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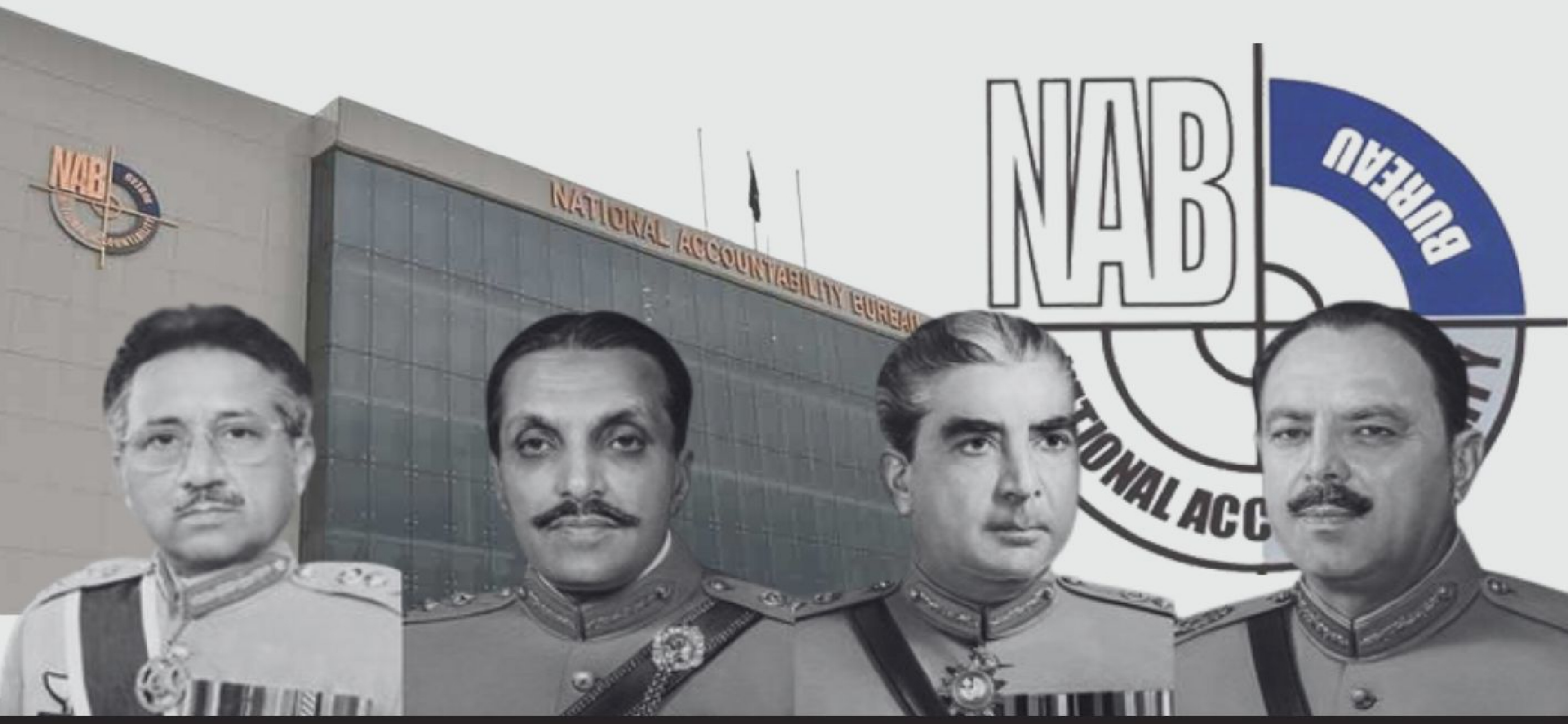
Pakistan Institute of Legislative Development And Transparency

CASE STUDY

ACCOUNTABILITY UNDER MILITARY REGIMES IN PAKISTAN

JULY 2025



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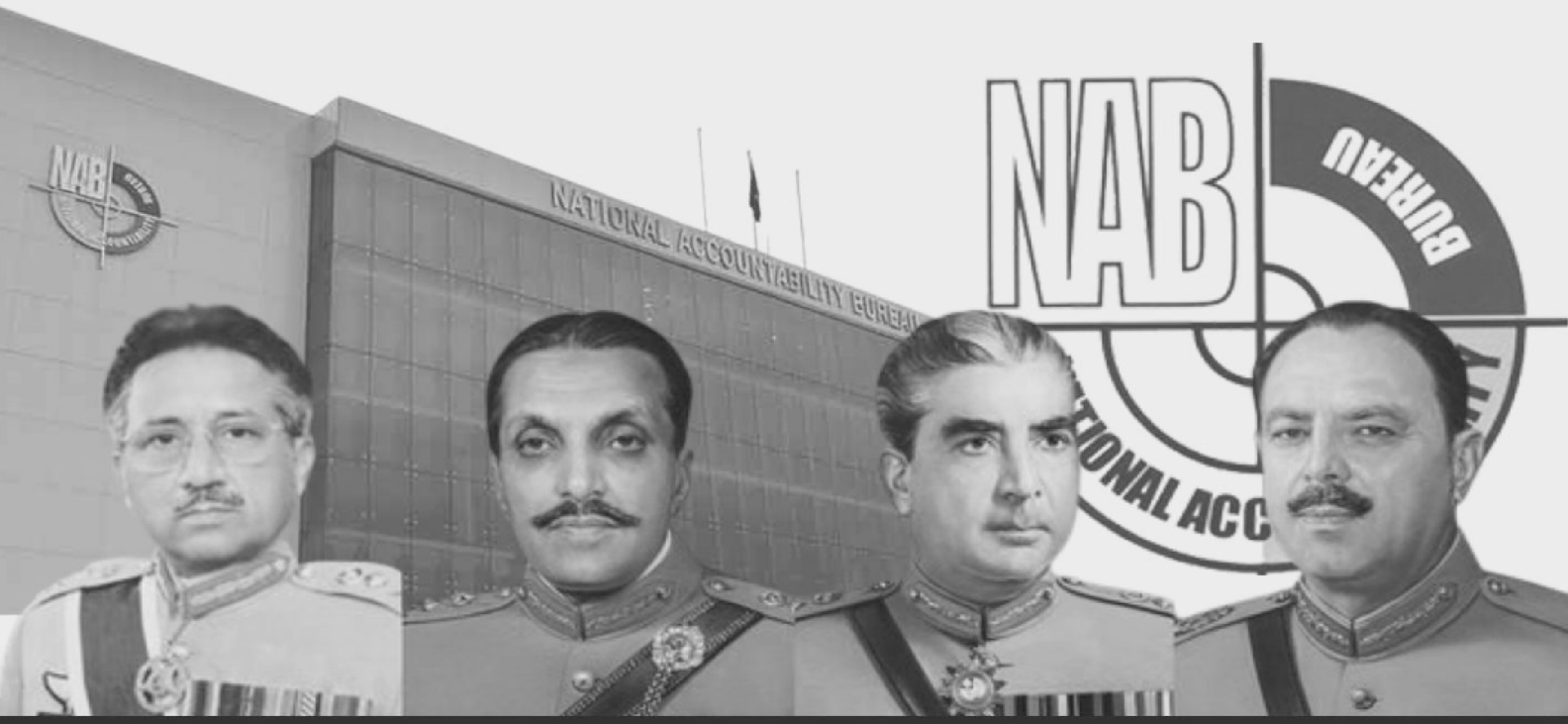

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Preface

This case study titled *Accountability under Military Regimes in Pakistan* has been developed as part of governance PILDAT's efforts to evaluate and institutional integrity across different forms of rule. It critically examines whether Pakistan's military regimes, despite promises of reform established effective and impartial accountability mechanisms or primarily used the rhetoric of anti-corruption to consolidate power and marginalize opposition.

Focusing on the legal and institutional trajectories under Generals Ayub Khan, Zia-ul-Haq, and Pervez Musharraf, the study argues that military-led accountability was often selective, politically motivated, and mirrored many of the shortcomings associated with civilian governments. In doing so, it contributes to the broader debate on democratic reform and the challenges of establishing credible systems of accountability in Pakistan.

This case study has been authored by Ms. Areeb Khan, Research Associate, under the overall direction and supervision of Mr. Ahmed Bilal Mehboob, President PILDAT.

Disclaimer

The PILDAT team has made every effort to ensure accuracy of content in this report and any omission or error is, therefore, not deliberate.

Lahore, Pakistan
July 2025

EXECUTIVE SUMMARY

This case study explores the effectiveness of military regimes in Pakistan in establishing accountability mechanisms and improving governance, especially in comparison to elected civilian governments. Since its creation in 1947, Pakistan has experienced four major military coups, with each intervention being justified on the grounds of widespread corruption and weak governance by democratic governments.

The military regimes that followed these takeovers implemented various measures to institutionalize accountability. These included new legal frameworks, disqualification of political leaders, and the creation or expansion of accountability institutions. For instance, General Musharraf's regime promulgated the National Accountability Bureau (NAB) Ordinance in 1999, establishing NAB as the central anti-corruption body. However, similar to earlier periods under Ayub Khan and Zia-ul-Haq, these accountability mechanisms were frequently used as political tools to suppress dissent, sideline opposition parties, and legitimize military control.

Empirical evidence reveals that while initial efforts under military rule projected a serious stance on corruption, these were soon undermined by selective enforcement and political manipulation. Data from Transparency International's Corruption Perceptions Index over various years also shows no significant or sustained reduction in perceived corruption during military regimes. In fact, the continuity of corruption despite military rule highlights the ineffectiveness of top-down, politically driven accountability structures.

This study concludes that, although military governments often claim to bring discipline and reform, they have not demonstrated consistent or credible improvements in governance or accountability. Rather than depoliticizing institutions, these regimes often reinforced arbitrary control and weakened institutional independence. The experience of Pakistan underscores the need to strengthen democratic institutions and develop impartial, transparent, and legally grounded accountability frameworks that can operate independently of political influence, whether civilian or military.

مرکزی خلاصہ

اس کیس اسٹڈی میں پاکستان میں نظام احتساب کے قیام اور گورننس کو بہتر بنانے میں فوجی حکومتوں کی کارکردگی، خاص طور پر منتخب سویلین حکومتوں کے مقابلے میں، کا جائزہ لیا گیا ہے۔ ۱۹۷۴ میں اپنے قیام کے بعد سے اب تک پاکستان کو چار فوجی حکومتوں کا تجربہ ہو چکا ہے اور ہر فوجی مداخلت کو سول حکومتوں میں وسیع پیمانے پر بدعنوانی، کمزور حکمرانی اور جمہوری اداروں کی مبینہ ناکامی کی بنیاد پر جائز ٹھہرایا گیا ہے۔

اقتدار میں آنے کے بعد فوجی حکومتوں نے احتساب کو ادارہ جاتی بنانے کے لئے مختلف اقدامات نافذ کیے۔ ان میں نئے قانونی فریم ورک، سیاسی رہنماؤں کی نااہلی اور احتساب کے اداروں کی تشکیل یا توسیع شامل ہیں۔ جنرل مشرف کے دور حکومت میں ۱۹۹۹ میں قومی احتساب بیورو (نیب) آرڈیننس جاری کیا گیا جس کے نتیجے میں نیب کو انسداد بدعنوانی کا مرکزی ادارہ بنایا گیا۔ تاہم، ایوب خان اور ضیاء الحق کے سابق ادوار کی طرح، اس احتسابی میکانزم کو اکثر اختلاف رائے کو دبانے، حزب اختلاف کی جماعتوں کو نشانہ بنانے اور فوجی کنٹرول کو قانونی حیثیت دینے کے لئے سیاسی اوزار کے طور پر استعمال کیا جاتا رہا۔

تجرباتی شواہد سے پتہ چلتا ہے کہ اگرچہ فوجی حکمرانی کے تحت ابتدائی کوششوں نے بدعنوانی کے خلاف سنجیدگی کا مظاہرہ کیا تھا، لیکن جلد ہی صرف مخالفین کو نشانہ بنانے اور سیاسی ریشا داوانیوں کی وجہ سے نظام احتساب کو کمزور کر دیا گیا۔ ٹرانسپیرنسی انٹرنیشنل کے کرپشن پرسیپشن انڈیکس کے اعداد و شمار بھی مختلف سالوں میں فوجی حکومتوں کے دوران مبینہ بدعنوانی میں کوئی نمایاں یا مستقل کمی ظاہر نہیں کرتے ہیں۔ درحقیقت فوجی حکمرانی کے باوجود بدعنوانی کا تسلسل اوپر سے نیچے اور سیاسی طور پر چلنے والے احتسابی ڈھانچے کے غیر موثر ہونے کو ظاہر کرتا ہے۔

اس مطالعے سے یہ نتیجہ اخذ کیا گیا ہے کہ اگرچہ فوجی حکومتیں اکثر نظم و ضبط اور اصلاحات لانے کا دعویٰ کرتی ہیں، لیکن انہوں نے نظام احتساب میں مستقل یا قابل قدر بہتری کا مظاہرہ نہیں کیا ہے۔ اداروں کو غیر سیاسی بنانے کے بجائے، ان حکومتوں نے اکثر من مانے کنٹرول کو دوبارہ نافذ کیا اور ادارہ جاتی آزادی کو کمزور کیا۔ پاکستان کا تجربہ جمہوری اداروں کو مضبوط بنانے اور غیر جانبدارانہ، شفاف اور قانونی بنیادوں پر احتساب کے فریم ورک کو فروغ دینے کی ضرورت پر زور دیتا ہے جو سیاسی اثر و رسوخ سے آزادانہ طور پر کام کر سکے چاہے وہ سویلین ہو یا فوجی۔

Case Study: Accountability under Military Regimes in Pakistan

Purpose of this paper

The purpose of this paper is to critically examine whether military regimes in Pakistan have established a better system of accountability leading to reduced corruption compared to the elected civilian governments which were removed by the military on the charges of corruption and ineffective systems of accountability.

Background

Since its independence in 1947, Pakistan has experienced repeated military takeovers, each one justified by the military claim that civilian governments failed to govern effectively, particularly in curbing corruption and ensuring public accountability. Generals Ayub Khan in 1958, Yahya Khan in 1969, Zia-ul-Haq in 1977, and Pervez Musharraf in 1999 - all seized power by arguing that elected leaders had undermined public trust, mismanaged state institutions, allowed corruption to flourish and failed to put in place an effective system of accountability.

This paper seeks to evaluate whether those military regimes were, in fact, able to govern the country better than civilian administrations, specifically in terms of instituting an effective system of accountability. It undertakes a comparative analysis of both military and civilian governments, focusing on the laws, structures, and institutions created to address corruption and ensure transparency.

A central theme of this study is the military's role in establishing and controlling various accountability mechanisms, laws, commissions, and anti-corruption bodies, which were often presented as reforms to fix a broken system. While such measures were introduced in the name of accountability, this paper argues that they were frequently used for political engineering and targeting opposition forces, rather than building impartial systems of justice almost in the same fashion as the civilian governments are accused of conducting themselves. The purpose here is not to necessarily idealize civilian rule, but to critically assess whether military regimes delivered on their own promises of clean and effective governance or whether the rhetoric of accountability simply masked authoritarian consolidation and political victimization.

This paper aims to offer a fact-based evaluation of how accountability has been approached under military rule in Pakistan and what that has meant for the country's democratic and institutional trajectory.

Importance of Accountability

Corruption has been a persistent issue in Pakistan's political and administrative life since the country's inception in 1947. From the very beginning, the country's founding leaders recognized the corrosive impact of bribery and misuse of authority in state institutions. In one of his earliest speeches, Quaid-e-Azam Muhammad Ali Jinnah, the founder of Pakistan, warned that bribery and corruption were "poison" threatening to undermine the new state.[1] Yet, despite these early warnings, corruption would go on to plague successive governments, both civilian and military.

Pakistan inherited the Prevention of Corruption Act, 1947 from colonial India, which laid down broad legal provisions for prosecuting corrupt personnel in public office. Over time, further legal and constitutional measures were introduced to address the issue.

Institutional responses to corruption have included the creation of agencies like the Federal Investigation Agency (FIA) in 1975,[2] followed by the National Accountability Bureau (NAB) under the National Accountability Ordinance, 1999[3] at the federal level with mandate extending to all provinces. In addition, Anti-Corruption Establishments / Departments were also established in each province. Despite these institutional efforts, Pakistan has consistently ranked poorly on global corruption indices, reflecting systemic issues that no regime, military or civilian, has been able to resolve comprehensively.

One of the most significant and recurring justifications for military takeovers in Pakistan has been the failure of elected governments to control corruption. The country has experienced three full-scale military coups, and handing over of power by

1. "Special report: The Testament of Mr Jinnah 1876-1948", *Dawn,* online, September 11, 2017, accessed July 18, 2025. https://www.dawn.com/news/1356608/special-report-the-testament-of-mr-jinnah-1876-1948
2. "Origin and History", *Federal Investigation Agency* online, accessed July 18, 2025. https://fia.gov.pk/about
3. "The National Accountability Ordinance, 1999", *The Pakistan Code, Ministry of Law and Justice,* online, accessed July 18, 2025. https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2Npa5ljaQ%3D%3D-sg-jjjjjjjjjjj

the elected President to the military in one case. In each case, the military regime framed its intervention as necessary to restore order, ensure accountability, and reform governance. These justifications were not merely rhetorical, they were accompanied by laws, institutions, and public narratives that cast the military as the cleaner of a corrupted system. These claims deserve closer scrutiny.

Gen. Ayub Khan and the Introduction of Legal Barriers to Politics (1958)

On October 7, 1958, President Iskandar Mirza proclaimed Martial Law in the entire country, abrogated the constitution, dissolved national and provincial legislatures and appointed Army Commander-in-Chief, General Ayub Khan, as the Chief Martial Law Administrator. This drastic and unconstitutional step was taken citing the 'collapse of democratic institutions under the weight of corruption, political instability, and factionalism'.[4] Barely after twenty days on October 27, 1958, Gen. Ayub Khan deposed President Iskandar Mirza and assumed full control of the state power. In his public address to the nation, Gen. Ayub Khan asserted that the politicians had failed the people and left the military with no option but to intervene. Soon after assuming power, Ayub Khan set out to "cleanse" the political system through a series of steps in the name of accountability. The most significant of these was the Elective Bodies (Disqualification) Order (EBDO), promulgated in August 1959, which empowered special tribunals to disqualify individuals from holding public office until December 31, 1966, for alleged misconduct, corruption, or abuse of office. While EBDO ostensibly aimed to promote accountability, it operated outside the framework of regular judicial procedures, many politicians were disqualified without a formal trial, based solely on administrative inquiries and executive discretion.[5]

The scope of EBDO was extensive: an estimated 6,000 individuals, including at least 75 prominent political leaders, were served notices, with a large proportion hailing from East Pakistan.[6] High-profile leaders such as highly respected leader of Pakistan movement and former Governor of Punjab Sardar Abdul Rab Nishtar, former Chief Minister of Punjab Mumtaz Daultana, former Prime Minister, Hussain Shaheed Suhrawardy,[7] were included in the long list. Those served with notices were given the option to voluntarily retire from politics until the cutoff date, thereby avoiding formal proceedings; otherwise, they faced tribunals composed of serving or retired judges, whose neutrality was often perceived to be compromised under martial law.[8]

Ayub's accountability drives also extended to the civil bureaucracy, leading to the forced retirement or dismissal of numerous senior officials under similar non-judicial mechanisms.[9] By the time Ayub resigned in 1969 amidst widespread protests and urban unrest, his decade-long rule had lost legitimacy. The "Decade of Development" had devolved into a period of growing inequality, political exclusion, and unresolved corruption at the highest levels of power ironically mirroring the very failures Ayub had once blamed civilian politicians for.

Gen. Yahya Khan and the sacking of 303 senior civil officials

President Field Martial Ayub Khan, in the face of public unrest, resigned on March 25, 1969 but instead of following the constitutional path of handing over power to the Speaker of the National Assembly, he appointed Gen. Yahya Khan as the Chief Martial Law Administrator and handed all powers to him apparently under pressure from Gen. Yahya Khan. Gen. Yahya Khan summarily dismissed 303 senior civil officials without any due process in the name of accountability. A better part of his term was consumed in preparing for and holding first general election of the country in 1970 and later his rule was mired in dealing with insurgency in East Pakistan, war with India which tragically ended in fall of East Pakistan. He did not much time to take further accountability actions beyond the enmasse removal of a large number of civil servants. A large number of East Pakistani politicians were either arrested or they fled to India after the military action against Awami League in 1971.

4. "Flashback: The Martial Law of 1958", *Dawn,* online, October 8, 2011, accessed July 18, 2025. https://www.dawn.com/news/664894/flashback-the-martial-law-of-1958?ref=hir.harvard.edu
5. Ahmed Bilal Mehboob. "Episode or system?" *Dawn*, online, August 05, 2017, accessed, July 18, 2025. https://www.dawn.com/news/1349715
6. Ibid
7. Areesha Rehan. "Timeline of former prime ministers arrested in Pakistan" *Dawn,* online, May 09 2023, accessed July 18, 2025. https://www.dawn.com/news/1742332
8. Aamir Latif. "Pakistan's political leadership - from gallows to jail", *AA,* online, June 11, 2019, accessed July 18, 2025. https://www.aa.com.tr/en/asia-pacific/pakistan-s-political-leadership-from-gallows-to-jail/1500815
9. Zaffar Abbas, "The missing pages of history: 70 years of Pakistan and Dawn" *Dawn,* online, August 19, 2017, accessed July 18, 2025. https://www.dawn.com/news/1352579

Gen. Zia-ul-Haq and the Moralization of Accountability (1977)

When General Zia-ul-Haq deposed Prime Minister Zulfikar Ali Bhutto in July 1977, he claimed to be rescuing Pakistan from political chaos, rigged elections, and a breakdown in governance.[10] However, Zia's military coup, codenamed Operation Fair Play, went far beyond restoring order as it initiated a comprehensive project to reframe state legitimacy through a fusion of military authoritarianism and religious moralism.[11] Under Zia, accountability was redefined not merely as a legal or institutional exercise, but as a 'moral and spiritual' cleansing of society, justified in the name of Islam.

Shortly after the coup, Zia suspended the Constitution, dissolved elected assemblies, and declared nationwide martial law. Accountability was weaponized as a key tool to suppress political opposition and dismantle Bhutto's Pakistan People's Party (PPP). This included the promulgation of two major legal instruments in 1977; the Holders of Representative Offices (Punishment for Misconduct) Order, 1977 and the Parliament and Provincial Assemblies (Disqualification for Membership) Order, 1977.[12]

Both were draconian military laws, passed under martial law regulations, that granted sweeping powers to the regime to disqualify elected representatives, initiate misconduct proceedings without due process, and remove political rivals from public life without judicial oversight. These orders echoed Ayub Khan's EBDO but were even more arbitrary and 'ideology driven', couched in the language of Islamic piety and state purification.

Unlike Bhutto-era laws such as the 1976 Holders of Representative Offices Act,[13] which required formal procedures for investigating misconduct, Zia's 1977 orders empowered military authorities to bypass courts entirely, allowing for summary disqualifications, forced resignations, detentions, and bans. There were no fair corruption trials against Bhutto or his ministers, instead, political accountability was executed through coercion. The regime used military tribunals and presidential ordinances to maintain control, and some legal scholars widely regard this period as one of dual justice systems: one for civilians, and none for the military elite.[14]

Zia also reshaped the judiciary to align with his vision. Judges who resisted his decrees were removed, and those who supported the regime were elevated, ensuring that martial law regulations remained unchallenged.[15] Notably, Bhutto's 1979 trial and execution, later ruled by the Supreme Court in 2024 as a "historic miscarriage of justice", reflected how accountability under Zia was used to eliminate political threats, not uphold the law.[16]

Beyond legal mechanisms, Zia fused accountability with Islamization. The Hudood Ordinances (1979), setting up of Shariat Benches (later the Federal Shariat Court) to "Islamize" legislation, further marginalizing secular legal traditions. These changes enabled Zia's regime to portray political repression as divine justice, masking authoritarian control as religious obligation.[17]

While claiming to "cleanse" the system, Zia's military government actually deepened corruption and patronage politics. Military officers and unelected technocrats were rewarded with plum positions in government, state corporations, and diplomatic missions. Political loyalty, especially from Islamist parties like Jamaat-e-Islami was repaid with preferential access to state resources, educational institutions, and media platforms. The ISI also expanded its political role under Zia, providing logistical and financial support to anti-PPP politicians and overseeing the formation of the conservative Islami Jamhoori Ittehad (IJI) to counter Benazir Bhutto in the late 1980s.[18]

10. Martin Woollacott, "From the archive, 11 July 1977: General Zia steps back to law of knife" *The Guardian,* online, July 11, 2015, accessed, July 18, 2025. https://www.theguardian.com/world/2015/jul/11/pakistan-sharia-law-general-zia-1977
11. Zahid Hussain, "What Led To The Events Of 1977's 'Operation Fair Play'?" *Dawn,* online, July 12, 2023, accessed July 18, 2025. https://www.dawn.com/news/1764295/what-led-to-the-events-of-1977s-operation-fair-play-zahid-hussain-dawn-news-english
12. Ahmed Bilal Mehboob, "Pakistan's obsession with elusive accountability", *Arab News,* online December 09, 2020, accessed July 18, 2025. https://www.arabnews.pk/node/1774806
13. Ibid
14. Zaffar Abbas, "The missing pages of history: 70 years of Pakistan and Dawn" *Dawn,* online, August 19, 2017, accessed July 18, 2025. https://www.dawn.com/news/1352579
15. I.A. Rehman, "40 YEARS OF ZIA: HOW ZIA REDEFINED PAKISTAN", *Dawn,* online, July 02, 2017, accessed July 18, 2025. https://www.dawn.com/news/1342697
16. Saroop Ijaz, "Pakistan's Supreme Court Finally Rules on Martial Law-Era Trial" *Human Rights Watch,* online, March 06, 2024, accessed July 18, 2025. https://www.hrw.org/news/2024/03/06/pakistans-supreme-court-finally-rules-martial-law-era-trial
17. Amber Darr, "The Islamisation project", *Dawn,* online, July 20, 2023, accessed July 19, 2025. https://www.dawn.com/news/1765764
18. Maham Fazal, "General Zia-Ul-Haq's Dark Legacy: How One Man Rewired The Soul Of Pakistan" *The Friday Times,* online, July 05, 2025, accessed July 19, 2025. https://thefridaytimes.com/05-Jul-2025/general-zia-ul-haq-s-dark-legacy-how-one-man-rewired-the-soul-of-pakistan

In sum, Zia's version of accountability was neither institutional nor impartial. It was an authoritarian project masked in religious morality aimed at consolidating military power, eliminating opposition, and rewriting Pakistan's legal and political landscape in the image of ideological conformity. While laws such as the 1977 Disqualification and Misconduct Orders were central to this system, they served not to promote justice but to institutionalize military dominance and suppress democratic dissent.

Gen. Pervez Musharraf and the Institutionalization of Selective Accountability (1999)

On October 12, 1999, General Pervez Musharraf staged Pakistan's third military coup, removing the elected government of Prime Minister Nawaz Sharif. The coup was justified on the grounds of national interest, economic mismanagement, and growing political instability, but Musharraf, like his military predecessors, also positioned his takeover as a move to cleanse the system of corruption and restore accountability.[19] Shortly after assuming power, he announced that a new era of "across-the-board accountability" was beginning, one that would target corrupt elites, end political victimization, and usher in clean governance. However, despite its rhetoric, the accountability regime under Musharraf was, except for the first 10 months of NAB under its first Chairman, Lt. Gen. Syed Amjad Hussain, systematically selective, legally insulated from scrutiny, and designed to reinforce military supremacy while neutralizing political opposition.

To formalize his anti-corruption campaign, Musharraf promulgated the National Accountability Ordinance (NAO) in November 1999, which laid the foundation for the creation of the National Accountability Bureau (NAB). The NAO provided NAB with sweeping powers, far more than any previous accountability law in Pakistan's history. It authorized NAB to initiate investigations, arrest individuals, freeze their assets, detain them for up to 90 days without filing formal charges, and conduct trials through special accountability courts.[20] One of the most controversial features of the NAO was the reversal of the burden of proof; instead of the prosecution proving guilt, the accused were required to prove their innocence. Moreover, the accused had no right to bail, and courts were mandated to conclude trials within 30 days, a timeframe that often-compromised due process. Convictions under NAB law carried long-term political consequences, including a 21-year disqualification from holding public office.[21]

Though the National Accountability Bureau was portrayed as an impartial and independent institution, in practice it became a powerful instrument of political engineering. Its operations were overwhelmingly directed at civilian politicians, especially those affiliated with the parties opposed to Musharraf such as Pakistan Muslim League-Nawaz (PML-N) and Pakistan Peoples Party (PPP).[22] High-profile cases were filed against former ministers, parliamentarians, and bureaucrats associated with past governments. However, NAB carefully avoided touching those aligned with Musharraf's own regime. Serving military officers and judges were explicitly excluded from NAB's jurisdiction, cementing a dual justice system in which accountability was enforced for civilians but entirely absent for military elites.[23] The NAB chairmen appointed during Musharraf's tenure were typically retired military generals, further consolidating the military's control over the accountability apparatus. Investigations and prosecutions often lacked transparency and were shaped by political considerations rather than objective evidence.[24]

Musharraf's broader legal restructuring reinforced this selective model of accountability. In 2000, he issued the Oath of Office (Judges) Order, requiring all judges to take a fresh oath of allegiance to his military regime. Judges who refused to comply, including Chief Justice Saeeduz Zaman Siddiqui and several other Supreme Court and High Court judges, were summarily dismissed.[25] This maneuver effectively purged the judiciary of dissent and ensured the appointment of judges loyal to the regime. The reconstituted Supreme Court subsequently validated the coup under the "doctrine of necessity," granting Musharraf constitutional cover to enact far-reaching changes without parliamentary approval.[26] This included legalizing the NAO and shielding NAB from judicial review. The weakening of judicial independence ensured that accountability cases could proceed unhindered, but only against those whom the regime sought to target.

19. Shahjahan Khurram, "As elections near, a timeline of Pakistan's troubled history of military interventions", *Arab News,* online, February 04, 2024, accessed July 19, 2025. https://www.arabnews.com/node/2453606/amp
20. Ahmed Bilal Mehboob, "Accountability fails again", *Dawn,* online, June 02, 2022, accessed July 19, 2025. https://www.dawn.com/news/1692731
21. Ibid
22. Tasneem Noorani, "NAB's task", *Dawn,* online, November 27, 2018, accessed July 20, 2025, https://www.dawn.com/news/1447907
23. Ibid
24. "Musharraf stopped probes, says ex-chief of NAB" *Dawn,* online, December 06, 2009. https://www.dawn.com/news/851664/musharraf-stopped-probes-says-ex-chief-of-nab
25. Naeem Sahoutara, "The man who defied all odds to defend the Constitution", *Dawn,* online, January 11, 2017, accessed July 27, 2025. https://tribune.com.pk/story/1291888/man-defied-odds-defend-constitution
26. Nasir Iqbal, "Doctrine of necessity alive, says counsel", *Dawn,* online, April 26, 2013, accessed, July 19, 2025. https://www.dawn.com/news/794311/doctrine-of-necessity-alive-says-counsel

The politicized nature of Musharraf's accountability drive became even more evident with the promulgation of the National Reconciliation Ordinance (NRO) in 2007.[27] The NRO granted blanket amnesty to over 8,000 individuals, including politicians, bureaucrats, and party workers, accused of corruption, embezzlement, money laundering, and other white-collar crimes between 1986 and 1999. Although the ordinance was presented as a gesture of political reconciliation to facilitate democratic transition, it was in fact a calculated move to secure political alliances and enable the return of exiled leaders like Benazir Bhutto, while shielding regime loyalists from prosecution. The NRO further undermined the credibility of accountability under Musharraf and confirmed that this accountability was a flexible political tool rather than a principled institutional mechanism.[28] It exposed the regime's willingness to pardon corruption when it served political convenience and reinforced the view that the military held ultimate control over who could be punished or protected.

Even outside the NRO framework, patronage and favoritism thrived under Musharraf's rule. While NAB boasted some successes in recovering looted public funds and initiating investigations into bureaucratic corruption, these efforts were consistently undermined by selective application, weak oversight, and targeting of political opponents.

In essence, Musharraf's regime institutionalized a deeply flawed and politicized model of accountability. While it presented itself as a break from the corruption of civilian governments, it merely replaced one form of selective enforcement with another, one that was even more shielded from democratic checks. By embedding military dominance within the legal and judicial architecture of accountability, Musharraf ensured that the very forces proclaiming to uphold justice were never themselves held to account. His era marks the consolidation of a permanent framework of dual accountability in Pakistan, where legal standards, in general. apply unevenly and where the pursuit of justice is subordinated to the imperatives of regime survival and political control. The most glaring manifestation of using the NAO and NAB for political engineering was the defection of about 5 Members of the National Assembly and about 20 Members of Provincial Assembly of Punjab elected on PPP tickets created a break-away faction called PPP-Patriots and joined hands with the pro-Musharraf PML-Q under coercion as NAB cases were instituted against them.

Accountability as a Measure of Governance

In each military regime in Pakistan, accountability was positioned as a central pillar of reform. Yet time and again, these efforts proved to be more about consolidating power than ensuring justice. Whether through Ayub Khan's disqualification laws, Zia-ul-Haq's moral-religious legal codes, or Musharraf's institutional tools like NAB, accountability mechanisms were crafted and applied selectively, targeting political rivals while shielding the military and its allies.

Instead of fostering transparency and the rule of law, these regimes instrumentalized accountability to weaken democratic processes and restructure political landscapes in their favour. Civilian institutions were undermined, and legal standards were often circumvented to achieve political ends. While framed as anti-corruption drives, these efforts entrenched double standards and undermined public trust.

Military regimes did not strengthen governance through accountability; they hollowed it out. Their actions reveal that accountability, when designed without impartiality or constitutional oversight, becomes a tool of control rather than reform. Far from improving the state, such regimes left behind politicized institutions, weakened norms, and deeper democratic deficits.

27. "National Reconciliation Ordinance: Supremely divisive law called NRO revisited", *The Express Tribune,* online, January 17, 2012, accessed July 19, 2025. https://tribune.com.pk/story/322744/national-reconciliation-ordinance-supremely-divisive-law-called-nro-revisited
28. "NAB seeks review of SC order" *Dawn,* online January 19, 2010, accessed July 19, 2025. https://www.dawn.com/news/858290/nab-seeks-review-of-sc-order

Accountability Laws over time in Pakistan				
S.No.	**Title of the Law**	**Date of Promulgation**	**Head of State/ Head of Government**	**Classification of Regime (Military, Quasi Military,**
1	Public and Representative Offices (Disqualification) Act (PRODA)	Retrospective from 15 August 1947 (promulgated 1949)	Muhammad Ali Jinnah (Constituent Assembly)	Civil-Elected) Civilian (early civilian parliament)
2	Elective Bodies (Disqualification) Order (EBDO)	1959	General Ayub Khan	Military
3	Holders of Representative Offices (Prevention of Misconduct) Act	1976	Zulfikar Ali Bhutto	Civilian
4	Parliament and Provincial Assemblies (Disqualification from Membership) Act	1976	Zulfikar Ali Bhutto	Civilian
5	Holders of Representative Offices (Punishment for Misconduct) Order	1977	General Zia-ul-Haq	Military
6	Parliament and Provincial Assemblies (Disqualification for Membership) Order	1977	General Zia-ul-Haq	Military
7	Parliament and Provincial Assemblies (Disqualification – Amendment) Act	1991	Civilian (post-Zia)	Civilian
8	Ehtesab Ordinance	1996	Caretaker PM Malik Meraj Khalid	Civilian
9	Ehtesab Act	1997	PM Nawaz Sharif	Civilian
10	National Accountability Ordinance (NAO)	1999	General Pervez Musharraf	Military
11	National Accountability (Amendment) Act	2002	PM Shehbaz Sharif (coalition govt)	Civilian
12	Supreme Court Restores Amendments to NAB Act	6-Sep-24	Supreme Court bench led by Justice Qazi Faez Isa	Judiciary

Analysis

How Accountability Became a Political Tool in Military Regimes

Military rulers in Pakistan often entered office with strong rhetoric around meritocracy and anti-corruption but over time, their accountability mechanisms became instruments of political utility rather than systemic reform. Initially, these measures seemed genuine, creating the semblance of disciplined governance. Yet, as each administration consolidated authority, the impartiality of these institutions eroded.

During General Pervez Musharraf's tenure, the appointment of Lt.Gen.Amjad Hussain as the inaugural chairman of NAB raised public expectations of unbiased enforcement and institutional integrity.[29] Hussain carried out broad probes into corruption, spanning politicians and bureaucrats across party lines. However, his removal after just 10 moths (although the term was of 3 years) signaled the shift from reform to realpolitik: the anti-corruption apparatus began to prioritize regime survival over accountability. As Musharraf faced mounting opposition, NAB's activities increasingly focused on weakening adversaries while protecting allies, fundamentally altering the character of accountability.

The 2002 general elections exemplify the institutional translation of these political motives. NAB was used to pressure opposition parties, particularly the PPP into breaking away into factions like the "PPP Patriots."[30] Simultaneously, defection laws were suspended, paving the way for the emergence of the pro-Musharraf "King's Party" (PML-Q). Figures like Faisal Saleh Hayat, once affiliated with PPP, were reported to face corruption charges that were dropped following defection underscoring how accountability structures served as levers of political realignment rather than justice.

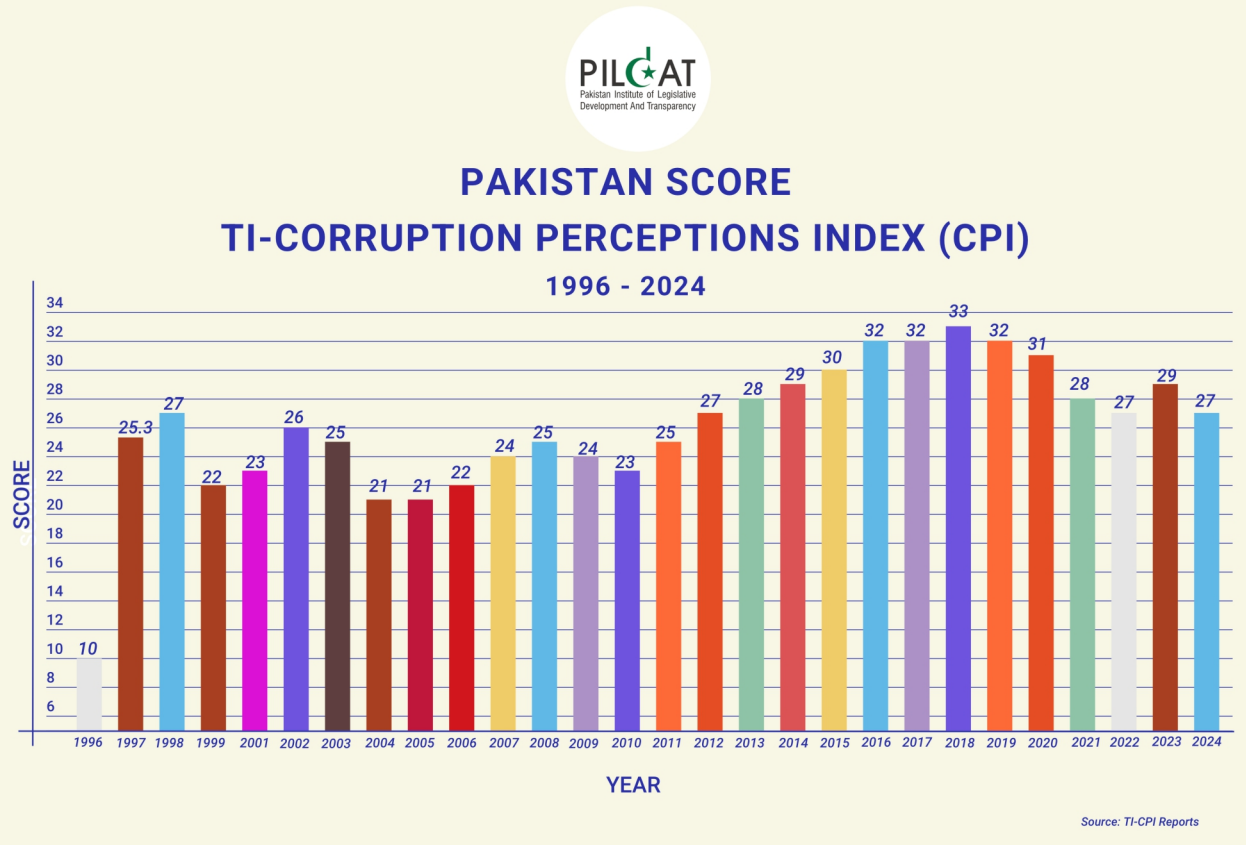
Such patterns are not isolated to Musharraf's era. Earlier regimes displayed similar trends: under Ayub Khan, the Disqualification Orders banned numerous opposing political figures, consolidating power within the regime. Under Zia-ul-Haq, martial law ordinances and religious laws were deployed to exclude and disqualify political opponents, reinforcing authoritarian control under the guise of moral accountability.

Historical Precedents and Empirical Indicators

Several data points and historical events demonstrate that military accountability campaigns in Pakistan were largely symbolic and selective, lacking meaningful institutional depth. This was despite the fact that military regimes enjoyed complete control on the state apparatus and faced little resistance unlike political governments who depend all the time on members of the assembly who elect and sustain the government and therefore tend to compromise on accountability to accommodate supporting legislators and key political supporters.

First, Pakistan's performance on Transparency International's Corruption Perceptions Index (CPI) offers compelling insight. As of 2024, Pakistan scored 27/100, ranking 135th out of 180 countries, a decline from the previous year when it scored 29 and ranked 133rd.[31] Although models vary, most military and civilian governments since the late 1990s saw CPI scores remain in the 27–33 range, indicating persistent public-sector corruption during both forms of rule. For instance, under Musharraf's regime in 2007, when the NAB was active and accountability was highly publicized. Pakistan ranked **138th out of 180 countries** on Transparency International's Corruption Perceptions Index, with a **CPI score of just 2.4** on the old scale.[32] This indicates that despite institutionalizing accountability, the international perception of corruption in Pakistan remained poor, suggesting limited impact in terms of real or perceived integrity.

29. Malik Asad, "NAB's first chief appears before JIT", *Dawn,* online, June 30, 2017, accessed July 19, 2025. https://www.dawn.com/news/1342276
30. "PPP-Patriots registered with EC, says official", *Dawn,* online, February 17, 2003, accessed July 19, 2025. https://www.dawn.com/news/82516/ppp-patriots-registered-with-ec-says-official
31. Amin Ahmed, "Pakistan's ranking on corruption perception index slides 2 spots: Transparency International", *Dawm,* online, February 11, 2025, accessed July 19, 2025. https://www.dawn.com/news/1891249
32. Kasim Abbasi, "How Pakistan fared on corruption perception index since 1996", *The News,* online, February 01, 2024, accessed July 19, 2025. https://www.thenews.com.pk/print/1153495-how-pakistan-fared-on-corruption-perception-index-since-1996



In parallel, figures like Major-General Rao Farman Ali and other military leaders, detailed in the Hamoodur Rahman Commission Report on the 1971 debacle, were never prosecuted despite being implicated in grave abuses. The report, declassified decades later, recommended public trials but none took place. This absence of accountability for the military affirmed an enduring exemption from the very mechanisms introduced to punish others.

Synthesis and Assessment

Across these regimes, early manifestations of accountability may have seemed promising. Institutions and laws were enacted, and political figures faced disqualification or prosecution. Yet accountability never evolved into an equitable, institutionally anchored principle. Instead, regimes manipulated these mechanisms to reinforce their own standing, weaken opposition, and project reformist credentials often without addressing systemic corruption or institutionalizing oversight.

Civilian governments, despite their shortcomings, did experience periodic judicial interventions for example Panama Papers[33] verdict or media exposure that better reflected a functioning, if imperfect, accountability framework. In contrast, military rule often bypassed the judiciary and press, relying on executive decrees, martial ordinances, and military tribunals, resulting in weaker civil-judicial checks.

Transparency International's CPI underscores that public perception of corruption remained largely stable or worsening regardless of military rule, challenging official narratives that military interventions meaningfully improved governance. The persistent CPI stagnation during and after military regimes reveals that the substance of corruption, and not only its visible forms, often persisted.

Hence, the trajectory of accountability under military regimes in Pakistan suggests that institutional tools were deployed selectively and strategically. They served short-term political objectives rather than fostering long-term, impartial governance. Genuine accountability, not restricted to political opponents but inclusive of all power holders remains elusive without robust democratic institutions, independent judiciary, and civil society oversight.

33. "Pakistan PM Nawaz Sharif resigns after Panama Papers verdict", *BBC,* online, July 28, 2017, accessed July 19, 2025. https://www.bbc.com/news/world-asia-40750671

Conclusion

The Myth of Superior Military Accountability

Despite repeated claims by Pakistan's military rulers to root out corruption and enforce accountability, the historical record offers little evidence that military regimes achieved these goals more effectively than their civilian counterparts. Across each intervention whether under Ayub Khan, Yahya Khan, Zia-ul-Haq, or Pervez Musharraf, anti-corruption narratives were used as legitimizing tools for military takeovers and later victimizing political opponents. However, in practice, these efforts rarely translated into structural reforms or impartial enforcement mechanisms.

Institutions like the National Accountability Bureau (NAB), though created under military regimes with promises of curbing corruption, ultimately became politicized. Under General Musharraf, NAB quickly transformed from a potentially independent watchdog into an instrument of political engineering. Rather than upholding the rule of law, accountability measures were often deployed selectively: to coerce political loyalty, break opposition parties, and reward compliant figures undermining their very credibility.

Furthermore, comparative governance metrics such as the Transparency International's Corruption Perceptions Index (CPI) reveal that Pakistan's performance on public-sector corruption did not improve during periods of military rule. This challenges the long-held belief that authoritarian governance necessarily produces more discipline or transparency. This is despite the fact that military regimes in Pakistan often operated with even fewer checks and balances than elected governments, given the absence of parliamentary oversight, press freedom, or judicial independence.

In conclusion, military regimes have failed to establish a consistent, impartial accountability framework. Their interventions may have temporarily disrupted political systems, but they did not bring about durable reforms; certainly not in the realm of accountability. If anything, the instrumental use of accountability for political gain has further eroded public trust in accountability institutions.

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