

Teim



TEIM Election Watch Analysis

ELECTORAL REPORT:

PAKISTAN/Parliamentary elections

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Background of the elections:

These elections were preceded by the tragedy of the death of Benazir Bhutto after a political rally in Liaquat Bagh, a park in Rawalpindi, on 27 December 2007 and the outbreak of violence that ensued. The date that had been set for the elections before her death was 8 January, but the uncertainty and damage caused by the uprisings that followed the event led the Election Commission of Pakistan (ECP) to decide to postpone them. Moreover, from the beginning of the campaign, general attacks, attacks against candidates, pre-election disturbances and uprisings on the day of the election, left around 300 dead and several hundred more wounded, creating a significantly strained atmosphere and spreading fear among the voters. However, even before Benazir's assassination, the situation was characterised by the different restrictions that President Musharraf had imposed as a result of his declaration of a state of emergency. This decision, in practice, was oriented more towards organising the country, its constitution and institutions in such a way that whatever the results of the elections, the President would govern with broad powers, and that the power of judges and parties to remove him would be curtailed. Once the changes were made to the constitution and to the institutions involved in motions to censure the President or declare his candidacy illegal in the presidential elections, the state of emergency was lifted. The security situation in the country (the excuse put forth for the state of emergency) had not improved by the middle of December; in fact, it had gotten worse.

The institutions involved in this institutional manipulation included the judiciary, the ECP and the interim government, and restrictions were placed on the media as well. Thus, the neutrality of the very institutions that should have guaranteed the existence of a level playing field was restricted.

Moreover, the President of the country was not neutral. On more than one occasion, he expressed his support for the PML-Q and even asserted his confidence that they were going to win the elections by a majority. The protests against the declaration of the state of emergency and the many changes that Musharraf imposed upon the system led the All Parties Democratic Movement (APDM) to believe that free and fair elections would be impossible, leaving the threat of a boycott hanging in the air.

Quantitative indices of democracy:

Pakistan was classified in the following democratic performance rankings just before these elections:

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political rights and freedom	Freedom House Report 2007	Freedom House (FH)	PR: political rights CL: civil liberties	PR: 6, CL: 5 (Scale of 1, free to 7, not free) Classification: Not free
Degree of democracy in earlier elections	Polyarchy 2.0 2004 (referring to 1998 ¹)	Peace Research Institute of Oslo and Tatu Vanhanen	ID: Synthetic democracy index, Part: participation, Comp: competition	ID: 4.74, max. 49 Part: 14.03, max. 70 Comp: 33.80, max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) Classification: does not surpass democracy minimum
Consolidation of authoritarian and democratic institutions	Polity IV 2003	Center for International Development and Conflict Management, Univ. of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 0 Autocracy: 5 Polity: -5 (Scale of +10, very democratic to -10, very authoritarian) Classification: average authoritarian consolidation
Perception of corruption	Transparency International Corruption PerCEption Index 2007	Transparency International (TI)	TICPI: corruption perCEptions index	TCPI: 2.4 points out of 10 (Scale of 1, very corrupt to 10, not at all corrupt) Rank: 138 out of 179 countries
Management of political and economic change	Bertelsmann Transformation Index (BTI) 2008	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 4.38 points out of 10, Rank: 90 out of 125 countries Classification: Management with moderate success
Democracy, including press status and corruption	World Democracy Audit 2008	World Audit	World Democracy Rank: political freedom (FH) + press and corruption (TI)	World Democracy Ranking: 110 out of 150 countries, division 4 out of 4

Quantitative analysis of electoral democracy:

The elections analysed in this profile produced the following electoral democracy quantitative results:

¹ Election data after the 1999 coup d'état was not considered.

Degree of democracy in these elections	Measurement of democracy in these elections according to the Polyarchy 2.0 2008 index, calculated by TEIM Election Watch	ID: 7.2 max. 49 Part: 20 ² , max. 70 Comp: 36 ³ , max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30)	Classification of the elections: democratic
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Definition of the political system:

Semi-presidential system in which the military exerts a strong influence. The President of the state, simultaneously the head of the Armed Forces, ran for a third presidential term while holding a military post. He gained power through a bloodless coup d'état in October 1999.

Definition of the electoral system and parties:

A parallel mixed system is used. Representatives are elected through two different systems: a party-list proportional representation system (in which the parties present a list of candidates for election, the people vote for a party and it receives seats in proportion to the total votes) and a uninominal majority system (simple majority or 'first-past-the-post'). The calculation of seats for the two systems is independent. The proportional system is applied to the provinces and the entire national territory, while the majority system is used in small constituencies. To further complicate the matter, elections for the seats for the National Assembly and the provincial assemblies are held at the same time.

It is a multi-party system with two dominant parties, the Pakistan Peoples Party or PPP and the Pakistan Muslim League or PML, although the latter is broken into two groups: the Nawaz faction of the Muslim League or PML-N, named after its leader, Nawaz Sharif, and the Quaid-i-Azam faction of the Muslim League or PML-Q (which refers to the founder of Pakistan, Muhammad Ali Jinnah), the ruling party during Musharraf's dictatorship that was created *ad hoc* in 2001 for the 2002 elections.

Impact of the electoral process and size of the constituency on the elections:

The Pakistani electoral process is marked by the 'swing' factor/effect that is typical of first-past-the-post or winner-takes-all systems. The form or formula of the simple majority system, combined with the fact that the system uses uninominal districts, means that in the end, voters vote for candidates more than for the parties that they represent, so that with a minimal margin of voters in one party's favour, it can control all the seats and the minority parties are not represented. Furthermore, on a local level, the candidates usually belong to powerful family clans that control the area, and the parties offer the seats to these powerful people, more than to rank-and-file members. Usually, the political

² Participation was calculated using the participation of 34,665,978 voters and an estimated population of 172,800,000 inhabitants in 2008, according to the Population Reference Bureau (<http://www.prb.org>, Washington).

³ Competition was calculated adding only the seats in the National Assembly obtained by parties that did not form part of the government coalition (PPP plus PML-N).

affiliation of these dignitaries varies, producing a 'swing' effect or a sudden transfer of the vote.

Moreover, the rural constituencies in Pakistan usually coincide with the lands or large estates of the feudal families who still control the rural areas of Pakistan. This affects the rural vote, which usually ends up with the owner of the lands, a condition required of the workers there (local political boss influence).

Election results:

Seats in the National Assembly by party:

Partido	FATA		CF				NWFP				Punjab				Sindh				Baluchistán				Min	Total
	EG	I	M	NM	EG	I	M	NM	EG	I	M	NM	EG	I	M	NM	EG	I	M	NM				
PPP	0	0	9	1	3	13	44	5	12	61	29	0	7	36	4	1	1	6	4	120				
LMP-N	0	2	4	0	1	5	60	4	16	80	0	0	0	0	0	0	0	0	3	90				
ANP	0	0	10	0	3	13	0	0	0	0	0	0	0	0	0	0	0	0	0	13				
LMP-Q	0	0	3	0	0	3	28	0	7	35	5	0	1	6	4	0	1	5	2	51				
MQM	0	0	0	0	0	0	0	0	0	0	19	0	5	24	0	0	0	0	1	25				
MMA	0	0	3	0	0	3	0	0	0	0	0	0	0	0	2	0	1	3	0	6				
PPP-S	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1				
LMP-F	0	0	0	0	0	0	1	0	0	1	3	0	1	4	0	0	0	0	0	5				
NPP	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1				
BNP-A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1				
I	10	0	1	0	0	1	4	0	0	4	1	0	0	1	2	0	0	2	0	18				
Total	10	2	31	1	7	39	137	9	7	181	58	0	13	72	13	1	3	17	10	331				

Seats in the provincial assemblies by party:

Partido	NWFP				Punjab				Sindh				Baluchistán				Total				
	EG	I	M	NM	EG	I	M	NM	EG	I	M	NM	EG	I	M	NM					
PPPP	17	6	6	1	30	80	5	19	2	106	67	0	16	5	88	7	1	2	1	11	235
LMP-N	5	2	2	0	9	104	27	30	4	165	0	0	0	0	0	0	0	0	0	0	174
ANP	31	5	9	1	46	0	0	0	0	0	0	0	0	0	0	2	1	1	0	4	50
LMP-Q	4	0	1	0	5	68	0	16	2	86	7	0	2	0	9	15	0	4	1	20	120
MQM	0	0	0	0	0	0	0	0	0	0	39	0	9	3	51	0	0	0	0	0	51
MMA	10	0	3	1	14	2	0	0	0	2	0	0	0	0	0	7	0	2	1	10	26
PPP-S	6	0	1	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
LMP-F	0	0	0	0	0	3	0	1	0	4	7	0	2	0	9	0	0	0	0	0	13
NPP	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	0	0	0	0	2
BNP-A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	2	0	7	7
NP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1
I	6	0	0	0	6	2	0	0	0	2	0	0	0	0	0	10	0	0	0	10	18
Total	79	13	22	3	117	259	32	66	8	365	122	0	29	8	159	47	2	11	3	53	704

CF: Federal Capital (Islamabad)

EG: General seats

I: Independents

M: Women

NM.: Minorities, non-Muslims, (Christians, Sikhs and Hindus)

NWFP: North-West Frontier Province

On 23 February, at the request of the ECP, voting was held again in 10 electoral colleges, all in the districts of Dera Ghazi Khan (for seats AN-171 and 172 and provincial assemblies 241 and 245).

At least 11 of the 342 seats, at the time of the publication of this report, are awaiting adjudication for different reasons:

- AN-3 Peshawar: the unofficial results gave the victory to the PPP candidate, but the official result is pending notification by the Peshawar High Court at the request of the ANP.
- AN-20 Mansehra: the official result is pending, since there was a dispute between the PML-Q candidate, who was declared victorious at first, and an independent candidate who appealed to the ECP. The appeal was initially rejected, but then subsequently accepted.
- AN-25 Dera Ismail Khan and Tank: the result is pending confirmation by the Peshawar High Court between two independent candidates.
- AN-31 Shangla: the unofficial result gave the victory to the PML-Q candidate although the official result is pending the decision of the Peshawar High Court after an appeal from the ANP candidate.
- AN-37 and AN-42 (Kurram and South Waziristan), tribal areas II and VII: the election was postponed because of the security situation.
- AN-118 Lahore I: the result is pending the decision of the High Court of Punjab since the PPP candidate has appealed the result which gave the victory to the PML-N candidate.
- AN-119 Lahore II: the death of a candidate led to the cancellation of the election for this seat.
- AN-202 Shikarpur: the National Peoples Party (NPP) candidate was the unofficial winner, until the PPP appealed to the ECP; the decision is now pending.
- AN-207 Larkana, Shikarpur, Kamber-Shahdadkot: the election for this seat was suspended because of the death of the PPP candidate in the attack on Benazir Bhutto's life in Rawalpindi.
- AN-239 Karachi I: the result is pending the decision to be made by the High Court of Sindh relating to the petition by the MQM against the unofficial PPP winner.

Evaluative analysis of the elections:⁴

Participation:

Participation was irregular and depended on the geographic area.⁵ On a national level, it neared 43.34%, which was an improvement over the more pessimistic data in this respect. There were 80,911,048 registered voters for the elections.

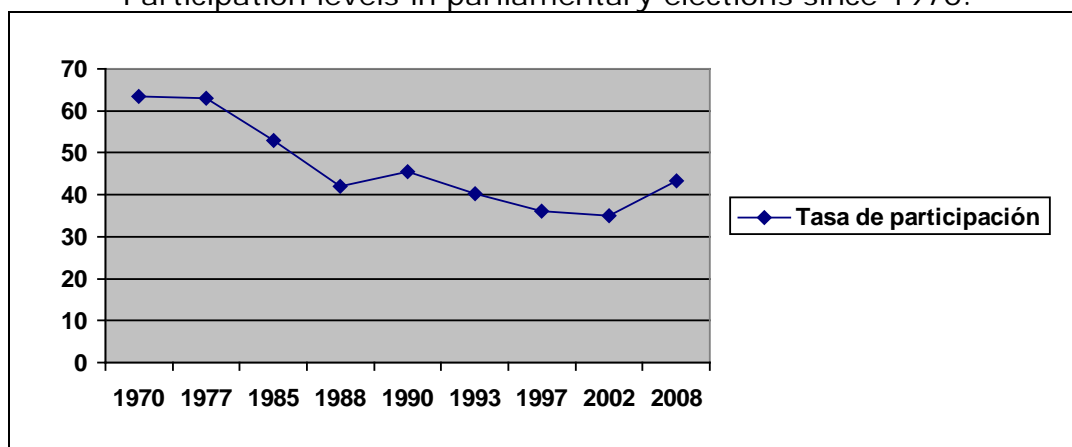
⁴ This section uses TEIM's 6 election criteria which are: Participation, Competition, Transparency, Representation and Debate, Openness and Significance. See the home page for an explanation of each of these criteria.

⁵ According to the data published by the ECP.

	Islamabad	NWFP	Punjab	Sindh	Balochistan
Percentages	49.97%	31.45%	56.95%	45.76%	32.56%
Districts with the highest participation	Islamabad II (56.23%)	Lakki Marwat (47.44%)	Bhakkar I (67.32%)	Tharparkar I (65.03%)	Qila Abdullah (46.36%)
Districts with the lowest participation	--	Tribal Area VIII-Bajaur (12.85%)	Lahore IX (16.97%)	Karachi X (30.28%)	Quetta (17.14%)

One of the most significant problems in Pakistan is the lack of an updated population census. The last census was carried out by the government in 1998 (and put the number of Pakistanis at 132,352,000) and the data on the current population are no more than estimates, since no reliable data exist regarding the total number of Pakistani citizens of voting age. It makes sense to assume that the 2008 rolls must have had more voters than in 2002. But not only were new names of people who had logically reached voting age between 2002 and 2008 not added, the numbers decreased in relation to 2002. Comparing the two election rolls in the different constituencies, I was able to confirm that in the Punjab alone, there was a difference of approximately 1,486,696 fewer voters (according to the 2008 rolls for 57 constituencies).

Participation levels in parliamentary elections since 1970.



In July 2007, the election rolls were missing around 27 million voters, according to PILDAT (Pakistan Institute of Legislative Development and Transparency). After an appeal to the Supreme Court, the ECP included 20 million names in the rolls. The Pakistan FAFEN (Free and Fair Election Network) estimated that around 15 million voters were missing from the rolls at the time of the elections and that there were 7.5 million duplicated names on the existing lists. The ECP, in turn, stated that if voters were not included on the lists, this was due to the fact that they did not have computerised identity cards. Although the EU election watch estimated that many people were not able to pay the 75 rupees that this identity card costs, the reality is more complicated. Most of the inhabitants in the rural areas were unable to present a birth certificate, a requirement for obtaining a Pakistani ID card. While on the ground, I was able to confirm complaints from several voters in different electoral colleges, who said that they had registered for the elections with their identity documents but did not appear on the election rolls and therefore could not exercise their right to vote. One of the cases involved an entire family of six members.⁶ On another

⁶ The claimant with whom I spoke showed me documentation to support the claim.

occasion, the problem was that the voter appeared on the electoral rolls in the files held by the political parties, while the electoral college did not include the name or had assigned another rank number, drawing out the voting process excessively at times.

Although women's participation was active in the country, the registration of women was especially low in the Pakistani tribal areas. Regardless of the rolls, evidence and reports appeared of women being forbidden to vote in several constituencies (like Peshawar VIII) in the NWFP. Not only did families or radical groups participate in this action, but election civil servants also intervened, denying that they appeared on the election rolls, as did the electoral college presidents and auditors who refused to let women vote.⁷ Furthermore, the security situation brought about by clashes between the Pakistani army and local Taliban groups and other radical militants resulted in thousands of displaced persons (in North Waziristan and Mohmand, 14.63% and 20.26% of the voters were women, respectively). In the NWFP, attacks during political rallies and on election offices created an atmosphere of fear.

It is important to bear in mind that there are areas in Pakistan that do not participate in the election of their representatives: areas in the north (6 districts, which are part of the disputed area of Kashmir) and Free Kashmir (8 districts). The two contain a combined population of more than 5.5 million inhabitants (unofficial estimate).

Competition:

At first, President Musharraf showed favouritism towards one of the candidates (Benazir Bhutto) when it came to sharing power, and carried out the necessary reforms for her return to the country. For this, he enacted the National Reconciliation Ordinance (05/10/07) which included the ex-leader of the PPP, but was not intended to apply to the other leader, Nawaz Sharif. Although the Supreme Court decided in favour of Nawaz' return (23/08/07) and lifted the charges against him, as soon as he landed in Islamabad, the President sent him into exile again. It was only thanks to Saudi mediation that he was allowed to return to the country (25/11/07) without the pending charges being imposed (the same occurred with his brother Shahbaz). Thus, there was an intention to show good will and for the elections to be as democratic and representative as possible. With the situation of both leaders being similar, the government favoured the PPP leader and put obstacles in the path the PML-N leader. In fact, Benazir's candidacy was accepted by the ECP while both Nawaz and Shahbaz were denied due to pending problems with the courts, and they had to delegate other members of the party to run, although they continued to be the leaders.

After several meetings, Benazir and Nawaz decided to participate in the elections instead of boycotting them (09/12/07), as did the APDM parties. Seeing this, the leader of the JUI-F, Fazlur Rahman decided to participate as well, joining the United Council of Action coalition (MMA using its Urdu initials) in a crisis that resulted in its subsequent dismantling. Asfandiyar Wali's Awami National Party (ANP) also decided to participate, and was one of the parties that won the most votes in the NWFP, with 13 seats in the National Assembly and 46 in the provincial assemblies, the most numerous group in that body. The parties that sacrificed the most were the Qazi Hussain Ahmad's Jamaat-e-Islami (JI) and Imran Khan's Tehreek-e-Insaf (TI), which decided to boycott the elections at all costs. The lack of participation by these parties benefitted others, although

⁷ In tribal areas, women voted for the first time in 1997.

neither had a wide electoral base. Specifically, the absence of the JI in the central Punjab gave the victory of the Saraiki area to the PPP.

Furthermore, the fact that candidates needed to have a higher education degree in a country where the illiteracy rate surpasses 60% considerably limited the participation of many ordinary members when it came time to run as candidates for a party, and perpetuated the elites in politics.

Transparency:

As explained earlier, there were some doubts regarding the ECP's authority and neutrality, as well as the neutrality of the judicial system in the country. The following issues are the main problems that affected the institutions involved in ensuring free and fair elections.

1. Judiciary. On one hand, the removal from office of members of the country's Supreme Court (the Chief Justice and 15 members) and nearly 60 judges from the High Courts was significant. They were replaced by other members nominated by Musharraf who swore to the Provisional Constitutional Order (OCP) drawn up by the President, which ensured his collusion with the courts.
2. The appointment of the interim government was apparently not submitted to the parliament, but personally carried out by the President who chose from among the members of the earlier PML-Q government. It was, then, a government of dubious neutrality. On 15 November, Musharraf appointed the earlier Chairman of the Senate, Mohammedmian Soomro (PML-Q) as Prime Minister and on 20 November, the provincial ministers were also appointed by Musharraf.
3. The ECP, for its part, was to be headed by a Chief Election Commission (CEC) with one judge acting as head along with four more for each provincial High Court in the country, plus one judge from the federal court in Islamabad. When the state of emergency was lifted, Musharraf had nominated the head and three of the directors. Two more were still needed, and the other judges, of course, were those who had not opposed the President's unilateral amendments to the Constitution and did not consult the parliament. Further, the ECP's authority was constantly in doubt. At a point in time when it should have been working at 100%, two of its members had still not been appointed. For example, it was only thanks to appeals by the political parties and the neutrality of the earlier judiciary that the appeal against the publication of the electoral rolls in which more than 20 million voters were missing was accepted for review. The procedure established for the directors of the ECP to make decisions was inefficient. Only the head of the CEC worked full-time; the other judges only worked part-time. Given that the decisions had to be made by a majority of the judges, the distance between the four provincial Islamabad courts, combined with the impediment of the judges' daily work in their respective courts, made it difficult for them to meet and make fast and efficient decisions.
4. During the declaration of the state of emergency, non-state controlled media was hampered. The PEMRA (Pakistan Electronic Media Regulatory Authority) laws were introduced and the media was made to sign a code of conduct that regulated the contents of the information that they transmitted. Any members of the media that did not do so were taken off the air (the GeoTV and AryOne chains, for example) and harassed.

Despite the fact that the institutional system did not guarantee neutrality, both the President and the ECP did agree to the presence of the media and international observers throughout the election day process. The assignment of accreditation to the media and observers took place efficiently and I, for one, encountered no obstacles at any time. There were also several Pakistani election watch groups made up of members of the civil society (professors, lawyers and other professionals) who were accredited, although they did report running into some obstacles in the process of carrying out their observation.

How did the reports of election trickery function in practice? Any candidate or citizen who detected an anomaly or infraction of the code of conduct or election rules had to register a complaint to the *nazim* (local level administrator) in their district. This formal complaint had to include all of the claimant's data and the person or party to whom the complaint was directed. In rural Pakistan, filing a complaint against one of the all-powerful candidates meant facing some serious problems. This was not only because feudal families and political clans were not used to playing according to the rules of the game, but because the *nazim* in most districts favoured the government⁸ and its candidates and exerted more effort trying to discourage the appeals instead of encouraging them. Furthermore, all of the appeals passed through the hands of a judiciary and an ECP of dubious neutrality. Daring to face a manipulated system and the fury of the different clans that control the areas (with names, surnames and the home address revealed) was not within the reach of just anybody, especially considering that at times during the campaign, some differences of this nature were resolved with bullets.

In the case of Pakistani television, I was able to certify the preference for the PML-Q over other parties on one of the public channels (PTV). During one 15-minute period, the proportion of advertisements for the PML-Q was 5-2 compared with the PML-N and 5-3 compared with the PPP (12/02/08). Further, the spots for the PML-Q were longer than those of the other parties. Election posters were numerous for all the parties, but the PML-Q clearly had the most. Some people have pointed out these facts as a sign of the diversion of public funds to finance the 'King's Party', but these allegations could not be proven.

Party representation and debate during the election:

The biggest problem for political parties in Pakistan is 'personalisation' and the excessive presence of family clans. If the candidates' data for these elections are compared to earlier ones, it is easy to see that the same families end up governing in most of the constituencies, and at times in some rural areas, the family clans begin to behave like real mafias.

The example of the PPP provides an idea of what Pakistani political life is like. After Benazir's death, many were surprised when her son Bilawal was appointed, given his youth. Even more surprising was the nomination of her husband Asif Zardari as president of the party. His long prison stays (1990-1993 and 1997-2004) were well-known as was his nickname, 'Mr. 10%', and he did not enjoy much support. However, Majdum Amin Fahim and other rank-and-file members of the party who had fought and been faithful to it despite many temptations and difficulties experienced during Musharraf's dictatorship were relegated to the back burner. Another example of the lack of democracy in the parties is seen in the favouritism given to elites instead of to the locals. The

⁸ The manipulated 2005 local elections gave power to the members of the PML-Q or to obliging independents.

seats won by the party in several regions were often given to elites who did not belong to them, instead of to the local politicians who worked to win them. Of the 23 seats that the PPP won in the Saraiki region in the Punjab, those corresponding to women were assigned to the 'right' women from Islamabad or Lahore, where the PPP did not receive much electoral support and who, furthermore, did not know the region or even speak Saraiki. Instead of offering representation to the Saraiki women who participated in the campaign in this region, the party presented a list that ignored them. In fact, some of the appeals that I found included complaints by some voters about how the candidates were imposed upon them.

The PPP's attitude regarding the delay in nominating the candidate for Prime Minister and the fact that it was Zardari who made the decision and not a consensus of important members of the party was a bit awkward. It was known that the candidate chosen would be a Punjabi from the Saraiki area, in part to solidify the presence of the PPP in the province and in part to award the electorate of the central Punjab. This requirement was met by the recently elected Prime Minister, Raza Gillani.

Openness:

A triumph for the two majority parties, the PPP and the PML-N was expected, although the exact percentage was not known. It was also expected that the PPP would win more seats than Nawaz' League, although it was a surprise that the latter party came so close to the former. It is interesting that the PPP is the only party that has support in the four provinces, while the PML-N did not win even one seat in the Sindh. The 51 seats won by Musharraf's party did not amount to a humiliation. Unfortunately, it is difficult to confirm if it would have won the same number of votes without the pre-election fraud carried out by this party and the President, both of whom lost an opportunity to show that they could win votes on a level playing field and that the 2002 results had not been an illusion. On the other hand, the setback suffered by the Islamist parties was not surprising, returning to a safe level and receiving a small percentage of the vote, as is traditional in this country. The peaking of the ANP was also predictable, given the boycott by the Islamists and their loss of popularity. The people of the NWFP have grown tired of the demagogic and electoral use of religion by the Islamists.

The only unknown was the reaction of the opposition political parties once the election data was made public and the fear of subsequent disturbances and their consequences. It was known that a victory by the PML-Q would drive people out onto the street, since it would have been interpreted as massive manipulation. The presence of observers and the considerable openness of the process on election day prevented massive electoral fraud. Given the high participation rates (some expectations were as low as 30% or 35%), and the moral debilitation caused by so many attacks and deaths, the only reasonable option was to accept the will of the millions of Pakistanis who chose to exercise their right to vote.

Significance:

These elections were extremely significant, given the possibility that the President of the country could be removed from power and the constitution modified to its 1973 state, with the amendments added by Musharraf removed. As of the publication date of this report, both main parties that form the coalition government, the PPP and the PML-N, have affirmed in the so-called Murree

Summit Declaration (a Punjabi city, although it was signed in Bhurban) that their goal is to restore the judges removed from the Supreme Court by Musharraf. They want to restore the 1973 Constitution without Musharraf's amendments, revoke Article 58-2(b) which gives the President the power to remove the Prime Minister at his will and return the country to a parliamentary system, instead of continuing the current presidential system. Although both Musharraf and his main ally, the United States, continue to repeat that whoever governs must do so alongside the President, the voice of the voters has made their opinion clear in this respect.

It remains to be seen if it will be possible to challenge the election of the President and remove him from his post, with the possibility existing of calling presidential elections as dictated by the laws of Pakistan.

Regardless of the level and extent of manipulation, the elections were fundamental in achieving change in the current situation in the country. They mark the end of almost nine years of dictatorship and hopes are high for the return to normalcy and for recovery from the economic and security situation crises in the country.

Furthermore, since the foundation of the country, there has never been a coalition government formed by two traditionally opposing and majority parties. This has raised the possibility that they will unite, despite many differences and grudges. Few times in the history of Pakistan has it been possible to witness elections of such a momentous nature that offer the possibility of policies of change and transition as the 2008 parliamentary elections.

International political reaction and implications:

The overall reaction was positive. The presence of the international media revealed the worldwide interest in these elections. The death of Benazir Bhutto heightened attention and, generally speaking, led to the expectation of a bloodbath. This, however, indicates a lack of knowledge of the country. The type of political violence experienced in Pakistan during the campaign had no precedent, and nor had the political rallies witnessed so many deaths. This does not mean to say that earlier elections were clean and peaceful, but most Pakistanis and foreigners believed that a high level of attacks would occur. The reality was more positive and both observers and the people were happily surprised.

The Bush administration was a bit annoyed by the Pakistani election, although the U.S. Senators declared them to have been clean and credible. Their greatest fear at this point is for Musharraf's future as President. Given the signing of the Murree Declaration and the formation of a majority coalition government, the democratic legitimacy of the new government cannot be doubted, unlike that of the President. The fact that Nawaz Sharif is in this government did not go over well. However, the addition of the National Democratic Party (ANP) from the NWFP in the federal government (along with the PPP and the PML-N) is positive. The ANP is a laic, liberal and progressive Pashtun party. This could lessen the religious militancy in the area and improve the situation in the border region containing the 'war against terror' areas, with the Islamist parties defeated.

The Prime Minister of India, Manmohan Singh, expressed a willingness to negotiate with the future Prime Minister of the country. In India, the wait for a democratic government has been a long one, and the general feeling was that it

was not possible to negotiate important matters with a military government, only with a democratic one.⁹ The change was seen positively and there are hopes for a return to conversations relating to Kashmir and nuclear armament.¹⁰

The UN General Secretary, Ban Ki-moon, congratulated the country for having carried out peaceful elections. The governments of Japan, Great Britain, France, China, Bangladesh and others made positive declarations regarding the election process and hopes for a democratic transition in the country.

Implications for Spain:

Spain played almost no role at all in these elections, meaning that the change of government in Pakistan does not affect the country in any direct way. However, the Spanish government must verify the relative success of these elections and what the changes that the formation of a civil government in the polls means for Pakistan. Similarly, Spain must be conscious that a path is opening in Pakistan for the application of a more democratic constitution and the restitution of judicial independence. Given the historical signing of the Murree Declaration on 9 March to form a coalition government, this government must be respected and worked with on the basis of dialogue and mutual interest. Equally important is the contribution that this new government could make towards the solution of the Indo-Pakistani conflict. In my visit to Pakistan, I saw clearly that the sentimental ties with Spain are strong everywhere from universities to different ministries and even including the average Pakistani citizen. First of all, there is a sense of brotherhood with Spain because of al-Andalus. I was also repeatedly told that we can serve as a good reference point as a country that emerged from a dictatorship and has had a successful transition to democracy. Furthermore, the Pakistanis consider that out of all of Europe, Spain is the ideal country to act as a bridge between the European continent and the western world on one hand, and the Islamic world on the other. Spain must take full advantage of this feeling to establish a good image and promote positive changes in the region around Pakistan.

Apart from this, the Spanish government should distance itself from any policy of interference in the affairs of the Pakistani state like those emerging from the United State. These include Barak Obama's declarations which reflected his intention to attack areas in Pakistan to make the war on terror more effective with or without the consent of that country.¹¹ Spain should opt for a negotiated solution to the conflict. It has been shown that several years of confrontations with the Pakistani army have not managed to do more than leave many civilian dead and thousands homeless, in addition to failing to solve the conflict. It has also been shown that where it has been possible to organise *jirgas*, or local assemblies for peace and ceasefire, the result has been much more effective

⁹ During my stay in India, this was the general response from Indians to negotiations between their government and Musharraf: "You can't negotiate with a dictator, it's only valid with a democratic government."

¹⁰ In a declaration that received harsh criticism and even threats from Kashmir military groups, Zardari said that he was willing to negotiate with India regarding the future of the region.

¹¹ Obama's statements can be found at BBC (01/08/07): <http://news.bbc.co.uk/2/hi/americas/6926663.stm> or the Washington Post (02/08/07): <http://www.washingtonpost.com/wp-dyn/content/article/2007/08/01/AR2007080101233.html>

than bombing raids.¹² Similarly, no peaceful resolution will be achieved as long as the northeast, mountainous, tribal region that borders Afghanistan remains undeveloped. The area must become a participant in the economic growth in the country, and here, Spain must play an important role in mediating between western interests and those of the region.

Conclusions:

These elections cannot be called clean because of various attacks, deaths and massive manipulation on the day of the elections. The good conduct of the Pakistanis is a sign of the solid know-how of a people that does not have the leaders that it deserves. Despite the many difficulties which had to be faced, the will to change the current situation which the democratic exercise makes possible put an end to their passivity. Just when it was thought that fear and abstention would be the general trend, the Pakistanis gave a show of bravery, democracy and the need for change. Participation was higher than expected, although it could have been improved, without a doubt. This was not only because it is quite likely that the number of registered voters was lower than the real number, but also because the situation in many electoral districts did not favour voting either because of the security situation, the absence of candidates, the conviction that they were not clean, boycotts, impediments due to gender, the incapacity of the ECP to present credible voter rolls and the general insistence of the Pakistani media to emphasise manipulation, among other reasons.

The situation was manipulated to make it difficult for opposition parties to act. Candidates lacked public funds, which were diverted to benefit a certain party. The institutions that should have offered credibility lacked it. The ECP, specifically, not only lacked credibility, but also lacked authority when it came time to carry out its mission. The reasons for this are not easy to determine. Although the civil servants worked to achieve credible elections, the higher-ups did not come through when it was their turn to act.

The presence of a President with greater duties than those granted by the constitution and who was elected in fraudulent elections sullied the environment. Some saw these elections as a referendum on him. Word was already out that Musharraf would resign if he saw that the people did not support him. The majority won by the opposition can be considered as proof of this lack of support. But Musharraf is still determined to stay in power for the five years he won in his re-election.

In sum, these elections provided proof that although the system is not perfect nor the conditions ideal, the will of the people can conquer that of their leaders and their allies. It remains to hope that those who must form a coalition know how to govern wisely and do not return to behaviours of the past. Musharraf, who has reiterated various times that he will work with any government, can show that he knows how to respect the will of the Pakistanis. Now is the time for him to accept the rules of the game and for his main ally to stop interfering so carelessly in the country's issues, not only because it will continue to damage the image of the President, but because the United States is damaging its own image among a people that has shown that it knows the true meaning of the word 'democracy'.

¹² With the exECption of those *jirgas* who attacked the military, leaving dozens dead.

Reference to five other Internet analyses of this election:

Institutions that sent election watch missions:

EU Election Watch in Pakistan:

<http://www.eueompakistan.org/>

International Republican Institute:

<http://www.iri.org/mena/Pakistan.asp>

National Democratic Institute for International Affairs (NDI):

<http://www.ndi.org/>

Local institutions:

Free and Fair Elections Network (FAFEN):

<http://www.fafen.org/>

Citizens Group on Electoral Process (CGEP):

<http://www.pildat.org/CGEP/>