

## Pakistan's 11th General Election: Outcomes and Implications for Democracy

Pakistan Institute for Legislative Development and Transparency

### Introduction

On July 25, 2018, Pakistan witnessed its 11<sup>th</sup> General Election (GE) to the National and four Provincial Assemblies.

According to the Election Commission of Pakistan (ECP), the overall voter turnout across the country stood at 51.7 per cent which was a drop of 3 percentage points from the 10th General Election held in May 2013 when the voter turnout was recorded as 55.02 per cent.

Through the 11<sup>th</sup> General Election held on July 25, 2018 in Pakistan, Pakistan Tehreek-e-Insaf (PTI) has formed Government in the Centre and the Provinces of Punjab, Khyber-Pakhtunkhwa (KP) and is part of the coalition Government in Balochistan while it has joined Opposition in Sindh where Pakistan Peoples Party (PPP) has formed Government. Pakistan Muslim League-Nawaz is the principal opposition party in the Centre and in Punjab.

While the PTI, unlike its counterpart parties, namely the PML-N and the PPP, has formed the Federal Government for the first time in Pakistan, the 15th National Assembly, reportedly, has as many as 41% of its members elected for the first time.

### Background to the General Election 2018

The state of civil-military relations in Pakistan continues to be the biggest stumbling block to consolidation of democracy in Pakistan. In over 70 years since its independence, the country has been ruled directly by the military for over half of its age, while not a single elected Prime Minister of Pakistan has, so far, been able to complete the Constitutional tenure of five years in office. Other than four direct interventions by the military since Pakistan's independence in 1947, the military has exercised de-facto authority on crucial aspects of national security management including regional and international affairs. As a result, the state of civil-military relations in Pakistan is the single most important factor upon which the quality of democracy in Pakistan depends.

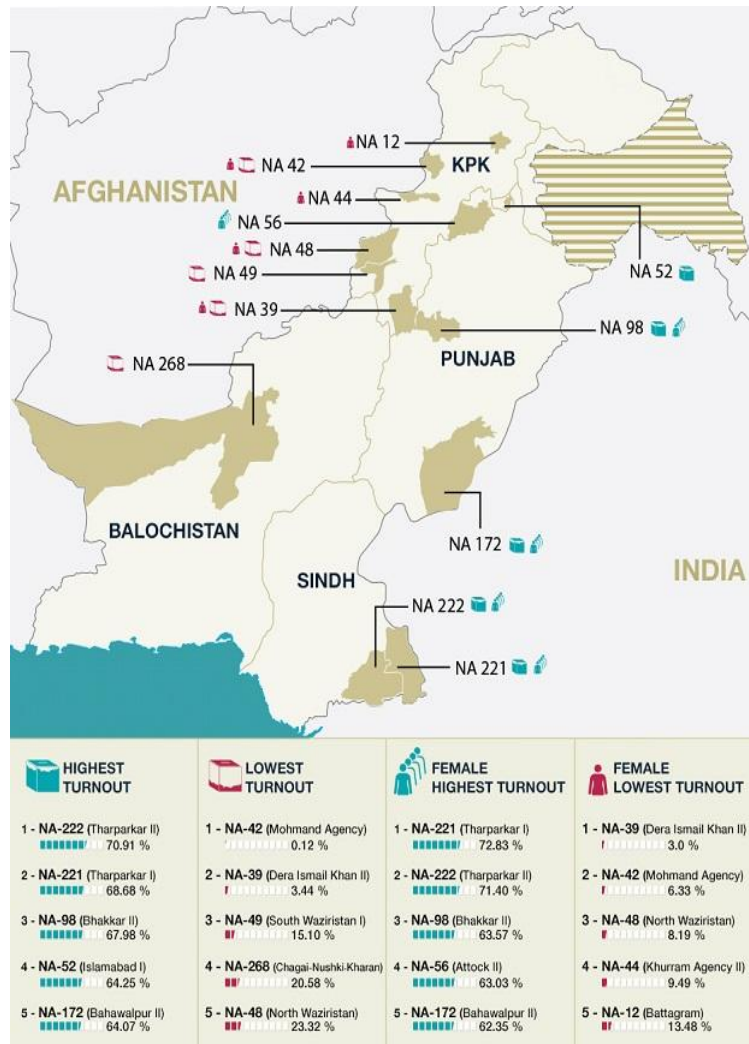
Military has continued to play a leading role in consolidating democracy in Pakistan. During 2018-2019, the military had unprecedented influence over the political process. This became particularly visible when the former Prime Minister Nawaz Sharif<sup>1</sup> was judicially ousted, presenting policy inputs in foreign and regional affairs by the

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<sup>1</sup> The 6-member 'Joint Investigation Team-JIT' which submitted a report to the Supreme Court based on which the Court disqualified Mr. Nawaz Sharif in July 2017 for being 'not honest' under Article 62(1)(f) of the Constitution included two serving military officers from Inter-Services Intelligence (ISI) and Military Intelligence (MI). Widespread

military and its consequent manipulation of the electoral process.

GE 2018: Map of Voter and Female Turnout



The above map shows Districts with the highest and lowest voter turnout and those with the highest and lowest female voter turnout in General Election held on July 25, 2018. (Courtesy: The Express Tribune<sup>2</sup>)

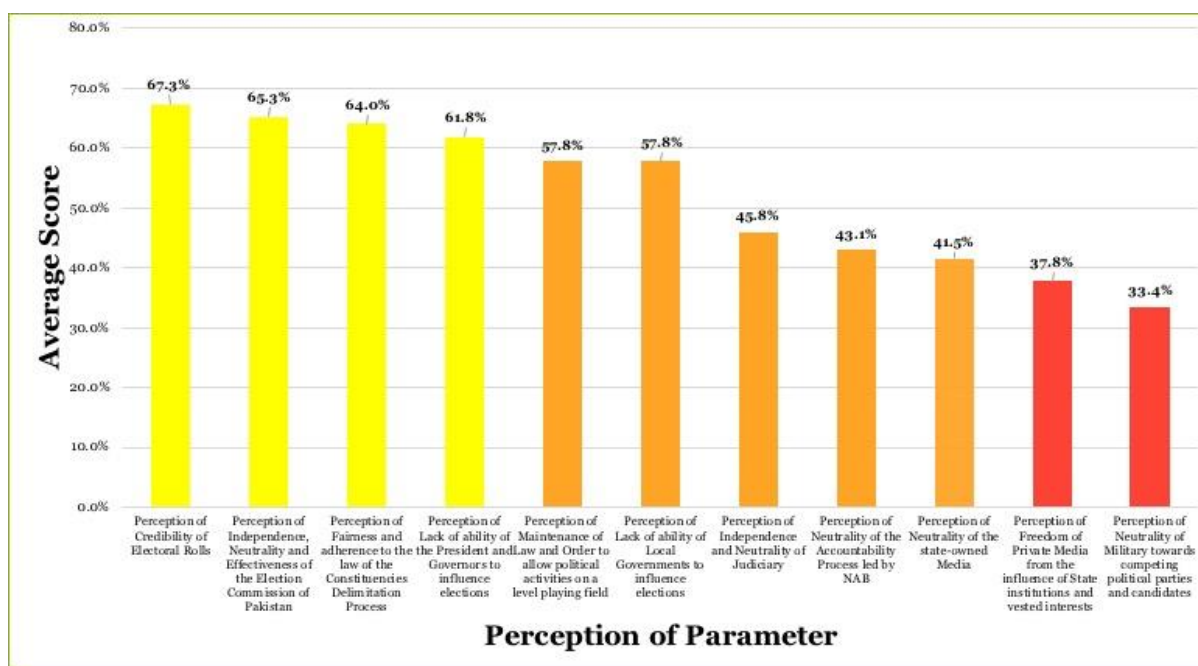
local and international media reports indicated that instead of being received as a Supreme Court verdict, the disqualification was seen by a large number of persons as being orchestrated by the Army in what appeared to be a Get-Nawaz agenda. While some resorted to whispers and innuendo on media, others, including the international media considered the disqualification to be an outcome of sour civil-military relations and questioned future of democracy in Pakistan. National media offered analyses that said “elected governments in Pakistan have less to fear from the Indian army than from their own;” and that “[Pakistan’s] security establishment regularly betrays contempt for civilians. There is a view that elected governments are regarded as unwanted pregnancies, to be aborted whenever need be, to save the motherland. The latest still-birth is the ouster of a third-time prime minister Nawaz Sharif.” The criticism of the disqualification was even more scathing in international media which said that “the judicial farce that resulted in Sharif’s most recent ouster demonstrates that the courts remain tools for the generals to clip democracy’s wings.” For details, please see [https://pildat.org/wp-content/uploads/woocommerce\\_uploads/2018/03/futureofdemocracyandcivil-militaryrelationsinpakistan\\_developmentsin2017\\_astudybypildat-1.pdf?Submit=Download+Publication](https://pildat.org/wp-content/uploads/woocommerce_uploads/2018/03/futureofdemocracyandcivil-militaryrelationsinpakistan_developmentsin2017_astudybypildat-1.pdf?Submit=Download+Publication)

<sup>2</sup> Tribune.com.pk, [Voter turnout in 2018 dropped by more than 3%](https://tribune.com.pk/story/1770156/1-1770156/), The Express Tribune, July 31, 2018, <https://tribune.com.pk/story/1770156/1-1770156/>

Ahead of the 11<sup>th</sup> General Election scheduled for July 2018 in Pakistan, perceptions of pre-poll rigging abounded referring to a deliberate attempt to selectively tilt the rules of **level playing field** in favour of and against contesting political parties. A systematic review of the developments relating to the electoral process during the Pre-poll phase resulted in the process to be termed as **Unfair** with the parameter of **Perception of Neutrality of Military towards competing political parties and candidates** receiving the worst or highly unfair score.<sup>3</sup>

Other than the above parameter, the Score Card on Pre-Poll Fairness Perception based on an 11-point Pre-poll Fairness Framework received an overall score of 51.5 per cent on a scale of 100. The two parameters that fell in the Highly Unfair scale based on the scores received were *Perception of Neutrality of Military towards competing political parties and candidates* receiving the lowest score of 33.4 per cent, followed by the parameter of *Perception of Freedom of Private Media from the influence of State institutions and vested interests* receiving a score of 37.8 per cent. The Unfair scale included *Perception of Neutrality of the state-owned Media*, which received the score of 41.5 per cent followed by *Perception of Neutrality of the Accountability Process led by NAB* which received the score of 43.1 per cent. *Perception of Independence and Neutrality of Judiciary* also fell in the scale of Unfair with score of 45.8 per cent.

Score Card on Perception of Pre-Poll Fairness



The parameters that received the highest scores in terms of providing the required level playing field to all for a free and fair election are related to the election management body—the Election Commission of Pakistan (ECP)—charged with the Constitutional responsibility of holding Elections. *Perception of Credibility of Electoral Rolls* received the highest score of 67.3 per cent. *Perception of Independence, Neutrality and Effectiveness of the Election Commission of Pakistan* received a score of 65.3 per cent, the second highest ranking parameter. Another

<sup>3</sup> For details, please see PILDAT Score Card on Perceptions of Pre-Poll Fairness, May 2018, <https://pildat.org/wp-content/uploads/2018/07/PILDAT-Scorecard-on-Perceptions-of-Pre-Poll-Fairness-May-2018-010718.pdf?Submit=Download> (as accessed on September 14, 2018)

related indicator in the parameter of *Perception of Fairness and Adherence to the Laws and Rules Relating to the Electoral Constituencies Delimitation Process* also received a high score of 64.0 per cent with the overall highest 3<sup>rd</sup> ranking score amongst 11 parameters. Parameter of *Perception of Lack of ability of the President and Governors to Influence Elections* received the next highest score of 61.8 per cent while *Perception of Lack of Ability of Local Governments to Influence Elections* received a score of 57.8%. The parameter of the *Perception of Maintenance of Law and Order to Allow Political Activities on a Level Playing Field* received a score of 57.8 per cent indicating that compared to the pre-electoral environment leading to 2013 General Election where parties were unable to hold public rallies, the scenario became relatively stable leading up to General Election 2018.

**Score Card on Perception of Pre-Poll Fairness 2018**

No.	Parameter	Score	Scale of Perceived Fairness
1.	Perception of Independence and Neutrality of Judiciary	45.8%	Unfair
2.	Perception of Neutrality of Military Towards Competing Political Parties and Candidates	33.4%	Highly Unfair
3.	Perception of Independence, Neutrality and Effectiveness of the Election Commission of Pakistan	65.3%	Fair
4.	Perception of Neutrality of the Accountability Process Led by NAB	43.1%	Unfair
5.	Perception of Freedom of Private Media from the Influence of State Institutions and Vested Interests	37.8%	Highly Unfair
6.	Perception of Credibility of Electoral Rolls	67.3%	Fair
7.	Perception of Maintenance of Law and Order to Allow Political Activities on a Level Playing Field	57.8%	Unfair
8.	Perception of Fairness and Adherence to the Laws and Rules Relating to the Electoral Constituencies Delimitation Process	64.0%	Fair
9.	Perception of Lack of Ability of Local Governments to Influence Elections	57.8%	Unfair
10.	Perception of Lack of Ability of the President and Governors to Influence Elections	61.8%	Unfair
11.	Perception of Neutrality of the State-Owned Media	41.5%	Unfair
	<i>Overall Score On Perception of Pre-Poll Fairness</i>	51.5%	Unfair

While the PILDAT Score Card on Perceptions of Pre-Poll Fairness (May 2018) provides a detailed background into the rationale behind scoring, the trend of the perception of unfairness ahead of the polls continued, even though Pakistan remained better prepared than at any other time in its history to hold free and fair elections in terms of the constitutional, legal and administrative capacities of the electoral machinery.

### Analysis of General Election 2018

While the Pakistan Tehreek-e-Insaf (PTI) rejoiced at being elected as the largest, though shy of the required two-thirds majority, political party in the National Assembly of Pakistan as a result of the General Election 2018, seven major political parties, apart from the winning PTI and its allies, rejected the results of General Election 2018.

These included Pakistan Muslim League-Nawaz (PML-N), Pakistan Peoples Party (PPP), Muttahida Majlis-e-Amal (MMA), Awami National Party (ANP), Qaumi Watan Party (QWP), National Party (NP), and Pakhtunkhwa Milli Awami Party (PKMAP).

In terms of public acceptance of results, apart from a few incidents mentioned below and allegations of rigging, no major public protests or public agitation were witnessed on the election results, unlike the 1977 General Election in Pakistan. While opposition parties have continued to join hands, hold APCs, allege rigging, and manipulate the pre-poll vote count, transmission and post-poll processes of the General Election 2018 were relatively stable.

There were two key International Observation Missions in the country to observe the General Election 2018: the European Union Election Observation Mission and the Commonwealth Observation Mission. The Commonwealth Observation mission, a relatively smaller and shorter mission, which arrived on July 18, 2018 and returned on July 30, 2018, issued its preliminary statement on July 27, 2018. The EU observation mission comprising of 100 long term observers, arrived in Pakistan on July 17, 2018 and issued a preliminary statement on July 27, and will publish a detailed report at a later stage.

The EU Observation mission did not consider the pre-poll environment as free and fair. They observed restrictions on freedom of press, which forced the media to resort to self-censorship. The mission also questioned the timing of the verdict against the former Prime Minister Nawaz Sharif and termed the process of counting as problematic. The EU termed election day to have been conducted in a transparent and orderly fashion except some reservations over the presence and participation of armed forces in the process of counting and transmission of results in some areas.<sup>4</sup>

In a statement, the U.S. Department of State lauded women participation in voting, but expressed its concerns on what it termed as flaws in the pre-voting electoral process as mentioned by the Human rights Commission of Pakistan. It also expressed grave reservations over the participation of terrorist-affiliated individuals in the elections, but commended Pakistani voters for fully rejecting these candidates at the ballot box.<sup>5</sup>

The Commonwealth Mission noted a clear improvement in election from previous elections but noted need for further improvements in counting methods, results transmission system, and inconsistency in applying electoral procedures.<sup>6</sup>

In a detailed PILDAT assessment and Score Card on Quality of General Election 2018<sup>7</sup> the overall score of *Quality of General Election 2018* received the score of 51.79 per cent, which has dropped nearly 5 percentage points from the quality of General Election 2013 assessed to be at 56.76 per cent. The *Pre-Poll Phase* received an overall score of 50 per cent, *Polling Day Operations* and arrangements for voting received the highest score of 64 per cent

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<sup>4</sup> European Union Election Observation Mission, July 25, 2018, [https://eeas.europa.eu/sites/eeas/files/eu\\_eom\\_pakistan\\_2018\\_-\\_preliminary\\_statement\\_on\\_25\\_july\\_elections.pdf](https://eeas.europa.eu/sites/eeas/files/eu_eom_pakistan_2018_-_preliminary_statement_on_25_july_elections.pdf) (as accessed on September 15, 2018)

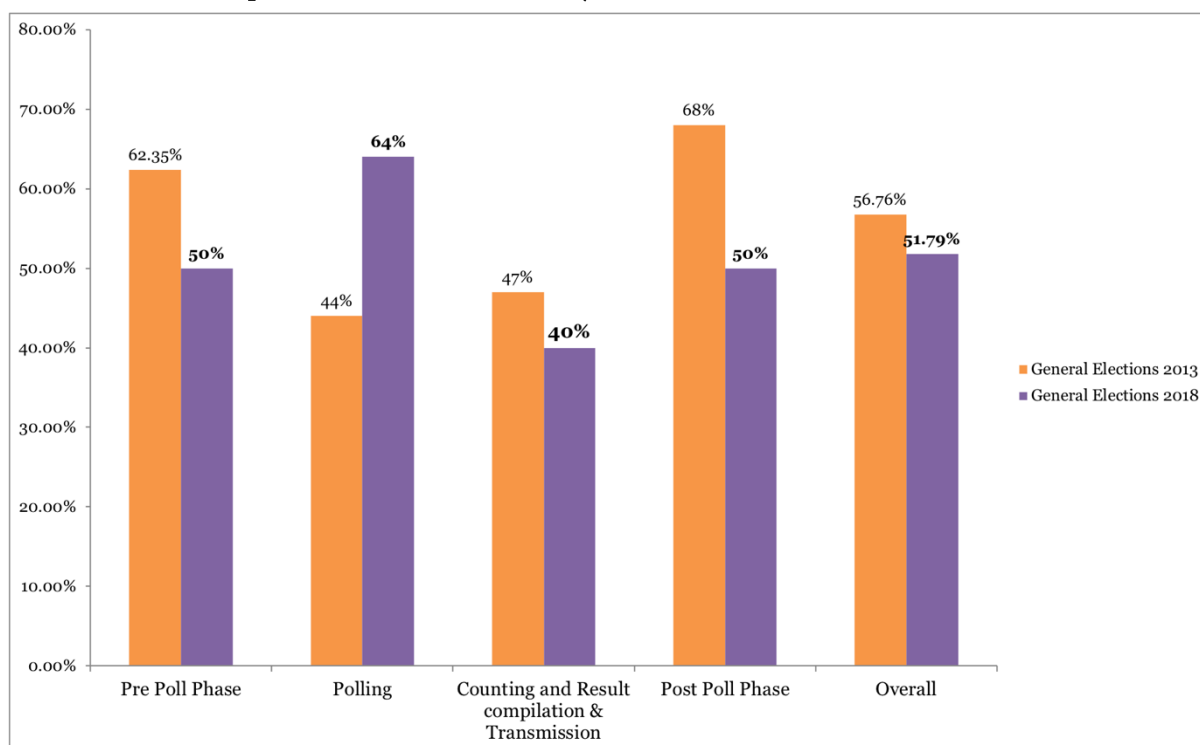
<sup>5</sup> Press Release, Election Pakistan US Department of States, July 27, 2018, <https://www.state.gov/r/pa/prs/ps/2018/07/284668.htm> (as accessed on July 30, 2018)

<sup>6</sup> Premium Times, 'Abdulsalami Abubakar's Commonwealth Group says Pakistan's election 'credible', July 28, 2018, <https://www.premiumtimesng.com/news/more-news/278105-abdulsalami-abubakars-commonwealth-group-says-pakistans-election-credible.html> (as accessed on July 30, 2018)

<sup>7</sup> For further details, please see PILDAT Score Card on Quality of General Election 2018, August 2018, [https://pildat.org/wp-content/uploads/woocommerce\\_uploads/2018/09/AssessmentoftheQualityofGeneralElection2018b.pdf?Submit=Download](https://pildat.org/wp-content/uploads/woocommerce_uploads/2018/09/AssessmentoftheQualityofGeneralElection2018b.pdf?Submit=Download) (as accessed on September 15, 2018)

and the *Post-Poll phase* received the score of 50 per cent. However, *Counting of Votes, Compilation & Transmission of Results* received the lowest score of 40 per cent; thus depicting the counting, compilation and transmission of results as the weakest link in the management and quality of General Election 2018.

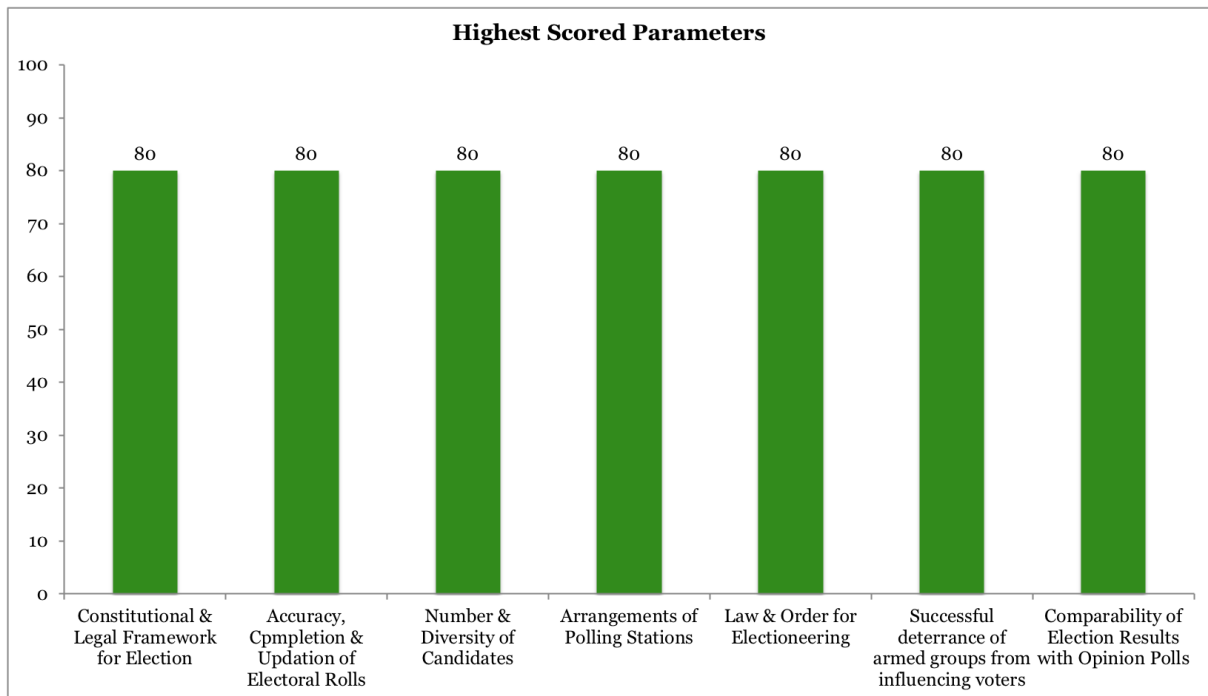
Comparative Assessment of Quality of General Elections 2018 and 2013



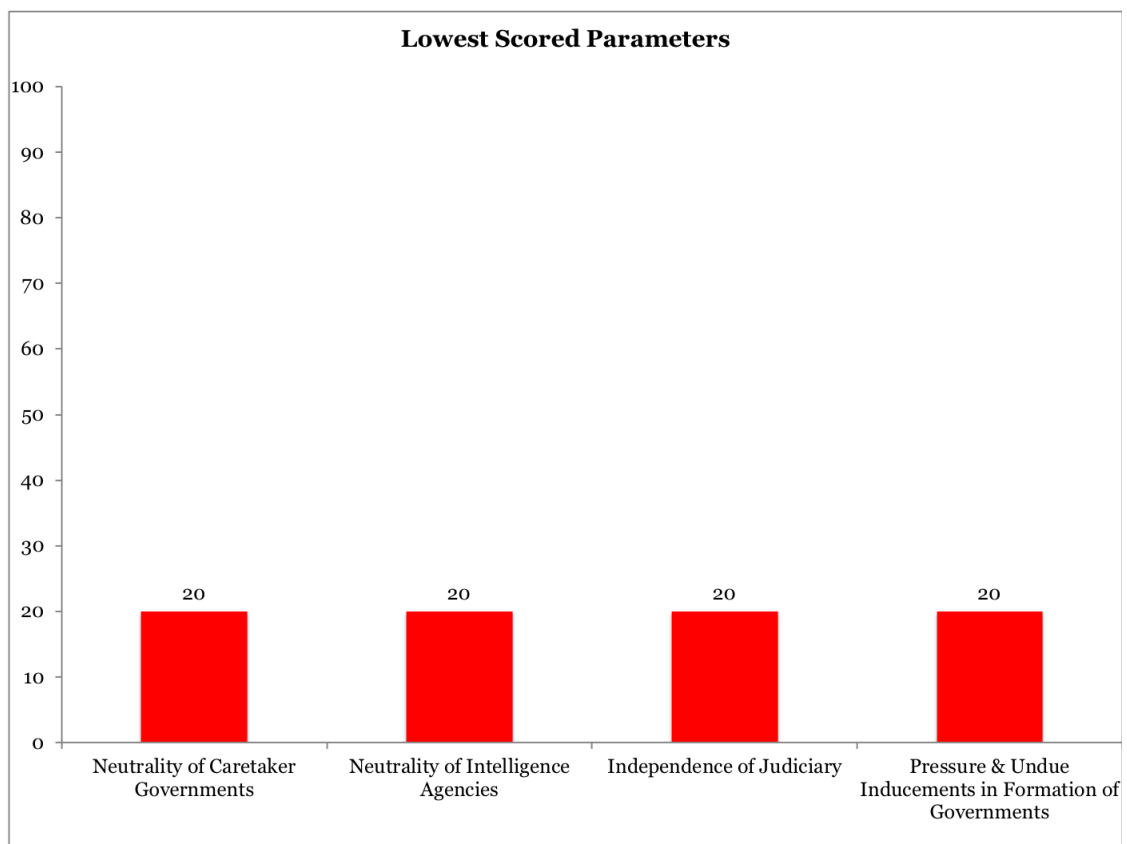
The quality of General Election 2018 was assessed on 39 parameters under four broad categories of 1) *Pre-Poll*; 2) *Polling*; 3) *Counting of Votes, Compilation & Transmission of Results* and 4) *Post-Poll Phase*. Each parameter was assigned equal weightage and graded on a scale of one to five with one indicating the poorest quality and five demonstrating the best quality.

The PILDAT Assessment of Quality of General Election 2018 has been a continuation of earlier similar assessments that have been carried out by the think tank after General Elections of 2002, 2008 and 2013. Similar assessments in the past assigned the overall score of 37.30 per cent to the quality of General Election 2002 and 40 per cent to the quality of GE 2008. The scores improved for quality of General Election 2013 at 56.76 per cent but have dropped again to 51.79 per cent for the quality of General Election 2018. This drop in quality is mainly due to poor quality of the pre-poll phase, which is largely attributable to the factors lying outside the direct remit of the ECP. Other factors adversely affecting the overall score of GE 2018 are the issues reported in *Counting of Votes, Compilation of Result Both at the Polling Station and Returning Officer's Office* and *Transmission of Results from Polling Station and from Returning Officer's Offices* resulting in considerable delay in announcing provisional results and questions about the credibility of counting and compilation of results.

Highest Score Parameters General Election 2018



Lowest Score Parameters General Election 2018



The quality of management of polling day operations, satisfactory arrangements and environment of voting, however, seems to have taken a nosedive in the process of *Counting, Result Compilation & Transmission of Results*, which have received the lowest score of 40 per cent in the assessment. It must be noted that this is not just the lowest score for any single aspect of the quality of General Election 2018, but it is also the lowest score in comparison to the processes adopted in 2002, 2008 and 2013 when the similar process received scores of 43 per cent respectively in 2002 and 2008 and improving to 47 per cent in 2013 General Election which has, in 2018 General Election, plummeted to 40 per cent. Each parameter under the *Counting, Result Compilation & Transmission of Results* including strict legal requirements of transparency of compilation of statement of vote count, availability of results to polling agents and display at polling stations, efficiency and accuracy of the transmission of election results from polling stations to returning officers, transparency of consolidation of results at the RO level and efficiency and accuracy of transmission of results from the ROs to the ECP has been called into question.

The *Post-Poll Phase* has also seen declining score of 50 per cent compared to the score assigned to the similar process after the GE 2013 which stood at 68 per cent. Again, the assessment of the quality of this process shows that while the lowest score assigned to this process was 40 per cent after General Election of 2002, which saw the worst-of-its-kind post-poll rigging in recent history, the score improved after GE 2008 to 56 per cent, recorded significant further improvements with the score of 68 per cent after General Election 2013, and has now recorded a decline even lower than GE 2008. This decline in the quality of post-election score compared to GE 2013 may partly be attributed to the fact that the PMLN had gained clear majority in the National Assembly and the Provincial Assembly of the Punjab in GE 2013, and it did not need to make intense efforts to win the support or join independent legislators to form the government.

### Implications for Pakistan's Democracy

Pakistan's 11<sup>th</sup> General Election has provided the much-required democratic continuity and another democratic transfer of power from one civilian elected government to another. However, on the other hand, serious concerns have also emerged not only on the fledgling state of democracy, but its vulnerability to an increasing over-reach of the military in politics and in democratic governance.

In addition to the national assessments on the quality and conduct of General Election 2018 in Pakistan, the GE 2018 have also raised questions internationally over its conduct. The international media has cried fouls over the alleged interference to subvert the mandate of the people.

Some analysts were of the opinion that, "The military persuaded politicians from other parties to defect to [the] PTI along with their voters... The army bullied the press into providing [the] PTI with positive coverage while attacking the PML-N. The security apparatus rounded up, detained, and otherwise harassed [the] PML-N party workers, and the army worked behind the scenes to disqualify [the] PML-N candidates from running."<sup>8</sup> The international media also analysed that, "they appear determined to keep former Prime Minister Nawaz Sharif out of politics"<sup>9</sup> using the judiciary, "In this election, the court was instrumental to the army's scheme to elect Khan."<sup>10</sup>

<sup>8</sup> Cristine Fair, Foreign Affairs, 'Pakistan's Sham Election', July 27, 2018, <https://www.foreignaffairs.com/articles/pakistan/2018-07-27/pakistans-sham-election> (as accessed on September 18, 2018)

<sup>9</sup> LA Times, 'As Pakistan prepares for Elections, its powerful military appears to be meddling' July 20, 2018,



Others in the international media also believed that, “this view of Pakistan—and the military’s role in it—leaves the country in a permanent cycle of political tumult and economic stagnation.”<sup>11</sup>

In its editorial after the elections, The Guardian noted that, “Mr. Khan has also benefited from voters’ frustration with years of corruption and dynastic politics dominated by the PML-N and the Pakistan Peoples Party... Mr. Khan promises a new Pakistan, and has certainly reinvented himself.” However, also maintained that, “He [Imran Khan] claimed the country’s ‘umpires’ would step back if he were elected. But Mr. Khan’s promised ‘New Pakistan’ seems likely to look rather like the old variety.”<sup>12</sup>

As an independent think tank, PILDAT has supported the need for a thorough and impartial investigation of aspects of the election about which a number of questions have been raised by various political parties and candidates. An impartial inquiry can partly address the flaws in the system, the larger question, or required policy reform. However, the more crucial question to be asked is how the new ruling party will drive the elected Parliament and the country’s military leadership towards a constitutional equation of civil-military relations in Pakistan.

As an indigenous think tank run by Pakistani citizens, PILDAT firmly believes that a constitutional equation of civil-military relations in Pakistan will contribute to strengthening of democratic governance and is in the best of national interests. PILDAT also believes that political parties are the key institutions that can understand and contribute towards establishing that equation, whether in power or in opposition. Political parties, therefore, must work towards achieving clarity on issues relating to civil-military relations in Pakistan, and to develop and outline cogent policy proposals for achieving democratic oversight of national defence and security. ■

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<http://www.latimes.com/world/asia/la-fg-pakistan-elections-20180720-story.html#> (as accessed on September 18, 2018)

<sup>10</sup> *ibid*

<sup>11</sup> Ishaan Tharoor, the Washington Post, ‘Pakistan’s military has its fingerprints all over the elections’, July 25, 2018, [https://www.washingtonpost.com/news/worldviews/wp/2018/07/25/pakistans-military-has-its-fingerprints-all-over-the-elections/?noredirect=on&utm\\_term=.b607e1524144](https://www.washingtonpost.com/news/worldviews/wp/2018/07/25/pakistans-military-has-its-fingerprints-all-over-the-elections/?noredirect=on&utm_term=.b607e1524144) (as accessed on September 18, 2018)

<sup>12</sup> The Guardian, ‘The Guardian view on Pakistan’s elections: Imran Khan’s real test is coming’, July 26, 2018, <https://www.theguardian.com/commentisfree/2018/jul/26/the-guardian-view-on-pakistans-elections-imran-khans-real-test-is-coming> (as accessed on September 18, 2018)