



Project Report

National Democratic Institute
for International Affairs

1717 Massachusetts Ave., N.W., Suite 605
Washington, D.C. 20036
(202) 328-3136
Telex 5106015068 NDILA

PAKISTAN LOCAL BODIES ELECTIONS REPORT

A Report Based on a Survey Mission to Pakistan

November 30, 1987

NDI Team

Mark A. Siegel
Robert Carroll

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NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

Suite 605, 1717 Massachusetts Avenue, N.W. Washington, D.C. 20036 (202) 328-3136 • Telex 5106015068 NDILA

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I. Introduction: The Event

On November 30, 1987, Local Bodies Elections were held throughout the Islamic Republic of Pakistan. The National Democratic Institute sent a two person team -- Mark Siegel, NDI Board member, and Robert Carroll, NDI staff, -- to observe the election. The purpose of the visit was to study the political process in preparation for a future symposium on the transition to democracy.

These Local Bodies Elections were the fifth of their kind to be held, most recently in 1979 and 1983. The 1987 L.B. Elections were the first to be held under a civilian regime. The November 30th event was only the tenth election to be held in Pakistan since the nation achieved its independence in 1947.

Elections were held on a non-party basis, as is the custom in Pakistan for local contests, although all parties seemed to be actively engaged in endorsing candidates and in activities on their behalf.

In rural areas, voters selected members of Union Councils and District Councils. In urban areas, voters participated in selecting counselors to serve on one of four bodies, depending on the size of the city:

1. Metropolitan Corporations (in the largest cities)
2. Municipal Corporations
3. Municipal Committees
4. Town Committees (in the smallest cities).

In the Punjab, a total of 49,921 seats were contested by approximately 100,000 candidates. In the three other provinces, an additional 50,000 seats were contested by approximately 200,000 candidates. Ten thousand seats stood uncontested. Turnout was calculated at between 50 and 60 percent, compared to slightly higher estimates in the 1979 L.B. elections (62%) and the 1983 L.B. elections (65%). Estimates on turnout are generally unreliable.

The NDI observation team concentrated its election day activities in the city of Lahore, which is the heart of the Punjab Province, a province accounting for 60% of the population of Pakistan. Additional visits to Karachi, Islamabad and Rawalpindi sought to evaluate the election situation across the nation.

With very limited personnel, time and planning, the NDI team did not seek to, nor possibly could, make a definitive judgement on the conduct of the elections, though broad patterns were indeed observed and noted. The primary purpose of the NDI mission was to learn first-hand the electoral procedures of Pakistan and immerse the team in the political culture of that nation. This primary task was accomplished.

II. Description of the Local Bodies Election Process

Pakistan has a very limited history of conducting nationwide elections and the scope of the Local Bodies Elections would be an administrative challenge for even the most technologically developed and experienced democracies.

There is significant variance on evaluations of the conduct of the elections by the government, the Pakistan Muslim League (the government party) and government-controlled press on one side and the opposition parties and independent press on the other.

According to the government and most elements of the ruling party, the 1987 L.B. Elections were the "fairest and freest" in the history of the nation. The Joint Secretary-General of the Punjab PML, S.M. Bashir, told us on the day of the elections that "there are no violations of any kind today, and everyone is free to cast votes and the police are insuring that there are no irregularities at any level."

"Minor problems" were acknowledged by the government and the PML, but put into the context of the problems inherent in all mass voting systems.

On the other extreme, some party officials from non-PML parties complained of the most massive, officially sanctioned fraud in the history of Pakistani elections, a "bloody outrage," in the words of one.

The truth, it would appear, lies somewhere in between, with massive institutional fraud in some areas of the country, and much less manipulation in other areas. It would seem that the elections in the cities outside of Lahore were relatively fairly administered, while the elections in Lahore and the rural areas of Sind, the Northwest Frontier and Baluchistan manifested widespread and coordinated levels of irregularities.

III. The Structure of the Electoral System

The L.B. Elections are administered in each of the four provinces by an Election Authority composed of three members, one of whom is designated as the Chairman. The Chairman is a sitting judge of the High Court or a former judge of the High Court. The two other appointed members must

be high level civil servants, with a grade of at least 19 in the province service. The Election Authority constructs the actual districts, which are called "constituencies" (Municipal Corporations, Metropolitan Corporations, Municipal Committees and Town Committees in urban areas, and Union Councils and District Councils in rural areas). The process of constituency construction is called "delimitation."

There are separate elections on different days for Moslem constituents and non-Moslem constituents, which account for a very small percentage of the Pakistani population, ostensibly to insure minority representation on the Local Bodies. There are three to four polling places in each urban constituency, with at least two polling places in the rural constituencies. Men and women vote at separate polling stations. Polls were to be open from 8 a.m. to 4 p.m., with anyone on line at 4 p.m. to be allowed to vote.

The franchise exists for all Pakistani citizens (men and women) twenty-one years or older. There are no literacy requirements for voting. Voting lists are established by the Election Authorities and are required to be made public at least one week before the elections. Although traditionally identification cards have been required of voters to get their actual ballots, in the 1987 L.B.'s the administrator of each polling station had the discretion to waive the identification card requirement, substituting a driver's license, or any proof of residence in writing. At his or her discretion, the Presiding Officer could also make no documentary requirement for voting.

The 1987 elections were announced in all four provinces during the first week in November, with the Punjab announcement coming on November 5th. Nominations for candidacies were open from November 8th to November 11th. Delimitation of districts was required to be completed by October 12th, with citizens having until October 19th to file any objections to the delimitation. Delimitation officers appointed by the Elections Authority were to reach a decision on all objections by October 24th, notifying the appellate authority of their decisions. Appellate authorities finalized all delimitations by October 28th, 1987.

After the delimitation process was completed, the adjustment of electoral rolls was to commence, to be completed no later than one week before the election. Additionally, an official call for voters to elect their representatives was to be made at this time, with the full publication of all election schedules, date and requirements in the Election Gazette, radio, t.v. and print media. Such information was to include: 1) the filing deadlines for

nomination papers; 2) the method of scrutiny of nomination papers; 3) the deadline and procedures for withdrawal of candidacies; and 4) the actual procedures and locations of polling places for election day.

The Presiding Officer was to administer each polling place, to be assisted by three to four policemen to insure order. The Presiding Officer, appointed by the Elections Authority, was to conduct the actual vote tally at the completion of the vote, and report the tally to the Constituencies Returning Officer for certification. At all times, the official polling manuals produced and published by the Election Authority were to be followed without exception.

On December 12th, elections were to be held for the non-Moslem seats. Additional reserved seats are selected by the Councils after the Moslem Counselors are seated. Such seats are reserved for workers, peasants and women.

The number of seats in each Council is set by provincial law. After the reserve seats are filled, the Council as a whole selects a Chairman and Vice Chairman for the Councils, and Mayors for the Municipal Corporations and Metropolitan Corporations.

There is a 2000 Rupee (equivalent to approximately \$118) limit on candidate expenditures. This spending limit is neither adhered to nor enforced. There is a 5000 Rupee fee for nominations, and an additional 2500 fee for expenses. Contrary to past Pakistani practice, such fees were non-refundable.

IV. How the System Worked

T.S. Eliot wrote, "between the idea and the reality falls the shadow." The Local Bodies Elections that took place in Pakistan on November 30th and were observed by the NDI team rarely followed the instructional manuals that were provided to the NDI team, and clear patterns of various kinds and levels of fraud were apparent to the team. Some problems were logistical, other irregularities seemed to be candidate-related and not necessarily sponsored by the government or the ruling party. Other patterns of procedures that were observed and documented were officially sanctioned and coordinated and should give students of the Pakistani political process some cause for concern.

Delimitation

The formal exercise to include new residential development into the constituency organizations at the level of the local bodies elections obviously can be manipulated by those in administrative control of the process. This was true in Pakistan in October, but also can be said to be true in most established democracies where incumbent officers and incumbent parties often attempt to maximize strength through the construction of "safe" districts. Clearly, the delimitation program in Pakistan was strategic -- in other words, gerrymandering. Curiously, however, the pattern of district construction for political gain seemed to be most manifest in incumbent districts, and often non-existent in open-seat districts. Election administrators, working with the ruling party, thus protected incumbent counselors but did not seek to create new PML districts on a wide scale. The number of seats across the nation was increased by 30%, substantially reducing individual constituency size and making them even safer to protect for incumbents. This was acknowledged by both PML and PPP sources to be an attempt at reducing the PPP potential against sitting PML counselors.

Timing of the Election

Official notification of the elections occurred exactly 24 hours after the final delimitation was declared. An extraordinary interpretation of the appellate process provided that any appeal to delimitation not settled at this time was to be dismissed. We could not find any evidence that any appeal to delimitation in any district was upheld. Additionally, the four week period between the official call for the election and the actual election day substantially reduced the time of the campaign, from six weeks in the past for L.B. Elections to just four weeks in 1987. The abbreviated schedule seemed to advantage the PML. It was the feeling in Pakistan that elections would be held in December, and specifically that the PPP was gearing up for elections late in that month. In fact, the candidate selection process was geared to that timetable. And since the PPP was going through a democratization reform with respect to candidate selection, decentralizing what had always been a controlled, centralized process, abbreviating the schedule and calling for pop elections seemed to benefit the party with the organizational and infrastructural support of the government. Although timing elections to advantage the incumbent party is not uncommon under the British model, reducing the time of the campaign by 50% is.

Coercion of the Civil Service and Other Election Administrators

Several days before the elections, the Provincial Assembly of the Punjab Province enacted new legislation which permitted civil servants to be involuntarily "retired" after only ten years of service, reduced from the standard 25 years seniority protection regulation. Owing to the fact that discharged bureaucrats are non-employable in the Pakistani labor force, the new ordinance was interpreted as an overt warning from the government and PML to those administering elections in terms of what standards of conduct were expected. The new law was so unusual and controversial that PML controlled provincial assemblies in the Sind, Baluchistan and the Northwest Frontier province refused to enact identical changes in the civil service seniority law. The different statutes thus in effect in the four provinces dramatically correlate with the level of fraud manifest, the performance of presiding officers and recording officers, and ultimately with the success of PML supported candidates in the Punjab as opposed to reversals in Sind, Baluchistan and the Frontier.

The Campaign

There was average, or even below average violence by Pakistani election standards on the day of November 30th. Where the police did intervene, it was generally in support of PML-backed candidates. A laissez-faire attitude on the part of the police allowed intimidation and coercion (sometimes including threats and fights) without intervention. There is some evidence that the enforcement of the non-party bases of the elections was more rigidly applied to non-PML candidates than to PML candidates. Independent journalists suggested that PML banners and processions were allowed to be used and take place, but similar party manifestations for the PPP and other opposition parties were specifically and quickly stopped. It is unclear that the government directly conspired with the PML in these cases. It is much more likely that, at least at this level, the police and administrators simply knew to leave the PML alone.

Election Day

As we have said earlier, reports suggested fairer election procedure held in the cities outside of Lahore, with institutional irregularities brazenly conducted in the city of Lahore and reportedly in the rural areas of the Sind, NWFP and Baluchistan.

1. Polling stations

In many constituencies around the Punjab we encountered substantiated reports that polling places were switched on the morning of the election. Since there are only three or four polling stations in a district, moving one polling station at the last minute impacts on 25 to 33% of the voters in the district. The pattern seemed to be that polling stations were moved outside the physical limits of the constituency, usually one or two miles, although in one case we observed a move of 7 1/2 miles, with the PML apparently having knowledge of the move while the non-PML supported candidates did not know the new locations. This form of institutional fraud occurred primarily in incumbent districts.

2. Voter lists

Press reports and direct observation indicate that throughout the country, and in particular in urban Punjab, voter lists were dramatically altered on the morning of the election. In several substantiated cases which we encountered, up to 2500 additional names were added to the lists on the morning of the election, or later in the day of the election. This would represent approximately a 25% increase in the composition of the district. When this occurred, PML supported candidates seemed forewarned. There were other examples of lists not tallying and names being purged off lists at the last minute; principally, it was alleged, amongst voters associated with opposition party candidates. Since delimitation and the posting of lists of eligible voters were to be completed and officially posted one week before the election, the voting list procedure actually employed directly violated the lawful election procedures described to us in great detail by the Election Authority and spelled out in the Election Manual.

3. Bogus voting

There appears to be a serious problem inherent in Pakistani elections with respect to women voters. This was particularly noted in the 1987 experience, but it seems to have occurred before. Because of the fact that Muslim women are dressed in burkhas and are veiled, it is almost impossible to identify them. Since it is unseemly for a Muslim woman to allow herself to be photographed for identity cards, it is very difficult to verify female voters' identities. There seems to be a pattern throughout the country for the same group of women voters to be bussed from constituency to constituency, voting several times. Inking of the hands was done only sporadically, and we discovered that the indelible

ink that was supposed to last for at least 24 hours could be easily removed by paint thinner. We heard repeated allegations that when women showed up to vote, they were often told that they had previously voted. The discretionary use of written identification certainly expedited this form of fraud on November 30, 1987.

4. Coordinated withdrawals

There seemed to be an unusual pattern of late withdrawals of non-PML supported candidates. Opposition party leaders alleged that administration officials coerced PPP and Jamat Islami supported candidates out of the race at the last possible moment, so that replacement candidates could not be found, creating uncontested seats for the PML.

Despite the various forms of institutional and organizational irregularities, Prime Minister Junejo should receive credit for actually fulfilling his commitment to hold the elections in calendar year 1987. Local Body Elections on this massive scale would present logistical problems in even the most technologically-advanced democracies. The fact that the ruling party suffered major setbacks in three provinces, losing control of the cities of Karachi, Hyderabad, and Rawalpindi, and suffering major reverses all through the Northwest Frontier Province indicates that the efforts at rigging were not uniform, or at least not so widespread to be successful across the board. One is left with the impression that the success of the PML in Lahore and throughout the Punjab can not be attributed to administrative irregularities but was certainly compounded by PPP organizational weakness in candidate recruitment and candidate support. By the standards of the subcontinent, the 14 reported deaths must be considered relatively low for a nation-wide election among 100 million people.

V. Lahore: A Case Study

On November 30th, 1987 the voters of Lahore, the Capitol of the Punjab Province, went to the polls to elect 130 members of the Lahore Metropolitan Corporation who in turn would elect the members for the 12 reserved seats. The total Metropolitan Corporation would then meet to elect the Mayor of the City of Lahore.

Lahore has always been considered a barometer of politics in Pakistan, and thus substantial effort went into the election by the major political parties of the nation. Lahore, and all of Punjab, has traditionally supported the incumbent administration in political matters, including in Local Bodies Elections, so it was assumed that the PML supported candidates would do well, possibly exaggerating their strength in the nation at large. In fact, the PML did very well in Lahore, capturing 81 of the 130 seats and setting the trend for a PML surge throughout the Punjab. The PML triumph, however, is not exactly what it seems since the Party only did especially well in protecting its incumbent seats. In fact, of the 59 non-incumbent seats in Lahore that were decided on November 30th, the PML managed only to win 28, losing 31, despite its firm and total control of the election machinery throughout the city.

The pattern is further complicated by the nature of the elections. We were repeatedly cautioned by all political segments in Pakistan and by the Pakistani press not to draw conclusions about the strength of the PML, PPP and other Pakistani parties for a 1990 National Assembly election based on the results of the 1987 L.B. Elections. That these were non-party based elections, and that in no case which we could identify were elections run on national issues of any kind, but rather on the most mundane local issues centering on economic development projects, clouds the ability to abstract the results to larger political trends in the nation.

The team does feel secure in making some judgments about the state of the parties in Lahore and in the Punjab. The performance of the PPP in the Punjab manifests organizational weakness. One can not totally explain away a major defeat in a province accounting for 60% of the population of the nation by fraud, incumbency and mundane issues. The PPP was on the line, its prestige was at stake, and it did not fulfill expectations in this critical province. From the slating of candidates to financial support, campaign services and Get-Out-The-Vote programs, the PPP effort demonstrated the weakness of an organization that had not contested elections for almost ten years.

The Pakistan Peoples Party, which had boycotted the 1983 local body elections, the 1984 Islamic referendum and the 1985 non-party based National Assembly elections, made a deliberate and calculated decision to participate in 1987. In the words of the PPP Co-Chairperson Benazir Bhutto, "We're contesting to give our people election experience and to give the people a choice. We have to be in it this time or we're dead."

Benazir Bhutto's strategic decision to contest the 1987 L.B. Elections as a means of oiling the party machinery and identifying areas of organizational weakness, may prove to be one of the most critical decisions of her political career.

Despite its electoral success, however, the Muslim League did not demonstrate any particular organizational strength. In fact, we saw no evidence of the development of any PML grass roots organization. The strength of the PML in Pakistani politics today is in the fact that it is the ruling party. It is impossible to draw distinctions between the PML and the government — they have become one in the same. This is a point made repeatedly by people of all political persuasions, inside and outside of the government and PML. On the local level, with contests being determined on minor local issues and the apparatus firmly in the hands of the government without any form of outside evaluation, the PML did achieve its goals in Lahore. Whether it could do the same in National Assembly elections is highly questionable.

Election Day

The team began its election day activities with a visit to the headquarters of the PML Mayor of Lahore, Mina Shuja'ur'rehman. The Mayor was running for his third term as a member of the Metropolitan Corporation and for reelection as Mayor. After a half hour discussion of the election, the Mayor took us on a walking tour of the polling places. We observed a very orderly, high turnout procedure, fully consistent with the plan designed and layed out for us by the Elections Authority. In other words, we saw a textbook balloting procedure. The race was heavily contested, and in this case, a very strong PPP candidate was running against the Mayor and another PML supported candidate. There were obviously partisan election day activities going on. The polling places were bedecked with banners. Many voters were wearing the Pakistani equivalent of political buttons — circular velvet cloth inscribed with the candidate's name, symbol and sometimes slogan, either silver or gold glitter on dark velvet. The lines were very long and orderly. People were properly identified, fingers stamped, ballot distributed, ballot executed in private and deposited in ballot box. The NDI team was highly impressed.

The positive, smooth running operation was also the pattern in the next two constituencies visited by the NDI team, also under the guidance of the PML candidates running in those areas. Lines were long and orderly, all procedures that were to be in effect seemed to actually be used. We had

observed the election from 8:30 to 11:00 and all seemed very much in order.

At 11:00 the team met with the Secretary General of the PPP for the Punjab Province, and we were immediately deluged with charges of massive institutional rigging. Early in the meeting, the PPP Lahore Election trouble shooter returned from the field with fresh and disturbing reports of fraud and allegations about moving of polling places outside of constituencies and the sudden appearance of new voter lists on the morning of the election. The team had a 12 noon meeting with a PML official, but asked the PPP Election Trouble Shooter if we could return later in the day and whether he would take us to some of the areas reporting fraud. He agreed.

Joint Secretary General of the PML Punjab, S.M. Bashir, assured the NDI team that the election was proceeding smoothly without irregularities. "The police are out in force to insure no irregularities at any level. We have to be careful that outside agitators from Afghanistan, Russia and India are not allowed to disrupt the process. All the people of Pakistan are free to cast their votes today." The Joint Secretary informed the NDI team that it was "meaningless" to try to draw distinctions between the PML and the government, and that the government's five point program all but insured a PML victory in the Local Bodies Elections. He insisted that in the Punjab there are six million card-carrying members of the PML, who have actually signed party membership forms, as part of governmental drives related to social welfare programs. He indicated that the main PPP organizational problem in the Punjab is that it is not related to the distribution of social services. "Look, the people in the Punjab who have been helped by government development funds will vote 90% for the PML. We will only lose in areas where our MNAs and PNAs (members of the National Assembly and members of the provincial assembly) have not done their jobs."

At 2:00 P.M. the NDI team linked with the PPP trouble shooting team. We were accompanied during the next three hours of site visits by the Foreign Service National attached to the U.S. Consulate in Lahore, Mr. Mahmood Ali.

District 19 — Very poor precinct. Major problems at the women's polling places. Groups of women told us they were not permitted to vote, because they had "already voted".

District 20 — Strong PPP showing, with candidate using the PPP slogan "Democracy Lover" with a funny play on words using the first name of Benazir Bhutto ("Benazir" in Urdu

means "peerless") thus the slogan "Peerless Lover of Democracy" (Benazir Awami). Two thousand additional voter names added to voter lists at 9 A.M. Violation of election procedures.

District 17 -- High concentration of police at this PPP stronghold. We are told by administrative officials that there is a "high opportunity for violence where the PPP can argue irregularities". Identification cards not being used. In fact, no identification procedure is being employed, violating procedures in election handbook. More I.D. problems at the women's polling places.

District 18 -- Delimitation not completed until November 29th, not announced to non-PML candidates. No voting lists posted on time. Opposition had no knowledge of the eligible voting lists. Violation of electoral procedures.

District 67 -- First primary verification of institutional fraud. One of the three polling stations in the district was moved outside the district on the morning of the election. In fact, the station was moved into District 91, almost eight miles outside the district line. Also, voting started at 11 A.M. There were allegations that by the time the voting started at 11, one of the ballot boxes was full. The Presiding Officer was reluctant to speak to the team, but did confirm that her name was Mrs. Musarratijaz, and that she was a Professor of Physics at the Lahore College for Women. She insisted that there were no irregularities, and that she had been notified two days before that one of the polling stations was to be moved outside the District. She did not know if the procedure was unusual. Mrs. Musarratijaz indicated that as of 2:30 P.M. 280 had voted, and that she expected 2500 to have voted by the end of the day (5 P.M.). When asked if this wasn't a bit optimistic considering the time of the day, she said that "this was the number" she was "told to expect". She did not wish to discuss the matter any further, adding "You don't understand. This is what I must do." There are 8,612 registered voters in District 67.

We observed the same pattern of movement of polling stations in most of the other districts we visited on election day. This is the summary of the moves:

District 67 polling station moved to District 91	
91	86
85	80
84	85
63	62
64	112
63	31
61	113
59	63
32	33
25	30
116	36
114	91
115	87

The NDI team also encountered several examples of new names being added to voter lists at the last minute, the morning of the election. (Districts 64, 63, 61, 115, 25, 114, 116). The NDI team also observed: candidate beatings (64), tear gassing and baton charging (63), candidate boycotts (63), discrepancies in voting lists (all districts visited), ballot stuffing (25), and ballot destruction (32). In District 25, the PPP candidate who talked to the NDI team alleging police interference and fraud was beaten by the police and arrested allegedly for being observed speaking to the NDI team.

VI. Conclusions and Recommendations

On November 30th, 1987 the Islamic Republic of Pakistan made what we believe to be a significant step in the direction of democracy. Elections were held on a massive scale at the local level, consistent with a commitment by Prime Minister Junejo to conduct such elections within calendar year 1987. The Prime Minister was under considerable pressure from forces within his own ruling Party, the Pakistan Muslim League, to postpone the elections until March, 1988 at the earliest. Apparently, President General Zia also favored a postponement. It is to Junejo's credit that he agreed to the elections.

Saying this, we must also conclude, based on direct observations, press reports and personal interviews that the L.B. Elections of 1987 manifest significant fraud, both on an institutional level and an ad hoc level. Independent

journalists and other credible sources characterized the level and forms of fraud to be inconsistent with past irregularities in Pakistani elections, "the most massive fraud in history" according to one source, thought to be friendly to the government and the PML. The irregularities were most distinguished by their brazen character and overtness.

Fraud seemed to be concentrated in the rural areas of the country, where it is easier to get away with unreported irregularities, and within the city of Lahore, which as the political barometer of the nation, seemed to be worth the risks associated with irregularities. Those that commit such irregularities, whether they are associated with the government, the ruling party or individual candidates, do seem to be responsive to the presence and interest of outside observers and the press, and seem to adjust their overt behavior when they believe they are being watched and their actions may be reported. The government of Pakistan seems extremely sensitive to outside observers -- it very much wants to be seen as fair and open, and is concerned by allegations of fraud being reported abroad.

The NDI Pakistani L.B. Elections Team strongly urges the National Democratic Institute to maintain a high level of activity, presence and interest in the democratic process of Pakistan. Consistent with the NED mandate, Pakistan, with all its institutional problems, does seem to be moving toward democracy. We believe the 1987 experience is a further step in that direction. We also believe that the Pakistani political system performs best when it is under some level of scrutiny and that the emerging democratic forces in Pakistan benefit from the attention and interest of democracies abroad. It is because of this, that the NDI team urges a development relationship between the Institute and the Pakistani political parties, with the clear goal being a thorough and carefully planned international observation mission for the 1990 National Assembly elections that we now strongly believe will take place on a party basis.