

**An Annotated Bibliography
on Legislature and
Parliamentary
Democracy in Pakistan**

A BIBLIOGRAPHY

Legislative Oversight Tool Kit

An Annotated Bibliography on Legislature and Parliamentary Democracy in Pakistan

ISBN 8525-12-2

Published By:

Consumer Rights Commission of Pakistan

P.O. Box 1379, Islamabad, Pakistan

UAN: 111-739-739

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www.crpc.org.pk

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Printed by: Al-Rehman Printers, Islamabad.

Foreword

This guide is part of a toolkit comprising a set of inter-related and complimentary tools. These tools have been developed as part of a USAID funded project, Strengthening National and Provincial Legislative Governance (SNPLG). It is being implemented by the Pakistan Legislative Strengthening Consortium (PLSC) comprising eight national and international NGOs.

At the heart of SNPLG project is the belief that building the capacity of the legislative branch to perform its basic functions namely, citizens' representation, oversight of the executive and law-making, are a must for a viable and strong democracy. Equally important is the need for encouraging and facilitating people and civil society to get involved in the legislative processes and to hold the legislature accountable. A legislature that is well-equipped to carry out its functions coupled with a proactive and informed citizenry provides solid foundations for parliamentary democracy and good governance.

Founded on the above rationale, SNPLG is divided into three programmatic objectives: legislative strengthening, capacity building of civil society, and the improved use of media and research in legislative endeavors. The project component being carried out by CRCP focuses on the empowerment of civil society for legislative oversight and advocacy.

It is hoped that this booklet and others in the series would help enhance the capacity of civil society organisations and activists to understand, track and influence legislature, and eventually contribute to the strengthening of parliamentary democracy in Pakistan.

Introduction

This bibliography has been developed as a tool for civil society activists, journalists, students and researchers interested in understanding the history and the present state of the legislature and parliamentary democracy in Pakistan. Covering the period 1947 to 2004, the material *selected* here focuses on political and constitutional issues and developments as they impinge on the state of legislature and parliamentary democracy in the country. Part One and Part Two contain lists of books and internet sources respectively. The bibliography, it is hoped, would help stimulate systematic study of the legislative branch of the government and would facilitate constructive political action.

Part ONE BOOKS

- **Ahmed, Syed Sami (1959). *Government and Politics in Pakistan*. Karachi: Pakistan Publishing House.**
The book traces the constitutional roots of Pakistan and sheds light on early developments in constitutional law.
- **Akhund, Iqbal (2000). *Trial and Error-The Advent and Eclipse of Benazir Bhutto*. Karachi: Oxford University Press.**
Providing an in-depth analysis of Benazir Bhutto's two tenures as prime minister, the book is an essential reading for understanding Pakistan's political system and the problems that beset the functioning of democracy in the country.
- **Arif, K. M (2001). *Khaki Shadows-Pakistan 1947-1997*. Karachi: Oxford University Press.**
Based on an insider's account of the echelons of power, the book analyzes the role of the army in politics and the shenanigans of politicians from Pakistan's earliest years through the late 1990s.
- **Baxter Craig et al (2001). *Government and Politics in South Asia. Fifth Edition*. Boulder, Colorado: Westview Press.**
This widely acclaimed text establishes a sound interdisciplinary and comparative context for understanding the political framework of the seven South Asian nations, including Pakistan.
- **Braibanti, Ralph (1999). *Chief Justice Cornelius of Pakistan-An Analysis of***

Letters and Speeches. Karachi: Oxford University Press.

Partly a biography of one of the most respected jurists in Pakistan's history, the book also contains an insightful discussion of Pakistan's early constitutional and political developments.

- **Burki, Shahid Javaid (1980). *Pakistan under Bhutto 1971-1977*. London: McMillan Press.**
Burki's study is among the most authentic accounts of Zulfikar Ali Bhutto's years in power. With its focus on political economy of that period, the book provides a useful context to understand parliamentary and party politics in.
- **Choudhry, G.W. (1969) *Constitutional Development in Pakistan*. London: Lowe and Brydone Printers Ltd.**
Another comprehensive and very useful study of Pakistan's early efforts at constitutionalism, including commentaries on the first two constitutions.
- **Feldman, Herbert (2001). *The Herbert Feldman Omnibus*. Karachi: Oxford University Press.**
An essential reading for any researcher of Pakistan's political and parliamentary history, the book is a single volume edition comprising of Feldman's three books: *Revolution in Pakistan: A Study of Martial Law Administration*; *From Crisis to Crisis: Pakistan 1962-1969*; and *The End and the Beginning: Pakistan 1969-1971*
- **Gauhar, Altaf (1994) *Ayub Khan-Pakistan's First Military Ruler*. Lahore: Sang-e-Meel Publishers.**
As Information Secretary, Altaf Gauhar was privy to inside information and writes about Ayub's authoritarian system of government and his attempt to lead the nation towards modernization. This is the first insider account of Ayub Khan's 10 year rule in Pakistan.
- **Hasan, Mubashir, *The Mirage of Power-An Inquiry into the Bhutto Years (1971-1977)*. Karachi: Oxford University Press.**
A cabinet member and a close confidante of Zulfikar Ali Bhutto, Mubashir Hasan provides unique perspective on a crucial part of Pakistan's political history.
- **Hussain, Mushahid (1990) *Pakistan's Politics The Zia Years*. Lahore:**

Progressive Publishers.

The Zia years have had serious repercussions on Pakistan's political and constitutional development. Hussain's book is a good starting point to begin to understand how foreign policy and internal political measures undertaken during that period continue to affect the Pakistani society and politics even today.

- **Jalal, Ayesha (1991) *The State of Martial Rule. The Origins of Pakistan's Political Economy of Defence.* Lahore: Vanguard**
In what is one of the most widely quoted books on Pakistan's political history, Professor Jalal examines the way in which civil bureaucracy and the army succeeded in tilting the institutional balance of power against parties and politicians. While the conceptual framework she draws is relevant even today, the book focuses on developments during Pakistan's formative years leading up to the first military coup in 1958.
- _____(1995) **Democracy and Authoritarianism in South Asia. Cambridge: Cambridge University Press.**
In a comparative study of post colonial South Asia, Ayesha Jalal explains the rise of authoritarianism in Pakistan and Bangladesh juxtaposed with the evolution of democracy in India. However, despite these contrasting patterns, Jalal argues that central political authority in each state came to confront broadly similar ethnic and sectarian rifts. The book ends with a call for decentralized governmental structures.
- **Jennings, Sir Ivor (1957). *Constitutional Problems in Pakistan.* Cambridge: Cambridge University Press.**
It took Pakistan a painfully long period of 9 years to come up with its first Constitution. Sir Jennings sheds light on internal bickering over the distribution of power between the centre and the provinces and the role of religion in politics underlying the slow progress towards a constitutional order.
- **Khan, Asghar (1983) *Generals in Politics: Pakistan 1958-1982.* New Delhi: Vikas Publishing House.**
Veteran politician Asghar Khan looks at the role of military rulers in politics from Ayub Khan's martial law through secession of East Pakistan under Yahya Khan to the early days of Zai-ul-Haq.
- **Khan, Hamid (2004) *Constitutional and Political History of Pakistan.* Karachi:**

Oxford University Press.

Although written as a textbook for law students, by contextualizing constitutional developments within Pakistan's political and legislative history, the book also provides a lucid analysis for general readers. Excerpts from important documents and reports make it an invaluable reference book for students of law and the general public alike.

- _____ (1994) **Eighth Amendment-Constitutional and Political Crisis in Pakistan. Lahore: Wajidalis Ltd.**
The Constitution (Eighth Amendment) Bill introduced by General Ziaul Haq authorizing the president to dissolve the National Assembly at his discretion besides granting him other extra-ordinary powers, continued to cast a shadow on country's parliament and fledgling democracy. Hamid Khan's book is an insightful commentary on the infamous piece of legislation and its political repercussions.
- **Khan, Mazhar Ali (1999). *Pakistan: The Barren Years. The Viewpoint Editorials and Columns of Mazhar Ali Khan 1975-1992. Karachi: Oxford University Press.***
The independent weekly *Viewpoint* was launched on Pakistan's Independence Day in 1975 with the intention of filling a void in the English language press. With the advent of the country's third Martial Law in 1977 *Viewpoint* evolved into a focus for pro-democracy dissent. Mazhar Ali's reasoned editorials and columns, some of which are remarkably prescient, cover the crucial period that led up to Zia's *coup d'état*, the bleak years of martial law, the Afghan crisis, and the disappointing aftermath of military rule.
- **Kras, Sara Louise (2003). *Pervez Musharaf. Chelsea House Publications***
A biography of the president, from childhood to his current position of power.
- **Maluka, Iftikhar Khalid (1995). *The Myth of Constitution in Pakistan. Karachi: Oxford University Press.***
The book identifies obstacles in the country's quest for constitutionalism, federalism, and political legitimacy through meticulous research. The ruling elite's inclination for authoritarian devices to the detriment of democratic institutions is incisively examined.

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- **Mazari, Sherbaz Khan (2000). *A Journey to Disillusionment*. Karachi: Oxford University Press.**
Starting from Mazari's early years in opposition to the Ayub Khan government, and moving through the Bhutto and Zia periods, the book makes interesting revelations about the leading political players and the events of those turbulent times.
 - **McGrath Allen (1999). *The Destruction of Pakistan's Democracy*. Karachi: Oxford University Press.**
In the decade immediately after independence, Pakistan went from democracy to military government. This book recounts how the change began--not by the military, as is commonly believed--but by the nation's chief executive, whose actions received the approval of the judiciary. The political events of this dramatic decade are presented in vivid detail with an analysis of constitutional issues and judicial policies leading to the 1954 events.
 - **Mehmood, Safdar (2002). *Pakistan: Political Roots and Developments, 1947-1999*. Karachi: Oxford University Press.**
The book undertakes an objective review of Pakistan's troubled political history, analyzing the major events, important leaders, institutions, and political and social processes. The discussion includes the major internal and external factors that have shaped the political process. A comprehensive book on the political history of Pakistan from 1947-1999.
 - **Mian, Ajmal (2004). *A Judge Speaks Out*. Karachi: Oxford University Press.**
This book covers some highly important events in the history of the judiciary in Pakistan, significantly the development of the conflict between Chief Justice Sajjad Ali Shah and Prime Minister Nawaz Sharif followed by the storming of the Supreme Court of Pakistan. It also discusses some of the landmark judgments rendered by the author, including the Separation of the Judiciary from the Executive; Eighth Constitutional Amendment; the Judges' Case etc.
 - **Newberg, Paula R (1995) *Judging the State-Courts and Constitutional Politics in Pakistan*. Cambridge: Cambridge University Press.**
In a penetrating study of the ways in which the superior judiciary has mediated relationships between state and society, Paula Newberg demonstrates how the courts have influenced the structure of the state, the practice of politics and Pakistan's democratic prospects.

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- **Pirzada, S. Sharifuddin (1966) *Fundamental Rights and Constitutional Remedies in Pakistan*. Lahore: PLD Publishers.**
A useful source on early constitutional and human rights jurisprudence in Pakistan that developed under the 1956 and 1962 constitutions.
 - **Rabbani, Mian Raza (2003). *LFO-A Fraud on the Constitution*. Karachi: Q.A Publishers.**
A leading opposition figure and presently a senator, Raza Rabbani presents a scathing critique of the Legal Framework Order (LFO) enacted by General Pervez Musharraf in 2002.
 - **Shah, Hassan Naseem (1994). *Judgments on the Constitution, Rule of Law, and Martial Law in Pakistan*. Karachi: Oxford University Press.**
Dr. Justice Nasim Hasan Shah, a former Chief Justice of Pakistan, gained international respect and recognition when he restored the dissolved parliament in Pakistan the first such instance in the country's turbulent constitutional history. Justice Shah also delivered important judgments related to fundamental rights, rule of law and the constitution which are included in this book.
 - **Shah, Sajjad Ali (2001). *Law Courts in a Glass House. An Autobiography*. Karachi: Oxford University Press.**
Supreme Court Justice Sajjad Ali Shah was about to reach a major constitutional decision when Legislators of the ruling Muslim League Party stormed the Supreme Court in Pakistan, physically preventing him from delivering judgment. Here, Shah provides the judiciary's version of this bizarre episode, shedding new light on Pakistani history, law, and politics. The Chief Justice's legal battle with the former Prime Minister Nawaz Sharif has been documented in detail and makes engrossing reading.
 - **Wolpert, Stanely (1993). *Zulfi Bhutto of Pakistan-His Life and Times*. New York: Oxford University Press.**
A political biography of Bhutto, the book also chronicles important political events that took place under his rule including the passage of the 1973 constitution, the election of 1976 and subsequent military takeover by General Zia-ul-Haq.
 - **Zafar, S. M (2004). *Dialogue on Political Chess Board*. Lahore: Brite Books.**
A readable, albeit controversial book, by a noted jurist on dialogues between the

government and MMA to solve the constitutional stalemate by way of the 17th constitutional amendment.

- **Zingel, Wolfgang Petere and Lallemand, Stephanie Zingel (eds.) *Pakistan in the 80s-Law & Constitution*. Lahore: Vanguard.**
The book is a compilation of four academic papers delivered at an international conference on Pakistan held in Germany in 1984. The discussion of judicial cases on the validity of Martial Law and various aspects of constitutional law is among the most insightful material ever published on these issues.
- **Ziring, Lawrence (1997). *Pakistan in the Twentieth Century: A Political History*. Karachi/NewYork: Oxford University Press.**
An absorbing account on Pakistan's politics by leading authority on the subject, the book is crammed with facts and analyses on political developments over a span of 50 years. The book is suitable for the general audience as well as academics.

WEBSITES

- **American Institute of Pakistan Studies**

<http://www.pakistanstudies-aips.org/>

The website provides rudimentary information about the country's political system and some useful links.

- **Guide to Law Online: Pakistan**

<http://www.lcweb.loc.gov/law/guide/pakistan.html>

Prepared by the Law Library of Congress, the Guide to Law Online is an annotated compendium of international sources accessible through the Internet. Links on the Pakistan section provide access to primary documents, legal commentary, and information about the Executive, Legislature and Judiciary.

- **Consumer Rights Commission of Pakistan**

<http://www.crcp.org.pk/>

CRCP, a non-partisan and non-profit rights-based organization works on consumer rights, governance and legislative issues in Pakistan through research, advocacy, training and policy dialogue. The website has a comprehensive interactive section on

Strengthening National and Provincial Legislative Governance (SNPLG), a USAID funded project being implemented in Pakistan by a consortium of NGOs including CRCP.

- **Jurist-Pakistan: Pakistani Law, Legal Research, Human Right**

<http://jurist.law.pitt.edu/world/pak.htm>

Put together by University of Pittsburgh, School of Law, the website is a useful reference source for constitutional law in Pakistan, including case commentaries.

- **National Assembly of Pakistan**

<http://www.na.gov.pk>

Even though not as comprehensive as other parliamentary websites, it is a good source to track the performance of the assembly through press releases and the Gazette. The site also contains lists of government ministries, committees and political parties in the current assembly.

- **Pakistan's Legislative History**

<http://www.jinnah.org/pakistan/legislation>

Still under construction, the site is a commendable effort to put together Acts, Ordinances and other legal instruments that constitute Pakistan's legislative history.

- **PILDAT**

<http://www.pildat.org/publications/lcp.pdf>

Pakistan Institute of Legislative Development and Transparency, a Lahore-based organization, works to strengthen and sustain democracy and democratic institutions in Pakistan. The website contains a directory of MNAs, reference on parliamentary issues and some very useful links.

- **Senate of Pakistan**

<http://www.senate.gov.pk/Main.asp>

Relatively more comprehensive and user-friendly than the National Assembly website, it contains a complete list of senators with email addresses, some useful publications such as Rules of Procedure and Conduct of Business in the Senate, and news on various committees.