

**ROLE OF OPPOSITION IN PARLIAMENTARY DEMOCRACY**  
**IN PAKISTAN (2008-2013)**



**BY**

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**DEPARTMENT OF POLITICAL SCIENCE GOVERNMENT**  
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## **DECLARATION**

We, Sehar Sarwar (1272-MAPS-19) and Ahmad Taj (1236-MAPS-19) students of M.A in subject of Political Science session 2019-2021, Government College University Lahore, do hereby solemnly affirm that the thesis entitled “*Role of Opposition in Parliamentary Democracy in Pakistan (2008-2013)*”, submitted by us in partial fulfillment of M.A degree, is our original work and has not been printed, published and submitted as research work, thesis or publication in any form in any University, Research Institute etc. in Pakistan and abroad.

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## **RESEARCH COMPLETION CERTIFICATE**

The thesis, entitled as, “*Role of Opposition in Parliamentary Democracy in Pakistan (2008-2013)*” that was submitted by Sahar Sarwar and Ahmad Taj for the sake of completion of their M.A degree in Political Science, is being mentored and supervised by me and I contend that I am fully satisfied with their quality of research work.

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Without their prayers, we wouldn't

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## **ABSTRACT**

*This study aims at to analyze the role of opposition parties in parliamentary democracy, by examining the constitutional history of Pakistan that has observed many self-centered civilians as well as dictators (who refused to act as a ceremonial head under the sacred book of the state after assuming the legitimate power entitled them as military chiefs), thereby creates impediments in the evolution of parliamentary culture in Pakistan. Under parliamentary democracy the role of opposition in politics is crystal clear: their task is to decide matters pertaining to public demands and, at the same time, to keep a wary eye on government policies under which the general interest is not safeguarded and is taken as for granted. Therefore, it can safely be assumed that opposition leaders are the custodian of public interest and their primary aim is to legislating public-oriented policies. However, in Pakistan, the role of opposition has always been contained by non-democratic forces owing to their growing political dispensation and also due to lacking of mature and competent political leadership to putting the democratic cart before the horse , and unstable institutional development, the parliamentary democracy is badly failed several times in Pakistan. Though the legacy of taking over governments by military dictators comes to an end after Zardari's regime in 2008, yet the varying constitutional models -from Parliamentary to Presidential and then Quasi Presidential along with the then amendments in 1973 Constitution (especially 8th and 17th) - have not only distorted parliamentary democracy, but also have challenged the Parliament's sovereignty by denying people's inalienable rights. After the transition of power from military to civilian rule in 2008, it was imperative to correct the democratic course by restoring 1973 Parliamentary Constitution since political turmoil hampered the democratic evolution. However, the 5-year tenure of 13<sup>th</sup> constituent assembly successfully regains its original spirit through strong collaboration amongst heterogeneous political parties. Therefore, the collaboration of opposition parties with the then ruling party was the need of the time and in the general interest of the public. So, they get acclimatized to obstruct the illegal trend of exercising military power over the civil institutions of a democratic state. For instance; the emancipation of parliament is achieved by adding provisions relating to delineate its role using a constitutional body-parliamentary committee. The provision of due share in parliamentary committee certifies the role of opposition for the smooth functioning of parliamentary dealings. Further, matters pertaining to the appointment of judges, chief election commissioner and caretaker government show a sign of maturity and seriousness from political representatives. Under 18th amendment, the central-provincial relation is revised to guarantee participatory federalism. The renewal of CCI and NEC, headed by Prime Minister,*

*gives the sign of parliamentary strength as well as provincial autonomy. All these broad steps clearly indicate the Prime Minister as the real chief executive of the country and to ensure sovereignty of the Parliament. The responsibility of the parliamentary committee in the appointment of judges, Chief Election Commissioner and care taker Prime Minister too is a viable step towards strengthening the role of Parliament. Besides that, the researcher also touches upon the salient features of a historic document which is popularly known as the Magna Carta of Pakistan i.e. Charter of Democracy- that not only entails the very foundation of parliamentary democracy to be strengthened- but it also ensures provincial autonomy, independent judiciary as well as transparent elections. Apart from this, it also guarantees a tangible socio-economic development of the state. For that reason, the researcher, in this regards, inquires about the constructive role of opposition in making legislative decisions and devising constitutional policies by the then government that may lead to reinstate the parliamentary spirit of the Constitution under landmark “Charter of Democracy”. Therefore, this study provides its readers a deep insight into the constitutional role of opposition parties participated in the state affairs so as to pave the way for its smooth and fair functioning of legislative bodies.*

**Keywords: Democracy, Parliamentary Democracy, Opposition and its role**

**CHAPTER NO 1**

**INTRODUCTION**

## **INTRODUCTION**

The world has been practicing various forms of government. Monarchy is being exercised in the Middle East; Democracy being prominent in the western countries and most importantly in those nations where decolonization has occurred at large scale like in Africa as well as Indian subcontinent. However of all forms of governments, democracy remains one of the most popular forms of governments across the world. It is quite evident from the pages of history that western-type parliamentary form of democracy has not been evolved overnight, yet it consumes centuries to take its roots. Therefore, it is very apt to say that Europeans have been completely transformed into a parliamentary democracy- as a model- known as the Westminster style of parliamentary democracy. This particular parliamentary system of government is so admired all over the world that it is adopted by states in the world over such as; Australia, Canada, Turkey, New Zealand, Switzerland, Norway, Iceland, Sweden, Finland, Ireland and Denmark along with some trivial or key changes.<sup>1</sup>

As far as the definition of democracy is concerned, different philosophers have defined the term in different ways. The US President Abraham Lincoln's elucidates the term in a way that democracy is a government of the people, by the people and for the people.<sup>2</sup> While Diane Ravitch, scholar, author, and a former assistant U.S. secretary of education, wrote in a paper for an educational seminar in Poland: "When a representative democracy operates in accordance with a constitution that limits the powers of the government and guarantees fundamental rights to all citizens, this form of government is a constitutional democracy. In such a society, the majority rules, and the rights of minorities are protected by law and through the institutionalization of law."<sup>3</sup> However, Diane Ravitch's definition of democracy is quite close

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<sup>1</sup>According to the 2020 Report on the Top 10 Most Democratic Nations in the World  
<https://worldpopulationreview/country-rankings/democracy-countries>

<sup>2</sup> <http://www.democracy-building.info/definition-democracy.html>

<sup>3</sup> <https://web-archive-2017.ait.org.tw/infousa/zhtw/DOCS/whatsdem/whatdm2.htm>

to the definition of parliamentary form of democracy. Parliamentary form of democracy is actually that form of democracy where the power lies with the people to decide about their fate.

Parliament is regarded as one of the most fundamental state institutions and, therefore, has always been a center of debate owing to have equal representation of both stakeholders; opposition as well as government. In its true nature, it is certainly not a monolithic and a homogenous institution, but a representative institute where public is involved indirectly through their representatives.<sup>4</sup> Therefore, Lord Dicey, in this respect, comes up with the typical elucidation of the doctrine of parliamentary sovereignty. For instance; he states, “*The principle of parliamentary sovereignty means neither more nor less than this, namely, that Parliament... has, under the English Constitution, the right to make or unmake any law or whatever; and, further, that no person or body is recognized by the law of England as having a right to override or set aside the legislation of the Parliament.*”<sup>5</sup> This explanation of Lord Dicey certifies that parliament is one of the most prestigious institutions in parliamentary form of democracy since it formulates laws and devises policies keeping in view the general interest. And it is the only public owned institution where the echoes of public are perceived with utmost care and prudence since this house is filled by the consent of public through voting during elections. The representatives of general public prepare laws and executive has to implement those laws; however, judiciary is to umpire executive and legislative so as to avoid conflict between the two and within their own fields, and that is the true essence of parliamentary form of democracy. So, judiciary and legislative are the most sacred institutions and executive comes later. This truly depicts the order of these institutions where democracy prevails.

Opposition’s role under parliamentary form of government has always been a center of discussion as far as the Pakistani politics is concerned. At its most fundamental, opposition is regarded as the central as well as legitimate resistive force that may assist or resist in running state’s institutions. Unfortunately, in Pakistan, politics played by opposition has not been constructive. However, from 2008 to 2013, opposition and government are appeared to be worked side by side in matters pertaining to restoration of judiciary, reinstatement of provincial autonomy, and strengthening of civil institutions by abrogating Eight and

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<sup>4</sup> EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION) REPORT ON THE ROLE OF THE OPPOSITION IN A DEMOCRATIC PARLIAMENT adopted by the Venice Commission, at its 84th Plenary Session

(Venice 15-16 October 2010) by Ms Angelika NUSSBERGER (Substitute Member, Germany) Mr Ergun ÖZBUDUN (Member, Turkey) Mr Fredrik SEJERSTED (Substitute Member, Norway)

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2010\)025-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2010)025-e)

<sup>5</sup>A research paper, “*Revitalization of Democracy*”, written by Muhammad Rizwan, Muhammad Arshad and Muhammad Waqar students of Department of Political Science, Hazara University, Mansehra, Pakistan, and published in Journal IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 19, Issue 2, Ver. II (Feb. 2014)

[https://www.researchgate.net/publication/271262343\\_Revitalization\\_of\\_Parliamentary\\_Democracy\\_in\\_Pakistan\\_under\\_18\\_th\\_Amendment.com](https://www.researchgate.net/publication/271262343_Revitalization_of_Parliamentary_Democracy_in_Pakistan_under_18_th_Amendment.com)

Seventeenth Amendments passed by Gen. Zia ul Haq and President Musharraf respectively.<sup>6</sup> As per the 1973 constitution, Pakistan is said to be a truly democratic state where Prime Minister-being a supreme leader- is the head of Executive and absolute leader of legislature and is supposed to work under the supreme law of the land; however, the reality is otherwise. Under democratic principles, legislature is given mandate to devise laws and amend constitutions as per requirement and demand of the general public, and executive is to take practical steps to implement those laws under the supervision of Prime Minister. On the other hand, Judiciary- being a sole guardian of constitution- keeps an eye on executive and legislative. This is how the parliamentary form of government works in general. The irony; however, is Pakistan is regarded as the only country where executive has capacity to dictate judiciary and legislative. This could easily be analyzed by the early democratic journey of Pakistan, which is so miserable due to the occurrence of horrific incidents; consistent military coups, 1965 and 1971 deadly wars, separation of East Pakistan, Kargil onslaught and War on Terror, for it did not let the roots of democratic culture to flourish in Pakistan. Therefore, it is imperative to have a cursory glance at the predicaments of democratic journey of a newly emerged state, Pakistan, first so as to provide readers with robust background knowledge. However in the forthcoming section of historical background, major events from 2006 to 2013 have been covered to discuss the relationship between the then opposition parties and the governing party.

The constructive role of opposition is seen nowhere in Pakistan since there is no elected government purely on merit basis after the death of Quaid-e-Azam and Liaqat Ali Khan. For 30 years, Pakistan has suffered at the hands of dictators; Generals Ayub Khan, Zia ul Haq and Pervaiz Musharraf, military rulers in 1958 – 69, 1977-88 and 1999 – 2008 respectively. Therefore, Pakistan politics has suffered with acute political crisis after partition. The consolidation of so-called the integrity of Pakistan was the core concern of military that culminated in the abuse of power to play its role inside the territory, thereby created impediments in the way of constitution making procedures. In this respect, Lord Acton, a renowned British politician, says, “Power is tend to be corrupt and absolute power corrupts absolutely”<sup>7</sup>. This is what exactly happens with Pakistani politics that military generals took benefits of weak political institutions, political leadership and the absence of written constitution after the demise of founding fathers of Pakistan. Therefore, an unanticipated delay in constitution making procedures has been observed, and the first Constitution of Pakistan 1956 is formally adopted after the struggle of almost eight years, imbued with parliamentary form of government, which provides the President as a ceremonial head of the state, yet the

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<sup>6</sup> A book, entitled as, “Constitutional and Political History of Pakistan: 3<sup>rd</sup> Edition” produced by “Hamid Khan” Part IX Chap 41 “Eighteenth Amendment”.

<sup>7</sup>A famous saying of Lord Acton, a renowned British Politician  
<https://www.phrases.org.uk/meanings/absolute-power-corrupts-absolutely.html>

real executive power is conferred upon the Prime Minister and his Cabinet.<sup>8</sup> On the other hand, untoward military interventions by military generals altogether altered the political system of Pakistan- from federal parliamentary to a fully authoritative as well as centralized presidential form- by crushing the democratic aspirations of the people of Pakistan. Then no sooner had the people of Pakistan got a novel charismatic leader, namely, Z.A Bhutto, then he also fallen to a pray of military dictator's egoistic contentment. Actually in order to framing the Constitution of 1973, great efforts- under the charismatic leadership of Zulfikar Ali Bhutto-are put in place to refurbish the parliamentary history of Pakistan after the consensus of almost all political parties, which is developed in the House that revives the nation's vision to retain the status of parliamentary democracy in its true spirits. Yet, the elected civil government manages to restore parliamentary democracy in the country after having long sufferings of unconstitutional authoritarian regime by formulating the final draft of constitution for the country. Unluckily, the civilian rule could not last for a considerable period of time and preparations for taking over the civil government had been made.

Hence, such circumstances led to dethrone of President Musharraf and the power successfully transferred to an elected government. The 2013 elections and their aftermath marked the first-ever transition from one elected government to another, 40 years after the 1973 constitution established a federal parliamentary democracy.<sup>9</sup> However, top military men learned a great lesson from theirs' past experiences: "Never to intervene in politics directly but, always dictate political discourses from behind the curtain" and consequently, Pakistan is going through a hybrid martial law since we have observed that the civil institutions in Pakistan are controlled by retired military generals (by acquiring top positions where bureaucracy were supposed to perform the task), and the role of bureaucracy is contained by not giving them their due roles to play in these civil institutions".

After the installation of civil government in 2008, it is the first time in history that opposition's role is regulated under the Charter of Democracy (CoD). Actually political parties have realized that democracy could only be sustained only if the government and opposition work side by side under one roof. The one-on-one interaction between opposition members and government representatives is not only envisaged but also protected under this charter. First time the opposition leader is given as much importance and value as is given to Prime Minister and his cabinet serving in the civil institutions. For instance; Rolf Paasch- a

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<sup>8</sup> A research paper, "*Revitalization of Democracy*", written by Muhammad Rizwan, Muhammad Arshad and Muhammad Waqar students of Department of Political Science, Hazara University, Mansehra, Pakistan, and published in Journal IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 19, Issue 2, Ver. II (Feb. 2014)

[https://www.researchgate.net/publication/271262343\\_Revitalization\\_of\\_Parliamentary\\_Democracy\\_in\\_Pakistan\\_under\\_18\\_th\\_Amendment.com](https://www.researchgate.net/publication/271262343_Revitalization_of_Parliamentary_Democracy_in_Pakistan_under_18_th_Amendment.com)

<sup>9</sup> Parliament's Role in Pakistan's Democratic Transition Asia Report N°249 | 18 September 2013  
Microsoft Word - 249 Parliaments Role in Pakistan's Democratic Transition (refworld.org)

resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan, while making a comprehensive as well as collaborative efforts with The Research Initiative (TRI), build a detailed and remarkable analysis on Pakistan's top-notch legislative institute "Parliament"- The National Assembly (Lower House) and The Senate(Upper House), and its Parliamentary achievements made and Challenges faced by both the opposition parties in general and the ruling party in particular- produce a document entitled as "Decade of Democracy in Pakistan: Parliament (2008-2018)"and, they conclude on the agenda of empowerment of parliament and opposition's role in it, *"During this ten-year period parliament has also been more empowered. The 18th Constitutional Amendment passed in 2010 has redefined the power structure and shifted authority from the President to the legislative branch. With the end of discretionary power of the executive to dissolve assemblies and governments, the prime minister as leader of majority party in the National Assembly (NA) is now more empowered than an indirectly elected president as has been the case prior to the 18th Amendment. Now the prime minister is empowered to make appointments of senior civilian and military functionaries. The parliament, prime minister and the leader of opposition in the NA and the Senate has greater role in appointment of caretaker government, chief and members of Election Commission and superior judiciary. Previously, president had power in all these appointments."*<sup>10</sup>

Although the opposition's role is protected under this charter, yet they are not taken seriously in matters pertaining to government policies. As a matter of fact and a general rule of politics, policies and laws are made and implemented solely on whims of ruling party. Therefore from 2008 to 2013, it has been observed a skirmish between government and opposition is going on throughout the 5-years tenure of 13<sup>th</sup> constituent assembly. However, government has given valued to opposition parties in matters related constitution reproduction to its original form, abrogating the previous seventeenth amendment introduced by a military dictator.<sup>11</sup> Therefore opposition parties are given prominent representation in Special Committee of the Parliament on Constitutional Reforms.

This is how the then opposition is compensated in the matters of their interests. Now in the upcoming paragraphs, we will try to discuss the relationship on the basis of data released by a document entitled as "Decade of Democracy (2008-2013)" so as to analyze objectively the role of opposition.

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<sup>10</sup>A document, entitled as, "Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

<sup>11</sup>A book, entitled as, "Constitutional and Political History of Pakistan: 3<sup>rd</sup> Edition" produced by "Hamid Khan" Part IX Chap 41 "Eighteenth Amendment" P. 566.

## **1.1 STATEMENT OF THE PROBLEM**

In Pakistan, it has been observed that the parliamentary sovereignty is succumbed to political dispensations of few military generals and lack of political leadership skills that end up with having paralyzed democracy thereby the democratic aspirations of the people of Islamic Republic of Pakistan are crumpled down by both the stakeholders.

## **1.2 RESEARCH OBJECTIVES**

The objectives of this extensive study are explicitly discussed below:

1. To critically analyze the overriding factors that paved the way for the restoration of parliamentary sovereignty in Pakistan.
2. To investigate how oppositions works under the supreme law of the land (1973 constitution) and theirs' constitutional roles in devising legislative policies
3. To take a cursory glance at the various legislative policies formulated by the then ruling party in collaboration with opposition parties.

## **1.3 SIGNIFICANCE OF THE STUDY**

This comprehensive and research-based study- Role of Opposition in Parliamentary Democracy in Pakistan is remarkable because of its dealing with the history of parliamentary democracy from 2008 to 2013. Our history, initially, was quite bitter due to some dictators owing to their power-hunger nature. Actually, this study brings into limelight the struggle made by renowned parliamentarians along with the then statesman or the ruling party to block all the ways of military interventions that hampered the political system of Pakistan. This was one of the biggest developments in making the political history of Pakistan. Moreover as the demand of the research thesis is to shed some light on the role of opposition in the restoration of the democratic culture in Pakistan, so a detailed case-study of 13<sup>th</sup> constituent assembly of Pakistan is presented so as to make the role of opposition more elaborative and clear. In doing it so, all the efforts are being put in place to cover the historical events occurred from 2006 to 2013 that may assists in restoring political supremacy. Besides that, this study is also quite significant in a way that it discusses the role of opposition by providing factual data so as to make inferences in the conclusion part of this document. On the other hand, the facts and figures that are provided with great care help to retaining objectivity of the document. All the collaborative efforts made by Government and Opposition in

the face of devising legislative policies pertaining to restoring the supreme law of the land- 1973 Constitution- are examined in this study that makes it a bit spicy.

#### **1.4 RESEARCH QUESTIONS**

This study aims at to addressing the following queries:

1. What were the overriding factors that played a significant role in making alliances and building political consensus during Zardari's regime?
2. How does opposition perform its functions under the 1973 constitution of Pakistan?
3. What are the principles of parliamentary democracy?
4. What were the practical legislative steps taken by opposition parties to restore parliamentary sovereignty in Pakistan?

#### **1.5 RESEARCH METHODOLOGY**

This is a qualitative desk study; being employed the techniques of qualitative research, since the data has been accumulated from altogether different sources; therefore objectively analyses the previous study on the given topic. So, such a technique is said to be qualitative research methodology. Besides qualitative research methodology, the researcher has also used observational method so as to provide references of the documents from where the facts and figures are added to this research. Additionally, the analyses and interpretations of the previous texts provide a detailed study on the predicaments of parliamentary sovereignty and how the opposition worked for its restoration by formulating mind-blowing policies. Another considerable point is that ample allusions being given in this paper to substantiate the arguments and to find answers to research questions.

#### **1.6 LIMITATIONS OF THE RESEARCH**

The title of the present study "*Role of Opposition in Parliamentary Democracy in Pakistan (2008-2013)*" is quite generic, that covers almost the every facet of government's state of affairs; however, the researcher- keeping in view the predicaments of this particular time period (2008-2013) - endeavors to discuss the long battle of regaining parliamentary sovereignty by democratic forces at the hands of nondemocratic powers. Therefore, this document- instead of giving space to other aspects of the topic- is kept restricted to discussing those legislative policies which paved the

way for making opposition cooperative as well as supportive in the history of Pakistan's democratic struggle against military. Hence, this paper considers only legislative part of the assigned topic, as a part of our research proposals, since all the other parts; struggling terrorism, formulating educational policies, proposing healthcare strategies, and controlling inflation rate are the less concerned points of discussion for the opposition parties during this era.

## **1.7 SCHEME OF CHAPTERS**

Chapter 1 contains the introductory part of the thesis in which the topic acquaints its readers with the preliminary problematic situations of Pakistan that are being touched upon by the researcher so as to help in making inferences in the concluding section. These problems are quite fundamental and play a vital role in pushing back the democratic forces from the political arena. Of all these problems, delay in constitution-making, lack of political leadership, consistent intervention of military in Pakistani politics and personal grudges among politicians of diverse political parties are discussed briefly in this introductory section. Ample of references have been provided with sweeping statements that may help to substantiate the stance of researcher.

As far as chapter 2 is concerned, it discusses the important research articles and their prescribed themes where the study material has been accumulated from under the heading Literature Review. Besides that, in the same section and under the heading of Conceptual framework, different approaches have explicitly been discussed. One of these approaches is applied to this paper in order to solve the conundrum of opposition's role in parliamentary democracy. Moreover, there is a tinge of element of theory of opposition and government relationship is present in this particular section so as to relate with the case study.

To talk of style of references, the Chicago Manual of Style (16<sup>th</sup> Edition) for references and bibliography has been applied to this paper.

**CHAPTER NO 2**

**LITERARURE REVIEW AND CONCEPTUAL FRAMEWORK**

### **3.1 LITERATURE REVIEW**

Rolf Paasch a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo a program coordinator at FES Pakistan, while making a comprehensive as well as collaborative efforts with The Research Initiative (TRI), build a detailed and remarkable analysis on Pakistan's top-notch legislative institute The National Assembly (Lower House) and The Senate(Upper House), and its Parliamentary achievements and Challenges faced by both the opposition parties in general and the ruling party in particular.<sup>12</sup> The research team led by Mr. Nazeer Mahar has painstakingly done a tedious job of accumulating relevant data as well as facts and figures to formulating a robust analysis on the key areas concerning restoration as well as restructuring of Parliamentary Democracy in Pakistan. Moreover, the report on the state of affairs of both the houses of the parliament, in Pakistan during the five-year tenure of the 13th constituent Assembly under democratic norms, is deemed as one of the greatest achievements on the subject

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<sup>12</sup>A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

so far, yet created a best document on the given subject. While commenting on the centralized system of Parliamentary Structure of Pakistan, this document overtly discusses the democratic norms which are more or less exercised by the parliamentarians in all over the world. It also provides the purpose and functions of Parliament to perform its duties effectively and how should it play a role of mediator between the citizens and the state since we know that a vibrant relationship can only be achieved through active participation in the state affairs through voting. Besides it, the document also touches upon the parliamentary system of government across the world so as to making the study a bit comparative and a comprehensive plan is devised to restructuring the legislative institute of Pakistan. Apart from this, though this document covers a decade of Democracy from 2008 to 2018 as the title of the supplementary document suggests, yet the researcher (while accumulating data on the role of opposition parties) provides data to examine 13th constituent assembly only. This document also includes a tinge of historical events that have already been critically examined in the earlier introductory session. Keeping in view this, the research questions are made in line with this document so as to address the core concerns of the given thesis. Furthermore, this document not only provides the social as well as economic context of Pakistan's economy, but also relates it with voter turnout ratio in which a considerable increment of registered voters are observed in the subsequent general elections after 2008.

‘Constitutional and Political History’ of Pakistan by Hamid Khan covers the case study of Pakistan vis-a-vis opposition's role in politics.<sup>13</sup> He argues that no country has ever experienced altogether different forms of constitutional developments. Moreover, the books also critically analyses several important political developments in the history of Pakistan. As far as constitutional developments are concerned, this book covers almost every aspect that can affect the developments made from its inception to present government. He builds his argument from analyzing the pre-partition constitutional and political history to the history of constitution-making and the role of political representatives in devising constitutions for a newly born state. Ample references have been quoted in this thesis from the book.

Inter-Parliamentary Union (hereafter IPU), an international organization of parliaments having 153 parliaments (as a member) in June 2009, and Eight regional parliamentary Assemblies (as associate members), established in 1889 proposed a guideline on the rights and duties of the opposition in parliament, which was accepted unanimously by the participants at the parliamentary

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<sup>13</sup> A book, entitled as, ‘Constitutional and Political History’ of Pakistan written by Hamid Khan, 3<sup>rd</sup> Edition (P. 258-301)

seminar on relations between majority and minority parties in African Parliaments.<sup>14</sup> Though these principles are devised to specify the duties and responsibilities of opposition parties in African Parliaments, yet these principles could universally be adopted as well as accepted owing to have identical governmental structure of parliamentary democracy. This document reaches at the pinnacle of democratic norms as far as the role of opposition in parliamentary democracy is concerned. This paper brings into limelight the reason that why a democratic form of government is essential for the subsistence of downtrodden and downgraded community? Besides it, the document also points out the overriding factors that may help to achieve the ends of democracy. Moreover, it also touches upon the importance of opposition in Parliament, and a complete comprehensive plan is devised to discuss the role of opposition parties in Parliament, that his should they keep an eye on those government policies that do not serve the vested interest of the people. This document, however, is a kind of formal effort in this respect; keeping in view the normalcy of transition of power from majority to minority and vice versa. This document provides a complete guideline as well as Standard Operating Procedures (SOPs) to opposition parties all over the world so that they may work as per these rules proposed by IPU.

The article, "Revitalization of Parliamentary Democracy in Pakistan under the 18th Amendment" published in IOSR Journal of Humanities and Social Sciences in January 2015 and written by Muhammad Waqar (from Hazara University) in collaboration with Muhammad Rizwan and Muhammad Gulbaz Arshad, hailing from Department of Political Science Government College University Faisalabad, marvelously discusses the restoration of democratic process in Pakistan, keeping in view the bitterness of historical events.<sup>15</sup> This research paper provides an impetus to this present thesis owing to overtly discuss the overriding factors that paved the way for restructuring democratic structure under the nose of most significant constitutional amendment, popularly known as 18th Constitutional Amendment. Before that it gets to the point, the researchers are more inclined towards the discussion of historical events and constitutional history of Pakistan in detail, and then

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<sup>14</sup>“Guideline on the Rights and Duties of the Opposition in Parliament” a document obtained by Inter-Parliamentary Union (IPU), an international organization of parliaments having 153 parliaments (as a member) in June 2009, and Eight regional parliamentary Assemblies (as associate members), established in 1889 and Unanimously adopted by the participants at the Parliamentary Seminar on Relations Between Majority and Minority Parties in African Parliaments (Libreville, Gabon, 17–19 May 1999)

opposition.pdf (ipu.org)

<sup>15</sup>A research paper, “*Revitalization of Democracy*”, written by Muhammad Rizwan, Muhammad Arshad and Muhammad Waqar students of Department of Political Science, Hazara University, Mansehra, Pakistan, and published in Journal IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 19, Issue 2, Ver. II (Feb. 2014)

[https://www.researchgate.net/publication/271262343\\_Revitalization\\_of\\_Parliamentary\\_Democracy\\_in\\_Pakistan\\_under\\_18\\_th\\_Amendment.com](https://www.researchgate.net/publication/271262343_Revitalization_of_Parliamentary_Democracy_in_Pakistan_under_18_th_Amendment.com)

they discuss the legislative policies that are made on the floor of the Houses for the first time in the constitutional history of Pakistan. Therefore, a complete appraisal of 5-year tenure of 13th constituent assembly is discussed in detail, which is later on compared with 14th constituent assembly. This document covers each and every aspect of Zardari's government and his relationship with the then parties in opposition; either related to strengthening of economic institutions or the reconstruction of judiciary, either pertaining to Election Commission and the introduction of Electoral Reforms or the setting up of Caretaker government, either matter of Renaming NWFP and issue of New Provinces or giving provinces full autonomy to decide matters of its interest. So, it can safely be assumed that the present thesis is the reflection of the document “Revitalization of Parliamentary Democracy in Pakistan under the 18th Amendment.

John T. Ishiyama and Marijke Breuning based on University of North Texas edits a political science book entitled as “21st Century POLITICAL SCIENCE: A Reference Handbook” in which they discusses each and every aspect of political science, from political approaches to methods and theories of political systems. Not only this, it also argues about comparative politics and the emergence of different political systems that are being practiced in the world over. This book mainly covers the historical events that shaped the world politics as well. Topics such as: Civil wars; Terrorism; Military Coups; Political Conflicts; Ethnic Conflicts; a comparative study of Federalism, Confederalism and Unitary systems; Presidentialism versus Parliamentarianism; Comparative Judicial Politics; Religion and Politics; Political Socialization and Political Culture; Models of Democracy; and so many other themes are touched upon in this book.<sup>16</sup> Besides that, it also brings into limelight international events that determine International Political Order. It provides ample space to study International Relations and its subtopics such as: Theories of International Relations; Dependency and World-Systems; Foreign Policy Analysis; Feminist International Relations; Leadership and Decision Making; Balance of Power; Deterrence Theory; Rivalry, Conflict, and Interstate War; The Democratic Peace; Global Politics of Resources and Rentierism; Complex Interdependence and Globalization; International Political Economy and Trade; Non state Actors in International Relations; International Organizations and Regimes; International Law; International Environmental Politics. Lastly, editors of this book close their

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<sup>16</sup>21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas, Chapter 1 of the book, entitled as, “History of the Discipline” by Ellen Grisby of University of Mexico (P.99-103).

discussions in providing a critical perusal of American version of Democracy and western and modern political thought that form the basis of current political systems.<sup>17</sup>

David Easton who is a renowned American-based modern political scientist argues about a political system theory 'System Analysis' in his most-acclaimed book entitled as 'The Political System'. He provides a profound insight into how political system usually works and what are the fundamentals of political system? He enunciates in his political system theory how political culture is formulated and what are the elements that assist any political process to convert inputs as desires and demands of the public into outputs as policies and laws that are celebrated as a whole. In this study, his theory is also discussed in details in the upcoming section.

Gabriel A. Almond, while having a critical appraisal of David Easton's theory of system analysis and adding that section to his most-read book, named as, 'Comparative Politics', critically analyses the theory of system analysis. In his own theory, the basic concepts are same; however, certain changes have been made and the method that he adopted towards his theory is a bit more elaborative s compared to that of David Easton's approach. For instance, he adds the concept of political socialization, political recruitment, political structures and the nature of the society that affects the whole political system. Almond initially writes articles on comparative politics, but those articles compel him to come up with writing up a book that eventually laid the foundation of comparative politics.

### **3.2 CONCEPTUAL FRAMEWORK (POLITICAL THEORIES OF SYSTEM ANALYSIS)**

21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas touches upon the themes of systems analysis theories of political science in detail.<sup>18</sup> Understanding the essentials of David Easton's and Gabriel A. Almond's political system analysis theories, it is imperative to discussing them into their broader perspectives which is itself one of the most fundamental tasks before starting off the discussion. 'What is meant by a social system?' 'What are its characteristics?' 'In what possible ways is a society or a social system categorized?' and 'What are the components of a social system [political system] whereupon it depends?' are the crux of their discussions. Addressing all these

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<sup>17</sup>21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas, Chapter 1 of the book, entitled as, "History of the Discipline" by Ellen Grisby of University of Mexico (P.99-103).

<sup>18</sup>21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas, Chapter 1 of the book, entitled as, "History of the Discipline" by Ellen Grisby of University of Mexico (P.99-103).

core concerns would assist in a whole comprehension of Easton's explanation of Political System Analysis theory and Almond's elucidation of theory of Political System Analysis. After that, the thesis will reach the definition of 'what actually political system is?' Now let us take a cursory glance at these questions, and then their theories (Easton and Almond) will also be touched upon so as to apprehend the whole concept of system analysis theories.

What is meant by a system? So, a system, as defined by political scientists, is "a structural functional organization of two or more separate but interdependent parts, which form an integrated whole to achieve some objectives".<sup>19</sup> Now this definition has two parts: one explains the constituents of a system that constitute an organization (organization itself is a sub part of that particular system); and the other part of the definition explains its functions that 'how and why it works'. Overall the definition of a system indicates that a system is more or less 'a working organization', that has a definite structure and that performs some specific functions, and this organization itself has two or more separate but interdependent parts or sub parts, which specifies that this organization is made up of several subparts, and when these subparts are integrated then an organization is formed. Society, for instance, is a system then family (as organization) is its sub-system or sub-part and friends (as other organization) are its other sub-system or sub-part; however, both the organizations are the sub part of the larger part (society). Now these organizations- family and friends- are two separate but interdependent constituents of a larger system. Then the other tasks that are associated with these organizations are to perform certain functions being part of the larger system (society or environment) in order to achieve some common objectives, goals or ambitions.

Every system has some characteristics features.<sup>20</sup> This system (in terms of Political Science) also possesses some characteristics features, as indicated through the definition discussed above. These characteristics are: Inter-dependence, in system it means that the components of a systems must be functioning smoothly and all the components being of interconnectedness should affect each other; Dynamic equilibrium, it entails the notion of regulation mechanism, according to which any such ambiguities or malfunctioning that halts the whole system must be fixed within a considerable period of time; Activity, a system ought to perform certain functions that are

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<sup>20</sup>21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas, Chapter 1 of the book, entitled as, "History of the Discipline" by Ellen Grisby of University of Mexico (P.99-103).

associated with it such as to convert inputs into outputs; and Dependence on External Environment, gives the impression that systems are environment-dependent so it must be intact with its external environment from which it is made up (such a system is known as open system), and if it does not do it so then that would be termed as self-sufficient or closed system. These are all the characteristics features of a system, and can be considered as the exegesis of David Easton's and Gabriel A. Almond's theories of system analysis.

It is remarkably observed that every system (the term is used in larger perspective) has many subsystems which are regarded as subparts of the larger system.<sup>21</sup> Now society that acted as an external environment also has several other systems- a political system is one of the types of systems. Besides political systems, society does have economic systems, religious systems, ideological systems, geographical systems, judicial systems, administrative systems and so on. However within political systems, there are so many political subsystems that operate under constraint environment. For instance, political parties and political structures are regarded as two of the most important subsystems of a political system, that utterly depends upon the transient nature of the external environment which is known as society or social system. Moreover, political system cannot stay aloof from social system or society rather mixed with other subsystems such as economic, cultural, educational etc. This is how society or a social system, which acts as an external environment, is categorized into its systems and subsystems.

Therefore in the light of above discussion, a query appears that needs to be addressed is that 'Does political system transient in nature or not?' There are two diverging opinions to address this question. First is that most of the behavioral political scientists and thinkers respond to this question as "No" since they are of the opinion that political system is always and shall always be unique as well as static and that can never be produced or altered at any cost. However, some other political scientist and proponents of modern times believe that political processes are transient in nature and its dynamic nature allows it to become adaptable to the external environment accordingly. In order to explain this ephemeral nature of political processes, David Easton and Gabriel A. Almond put forward theories of political systems- Theory of System Analysis- that are being discussed in the upcoming paragraphs.

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<sup>21</sup> Easton, D. (1953). *The political system: An inquiry into the state of political science*. Chicago: University of Chicago Press (P. 91-103).

David Easton along with Gabriel A. Almond discusses system analysis theory in the context of political systems and its subsystems.<sup>22</sup> However, they utilize their concepts upon society (external environment) so profoundly that it is very difficult to discuss their theories without mentioning the components of political systems. A political system has some underlying components: Political structures- the organs of government and state institutions that are combined together to form political structures such as political parties, non-state actors, government organizations etc; Political functions are certain roles that are associated with these organs; Political Culture or Public Opinion are some models of communication between actors and agents and their values and attitudes; Political Process involves Inputs, Outputs and feedbacks: Inputs entered as demands and demands stem from desires, needs and expectations of the citizens; output comes out as a product such as laws and their implementations; and feedback takes out as voter turnouts and the nomination of upcoming political party to drive the affairs of the state. These actually form the fundamentals of the system analysis theory as presented by David Easton and Gabriel A. Almond.<sup>23</sup>

David Easton, among first American political scientists, enunciates the theory of system analysis to politics in 1953 in his book, 'The Political System', and claims that his theory denotes all the social systems, particularly whole political processes. He defines political system as: *"that system of interactions in any society through which binding or authoritative allocations are made and implemented. Authoritative allocations relate to the values or object or resources of human needs and desires. They can roughly be translated as laws or acts of policy"*.<sup>24</sup> Now let us have a complete dissection of Easton's interpretation of the political system, which is also termed as polity.

Easton's definition of the political systems could be divided mainly into two parts; the formation and implementation of binding or authoritative allocations, and the core values or objects or resources of human needs and desires that actually assist to form and implement all those binding or authoritative allocations upon society in the shape of laws and policies.

As far as binding or authoritative allocations are concerned, the social, economic, cultural and other variables of society are the driving forces that enter into the conversion process as inputs that can further be categorized into three categories: Demands; Apathy; and Supports. Now when

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<sup>22</sup> Easton, D. (1953). The political system: An inquiry into the state of political science. Chicago: University of Chicago Press (P. 91-103).

<sup>23</sup> Almond, Gabriel (1956) Comparative political systems, Journal of Politics, 18, (P.391 409).

<sup>24</sup> Easton, D. (1953). The political system: An inquiry into the state of political science. Chicago: University of Chicago Press (P.91-103).

these demands are reached through proper channel to government officials, they do their best to either accept or reject those demands of the public or groups. If these are accepted then the decision makers simply make and implement policy, that come out as output in terms of decisions and actions and their impact upon the society are constantly be supervised. Negative impacts upon society return to inputs as feedback, and people celebrate the fruits of positive change in the society. This is how David Easton explains the phenomenon that the nature of Political System is not static but transient and can be altered or changed by the general will of the citizens.

Now the succeeding paragraphs discuss the structural functional theory of system analysis as presented by Gabriel A. Almond.

To begin with Almond, he elucidates, in his theory, the reasons of being used the term 'political system' in comparative politics, as his predecessors used to use government, state and nation instead of political system because they had had narrow meanings in terms of legal and institutional scope of the study. Therefore, this instigated Almond to coin a new term and provided a mechanism that might covered the whole political activities and its impact upon society. Therefore, Almond says, "If political science is to be effective in dealing with political phenomena of all kinds of societies, regardless of culture, degree of modernization, and size, we need a more comprehensive framework of analysis."<sup>25</sup> Almond states that "The principal advantage of the system concept is that it analytically differentiates the objects of study from the government, directs attention to the interaction of the system with other systems in its environment, to its own conversion characteristics, and to its maintenance and additive properties."<sup>26</sup> He says, "When we speak of the political system, we include all the interactions which affect the use or threat of use of legitimate physical coercion. The political system includes not only governmental institutions such as legislatures, courts, and administrative agencies, but all structures in their political aspects. Among these are traditional structures such as kinship and caste groupings; and anomic phenomena such as assassinations, riots and demonstrations; as well as formal organizations like parties, interest groups, and media of communication."<sup>27</sup>

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<sup>25</sup> See Almond G. A and G. Bingham Powell (1956), Comparative Politics: Systems, Process and Policy, Second Edition (P. 94-100).

<sup>26</sup> See Almond G. A and G. Bingham Powell (1956), Comparative Politics: Systems, Process and Policy, Second Edition (P. 94-100).

<sup>27</sup> See Almond G. A and G. Bingham Powell (1956), Comparative Politics: Systems, Process and Policy, Second Edition (P. 94-100).

In the light of above expositions of Almond, the mechanism of structures and functions of a political process is derived from the same driving forces, the demands and supports, as received from the external environment (society). However, the only difference between Easton's and Almond's attempt to approach the system is that Easton ignores the process of political socialization and political recruitment before inputs, as demands and support, which get access to conversion process through this political socialization. Besides that, the conversion process, as indicated by Almond, has two sub divisions- Input Functions and Output Functions. Inputs usually come from political representatives that later turn into output as policies and laws and impact the society, depending upon the groups and stakeholders who articulate interests that later transform into interest aggregation. This is how a political development takes place after the termination of this complex mechanism in which society nominates political groups and representatives and then these representatives through a political socialization carry the demands and Supports of the people to legislature to formulate laws and then those laws are implemented through executive.

After discussing the crux of their theories, it is imperative to touch upon conclusion of their discussion in terms of the types of political systems that are prevailing in the world over. Authors divide the political systems on the basis of two principles: Democracy, and Modernity. He further elaborates the political systems by incorporating those principles into it. According to him, a political system is said to be a democratic if it entails the notions of autonomy and liberty into its political subsystems when the process of decision-making is carried out. If this is not done so, the political system will be called as non- democratic political system. The second principle of modernity ensures that political system develops its social and economic systems. If it does not modernize these systems then it will be termed as traditional political system.<sup>28</sup> Hence on the basis of aforementioned criteria of political systems, it is divided further into four types: (i) Traditional Non-Democratic Political system (ii) Traditional Democratic Political System (iii) Modern Non-Democratic Political System (iv) Modern Democratic Political System. To begin with *Traditional Non-Democratic Political System*, the influence of social life upon the political processes remains prevalent in the whole society, and the decision-making processes are carried out with the consent of not ordinary citizens, but with popular support of the chiefs of clans and caste systems. The chief of a clan or caste influences the governmental affairs. These political systems have different names: Oligarchy, Monarchy and Tyranny. These political systems existed in ancient times in Africa, Asia

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<sup>28</sup>21<sup>st</sup> Century Political Science: A Reference Handbook edited by John T. Ishiyama and Marijke Breuning hailed from University of North Texas, Chapter 1 of the book, entitled as, "History of the Discipline" by Ellen Grisby of University of Mexico (P. 71-93)

and Europe. Although these political systems are no longer exist in the 21st century, yet its modern forms are still found in practice in states as Kingdom of Saudi Arabia (KSA), Uganda and Ghana. Secondly, *Traditional Democratic Political System* is a type of political system in which the decision-making process is democratic, and political parties actively participates in governmental affairs- law-making as well as law-implementing procedures- and enjoy full autonomy and liberty safeguarded under constitution, but the social fabric of society is intoxicated owing to Clans and Castes systems, Religious groups, and Baradari Systems. These traditional kinship groups impacts the political processes both positively as well as negatively, depending upon their vested interests. In this political system, the public interest or general interest often remains at the back foot. Traditional democracies are still present today, in the 21st century. These democracies are usually recognized as Third World Countries: in South Asia; India and Pakistan; in the most part of Middle East as Iran, Iraq, Syria; and Egypt in Africa. In this political system, the pressure groups are so active that government occasionally has to succumb to their impact. Thirdly, *Modern Non-Democratic Political System* is another kind of political system practicing in the modern world. The government is run by either one man or a few of his group members. Political and other related matters are decided by them instead of public. This political system is recognized by two names: Authoritarian and Totalitarian, depending upon which types of means are being utilized in order to consolidate his absolute authority. If the modern means are being employed then that would be called as authoritarian regimes. However, if his sphere of authority impacts the whole national life and society, be it social, political, religious, economical, cultural, educational and intellectual and the list goes on, then that political system would be termed as totalitarian. For instance, Naseer's Egypt, Communist China, Nazi Germany, Soviet Union, and other Communist states come under the ambit of this particular kind of political system. Exceptions; nonetheless, are always there. Communist totalitarian trend around the world is changing and turning into modern democratic regimes. For instance, present Russia is one of the most suitable examples of modern democratic political system. Last but not the least is *Modern Democratic Political System*, in which the modern values in terms of industrialism, pluralism, autonomy, liberty and basic human rights are not only fully protected constitutionally. Is short, it can safely be assumed that this political system allows opposition to influence government policy-making procedures that are not public-oriented in nature. Therefore, the procedures are carried out democratically, and citizens are expected to actively participate in the democratic processes. Currently, there are five leading models of opposition that are being practiced in the world over. Of all these models of opposition in western states, United Kingdom (UK) Model: Parliament-Centered Opposition with No Veto and/or Co-Governing Devices for the Minority Parties; Germany Model: Parliament-Centered Opposition

with Strong Veto /or Co-Governing Devices for the Minority Parties; France Model: The Parliamentary-Presidential Model of Political Opposition; United States of America (USA) Model: The Separation-OF-Powers Model of Political Opposition; and Switzerland Model: The Direct Democratic Model of Political Opposition are generally followed.<sup>29</sup>

**Political System and Role of Opposition:** Opposition is building block of any political system. It's a watchdog that profoundly looks into the matters of public concern. It is a constitutional device to control any unlawful activity that could be proved detrimental to the sustenance of the society from which it constituted. Its importance in any political system could be analyzed from the fact that no constitutional democracy can sustain for a longer period of time unless the opposition parties and the ruling party align themselves in order to achieve their common ambitions- to serve the general interest of the public. Within a democratic political system, the role of opposition is constitutionally protected. Political system is actually an umbrella terms and all other political activities and procedures that come under the ambit of it.

**Political Culture and Role of Opposition:** Within political system, there are political cultures that determine the nature of the political system. A political system may have different kinds of Political cultures; however, political cultures do not come under the purview of Political System as culture is itself a part of System. If a political system is made up of so many political cultures, then it will be termed as heterogeneous political system. In the political system of Pakistan, there are so many political culture prevailing in the system, which ends up with intensive opposition's role in making public opinion and countering government's unlawful decisions.

**Political Socialization and Role of Opposition:** Within a political system and with the help of political culture- which acts as a cohesive device to keep intact people of diverse communities, the process of political socialization is carried out. In this process, people of altogether different cultures formulate their political attitudes toward their common political aims and ambitions. Their political orientation and political dispensation are more or less developed with the help of political socialization. Moreover, it also helps them to cater with political problems. However, political socialization- in heterogeneous political cultures- does not bear fruits since it is difficult to create harmony within political groups. As far as the Pakistani politics is concerned, there is a rising trend

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<sup>29</sup>“Five Ways of Institutionalizing Political Opposition: Lessons from the Advanced Democracies” by Ludger Helms; Government and Opposition Vol. 39, No. 1 (WINTER 2004), pp. 22-54 (33 pages) and Published By: Cambridge University Press  
[https://www.jstor.org/stable/44483055?readnow=1&refreqid=excelsior%3A0949c3f1b2e25065a7835cb4cbb60007&seq=7#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/44483055?readnow=1&refreqid=excelsior%3A0949c3f1b2e25065a7835cb4cbb60007&seq=7#page_scan_tab_contents)

of polarized politics owing to have political rivalries that have created factions within political parties, that culminated into the rise of ethno-political as well as ethno-religious groups prevailing in the provinces with weak center. These groups oppose government policies and thereby difficult to make alliance with one another in order to serve the general interest of the public.

**Political Recruitment and Role of Opposition:** When political socialization reaches at its culminating phase, political recruitment begins to be initiated. Political recruitment is one of those few important social activities which help citizens to select their representatives so that they may represent their demands and desires. It can safely be assumed that before elections party supporters elect their party members and then these members are given mandate through party chairman to live up to the expectations of citizens. Hence, the nomination process of political candidates require great scrutiny both from grass roots level to the upper level of party policy of selecting suitable members. The political party which ace elections competition forms government and rest of the parties constitute opposition. In Pakistan through the process of socialization, political recruitment is based upon Baradari system, clans and caste system. However, political recruitment is often done by considering the educational background, the acumen of a political candidate, the level of his competency, the status quo of a candidate etc. All these are contributing factors to select an ideal candidate for both presidency and legislative assembly.

**Political Power and Role of Opposition:** After the culmination of Political recruitment process, political power show begins to disseminate before the electoral process. Now political parties through the conduction of various political, social cultural forums, electronic media, and social media campaigns spread their message all over across the provincial borders within the outer boundary of a state. After election, their power show becomes legitimate and they take the shape of opposition and act as a watchdog to contain the governmental power. In Pakistan, it has been observed that opposition political power is stronger than the power of government and state. Few pressure groups control the functions of the state through practicing populism. Consequently, center appears to be weak. For instance, lawyers movement in 2009, and reinstatement of Chief Justice of Pakistan (CSJ) truly manifest the notion of political opposition power show.

**Political Influence and Role of Opposition:** Political Influence remains a fundamental debate in the field of Political Science as it discusses the opposition's influence over governmental policies and laws which are significantly visible. Political influence in Pakistan deters government not to formulate any such policy that hinders to promote national interest and the interest of the public. It has overtly been observed that the sphere of political opposition's influence over

government and society in remarkably increasing with every transition of government. For instance, Dharna culture in Pakistan is overwhelmingly increasing and its influences over the society can easily be judged.

**Political Parties and Role of Opposition:** Integration of political parties that occupy seats in the assembly constitutes political opposition. So it can safely be assumed that opposition is a combination of non-ruling political parties that align themselves in order to look profoundly into and to impact upon the government. In other words, opposition is a product of the alliance of non-ruling political parties which share common ambitions and set their agendas in order to keep a wary eye on government and state institutions. However in Pakistan, society is heterogeneous, so the political culture is also heterogeneous that gives impetus to trending multi-party system. Therefore, this culminates into the rise of massive opposition influence and power as observed in Pakistan.

**State Institutions and Role of Opposition:** One of the mandates of political parties is to regulate state institutions such as Executive branch of the state as it has far-reaching effects upon the citizens. Opposition takes massive interest in the regulation of these executive institutions. Insofar as the relationship of opposition and other executive branch of the state of Pakistan is concerned, a turbulent relationship is being observed which ends up with political victimization of political parties as the allegations are surfaced on the social media as well as electronic media.

**Traditional Democratic System and Role of Opposition:** Pakistan in general and Third World Countries in particular are struggling with traditional political system. An Opposition-oriented political system in which opposition role is dominant and the decisions are made not on the whims of one party or one family rather be made keeping in view the general inclination of the public or citizens. Moreover, the role of opposition in democratic culture is defined under the rules of business of National Assembly. However, the word 'Traditional' implies the meaning of clans and caste system and it also denotes 'Baradari system'. Overall the meaning of traditional Democracy means that role of citizens of every constituency in elections seems very pregnant.

**CHAPTER NO 3**

**CONSTITUTIONAL POLITICAL POWER AND PROCESS OF POLITICAL  
SOCIALIZATION**

## **POLITICAL SYSTEMS AND DEVELOPMENT OF POLITICAL CULTURES**

According to David Easton model of system analysis, political system is the Authoritative allocation of values in any society. Easton model is based upon the behavioral approach to politics, as the environment influences the behavior of people in political system. According to Easton its model consists of two main parts one is environment and the other is whole political system itself. The political system further consists of inputs, conversion process outputs and the feedback.

In a Democratic state, political parties play a significant role in political socialization. For the smooth functioning of a state in a democratic way the presence of opposition parties along with the ruling political party in power is essential. This type of political system nurtures a political culture in a state where strong, honest, capable and motivated political leaders are drawn out from the population. The presence of opposition political parties along with the government in power fills the gap between local population of different provinces, regions and ethnic groups by political socialization. In 2008, the outcome of political socialization culminated into the rise of political power of opposition parties along with the then ruling party that eventually led to the down fall of powerful dictator of Pakistan. Another outcome of political socialization was in the form of huge political gathering by major opposition party in 2011 at Yadgar-e-Pakistan Lahore, and then this Jalsa or political gathering was followed by a major Jalsa in Karachi which results in the success of opposition party in general election of 2013. Opposition parties use political socialization in a way that ensures the achievement of their goals in democratic state.

The political socialization and the Political culture of society both are interrelated and inseparable phenomena to each other, one leads to the development of the other. A state may have different political cultures nurturing in it which shapes the political opinion of people. This political opinion generates the process or way of political parties for political socialization. 'Lawyers movement' in 2008 was a result of political culture which was created after the failure of restoration of judges by the then government as the restoration of Judiciary in a state was one of the deeply rooted norms of society which was undermined during dictator rule but right after the downfall of dictator, the political culture of state forced the people to take action against it as a result of which a united long march was initiated in 2008 in which all opposition parties and workers, all social workers, all civil society member within a state participated for the survival of the judiciary in a state. This was a clear representation of political culture within a state. How political culture led the great mobilization in a state.

The political recruitment in a state begin after the political socialization culminates the political system of state. At that time local population usually selects its representatives for surfacing their demands. In 2008, general elections opposition party leaders were the representatives of local people. And then after Zardari become the president the opposition party surfaced the demands of local people. The opposition leaders were recruited for the lawyer's movement due to the renegade act of ruling party leader on Murree declaration.

The multiple political parties in a state ensure the presence of democratic system in a country. The opposition parties include all the parties in a country except for the ruling one. They hold the government accountable for the policies or action it has taken. The renegade act of ruling party in 2008, forced the opposition parties to unite and take action against the ruling party. The downfall of dictator in 2008 was also the outcome of these opposition parties in political system of a state.

Political system exists in an environment where it is coping with the conditions that environment is providing it. Environment has so many other systems ecological, economic, religious systems along with political system working in it and all these are interlinked with each other. Without these systems political system will collapse. As mentioned earlier political system is working on behavioral approach so environment is influencing the system at every step and system reacts according to those conditions which environment is providing it. And the limit which separates the environment from political system constitutes its boundary and this boundary defines the power of political system where it can use its legitimate power of allocating values or resources.

Of those three forms of political systems, only the democratic form of government allows opposition to play a constructive role in matters of public interest if their political objectives are solely based upon protecting the public interest. However, the other two forms do not allow opposition for constructive criticism. That is why democracy is regarded as one of the best forms of governments so far in the world over; although, it is recognized as one of the complex forms of governments to administer or to maintain owing to certain obligations owned by the statesman to the inhabitants of the state, and therefore, only a heedful person can afford to driving the public-centered policies of the state.<sup>30</sup>

Pakistan is said to be a democratic state as mentioned earlier. The political system of Pakistan is adapted by the British form of government where the capitalism prevails all over. In Pakistan, the political opposition plays a fundamental role in governing the matters of public interest. In fact, Pakistan is said to be negotiated state owing to have weak government and strong political opposition and pressure groups.<sup>31</sup>

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<sup>30</sup>Political Thought: From Plato to the Present by Judd Harmon, Chap 3, "PLATO", P. 52.

<sup>31</sup> Anatol Lieven's book entitled as "Pakistan A Hard Country", Chap 1, (P. 24-36)

Anatol Lieven, for instance, provides a deep insight into the negotiated nature of the Islamic Republic of Pakistan. He states, “According to standard Western models, and to the Pakistani constitution that derives from them, authority stems from the sovereign people through elections, and then spreads downwards from the government through hierarchical structures, which transmit orders from above, from superior to inferior officials, in accordance with laws made by parliament or at least by some formal authority.”<sup>32</sup>

In order to substantiate the aforementioned harsh-stance of Anatol Lieven, a rising trend of “Dharna Politics” has been observed ostensibly in Pakistan. Major decisions of public importance are made on roads and avenues rather on the floors of the parliament. The opposition holds sessions of dharnas and conducts long marches to obtain decision of their own interest or of public interest. The so-called judicial system of Pakistan has become so fragile and flimsy that the public has had callous indifference to the plight of the system. From 2008 to 2013 an escalated wave of sit-ins in Pakistan has been witnessed; the dharna culture became common, containers blockage became a ritual and the social fabric of the nation has been impacted more often.<sup>33</sup> This includes the lawyer’s movement, the political parties’ protests, and the formation of allies against the ruling party. In 2009, Imran Khan, Qazi Hussain and Nawaz Sharif together arranged a sit-in against PPP which was followed by another protest against PPP in 2013. In 2014, the famous 126 days sit-in of Imran Khan, the present-day Prime Minister, named Azadi March took place.<sup>34</sup> In the same year, the Lahore Dharna of Pakistan Awami Tehreek caused several casualties of its workers. In 2017, the TLP protest led to container blockage, takeover by police and the army thereafter, transmissions were put off-air by PEMRA and extended chaos occurred. In April 2021, protest against the blasphemous publish by France led to another Tehreek-e-Labbaik Pakistan (TLP) protest which was driven by religious extremism demanding a ban on French products and expulsion of the French Ambassador from Pakistan. The most recent of all these include the October 2021 sit-in of TLP on Murree Road, demanding the release of its Chief Saad Hussain Rizvi, martyring and injuring policemen during the clash and finally ending up in an agreement with the government.<sup>35</sup>

Needless to say, to record protest and to take part in procession is one of the most fundamental human rights. According to Article 16 of the 1973 Constitution of Pakistan (as amended) grants every

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<sup>32</sup> Anatol Lieven’s book entitled as “Pakistan: A Hard Country”, Chap 1, (P. 24-36).

<sup>33</sup> THE TROUBLESOME DHARNA CULTURE IN PAKISTAN, an article published at Paradigmshift, and written by Alina Fayyaz, updated on NOVEMBER 6, 2021  
<https://www.paradigmshift.com.pk/dharna-culture-in-pakistan/>

<sup>34</sup> THE TROUBLESOME DHARNA CULTURE IN PAKISTAN, an article published at Paradigmshift, and written by Alina Fayyaz, updated on NOVEMBER 6, 2021  
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citizen the right "to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order".<sup>36</sup> However, government has imposed certain restrictions upon the protestors as per 1990 United Nations Basic Principles on the Use-of-Force' and Firearms by Law Enforcement Official (LFO) keeping in view the public peace.<sup>37</sup> A milestone is achieved when the Supreme Court's Faizabad dharna judgement rightly declared: "The right of assembly is recognized as a right to preserve the democratic order, but it cannot be used to overthrow a lawful government." The political parties must take their battle off the streets and into parliament, and bolster this country's perennially fragile democracy.<sup>38</sup>

Now the subsequent paragraphs provide a profound insight in to the constitutional methods of political opposition and government responses to their queries so as to get rid of dharna culture. This method is widely embraced in democratic countries to avoid conflict.

### **CONSTITUTIONAL PPOLITICAL PROCESSES AND POLITICAL POWERS OF OPPOSITION**

The 1973 Constitution of Pakistan deals in defining the role of opposition. "How opposition works" is one of the great concerns of every Pakistani; however, the dilemma is that a limited study is made on this topic. Now let us take a bird's eye view of how opposition hinders the governmental policies. What are the constitutional rights of opposition and how they perform their duties under the constitution?

The accountability of executive branch, procedures and financial decisions are the subject-matter of parliamentary democracy. In a participatory democracy, active and constant monitoring of the executive by the parliament is an epitome of good governance since the parliamentary supervision of the executive guarantees precision and ingenuousness of the government actions. Therefore, the parliamentary committees, question hour, calling attention notices, resolutions, and motions are the remarkable method for the parliamentary supervision of the executive. A remarkable study namely, "Decade of Democracy in Pakistan 2008-2018" clearly provides statistics of question hours, calling attention notices, resolutions, and motions passed on in the 13<sup>th</sup> constituent assembly. However, this study takes data from 2008 to 2013.

The study highlights that, "The first hour of every sitting in the National Assembly<sup>124</sup> (except for Tuesdays) and Senate<sup>125</sup> (except for Mondays) is reserved for questions which allow the parliamentarians

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<sup>36</sup><https://www.rightofassembly.info/country/pakistan>

<sup>37</sup><https://www.rightofassembly.info/country/pakistan>

<sup>38</sup> An Editorial Published in Dawn Newspaper, updated on November 17, 2019, entitled as, 'Dharna politics'.  
<https://www.dawn.com/news/1517172>

to “ask and answer questions”. There are three types of questions – unstarred (only written answers are provided), starred (replies read by the minister during the question hour) and supplementary (follow-up question related to the starred question). Both in the National Assembly<sup>126</sup> and Senate<sup>127</sup>, short notice questions “relating to a matter of public importance...” are also allowed. In Senate, a notice shorter than 13 days and in the National Assembly less than 15 days leads to fixing of the date for the ministerial reply. During the 2008 – 2013 tenure, a total of 16,056 questions were asked by 216 members on the floor of the House, of which the government responded to 12,623 (79%).”<sup>39</sup>

As far as the matter of Calling Attention Notices is concerned, the study describes the phenomenon of CAN and then provides data related to it, which is given as: “Matters of urgent public importance are brought to the house’s attention through Calling Attention Notices. Once a legislator introduces a CAN, relevant ministers make a statement on the issue. In the National Assembly and Senate, a member, with the permission of the Speaker or Chairman can “call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.”<sup>40</sup>

“CANs, in the National Assembly during the period (2008 – 2018) out of the total 1076 CANs submitted, 864 were taken up. There is not much difference in the number of CANs taken up by the Lower House during the two tenures, 440 during 2008 - 2013, and 424 during 2013 - 2018. In comparison, in the 12th National Assembly (2002 - 2007), ministers gave statements on a total of 329 CANs on the floor of the house.”<sup>41</sup>

“In the Senate, a total of 541 CANs were introduced in the house between 2008 and 2018. Of which, 282 were taken up. The number of CANs taken up by the Upper House from 2008 - 2011 was only 30.”<sup>42</sup>

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<sup>39</sup>A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

<sup>40</sup> A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

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<sup>42</sup> A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

On the matter of Resolution, the study defines it as: “Resolutions express opinion, make recommendations or convey a message “on important issues”. Any legislator or a minister can move a resolution “relating to a matter of public importance”. It is “a motion for the purpose of discussing and expressing an opinion on a matter of general public interest and includes a resolution specified in the Constitution.” However, implementation of resolutions is not legally binding on the executive branch. It articulates the will of the majority of the house.”<sup>43</sup>

The Study states, “The National Assembly adopted a total of 294 resolutions in the reporting period. Out of the total 243 resolutions moved during the 13th National Assembly, 85 (16%) were adopted. Most of the resolutions adopted by the National Assembly during 2008 - 2013 focused on the issues of terrorism, democracy, foreign affairs, religion, land reforms, target killings, missing persons, and social issues such as price control, unemployment, support for poor children and women, etc. Amid civil-military tensions, the Lower House passed resolutions expressing confidence in the democratic and parliamentary form of government. The resolutions supporting democracy and an embattled prime minister highlights the fragility of democracy in Pakistan. The fear of military intervention has remained a constant factor throughout the ten years since 2008. On 16 January 2012, a resolution was passed to reiterate that democracy and democratic institutions are based on “the basic constitutional principle of trichotomy of powers” which “must be fully respected and adhered to and all state institutions must strictly function within the limits imposed on them by the Constitution.” Similarly, another resolution in May 2012 supported and expressed confidence in the leadership of Prime Minister Syed Yusuf Raza Gilani as he faced the contempt of court proceedings in the Supreme Court over not writing a letter to the Swiss authorities for opening a corruption case against President Asif Ali Zardari. The 13th National Assembly adopted an important resolution concerning the issue of the missing persons, noting “grave allegations of acts and omissions, complicity and concealment are being raised against state agencies which are tarnishing their image and reputation at home and abroad.”<sup>44</sup>

“The National Assembly repeatedly condemned the incidents of terrorism. The first resolution adopted was to condemn the assassination of former Prime Minister Benazir Bhutto. The Lower House also condemned the assassination of religious scholar Dr Sarfraz Naeemi and the attack on Malala Yousafzai. Moreover, the Lower House condemned violence against minorities, including the attack on the Christian

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<sup>43</sup> A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

<sup>44</sup>A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

Colony in Gojra in August 2009 which left seven people dead, the torching of Christian houses in Lahore's Badami Bagh in March 2013, and the attacks on the worship places of Ahemdis in June 2010. Resolutions in the Senate: 151 Out of the 1723 resolutions moved in the Senate between 2008 and 2018, 349 were adopted. More resolutions - 1239 (75%) were moved and adopted in the last three years (2015 - 2018). Between 2008 and 2011, 361 resolutions were moved in the Upper House, of which, 20 were adopted. Senate adopted 298 resolutions in three years between 2015 and 2018.”

As far as the motions under Rule 259 is concerned, the document depicts, “Under Rule 259 of the National Assembly’s rules of procedure, any minister or a member can give a notice of motion for taking into consideration any policy, situation, statement or any other matter. After the mover concludes his/her speech, the assembly proceeds to discuss the motion.”<sup>45</sup>

During 2008 - 2018, 602 motions were moved under rule 259, of which, 95 were taken up. A number of adjournment motions in the National Assembly were converted into motions under rule 259. At least 40 adjournment motions have been converted into motions under rule 259 in the first parliamentary year of the 14th National Assembly.”<sup>46</sup>

On adjournment Motions, the study mentions data about adjournment Motions in the Senate. “About 164 adjournment motion is moved in the Upper House “for the purpose of discussing a definite matter of recent occurrence and of urgent public importance”.<sup>165</sup> In the first three parliamentary years from 2008 to 2011, 43 adjournment motions were taken up in the Upper House (10, 11, and 22 in 2008-2009, 2009-2010, and 2010-2011 respectively). Adjournment Motions in the National Assembly: In the 13th National Assembly, only 29 adjournment motions were discussed (6, 10, 8, 5, and 0 respectively in the five parliamentary years).”<sup>47</sup>

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<sup>45</sup>A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

<sup>46</sup> A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

<sup>47</sup> A document, entitled as, “Decade of Democracy in Pakistan Parliament 2008-2018: Contexts, Achievements and Challenges and written by Rolf Paasch- a resident director of Friedrich-Ebert-Stiftung (FES institute in Pakistan), and Abdullah Dayo- a program coordinator at FES Pakistan in collaboration with The Research Initiative (TRI) <http://library.fes.de/pdf-files/bueros/pakistan/15169.pdf>

**CHAPTER NO 4**

**POLITICAL INFLUENCE AND ROLE OF OPPOSITION**

## **TWO-FOLD METHODS OF POLITICAL INFLUENCE**

After the processes of political socialization and recruitment are carried out successfully, now there are primarily two methods of taking inputs to conversion process through which outputs are usually generated. Needless to say, parliamentary democracy holds capacity for both the ways of generating outputs, constitutionally and unconstitutionally, after the conversion of inputs (public demands and desires) into desired outputs (formulation of policies and laws). To speak of constitutional interests groups includes other groups that are given mandate to carry out the conversion process. These groups are said to be institutional interests groups such as legislatures and associational interest groups in which political representatives of political parties are performed their duties to live up to the expectations of general folks. To be violent is one of the distinctive features of human qualities. Therefore, man, occasionally, is prone to adopt unconstitutional method of generating desired outcomes. Hence in this way, pressure groups in the form of non-associational traditional political anomic groups activates in politics to achieve their interests (as outputs) by employing the techniques of violence and causing riots. However, these anomalies sometimes escalate to such an extent that policies of state institutions succumb to their unconstitutional wishes and culminate into terrorism and extremism.

The succeeding paragraphs will bring into limelight the constitutional procedures undertaken by opposition parties along with the then ruling party to convert demands (inputs) of the people of Islamic Republic of Pakistan to outputs (to devise a policy to restore constitutional democracy) after taking an oath of presidency in 2008.

After taking oath of the presidency, President Asif Ali Zardari constitutes a committee on constitutional reforms that may recommend amendments in the constitution. In order to formulate the committee, National Assembly passed a resolution under the supervision of the Speaker National Assembly considering the concerns of all stakeholders in the Cabinet Session. After devising its rules and procedures, the Parliamentary Committee on Constitutional Reforms (PCCR) under the nose of Senator Mian Raza Rabbani (hailing from PPP) chairs 77 meetings and proposes several amendments in 102 Articles of the constitution, including 18<sup>th</sup> amendment; to containing the prospects of military rule and supporting the civilian supremacy, actually manifesting the notion of parliamentary democracy. It would be pertinent to mention here that all the stakeholders as well as the opposition parties warmly welcomed 18<sup>th</sup> amendment,

depicting that the opposition parties are pleased to work in collaboration with the ruling party to reverse the controversial constitutional amendments. Despite having some grievances regarding the establishment of committee and its rules and regulations, those trivial issues were sorted out well on time being reiteration. Therefore, the National Assembly approves the bill on April 8, 2010, with 292/342 votes, to revitalize parliamentary democracy. Therefore, it is aptly said that unlike past history of the country, the Opposition played a very constructive role in bringing the system back to its original spirit.<sup>48</sup>

The spirit of 1973 constitution is reclaimed by the 13<sup>th</sup> constituent assembly after achieving the milestone- 18<sup>th</sup> amendment, denying the validity of military apparatuses used in politics. 18<sup>th</sup> amendment, on the other hand is one of the remarkable constitutional amendments since it repeals Legal Framework Order (LFO) 2002, Chief Executive Orders and the 17<sup>th</sup> constitutional amendment by declaring them unconstitutional and unlawful. Another milestone is achieved, in the history of politics, when PCCR amends Article 6 of the constitution, which deals with the matter pertaining to High Treason. A political consensus is made against the suspension of the supreme law of the land or any such act of holding it in abeyance or any efforts are made to do it so come under the purview of High Treason. Apart from this in order to contain the military coup and judicial amnesty to legalize military intervention, it has categorically been mentioned that High treason cannot be validated by any court of law so as to discourage military takeovers in future. Hence in this way, the role of politics is restricted and the supremacy of the Parliament is endorsed under the Article 238 and 239 of the constitution. Moreover, it overtly states that any amendment that is made in the constitution is the prerogative of Majlis-e- Shura (the Parliament), and the Article 239 (5) of the constitution safeguards the ascendancy of the parliament so that no court, on any grounds, could call in question regarding constitutional amendment. All these efforts are made due to the compliance of opposition parties.

On the subject of Provincial Autonomy a hoary wish of all provinces 18<sup>th</sup> amendment also touches upon the subject and deletes the concurrent list from the 4<sup>th</sup> schedule of the constitution, which empowered the provincial assemblies to legislate on matters which are not the subject-matter of Federal list. Besides it, the concurrent list also includes the subject enlists in the Federal List Part II, through establishment of Council of Common Interests (CCI). It is evident that the process is orchestrated by all political parties including opposition in 2006 under Charter of Democracy (COD). So in the light of 18<sup>th</sup> amendment, almost eighteen ministries are devolved to the provinces, yet difficult to manage thereby ample time has been given to the provinces to accommodate these ministries as soon as possible. After that, the subject-matter pertaining to the installation of hydro-electric power stations is brought to the consultative role of the

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[https://www.researchgate.net/publication/271262343\\_Revitalization\\_of\\_Parliamentary\\_Democracy\\_in\\_Pakistan\\_under\\_18\\_th\\_Amendment](https://www.researchgate.net/publication/271262343_Revitalization_of_Parliamentary_Democracy_in_Pakistan_under_18_th_Amendment)

provinces. Then, one of the remarkable issues is related to the National Finance Commission Award (NFC) and the distribution of revenue between the center and provinces. Therefore, the issue is addressed with the insertion of two new clauses; 3(A) and 3(B) in Article 160 of the constitution, ensuring the share of any province would not be less than previous share; however, the administration and proper implementation of NFC are to be made sure. According to the clauses, the concerned authorities are bound to present an inclusive report before the Houses, both in the Federal as well as Provincial Assemblies so as to make sure good governance. Furthermore, 18<sup>th</sup> amendment also secures economic stability as per Article 161 of the constitution. Provinces comprise of well-head of oil and natural gas shall be its beneficiary and they must receive a viable share of dividends produced by those well-heads. Hence we have seen that how opposition worked side by side with the then government to formulate policies and safeguarded the participatory federalism under the spirit of parliamentary democracy, by keeping in view the vested interest of the public.

While exploring the phenomenon of Parliamentary Sovereignty, Dicey elaborates it in the following words, “Parliamentary sovereignty is the prerogative of the Parliament a pillar of the state to make or unmake any law.” This definition provides Westminster style of Parliamentary Democracy a robust foundation; therefore, it is adopted by colonized states under British Raj. As mentioned earlier that the 18th Amendment restores Parliamentary supremacy and brings back the original status of President of Pakistan as a ceremonial head, President is bound to act upon the advice of Prime Minister, which is categorically mentioned in the 1973 constitution of Pakistan. Moreover, the power, to suspend NATIONAL assembly, of the President is restricted in such a way that consultation with the Prime Minister is made mandatory and what he suggests, in this regard, ought to be taken into consideration. Therefore, the 18th Amendment repeals the inclusions given in the 8th and 17th Amendments that empowered the President to devolve the House. No doubt, this abuse has been used especially to derail the democratic development in Pakistan. Currently, below the 18th Amendment, the duties of the President are restricted to play a ceremonial role in line with parliamentary norms. The PCCR, by means of considering, performed a Herculean task of bringing again the supremacy of the Parliament under the Constitution with the consensus of all political actors or stakeholders. As political records of Pakistan exhibits that many dictators have legalized their rules with the aid of unlawful referendums, but, after the promulgation of the 18th Amendment the President shall be seeking approval from the Parliament to keep a referendum. In an equal manner, the Presidential powers had been; in addition, limited under Article-75, wherein the Presidential assent to a bill reduced to ten rather than thirty days. It is so done to avoid undue postpone on the part of the President to ensure timely legislation. In order to bring the provincial governments in line with parliamentary norms, the 18th Amendment has made it mandatory for the head of state to have the Prime Minister’s advice within the appointment of governors who ought to be registered voters and residents of the concerned province. However, the governors have been additionally bound to behave on the

recommendation of Chief Ministers under Article 150; it ensures parliamentary spirit inside the provinces. They will act as ceremonial heads; however, the actual government authority shall be exercised by the sitting Chief Minister and his cabinet of the respective province. Similarly, the President appoints the Chairman of Public Service Commission and Services Chiefs underneath Articles 242 and 243 on Prime Minister's advice and no longer in his own discretion, as inserted by using the RCO, 1985. It became largely believed that those acts could prevent any similar army adventure inside Pakistan and hopefully empowered the Parliament to repair the Parliamentary deformity in step with COD. According to Article 90, the Prime Minister is the Chief Executive of Pakistan and his Cabinet colleagues shall exercise managerial authority in the name of the President. While undoing the President as a real executive, the modification restores his ceremonial and titular position in state affairs. This historical modification has also ended any hazard of Horse Trading and maneuvering or delaying within the switch of power by the President. The National Assembly shall hold its first consultation on the twenty-first day after the election if no longer in advance called by the President. After the election of Speaker, Deputy Speaker, and Prime Minister, the federal government shall specify its rules and regulations of businesses for the smooth and truthful functioning of the parliamentary business. Under Article 92, the question regarding the strength of the Cabinet members was also reconsidered and fixed at eleven percent of the Parliament's overall membership. In order to keep away from any kind of disturbance in the present installation of the set up (coalition governments), it turned into an agreement to follow the lines from subsequent General Elections in which PCCR has reshaped Article 106, which improved the range of seats for ladies and minorities. Similarly, the operating days for provincial assemblies have been expanded from 70 to 100 with the addition of new duties by using the devolution of ministries. The 18th amendment empowered the parliamentary leader of a party to de-seat any member who does not respect Party's manifesto within the Parliament. Every member, in line with the global practice in parliamentary structures, is certain to obey the party discipline. Being a milestone, the 18th Amendment has delivered insightful adjustments within the intergovernmental coordination institution. It modified two federal institutions.

The present body of the Council of Common Interests (CCI) has been bolstered to carry out the expanded responsibilities under Article 153 within the auspicious of Prime Minister. However, at the side of Chief Ministers of all four provinces and 3 State Ministers need to assume their responsibilities within 30 days of Prime Minister's Oath of the workplace. In order to escalate the jurisdiction of CCI, some subjects from omitted Concurrent List and few from Part I of the Federal Legislative List has been transferred to Part II, representing shared responsibilities of the Federal Legislature. After passage of the 18th Amendment, Federal List element-II came under the purview of CCI which include Electricity and essential ports. The council shall be in coordination with the parliament while recognizing to its activities shall put up its annual paper to Senate and National Assembly both. The CCI has been entrusted with its

role of supervision, selection making and duties over the Federal Legislative List Part II. CCI the constitutional body could play its position as powerful discussion board for dispute resolution and financial improvement of the state.

The PCCR additionally apprise NEC whose jurisdiction is to provide the right guidelines to the government concerning the enhancement the economic circumstances of the state. It certainly restructures NEC and protects the Chief Ministers of all of the federating units and their nominees as its contributors. Prime Minister, then again, is given the authority and duty to appoint 4 different participants for the smooth functioning of the institution. The Council is required to submit an annual report to the Senate and National Assembly and it shall stay responsible and accountable to the Parliament.

The Senate of Pakistan turned into few economic functions under the 17th amendment however it no longer dealt at par with National Assembly (directly elected). After the 18th Amendment, the presidential powers with admiration to the promulgation of ordinances have been related with the senate and national assembly. The president may promulgate ordinances when each of the houses of parliament is not in session. Originally under the 1973 constitution, it was related to National Assembly. Now parliament got its role as a preferred regulation making organization in place of practicing rules via presidential ordinances. The senate was additionally given the due role in extraordinary parliamentary committees and the government changed into kept responsible to both the houses at the spirit of parliamentary federalism. The presidential strength for the imposition of emergency became subjected to the approval of every house. In the case of provinces, a resolution of the provincial meeting of the concerned province shall be required. The CCI, NEC, and auditor general's reviews will be offered separately within the senate and the national assembly for approval. With the addition of four minority seats, the full authority of the senate becomes expanded to 104 whereas the running days had been increased from 90 days to 110 days.

Since inception Pakistan encountered the grave problem of provincialism, which led to fall of Dhaka. The changing of name from NWFP to KPK under 18th amendment has intensified the sense of deprivation amongst Hazara community. In April 2010 when the Hazara Province movement turned violent more than dozens of people succumbed to death. Senator S.M.Zafar and Wasem Sajjad of (PML-Q), has moved a note of reiteration on behalf of their party. Sardar Shahjahan Yousaf (PML-Q) protested and moved an amendment in the 18th amendment bill which suggested —SARHAD for KPK. Senator Raza Rabbani, chairman PCCR opposed his suggestion. Sardar Shahjahan Yousaf further says, “if the government failed to understand the demands of the people of Hazara than the people shall move forward for the creation of a separate province —HAZARA.” Prof. Dr Razia Musarrat states, “The creation of new provinces would strengthen the federation but this could only be done with the consent of the concerned units. She rules out the creation of the Hazara province on linguistic basis as the government of Khyber

Pakhtunkhwa would not accept it”<sup>49</sup>. This debate on floor of house opened another Pandora box and remained a problem since 2010.

The 1973 charter has empowered the president with the appointment of the judges of the Supreme Court and High Courts. This method was criticized on various grounds and raised many questions about the independence of the judiciary. The PCCR endorsed for putting in place a judicial fee underneath article one hundred seventy-five (A) for the said appointments. The judicial fee is composed up of the Chief Justice of Pakistan (chairman), senior-most judges (participants), a retired judge of Supreme Court (member), federal regulation minister (member), lawyer general (member), and senior advocate of Supreme Court (member) shall be the alternative individuals. The Judicial Commission has balanced the powers among the President and the Parliament with admiration to judicial appointments. The judicial commission shall method the name to a unique parliamentary committee for parliamentary approval. The committee consists of eight individuals similarly accommodating both the homes together with authorities and opposition contributors shall confirm judicial appointments. The committee after affirmation of names shall flow it to the president for the appointment of judges. The inclusion of parliamentary committees inside the technique of appointment in the judiciary- additionally confirms the supremacy of the parliament. 18th amendment, in the constitution of Pakistan, radically, strengthened the election commission of Pakistan. It enhanced the term of office of the Chief Election Commissioner (CEC) from three to five years. The appointment of the leader election commissioner shall be executed with the consensus of the Prime Minister and chief of opposition in the countrywide meeting. They will suggest three names to the parliamentary committee of 12 members constituted from each of the houses and accommodate the treasury and opposition benches. The amendment agreed with the aid of the Parliamentary Committee will be appointed as CEC via the President. The Election Commission of Pakistan shall have 5 everlasting members including the Chief Election Commissioner. The Commission shall have authority to deal with all of the affairs pertaining to elections in Pakistan. This amendment in the constitution will guarantee the smooth transfer of power by the vote in the vote out in Pakistan.

In Pakistan, there have constantly been questions raised on the transparency and evenhandedness of the election. After the 18th modification in the constitution, the appointment of caretaker set up is no greater discretion of the president. Now the president shall hire caretaker Prime Minister in consultation with the outgoing Prime Minister and the Opposition Leader. The relaxation of the cabinet individuals will be appointed on the recommendation of the Caretaker Prime Minister. Alike provisions were given for the

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[https://www.researchgate.net/publication/271262343\\_Revitalization\\_of\\_Parliamentary\\_Democracy\\_in\\_Pakistan\\_under\\_18\\_th\\_Amendment](https://www.researchgate.net/publication/271262343_Revitalization_of_Parliamentary_Democracy_in_Pakistan_under_18_th_Amendment)

appointment of Provincial Caretaker setup. This modification will assist in discouraging rigging in elections and will facilitate the clean transition of power.

## **CHAPTER 5**

## **CONCLUSION**

In a nutshell, although the role of opposition in parliamentary sovereignty is crystal clear, to watchdog the affairs of government so as to avoid devising as well as implementing fraud policies, yet (in so far as Pakistan's parliamentary form of government is concerned) it has gained no as such benefits from the role of opposition in politics rather ends up with massive violence and riots and eventually that turns into the rise of polarization in politics. The exegesis of Aristotle's concept of democracy declares parliamentary sovereignty as one of the difficult form of government to administer since the ruler tilts towards extremes of democratic norms, sometimes too rigid in the implementation of the policies and sometimes too resilient to deal with anomalous groups (pressure groups). Therefore, it can safely be assumed that the problem lies with the ruler and his way of dealing with such anomalies. In order to maintain law and order situation he has to put in practice some persuasive methods to maintain the states writ. Needless to say, a democratic state consisting of heterogeneous societies must be prone to political turmoil in the form of convulsive movements that need to be dealt with utmost intelligence and sometimes cunningness. Keeping in view this Machiavelli's thought is so relatable to such an extent that he holds an opinion about the behaviour of a ruler in his most acclaimed book "The Prince", he says that a ruler ought to be acted like a fox, when he being compelled to become a beast should be acted like a lion so as to come into practice his cunning thoughts full of valor to subvert or sabotage the propaganda against the state.

To sum up the debate on the crucial topic of the role of opposition parties during the 13<sup>th</sup> constituent assembly, Pakistan People's Party plays out a very crucial role in revitalization of the democratic process in Pakistan. It not only introduces different amendments in the constitution to strengthen democratic system, but also accomplished it in its tenure. The Eighteenth Amendment significantly improves the 1973 constitution. The Eighteenth Amendment has restrained the president's strength. As we know that all power is vested in the Prime Minister. Additionally, the sovereignty of parliament had been restored under the

18th amendment. Now, it's going to no longer use as a rubber stamp. Restoration of judicial and provisional autonomy are considerably the core issue being addressed by the government. The ruling party resolved many troubles with mutual efforts. The ruling party adopted the policy of reconciliation which turned into very beneficial for the PPP authorities to finishing in tenure. No doubt, Opposition parties had been given full assistance to the ruling party to do many important amendments to the constitution. In spite, these kinds of improvements made by the government were related to corruption, nepotism, and mismanagement of resources. During the PPP function government didn't manage the energy crisis and terrorism. Like many different developing countries, Pakistan struggled during dictatorship regimes and disintegration of parliamentary 4 times in the history of Pakistan. Furthermore, the immature mindset of political leaders persuades the military to do unconstitutional acts in Pakistan. PPP remained the maximum dominant political party of Pakistan. After the assassination of Benazir, the Bhutto's party gained the majority vote in the 2008 election and made a coalition government. Pakistan People's Party, while in government, adopts the policy of reconciliation and revives the constitution in its original spirit and it turned into the first time in the history of Pakistan when democratic authorities finished their full tenure. In its length, it introduced three significant amendments and the women empowerment bill. The PPP authorities followed the coverage of reconciliation and reinstated the constitution in its novel form. The coalition authorities relied upon the government to control many issues which include; rebuilding the supremacy of the Parliament as indicated by the Constitution of 1973, controlling the inflation rate gradually, to re-instate the sacked Judges of the Supreme and High Courts, and playing a viable role in curtailing the growing terrorism in Pakistan.