



**RESEARCH PAPER**

**Parliament and Democratization: Issues and Adjustments in Pakistan's Parliaments (1988-1999)**

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**ABSTRACT**

The objective of this research paper is to highlight the fundamental requirement of a robust and efficient parliament in the smooth functioning of any parliamentary system and the performance of Pakistan's parliament in the distinctive decade of 1988-1999. This decade was democratic in its nature but not in practice and the multiple four democratic regimes in a single decade gave a severe setback to democracy. Analyzing the multiple transitions of different governments helps to understand the conundrum of sustaining democracy in Pakistan. This study employing qualitative approach with analytical method of research to examine how the institution of parliament functioned and evolved during this decade. It is found out that influence of military over politics, redundant use of Article 58-2-B of the constitution by the presidents, limited autonomy and effectiveness of parliament and political rivalries resulted in the fall of this democratic decade and paved the way for another martial law. The study recommends institutionalization of parliament in an effective manner that encourages and enhanced the democratization, thus independence of parliament is mandatory, and there should not be undue interference from the executive branch.

**KEYWORDS** Article 58-2-b, Democratization, Parliament, Power, Transition

**Introduction**

Democratic societies cannot work without the presence of parliaments and democracy share a traditional relationship with parliaments. A parliament can scuffle in many ways during the practical implications of democratic prerogatives. Pakistan after its inception adopted parliamentary democracy to run the state. In order to overcome the deprivations confronted under colonial rule, the founders of Pakistan assumed parliamentary democracy as the most suitable system to govern the state according to the will of citizens by providing them the rights of participation and representation. Despite adopting this system, Pakistan had been under martial laws for more than thirty years and these non-democratic regimes demolished the institutional set up in such a way that caused no or less growth even in democratic regimes. Democratization requires its prerequisites to be fulfilled in order to establish a consolidated democracy. Strong parliament is one the prerequisites without which the process the democratization cannot be executed and this is one of the reason for which Pakistan experienced miserable democratic outcomes. The Pakistan's politics in the decade of 1988 to 1999 was democratic in nature but not in practice. The dissolution of National Assemblies prior to the completion of their tenures in all four democratic regimes of this decade significantly wiped out the essence of democracy. It opened the doors for another martial law in the history of Pakistan. In the first part, this study adumbrates the correlation of democratization and the parliaments in the democratic setups. The next part elaborates the situation of parliaments and causes behind the mirage of democracy in the decade of 1988-1999 in Pakistan.

Democracy is a system while democratization is a process for the enactment of consolidated democracy. The ultimate aim of Democracies is always to create democratic consolidation. Democracies always require some prerequisites and one of the main prerequisite is effective parliament (a highest representative body) itself. In recent times, the bond between Democracies and parliaments is noteworthy because in practice this bond is seemed as a balancing factor between authorities and civil societies (Nemtoi, 2014). A

parliament has different imperative functions and above all there are three main functions: to represent the masses, to make laws (which are not obnoxious to constitution) and to keep a check and balance generally on the whole system and especially on the government (Coghill, Holland, Kinyondo, Lewis, & Steinack, 2012).

The system of democracy always entails its prerequisites as a fundamental part and the most important requirement is the general will or consensus of society which can be manifested in the form of a parliament (Akhter, Hussain, & Qazi, 2019). In democracies, people vote for their representatives in parliament and in return the latter work for the people. The parliament is the supreme legislative body which normally has two constituent houses with few exceptions and this traditional body is recognized by the people and also accountable to them. In modern democracies parliament is the key device for the whole setup of government to function all its provisions. For the maintenance of democracy, power cannot be bestowed completely in one hand. For this proposition "separation of power" has been introduced and ensured that no single institution of state apparatus holds the entire power and before the establishment of parliamentary democracies, such power concentrations existed but there are fewer chances for modern democracies.

Many developing democracies are struggling to sustain democratization and trying to maintain societal and economic development side by side. States are like human beings in their nature of evolution, as humans are not the same; each state is different in its affluence. So, one cannot figure out an ultimate pattern of successful democracy for all the democratic states. The transformation of democracy requires tons of metamorphoses in each democracy. As far as success of democracy is concerned, different countries could not procure the same success even by adopting the same pattern because each state is different in its history, economy, public opinion, religion, culture, norms and values.

### **Literature Review**

The role of parliament in any democracy is important for its smooth process. The era of 1988-1999 is critical in this context because of corruption and poverty. In Literature review, few stimulating things have been found. Unexpectedly, there is diminutive collected data in Political Science on this topic but few gaps have been traced as; Is the role of Parliament vital in the process of democratization and consolidation of democracy? And why is Pakistan's parliament not functioning well on the road to democratization? There isn't a single study that specifically addresses this issue.

Hamid Khan in Constitutional and Political History of Pakistan stated that legislatures are sovereign in parliamentary systems, but he argued that sovereignty of Pakistan's parliament is also linked with the Islamic concept of sovereignty. He claimed that political activities in Pakistan have been confused mishandled in a way that much time has been spent on those problems which do not actually exist. He clearly stated that elections of 2008 showed a clear face of peoples of Pakistan that they wanted a democratic setup than any other setup (Khan, 2017).

Kausar Parveen in *The Politics of Pakistan; Role of Opposition 1947-1958* is a work that helps in understanding the cause of political instability and also asserted that tolerance towards criticism is a vital equipment for any democratic setup. The author's major area of interest is democratization in modern South Asia. She considers opposition as tool to institutionalization, political development & nation building (Parveen, 2013).

*Political Parties & Democracy* affirmed that democracies are more inductive to governments to be receptive to the preferences of the people. Political parties are the indispensable device for establishing democracies. This work is a comparison of different theories related to political parties but how parties of Pakistan working in parliamentary setups? (Marc, 2000).

Safdar Mehmood in *Pakistan: Political Roots & Development 1947-1999* take on the history of Pakistan, considering the gaps, major events, leaders & political and social culture (Mehmood, 2000). The author also discusses the dilemma of democracy and problems of democracy in Pakistan. He considers the void of leadership, disorganized political parties, domination of feudal and rise of military & bureaucracy as the prime difficulty of parliamentary system in Pakistan. He argued that quality of any democratic setup is verified by the role of the civil society because civil society is a best control over elected officials of government. He also suggested that Pakistan is better under democratic set up than any other set up.

Lawrence Ziring in his book *Pakistan in the Twentieth Century: A Political History* analyses the real struggle of Pakistan as an Islamic country in Asia, with a complex relation of country's vision and reality. He provides comprehensive description of events which influenced the development of Pakistan. He tries to trace the problems that held Pakistan from going towards progress (Ziring, 1997). He comprehensively discusses how Pakistan revisited democracy after martial laws in between 1988 to 1999.

### **Material and Methods**

The research study has been based on qualitative approach with analytical method of research to examine how the institution of parliament functioned and evolved during this decade. The data collection of this research is composed of literature of books, electronic documents, official website of parliament and newspaper articles. All of these research documents has been analyzed and evaluated in order to provide a through insight. The analytical method helps to critically evaluate the decade of 1988-1999. Most of the existing democratic studies included qualitative analysis and researchers tried to avoid quantitative method for democracy because of complex nature of quantitative method. In case of democracy the ultimate examiners are the citizens, as citizens are a sole representative which requires analyzing the performances of parliament. There are several methods to study the parliament but analytical method helps to understand the complications of institutionalization.

The history of a country greatly influences its prevailing political process and when a state turns into a democracy from a colonial setup, it needs more public participation because of two reasons. Firstly to make a plausible base of democracy and secondly to change public mind set which had been apprehensive in colonial setup (Akhter, Hussain, & Qazi, 2019). History of a state contributes a lot to the existing system because public acuity involves much historical energy. While struggling in the colonial system; democracy looks like the only suitable answer but, in practice it faces ample of active sprints. The operational framework of democracy in Pakistan was inherited from colonial British rule with few alterations in accordance with personal interests of the elite class. After independence, democratization needed mass recognition. In early years, Pakistan faced many critical issues in consideration to democracy e.g. incompetent leaders, unstable economy and absence of a resilient constitution. The democratic framework in Pakistan was expected to flourish after independence, but the country faced a lot of upheavals in early years that contributed to the glitches of democracy. Although the founding father believes in democracy, from the very beginning, Pakistan experienced many depressed democratic outcomes. Many democratic prerequisites are not there to fulfill democratic needs. Especially lack of democratic norms and unscrupulous institutionalization resulted in the failure of democracy in Pakistan (Mehmood, 2000; Zaidi, 2011). Many domestic political and non-political actors pursued their personal interests rather than the national interests and this caused a democratic disguise. Non-democratic involvements and political opportunism are two causal origins that ruin the whole democratic system. Furthermore, death of the founding fathers, Quaid e Azam Muhammad Ali Jinnah and Liaqat Ali Khan in early years of Pakistan inception changed the notion of internal politics (Ahmed, 2013). All these early problems instigated that democratization of people may come secondary, but democratization of political units comes first. The failure of democracy in early years of its inception was the major source

that contributes to non-democratic interventions. After facing long authoritarian rules because of civilian inefficiency, Pakistan is still struggling for democracy. After almost seven decades of state inception different actors in Pakistan are still behind personal interests instead of national interests. The notion of modern liberal democracy is still receiving rough steepchases in Pakistan (Weinbaum, 2007).

Democracy in Pakistan moves at a very slightest speed, but little potential showed its growth in the state. There is a need for speedy democratic alterations. These democratic alterations are in need of detailed effort to enhance numerous variables for democratization e.g. literacy rate, external environment, commitment and acceptance of democracy by elite class and general masses, institutionalization, inculcation of democratic norms and stable economy. But two major variables that are needed to be considered more for democratization in Pakistan are institutionalization and inculcation of democratic values. Because of the four long authoritative regimes, institutional structure in Pakistan suffered a lot. The parliaments in epoch of military regimes have been either absent or just ceremonial for dictators. In fact, in civilian rules parliaments were not able to perform in a democratic manner due to many infringements from the judiciary and executive branch. Military involvement tumbled down the democratization and parliament of Pakistan struggled in a challenging way.

The era of 1988-1999 emanates after the longest non-democratic regime of eleven years following the death of President and also the then COAS (Chief of Army Staff) Zia-ul-Haq on August 17, 1988. Pakistan entered into a new bumpy era after the sudden expiry of President Zia ul Haq. Besides this novel lumpiness, Pakistan was expecting this in a more democratic term, but many internal and external challenges created political suspension. The consecutive three eliminations in this decade were pre planned and backed by many internal and external actors' e.g. foreign involvement and civil military establishment.

After the death of Zia, elections were announced to be held on November 19, 1988 and the election campaign was started and with the competition between Pakistan People's Party (PPP) and Pakistan Muslim League N (PMLN) led by Muhtarman Benazir Bhutto and Nawaz Sharif respectively. The election campaigns of both parties were started in a very energetic motion that led both parties for many intra party changes; for instance, Benazir Bhutto seized her mother's position and took over the party's leadership. Prior to this she campaigned for herself and her party, when she was in exile and gained much support from the west. She met many important political figures of the United States of America and tried hard to expunge her father's anti-American stance and to some extent she succeeded in her task. Meanwhile, Zia-ul-Haq supported Nawaz Sharif in the wake of Benazir Bhutto's political activism. Nawaz Sharif and his family were renowned in Pakistan and especially in Punjab because of their foundries in Lahore that contributed to the economy of Pakistan. Their foundries were in jeopardized status under the rule of Zulifqar Ali Bhutto from 1971-1977 due to the policy of nationalization. Due to excessive support of Zia-ul-Haq, Nawaz Sharif was awarded the position of Finance minister and Chief Minister in 1981 and 1985 respectively.

In the elections of 1988, an alliance known as Islami Jamhoori Ittehad (IJI) supported Nawaz Sharif. PPP won even after so many election upheavals and IJI was defeated. PPP won 122 seats out of 217 including seats of tribal areas, minorities and women (Ahmed I. , 2013). Benazir Bhutto assured the Head of State and COAS that she will not interfere in their matters. On December 2, 1988, Benazir Bhutto was avowed on the prestigious position of first female Prime Minister of Pakistan. After assuming Prime Minister's office, she clearly showed her apprehensions for compromises, political barraging, consensus building, but her opposite politicians and establishment opposed her in a very sequestered way. From the beginning BB's government faced complications to handle Afghan, Bangladesh and Sri Lankan concerns. On the other hand, as far as India is concerned, she showed very positive and friendly relations with India in SAARC summit 1988 held in December at Islamabad.

Prime Minister of India, Rajiv Gandhi had friendly talks with Benazir Bhutto over many issues. They assured that both countries, Pakistan and India, would not attack on each other while the agenda of establishment was one the great challenges for Benazir to survive in the government. Apparently, this distrust of the establishment in her government became a major internal challenge that caused her disposition by President Ghulam Ishaq Khan using his power under 8<sup>th</sup> amendment.

The second term in this era was of Prime Minister Nawaz Sharif, but this time again there was a tussle between establishment, President and Prime Minister (Haqqani, 2005). Once again President Ghulam Ishaq Khan used his power under 8<sup>th</sup> amendment and dissolved the government of Nawaz Sharif. The Supreme Court responded with a verdict unexpectedly in favor of Nawaz Sharif. After which there was an extended period of negotiations between President and Prime Minister; the military establishment intervened and concocted an agreement after which both President and Prime Minister resigned. On October 1993, Benazir Bhutto became Prime Minister for her second term and her party's candidate defeated PMLN's candidate for presidency and that's how Farooq Leghari became the president. But nothing had changed in practice; again the President while using 8<sup>th</sup> amendment dissolved the government of Benazir Bhutto.

Before the elections of 1997 many experts suggested President Leghari to postpone the election on which the president did not agree as he followed a school of thought which clenches the dictum, "cure for bad democracy is more democracy" and elections were held in February 1997 (Belokrenitskii & Moskalenko, 2013). The masses of Pakistan were not active in these elections as these were held in the holy month of Ramadan. This caused the low voting turnout of 36% while this entire decade faced this problem of less voting turnout. Having accomplished a majority of 50% on the elections of 1997, Nawaz Sharif in the central level came into power and formed his government. The PPP under the leadership of Benazir Bhutto faced a severe defeat securing only 19 seats. Nawaz Sharif became the prime minister for his second term but nothing changed practically in this term. Being bestowed with the majority in the parliament, Nawaz Sharif's government easily passed the 13<sup>th</sup> Amendment in order to revoke 8<sup>th</sup> amendment of the constitution because latter gave extra ordinary powers to the president.

Prime Minister Nawaz Sharif faced complications from the beginning and the initiation of special courts gradually became the root cause for the tussle of the government with the judiciary. Justice Sajjad Ali Shah criticized this initiation of courts and added five new judges to the Supreme Court to show that they can deal with extra burden. Resultantly, the rift between government and judiciary was heightened and the historic attack on the Supreme Court of Pakistan on November 30, 1997; was prompted by the supporters of Prime Minister, Nawaz Sharif. The PM wanted the President to dismiss the Chief Justice, but the President supported the judiciary. After many dramatic episodes, President and Chief Justice both resigned in absence of military's support and Nawaz Sharif celebrated his victory. The nominee of PMLN, Rafiq Tarar became president by huge margin. He won 374 out of 457 votes and his opponent, Aftab Mirani of PPP won only 22 votes. Many criticized President Rafiq Tarar, especially PPP and his predecessor former president Farooq Leghari that the presidency was only ceremonial and only devoted to Prime Minister, Nawaz Sharif.

In early 1998, the politics in Punjab faced many upheavals while there was a scandalous split in extensive alliance of Prime Minister Nawaz Sharif with Abdul Wali Khan's ANP (Awami National Party). This deteriorated the politics in Punjab and NWFP and rooted many issues e.g. Punjabi issue, issue of name of NWFP and provincial autonomy. The next step of PM Nawaz Sharif was the appointment of COAS, General Pervez Musharraf. PM Nawaz Sharif wanted to avoid any future tussle with new COAS, so he tried to select a person that is less problematic, but future held many surprises for his government. He appointed General Pervez Musharraf as COAS, ignoring few senior generals. He also favored Musharraf because of his Muhajir origin. To some extent, it somehow helped in Punjabi-Muhajir issues,

but the overall situation of Muhajir community was not favorable. Almost 1035 people were killed in Karachi in 1998 together with many important figures including Sajjad Hussain, the then Chairman of Pakistan Steel Mills.

Another problem was Shia-Sunni conflict which has had been a very serious problem for the state of Pakistan since its inception. In January 1998, groups of bandits attacked Shia's Imam Bargah in return many Sunni Mullahs were assassinated in Punjab. Another crisis in PM Nawaz Sharif's government was the absence of progressive setup of local governments. The government abolished the system of elections for local government and introduced the system of nomination which actually did not fulfill the real essence of democracy. In 1997, PM introduced a commission of Ehtesab (Audit) to prosecute his political opponents. In April 1999, Benazir and her husband were imprisoned for five years. She was exasperated in *absentia* and her husband in *presentio*. The government was involved in political revenge and totally ignored the socio-economic problems of the state and it looked more consumptive rather than productive in nature.

The state was already in a shock of economic crisis which essentially covered almost the whole Asia, but the situation deteriorated when the government announced the possibility of a state emergency in wake of the nuclear program that endangered the middle and lower middle class of the state. The government promised many economic programs but failed to fulfill its promises. Economy is not the only catastrophe of the government, but the defense and foreign strategy of the government was also in danger. Before the elections, PM Nawaz Sharif validated his wish for friendly bilateral relations with India and after establishing the government he tried to fulfill it by arranging a meeting of diplomats in 1997 after almost 4 years of a long pause. He personally met Indian PM, Inder Kumar Gujral in Male, Maldives in SAARC 9<sup>th</sup> summit, but again there was a pause because of no progress on the Kashmir issue (Belokrenitskii & Moskalenko, 2013). The government tried to establish friendly relations with India, but the country's cooperation with China, especially in missile and nuclear bomb manufacture, unfavorably affected the aim. In May 1998, both India and Pakistan conducted nuclear tests. The president of America, Bill Clinton tried hard to convince Pakistan to avoid nuclear tests. These tests were not welcomed by the international community and major powers like the US imposed sanctions and forced both countries to sign CTBT (Comprehensive Test Ban Treaty) to which both denied. In February 1999, history witnessed another picture of bilateral relations of both states as PM Atul Bihari Vajpayee came to Pakistan; official negotiations were held in Lahore and Lahore Declaration was signed between both countries on 21<sup>st</sup> February, 1999, which was an extension of Simla Agreement of 1972. Earlier this declaration did not include any clause related to Kashmir, but the army encroached and diverted the attention towards Kashmir (Cohen, 2004). This pronouncement was received worldwide appreciation especially in Asia, but PM Vajpayee's government faced no-confidence motion and in May 1999, Kargil conflict started.

In Kargil conflict, many major states preferred neutrality and requested both states to end up hostilities. But the armies of both sides were not agreed to sidestep hostilities and the situation worsened. Even China adopted the policy of neutrality and requested both countries for negotiations. The United States of America also tried to end the conflict and convinced PM Nawaz Sharif to withdraw troops from the LOC. The PM visited US on July 4<sup>th</sup> and after coming back, he announced the withdrawal on July 14<sup>th</sup> and this withdrawal comes with many damages. It affected the internal politics as well as the country's international image. The government of PM Nawaz Sharif was highly criticized internally by many political players. Many anti-government activities started in the main cities of the country. These demonstrations weakened the overall strength of this government because this withdrawal operation of Kargil demoralized not only the army but also the public. Following these demonstrations, the economy also faced a blow and concerns for loans were raised while the opposition announced for nationwide shutdown. The strikes and protests started and invoked many non-democratic elements to get in form and the working paralyzed in

many big cities due to total shutdown of all businesses. Army already showed its displeasure for the civil government in the wake of the Kargil conflict (Belokrenitskii & Moskalenko, 2013). These all national and international concerns led to the collapse of parliamentary democracy in Pakistan and paved a route for another prolonged martial law as the then Chief of Army Staff, Pervaiz Musharraf toppled down the Nawaz government and imposed martial law on 12<sup>th</sup> October, 1999. The chaos of parliament miserably botched to restore democracy and to aspire the public needs (Haqqani, 2005; Javed, 2018). This parliamentary chaos in the decade of 1988-1999 was not new as it initiated from the very beginning of parliamentary democracy in Pakistan.

## **Results**

The internal and external challenges affected the nominal democracy of Pakistan in many ways from the early period. This decade was in deep effects of end of cold war that encompassed whole South Asia. The malign of this decade affected democratization in a very depraved manner as the civil governments handled its fragile parliaments in a zero-sum game (Khan, Khan, & Khan, 2019). It was expected that democratic norms and values would be reinforced after the end of martial law, but expectation could not meet its agendas. After living many years in authoritative rule democracy as a system of governance required to grow from bottom to upward and this process involves the affective role of political parties and Political parties in Pakistan could not meet its hefty promises for democracy and they are still lacking many democratic principles (Ahmad, 1985; Shafqat, 1989).

Democratic governments in Pakistan give least priority to the masses and their rights. This showed the despotic and authoritative nature of democratic governments in Pakistan and this is the reason behind many democratic failures of the state. Political parties do not bother to fulfill their promises which they made earlier with the public before coming into power (Bibi, Jameel, & Jalal, 2018). For example, the decade of 1988-1999 aimed to restore democracy in the state, but practically four governments of the decade could not reach the common citizen to address their issues e.g. poverty, employment, economy, energy, education, health etc. Thus, the absence of democratic norms and strong institutionalization in the decade of 1988-1999 contributed to the fall of democracy and a martial law led to another martial law and this transitional democratic decade could not nurture the democratization.

## **Conclusion**

Parliament is the institution that requires consistent steps to keep it alive; the point where it took a back seat it will dig deep into the hole. In parliamentary democracies, parliament is as important as food to human life. When parliaments failed to excite the public; the whole democratic system faces a backdrop in general. After analyzing these four regimes, it is evident that the catastrophe of parliament in Pakistan is palpable generally and especially in the decade of 1988-1999. After the longest Coup D'état of General Zia-ul Haq, civilian governments faced pressure from many sides, these four civilian governments failed miserably. In in the decade of 1988-1999, absence of democratic norms with autocratic nature of democratic governments and many non-democratic factors contributed to their fall. The dissolution of National Assemblies before the completion of their tenures in all four democratic regimes of this decade disenchanting the process of democratization and it paved the way for another martial law in the history of Pakistan.

## **Recommendations**

To stabilize and strengthen the process of democratization in Pakistan, it is vital to enhance the autonomy and effectiveness of parliament. While keeping in consideration, the crises of parliaments in the decade of 1988-1999, here are some recommendations for existing democratic setup of Pakistan:

- Institutionalization encourages and enhanced the democratization, thus independence of parliament is mandatory, and there should not be undue interference from the executive branch.
- The clear guidelines given by the constitution on the separation of powers, the responsibilities and roles of a parliament and the check and balance mechanism must be followed in order to avoid any undemocratic intervention.
- Judicial reforms must be done as judicial independence will make it an independent arbitrator in the legal and constitutional disputes, including the matters of parliamentary powers.
- There should be clear boundaries between military and civilian roles in order to avoid military interloping in parliamentary affairs. Military must be accountable to the civilian oversight bodies.
- There is a high time to inculcate a political culture that respects the democratic norms, such as tolerance for dissent, establishing rule of law and assurance to peaceful transition of power.
- The communication gap between government and masses is also contributing to the mentioned problems. Democratization of the elite and inculcation of democratic norms in public is one of the prerequisites of democracy; these two factors are the hope for democratic success in Pakistan.



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