructed by former military chief Pervez Musharraf during his nine-year rule as chief executive and then president of the country has since given way to a parliamentary coalition, led by the Pakistan People's Party, or PPP, and President Asif Ali Zardari. The Pakistan People's Party's efforts to maintain this broad coalition against a host of rivals have served to increase the bargaining power of the parliamentary opposition, regional parties, and local political actors. Processes of administrative devolution started in 2010, though

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still partial and incomplete, have further increased subnational autonomy and expanded the provincial share of national revenues. The government has also been forced to accommodate the demands of new political movements that lack institutional representation within the formal system, but have nonetheless been able to mobilize public and media platforms for their causes.

Contests over the rules of the political system are not limited to the country's elected representatives or political leaders. Pakistan's judiciary, led by the activist Chief Justice Iftikhar Muhammad Chaudhry, has moved to establish its authority over and independence from the other branches of the Pakistani system. The courts serve as both a field for competition and player in their own right, as is also the case with the broadening Pakistani media landscape. Pakistan's powerful army, by virtue of its institutional cohesion and control over many of the country's economic and military assets, remains the country's single-most powerful actor. But even the army, under the leadership of Chief of Army Staff Gen. Ashfaq Kayani, has been obliged to balance its relations with civilian, judicial, and foreign leaders, and it has been courted and challenged in turn.

Against this backdrop, Pakistan's current PPP-led coalition government has announced the completion of the current parliament's term, the establishment of a caretaker government, and the holding of national general elections to take place on May 11, 2013.¹ These elections and the coalition-forming negotiations to follow will also closely coincide with the scheduled expiration this year of the terms in office for Gen. Kayani, whose tenure was extended for an extra three years by President Zardari in July 2010; President Zardari, whose five-year term concludes in September but who could be potentially reelected by a new parliament; and Chief Justice Chaudhry, whose term lasts until December.

The prospect of an elected civilian government transferring power through the electoral process at the end of a full term in office to another civilian successor is an unprecedented event in Pakistani history. Precisely forecasting the outcome of the upcoming election is outside the scope of this paper's ambitions, as any such predictive attempts are complicated by a number of factors. These include the country's well-established history of overt or covert military intervention in past elections; an absence of robust public opinion polling data; varying standards for voter registration between elections; and the considerable risk of exogenous incidents—such as the 2007 assassination of former PPP leader Benazir Bhutto, or former Prime Minister Yousaf Raza Gilani's disqualification from office in 2012 on contempt of court charges—that can disrupt “normal” political processes.²

With these caveats in mind, in an effort to better inform analysis of the forthcoming general election campaign and results, this report overviews the major political dynamics that have characterized the current Pakistani government's tenure, and previews the elections by assessing the principal political competitors, their bases of support, and the likely points of dispute before and after elections are held. Even as the Pakistani political system becomes more complex, the United States retains continued interest in engagement across a broad range of security, economic, and diplomatic concerns. Moves to set the conditions of competition and the boundaries of authority will form the primary driver of Pakistani politics for the foreseeable future, and understanding those processes will be critical for shaping effective U.S. policy toward Pakistan.

Shifts in the system

As in all countries, politics in Pakistan—whether the participants are members of a political party, a legal or religious fraternity, or the military or civil bureaucracy—is defined by questions of redistribution of resources and competition over who will hold the power and legitimacy to make those decisions. Since the end of President Musharraf’s rule in 2008, Pakistan has experienced major shifts in both the underlying structures of its political and economic system, and the actors taking part in that system.³

Structurally, Pakistan has moved from a centralized military-led regime toward a more pluralistic and federalist setup, partially devolving powers and responsibilities to provincial governments that have limited experience responding to the practical demands of their constituents on such a scale. Growth in the formal economy has stalled over the past five years under the weight of breakdowns in the energy sector, three successive years of disruptive floods, and chronic government deficits.⁴ But at the same time, a decades-long ongoing process of migration and urbanization, compounded by a new media landscape and the restoration of democratic politics, has opened the door to emergent interest group coalitions and reduced their barriers to entry into the political process.

Several populist political movements—and, at the extreme end of the spectrum, domestic militant groups—have challenged both the government and established opposition parties over the past five years. Overt conflicts between military and civilian authorities have generally been restrained, as Gen. Kayani has maintained a focus on repairing damage done to its public image under the Musharraf era and protecting military institutional prerogatives, and the current government has ceded the army an effective veto over most areas of foreign and defense policy. Pakistan has also seen a major new effort by the judiciary to assert its independence from and authority over the branches of government, potentially creating a new institutional check on other actors within the system.

Pakistan's major national political parties in brief

Pakistan People's Party, or PPP: One of Pakistan's major national-level parties, the PPP currently holds pluralities in the national parliament and in the Sindh provincial assembly, and participates in coalition governments in all other provinces except Punjab, where it sits in opposition. Since the assassination of the late Prime Minister Benazir Bhutto in 2007, party leadership has passed to her husband, President Asif Ali Zardari, and their son, Bilawal Bhutto Zardari, who began to take on an increasingly public role in party events in late 2012. Raja Pervez Ashraf of the Pakistan People's Party is Pakistan's current prime minister.

Pakistan Muslim League-Nawaz, or PML-N: The only other Pakistani party with a history of winning elections on a national scale, and the current opposition leader in the national parliament. Led by former two-time Prime Minister Nawaz Sharif, the Pakistan Muslim League-Nawaz has its strongest base in urban Punjab. Sharif himself holds no seat in parliament, although his younger brother Shahbaz Sharif serves as chief minister of Punjab. The elder Sharif's personal experience of military ouster in 1999 appears to have tempered PML-N opposition to the government, which has been consistent since 2008 but has stopped short of any extraconstitutional efforts to oust the PPP coalition.

Pakistan Muslim League-Quaid, or PML-Q: Formed in 2001 by former President Musharraf—principally from defectors from the Pakistan Muslim League-Nawaz and other Punjabi political elites—the Pakistan Muslim League-Quaid led parliament under the Musharraf regime from 2002 through 2007. Since his ouster, party leaders have distanced themselves from the former president, who maintains his own personal minor party from abroad. The Pakistan Muslim League-Quaid performed poorly in the 2008 general elections, but its surviving members have been targets of coalition recruitment for both the Pakistan People's Party and the Pakistan Muslim League-Nawaz, increasing party members' potential bargaining power.

Muttahida Quami Movement, or MQM: Founded by leader-in-exile Altaf Hussain in 1985 to represent the interests of the Mohajir community—Urdu-speaking migrants from the territories that later became known as modern India after partition—the Muttahida Quami Movement's base is concentrated in the city of Karachi, whose political institutions it dominates.⁵ A key swing bloc, the party has broken with the Pakistan People's Party on three occasions since joining the PPP coalition in 2008, extracting considerable concessions in exchange for its return on the first two occasions.

Awami National Party, or ANP: A Pashtun nationalist party founded by the family of current party President Asfandiyar Wali Khan and centered in the Khyber Pakhtunkhwa province, whose provincial government it leads. The Awami National Party has operated in consistent coalition with the Pakistan People's Party at both the provincial and national level since the 2008 elections. Its leaders have faced repeated attacks by the Tehreek-e-Taliban Pakistan militant movement.

Pakistan Tehreek-e-Insaf, or PTI: Pakistan Tehreek-e-Insaf is the most prominent of the new political movements to challenge established government and opposition parties since the 2008 elections ended. Party leader and former cricket star Imran Khan has garnered extensive attention for his demands for change, opposition to American counterterrorism operations in Pakistan, and public rallies and online media campaigns.⁶ The party's ability to translate that appeal into assembly seats, however, is still unproven.

Jamiat Ulema-e-Islam-Fazl, or JUI-F: Jamiat Ulema-e-Islam-Fazl is a clerical party whose leadership is drawn from the conservative Deobandi school of Islamic scholarship and led by Maulana Fazlur Rehman. The party took part in the 2008 elections, but won only a small number of seats, after the Muttahida Majlis-e-Amal, or MMA, coalition of religious parties of which it was a member suffered considerable losses.⁷ Although currently in opposition at the national level, the party has maintained an alliance with almost every major Pakistani political party at one point in time. Jamiat Ulema-e-Islam-Fazl has recently sought to establish itself as a kingmaker in the Balochistan assembly and as an interlocutor with Afghan and Pakistani Taliban groups.⁸

Jamaat-e-Islami, or JI: Founded by leading Islamist philosopher Abdul Ala Maududi prior to the partition of British India as a vanguard of political Islam, Jamaat-e-Islami has maintained a conflicted history of support and opposition to military rule in Pakistan over the course of its history.⁹ The party has been generally supportive of democratic politics as a means of advancing its agenda, although it boycotted the 2008 elections and its current organizational strength is untested.¹⁰ A member of the Defense of Pakistan Council coalition of Islamist parties, Jamaat-e-Islami appears set to contest the 2013 elections, potentially in alliance with Pakistan Tehreek-e-Insaf or other conservative parties.

For the performance of parties who took part in the February 18, 2008, general elections, see appendix on page on page 31.

All of these structural and political factors deserve a fuller analysis than the space they receive here will allow. Nevertheless, understanding these major national trends, even in summary form, is necessary to provide context for the broader electoral environment Pakistan is now entering.

Federalism and the localization of politics

Fundamental questions over the balance of authority between provincial and national governments form a major recurring source of debate in Pakistan, dating back to the country's founding.¹¹ Many of the early national-level leaders of Pakistan lacked a deep or broad-based organizational reach within the new country, and were forced to contend with established local political interests who sought to maintain high degrees of independence from the new state. At their extreme, these clashes resulted in the separation of East Pakistan to form Bangladesh in 1971; separatist and subnationalist movements, of varying degrees of intensity, remain active in all of Pakistan's four provinces today.¹²

Pakistan's succession of military rulers has intervened throughout the country's history in attempts to reconsolidate the power of the national state.¹³ Beginning with Gen. Ayub Khan in 1958, these military governments have often sought to limit their political rivals' reach by shutting parties out of the local government system and bypassing elected provincial governments by linking local administrations directly to the national bureaucracy for patronage and support.¹⁴ One result of this experience has been a general weakening of party organizational strength below the provincial level, obliging political parties to instead increasingly rely on the recruitment and retention of local "electables" who can count on their own personal sources of wealth or influence to mobilize supporters.¹⁵ In the run-up to elections, campaigns by the major parties to woo the vacillating support of these "electables" have intensified, even on the part of self-styled reformist parties.

Most national Pakistani political parties today have their strongest organizational bases at the provincial assembly level. Reversing the concentration of power at the national level that accrued under the Musharraf presidency and establishing greater provincial autonomy and authority was a top priority for both the Pakistan People's Party and the Pakistan Muslim League-Nawaz during the 2008 election campaign.¹⁶ The 18th Amendment to Pakistan's constitution, passed unanimously in April 2010 after extensive constitutional review and parliamentary debate, institutionalizes a significant new political consensus on the appropriate balance

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of presidential and parliamentary powers, the division of federal and provincial revenues, and the devolution of many state services and ministries from the federal to the provincial level.¹⁷ The amendment additionally reaffirmed an earlier 2009 agreement on the distribution formula for federally collected taxes, further increasing provincial government revenue shares and devolving some additional tax categories to provincial control.¹⁸

The substantial administrative and financial shifts called for by the 18th Amendment have placed major new responsibilities on the provincial governments, particularly in the provision of social services such as health and youth education. To date, comprehensive assessments of the actual experience of devolution remain rare, even more than two years after the amendment's passage.¹⁹ But the capacity of the provincial administrations to effectively manage the new revenues and ministries and make good on promises of local accountability and control will prove a considerable post-election challenge for both the new national and provincial governments.

The evolving economic foundation

For Pakistani voters, issues of economic well-being may prove to be a decisive consideration in the upcoming election as they survey the performance of political incumbents.²⁰ While Pakistani political leaders have reached landmark agreements on many key power-sharing issues since the 2008 elections, critical policy questions on the economic front have often gone unanswered. As it has developed from agrarian roots, Pakistan today faces a potentially serious disconnect between its existing formal economic mechanisms and the needs of a young and growing urban population—although efforts to precisely quantify these changes are complicated by a lack of contemporary census data and a large informal and untaxed economy. Clean water and food, a regular energy supply, a chance to compete in a globalizing job market, and basic macroeconomic stability are all critical deliverables for any democratic political system. Moving forward, the choices made by Pakistani citizens on who to empower to address these economic challenges will have important effects on the durability, legitimacy, and makeup of current and future political regimes.

Over the course of the current government's tenure, Pakistan has experienced several major economic shocks and ongoing systemic crises. Three successive years of devastating flooding from 2010 through 2012 have exposed the weaknesses of

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the country's physical infrastructure and struck at the productivity of its agricultural heartland.²¹ Energy pricing regulations set below the cost of production, low rates of collection, and chronic intrasectoral debt have together compounded the country's power shortages, frustrating business development and forcing the government to weigh continued price subsidies against the political costs of their reduction.²² Investment in health, education, and other forms of human capital development also remains far below the country's evident needs, with serious implications for the country's productivity, competitiveness, and long-term economic prospects.²³ Prospective commercial openings with neighboring India offer a potential bright spot, but face still-uncertain implementation in the face of entrenched commercial and political interests opposed to trade liberalization, and larger unresolved security tensions over Kashmir.²⁴

On the fiscal side, the government's inability to consistently mobilize domestic revenue—less than 1 percent of Pakistan's population are registered income taxpayers, and tax-to-GDP ratios are among the lowest in the world—has also contributed to recurring deficits and high borrowing and inflation.²⁵ With large portions of the budget reserved for the priorities of the military and the obligations of debt servicing, the government's ability to effectively respond to a host of domestic economic demands is heavily constrained. Low export levels and foreign debt repayment obligations have also put serious pressure on the country's foreign exchange reserves over the past year, raising the risk that the next government will be obliged to return to the International Monetary Fund for assistance in averting a fresh balance-of-payments crisis, in which the country is unable to pay for imports or make foreign currency-denominated debt repayments.²⁶ Given the premature cancellation of a 2008 International Monetary Fund loan agreement after Pakistan failed to abide by accompanying structural reform conditions, any new assistance package is likely to either be limited in scope or issued only under strict and politically divisive terms.²⁷

Within this context, Pakistan has also experienced continued high population growth, estimated at around 1.5 percent in 2012.²⁸ This population growth has, in turn, resulted in the expansion of existing cities and the emergence of new urban areas. As of 2010 more than one-third of the population was estimated to live in urban centers, and projections by the Planning Commission of Pakistan estimate that more than 45 percent of Pakistanis will live in urban areas by 2030.²⁹ Such shifts have the potential to bring together new interest coalitions and create new conflicts over land, resources, and political representation.³⁰ These conflicts are observed almost daily in the country's largest city of Karachi, where rival political

and religious factions, criminal organizations, and militant groups form a violently combustible mix.³¹ In Punjab, mercantile associations and remittance networks from Pakistani expatriate workers—often operating through informal and untaxed channels outside of the government’s regulation—have also emerged as significant sources of middle-class wealth and political influence at the local level, capable of displacing hereditary elites and other established political institutions.³² And the extensive proliferation of new private media outlets and communications technologies across the country since 2002 has offered important new platforms for organizing and articulating demands on the elected government and the military and civilian bureaucracies.³³

Emergent political movements

During its tenure the current PPP-led government has faced the emergence of new—or newly popular—political movements whose leaders lack formal representation within the political system but have successfully rallied public and media support to command outsize national attention for their demands. This pressure has constrained the government’s room for political maneuver over its tenure, and the reaction of these groups, should they fail to translate their public popularity into electoral representation at the upcoming polls, is likely to be continued challenge against the system’s rules.

The most prominent of these movements has been led by Imran Khan, a former national cricket star and leader since 1996 of the Pakistan Tehreek-e-Insaf, or PTI, party.³⁴ Similar to Chief Justice Chaudhry, Khan underwent a brief period of detention in the late Musharraf period and has since emerged with a high domestic and international media profile as a critic of both the Pakistan People’s Party government and the opposition Pakistan Muslim League-Nawaz, regularly accusing both of corruption, collusion, and mismanagement of the country.³⁵ Khan’s party boycotted the 2008 elections, and since its founding, has only ever managed to achieve one seat in a national assembly election.³⁶

But in recent years Pakistan Tehreek-e-Insaf has amassed a more substantial following through its populist messages of change, calls for a break from dependence on the United States, and sweeping pledges to resolve the country’s many economic challenges. The party’s “tsunami” campaign peaked with large-scale public rallies of more than 100,000 participants in the cities of Lahore and Karachi in late 2011.³⁷ Translating that burst of support into a sustained organization appears to



have slowed the party's momentum over the past year, however, as it has become internally consumed with the task of recruiting local candidates—some whose past histories as establishment figures have drawn criticism from reform activists—and carrying out elections for party leadership positions.³⁸

Imran Khan, Pakistan's cricket star-turned-politician raises his hands during a rally to condemn the government, in Lahore, Pakistan on Friday, Nov. 26, 2010.

AP PHOTO/B.K. BANGASH, FILE

Throughout 2011 and early 2012, the government also came under sustained pressure from the “Defense of Pakistan” Council—the Difa-e-Pakistan Council, or DPC—a new coalition of existing right-wing and Islamist parties that included among other groups Pakistan Tehreek-e-Insaf, Jamaat-e-Islami, and Hafeez Saeed, the leader of the nominally banned terror group Lashkar-e-Taiba and its political wing Jamaat-ud-Dawa. The Difa-e-Pakistan Council initially mobilized in opposition to the restoration of security cooperation with the United States, in the wake of the May 2011 raid on Osama bin Laden's compound in Abbottabad and the errant November 2011 cross-border attack by a joint U.S.-Afghan force on two Pakistani border outposts in Mohmand Agency that left 24 Pakistani soldiers dead. It has also been a vocal opponent of improved relations with India.³⁹

The Difa-e-Pakistan Council's pressure campaign on the government and other opposition groups extended months of debate over the terms under which Pakistan should reopen NATO supply routes through Pakistan, but a consensus agreement between civilian and military leaders to do so ultimately overruled Difa-e-Pakistan Council objections.⁴⁰ In recent months, its public activities as an

umbrella organization have waned. Despite moments of unity, Pakistan's Islamist parties remain factionally divided, and their electoral performance in the country's 2008 elections was generally poor where they did not boycott the process entirely. Maulana Fazlur Rehman of the Jamiat Ulema-e-Islam-Fazl, or JUI-F—one of the few Islamist parties to successfully attain seats and leverage as a swing bloc within parliament—has unsuccessfully attempted to revive the Muttahida Majlis-e-Amal, or MMA, coalition of religious parties that led the provincial government in the former Northwest Frontier Province from 2002 through 2007. He remains outside the Difa-e-Pakistan Council coalition today.⁴¹

As Khan's Pakistan Tehreek-e-Insaf movement has stalled in recent months, Pakistan saw the arrival in late 2012 of Tahir-ul-Qadri, a former parliamentarian and leader of the Pakistan Awami Tehreek party and a Sufi religious educational organization, the Minhaj-ul-Quran International. After more than five years living outside of Pakistan, Qadri returned from Canada to lead a large public protest movement on Islamabad, where he challenged the government, calling for immediate elections held under the auspices of a neutral caretaker government established in consultation with the military services and judiciary, whom he publicly praised as the only functioning institutions in the country. Qadri's protest drew substantial media attention but only a fraction of the supporters of other dissident movement rallies, and ultimately he concluded his rally with a compromise pledge from the government to consult with his party on election preparations.⁴² The government has since discarded many of Qadri's demands, although he remains an active public speaker and has met with Pakistan Tehreek-e-Insaf and other parties to discuss possible electoral alliances.⁴³

Comprehensive studies of these new movements' supporters are rare, but anecdotal reporting of protester demographics suggests that their leaders might be tapping into the support of newly urbanizing, newly middle-income sectors of society, particularly in Punjab. Pakistan Tehreek-e-Insaf in particular has sought to capitalize on support from the country's large youth population through an active online organization and appeals for sweeping political change.⁴⁴ Pakistan Muslim League-Nawaz and other established opposition parties have refrained from fully embracing these new causes, however, limiting their ability to directly threaten the government through the formal constitutional or parliamentary process.

The uncertain role of Pakistan's military in Pakistan's political transition

In all three cases discussed here, critics of these new political movements have suggested that their sudden rise to prominence has been the result of backing from Pakistan's powerful military establishment. Definitively substantiating or disproving such accusations is not easy, given the covert nature of the alleged support, although the country's military and intelligence services have an acknowledged history of assembling political coalitions of otherwise minor parties to challenge sitting civilian governments by proxy.⁴⁵

The Pakistani military remains the country's single-largest economic actor, with significant industrial, transportation sector, and land holdings; extensive post-service benefits for senior military retirees; and a comparatively high level of internal organization and esprit de corps, making it one of the country's most powerful and cohesive political institutions.⁴⁶ In cases where army institutional privileges have been directly threatened—as in the case of proposals to exert civilian control over appointments and promotions, or judicial oversight over current or retired military officials—the military has quickly asserted its autonomy. Pakistan's military budget priorities and external policies are still primarily determined within the confines of its General Headquarters. In any contest to set the rules of the political game, the army's vote may still continue to carry the greatest weight, should it choose to exert it.

But since 2007 the military's ability to assert direct control over the political process has also been constrained, as its policies have faced scrutiny and challenges in the press and the courts. The military's domestic status suffered considerably during the final years of the Musharraf regime, and there is no indication that the former president's frequently deferred pledge to return to the country to contest elections has any endorsement from the current chain of command. The military has simultaneously been forced to contend with issues of its own internal unity, the threat of domestic militancy, rocky relations with the United States and India, the effects of a weak economy, and only limited support from China, Saudi Arabia, and other allies. The current period of comparative restraint is not unprecedented in Pakistani history during previous post-coup periods; the degree to which this may continue or to what extent covert military involvement may still shape the behavior of Pakistan's political contenders remains uncertain. Nonetheless, Gen. Kayani has publicly endorsed "free, transparent, and timely" elections and appears to have largely stuck to a policy of keeping the military in the background, opening space for a much freer degree of political activity than had occurred under his predecessor.⁴⁷

Judicial activism and the courts as a new check

Under the tenure of Chief Justice Chaudhry, the Pakistani Supreme Court has become a driving force in Pakistani politics. Ultimately, the judiciary's independent and confrontational course against the executive branch and military establishment has been closely interlinked with the personal leadership of Chief Justice Chaudhry, and the institutionalization of these trends over the long term after his tenure concludes at the end of this year is, as yet, untested.

After assuming the office of chief justice in 2005, Chaudhry took an increasingly adversarial stance toward the government of then-President Pervez Musharraf, hearing corruption cases associated with the privatization of state enterprises and allegations of extrajudicial detention and executions by Pakistani security services in his native Balochistan—known as the “missing persons” issue.⁴⁸ These disputes culminated in Musharraf removing Chaudhry from office in March 2007, which prompted widespread protests from Pakistan’s legal community that were amplified by the Pakistani media.⁴⁹ Although he was released from house arrest on the first day of the new Pakistan People’s Party government in March 2008, Chaudhry was only restored to his current office of chief justice a year later, after further protests driven by the lawyers’ movement and the opposition Pakistan Muslim League-Nawaz.⁵⁰ Since then, Pakistani courts have continued to actively intervene across a wide range of Pakistan’s political and economic affairs.⁵¹



Chief Justice Chaudhry
AP PHOTO

The most consistent priority of the Chaudhry court has been to establish the judiciary’s autonomy from the executive branch, to which it had historically deferred, particularly under periods of military rule. Under new procedures for judicial appointments and promotions established by the 18th and 19th Amendments to the Pakistani Constitution, the courts and the chief justice have asserted effective control over the selection of their own membership.⁵² After a November 2012 dispute between President Zardari and the Supreme Court over the reappointment of two Islamabad High Court justices, the courts ruled that the presidency has no discretion on carrying out its judicial appointments—a ruling that the government has thus far suggested it will not directly contest.⁵³

The Supreme Court’s efforts to establish actual authority over the executive branch and press for the enforcement of its verdicts have seen more mixed results, although Chief Justice Chaudhry has made persistent use of the high-profile public platform he commands to compel government responses to court actions. A key December 2009 verdict overturned the National Reconciliation Ordinance, an amnesty law that former President Musharraf introduced to pardon a wide range of former political leaders.⁵⁴ The court’s decision ordered the reopening of corruption charges against hundreds of officials, including President Zardari,

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who had faced investigations in Swiss courts dating back to the 1990s. A legal battle ensued for two and a half years, with government lawyers maintaining that President Zardari enjoyed constitutional immunity from prosecution by virtue of his office. The standoff culminated in June 2012 with the disqualification of then-Prime Minister Yusuf Raza Gilani from office on contempt of court grounds. The government did not contest that decision but maintained its opposition to carrying out the court's order to resurrect the Swiss cases.⁵⁵ Faced with continued deadlock, the two sides ultimately reached a negotiated compromise in October 2012, in which the government finally complied with the Supreme Court's orders to contact Swiss officials but made no concessions on the issue of President Zardari's immunity.⁵⁶

In the meantime, the Supreme Court continues to hear multiple parallel cases against other Pakistani leaders. In January 2013 the court issued an arrest warrant against Prime Minister Raja Pervez Ashraf, related to allegations of kickbacks and mismanagement in a rental power program established during his previous tenure as minister of water and power. Leaders of the National Accountability Bureau—the special anticorruption agency that first conducted the investigations that implicated Prime Minister Ashraf and other officials—balked at carrying out the court's arrest order, and the case has since been disrupted after one of the investigators in the case was found dead in an apparent suicide, prompting multiple parallel investigations by the courts, police, and government, which delayed further proceedings.⁵⁷ The Chaudhry court has also continued pressing the Pakistani military through hearings and testimony on the issue of “missing persons” and on historical charges of interfering in the country's politics. But while the judiciary has taken unprecedented steps toward placing the powerful military services under public scrutiny on these issues, its ability to compel the enforcement of its orders remains limited.

The electoral competition

Legal battles between Pakistani political parties, the judiciary, and independent political actors to define the rules of electoral competition have intensified over the past year as the prospect of new elections has approached. As in many countries, there is often a significant disconnect in Pakistan between formal rule systems and actual practices by political actors; the discretionary enforcement of these rules can be a highly sensitive process, as well as a source of conflict. Decisions on these rules and their enforcement can shape different political outcomes, raising the stakes for all actors involved. This section highlights the principal disputes in the pre-election period, which go to basic questions such as who will adjudicate elections, who can contest polls, how representation should be apportioned, and who can vote.

Adjudicating the election process

Following the end of the current National Assembly term, parliament has been dissolved and elections have been scheduled to take place on May 11.⁶² Under the terms of the 20th Amendment to the Pakistani Constitution, passed in February 2012, the caretaker government must be chosen through consensus negotiations between the outgoing prime minister and the opposition leader.⁶³ As of this writing, the PPP government and PML-N opposition have entered committee talks for the selection of a caretaker candidate, with the Pakistan Muslim League-Nawaz using its effective veto over the process to push for concessions on a choice for the caretaker government in the Punjab. Should the two sides remain deadlocked by March 22, the Election Commission of Pakistan, or ECP, will choose from among the nominees.⁶⁴

Elections are organized and administered by the Election Commission of Pakistan, currently chaired by Fakhruddin Ibrahim, a retired judge and former governor and attorney general. Under the terms of the 20th Amendment to the Pakistani Constitution, the chief election commissioner's appointment must also now be made through consensus negotiations between the government and parliamentary opposi-

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Pakistan's electoral system in brief

Pakistan operates under a federal parliamentary system of government. A bicameral parliament headed by a prime minister and an indirectly elected presidency govern at the national level, and local assemblies headed by a chief minister and a presidentially appointed governor at the provincial level. As previously noted, President Zardari's term will expire in September 2013; an election to determine his successor, with both houses of parliament and the provincial assemblies serving as the electoral college, must be held between one to two months prior to the end of his term. There is a two-term limit, but President Zardari is currently eligible for re-election to a second five-year term in office. Many of the formal powers of the presidency were reduced or eliminated with the passage of the 18th Amendment in 2010, but President Zardari remains an active player in shaping the country's politics thanks to his leadership position as co-chairman of the Pakistan People's Party—the largest party in parliament.

An electoral college comprised of provincial assembly members indirectly elects—in staggered six-year terms—members of the upper house of parliament, or the Senate. Each of the four provincial assemblies chooses 23 senators—four of which are specifically reserved for “technocrats” or Islamic scholars; four for women; and, in a new addition for the 2012 cycle, one seat for a member of a non-Muslim minority. The Islamabad capital territory additionally receives four Senate seats, and the Federally Administered Tribal Areas receive eight, for a total of 104 senators. In the March 2012 Senate elections, the Pakistan People's Party consolidated its control over the upper house thanks to its margins in the provincial assemblies, picking up 14 seats to hold a plurality of 41 seats. The largest opposition party, the Pakistan Muslim League-Nawaz, now holds only 14 seats.⁵⁸ The next round of Senate elections is scheduled to take place in 2015.

In the National Assembly—parliament's lower house—272 members are directly elected to five-year terms. Notably, although National Assembly members are chosen to represent single-member geographic constituencies, candidates are not restricted to contesting general elections solely from one constituency; in the event that a candidate wins in multiple locations, he or she must choose one from which to serve, and fresh special elections to determine replacements are held again in the other seat(s). Beyond the directly elected members, 60 seats in the National Assembly are reserved for women and 10 seats for minority members, which are apportioned from lists prepared by those parties that clear a 10 percent threshold within the assembly.

Voting in direct National Assembly elections is open to any Pakistani national who is over the age of 18 on the first day of the year in which voter rolls are prepared or revised. Registration is required to cast a ballot, and votes must be cast in a voter's registered constituency; the Supreme Court has directed the Election Commission to allow for absentee voting by Pakistani nationals living abroad but to date no preparations have been made for such a process.⁵⁹ Registration remains open until a caretaker government is established and polls are scheduled. In August 2012 the Election Commission of Pakistan released preliminary voter rolls after instituting new procedures to computerize records and compare them against Computerized National Identity Cards issued by Pakistan's National Database and Registration Authority, or NADRA.⁶⁰ Those rolls showed 84.4 million registered voters, compared to 81.2 million registered voters in 2007 and a current estimated adult population of 92 million. The preliminary list has come under scrutiny from the media, parties, and election observers, who have noted substantial drops in registration levels in parts of the Sindh and Balochistan provinces and low levels of enrolled women voters.⁶¹ The degree to which these changes reflect the removal of past erroneous records, population shifts, or current miscounting, however, remains under dispute.

tion, giving the opposition an effective veto over the government's potential ability to control the commission. Ibrahim was nominated by the Pakistan Muslim League-Nawaz in July 2012 and confirmed shortly thereafter, vowing a "one-point agenda" of "public justice through free, fair, transparent, and impartial elections."⁶⁵

Since taking office, Ibrahim has publicly sought the support of both military personnel—to provide security and ballot logistics—and the judiciary—to staff polling centers and hear post-election disputes—for the upcoming general elections. Reversing past practice, Chief Justice Chaudhry has agreed to the latter request; the ability of the already heavily overburdened Pakistani court system to manage election-related complaints was previously cited as a rationale for separating the regular judiciary from election functions.⁶⁶

Complaints about the neutrality of the Election Commission have intensified as the election date nears. In particular, protest leader Tahir-ul-Qadri has challenged the current Election Commission setup, arguing that, with the exception of Chief Commissioner Ibrahim, the government failed to follow appropriate nomination procedures for the other four commissioners, each of whom is responsible for election operations in one of the country's four provinces.⁶⁷ Qadri's challenge to the commission's makeup was publicly endorsed by Imran Khan of Pakistan Tehreek-e-Insaf; opposition Pakistan Muslim League-Nawaz leaders, however, denounced the move as an attempt to delay the vote.⁶⁸ In early February the issue was brought before the Supreme Court of Pakistan, but hearings chaired by Chief Justice Chaudhry focused instead on Qadri's dual-nationality status, and ultimately rejected his standing to bring a petition against the Election Commission. Qadri denounced the court's ruling as "political rather than constitutional," but the decision has for now settled the question of the election's key adjudicator, clearing the stage for polls to take place under the current Election Commission's supervision.⁶⁹

Challenges to incumbency privileges

As previously noted, institutional challenges from the judiciary, opposition political parties, provincial governments, and many other actors within the Pakistani political system have placed constant pressure on the government over the course of its tenure. The Pakistan People's Party incumbent government's control of the state apparatus offers considerable potential advantages over its rivals, but the government has frequently been forced to concede to new consensus-based decision-making processes that can constrain its authorities.

Under Chief Election Commissioner Ibrahim's leadership and through the issue of a wide-ranging code of electoral conduct finalized in January 2013, the Election Commission has asserted broad independence and powers of enforcement over election-related activities.⁷⁰ Effective January 22, 2013, the Election Commission ordered an immediate hiring freeze on any new government employees at the national, provincial, or local level outside of the civil service system, and a restriction on the transfer of development funds within the federal budget until after election funds take place. Both activities represent major avenues of patronage available to the government. Prime Minister Ashraf, has, by one measure, disbursed the equivalent of Rs 200 million—roughly \$2 million—daily for the past six months from a special discretionary development budget account, and reports suggest that more than 100,000 temporary contract employees have been inducted into the civil service over the course of the past four years.⁷¹ The government has challenged the Election Commission's order, but in February the commission rejected that appeal and reaffirmed the restrictions, potentially opening the field to legal challenges against Prime Minister Ashraf or other government officials as disbursements have continued.⁷²



Prime Minister Ashraf
and President Zardari
AP PHOTO

Two significant ongoing legal cases involving the alleged use of state office for political gain also have the potential to affect upcoming polls, should verdicts be reached within the election timeframe. In the Lahore High Court, President Zardari faces a possible contempt of court charge for maintaining a political office as co-chairman of the Pakistan People's Party while serving in the presidency in violation of a May 2011 verdict "expecting" him to give up the Pakistan People's Party position.⁷³ Government lawyers have argued that President Zardari's role in the Pakistan People's Party is permitted in a personal rather than official capacity, that his constitutional immunity from prosecution extends to contempt of court charges, that the court's previous ruling stopped short of a direct order, and that the president intends to relinquish political activities "soon."⁷⁴ To date, hearings are ongoing and have not yet escalated to the Supreme Court or the Election Commission. The Pakistan Muslim League-Nawaz has also called for the appointment of neutral provincial governors alongside caretaker provincial chief ministers before elections take place; the Pakistan People's Party has thus far rejected this

demand, and President Zardari has in recent months appointed new governors in both Punjab and Khyber Pakhtunkhwa.⁷⁵

Separately, the Supreme Court has opened hearings into allegations that the Pakistan People's Party diverted funds appropriated to the civilian Intelligence Bureau for use in supporting its candidates in Punjab, both in 1989 and in a late-2008 attempt to build a rival coalition to challenge Pakistan Muslim League-Nawaz rule in the province.⁷⁶ The Pakistan People's Party is not alone in facing judicial scrutiny—those allegations emerged during a court investigation into historical charges that the Pakistan Muslim League-Nawaz and other opposition parties had received financial support from Inter-Services Intelligence, or ISI, under the direction of then-Chief of Army Staff Mirza Aslam Beg, in order to influence the outcome of the 1990 general elections and oust the government of then-Prime Minister Benazir Bhutto. In a landmark November 2012 ruling, the courts upheld the historical charges and ordered prosecutions against the now-retired military officials and party recipients involved in the 1990 election-rigging campaign, but implementation of that order has yet to be carried out.⁷⁷ Thus far, hearings on the contemporary charges against the Pakistan People's Party remain in the early reporting stages.

Other disputed election parameters

In part in response to petitions and legal challenges brought by rival political parties, the Election Commission has signaled that it intends to apply close scrutiny to all candidates for office and use its enforcement powers to disqualify those who may have violated Pakistani laws. After a December 2011 administrative decision, the Election Commission has for the first time begun enforcing a constitutional ban on lawmakers' holding of dual nationality; many Pakistani politicians, particularly during periods of military rule, are reported to have established residency in other countries.⁷⁸

The Supreme Court of Pakistan has backed the Election Commission on the dual nationality issue and has issued disqualification orders against at least a dozen sitting national and provincial assembly members.⁷⁹ The Pakistan People's Party developed a draft constitutional amendment that would remove restrictions on holding dual nationality, but failed to reach a consensus on the terms of the amendment within its coalition and with the opposition.⁸⁰ The Election Commission has also begun plans to scrutinize candidate finances and disqualify

those who evade taxes, default on loans, or falsify educational records. One December 2012 investigative study estimates that as many as two-thirds of the Pakistani federal cabinet and national assembly lawmakers paid no income tax in the preceding year, despite an average net wealth estimated at \$882,000.⁸¹ Law Minister Farooq Naek of the Pakistan People's Party has challenged the new candidate registration requirements, but as of March 11 the Election Commission had determined that it would proceed with the printing of candidate nomination papers that include the more detailed filing requirements.⁸²

Questions of geographic representation are also under debate. The Election Commission, which holds the authority to delimit National Assembly constituency boundaries, currently plans to hold upcoming general elections using existing boundaries, which were last modified in 2007.⁸³ Pakistan has not held a complete national census since 1998, although preliminary figures from a partial count conducted in 2011 suggested significant internal population shifts in the time since the last census.⁸⁴ A 2011 Supreme Court investigation into law and order in Karachi, however, cited “political polarization” as a significant contributor to violence, and ordered the Election Commission to re-draw constituency boundaries there “so that the members of different communities may live together in peace and harmony, instead of allowing various groups to claim that particular areas belong to them.” The court reiterated that order in a December 2012 review hearing.⁸⁵

Although the redistricting move has been endorsed by most opposition groups, leaders of Karachi's dominant party, the Muttahida Quami Movement, have denounced the redistricting order as “absolutely unconstitutional, autocratic, and biased,” and argue that doing so only in Karachi rather than across the nation represents a “conspiracy to steal [the Muttahida Quami Movement's] mandate.”⁸⁶ After consultations with the city's parties, the Election Commission indicated it would not carry out the redistricting in the absence of a current census.⁸⁷ The court again reiterated its order in early March, however, saying the Election Commission had the authority to do so even in the absence of a current census; the commission has yet to indicate how it may comply.⁸⁸

Voter registration lists have also been heavily contested in Karachi, where representatives from the Pakistan People's Party, Jamaat-e-Islami, Pakistan Tehreek-e-Insaf, and other opposition parties contend that voters have been assigned to the constituencies of their permanent residencies rather than their current domiciles, resulting in many new city residents being registered elsewhere and unable to vote in their actual location of residence, to the apparent benefit of the Muttahida

Quami Movement.⁸⁹ In November 2012 the Supreme Court ordered a “door to door” re-verification of voter registrations with the assistance of the military for security and, opposition parties insist, to ensure the recount’s neutrality.⁹⁰ After some delay, the review process began in early January 2013 and is scheduled to be completed by mid-March; opponents continue to accuse the Muttahida Quami Movement of “hijacking” the re-verification process.⁹¹

Pakistan's political geography

Although they take place within the context of larger national trends, Pakistan's parliamentary elections will actually consist of hundreds of elections held at once, with local-level constituency outcomes having the potential to swing national coalition-building efforts after the vote is complete. The results of the preceding February 2008 general elections may be used as partial proxy measurements of Pakistani political parties' organizational strength at the constituency level—and are included in this report's appendix for reference purposes—but they are not necessarily representative of voter preferences, or of future performance, particularly as local candidates switch affiliations between elections to join new political bandwagons.

In an effort to provide some greater context on the country's subnational politics, this section overviews the major political actors and developments at the provincial level.

Punjab

Punjab is Pakistan's most populous and most heavily contested province, and has been central to shaping the country's national politics since Pakistan's inception. All of the country's leading national parties maintain an electoral base in the province, where the loyalty of candidates capable of tipping a future coalition balance at the margins has become a heavily sought-after commodity in the run-up to polls. Since the 2008 elections, Pakistan Muslim League-Nawaz—which currently holds more than one-third of the provincial assembly's seats and more than 40 percent of the national assembly delegation seats from Punjab—has led the provincial government. Despite Pakistan Muslim League-Nawaz's early post-election shift to the opposition at the national level, the party remained in an often-tense coalition government agreement in Punjab with the Pakistan People's Party chapter until February 2011, when the PPP was expelled amid disputes at the national level over Pakistan Muslim League-Nawaz economic reform demands. That move coincided with Pakistan Muslim League-Nawaz efforts to secure the support of a breakaway faction of former Pakistan Muslim League-Quaid legislators—the

so-called “Unification Bloc”—which assured the PML-N coalition of a continued plurality in the Punjab assembly.⁹²

By May 2011 the national Pakistan People’s Party countered with an agreement that brought the Pakistan Muslim League-Quaid into the federal coalition, and the two parties have since moved toward an electoral alliance at both the national and provincial level, cemented by the appointment of PML-Q leader Chaudhry Pervaiz Elahi as deputy prime minister in June 2012.⁹³ The two parties’ rivalry during the Musharraf era and efforts by the provincial Pakistan People’s Party chapter to co-opt Pakistan Muslim League-Quaid legislators under its banner, however, remain sources of tension. Particularly over the past year, Pakistan Muslim League-Nawaz leaders have undertaken an intensive recruiting campaign to identify potential defecting candidates from other parties ahead of the upcoming election campaign.⁹⁴

The entry of Imran Khan’s Pakistan Tehreek-e-Insaf into the electoral mix in Punjab has the potential to further fragment the balance of political power in the province, although he has, to date, publicly ruled out alliances with both the Pakistan People’s Party and Pakistan Muslim League-Nawaz, and appears unlikely to secure a sufficient mandate to govern alone.

Pakistan Muslim League-Nawaz representation in Punjab is weakest in the province’s south, where former Prime Minister Gilani and other Pakistan People’s Party and Pakistan Muslim League-Quaid legislators have a more established political base. In an effort to cater to these local interests, the Pakistan People’s Party has in the past year established a parliamentary committee tasked with considering the division of the southern part of the province into a new province entirely, to be named Bahawalpur South Punjab.⁹⁵ Although Pakistan Muslim League-Nawaz officials have on occasion expressed public support for the notion of an autonomous southern Punjab province, party leaders at both the provincial and national level have objected strongly to the Pakistan People’s Party’s current



proposal, boycotted the parliamentary committee, and countered with proposals for the division of Khyber Pakhtunkhwa and other parts of Punjab as well.⁹⁶ A constitutional amendment in support of the new province was pushed through the senate in early March, but while election rhetoric about new provinces is likely to increase during the campaign period, any further action is unlikely prior to polls taking place, as passage in the national assembly would require a two-thirds majority, making it almost impossible for the Pakistan People's Party to achieve its proposal over Pakistan Muslim League-Nawaz's objections.⁹⁷

Sindh

Sindhi politics is characterized by the country's most pronounced urban-rural divide, between the agricultural heartland surrounding the banks of the Indus River and the economic powerhouse of Karachi, home to as many as 19 million residents and contributor to 20 percent or more of the total national gross domestic product. The current Sindhi delegation to the national assembly and the local provincial assembly are dominated by members of the Pakistan People's Party and the Muttahida Quami Movement, who have remained in tenuous alliance—punctuated by several breaks on the part of the Muttahida Quami Movement to extract concessions from their senior coalition partners, before eventually returning to the fold—at both the national and provincial level for much of the past five years. Both the Pakistan People's Party and the Muttahida Quami Movement achieved some of the broadest margins of victories of any contests nationwide in their respective winning constituencies in the 2008 elections, and most other parties saw fewer than half of their candidates achieve even a third-place ranking or better.

Although the Muttahida Quami Movement retains the deepest organization of any party within Karachi, it faces competition from a small Awami National Party political presence within the city, representing an influx of new Pashtun migrants from the country's northwest, as well as with urban PPP-affiliated organizations. The potential for these new constituencies to disrupt the MQM-dominated balance of power in the city makes their representation in the assemblies a heavily contested issue. These clashes have often turned violent—collectively, political, sectarian, and criminal violence has claimed more than 7,000 lives in Karachi since 2008—paralyzing business activity within the city and directly impacting national-level politics.⁹⁸ Three consecutive years of serious flooding in Sindh have also resulted in considerable internal displacement within the province, whose demographic impact on Karachi remains poorly understood in the absence of an established national census.⁹⁹

The current electoral lock of the Pakistan People's Party over the province's rural constituencies and the Muttahida Quami Movement over the cities of Karachi and Hyderabad has generally forced the two sides toward tense compromise.

The current electoral lock of the Pakistan People's Party over the province's rural constituencies and the Muttahida Quami Movement over the cities of Karachi and Hyderabad has generally forced the two sides toward tense compromise. But in the event of another closely divided national electoral outcome, the Muttahida Quami Movement has the potential to act as an important swing bloc in the formation of a government; prior to the Pakistan People's Party's 2008 electoral successes, it had supported the PML-Q-led predecessor government and former President Musharraf.

In mid-February 2013, Muttahida Quami Movement officials announced that they were again quitting the provincial and national government coalitions, positioning the party to sit in the opposition and force the Pakistan People's Party to consult with it on choices for a pre-election caretaker government. The Pakistan People's Party has responded by overturning a new local government system—which was passed in September 2012 after two and a half years of drawn-out negotiations with the Muttahida Quami Movement, over the opposition of other Sindhi parties—as well as conducting renewed outreach to rival organizations to the Muttahida Quami Movement in Karachi.¹⁰⁰ Despite the break, contact between the two parties has continued, leaving the door open to a renegotiated alliance after elections.¹⁰¹ Separately, after several months of negotiations, Pakistan Muslim League-Nawaz leader Nawaz Sharif recently aligned with a coalition of smaller Sindhi opposition parties led by the Pakistan Muslim League-Functional, who announced a “grand alliance” in February 2013, introducing a potential wildcard into the PPP-MQM dynamic.¹⁰²

Khyber Pakhtunkhwa

Following the breakdown of the Muttahida Majlis-e-Amal coalition of Islamist parties and their ouster from government during the 2008 elections, Khyber Pakhtunkhwa province—formerly known as the North-West Frontier Province before it was renamed by the 18th Amendment to the Pakistani Constitution—has been led by the Awami National Party. The Awami National Party has operated in coalition with the Pakistan People's Party at both the provincial and national level, and has generally been a consistent partner throughout the past five years, although Awami National Party leaders have said that the party will still contest against Pakistan People's Party candidates in the upcoming elections.¹⁰³

Security in Khyber Pakhtunkhwa and the adjacent Federally Administered Tribal Areas, or FATA, region has deteriorated seriously over the past five years, as the Tehreek-e-Taliban Pakistan—Pakistani Taliban, or TTP—militant movement has emerged to carry out attacks and assassinations on the security services, government officials, and local tribal leaders. The Awami National Party has suffered multiple attacks throughout its tenure, most recently with the December 2012 assassination of Bashir Ahmed Bilour, a senior party leader and one-time candidate for the provincial chief minister post.¹⁰⁴ The Awami National Party has variously suggested military action or a strategy of peace negotiations as a response, but the Pakistani Taliban has continued to identify the Awami National Party as a leading rival and vowed to continue its attacks. Even established Islamist political parties such as Jamiat Ulema-e-Islam-Fazl and Jamaat-e-Islami have also come under attack in the province.

Some polls indicate that Imran Khan and Pakistan Tehreek-e-Insaaf have made organizational inroads in Khyber Pakhtunkhwa.¹⁰⁵ Although vague on policy specifics, Khan's pledges to end cooperation with the United States, reach a peace settlement with Taliban militants, and halt American Predator drone attacks in the tribal areas appear to reflect some popular local sentiment. As in other parts of the country, however, competition within Pakistan Tehreek-e-Insaaf over intraparty leadership elections appears to have complicated its mobilization efforts in the immediate pre-election period.¹⁰⁶

The Pakistan Muslim League-Nawaz also maintains a small base of support in the eastern area of the province—formerly administratively identified as the Hazara Division, surrounding the city of Abbottabad—where most residents are non-Pashtun. The Pakistan Muslim League-Nawaz has also recruited the support of the former head of the Pakistan Muslim League-Quaid's provincial chapter, and in late February, PML-N leader Nawaz Sharif and Maulana Fazlur Rehman of the Jamiat Ulema-e-Islam-Fazl agreed to negotiate an as-yet undetermined electoral cooperation agreement, potentially tilting the future electoral balance in favor of a PML-N-led coalition.¹⁰⁷

In the adjacent Federally Administered Tribal Areas border region, the colonial-era Frontier Crimes Regulation regime continues to circumscribe many areas of formal political and legal activity. Partial changes to that system instituted by President Zardari in August 2011 extended the right of candidates for the Federally Administered Tribal Areas' 12 national assembly seats to contest those elections on a party basis—a longstanding reform proposal. In August

2012 President Zardari issued new ordinances that allowed for the establishment of some limited local government council bodies.¹⁰⁸ The Federally Administered Tribal Areas region remains largely under the direct administration of the federal government and the military through a system of appointed political agents, however, and ongoing insecurity continues to limit the reach of normal political activities.

Balochistan

With the possible exception of the Federally Administered Tribal Areas region, the most sustained disruptions of regular political activity within Pakistan have occurred in the sparsely populated Balochistan province, which is home to some of the country's largest mineral and energy resources, but also some of the country's worst human development indicators. Balochistan has experienced periodic military crackdowns in response to nationalist or secessionist movements dating back to the 1970s. Conflict between the state and dissident Baloch groups escalated again during the Musharraf regime, culminating in 2006 with the death in a military action of Akbar Khan Bugti, a prominent Baloch leader and former chief minister of the province who had organized a guerilla campaign against the state security services.¹⁰⁹

Bugti's Jamhoori Watan Party and the Balochistan National Party faction led by Ataullah Mengal—another former Balochistan chief minister—both boycotted the 2008 polls. Independent observation of those elections in the province was minimal, and recorded voter turnout was among the lowest around the country.¹¹⁰ The Musharraf-aligned Pakistan Muslim League-Quaid won a small plurality with approximately one-third of the assembly's seats; nearly a quarter of the assembly is comprised of independent candidates who campaigned without party affiliation, with the Pakistan People's Party and Jamiat Ulema-e-Islam-Fazl holding the majority of the remainder of seats. The Pakistan People's Party eventually united with other parties to form a sprawling coalition that included all but one assembly member in the provincial cabinet.

Efforts by national Pakistan People's Party leaders to resolve the conflict in Balochistan have had limited success on the ground. In November 2009 the government committed to a package of reforms that included increased dialogue with dissident leaders, additional development assistance to the province, and a greater share of revenues from gas and other energy resources. The plan also

With the possible exception of the Federally Administered Tribal Areas region, the most sustained disruptions of regular political activity within Pakistan have occurred in the sparsely populated Balochistan province.

sought to bring military and paramilitary operations under the control of the provincial government, and to restrict some military search operations.¹¹¹ The Pakistani military retains a considerable presence in the province, however, and insurgent violence against state targets as well as reports of extrajudicial detentions and killings of Baloch dissidents on the part of the security services have continued.¹¹² Baloch opposition leaders continue to dismiss government efforts to date as insufficient.¹¹³ After months of review hearings on the security situation in the province, in October 2012 the Supreme Court of Pakistan issued an interim finding that the provincial government had failed to uphold its constitutional obligations to provide Balochistan residents with security, freedom of movement and assembly, and other rights.¹¹⁴

In the wake of the court's order, Chief Minister Nawab Aslam Raisani, head of the provincial assembly government, faced challenges to his leadership from within the local Pakistan People's Party chapter. Following multiple terror attacks targeting the Hazara community that killed at least 87 people in mid-January 2012, Raisani was removed from office by Prime Minister Ashraf and President Zardari, suspending the normal operations of the provincial assembly and vesting powers of government in the governor, a direct federal appointee.¹¹⁵ Despite calls from some members of the Hazara community for continued executive rule or the intervention of the military services in order to establish security in the city, the assembly was briefly restored under Raisani's leadership on March 17, with most members deserting to the opposition before the assembly was dissolved ahead of elections.¹¹⁶

Conclusion

As its political and economic structures shift to lower the barriers for entry, multiple political actors compete to establish the rules of the game, and a powerful military with a history of interventionism still waits in the wings, the future course of Pakistan's political system is highly uncertain. U.S. efforts in past decades to advance its interests in Pakistan through direct contact with favored military or political elite partners have proven unsustainable, and attempts to repeat such practices are likely to become more unworkable as the system shifts toward greater multipolarity, at least for the near term.

Pakistan's more decentralized post-2008 political system has forced the prioritization of consensus policies on many issues, and may prove more democratic in its ability to accommodate diverse elected and unelected interest groups. But the system has also been divided and slow to respond to militant separatism and terrorist violence, economic stagnation, and tense relations with regional neighbors and international partners, among other considerable challenges facing the country. Whichever coalition of political leaders finds itself in power after elections this summer will face accountability for inaction on these issues, which cannot be deferred indefinitely.

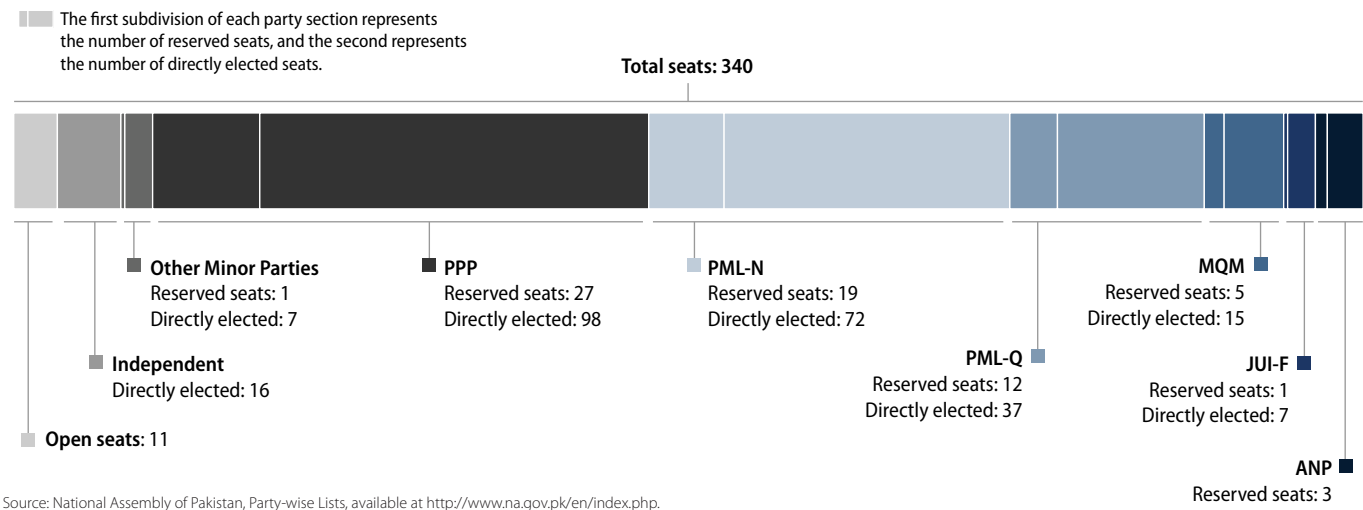
The United States can make efforts to support Pakistan's democratic evolution and the success of its upcoming elections. Such efforts should include a public commitment to neutrality and respect for the electoral processes, coupled with support for an international observation mission. American diplomatic and military officials should continue to engage with a broad array of Pakistani civilian leaders and military officials, while making it clear that the United States does not favor any specific electoral outcome and strongly opposes any disruption of the constitutional process or intervention during the caretaker period. Understanding the complexity and evolving fluidity of the Pakistani political system also requires greater investment in sociological research, language training programs, and educational and business exchange between the two countries. The United States should continue its bilateral assistance to Pakistan, based on mutually agreed-

upon performance criteria, and work to coordinate its diplomatic engagement in support of a constitutional political transition in conjunction with other supporters of Pakistan such as China, the United Kingdom, and the Gulf states.

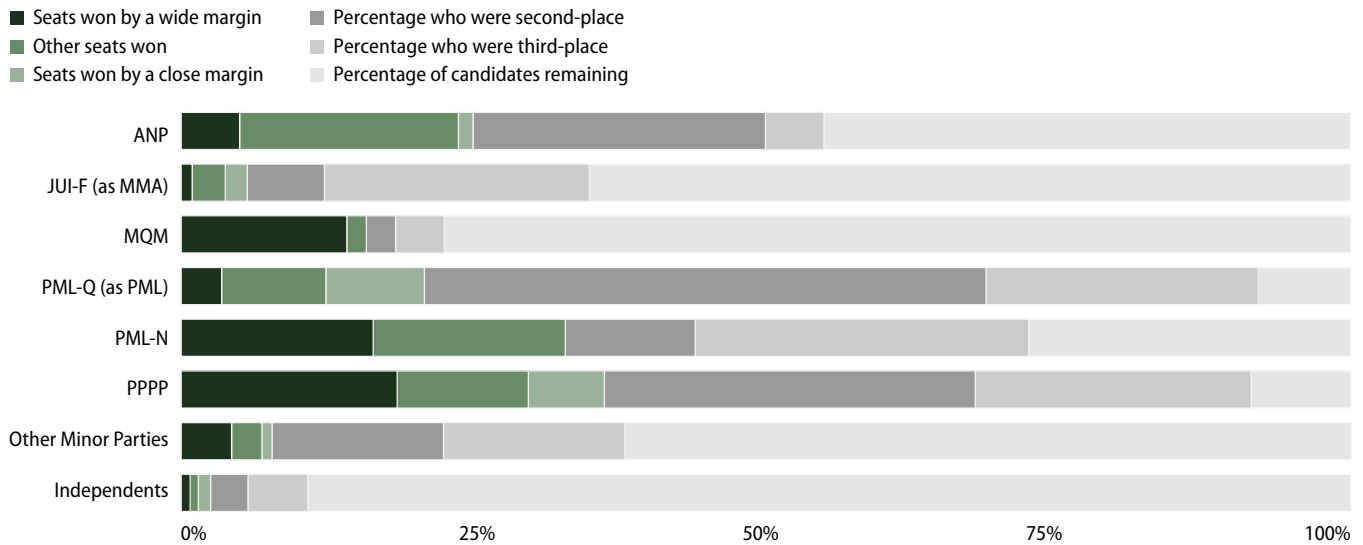
As in many other parts of the world today, U.S. policymakers dealing with Pakistan are confronted by the challenge of how to best advance U.S. interests while engaging with a dynamic and changing political system, in which the American ability to influence outcomes will often be limited and indirect, and Pakistani decision-makers remain preoccupied by internal debates. Ultimately, however, the goal of U.S. policy should be to work with—not attempt to control—Pakistan’s internal political processes. Only Pakistanis themselves are capable of establishing a more stable, democratic system capable of balancing diverse interest groups and effectively addressing the country’s challenges.

Appendix: National Assembly makeup and February 18, 2008 election results

Party breakdown of the National Assembly, as of February 2013



National Assembly election results by party, February 18, 2008



Source: Election Commission of Pakistan website, General Elections 2008 Results - February 18, 2008, available at <http://ecp.gov.pk/GE08.aspx>

Notes: "Close-margin" seats are defined as constituencies in which the winning candidate won by a margin of less than 5%. "Wide-margin" seats are defined as constituencies in which the winning candidate won by a margin of greater than 20%.

Due to election rules that allow candidates to contest from multiple constituencies, some candidates may appear as winning more than one seat. Data does not reflect replacement by-elections held since Election Day, February 18, 2008.

For the current balance of seats in parliament as of February 2013, see final tab of this dataset.

Data compiled by Colin Cookman, Shammass Malik, and Nathaniel Barr, Center for American Progress (2013), available at <http://www.americanprogress.org/wp-content/uploads/2013/03/Pakistan-February-18-2008-Elections-Dataset-Final.xlsx>

Election results by assembly, February 18, 2008

National Assembly Results

Seat Performance

Party	Total Recorded Votes Received	(as % of Total Votes Recorded)	Constituencies Won	(as % of total Assembly Seats)	Constituencies Won (Close-Margin)	(as % of Constituencies Won)	Constituencies Won (Wide-Margin)	(as % of Constituencies Won)
ANP	704811	2.03%	10	3.68%	3	0.00%	2	20.00%
JUI-F (as MMA)	758877	2.19%	6	2.21%	2	33.33%	1	16.67%
MQM	2573795	7.43%	19	6.99%	0	0.00%	17	89.47%
PML-Q (as PML)	8007218	23.11%	42	15.44%	17	40.48%	7	16.67%
PML-N	6804500	19.64%	68	25.00%	10	0.00%	34	50.00%
PPPP	10666538	30.78%	89	32.72%	16	17.98%	46	51.69%
Other Minor Parties	1265516	3.65%	9	3.31%	1	11.11%	5	55.56%
Independents	3870447	11.17%	29	10.66%	12	41.38%	9	31.03%
Totals	34651702	100.00%	272	100.00%	61	22.43%	121	44.49%

Candidate Performance

Party	Contesting Candidates	(as % of Total Contesting Candidates)	% of Candidates Who Won	Runners-Up	% of Candidates Who Were 2nd Place	Third-Placing Candidates	% of Candidates Who Were 3rd Place	% of Candidates Remaining
ANP	40	1.82%	25.00%	10	25.00%	2	5.00%	45.00%
JUI-F (as MMA)	106	4.84%	5.66%	7	6.60%	24	22.64%	65.09%
MQM	120	5.47%	15.83%	3	2.50%	5	4.17%	77.50%
PML-Q (as PML)	202	9.22%	20.79%	97	48.02%	47	23.27%	7.92%
PML-N	207	9.44%	32.85%	23	11.11%	59	28.50%	27.54%
PPPP	246	11.22%	36.18%	78	31.71%	58	23.58%	8.54%
Other Minor Parties	116	5.29%	7.76%	17	14.66%	18	15.52%	62.07%
Independents	1155	52.69%	2.51%	37	3.20%	59	5.11%	89.18%
Totals	2192	100.00%	12.41%	272	12.41%	272	12.41%	62.77%

Balochistan Results

Seat Performance

Party	Total Recorded Votes Received	(as % of Total Votes Recorded)	Constituencies Won	(as % of total Provincial Assembly Seats)	Constituencies Won (Close-Margin)	(as % of Constituencies Won)	Constituencies Won (Wide-Margin)	(as % of Constituencies Won)
ANP	64231	4.81%	2	3.92%	1	50.00%	1	50.00%
JUI-F (as MMA)	203526	15.24%	8	15.69%	2	25.00%	3	37.50%
MQM	5149	0.39%	0	0.00%	0	0.00%	0	0.00%
PML-Q (as PML)	449950	33.70%	17	33.33%	2	11.76%	11	64.71%
PML-N	15208	1.14%	0	0.00%	0	0.00%	0	0.00%
PPPP	165959	12.43%	7	13.73%	3	42.86%	1	14.29%
Other Minor Parties	86144	6.45%	5	9.80%	1	20.00%	3	60.00%
Independents	345131	25.85%	12	23.53%	2	16.67%	4	33.33%
Totals	1335298	100.00%	51	100.00%	11	21.57%	23	45.10%

Candidate Performance

Party	Contesting Candidates	(as % of Total Contesting Candidates)	% of Candidates Who Won	Runners-Up	% of Candidates Who Were 2nd Place	Third-Placing Candidates	% of Candidates Who Were 3rd Place	% of Candidates Remaining
ANP	19	3.57%	10.53%	3	15.79%	1	5.26%	68.42%
JUI-F (as MMA)	45	8.46%	17.78%	6	13.33%	10	22.22%	46.67%
MQM	15	2.82%	0.00%	0	0.00%	2	13.33%	86.67%
PML-Q (as PML)	45	8.46%	37.78%	14	31.11%	4	8.89%	22.22%
PML-N	19	3.57%	0.00%	0	0.00%	5	26.32%	73.68%
PPPP	41	7.71%	17.07%	9	21.95%	10	24.39%	36.59%
Other Minor Parties	31	5.83%	16.13%	3	9.68%	5	16.13%	58.06%
Independents	317	59.59%	3.79%	16	5.05%	14	4.42%	86.75%
Totals	532	100.00%	9.59%	51	9.59%	51	9.59%	71.24%

Northwest Frontier Province (now Khyber Paktunkwa) Results

Seat Performance

Party	Total Recorded Votes Received	(as % of Total Votes Recorded)	Constituencies Won	(as % of total Provincial Assembly Seats)	Constituencies Won (Close-Margin)	(as % of Constituencies Won)	Constituencies Won (Wide-Margin)	(as % of Constituencies Won)
ANP	578405	17.03%	31	31.31%	11	35.48%	4	12.90%
JUI-F (as MMA)	496990	14.63%	10	10.10%	3	30.00%	2	20.00%
MQM	2927	0.09%	0	0.00%	0	0.00%	0	0.00%
PML-Q (as PML)	435932	12.83%	5	5.05%	1	20.00%	2	40.00%
PML-N	276232	8.13%	5	5.05%	2	40.00%	1	20.00%
PPPP	563057	16.58%	17	17.17%	6	35.29%	6	35.29%
Other Minor Parties	222493	6.55%	9	9.09%	3	33.33%	2	22.22%
Independents	820668	24.16%	22	22.22%	6	27.27%	4	18.18%
Totals	3396704	100.00%	99	100.00%	32	32.32%	21	21.21%

Candidate Performance

Party	Contesting Candidates	(as % of Total Contesting Candidates)	% of Candidates Who Won	Runners-Up	% of Candidates Who Were 2nd Place	Third-Placing Candidates	% of Candidates Who Were 3rd Place	% of Candidates Remaining
ANP	72	9.74%	43.06%	16	22.22%	9	12.50%	22.22%
JUI-F (as MMA)	82	11.10%	12.20%	18	21.95%	17	20.73%	45.12%
MQM	14	1.89%	0.00%	0	0.00%	1	7.14%	92.86%
PML-Q (as PML)	61	8.25%	8.20%	18	29.51%	14	22.95%	39.34%
PML-N	58	7.85%	8.62%	5	8.62%	5	8.62%	74.14%
PPPP	77	10.42%	22.08%	16	20.78%	20	25.97%	31.17%
Other Minor Parties	51	6.90%	17.65%	10	19.61%	11	21.57%	41.18%
Independents	324	43.84%	6.79%	16	4.94%	22	6.79%	81.48%
Totals	739	100.00%	13.40%	99	13.40%	99	13.40%	59.81%

Punjab Results

Seat Performance

Party	Total Recorded Votes Received	(as % of Total Votes Recorded)	Constituencies Won	(as % of total Provincial Assembly Seats)	Constituencies Won (Close-Margin)	(as % of Constituencies Won)	Constituencies Won (Wide-Margin)	(as % of Constituencies Won)
ANP	18322	0.09%	0	0.00%	0	0.00%	0	0.00%
JUI-F (as MMA)	160512	0.75%	2	0.67%	1	50.00%	0	0.00%
MQM	22418	0.11%	0	0.00%	0	0.00%	0	0.00%
PML-Q (as PML)	5830706	27.40%	70	23.57%	30	42.86%	14	20.00%
PML-N	5528010	25.98%	105	35.35%	15	14.29%	52	49.52%
PPPP	5497995	25.84%	80	26.94%	25	31.25%	22	27.50%
Other Minor Parties	1043161	4.90%	7	2.36%	0	0.00%	1	14.29%
Independents	3179849	14.94%	33	11.11%	11	33.33%	11	33.33%
Totals	21280973	100.00%	297	100.00%	82	27.61%	100	33.67%

Candidate Performance

Party	Contesting Candidates	(as % of Total Contesting Candidates)	% of Candidates Who Won	Runners-Up	% of Candidates Who Were 2nd Place	Third-Placing Candidates	% of Candidates Who Were 3rd Place	% of Candidates Remaining
ANP	1	0.04%	0.00%	1	0.00%	0	0.00%	0.00%
JUI-F (as MMA)	76	3.41%	2.63%	1	1.32%	3	3.95%	92.11%
MQM	60	2.69%	0.00%	0	0.00%	2	3.33%	96.67%
PML-Q (as PML)	276	12.38%	25.36%	112	40.58%	79	28.62%	5.43%
PML-N	276	12.38%	38.04%	44	15.94%	78	28.26%	17.75%
PPPP	277	12.43%	28.88%	88	31.77%	76	27.44%	11.91%
Other Minor Parties	58	2.60%	12.07%	6	10.34%	11	18.97%	58.62%
Independents	1205	54.06%	2.74%	45	3.73%	48	3.98%	89.54%
Totals	2229	100.00%	13.32%	297	13.32%	297	13.32%	60.03%

Sindh Results

Seat Performance

Party	Total Recorded Votes Received	(as % of Total Votes Recorded)	Constituencies Won	(as % of total Provincial Assembly Seats)	Constituencies Won (Close-Margin)	(as % of Constituencies Won)	Constituencies Won (Wide-Margin)	(as % of Constituencies Won)
ANP	69138	0.82%	2	1.54%	0	0.00%	1	50.00%
JUI-F (as MMA)	80049	0.95%	0	0.00%	0	0.00%	0	0.00%
MQM	2592432	30.77%	39	30.00%	4	10.26%	34	87.18%
PML-Q (as PML)	1040229	12.35%	8	6.15%	2	25.00%	6	75.00%
PML-N	133766	1.59%	0	0.00%	0	0.00%	0	0.00%
PPPP	3580497	42.50%	71	54.62%	2	2.82%	62	87.32%
Other Minor Parties	720699	8.55%	10	7.69%	0	0.00%	8	80.00%
Independents	208284	2.47%	0	0.00%	0	0.00%	0	0.00%
Totals	8425094	100.00%	130	100.00%	8	6.15%	111	85.38%

Candidate Performance

Party	Contesting Candidates	(as % of Total Contesting Candidates)	% of Candidates Who Won	Runners-Up	% of Candidates Who Were 2nd Place	Third-Placing Candidates	% of Candidates Who Were 3rd Place	% of Candidates Remaining
ANP	15	1.07%	13.33%	0	0.00%	1	6.67%	80.00%
JUI-F (as MMA)	66	4.70%	0.00%	3	4.55%	30	45.45%	50.00%
MQM	119	8.48%	32.77%	9	7.56%	8	6.72%	52.94%
PML-Q (as PML)	57	4.06%	14.04%	39	68.42%	5	8.77%	8.77%
PML-N	79	5.63%	0.00%	3	3.80%	34	43.04%	53.16%
PPPP	129	9.19%	55.04%	53	41.09%	3	2.33%	1.55%
Other Minor Parties	75	5.34%	13.33%	17	22.67%	8	10.67%	53.33%
Independents	864	61.54%	0.00%	6	0.69%	41	4.75%	94.56%
Totals	1404	100.00%	9.26%	130	9.26%	130	9.26%	72.22%

Notes: "Close-margin" seats are defined as constituencies in which the winning candidate won by a margin of less than 5%. "Wide-margin" seats are defined as constituencies in which the winning candidate won by a margin of greater than 20%.

Due to election rules that allow candidates to contest from multiple constituencies, some candidates may appear as winning more than one seat. Data does not reflect replacement by-elections held since Election Day, February 18, 2008.

All data via the Election Commission of Pakistan website, General Elections 2008 Results - February 18, 2008, available at <http://ecp.gov.pk/GE08.aspx>

Data compiled by Colin Cookman, Shammias Malik, and Nathaniel Barr, Center for American Progress (2013), available at <http://www.americanprogress.org/wp-content/uploads/2013/03/Pakistan-February-18-2008-Elections-Dataset-Final.xlsx>

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Acknowledgements

I am indebted to my colleagues Brian Katulis and Caroline Wadhams and to the leadership of John Podesta, Neera Tanden, and Rudy deLeon at the Center for American Progress for their perspectives, mentoring, and support during the process of writing this paper and throughout my entire experience as a researcher at CAP. Bilal Baloch, Marvin Weinbaum, Joshua White, and Moeed Yusuf also provided much appreciated feedback and suggestions on earlier iterations of the draft. Former CAP interns Shammass Malik and Nathaniel Barr offered invaluable assistance collecting and organizing the data for Pakistan's 2008 election results. My thanks go out as always to CAP's much-overworked Editorial and Art teams—particularly David Hudson, Kerry Mitchell, and Alissa Scheller—for their assistance in turning my frequently moving draft into a finished product for publication. All errors remain my responsibility alone.

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