

**PUNISHMENT DEBATE IN CIVIL MILITARY RELATIONS OF  
PAKISTAN: A CASE STUDY OF GENERAL JAHANGIR  
KARAMAT AND GENERAL PERVAIZ MUSHARRAF**



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***DEDICATED TO***

*“To the Armed Forces of Pakistan”*

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## ABSTRACT

*Civil-military relations have always been a thorny subject. It has always been a challenge to keep the military under check as the military tries to exercise powers that come under the authority of a civilian government. Pakistan since its inception has also faced this problem. Military in Pakistan has always been more powerful as compared to the civilian government and has kept the government on a tight rope. Whenever there is an attempt to achieve civilian supremacy it has been thwarted by the military mostly in the form of a military coup. This study focus on how civilian supremacy can be achieved in Pakistan Punishment theory expounded by Eric Lobber and Danial Bessner which focuses on how military officers can be punished by the civilians for shirking has been adopted as a theoretical model. General Jehangir Karamat and General Pervaiz Musharraf have been taken as case studies. General Jehangir Karamat resigned from the post of Chief of Army Staff after he overstepped his authority when asked the government to create a National Security Council. Whereas General Pervaiz Musharraf after he undertook a major military operation without the permission of the government, he was removed from the post of arm chief by the government exercising its constitutional authority. However, General Musharraf did not accept the government's decision and revolted against the government and imposed martial law. The theory will be applied on these two cases.*

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## **LIST OF ACRONYMS**

CGS	Chief of General Staff
CBM	Confidence Building Measures
CJCSC	Chairman Joint Chiefs of Staff Committee
CDNS	Council for Defense and National Security
CLF	Cease-Fire line
DCC	Defence Committee of Cabinet
DCAS	Deputy Chief of Air Staff
DGMI	Director General Military Intelligence
DGMO	Director General Military Operations
FSF	Federal Security Force
FNCA	Force Command Northern Areas
GHQ	General Headquarters
ISPR	Inter Services Public Relations
ISI	Inter-Services Intelligence
IJI	Islami Jamhoori Itehad
LOC	Line of Control
LAC	Line of Actual Control
NSF	National Student Federation

NSC	National Security Council
NLI	Northern Light Infantry
Op-KP	Operation Koh-i-Paima
OICSG	Organization of Islamic Conference Secretary General
OIC	Organization of Islamic Conference
PNA	Pakistan National Alliance
SOP	Standard Operating Procedure
UNSG	United Nations Secretary General

# INTRODUCTION

## Problem Statement

Civil military relation in Pakistan has always been a difficult subject. The military has always tried to undermine the civilian government and keep a tight control on the policies of the state. In Pakistan's history it has never happened that a military officer has been punished for any wrong doing. Further, if ever the civilian government tried to assert control the government was removed from office and a martial law was imposed. Since Pakistan's inception in 1947, its political history can be considered as a tale of repeated military coups followed by a long period of military rule punctuated by elected civilian rule. Till 2013 Pakistan did not saw a single transfer of power from one democratically elected government to another. Attempts by the military or some of its officers to take over the country started in the early years of Pakistan. First coup attempt was made in the decade after its independence. As early as 1951, a coup attempt was made by a group of army officers who were supported by some civilians<sup>1</sup>. This attempt however failed and all those involved were arrested and punished.

However, the tale of military insubordination and its attempts to effectively control the policy and decision of the state did not end here. In 1958, the military under the command of General Ayub Khan imposed martial law and remove the civilian government from power. The army cited political instability and deteriorating law and order situation as the main reason for the takeover. The military rule continued for eleven long years and in 1969, the general resigned after violent protests started against his rule all over the country.<sup>2</sup> Ironically, General Ayub instead of transferring the power to the speaker of the National Assembly handed over power to the Chief of Army Staff.

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<sup>1</sup> Aqil Shah, *The Army and Democracy: Military and politics in Pakistan* (Harvard: Harvard University Press, 2014), 43.

<sup>2</sup> Lawrence Ziring, *The Ayub Khan Era: Politics in Pakistan 1958-1969* (Syracuse University Press, 1971), 109.

The country returned to civilian rule after the fall of East Pakistan but again the civilian rule was short lived as in 1977 the military under the command of General Zia ulHaq again imposed martial law. The reason given for the imposition of martial law by the military was the same as was given in 1958 i.e. political instability and deteriorating economic situation of the country. The chief martial law administrator promised to hold election within ninety days but this promise never materialized and the military rule continued for another eleven years. After the death of General Zia in a plane crash in 1988 and Pakistan returned to civilian rule. Until the military struck again in 1999 and imposed martial law this time again citing the same reason of political and economic stability.

The important point is that during the history of Pakistan never has any military officer been punished for undermining the civilian authority. Martial law was imposed three times and if we add General Yahya Khan it becomes four but it can be considered as continuation of the military rule as power was transferred from one military dictator to another. None of these military dictators or other military officers who had undermined the civilian authority was ever punished. This study will focus on the cases of General Jehangir Karamat and General Pervaiz Musharraf and will analyze both through the lens of the theory of punishment put forward by Eric Lobber and Danial Bessner.

There is a gap in the literature in Pakistan as no scholar has analyzed the punishment debate in Pakistan civil military relations. The aim of the study is to have a comparative study of the two military tenures General JehangirKaramat and General Pervaiz Musharraf and analyze both tenures under the theory of civil military punishment.

### **Research Questions**

1: Why General Pervaiz Musharraf went unpunished for a coup against Nawaz Shareef's government and General Karamat resigned from the post of Army Chief?

2: What were the causes that the military leadership obeyed or disobeyed the civilian orders?

3: How civilian leaders punish military officers for their insubordination in Pakistan?

### **Hypothesis**

- i. General Jehangir Karamat resigned because he was not supported by the military.
- ii. General Jehangir Karamat resignation can be considered as punishment for shirking.
- iii. Pervaiz Musharraf committed shirking and went unpunished because military as an institution did not support the then Prime Minister Nawaz Sharif to punish General Musharraf.

### **Significance of the Study**

The significance of the study lies in its theoretical and practical realms. As scholars have not done elaborated studies on the punishment debate in the civil military relations of Pakistan. In this study it will be analyzed as to why General Musharraf went unpunished and General Jehangir resigned furthermore his resignation can be forethought as punishment. The study will focus on their actions of the two army chiefs if the actions of the two army chiefs can be considered as shirking on behalf of the military agents. This study will enhance the literature of civil military by throwing light on a dimension of civil military relations that have not been discussed thoroughly.

### **Theoretical Model**

This study will apply the theoretical framework of the civil military punishment given by Danial Bessner and Eric Lorber. This theory has tried to answer the question

that was left unanswered in the agency theory proposed by Peter D. Feaver. According to Feaver, theorists of civil military relation mostly focus on how military punishes it people within the institution rather than how and when can civilians punish military men of disobeying orders. Feaver argues that punishment is rarely discussed in the theoretical literature on civil-military relations as a relevant tool in enforcing discipline across the civil military divide.<sup>3</sup> Feaver uses the Principal-Agent Framework for understanding civil military relations. Based upon the agency theory, Bessner and Lorber gave a theory of punishment that focused on how and when civilians can punish military men. Bessner and Lorber, defines punishment as a significant disciplinary response to a military leader shirking<sup>4</sup>.

This response includes removal of a military leader from his or her command position, an offer of resignation before his or her official term ends, or quick retirement after removal from a particular. Their analysis indicates that there are two factors linked two civil-military punishment. First is the importance of the issue at stake decides whether the civilian principal punish the shirking officer is to be punished. If the issue is not of importance and it does not undermine the civilian principal's authority and if the issue does not compromise his or her political standing then the chances of punishment are dim. Second factor is whether or not the civilian has the support of military to punish the shirking officer. If the military supports civilian and consider that the shirking officer should be punished than there is greater chance that the shirking officer will be punished, on the other hand if military is not supporting civilian's then there are very little chance that the shirking officer will be punished as institutional support is important for punishing a shirking officer.

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<sup>3</sup> Peter D. Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations", *Armed Forces & Society* (1998): 407-433.

<sup>4</sup> Danial Bessner and Eric Lorber, "Towards a Theory of Civil Military Relations", *Armed Forces & Society* 38, no.3(2012): 649-668.

## Literature Review

There is abundance literature on civil military relation in Pakistan. The role of military in the political system of Pakistan, how the military has from the very beginning dominated civilians. How military ruled the country for almost half of its existence and the indirect way in which military influences civilian government but there is no focus on the concept of punishment in civil military relations of Pakistan. No study has been conducted about how civilians can punish military officer for shirking. This study will focus on this aspect of civil military relations of Pakistan which has remained neglected.

The literature can be divided into two categories. At the theoretical front, scholars have given enormous concepts to understand the coup and punishment debates in the civil-military relation. According to Edward Luttwak, Coup D'état can be defined as, "A coup consists of the infiltration of a small but critical segment of the state apparatus, which is then used to displace the government from its control of the remainder."<sup>5</sup> Whereas Jens Bartelson in his article "Making Exceptions: Some remarks on the concept of coup d'état and its history," defines coup as, "a stroke of state; a seizure of power by a group using the permanent employees of the state, to capture and paralyze the nerve ends of the continuing government. The coup d'état is distinguished from a revolution in that it does not aim to alter the social and political structure, but merely to substitute one ruling group from another. The coup operates essentially by detaching the employees of the state from their loyalty to the legitimate government."<sup>6</sup> Luttwak has described certain factors that could lead to a coup. If any of these factors are present then there are great chances that a coup can happen. These factors are:<sup>7</sup>

- a) Severe and prolonged economic crises.
- b) A long and unsuccessful war or a major defeat military or diplomatic.

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<sup>5</sup> Edward Luttwak, *Coup D'état: A Practical Handbook* (New York: Alfred A. Knopf, inc, 1969), 12.

<sup>6</sup> Jens Bartelson, "Making Exceptions: Some Remarks on the Concept of Coup D'état and its History", *Political Theory* 25, no. 3 (1997): 323-346.

<sup>7</sup> Luttwak, *Coup D'état*, 17.

- c) Chronic instability under a multi-party system.

Further Luttwak describe three preconditions for a Coup. These preconditions are as follows:

- a) **Economic Backwardness:** “The social and economic condition of the target country must be as such as to confine political participation to a small fraction of the population.”<sup>8</sup>
- b) **Political Independence:** “The target state must be substantially independent and the influence of foreign power in its internal political life must be relatively limited.”<sup>9</sup>
- c) **The Target State must have a Political Center:** “If there are many centers these must be identifiable and they must be politically, rather than ethically structured. If the state is controlled by a non-politically organized unit, the coup can only be carried out with its consent or neutrality.”<sup>10</sup>

If these conditions are present then a coup can take place. Economic backwardness leads to many other issues. There can be law and order situation, there can be health issues, political instability and many other problems. Thus economic instability leads to other issues. Further the country should be politically independent. The state must not be under the political control of any other state. If it is then a coup cannot be possible as those who have influence over the domestic issues will not be present in the state so they cannot be captured.

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<sup>8</sup> Luttwak, *Coup D'état*, 24.

<sup>9</sup> Luttwak, *Coup D'état*, 32.

<sup>10</sup> Luttwak, *Coup D'état*, 45.



The second important debate in the theoretical discourse of civil military relations is of punishment debate. The concept of punishment in civil military relations is relatively new as little work is done on this topic. Most of the work focuses on punishment within the military. And the overall relationship between the military and the civilians, the focus is how to maintain civilian supremacy and compel the military institution to stay within its legal boundaries. Samuel Huntington writes in his book, “The Soldier and the State: The theory and politics of civil military relations,” about “the formal, structural position of the military institutions in the government, the informal role and influence of the military groups in politics and society at large, and the nature of ideologies of military and nonmilitary groups and about objective civilian control of the military”.<sup>11</sup>

According to Huntington to increase civilian control, the officer corps should act professionally and defines the characteristics of professionalism as are expertise, responsibility, and corporate-ness. Peter d. Feaver in his article “Crises as Shirking”, focuses on the dimension of punishment in civil military relations<sup>12</sup>. According to Feaver, civil military theorists must focus on the dynamics of punishment to better understand the dynamics of military shirking. He focuses on the concept that how can civilians punish military officers for their wrongdoings. The basic question according to Feaver is what causes military to obey or disobey civilian orders. Feaver’s theory has one short coming and that is he is not sure about when and under what conditions will civilian principal punish shirking officers. This gap in Feaver’s theory is filled by Danial Bessner and Eric Lober in their theory of Civil Military Punishment.<sup>13</sup> According to Bessner and Lober, there are two factors that determine whether the shirking officer will be punished. First condition is the importance of the issue. It will be determined if the issue is that important

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<sup>11</sup> Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil Military Relations* (Harvard: Harvard University Press, 1957).

<sup>12</sup> Peter D. Feaver, “Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations”, 423.

<sup>13</sup> Bessner and Lorber, “Towards a Theory of Civil Military Relations”, 649-668.

that it cannot be left undealt. The second condition is whether the civilians are having the support of military as an institution to punish the shirking officer.<sup>14</sup>

In the context of Pakistan, a lot of scholarly work has been done on civil military relations in Pakistan. Scholars like Ishtiaq Ahmed, Ayesha Siddiqa, Shuja Nawaz and many others. Most of this work has focused on the dominance of military in the affairs of the state and that the military have never let a political democratically elected government to work freely. Shuja Nawaz in his book “Crossed Swords: Pakistan, Its Army and the Wars within”<sup>15</sup>, has discussed Pakistan Army and its development over the decades following the creation of Pakistan. This book also highlights how military interventions in politics at different occasions are caused by political circumstances.

According to the author, the increasing advancement of the military since the inception of Pakistan has halted the growth of the political system and thus made the army one of the power Centre.<sup>16</sup> The author further says that at times the army is invited for arbitration by the politicians when disputes arise between them which further increased the army’s role in political affairs. The author points out that in the early days of Pakistan, the appointment of two serving military officers i.e. “General Ayub Khan and Major General Iskander Mirza” to political posts and these appointments were made violating the constitution and thus the military got an opportunity to identify the weaknesses of politicians. They began to criticize the political system and thus began to determine its merits and demerits. The author suggests that if they had remained within their constitutional boundaries, Pakistan’s history would have been different. Military’s role in politics of Pakistan is discussed in detail, the military coups and the effects it had on the political process of Pakistan are discussed in detail.

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<sup>14</sup> Bessner and Lorber, “Towards a Theory of Civil Military Relations”, 649-668.

<sup>15</sup> Shuja Nawaz, *Crossed Swords: Pakistan, Its Army and the Wars within* (Karachi: Oxford University Press, 2008)

<sup>16</sup> Shuja Nawaz, *Crossed Swords*, 302.

To gain legitimacy for their illegitimate governments military needed the support of politicians which was readily given to each military government for securing their personal interest beginning with Ayub Khan who was supported by Iskander Mirza when Ayub Khan imposed martial and later by able politician like Zulfiqar Ali Bhutto. Zia ul Haq was supported by conservative party like Muslim League and but his major support came from religious political parties which supported the military for its own political interest. General Musharraf martial law as also supported by politicians who grouped together to form a new party Pakistan Muslim League (Quaid I Azam). Shuja Nawaz argue that during democratic rule, there is so much animosity and tussle between the politicians both from the government side and the opposition that it threatens the fragile democracy and again give the military a chance to interfere in the political system.<sup>17</sup>

Due to the military's involvement in civilian affairs and imposition of martial laws the top leadership of the military has become corrupt and has started to live epicurean life which had a negative impact on the military "training, thought process and actions."<sup>18</sup> Whereas in the book "Pakistan: A Garrison State"<sup>19</sup>, the author Ishtiaq Ahmed has focused on the concept that the military in Pakistan has always remained the key player in Pakistan. The author has used the metaphors of "Garrison State" and "Fortress of Islam" and through the concepts the author "has tried to delve into the complexity of Pakistani politics and the role of military in it".<sup>20</sup> The author has discussed in detail the role of military in the governmental affairs since the creation of Pakistan. The author has discussed all the wars fought by Pakistan and the military interventions that had taken place in Pakistan from Ayub Khan to Pervaiz Musharraf. The author has discussed the role of military during civilian rule and how it has influenced the working of civilian government. The author primarily focus on the functionality of the military as the most

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<sup>17</sup> Shuja Nawaz, *Crossed Swords*, 453-455.

<sup>18</sup> Shuja Nawaz, *Crossed Swords*, 449.

<sup>19</sup> Ishtiaq Ahmed, *Pakistan: A Garrison State Origin Evaluation And Consequence* (Karachi: Oxford University Press, 2013).

<sup>20</sup> Ishtiaq Ahmed, *Pakistan: A Garrison State*, 10.

powerful veto player in Pakistan and its alliance with the political right since the inception of Pakistan has helped the military to easily influence the political system.<sup>21</sup>

The author argues that the metaphor, “Fortress of Islam”, was first use by Musharraf during a televised speech in 2001 when both Pakistan and Indian armies were standing eye to eye after there was an attack on the Indian parliament.<sup>22</sup> Ishtique Ahmed argues that this metaphor was used to emphasize the importance of Pakistan in the world politics and that a fortress is an outpost on the border of an empire so the elite is Pakistan considered Pakistan to be the savior of the Islamic world after its role in the afghan jihad. Ishtique Ahmed suggests the role of Pakistan in the context of pan Islamism and the recreation of Islamic caliphate and thus Pakistan needs to have an all-powerful military.<sup>23</sup> The author uses the concept of the “Garrison State,” as propounded by Harold Lasswell.

He applies this concept on Pakistan and tries to deduce from his extensive study of the history of Pakistan, which is mainly dominated by the military in form of direct rule or indirect control that Pakistan has become a garrison.

### **Organization of Study**

The first chapter will discuss the overall civil military relations of Pakistan and will give discuss the reasons behind military takeover in Pakistan. The second chapter will shed light on the theory that will be applied and how it will be applied in this study. In the third chapter the case of General Jehangir Karamat will be analyzed in detail and the theoretical model will be applied. Fourth chapter will discuss the case of General Pervaiz Musharraf and the conditions of the theory will be applied to identify why he went unpunished. In chapter five the study will be concluded and research findings will be shared.

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<sup>21</sup> Ishtiaq Ahmed, Pakistan: A Garrison State, 10.

<sup>22</sup> Ishtiaq Ahmed, Pakistan: A Garrison State, 13.

<sup>23</sup> Ishtiaq Ahmed, Pakistan: A Garrison State, 20.

## **Methodology**

The study is a qualitative content analysis as the study focuses on the concept of punishment in the civil military relations of Pakistan. This research will be based on primary and secondary data sources. Researcher will analyze the Primary data through interviews while secondary sources in this study will be examined through the analysis of books, editorials of newspapers and journal articles. Content of the leading Pakistani newspapers and journals will be analyzed for this study comprising of two political eras, (from 1996-1999). The reason for the selection of the newspapers and books will be the relevancy in this case study. All the newspapers have a strong reputation covering almost all of the major and important issues of the world and global affairs. The logic for the selection of the time frame is that the issue of the study remained dominant and highlighted in the Pakistaninewspapers almost constantly throughout the time of the research study. Content analysis will be used to study the case qualitatively. The researcher will examine whether civilians were able to punish military officers for disobedience or the military is so powerful and civilians are weak and cannot punish military officers. Researcher will focus on the two tenures of General Jehangir Karamat and General Pervaiz Musharraf starting from 1996 till 1999. The study comprises of the content of three years of military leadership. The study will focus on how these two cases can be compared in the contest on punishment given to the top military leadership by the civilian leadership for shirking. It will be examined while studying these two cases if shirking has occurred or not and whether the civilian principals were able to punish the shirking officers.

## **Limitations in the Study**

Discussing civil military relations in Pakistan is not easy. As it is a sensitive topic people were reluctant in giving interviews. Some who were willing to give an interview asked to maintain anonymity. Moreover, the relevant literature is missing. While studying the case of General Jehangir Karamat I faced a lot of difficulty as there was no data available other than that available in form of newspaper articles and news. The

intelligentsia has not produced concrete studies on this topic therefore a lot of difficulty was faced to gather relevant data.

# CHAPTER ONE

## PUNISHMENT THEORY AND CIVIL MILITARY RELATIONS IN PAKISTAN

### Conceptual Understanding

This study will apply the theoretical model of the civil military punishment given by Danial Bessner and Eric Lorber. This theory has tried to answer the question that was left unanswered in the agency theory proposed by Peter D. Feaver. According to Feaver, theorists of civil military relation mostly focus on how military punishes its people within the institution rather than how and when can civilians punish military men of disobeying orders. Feaver argues that punishment is rarely discussed in the theoretical literature on civil-military relations as a relevant tool in enforcing discipline across the civil military divide.<sup>24</sup> Feaver uses the Principal-Agent Framework for understanding civil military relations.

The basic question according to Feaver is what causes military to obey or disobey civilian orders. The main argument of Feaver's agency theory is that civil military theorists must focus on the dynamics of punishment to better understand the dynamics of military shirking.<sup>25</sup> But Feaver is not certain about whether or not civilian principal will punish a shirking officer or under what conditions will civilian principal punish a shirking officer. Feaver has given a broad definition of "working" and "shirking"<sup>26</sup>. He defines working as "doing thing the way the civilians wants", and "shirking" as "doing things the way those in the military wants." He further suggests that shirking is of two types: functional shirking and relational shirking. A military officer commits functional

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<sup>24</sup> Peter D. Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations", *Armed Forces & Society* (1998): 407-433.

<sup>25</sup> Peter D. Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations", 420.

<sup>26</sup> Peter D. Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations", 423.

shirk if he or she is not doing what the civilians have asked him or her to do or if he or she is working to his or full capacity to achieve a civilian goal or if the officer is not competent to achieve that goal. And the officer is involved in relational shirk if the military officer is making policy by him or herself and the officer decides what policy the civilians will make and what policy military will formulate. Relational shirking also includes those activities of the military officer that undermine civilian supremacy in the long run even if those activities are fulfilling the civilian functional. This uncertainty about whether civilians will decide to punish shirking officers is removed by Danial Bessner and Eric Lorber in their “Theory of civil military punishment”. Bessner and Lorber have focused their attention on how and when civilians can punish military men. Bessner and Lorber, defines punishment as a significant disciplinary response to a military leader shirking<sup>27</sup>.

This response includes removal of a military leader from his or her command position, an offer of resignation before his or her official term ends, or quick retirement after removal from a particular. Their analysis indicates that there are two factors linked two civil-military punishment. First is the importance of the issue at stake decides whether the civilian principal punish the shirking officer is to be punished. If the issue is not of importance and it does not undermine the civilian principal’s authority and if the issue does not compromise his or her political standing then the chances of punishment are dim. Second factor is whether or not the civilian has the support of military to punish the shirking officer. If the military supports civilian and consider that the shirking officer should be punished than there is greater chance that the shirking officer will be punished, on the other hand if military is not supporting civilian’s then there are very little chance that the shirking officer will be punished as institutional support is important for punishing a shirking officer.

They have tried to address the issue that under what conditions will civilian principals punish military leaders for shirking. To support their argument the authors

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<sup>27</sup> Danial Bessner and Eric Lorber, “Towards a Theory of Civil Military Relations”, *Armed Forces & Society* 38, no.3(2012): 649-668.



have examined two cases of military shirking. First case is of Douglas MacArthur's insubordination under Harry Truman during the Korean War and the second is Colin Powell's deliberate sabotage of Bill Clinton's plan to allow homosexuals to serve openly in the military in late 1992 and early 1993. In the first case General Douglas was punished by the civilian principal because the military institution supported civilian principal and if he was not punished it would have undermined civilian supremacy. In the case of General Colin Powell, he went unpunished because he had institutional support and public also supported his stance, further his actions did not undermined civilian supremacy.<sup>28</sup>

### **Application of the Model on Pakistan**

In this study, the theory will be applied on the cases of General Jehangir Karamat and General Pervaiz Musharraf. It will be analyzed that can the punishment model be applied in both these cases. The conditions put forward by Danial Bessner and Eric Lorber in the theory will be tested in both these cases. General Jehangir Karamat resigned after a speech at the Naval War College in his speech he advised the government to form a National Security Council that will advise the government on issues related to national security, foreign policy and economics. The General asked the government to create a forum that had no constitutional backing and was interfering in policy making which was not his domain thus a few days after his speech he resigned. It will be analyzed why he resigned and whether the conditions put forward by the theory were fulfilled. Whether the military supported the civilian principal to punish the shirking officer or not? The second condition of importance of the issue at stake as it will decide if the shirking officer will be punished or not. It will be analyzed if General Karamat had committed shirking and his resignation from the post of army chief can be considered as punishment after checking that the two conditions of military support to punish the shirking officer and the importance of the issue at stake if punishing the shirking will be of any political advantage.

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<sup>28</sup> Bessner and Lorber, "Towards a Theory of Civil Military Relations", 664.

Similarly, the case of General Pervaiz Musharraf will be analyzed under the lens of the punishment theory. The concept of shirking will be applied on the actions taken by General Musharraf and it will be identified if he had committed shirking. If it is established that he had done shirking then the conditions of the theory for punishing a shirking will be applied and checked that whether these conditions were fulfilled or not.

## **CHAPTER TWO**

### **HISTORY OF CIVIL MILITARY RELATIONS IN PAKISTAN**

This chapter seeks to explain the history of civil military relations in Pakistan. It will discuss how military became so powerful and what role did the politicians played in it. Moreover, it will discuss the history of military takeovers in Pakistan starting from the failed coup attempt made by Major General Akbar Khan in 1951. Afterwards, the reasons given by the military dictators for the takeovers and how they were forced to leave power will be discussed in order to get an understanding of how military find the weaknesses in the political system and exploit these weaknesses.

#### **Background**

Attempts by the military to grab power started quite early in the history of Pakistan. The civilian setup was weak; there were multiple issues that hampered the progress of the young country. Some of the issues faced by Pakistan at that early stage included the formulation of a constitution; parties could not reach a consensus on a constitution, the distribution of powers between the provinces and the federal government. Parties representing East Pakistan demanding greater powers for the provinces whereas the Muslim League wanted that power should be concentrated with the central government for the smooth running of the country. The division of seats in the national legislature was another thorny issue.

Then there was the issue of national language as there was a demand by the representatives of East Pakistan that Bengali should be the national language of Pakistan against the demand of Urdu by politicians representing West Pakistan. It took eight years to form a constitution and during these eight years the country was run on an ad hoc basis through the “Government of India Act 1935”, which was amended where required. Moreover, from 1947 to 1958 till the imposition of the first martial law by General Ayub Khan Pakistan was governed by four heads of state and seven prime ministers. There was no continuity in the political process prime ministers were appointed and removed on the

basis of personal liking and disliking. During all this time the military as an institution was gaining strength and was emerging as a disciplined organization, working to safeguard the country from external threats particularly the threat from India.

### **Failed Coup Attempt of 1951**

The military was closely watching the political turmoil faced by the country. People in the military were not happy with how the affairs of the country were being handled by the political leadership. Frustration within the military grew and the civilian leadership was looked over with contempt for not being able to steer the country out of the turmoil. Some officer of the military started to discuss ideas in their informal gatherings about how the country can be brought out of this worrisome situation. Based on the reservation of the military officers a coup attempt was made as early as 1951. Led by Major General Akbar Khan along with a dozen veterans of the Kashmir war, supported by some civilians, notably Faiz Ahmed Faiz: a poet and editor of the Pakistan Times, and Sajjad Zaheer, “secretary general of the Communist Party Of Pakistan”.<sup>29</sup> Major General Akbar Khan was part of the team that advocated the use of tribal militia to capture Kashmir. At that time General Akbar Khan was serving as a colonel in the Pakistan army and was the director of weapons and equipment at the army headquarters.<sup>30</sup>

He actively participated in the planning and implementation of the operation. Tribal militia entered Kashmir in September 1947 and initially captured sizable area but Pakistan could not capture the whole of state of Kashmir as the maharaja of Kashmir got Indian support and signed the instrument of accession to India. And Indian forces entered Kashmir on October 26, 1947 to stop Pakistani forces from capturing the Srinagar airport. The fighting continued for nine months and then both sides agreed to a UN brokered cease-fire on January 1, 1949. Many officers of the military including Akbar Khan saw

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<sup>29</sup> Aqil Shah, *The Army and Democracy: Military and politics in Pakistan* (Harvard: Harvard University Press, 2014), 43.

<sup>30</sup> Akbar Khan, *Raiders in Kashmir* (Lahore: Jang, 1992), 22-24.

the acceptance of the cease-fire that left the Kashmir valley under Indian control as a national surrender and that the army was robbed of a potential victory.<sup>31</sup> This grievance provided a motivational trigger for the coup attempt of 1951.<sup>32</sup> The plot was foiled with the help of a “North-West Frontier Province Criminal Investigation Department” inspector in 1951 the conspirators were put on trial and found guilty of sedation and waging war against the state and were punished by a special tribunal. The punishment included dismissal from military service and prison sentences ranging from a minimum of four years to a maximum of twelve years for Akbar Khan.<sup>33</sup> This coup attempt failed because there was no institutional support for it as the military high command was not aware of it. The civilian leadership was able to fend off the coup attempt and punish the culprit because the military high command including army chief Ayub Khan, supported civilians and supported the notion that the military officers and civilians involved has committed a serious crime.<sup>34</sup> This point endorses the punishment theory argument that if civilians have the institutional support of military then shirking officers can be punished.

### **Martial Law of 1958**

Subsequently in 1952-53, military cynicism about ineptness of civilians grew to the extent that army began to openly take part in non-military issues through the instrument of “aid in civil power”.<sup>35</sup> This was mainly due to political instability as discussed above as till 1956 Pakistan could not get a constitution and was being run through the Government of India Act 1935 with some amendments and the Independence act of 1947. Ayub Khan and his general staff held politicians in contempt for their lack of dedication to Pakistan and considered that politicians were more interested in securing their own interest rather than working for resolving the problems faced by

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<sup>31</sup> Fazal Muqueen Khan, *The story of the Pakistan Army* (Karachi: Oxford University Press, 1963), 115-119.

<sup>32</sup> Muhammad Ayub Khan, *Friends Not Masters: A political Autobiography* (Oxford: Oxford University Press, 1967), 54-55.

<sup>33</sup> *Dawn* (Karachi), April 17, 1951.

<sup>34</sup> Ayub Khan, *Friends Not Masters*, 54.

<sup>35</sup> Aqil Shah, *The Army and Democracy*, 67.

Pakistan.<sup>36</sup> Political leadership was not able to hold the country together; both East and West Pakistan were poles apart on many issues including constitution framing, the national language issue and provincial autonomy. East Pakistan wanted maximum provincial autonomy and desired Pakistan to be a confederation. While political, bureaucratic and military elite in West Pakistan on the other hand wanted a strong central government that would help to keep the country united.<sup>37</sup> Military became active and started playing a role in the political issues of Pakistan as they considered civilians to be unfit to resolve the outstanding issues faced by Pakistan. In January and April 1957, senior officers of the military repeatedly recommended drastic action to Ayub Khan on several occasions to reverse the country's rapid drift towards chaos.<sup>38</sup>

In November of that year the ministry of defense reported to the cabinet discontent stemming from the general feeling in the ranks that political instability was slowing the pace of progress in the country and preventing the resolution of fundamental national problems like Kashmir, canal waters, and inflation.<sup>39</sup> And in October 1958, General Ayub Khan imposed martial law citing economic and political instability and law and order situation. General Ayub Khan later noted: "The army could not remain unaffected by the conditions around it. Nor was it inconceivable that officers and men would not react to all the political chicanery, intrigue, corruption and inefficiency manifest in every sphere of life. They had their relatives. They read newspapers." <sup>40</sup>

Ayub Khan detested politicians from both the left and the right. His government came down hard on political parties and the Jamat-i-Islami party was banned though the courts overturned the ban. Leftists accused the government of encouraging crony capitalism, exploitation of workers and suppression of ethnic nationalism of Sindhis,

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<sup>36</sup> Fazal Muqueen Khan, *The story of the Pakistan Army*, 149-150.

<sup>37</sup> Aqil Shah, *The Army and Democracy*, 72.

<sup>38</sup> Fazal Muqueen Khan, *The story of the Pakistan Army*, 190.

<sup>39</sup> Sher Ali Pataudi, *The Story of Soldiering and Politics in India and Pakistan* (Lahore: Wajid Ali, 1978), 120.

<sup>40</sup> Ayub Khan, *Friends Not Masters*, 75.

Pakhtun and Baloch, Bengalis, and removing the Urdu speaking Mohajirs from important government and state positions. The religious right accused the government of steering Pakistan towards secularism and undermining “Pakistan’s Islamic culture and traditions”. Ayub’s popularity began to decrease in the 1960’s and in the second half of 1960’s, resentment against Ayub government had reached its peak. One reason that contributed to the downfall of Ayub Khan was the deteriorating economic situation of the country as after the 1965 war, the country’s resources were drained and there was an economic slow down. East Pakistan felt alienated due to the systematic denial of economic, administrative and political power.

In West Pakistan, there was a lack of meaningful political institutions for political participation, uneven economic development as according to Mahbub-ul-Haq the chief economist of the Planning Commission, two-third of the country’s industrial assets, 79 percent of insurance and 80 percent of banking were controlled by twenty-two families, further the use of coercive means to suppress collective claims against the state, and the denial of autonomy to smaller provinces through the one unit system, created frustration in the smaller ethnic groups as well as the urban middle class.<sup>41</sup>

However by 1969, violent opposition demonstrations and countrywide protests had crippled Ayub’s authority. As in East Pakistan, the Bengali nationalists’ movement led by Awami League gathered pace, in West Pakistan the government suddenly faced students movement in October 1968, when the National Student Federation (NSF) gate-crashed a government ceremony being held at Lahore Fortress Stadium to celebrate the government’s “Decade of Progress”. Then in November 1968, the situation became tense when police killed three protestors during a left wing student rally held at Rawalpindi. In late 1968, protest movement against Ayub Khan spread throughout the country as earlier it was confined to big cities including Lahore, Karachi, Peshawar and Rawalpindi. Whereas, in East Pakistan, the Awami League and other Bengali nationalist groups started demanding complete autonomy for East Pakistan. Moreover, by early 1969 the

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<sup>41</sup> Mahbub ul Haq, “The System Is to Blame for the 22 Wealthy Families,” (Times London), March 22, 1973.

movement against Ayub Khan was joined by the peasant committees. Ayub Khan made his last attempt to bring political stability and summoned a round table conference of all political leaders to work out a constitutional settlement but did not succeed. Ayub was left with no choice but to concede publicly that the “situation is no longer under the control of the government.”<sup>42</sup>

It was in March 1969 when a group of senior military officers advised Ayub Khan to step down, fearing that a full-scale civil war can erupt in East Pakistan and social and political anarchy in the country’s west wing. Thus Ayub Khan decided to hang his boots. But instead of transferring power to the speaker of National Assembly who at that time happened to be Abdul Jabbar Khan (a Bengali) as was mentioned in the 1962 constitution, Ayub Khan handed it over to the armed forces. The military high command under the leadership of General Yahya Khan reasserted itself and formally recaptured the state, a clear indication of an institutional consensus on the necessity of maintaining military control over the state. Ayub Khan had to relinquish his power because he was no more supported by the military as an institution. His leaving the government can be considered as punishment in a way that even though his government was unconstitutional but when he lost the support of his institution he had to step down. Thus the postulate the punishment theory of military institutional support for punishing a shirking officer can be considered to have been fulfilled.

### **General Zia’s Martial Law**

The coup exercise continued when again in 1977 a democratically elected government of Zulfikar Ali Bhutto was removed from power by the then army chief General Zia ul Haq again citing political instability and deteriorating economic conditions of the country. A political crisis had engulfed the country in 1977 after parliamentary election held on March 7, 1977. Bhutto had called for early elections in

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<sup>42</sup> Lawrence Ziring, *The Ayub Khan Era: Politics in Pakistan 1958-1969* (Syracuse University Press, 1971), 109.



1977 as he was confident that his government's overall good economic performance would help him win the elections comfortably.

The People's party won an absolute majority, 155 of the 200 National Assembly seats and the "Pakistan National Alliance" (PNA) an alliance of opposition parties could win only 36 seats<sup>43</sup>. The opposition did not accept the result and announced to boycott the provincial assemblies' elections and demanded that Bhutto should resign and a caretaker setup be setup that will hold fresh elections under the supervision of the army. Though Bhutto refused to accept the demand of the opposition to resign but he invited the opposition to a dialogue. The opposition was not satisfied and staged a nationwide strike on March 11. The strike was a success and it emboldened the opposition and protest against the government started in various cities. Opposition tried to pressurize the government and incite the military to remove the government from power and hold new elections.<sup>44</sup>

Further, by mid-April 1977, the death toll from the violence had reached over 200, with many more injured. The government not being able to deal with the law and order situation sought the assistance from army under the "aid in civil power" provision. General Zia wanted assurance from the government that it would be given complete autonomy and control over its operations. Bhutto agreed and for this purpose the constitution was amended to authorize a constitutional martial law.<sup>45</sup> On April 21, curfews were imposed in Karachi, Lahore and Hyderabad Lahore and were placed under the army jurisdiction.<sup>46</sup> On June 3, talks between the opposition and government began; these talks were brokered by the Saudis.<sup>47</sup> On June 5, the government and opposition

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<sup>43</sup> Marvin G. Weinbaum, "The March 1977 Elections in Pakistan: Where Everyone Lost," *Asian Survey* 17, no. 7 (July 1977): 606.

<sup>44</sup> Ian Talbot, *Pakistan: A Modern History* (London: Hurst, 2005), 240-241.

<sup>45</sup> Maulana Kausar Niazi, "Zulfiqar Ali Bhutto: The Last Days" (Delhi: Vikas, 1992), 84–86.

<sup>46</sup> "Martial Law Imposed: Karachi, Hyderabad, Lahore under Curfew," *Pakistan Times*, April 24, 1977.

<sup>47</sup> "PNA Central Leaders Freed: Both Sides Agree to Suspend Processions and Rallies," *Pakistan Times*, June 4, 1977.

reached an agreement.<sup>48</sup> However, before the agreement could be signed, as on July 5, 1997 martial law was imposed by the army under the command of General Zia overthrowing the PPP government. General Zia blamed the government and the opposition for failing to reach a settlement and argued that “their deadlock would throw the country into serious chaos and crisis”. That risk could not be taken in view of the larger interest of the country. The Army, therefore, had to act. General Zai further said that “his sole aim was to organize free and fair elections which would be held in October this year.”<sup>49</sup>

He not only ceased control of government but also hanged Bhutto on a dubious murder charges two years later.<sup>50</sup> The military at that time again cited political instability as the main opposition “Pakistan National Alliance” (PNA) did not accepted the election’s result held on March 7, 1977 and started protest against the government. General Zia at the time of taking over power stated the army will hold free and fair elections in ninety day and transfer power to the democratically elected government. According to Aqil Shah, the core reason for military intervention was that Bhutto tried to balance military power and bring it under civilian control.<sup>51</sup> Bhutto created a new civilian force known as Federal Security Force (FSF), that was to serve as a first class reserve force that was to help police in keeping order and FSF would reduce the government dependence on military and prevent its involvement in civil administration.<sup>52</sup> The military feared that it will lose it status and its influence with the government, the creation of “Federal Security Force” also increased the military motivation to intervene.<sup>53</sup> And the

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<sup>48</sup> “Government and Opposition Conclude Agreement,” *Pakistan Times*, June 16, 1977.

<sup>49</sup> General ZiaulHaq, speech, July 5, 1977, [http:// www .youtube .com /watch ?v=pJIFbJX -cY8 & feature=related](http://www.youtube.com/watch?v=pJIFbJX-cY8&feature=related) (accessed December 7, 2019).

<sup>50</sup> Benazir Bhutto, *Daughter of the East* (UK: Simon & Schuster, 1988), 188.

<sup>51</sup> Aqil Shah, *The Army and Democracy*, 130-131.

<sup>52</sup> Aqil Shah, *The Army and Democracy*, 130-131.

<sup>53</sup> Saeed Shafqat, *Civil-Military Relations: From Zulfikar Ali Bhutto to Benazir Bhutto* (Westview Press, 1997), 180-181.

military disbanded the organization immediately after the 1977 coup.<sup>54</sup> This removal of civilian government by the military is another act of military disobedience that severely affected the authority of civilians. General Zia's government ended when he died in a plane crashed on 17<sup>th</sup> august 1988.

### **Civil-Military Relations During 1990's**

After the demise of General Zia, a new era started in Pakistan. Democracy returned to Pakistan, elections were held and "Pakistan People Party" (PPP) under Benazir Bhutto's leadership formed government. But her government was prematurely removed from power in 1990 by then president Ghulam Ishaq Khan, using his powers under the 8<sup>th</sup> amendment. Again elections were held and Nawaz Sharif of the Islami Jamhuri Ittehad (IJI) came to power. The "Islami Jamhuri Ittehad" IJI was an alliance of right wing parties brokered by the ISI to rival PPP<sup>55</sup>, but he could also not complete his term as his government was removed from power by the same president "Ghulam Ishaq Khan". Again in 1993 and 1996 both Benazir and Nawaz Sharif became the Prime Ministers respectively but their relations with the military top commanders were not cordial and as a result they faced difficulty governing the country.<sup>56</sup>

After General Zia there came three army chiefs including General Aslam Beg, General Asif Nawaz, and General Abdul Waheed Kakar and during these times one way or the other military remained involved in internal affairs. Formation of IJI, Karachi operation in 90's and General Waheed Kakar's involvement in the struggle for power between the then President Ishaq Khan and Nawaz Sharif, and asked both of them to resign from their offices. Military never let its grip on power go lose and actively influenced the government of time. The coup exercise continued even further when General Pervaiz imposed martial law in October 1999. This phase of military takeover will be discussed in detail in Chapter 4.

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<sup>54</sup> Hasan Askari Rizvi, *Military, State and Society in Pakistan* (Lahore: Sang-e-Meel, 2003), 146.

<sup>55</sup> "Hamid Gul admits he had role in IJI formation," *Daily Times* (Lahore), January 5, 2010.

<sup>56</sup> Hasan Askari Rizvi, *Military, State and Society in Pakistan*, 198.

## CHAPTER THREE

### GENERAL KARAMAT: A CASE OF RELATIONAL SHIRKING

This chapter seeks to explain the case of General Jehangir Karamat. It will discuss General Karamat's early years in army and how he became the "Chief of Army Staff" and the events that led to his resignation from the post of "Chief of Army Staff". Once the reasons that led to the resignation are identified then it will be analyzed that whether General Karamat's can be considered as punishment or not. The conditions identified by Eric Lobber and Danial Bessner in the Punishment theory will be implemented to suggest if his resignation can be considered as punishment or not.

#### General Karamat's Military Career

General Jehangir Karamat was the thirteenth Chief of Army Staff of Pakistan. He joined Pakistan Army in 1958, when he entered Pakistan Military Academy at Kakul. He passed out from Kakul Academy in 1961 and was posted as a 2<sup>nd</sup> Lieutenant in the 13<sup>th</sup> Lancers of the Corps of Armoured.<sup>57</sup>

In the 1965 war, the then lieutenant Karamat commanded an infantry platoon in the Akhnur Sector in the Indian Held Kashmir. His platoon was the first that penetrated 37 km (23 miles) into the enemy territory and made way for backup forces to enter the enemy territory. Due to their bravery the 13<sup>th</sup> Lancers was awarded the battle honour, Dewa – Chumb and Jaurian of 1965.<sup>58</sup> In 1966 he was promoted to the rank of Captain. Afterwards, in 1969 he attended the Command and Staff College at Quetta. Captain Karamat at every level of his course at the staff college was noted for his intellect and competence. Subsequently, in 1971 he was promoted to the rank to Major and was the commanding a company of the Armoured Corps on the western front, defending the

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<sup>57</sup> "GENERAL JEANGIR KARAMAT." <https://www.pakarmymuseum.com/exhibits/general-jehangir-karamat-2/>

<sup>58</sup> "Battle of Barapind-Jarwal 16 Dec 1971." <http://www.defencejournal.com/oct99/barapind.htm>

territories of Punjab against the approaching Indian Army.<sup>59</sup> Major Karamat was the commanding officer of the 15<sup>th</sup> lancers attached with the Baloch Regiment that was fighting alongside the 13<sup>th</sup> Lancers in the Shakargarh area of the Sialkot area which is now remembered as the Battle of Barapind. Baloch Regiment was awarded the battle honour of Bara pind 1971. After the war major Karamat was among the last few officers sent to the United States to study at the U.S. Army's Command and Staff College at Fort Leavenworth in Kansas.

Afterwards, in 1979-80, by then a Lt-Colonel, he was posted at the Armed Forces War College in the National Defence University as an instructor on courses of war studies. In 1981-83, Col. Karamat was posted at the Air War College.<sup>60</sup> Further, from 1983-88 as a brigadier, he was appointed as officer commanding of the Pakistan Armed Forces – Middle East Command, commanding the joint armed branches in the Kingdom of Saudi Arabia. Upon his return from Saudi Arabia in 1988, he was promoted to the rank of Major General and was posted at GHQ where he served as the Director General of the Directorate – General of the Military Operations (DGMO). Afterwards, in 1991 major general Karamat was appointed as DG Rangers Sindh but his appointment was for a short period of time. In 1992 he was appointed as “Corps Commander” of the II Strike Corps stationed at Multan after being promoted to the rank of Lieutenant General. In 1994, Lt – Gen Karamat was appointed as the Chief of General Staff (CGS) at the army headquarters under the then COAS General Waheed Kakar.<sup>61</sup>

### **Role of Lt. General Karamat in subverting the 1995 coup attempt**

Subsequently in 1995, general Karamat rose to prominence at the national level when he had the Military Intelligence to infiltrate within the army to apprehend the rogue

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<sup>59</sup> Hakeem Arshad Qureshi, *The 1971 Indo-Pak War: A Soldier's Narrative* (Oxford University Press, 2013)

<sup>60</sup> “GENERAL JEHangir KARAMAT.” <https://www.pakarmymuseum.com/exhibits/general-jehangir-karamat-2/>

<sup>61</sup> Agha Humayun, *India Pakistan Wars-1947 to 1971-A Strategic and Operational Analysis*. (London: Strategicus and Tacticus, 2010). 723.

culprits for attempting a coup d'état. General Karamat ordered DGMI Major General Ali Kuli Khan to monitor the activities of Major – General Zaheer ul Islam Abbasi, who himself was posted at the GHQ as Director General of Infantry Corps.<sup>62</sup> MI tapped the conversations and tracked down the officers involved in it.<sup>63</sup> Lt-General forwarded the case to the army chief and helped the high ranking joint Judge Advocate General Branch court hearings at the specified military court led by a Vice – Admiral. Those found guilty included Major General Zaheerul Islam Abbasi, Brigadier Mustansir Billa and Qari Saifullah whereas Qari saifullah turned an approver, Major General Zaheerul Islam was awarded a prison sentence of seven years, Brigadier Mustansir Billa of fourteen years.<sup>64</sup> General Karamat's actions were widely appreciated and for his efforts, General Karamat was conferred with national honours in both public and state gatherings.<sup>65</sup>

### **Appointment as Army chief**

After the retirement of General Kakar on January 12 1996, Lt General Karamat was the senior most Lt General and the then Prime Minister Benazir Bhutto elevated him as the “Chief of Army Staff”. General Karamat was considered as a very professional soldier, who had no interest in politics. He openly supported democracy even when the economy of Pakistan was in deep crises as religious and ethnic problems swept the commercial capital of Pakistan i.e. Karachi. Subsequently, he was appointed as the acting Chairman, “Joint Chiefs of Staff Committee” on November 9, 1997. Till his retirement General Karamat held two highest positions of the armed forces i.e. “Chief of Army Staff” and the “Chairman Joints Chief of Staff Committee”.

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<sup>62</sup> Amin Mir, *The Bhutto Murder Trail: from Waziristan to GHQ* (Westland Books Pvt Ltd, 2011).

<sup>63</sup> Ibid.

<sup>64</sup> “GENERAL JEhangir KARAMAT.” <https://www.pakarmymuseum.com/exhibits/general-jehangir-karamat-2/>

<sup>65</sup> Mazhar Aziz, *Military Control in Pakistan: A parallel State* (Routledge, 2007)

## **Tracing the Factor of General Jehangir Karamat Early Retirement**

### **Demand of a National Security Council**

Civil Military relations became tense after General Karamat discussed the economic and political situation of the country while delivering a speech at the Naval War College at Lahore on 5<sup>th</sup> October 1998. He said that “there is a permanent election campaign environment” and argued that “the country could not afford the destabilizing effects of polarization, vendettas and insecurity- driven expedient policies”.<sup>66</sup> General Karamat during the address further discussed various aspects of security including regional and national and matters of professional concerns. In the Q&A session responding to questions from the attending officers General Karamat said that “our internal security is the most significant aspect of national security in the current geo-strategic environment”. He argued we cannot afford the destabilising effects of polarisation, vendettas and insecurity driven expedient policies unlike countries with economic potential.<sup>67</sup>

The General further added that he had “repeatedly stressed the need of the hour was to focus totally on the economy, the internal situation, particularly Sind, the sectarian aspect, the fears of the smaller provinces and finally the external linkages with China, Iran, Afghanistan, India and the United States”.<sup>68</sup> Further he stated that “the political mandate of the current government should be translated into institutional strength and this could be done by establishing a structurally tiered system with clear mandate at each level or we would remain in a permanent election campaign environment in the country”. He suggested a National Security Council or Committee at the top would be an institutionalise decision making body and it will be supported by a team of “credible

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<sup>66</sup> Shah, *The Army and Democracy*, 177

<sup>67</sup> “General Jehangir Karamat.”, <http://www.defencejournal.com/nov98/genjehangir.htm>

<sup>68</sup> *ibid*

advisors and a think tank of experts”.<sup>69</sup> The other tiers according to him would be at the Joint Staff, ministry and services level.

He argued that there should be a “neutral, competent and secure (in context of service) bureaucracy and administration at the federal and provincial levels”.<sup>70</sup> General Karamat while talking about the need for “strengthening the national institutions” argued that “institutions should be strengthened through professional leaderships and autonomy with emphasis on results”. He further added that “these steps would further create an environment in which response evolution would be on the basis of coordinated and collated input with assertions of state power to establish the rule of law and good governance.”<sup>71</sup>

While replying to a question General Karamat said that he had never minced words on issues of national importance and the political leadership he had worked during the last three years and his own institution i.e. the army knew this.<sup>72</sup> He further said that “he had been resisting pressures regarding interference in political affairs and had been providing unequivocal professional support and advice in what he considered to be the best interest of the country and the military and that he would continue doing so till his retirement in January 1999 Insha“Allah”.<sup>73</sup> The General’s speech reflected an institutional consensus that was carried over from General Zia’s era, which was that the army should have a formal role in the policy making to ensure stability and balance. In this case, the army was concerned about the damaging effects of Prime Minister Sharif’s majority government, including the decline of the economy, growing law and order situation and the government’s alleged corruption.<sup>74</sup>

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<sup>69</sup> ibid

<sup>70</sup> ibid

<sup>71</sup> Ibid

<sup>72</sup> “GENERAL JEhangir KARAMAT.” <https://www.pakarmymuseum.com/exhibits/general-jehangir-karamat-2/>

<sup>73</sup> ibid

<sup>74</sup> ibid



### **Formation of National Security Council: A discord**

President Farooq Leghari removed Benazir Bhutto's government in 1996 on charges of nepotism, corruption, and economic mismanagement. He made his decision after the military high ups informed him about the growing unrest in the military ranks and files over the government's performance and corruption evidence involving Bhutto's spouse, Asif Ali Zardari. In a coup like scenario army troops surrounded all major airports and the prime minister's house, parliament, and radio and television stations in all key cities.<sup>75</sup>

An army vetted interim cabinet was appointed by president Laghari to hold elections and pursue corruption allegations against Asif Ali Zardari and Benazir Bhutto. Election laws were amended by the government to disqualify politicians who had unpaid electricity bills or had defaulted on bank loans; these amendments largely targeted the candidates of PML and PPP.<sup>76</sup> Moreover by 1996 the musical chair of government between the two political parties had confirmed the military's doubts that the political leadership was not capable to govern and tackle difficult reforms required.<sup>77</sup> The army at that time wanted to postpone the elections to give the authorities more time for holding the corrupt accountable. President Laghari claimed that there was public support for the "extension of the caretaker government for two years to allow time for reforms and accountability". But he held elections on time in accordance with the constitution. Moreover, a month before elections, president Laghari set up the "Council for Defense and National Security" upon the demand of the military. The council was to be headed by the president and would include high level officials from both military and the civil government.<sup>78</sup>

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<sup>75</sup> Kamran Khan, "Bhutto out as Premier in Pakistan; President Charges Corruption, Dissolves National Assembly," *Washington Post*, November 5, 1996.

<sup>76</sup> Ibid.

<sup>77</sup> Shah, *The Army and Democracy*, 177

<sup>78</sup> Hasan Askari Rizvi, "National Security Council: A Comparative Study of Pakistan and other Selected Countries" (background paper, Pakistan Institute for Legislative Development and Transparency, August 2005), 14.

The council was a „supra-constitutional“ entity that gave a formal role to the military in decision making at the highest level so it could normalize national affairs. However, Nawaz Sharif’s party „PML-N“ won a two-third parliamentary majority in the February 1997 elections. And the council was abolished.<sup>79</sup> Prime Minister Sharif’s government had two third majority the government moved to restructure the state power, the president’s power to dissolve the parliament. The PPP also supported the government in repealing Article 58(2)(b) of the constitution through the thirteenth amendment in April 1997. Through the thirteenth amendment the president’s constitutional coup prerogatives and reinstating prime ministerial “control over the appointment of provincial governors, the services chiefs and the approval of appointment of superior-court judges”.<sup>80</sup> Due to the instability inherent in this constrained democracy, PM Sharif and Leghari were soon embroiled in a power struggle.

#### **National Security Council: Approval by Armed Forces**

A meeting was held last week in Rawalpindi which was attended by the three services Chiefs and the corps commanders. There were extensive deliberations in this meeting and the military leadership expressed serious concern over the economic situation of the country along with discussing various other issues.<sup>81</sup> With the army chief suggesting to setup a National Security Council, the military seems to have gone back to the solution of problems faced by Pakistan as was envisaged in February 1997 which was the establishment of a „National Security Council“. Moreover there was a debate in the country about devising a formula to keep the legislature and the executive within the frame of national security and stability. And there were people in the political circles who were in favor of giving the army a “permanent and constitutional role in the decision making process”.<sup>82</sup>

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<sup>79</sup> Ibid.

<sup>80</sup> Shah, The Army and Democracy.

<sup>81</sup> Daily The News, 6<sup>th</sup> October.

<sup>82</sup> Daily The News, 6<sup>th</sup> October 1998.

The National Security Council has always been considered a good idea by military to resolve the issues faced by Pakistan. During the interim setup when the „Council for Defense and National Security“ (CDNS) was constituted its role was only of an advisory body and its advice was not binding on the government.<sup>83</sup> Its function included the formulation of the defense policy according to the „national strategic objectives“, securing of assessment and plans for the fulfillment of the country’s defense policy, coordination of defense policy with domestic and external policies and definition of the various tasks of the armed forces in accordance with the national strategy.

If General Karamat unlike his predecessors had not been so careful to avoid political statements in the past his address at the „Pakistan Navy War College“ would not have been considered a cause of concern by the government of Nawaz Sharif. However, the return of this particular proposal can also be described as an institutionalized view for the military, as well as a plan for a tool to avoid something which General Karamat has dedicated his tenure to, the direct intervention of the armed forces in politics. The Chief of Army Staff’s remarks appear to be more of a warning rather than a demand.<sup>84</sup>

It was reported that the General’s „National Security Council“ (NSC) proposal was not necessarily a demand for military intrusion into the civilian realm, as is the Turkish model or as suspected, of previous such proposals (of 1997). His condition, that it be backed by a team of credible advisers and a „think tank‘ of specialists, is a clear reference to the USA’s NSC, which plays a vital part in crisis management, which suggests the chief executive on the basis of input collected from advisers and experts who work independently of, though in coordination with, the usual departmental channels.<sup>85</sup>

### **Constitutional Provisions related to the Creation of NSC**

In the 1973 Constitution there is no provision related to the creation of a National Security Council or some other procedure for the military participation in state’s policy

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<sup>83</sup> Ibid.

<sup>84</sup> Daily The Nation, 6<sup>th</sup> October 1998,

<sup>85</sup> Ibid.

making and governance. Moreover, in democratic countries the NSC is led a dominated by the political leadership. In Pakistan, this concept originated during the Zia regime. However, no such council was established. As stated above, a National Security Council was constituted by President Leghari after an interim government was setup but this council was established through a presidential decree and when Nawaz Sharif formed government after he won two third his government did not get approved the presidential decree from the parliament, and thus the council dissolved.

### **A Move towards Civilian Supremacy**

The prime minister ordered the national television and radio to delete his words from the official reports. For the first time in Pakistan's history the civilians censored the military.<sup>86</sup> Usually it is the military that sensor civilians, and not the other way around. Two days after his speech at the Naval War College, General Karamat was called by the then Prime Minister Nawaz Sharif to his office. After the meeting General Karamat resigned from the Office of the Chief of Army Staff. There were large scale speculations related to the resignation of the army chief. There were two different opinions. According to the first point of view, General Karamat was forced by the Prime Minister to resign from his post whereas according to the other view he voluntarily resigned as there was a difference of opinion between the prime minister and the army chief. According to General Karamat, he had a difference of opinion with the prime minister therefore he resigned. He further said that his suggestion was meant to help the government regain credibility and that he had offered the inherent strength of his institution to the government, the government could have evolved a methodology to interact with the army. He further argued that why do most countries of the world have a National Security Council or some such body?<sup>87</sup>

According to Brain Choughley during his interaction with General Karamat, he insisted that he was not forced to resign from his post. While responding to an email from

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<sup>86</sup> "General JehangirKaramat." <http://www.defencejournal.com/nov98/genjehangir.htm>

<sup>87</sup> Shah, The Army and Democracy, 178.

Brain, General Karamat said “there was no mystery or intrigue... My comments were blown out of all proportion by the media and exploited by people in a politically unstable environment to target the government and create an army - government rift – the start point of all our problems. [This speech] was wrongly interpreted as a „bid for power“ by the military and a criticism of the government, which it was not – it was a review of the state of affairs and the [social and political] environment for which many governments and political factions were responsible – even past military rule.”

General Karamat was furious at having to quit but he felt that he had no choice as Nawaz Sharif have undercut support of some of the generals. Thus he considered resigning as a better option for both the country and his institution. Thus it can be inferred from the above statements of General Karamat that he was not forced to resign from his post but he voluntarily resigned.

The resignation of General Karamat shifted the balance of power towards the civilians and there was unrest among the top military hierarchy about it. The generals felt vulnerable that the government might gain more ground which will damage their interest and the foreign policy of Pakistan will be steered by the civilian's and the role of military will decrease. Therefore after the appointment of General Musharraf as the “Chief of Army Staff” he made efforts to reclaim the lost space. General Musharraf's era and his coup will be discussed in the next chapter.

The reaction among the military men after the resignation of General Karamat was that he did not stand his ground. Lieutenant General Ali Kuli Khan the then “Chief of General Staff” (CGS) advised General Karamat to stand his ground and do not give in to the pressure from the prime minister.<sup>88</sup> According to one former corps commander: “This is just not done, the army is not just any other department of the government that politicians can take for a ride; all parties have to keep in mind that there has to be a

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<sup>88</sup> Shah, *The Army and Democracy*, 178.

proper balance between the civil side of government and the army or the ship of state will be in danger.”<sup>89</sup>

Others, including the former adjutant general and corps commander of Lahore, Lieutenant General Moin ud din Haider, claimed that “Sharif’s decision endangered the proper alignment of civil military relations”. On hearing that Karamat had supposedly resigned, General Musharraf claims that he was “shocked by the meek manner in which his predecessor had capitulated to the prime minister”, and that “it caused great resentment in the army, as soldiers and the officer corps alike felt humiliated.”<sup>90</sup>

According to one corps commander, Sharif’s “unwarranted” assertion of power had a “strong rallying around the army chief effect.” In fact, after Karamat’s retirement, there was a tacit consensus in the army high command that the removal of another chief would be unacceptable. As Musharraf described it, he “told them to stop brooding over the forced resignation of General Karamat and get on with our jobs. We would not allow another humiliation to befall us in case the prime minister tried something like this again.”<sup>91</sup>

It wasn't clear how deep anger ran in the military. Karamat, nicknamed the Consensus Man by fellow officers, was not acting alone when he confronted Nawaz Sharif, according to military sources. During discussion with the corps commanders, for example, they reportedly urged him to intervene. Moreover the appointment of general Musharraf as army chief even though he was a junior general may have raised restiveness inside the military. Pakistan was already technically in default on its international debts, funds for the military which swallows a large chunk of the government’s budget were slowing to a trickle. Further, the army was not happy with the interference of Nawaz Sharif inside the barracks. A year earlier, the prime minister amended the constitution

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<sup>89</sup> *ibid*

<sup>90</sup> Musharraf, *In The Line of Fire*, 84.

<sup>91</sup> *Ibid*, 86.

and the powers to appoint and remove military chiefs and judges of the top courts were transferred back to the prime minister from the president.

The speech of General Karamat aroused the passion of Pakistanis as many welcomed the concerns put forward by him as the government faced corruption allegations. There were new allegations the Sharif family in an British Sunday newspaper, The Observer, that the Prime minister and his family have stashed away more than seventy million dollars in offshore accounts and taken long-term leases on several flats in London's posh Mayfair district. The allegation was later denied by Nawaz Sharif. General Karamat won the support of almost all the opposition parties, including the ex-Prime Minister Benazir Bhutto's Pakistan People's Party.<sup>92</sup> Even senior members of Nawaz Sharif's government publically supported the military's offer and considered it the only way out from the growing turmoil that Pakistan was facing. One newspaper wrote that the crisis in Pakistan has so many dimensions that no single institution can solve this. The former military chief, mentioned, offered his help as a friend and not an enemy. Having resisted him, the besieged Prime Minister may soon find himself besieged by enemies.

### **The Case of General Karamat and Punishment Theory**

In the case of General Karamat, he tried to dictate a policy to the government as he stated in his speech to create a structurally tiered system with clear mandate at each level with a "National Security Council" at the top. The "National Security Council" would consist of the three service chiefs along with the "Chairman of the Joint Chiefs of Staff Committee" from the military and minister from the civilian government. The Council will be led by the prime minister. The council will be an institutionalised decision making body and it will be backed by a team of credible advisors and a think tank of experts.<sup>93</sup>

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<sup>92</sup> "General Jehangir Karamat." <http://www.defencejournal.com/nov98/genjehangir.htm>

<sup>93</sup> "General Jehangir Karamat.", <http://www.defencejournal.com/nov98/genjehangir.htm>

The other tiers according to him would be at the Joint Staff, ministry and services level. He argued that there should be a neutral, competent and secure (in context of service) bureaucracy and administration at the federal and provincial levels. He further argued that there is a need to strengthen the national institutions and it can be done through professional leaderships and autonomy with emphasis on results. He suggested the creation of the National Security Council in view of the bad governance in the country as the economy was in bad shape due to sanctions because of the nuclear tests and corruption. Further there was a law and order situation particularly in Karachi the commercial hub of Pakistan and Baluchistan. On the external front Pakistan was facing a hard time as the United States imposed sanctions on Pakistan because of the nuclear tests and relations with India were tense as both the countries were nuclear powers. Under these circumstances the Chief of Army Staff suggested the creation of a National Security Council that would help the government in the formulation of policy particularly the defence, foreign and economic policies. This suggestion did not go well with the government as there was no such provision in the constitution about the formulation of a National Security Council. The government was not happy with this suggestion and considered it interference in its working. Therefore the prime minister asked the army chief General Karamat to resign and he did.

General Karamat tried to influence the policy making process of the government and want that the government follow his suggestion and set up a National Security Council. This demand by the COAS can be considered as shirking if looked at in accordance with the definition of shirking given by Peter D. Feaver.<sup>94</sup> In the case of General Karamat, he committed relational shirking because he tried to dictate a policy to the government and tried to influence the decision making process of the government as he suggested to create a body that will advise or overlook the work of the government. Moreover, there was no such provision in the constitution under which such a body can be constituted. Many legal experts pointed out this fact that there is no room for such a

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<sup>94</sup> Peter D. Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations", *Armed Forces & Society* (1998): 407-433.



body within the ambit of the 1973 constitution. However, some newspaper and politicians even from the ruling party supported the creation of a national security council but legally this suggestion was not right.<sup>95</sup>

If we analyse the situation we find that shirking was done by the army chief as he tried to dictate a policy to the government. Now it was for the government to decide whether to punish the shirking officer or not. As discussed above the conditions that need to be fulfilled include importance of the issue at stake decides whether the civilian principal will punish the shirking officer. If the issue is not of importance and it does not undermine the civilian principal's authority and if the issue does not compromise his or her political standing then the chances of punishment are dim. The second condition is whether or not the civilian has the support of the military to punish the shirking officer. If the military supports civilian principal and consider that the shirking officer should be punished then there is a greater chance that the shirking officer will be punished, however if the military is not supporting the civilian's stance then there are very little chances that the shirking officer will be punished as institutional support is important for punishing a shirking officer.

In the case of General Karamat, if we analyse the first condition it is clear that by punishing the shirking officer it will increase the political standing of the prime minister. The government of the time enjoyed a two third majority in the National Assembly and interference by the military in civilian affair is a norm in Pakistan and the military had done so since the early days of the inception of Pakistan. Now that the government had two third majority and the public supported the stance of the government and the military was interfering in civil affairs therefore by punishing the shirking officer it would be a step towards civilian supremacy and would also help the ruling party politically. Whereas, the second condition about the support of the military is concerned it was not there.

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<sup>95</sup> "General Jehangir Karamat.", <http://www.defencejournal.com/nov98/genjehangir.htm>

It is clear from the statements of the military officers discussed above both serving and retired that the military felt bad about the way how the “Chief of Army Chief” was told to resign from his post. The military considered that the resignation of General Karamat shifted the balance of power towards the civilians and there was unrest among the top military hierarchy about it. They (the generals) felt vulnerable that the government might gain more ground which will damage their interest and the foreign policy of Pakistan will also be steered by the civilian government and the role of military will decrease.

The statements by the military men make it clear that the military did not support the civilian government’s decision to remove General Karamat from his post. There was a lot of resentment in the military about the decision of General Karamat’s resignation. However, the general himself considered it a better option to resign as he said so in his reply to Brian Choughley that “there was no mystery or intrigue... My comments were blown out of all proportion by the media and exploited by people in a politically unstable environment to target the government and create an army - government rift – the start point of all our problems. [This speech] was wrongly interpreted as a „bid for power“ by the military and a criticism of the government, which it was not – it was a review of the state of affairs and the [social and political] environment for which many governments and political factions were responsible – even past military rule.” Moreover, General Karamat was of the opinion that the Prime Minister had undercut his support among the general and there were some generals who covertly supported Nawaz Sharif, therefore he had no option but to resign.

### **A Case for Punishment**

Now that it has been established that shirking was done by the top military general, the question is, was he punished or not? And the two conditions linked to the civil-military punishment includes the importance of the issue at stake and the support of the military. In the case of General Karamat, the issue on hand was very important as there was a demand from the army chief to create a body that will overlook the working of the government will this body will play a role in policy formulation. It was a demand

that had no place under the constitution and civilian supremacy was challenged therefore if the civilian principle punishes the shirking officer it will lead Pakistan towards civilian supremacy and additionally improve his political standing therefore the first condition set by Bessner and Lorber is fulfilled. Whereas the second condition related to the support of the military for punishing the shirking officer is concerned overtly this support was not there as is visible from the statements of the military officers stated above. The military did not support the prime minister in his action but as stated above General Karamat believed that the prime minister had undercut his support and the army and some of the general covertly or indirectly supported the prime minister therefore we can assume that with the support of some members of the army high command the second condition was also partially fulfilled.

Form the above analysis it can be concluded that according to the definition of shirking as given by Peter D. Feaver in his agency theory and quoted by Bessner and Lober in their punishment theory, shirking was done by the General and he was punished for it as one condition was completely fulfilled and the second condition of military support was partially fulfilled but as general Karamat felt that his support was cut down. Therefore, it can be stated that both the factors that will identify that the civilian principal can or will punish the shirking officer were fulfilled thus he was punished.

## CHAPTER FOUR

### GENERAL PERVAIZ MUSHARRAF: CASE FOR PUNISHMENT

This chapter will discuss the era of General Pervaiz Musharraf. The early time in the military and rising up through the ranks, his role in the war of 1965 and 1971. Further, it will discuss how he became the COAS after the unceremonious removal of General Karamat from the post of “Chief of Army Staff”. The relation between the Prime Minister and the General Musharraf after his appointment will be discussed and how relations between the Chief of the Army Staff and Prime Minister became strained and resulted in another martial law. The Kargil war was the main issue that created distrust between the two and it will be discussed in detail to analyze how the situation reached a tipping point. Afterwards, the actions taken by the then Prime Minister Nawaz Shareef and the Chief of Army Staff will be studied in context of the punishment theory. It will be highlighted whether shirking was done or not and why when the Prime Minister tried to remove the COAS a coup was staged and the elected government was removed.

#### **Musharraf’s Early Days in Army**

General Pervaiz Musharraf was the 13<sup>th</sup> “Chief of Army Staff Pakistan” of Pakistan. He joined army in 1964 as a second lieutenant after completing his training at PMA Kakul. He joined the Sixteenth Self-Propelled Artillery Regiment.<sup>96</sup> He took part in the 65 war and was given an award in recognition of his gallantry and at the end of the war he was promoted to the rank of captain. In 1966, Musharraf joined the elite Special Services Group. In 1978, Musharraf became a lieutenant colonel and by 1985 he reached the rank of brigadier and was posted as an instructor at the National Defense College. Further, in 1990 he got selected for a one year course at the Royal College of Defense Studies at London and upon his return he was promoted to the rank of major general and posted as the General Officer Commanding (GOC), of the Fortieth Division. Afterwards, in 1993 he was appointed as director general of military operations (DGMO), the most

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<sup>96</sup>Pervez Musharraf, *In the Line of Fire: A Memoir* (London: Simon & Schuster, 2006, 2006), pg 44.

highly desired appointment for a major general. Moreover, in 1995 he got promoted to the rank of lieutenant general and posted as the corps commander Mangla, the elite strike corps of Pakistan Army.

General Jehangir Karamat became the army chief in 1996 but he was retired from his post prematurely as discussed in chapter two and lieutenant general Pervaiz Musharraf was promoted to the rank of general and appointed army chief. While explaining the event in his books, "In the Line of Fire" General Musharraf wrote that on the night of 7<sup>th</sup> October 1998, he received a phone call from PM House informing him that the PM wants to see him. He was asked to come in his uniform. Upon his arrival at PM House the Prime Minister informed him about his appointment as army chief.<sup>97</sup> General Musharraf says that he asked the Prime Minister what has happened to which he responded that he asked for the resignation of General Karamat and he gave it to me. The manner in which General Karamat resigned from his post was unprecedented and there was resentment in the army as the soldiers and officers felt humiliated.<sup>98</sup> General Musharraf went to the army house to meet General Karamat upon where he asked General Karamat that what had happened but the ex-army chief did not say anything.

The relationship between the civilian government and the military remained good and peaceful until Kargil happened. It was due to the Kargil operation that situation started to deteriorate and ended up with an elected civilian government removed from the office by the military.

## **The Kargil Operation: A Civil Military Mismatch**

### **History of Kargil Glacier**

The issue of Kargil started between Pakistan and India in the 1970s shortly after the signing of the Simla Agreement. India violated the agreement by occupying the Chhorbat La area in 1972. Indian forces crossed over the LOC and made an ingress upto 3

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<sup>97</sup> Ibid, pg 84.

<sup>98</sup> Musharraf, In The Line of Fire, 84.

kilometers into Pakistani area where they established five military posts. However, in 1984 India launched a major military operation and occupied the 2312 square km triangular area lying east of Saltoro range between the Karakorum Pass, the Indra koli Pass, and NJ 9842, the north most point on the LOC.<sup>99</sup> This area was not clearly demarcated in either the July 1949 Karachi Agreement through which the “Cease-Fire Line” (CFL) was defined or in the December 1972 Line of Control Agreement signed by the armies of Pakistan and India in accordance with the “Simla Agreement” of 2 July 1972.<sup>100</sup> The Glacier zone beyond point NJ9842 is extremely inhospitable therefore this area had never been disputed. Both sides agreed that the CFL end point was NJ9842 located near the base of the Saltoro mountain range near the Shyok River. The CFL identified the area beyond the NJ9842 as thence area north to the glaciers. Even though the language was vague; Pakistan claimed the area on the basis that it was under its control since 1947. And India had acknowledged the claim of Pakistan publicly in the Indian parliament and in its written communications with Pakistan, while protesting against the Pakistan-China 1963 Boundary Agreement.<sup>101</sup>

Afterwards in 1978, 1980 and 1981 military expeditions were sent to the area camouflaged as mountaineering expedition. In 1983 Pakistan found out about the Indian presence on the Kargil glacier and a protest was launched with the Indian authorities about the movement of Indian troops into areas that belonged to Pakistan. It was during this time that a race began between the two countries to occupy the uninhabited peaks of Kargil. By the summer of 1984, Pakistan sent a joint expedition of SSG and the Northern Light Infantry (NLI) however by that time India had airlifted to platoons of the Ladakh Scouts to Siachen and occupied the area before the arrival of the Pakistani troops.<sup>102</sup>

At that time Pakistan was under military rule with as General Zia as the president and the “Chief of Army Staff” of Pakistan ordered to retake Siachen from the Indians.

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<sup>99</sup> Sumit Ganguly, *India-Pakistan Tensions since 1947* (New Delhi: Oxford University Press, 2002), pg 84.

<sup>100</sup> Ibid.

<sup>101</sup> A.G. Noorani, Facing the Truth, *Frontline Issue 20*: October 7-20, 2006,

<sup>102</sup> Kevin Fedarko, The Coldest War, *Outside Magazine*, February 2003

Two plans were prepared for this purpose plan A was to buy the necessary equipment including the French made Lama helicopter and retake the heights but it was identified that India had significant presence there and it was not possible to retake the area.<sup>103</sup> Plan B was that Pakistani would cross the LOC unnoticed and setup posts in the Kargil sector on the Indian side of the disputed territory. From these posts Pakistani forces would block the main artery, the Srinagar to Leh Highway (National Highway-1). By blocking the main artery, India would be forced to negotiate with Pakistan. Pakistan would demand the unconditional Indian withdrawal from Kargil. But this plan was rejected by General Zia arguing that India would opt for an all-out war against Pakistan if its main artery was choked by Pakistan. After 1985, no attempt was made by Pakistan to retake the Siachen area.<sup>104</sup>

However, in 1986 General Zia ordered the corps commander 1 corps General Muhammad Safar to devise a plan to retake Siachen. The corps commander devised his plan during the war games and submitted it to General Zia. Zia handed over the plan to the Directorate of Planning at GHQ to devise an operational plan. The planning directorate formulated a plan to airdrop 4000 troops to Kargil area and cutoff the NH1 used for supply to Siachen.<sup>105</sup> The plan was sent to the Joint Staff headquarters to be shared with the air force as air force was to airdrop the troops. The plan was rejected by the directorate of Air Planning and in a report sent to the Chairman JCSC, the dangerously low flight plan needed for the Operation was cited, given the harsh weather and steep and unpredictable terrain. The Chairman JCSC agreed with the air force assessment of its inability to conduct the para-drops and said that it was tactically a good plan but strategically bad. The rejected plan was sent by the army chief to the DG ISI General Akhtar Abdur Rehman and asked him how to implement it. General Akhtar wrote a detailed note that Pakistan should utilize the Mujahedeen currently fighting in Afghanistan and train Kashmiris for the Kargil operation. The kashmiris would be trained

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<sup>103</sup> Musharraf, In the Line of Fire.

<sup>104</sup> Nasim Zehra, *From Kargil to Coup* (Sang-e-Meel Publications, 2018), 37.

<sup>105</sup> Kevin Fedarko, The Coldest War, *Outside Magazine*, February 2003.

in Azad Kashmir and launch them into the Kargil. However, the Ojri Camp explosion and the dismissal of Prime Minister Junejo from office prompted the shelving of the plan.<sup>106</sup>

Moreover, during the tenure of General Jehangir karamat the Kargil plan was once again brought out of the shelve but General Karamat every time asked for more deliberations on the plan before the plan is implemented. However after the appointment of General Musharraf as army chief, he started to appoint his own to key positions. He changed the commanders of the three strategic corps including the Lahore 4 Corps, Rawalpindi 10 Corps and Karachi 5 Corps. Further he wanted to appoint General Aziz as DG ISI, but the prime minister rejected his nomination and appointed General Zia ud din Khawaja as DG ISI, and General Aziz as Chief of General Staff at the GHQ.

And this time again the Kargil plan was activated. General Aziz a staunch supporter of the Kargil plan was appointed as CGS, he was now in a position to implement the Kargil plan. Moreover, General Mehmood who was posted by General Karamat as Commandant National Defense College was appointed as Commander 10 Corps. With these appointments, Musharraf installed his men in the top command and staff positions directly dealing with the territory along the LOC including the 10 Corps and the GHQ. The only exception was the Commander, Force Command Northern Areas (FCNA) Major General Javed Hasan. GHQ retained him as commander FCNA.<sup>107</sup>

All these generals had identical view about Kashmir and were in favor of cross LOC operations by the Pakistan Army. And finally, to match Hasan, Mahmud, and Aziz's orientation on Kashmir and the LOC, was the new Army chief General Musharraf's own orientation. Identical to the key line-up of commanders overseeing the 10 Corps area, extending to the LOC, he too believed that conventional military force would play the key role in resolving the Kashmir issue. In fact this group of commanders was dismissive and distrusting of the role of diplomacy in the matter.

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<sup>106</sup> Nasim Zehra, *From Kargil to Coup* (Sang-e-Meel Publications, 2018), 87

<sup>107</sup> *ibid*



After become as the “Chief of Army Staff” and placing his loyal men at key positions General Musharraf made a two day trip to the headquarters of FNCA in Gilgit. The corps commander 10 corps general Mehmood and CGS accompanied him. During his stay at the FNCA headquarters, the army chief flew over LOC and the gap were shown to the chief which were not manned by the Indians moreover they also entered into Indian airspace to get a good read of the situation. The Indians did not detect the intrusion and for the generals their unhindered and undetected flight through the IOK airspace, including the unmanned areas of Drass-Kargil, highlighted the low level of Indian alertness at these points along the LOC.<sup>108</sup>

## **Operation Koh e Paima**

### **Planning the Operation**

It was decided by the generals’ clique to launch a cross LOC operation into Indian held areas. This operation code named Operation Koh-i-Paima (Op KP) was different from the frequent limited peak-capturing operations that the two armies had previously conducted. In these limited operations the ingress would be up to a maximum of two kilometers into the other’s territory.<sup>109</sup> By mid-October, this generals’ clique had decided to launch a cross- LOC operation into Indian held areas. Operation Koh-i-Paima (Op KP) differed from the limited peak-capturing operations the two armies had previously undertaken, which would typically involve a maximum of two kilometers of penetration into the other’s territory. After the 1984 Indian occupation of Siachin, Pakistani commanders would undertake these limited „infiltrate and capture” operations more than the Indians. Pakistan’s 1971 surrender in East Pakistan had inflicted the deepest of cuts on the Pakistani psyche. For some, the shame and anger had lingered.

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<sup>108</sup> Praveen Swami, *Skeletons in the Cupboards*. August 19, 2009 <http://www.thehindu.com/todays-paper/tpopinion/>

*Skeletons-in-the-Generals’s-cupboards/article16530736.ece*

<sup>109</sup> Zehra, *From Kargil to Coup*, 92.

The 10 corps head quartered at Rawalpindi which planned and executed Operation KP, is also responsible for the entire Kashmir area, the Line of Control, and the Line of Contact. The Rawalpindi-headquartered 10-Corps which planned and executed Operation KP, is the corps responsible for the entire Kashmir area, the Line of Control, plus the Line of Contact, up to Siachin. The area from Maralla to Siachin is the Line of Contact and, at Siachin, the Line of Control begins. The two Divisions and the FCNA units come under 10 Corps, as do the 23 Division headquartered at Jhelum and the 12 Division headquartered at Murree. Major General Taj commanded the 23 Division, Major General Parvez Ashraf Kayani commanded the 12 Division. The planning and execution of Op KP pivoted around the FCNA – as the main planner as well as the executor. Under its commander, Major General Javed Hasan, were three Brigades: Brigade 80, commanded by Brigadier Masood Aslam, based at Minimarg; Brigade 62 at Skardu, commanded by Brigadier Nusrat Sial; and Brigade 323 at Siachin, commanded by Brigadier Salahuddin Satti.<sup>110</sup>

A key arm of the FCNA was the Northern Light Infantry (NLI), with 11 battalions. The size of each battalion was 750 to 780 soldiers. They could be placed under any one of the three FCNA brigades, 62, 80 or 323. These Northern Areas-based NLI battalions consisted of officers, junior commissioned officers (JCOs) and paramilitary forces. The officers were posted from the army and their services were on loan to the NLI. The JCOs were from the NLI while the paramilitary second line forces, similar to the Rangers and Scouts, were technically under the “Ministry of Interior” but operationally under the army. The uniform of NLI forces was khaki, like that of the regular army.<sup>111</sup>

Active planning for the Operation began in early October, when prior to the arrival of the newly appointed 10 Corps Commander, General Mahmud, the FCNA

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<sup>110</sup> Javed Hassan, *The fight for Siachen*. April 22, 2012. <http://tribune.com.pk/story/368394/thefight-for-siachen/>

<sup>111</sup> *ibid*

commander instructed his General Staff Officer (GSO)G-1 Operations, Lt Colonel Nisar Ahmad Warraich to prepare an operational plan for conducting a cross-LOC maneuver. The G-1 asked if it was a hypothetical exercise. The plan was for an actual Operation, his commander informed him, and added, “It has been decided they would cross the LOC.” Obviously, the clique of senior generals had decided to go back to the Kargil plan, which had been reviewed and rejected by the CJCSC, the former army chief, and indeed by the ISI. The man most keen to implement the plan then, General Aziz, was now in a position to implement it. He shared a special camaraderie with the new chief too. He would get his way and indeed the operational support for the plan.<sup>112</sup> According to the plan, around 200 Pakistani troops would cross the LOC to dominate the Indian supply lines leading to the Northern Division of Kashmir,-essentially beginning from the Zojila pass and going up to the China border and from the River Chenab to the Himachal mountains. The troops would occupy the watershed. The map was presented to the Commander 10 Corps. He said, “It’s all approved.”

### **Mission Creep**

However, within two months of the start of the operation, the FCNA commander believed the opportunity existed to expand the operation. Around the points where Pakistani troops ingressed there were vast unoccupied areas with no Indian presence in these areas, either the Indian posts had been vacated during winter or on those steep peaks they simply had no posts. Stashed away in the harsh, remote and forbidding peaks, in the dead of winter, the commanders who were planning to enlarge their operation foresaw no immediate counter-moves as the Indian forces were altogether absent.<sup>113</sup>

This expansion of the originally one-sector Kargil operation to five sectors was in response to the „opportunity“ that was discovered by the NLI command in the zone of operation. The expanded operation was therefore neither war-gamed nor

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<sup>112</sup> Zehra, *From Kargil to Coup*, 96.

<sup>113</sup> *ibid*

comprehensively planned. The planners had thought of occupying 10 or 12 posts but the expanded Operation ended with 140 posts. Hence, an operation that expanded on detection of military opportunity by military men at the planning and implementation stage, precluded comprehensive intra-institutional deliberations on the nature of this „opportunity“ and, more importantly, on the merits and demerits of an expanded operation. Although, within the restricted group of military commanders, questions related to India’s military, diplomatic, and political reaction and the international community’s diplomatic reaction were raised, the linear experience of that one institution combined with the personal proclivity of the individuals towards the Operation influenced their answers to these questions.

### **Illusion of Control – November 8<sup>th</sup>**

Clueless about Op KP, Nawaz Sharif had begun the process of reorienting Pakistan’s foreign policy. With his new and presumably „safe“ army chief in the saddle, Nawaz Sharif, now the Prime Minister of the only nuclear state in the Muslim world was keen for a broader reorientation of Pakistan’s foreign policy. By November, Sharif believed he had got a handle over key foreign policy issues. Assisted by his Foreign Office team and his kitchen cabinet, he had arrived at specific conclusions on what he considered was in the best interest of Pakistan.<sup>114</sup>

Meanwhile Pakistan’s Prime Minister formerly announced reorientation of Pakistan’s foreign policy. He stressed humanitarian, political and diplomatic support to the Kashmiris would be increased. The Prime Minister was unaware that a clique of his senior-most generals had opted for unprecedented peace-time use of force against India, naively believing they would force India, „s hand on Kashmir.<sup>115</sup> Hence, as 1998 came to a close, three different strands of activities were underway, all very significant for Pakistan. First, the Prime Minister was on a course-correction path, generally, and specifically

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<sup>114</sup> ibid

<sup>115</sup> Strobe Talbott, *Engaging India* (Washington,D.C :Brookings Institution Press, 2006), 109.

working overtime to normalize relations with India. After 28 years, a Pakistan-India summit in Pakistan had already been scheduled for February. Extensive preparations for the Nawaz-Vajpayee Summit in the historic city of Lahore were already underway. Second, a clique of four Pakistani generals had already dispatched hundreds of Pakistani troops across the LOC to occupy strategic heights in Indian-Held Kashmir. They believed such a covert operation, combined with global anxiety of Kashmir becoming a possible „nuclear flashpoint“ would force India to resolve the Kashmir issue, or at least pull back from its 1984 occupation of Siachin. Third, Clinton“s CIA led team was testing multiple permutations and combinations for a „snatch operation“ to get United States dreaded enemy bin Laden.

The confident clique of Kargil planners was satisfied with the progress of the operation. By the end of December, Pakistani forces had already infiltrated almost seven kilometers from seven directions which included east of Shyok river outflank, from the top of Shyok Valley, from the western side of the river Indus, from Shakma. Pakistan army troops from 13 NLI, 3 NLI, 5 NLI, 12 NLI and Sindh Regiment directly penetrated the seven areas. Although the Army Chief had given the nod, formal approval of the Operation was still needed. The revered day of Jumat ul Wida, the last Friday of Ramadan, the sacred month of fasting, was picked for a formal approval of Operation Koh-i-Paima. On January 16, in the operations room of the Military Operations Directorate, Operation KP was approved although the bulk of the plan was already under way. The meeting, chaired by Army Chief General Musharraf, was attended by “Lt General Aziz Khan (Chief of General Staff), Lt General Mahmud Ahmad (Corps Commander 10 Corps), Lt General Tauqir Zia (Director General Military Operations), Major General Javed Hasan (Commander FCNA), Brigadier Masood Aslam (Commander 323 Brigade), Brigadier Nadeem Ahmad (Director Military Operations) and Colonel Nisar Ahmad (GI Operations)”. Colonel Nisar Ahmad formally presented the tactical

plan and its execution. The entire plan was spread over 15 pages and included a detailed map with logistics, ammunitions, rations, and troops at posts set up across the LOC.<sup>116</sup>

### **Kargil clique's calculations**

The clique of generals was confident about achieving its objectives. Operation KP did not include a direct military offensive on Siachin, as was conceived in the original 1985 plan. Nevertheless, the Kargil clique initially believed that India, under pressure, would be forced to give up Siachin. The decision to go ahead with the operation was based on several factors. For one, Pakistan's security apparatus had received a major boost after the successful nuclear tests. Also, a section within Pakistan's national security establishment anxiously observed the weakening of the insurgency inside Indian-controlled Kashmir. Another factor was the Pakistan-India dialogue which, led by the two Prime Ministers, and was proceeding ahead rapidly. Certainly, the idea that the civilian leadership should make the decision to overhaul Pakistan's Kashmir policy worried these generals. Finally, there was an erroneous belief within senior military and intelligence ranks that the mention of Kashmir was being omitted from the draft of the Lahore Declaration. Alongside these factors, India's track record of territory-nibbling and the personalities of the FCNA and the 10Corps commanders also influenced how Pakistan planned and conducted Operation KP.

The planners believed that an expanded operation would result in Pakistan's control of a bigger chunk of the strategic heights across the LOC. The bigger the territory, the more diplomatic and political advantage would accrue to Pakistan in negotiations with India. Their calculation was simple. India would not be able to militarily dislodge the Pakistani forces from the strategic heights they had occupied before the onset of winter. India would be under pressure to enter into negotiations for two reasons. One, the Indians would be desperate to end the near siege of National Highway-1A (NH-1A). Two, the international community has no stomach for military conflict in South Asia, and would encourage negotiation.

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<sup>116</sup>Hasan Abbas, *Pakistan's Drift Into Extremism* (London: Routledge, 2005).

The architects of the operation believed that these factors would put Pakistan in an advantageous position at the negotiating table.<sup>117</sup> In addition to preventing another Indian operation to further occupy territory across the LOC, they had calculated a minimum and maximum gain from the operation. The minimum gain would have been India's withdrawal from the Siachin area. The maximum gain would have been an Indian commitment to enter into a "serious dialogue on Kashmir." Also, Pakistan's military operation would reinvigorate the Kashmiri political struggle.

### **Predicting an Indian Response**

The planners calculated a three-stage incremental Indian response to the Kargil operation. First, the Indians would only react locally to what the Pakistani planners saw as a "limited incursion." The Indians would build defensive positions along the ingress areas. Alternatively, Indians might counterattack using local forces to reclaim the Kargil heights. Pakistan's calculation was that, in the case of a localized Indian response failing to expel the Pakistani forces, "a second tier" Indian response would come into play with India opening additional fronts along the LOC across from the Pakistani towns of Murree and Chamb Jaurian. For this, India would require additional forces from outside of Jammu and Kashmir.<sup>118</sup>

Finally, although India could theoretically go for an all out war across the international border, they believed it would not. They concluded that incremental discovery would largely rule out an all-out Indian war across the international border. Also, according to Pakistan's estimation, India had around 700,000 regular and paramilitary troops in IHK. Of these, there were nine divisions of regular troops. The GHQ was certain that with these forces „tied down“ in Kashmir, the Indians did not have the force structure to execute an all out offensive against Pakistan elsewhere. The planners moved with a linear calculation of an Indian response. As military men, they only focused on the military dimension.

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<sup>117</sup> Zehra, *From Kargil to Coup*, 122

<sup>118</sup> Ibid.

## **Deceptive briefings for the Prime Minister**

Within weeks of the Lahore Summit, and against the backdrop of an expanding Operation KP, General Musharraf organized a briefing for the Prime Minister on Kashmir. The PM, “Foreign Minister” Sartaj Aziz, “Minister for Kashmir Affairs” Lt. General Abdul Majid Malik, the DG ISI, and the Commander 10 Corps were among the attendees. Musharraf was keen to have a say in the diplomatic and political moves Pakistan had made towards India. Within the context of possible options on Kashmir, the options presented in the Report of the Kashmir Study Group were discussed.

On January 29th in Skardu, they told Prime Minister Nawaz Sharif, the “general thrust of their intentions” while not revealing the scheme in full. “In order to give a boost to the Kashmir struggle”, they said, “They needed to become active along the LOC”. Sharif was told that local level operations along the LOC were being undertaken. Though he still had no clue that regular Pakistani troops had already crossed the “LOC”, Sharif felt that small scale military operations could be helpful for his “political and diplomatic” efforts to find a path to forward on détente and peace with India. At the Skardu airport, Prime Minister Nawaz Shareef was told that, just as the Indians were interdicting our traffic in the Neelum Valley, Pakistan too would set up a couple of posts to interdict the main artery, the Srinagar- Leh NH-1A. The army chief mentioned setting up of couple of posts across the LOC so that visual rather than the usual blind firing by Pakistan was conducted to interdict NH-IA.<sup>119</sup>

In the second briefing, on March 13th, the then ISI official Major General Jamshed Gulzar, in charge of Afghan and Kashmir policy, gave a presentation on Mujahideen activities. Gulzar’s presentation was completely unrelated to Operation KP. In fact, throughout the presentation, the Kargil Operation went unmentioned since neither General Gulzar nor any other official within the ISI were aware of it. The Prime Minister, the Army Chief, the DG ISI, and Commander 10 Corps were among the attendees. In his presentation, General Gulzar informed the political and military leadership of the

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<sup>119</sup> Sartaj Aziz, *The Kargil Crisis in Between Dream & Realities* (Oxford University Press (2009), 253.



limitations within which the Mujahideen operated. They did not have the ability to inflict heavy damage on the Indian army and make the environment conducive for the Pakistan army to move in.

Infiltration had also increased. The general said the Mujahideen were, however, capable of “imposing caution and casualties” on the Indian troops by laying ambushes, attacking isolated military posts, and blowing up bridges and culverts along the only route available for the movement of weapons, troops and supplies in the Srinagar and Leh area. During the question and answer session, it was suggested to Sharif at the briefing that scaling up the Mujahideen operations would positively impact Pakistan’s negotiating position. Musharraf proposed that Pakistan supply Stinger missiles to the Kashmiri Mujahideen, so they could inflict heavier losses on the Indian forces. The great success of the Stinger missiles, first introduced by the US to the Afghan Mujahideen for guerilla warfare against the Soviets, made the Stingers popular weapons among the Pakistan intelligence agencies.<sup>120</sup>

However, with diplomatic engagement now on a relatively positive track, the ministers present opposed delivering Stingers to the Mujahideen. Former General Majeed Malik strongly objected to such a plan. “The proposal to provide Stinger missiles to the Mujahideen will be treated by India as an act of war”, he argued. Moreover, providing Stingers was also opposed to Pakistan’s “basic stand that Kashmiris inside occupied Kashmir were waging their own struggle for self determination and Pakistan was only providing moral and diplomatic support.”<sup>121</sup> Clearly, in proposing handing of missiles to the Mujahideen, the army chief and his team paid no heed to the government’s decision made in the December DCC meeting that only “moral and humanitarian” support would be given the Kashmiri Mujahideen. Foreign Minister Aziz, who was conducting unpublicized back channel negotiations with his Indian counterpart,

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<sup>120</sup> Zehra, *From Kargil to Coup*, 134.

<sup>121</sup> Sartaj Aziz, *The Kargil Crisis in Between Dream & Realities* (Oxford University Press (2009), 253-4.

warned that giving Stinger missiles could “derail the Lahore process.”<sup>122</sup> He explained that, by opening dialogue on Kashmir, “reduction in the cross border activity in Kashmir” was expected.<sup>123</sup> However, Musharraf and his Kargil clique were on a different track.

As if to justify his clique’s stance, Musharraf retorted, “We know the Indians. They will negotiate seriously only under maximum pressure.” Deceiving Sharif, he added that “he could not take responsibility for restraining Mujahedeen activity inside Occupied Kashmir.” He did, however, agree to “postpone” the plan to supply Stinger missiles. The Prime Minister had listened intently. At no point did he reprimand his Army Chief for proposing Stinger missiles even though it was in clear violation of his policy. The following day, when Sharif’s Foreign Minister recalled the decision taken at the DCC, Sharif instructed him to raise the issue at the next DCC meeting.

While these men in khaki worked on ways to secure their ingress across the LOC and to indirectly justify the clandestine operation to the government at home, the Foreign Ministers of Pakistan and India were searching unprecedented pathways. Taking forward the results of the Lahore Summit, they were working on ways to resolve the Kashmir issue.

### **Kargil Uncovered**

As early as February 9, Indian troops of the 5 Para Regiment spotted unusual movement in the peaks across the LOC in the region south of Siachin. Later, in March, when Indian troops spotted eight to ten men removing snow from a bunker in the Chorbit La sector, an exchange of fire took place. That was the first actual firing that occurred between Indian and Pakistani troops during the Kargil operation. This did not alert the Indians, who passed it off as a localized militant action. The local shepherds in the Turtok sector first alerted the Indian military commanders in April about some “unusual movement by unfamiliar faces along the Kargil ridges.” However the Indian army began

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<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

discovering the intrusion only after it began its summer patrols in May. While weak aerial reconnaissance confirmed some infiltration, India floundered over its nature. The Indian soldiers, barely returned from their routine winter descent to the extremely treacherous and inhospitable terrain, were going to find difficult the task of identifying the infiltrators.<sup>124</sup>

In the beginning of May, with the early opening of the Zoji La pass, the Indian army patrols were also sent to the Drass and Kargil sectors to probe the presence of intruders. Supported by aerial reconnaissance missions, which began on May 8th, the "intruders" were spotted in several areas, on the Tololing Hill, about 5 km from Drass, and a mere 2 km from

NHA1A.<sup>125</sup> For India, Kargil came as a huge and staggered shock. Indians discovered only in stages about the scale of the operation, the number of peaks that had been captured in the Kargil-Drass area, and finally who actually carried out the operation. The immediate crisis that the Kargil operation created for Delhi was that it threatened to cut the Leh-Srinagar National Highway No.1 (NH1), the lifeline to Ladakh, and the road connection between Ladakh region and Kashmir Valley. The peaks captured by Pakistani troops were in sectors west of Leah, Kargil, Drass and Batalik. The location and height of these peaks made the interdiction of NH1 very easy for the Pakistani troops.<sup>126</sup>

Throughout May, the Indian army remained unclear about the scale, location, and nature of the intrusion. Mid-ranking army officers were feeding guesstimates to the local press while senior generals were reassuring the political leadership that it was not more than a routine intrusion around the LOC and that quick eviction of the intruders was possible. They remained murky on the identity of the intruders. In Delhi, where confusion prevailed on the infiltration, no clear policy on tackling the intruders was forthcoming.

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<sup>124</sup> Zehra, *From Kargil to Coup*, 140.

<sup>125</sup> Dinesh Kumar, "Kargil War 15 Years On", *The Tribune*, Sunday, July 20, 2014, <http://www.tribuneindia.com/2014/20140720/pers.htm#1>.

<sup>126</sup> Pakistan Army Captures Held Kashmir Village", *The Nation*, May 15, 1999.

The local troops were caught between their own propaganda and their misreading of the accent of wireless traffic involving Pakistan's NLI (soldiers from the Northern Areas) as Afghans. Meanwhile, the Kargil clique could have applauded itself for pulling off the surprise factor in the Operation but the actual question was whether as a stand-alone achievement this surprise feat could be exploited to achieve a strategic gain for Pakistan?<sup>127</sup>

### **India Understand the Situation**

By the end of May, for India the pieces of the Op KP puzzle had begun to fall into place. The Indian Army realized that Pakistan had worked out a well-planned, elaborate intrusion to threaten Indian military's strategic position in Jammu & Kashmir. Caught in the fog of war throughout May, they were now beginning to sense the unusual scale and nature of the Pakistani intrusions. It was a planned Op to „disrupt and capture“ the life-line to the Indian troops based in Leh and Siachin. This was highly unusual. Even after India's 1984 occupation of the Siachin Glacier, Pakistan had not ambushed Indian army patrols in this part of Jammu & Kashmir. Furthermore, Pakistan's systematic support to the 1989 Uprising in the Kashmir Valley did not include an elaborate siege or sabotage of NH1A, Jammu and Kashmir's most strategic road. Pakistan's most aggressive peacetime military moves had only included the 1997 and 1998 repeated heavy shelling incidents by Pakistani artillery guns. Those were merely aimed at disrupting movement of traffic along the strategic highway.<sup>128</sup> By May 26th, the Indian Air Force had entered the battle and on May 27<sup>th</sup> Operation Vijay began to take shape. Indian Air Force was to bombard the infiltrators, hit out at their supply routes, and also initiates an unceasing freefall supply of ammunitions to the Indian troops.

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<sup>127</sup> Peter Lavoy, *Asymmetric Warfare in South Asia* (Cambridge University Press 2009).

<sup>128</sup> Zehra, *From Kargil to Coup*, 149.

## Civilian Leadership Discovers

In contrast with India, where mid-May press reports provoked growing public concern over developments in Kargil, in Pakistan only a few reports of ostensibly routine activity around the LOC trickled in through the press. The army chief had seen no reason to share information on the Yaldor skirmishes with the elected civilian leadership. “A provoked Indian attack on Pakistan’s forward post in the Shyok sector in the Siachinregion (MAP), about 20 kilometres from the delineated point of the LOC.”<sup>129</sup> The Pakistani media primarily focused on Indian firing along the LOC. Based on information available, the media was to initially locate the cause of the Kargil crisis in this offensive Indian firing.<sup>130</sup> Pakistan’s official version of how Kargil unfolded was that it was “a spillover of an unprovoked Indian attack on May 6 on a Pakistani forward post in Shyok sector in Siachin.”<sup>131</sup> On May 14, a Pakistan army spokesman claimed that its armed forces had inflicted “many casualties” on the Indian army in six days of artillery duels.<sup>132</sup> On May 15, upon his return from Singapore, Pakistan’s Foreign Minister complained at the airport that

“Pakistan would lodge a strong protest over the unwarranted Indian aggression during last few days causing loss of lives and property.”<sup>133</sup> He said that the firing violated the spirit of the Lahore Declaration and Pakistan’s High Commissioner Ashraf Jehangir Qazi in Delhi would “lodge a formal protest” with his host government. By this time, however, the Indian government had already launched a strong complaint against Pakistan’s incursions through High Commissioner Ashraf Qazi.<sup>134</sup>

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<sup>129</sup> Daily Nation, May 06, 1999.

<sup>130</sup> Ibid.

<sup>131</sup> Ministry of Information, *India’s Kargil Crisis*, (1999), 1.

<sup>132</sup> India Moves Heavy Weapons to Pak Border”, *The News*. May 16, 1999.

<sup>133</sup> LOC Firing Violation of Lahore Declaration, *Dawn* May 16, 1999.

<sup>134</sup> Zehra, *From Kargil to Coup*, 151.

## **The Government informed about the Actual Situation**

Between January and March, the three Kashmir-related briefings the Prime Minister had received made no mention of Op KP. The first one took place in Skardu on January 29, 1999, the second one in Khel on February 5, and the Inter-Services Intelligence gave the third one in Islamabad on March 12, 1999. The Prime Minister had even visited the staging area after the Operation had begun. On January 29th, the Prime Minister addressed the troops at a public meeting in Skardu. Contrary to general Musharraf's assertion in his book *In the Line of Fire*,<sup>135</sup> there was no briefing on Kargil. According to a retired general who was present during Sharif's Skardu trip, the visit was "just a face-showing, where not a word on Kargil was uttered."<sup>136</sup> The elected Prime Minister was informed about the need for Pakistan to become active along the LOC through local operations. No detailed briefing on the proposed local operations was given, nor did the Prime Minister ask any probing questions. On February 5th, the Prime Minister visited Khel to make an announcement regarding the Khel road. Similarly the March 12 meeting at the ISI headquarters was held exclusively to discuss Pakistan's Mujahideen policy. There was concern that the Mujahideen movement was "dying down" and the general in-charge sought permission to "upgrade" the movement. Kargil was not mentioned at this meeting. The general making the presentation was not privy to the Kargil plan. During none of these briefings was there any mention of Op KP or of any military operation that would involve crossing of the LOC by Pakistani troops in large numbers. It was business as usual; even though the Lahore summit had signaled the elected leadership's policy decision to engage the Indians diplomatically. Kashmir too had been included in the agenda for the talks.<sup>137</sup> In fact, until mid-May, even the military high command, including the intelligence chiefs, were kept out of the loop on Op KP.

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<sup>135</sup> Musharraf, *In The Line of Fire*.

<sup>136</sup> Zehra, *From Kargil to Coup*, 154.

<sup>137</sup> Ibid.

## **The Liberator of Kashmir**

On May 17, the Prime Minister was given a detailed operational briefing on Operation Koh-i-Paima. It was held at the ISI's Ojhri Camp office, only a few miles away from Islamabad held against the back drop of Indian press reports claiming that Mujahideen under fire cover provided by Pakistani soldiers had infiltrated along the LOC. Reports claimed they were occupying strategic heights in parts of Indian Occupied Kashmir. According to these reports, Pakistani artillery fire could target India's main supply route to Leh, the Srinagar-Leh Highway.<sup>138</sup> These reports had prompted the Prime Minister, linked in a high-stakes diplomatic engagement with his Indian counterpart, to ask for this briefing. The Kargil planners were in an upbeat mood since Pakistan's artillery shelling had blown up a bridge on India's main supply route.

The "Director-General Military Operations" (DGMO) Lt. General Tauqir Zia gave the detailed overview of the situation. The entire Kargil clique, including "the army chief, the Chief of General Staff Lt General Aziz Khan, Commander 10 Corps General Mahmud, and Commander FCNA Brigadier Javed Hassan", was present. Key men from the ISI in attendance included the "DG ISI Lt Gen Ziauddin Butt, Director Analysis Major General Shahid Aziz, and ISI's point-man for Afghanistan and Kashmir Major General Jamshed Gulzar". The Prime Minister accompanied by the "Foreign Minister" Sartaj Aziz, the "Finance Minister", "Minister for Northern Areas and Kashmir Affairs", Lt general Majeed Malik, the "Foreign Secretary Shamshad Ahmad", and his Principal Secretary Saeed Mehdi. This was the first direct meeting of the Prime Minister and his cabinet members with the "planners and implementers" of the Kargil Operation. The briefing took place in an upbeat environment. Shortly before the meeting Pakistan's artillery shelling had blown up a bridge on India's main supply route and set fire to Indian ammunition dumps.

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<sup>138</sup> Ibid.

The DGMO proceeded to share the four assumptions which, according to its planners, guaranteed the success of the five- phase Operation Koh-i-Paima. First, each post being held was impregnable. Second, the Indians did not have the will or the determination to take on Pakistan in a fight and would not make any serious effort to regain the heights. Third, as far as the international context was concerned Pakistan need not worry because there would be no external pressure. Fourth, that the army recognized the economic crunch faced by the country and therefore the government would not be asked for any extra resources for the operation; the army would use its own sources to fulfill the financial requirements. Clearly, the masterminds of Kargil were not seeking permission for the operation they has already launched. The Prime Minister was presented with a *fait accompli*. With the cover of Operation Koh-i-Paima having been nearly blown and diplomatic pressure imminent, the Kargil clique was seeking political and diplomatic cover for the Op. The Prime Minister was pointedly asked if he and his team could politically and diplomatically leverage their „unassailable“ military achievements to promote and project the Kashmir cause. Following the DGMO, the CGS Lt. General Aziz Khan rose to flatter the Prime Minister. “Sir, Pakistan was created with the efforts of the Quaid and the Muslim League and they will always be remembered for creating Pakistan and now Allah has given you the opportunity and the chance to get Indian Held Kashmir and your name will be written in golden letters,” he declared. The CGS Aziz also invoked the PM’s Kashmiri descent and lured him with the possibility that “after Quaid it is a unique opportunity to be remembered as the Fatah-i-Kashmir.”<sup>139</sup>

There was a divided response from the civilian participants. The DGMO pointedly asked Foreign Secretary Shamshad Ahmad if the Kargil situation could be utilized to “feed into our effort to project Kashmir.” The general was keen to know if diplomatic advantage could be derived from this military operation. The Foreign Secretary indicated that it might be possible but won’t be so simple. The Foreign Minister, however, expressed his reservations on two counts: one, that it was incongruent with the spirit of the Lahore summit and, two, that the U.S. would not support the

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<sup>139</sup> Zehra, *From Kargil to Coup*, 161.



operation. Sartaj Aziz pointedly asked his PM whether the plan the army had made was not contrary to the undertaking in the Lahore Declaration. “Sartaj Aziz Sahib, can we ever take Kashmir through paper work? We have here an opportunity to take Kashmir,” was a relaxed Nawaz Sharif’s response. By contrast, his Foreign Minister was perturbed. He was clear that this operation would not help Pakistan get international support for Kashmir.<sup>140</sup> The Prime Minister only sought his cabinet members' opinion regarding the operation; he asked no tough questions himself. Based on whatever he understood regarding the operation, and factoring in the reservations expressed by his ministers, the elected Prime Minister opted to go along with the fait accompli presented to him by the military. He wanted a resolution of the Kashmir issue and appeared convinced that Operation Koh-i-Paima would advance that objective. He was perhaps also swayed by the upbeat tone of the DGMO’s „victory-all-the-way“ presentation and partly by the notion that he was well on his way to becoming the man “whose name will go down in history in golden words as the man who liberated Kashmir.” The Prime Minister took well to the words of the CGS that for the PM “after the Quaid it is a unique opportunity to be remembered as the Fatah-i-Kashmir.”

By May 26, even the Indians publicly confirmed that it was the Pakistan army and not the Mujahideen who were involved in the operation. Subsequently, international media reports, reflecting the perception of foreign governments, also highlighted army and not Mujahideen involvement. Nevertheless, Pakistan official policy till the end that the army was not involved and the government insisted that the Afghan and Kashmiri Mujahideen had crossed the LOC.

### **Indian Response**

The Indian Prime Minister was walking his hard talk. He called PM Nawaz Sharif on May 24 to complain about the Pakistani military operation. He bluntly told Sharif, “You have betrayed me” and that “no intrusion will be allowed in our territory...all means will be used to clear our territory.” Sharif proposed that the two Directors-General

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<sup>140</sup> Ibid.

Military Operations (DGMOs) talk to each other. On May 25, the two DGMOs communicated. The Pakistani DGMO, Lt. General Tauqir Zia, decided to call the Indian DGMO again the following day with answers to his questions. But, before the DGMO could make the promised call, Delhi had launched Operation Vijay. At 6.30 am, an attack formation of MIGs and MI-25 attack helicopters armed with rockets and laser guided bombs took off from the Srinagar airbase to destroy positions “atop Drass, Batalik, Kargil, and Mashkoh.”<sup>141</sup> In fact, hours before the beginning of Operation Vijay, the Indian Prime Minister publicly provided the justification. On May 25, Vajpayee had told reporters in Pondicherry, “We are facing a new situation in Kargil. It is not just an intrusion that is taking place when the snow starts. This time the design is to occupy some territory and stay put there. Infiltrators are being helped by armed forces.”<sup>142</sup>

### **Concerns of Islamabad**

For the Pakistani Prime Minister, the hard reality was sinking in as he found out what was actually going on. Within days of the May 17th meeting and at the speed of lightening, the joy from that meeting’s flattery had worn off; the notion of being “the liberator of Kashmir” had evaporated. The first media reports, regarding the responsibility for Kargil surfaced in the Pakistani press. Hard times lay ahead. Meanwhile India, having been caught napping, had recoiled for review and rapid response. The Prime Minister convened the first Defence Cabinet Committee meeting to discuss Kargil on May 27. With Sharif in the chair the meeting was attended by the Foreign Minister, the Deputy Chiefs of Air Staff (DCAS) Chief Air Marshal Zahid Anis. At the meeting, the Air Force Chief Air Marshal Parvez Mehdi, the heads of the intelligence agencies and the Defence Secretary, all expressed strong reservations about Kargil. The air force chief opposed the army’s request for using air power to counter Indian attacks. At the DCC meeting, naval chief Admiral Fasih Bokhari and the air force chief stated that a naval

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<sup>141</sup> John Wilson, India Launches Air Strikes; Operation Vijay in Kargil: 200 Mercenaries, Pak Troops Perish,

*The Pioneer*, May 27, 1999

<sup>142</sup> Special Correspondent, Atal dials keep-off :Kargil message to Sharif, *Telegraph* May 26, 1999.

blockade by India could not be ruled out. The Chief of Air Staff said deploying air power for the operation could mean placing squadrons in Azad Kashmir, leaving Lahore and Karachi unprotected.<sup>143</sup>

The month of June reinforced the military and political trends that had begun emerging in the closing days of May. India, despite heavy reinforcements, was mostly under tremendous military pressure, except at Tololing. But, bit by bit, the Kargil clique's claims of invincibility had begun to be spurned on the ground. In diplomatic terms, the international situation was turning unsympathetic towards Pakistan, which was increasingly being viewed as the aggressor against India and also as an irresponsible state that had brought two nuclear powers to the brink of a catastrophic war.

A meeting was held on July 1<sup>st</sup> at the pm secretariat attended by Chief of Army Staff Chief General Parvez Musharraf, Director General ISI General Ziauddin, Defence Secretary Choudhary Iftikhar Ali, Foreign Secretary Shamshad Ahmad, and the Prime Minister's Principal Secretary Saeed Mehdi. Three decisions were taken at the July 1 meeting. One: the Prime Minister would contact his Indian counterpart. Two: back channel diplomacy would be continued. Three: Pakistan-India military-to-military contact should be established to formalize normalization at the border.<sup>144</sup> The military build ups of both sides were discussed. The participants were informed, "India had brought its strike aircraft on the forward operating basis, its Navy had started exercise in the Arabian Sea, 21 Indian divisions were moved, 13 along the LOC and 8 on the international borders. There was discussion on the growing panic in the western capitals, as the two neighboring nuclear countries were heading towards a war-like situation."<sup>145</sup> The Prime Minister also briefly discussed the possibility of visiting the US "to meet President Bill Clinton and inform him about the latest situation obtaining in the region."<sup>146</sup> At the conclusion of the 75 minute long meeting, the Prime Minister called a

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<sup>143</sup> Zehra, *From Kargil to Coup*, 180-1.

<sup>144</sup> Zehra, *From Kargil to Coup*, 193.

<sup>145</sup> Shakil Sheikh, DCC to Approve Final Strategy Today, *The News*, Islamabad, July 2, 1999,

<sup>146</sup> Bureau Report, Nawaz Reiterates Call for Dialogue, *Dawn* July 2, 1999,

meeting of the Defense Committee of the Cabinet (DCC) the following day. The press reported that the July 2 DCC meeting would “approve the final strategy.”<sup>147</sup>

### **The July 2 DCC meeting**

The Prime Minister chaired the Defence Committee of the Cabinet meeting in the cabinet room of the Prime Minister’s House.<sup>148</sup> He had already made the decision to withdraw and had begun mapping possible exit routes. The presentations and discussions at this DCC meeting, Sharif had hoped would validate his withdrawal decision. The atmosphere at the meeting was tense and sober. Reports of India reclaiming the Tololing Hill complex, consisting of several posts, were coming in. Nawaz Sharif’s kitchen cabinet, including the Director General Inter-Services Intelligence (ISI) and the Defence Secretary, a retired general, were critical of the military operation. The wisdom in the civilian camp, shared by the naval and air force chiefs, was that Op KP had not been thought through in terms of its strategic consequences. According to one Pakistan cabinet minister, “The army had climbed up a pole without considering how it would get down.”<sup>149</sup>

Significantly, through meetings between the Defence Secretary and the Minister for Petroleum, Chaudhary Nisar, the informal communication lines were kept open between the Prime Minister’s camp and the army chief. Yet the issues floating within the formal meetings and through the print waves and Islamabad’s power-circles were raising fundamental questions about the Kargil operation. Who cleared the Kargil operation? What was its objective? How would Pakistan’s growing international isolation be handled? Are the Indian forces defeating the Pakistanis in Kargil? According to a key member of the Sharif kitchen cabinet, “The party view was not to embarrass the army leadership but to apportion responsibility.” Major differences had surfaced between the services chiefs over Op KP. The naval chief feared an Indian naval blockade. The air

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<sup>147</sup> Shakil Sheikh, DCC to Approve Final Strategy Today, *The News*, Islamabad, July 2, 1999.

<sup>148</sup> IhtashamulHaq, DCC okays 3-pronged strategy to tackle issue, *Dawn* July 3, 1999

<sup>149</sup> Owen Bennet Jones, *Pakistan: Eye of the Storm* (Yale University Press, New Haven and London, 2002), 94.

chief was also apprehensive about Pakistan's air force being pulled into an all-out war. The army chief believed the air force chief was a "scared man."<sup>150</sup> Much of this was mirrored in the proceedings of this July 2 DCC meeting, whose participants included the three services chiefs, the Ministers of Interior and of Religious Affairs, the Minister of State for Foreign Affairs, and the Defence and Foreign Secretaries. Presentations began with Foreign Secretary Shamshad Ahmad. He sketched a bleak picture of Pakistan's diplomatic isolation. He recounted the countless diplomatic efforts made by Pakistan in an increasingly hostile environment.

Pakistan's position had been projected using every diplomatic and political means possible. This included regular media briefings and contacts with the UNSG, OICSG, OIC members, EU and G-8 countries. Special envoys had been sent, and high level demarches had been made in the form of letters from the Prime Minister to his G-8 counterparts and from the FM to his EU and OIC counterparts. The world community, especially the G-8 and EU, did not accept Pakistan's position and called for withdrawal. They had managed merely to prevent a condemnation of Pakistan by the G-8 at the Cologne meeting. Also, no OIC country, with the exception of Saudi Arabia, supported Pakistan. Beijing had pointedly stressed upon the need for Pakistan to de-escalate the situation. The US and EU considered the situation as "dangerous", with the potential for eruption into a wider conflict in a nuclear environment.<sup>151</sup>

Musharraf later recalled his presentation at the DCC meeting. The army chief said that he had made a "complete presentation" that was spread over an hour. According to Musharraf's recollection, "He (Nawaz Sharif) kept asking me should we withdraw and I was avoiding giving an answer. I said it is the leader's job to decide ...I will give the military and strategic analysis. I explained whether there would be open war or not, why the military activity would be restricted only to Kashmir and would not go beyond...I gave a complete presentation." Musharraf recalled explaining to the DCC participants

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<sup>150</sup> Zehra, *From Kargil to Coup*, 280.

<sup>151</sup> *Ibid.*

how far India could be tied down in Kashmir and said that the civilian leaders “better start talking on Kashmir.”

At the DCC meeting, there were tense moments. As the military briefing continued, the thrust of the Prime Minister’s question was, “What you are now telling me, you should have told me earlier.” At this point, a somewhat agitated Musharraf disputed the assertion that the Prime Minister had been kept in the dark. He pulled out his diary from his pocket, opened it, and trotted off about seven dates on which the Prime Minister was briefed on the military situation. By now, the inevitable blame game had begun. Anticipating this, Musharraf was already prepared. Complete silence followed. The Prime Minister was quiet. The scales in Pakistan’s power construct tilt unmistakably in the army’s favor, and this may have accounted for the silence of the country’s Chief Executive.

The July 2 DCC meeting, which lasted for five hours, had ended inconclusively.<sup>152</sup> There had been a thorough and candid assessment of the overall diplomatic and military situation. The pros and cons of how withdrawal would impact internationally and domestically were also discussed. Yet the Prime Minister took no decision. The meeting was adjourned. A question mark lingered over the issue of troop withdrawal. The Prime Minister decided to reconvene another meeting of the DCC to take a final decision on the key question: whether to withdraw or to stay. The Prime Minister decided that the DCC would reconvene after the weekend. He set July 5th the date for the next meeting. The Prime Minister, unbeknown to even his close advisors, had decided on the path Pakistan would take to bring the Operation Koh-i- Paima to a close. As was his usual routine, he flew for the weekend to Lahore, his home-town.

On Saturday morning, from the Governor’s House, Sharif spoke to the US President. The closure of Pakistan’s fourth military encounter with India had begun. The army chief was likely to go along with the Chief Executive’s decision. He had already

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<sup>152</sup> Jones, *Pakistan: Eye of the Storm*, 101.

stated this categorically at the DCC meeting.<sup>153</sup> The Prime Minister's Principal Secretary, Saeed Mehdi, called US Ambassador Milam to convey Sharif's intention to talk to the US President. Milam relayed the request to the State Department. Shortly before this request, Clinton had also received a letter from Sharif asking to meet him. However, the letter, which had been drafted by Sharif's Foreign Office team, had yet again linked the Kargil flare-up with the broader Kashmir problem.

In Washington, the tone of this letter conveyed that „Sharif was wringing his hand that he was looking for personal cover ... he was not a man of great courage“. Sharif had written in response to Clinton's letter, written a few days after Zinni's return to Washington. Clinton had thanked Sharif for receiving Zinni but had wondered why there was no action on Zinni's report that Sharif was willing to withdraw troops from Kargil. By now, the bottom line message of Washington's communication to Islamabad was: „Get out!“ Clinton himself, his envoy General Zinni, and the State Department had repeatedly told Sharif that negotiations over the withdrawal of Pakistani forces from Kargil were out. This was now Washington's and Delhi's shared objective.<sup>154</sup> Early in the evening, Sharif went to the Governor's House and called the US President at the agreed time. This was the sixth Sharif-Clinton conversation since the Kargil crisis had erupted.<sup>155</sup> It was Saturday morning in Washington. South Asia's Kargil crisis had brought the concerned State Department officials to work on a weekend. When news of the 4 July Sharif-Clinton meeting travelled from the White House to the State Department, the South Asian team was at work. The PM telephoned from the Governor's House in Lahore. During the call, Sharif was not assisted by members of either his „kitchen cabinet“ or of the core Foreign Office group. In attendance were Saeed Mehdi and Iftikhar Ali Khan.<sup>156</sup>

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<sup>153</sup> Zehra, *From Kargil to Coup*, 285.

<sup>154</sup> *Ibid*, 290.

<sup>155</sup> Nisar, Majeed air dash to US to assist Nawaz, *The Nation*, 5 July 1999

<sup>156</sup> Shakeel Shaikh, „Sharif, Clinton To Hold Strategic Dialogue“, *The News*, Islamabad, 4 July 1999.

Sharif, once again, urged Clinton to play a role in defusing the Kargil crisis and in resolving the Kashmir dispute. He asked to see him. Clinton reminded Sharif of the precondition for a meeting. Sharif did not contest Clinton's suggestion of a unilateral, unconditional withdrawal. Clinton told Sharif that he wanted to help him and to help Pakistan but Pakistani forces had to first withdraw. Clinton again rhetorically queried why Pakistan had done this. Sharif said he could give him „the entire scenario when we meet“. Clinton emphasized that time was of the essence and that they „are losing time“. According to Pakistan's Ambassador to the United States, RiazKhokhar, Clinton agreed to receive Sharif because the Americans wanted that the Prime Minister to personally convey that the Pakistani troops would vacate Kargil. Clinton wanted to hear for himself from Sharif that he was willing to withdraw.

On that day the army chief was at Murree on a weekend break where at 9pm he received a call from his Commander-in-Chief. Musharraf was instructed to arrive at the Islamabad airport immediately for an important meeting. Sharif also informed President Rafiq Tarrar of his departure. The meeting ended with the decision that Pakistan would withdraw its troops behind the LOC to the pre-Operation position. He had left his army chief with the understanding that he would negotiate gains for Pakistan and the Kashmiris in Washington. The withdrawal had not been factored in as a possibility. Pakistan and India would vouch for troop movement as planned. There would be no third party monitoring the withdrawal.<sup>157</sup>

Prime Minister Nawaz Sharif met President Clinton at the White House on 4<sup>th</sup> of July 1999. In the meeting Nawaz Sharif agreed to withdraw troops from Kargil but in response he asked President Clinton to play a role in resolving the Kashmir issue. Clinton made a verbal commitment to play his part in resolving the issue. Upon his return, the Prime Minister gave the withdrawal order. The Washington agreement was considered as a sell out in Pakistan people compared it with the events in 1965 where Pakistan was about to “liberate the whole of Kashmir...when Pakistani leaders succumbed to world

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<sup>157</sup> Zehra, From Kargil to Coup, 312.



pressure and stopped the military operation and we are facing a similar situation now...”<sup>158</sup> The opposition parties criticized the withdrawal decision was called it a “sell out of Kashmir”. Moreover, the Pakistani media severely criticized the Prime minister’s decision to withdraw from Kargil where the army was close to victory.

### **Post Kargil Civil-Military Relations**

Musharraf was confronted with an unprecedented two-pronged challenge: managing his relations with the army, as well as with the civilian leadership. As army chief Musharraf faced a lot of pressure from within the army as officers and soldiers alike were questioning the decision to withdraw as the media reported that there will be no reversal. Therefore to address the concerns of the soldiers the army chief started touring military cantonments where he was asked questions by his men. Likewise the army chief and his close associates were also concerned about the next move of the government as there were reports in the press about the removal of the army chief.

Tension between the civilians and military had begun to build up in the last days of Kargil Operation. As the operation had failed, the planner of the operation found themselves in the midst of a blame game that threatened their survival. While the Prime Minister tried to bail out the military from an embarrassing situation, the army leadership had decided to start a systematic propaganda offensive against the Prime Minister. The factors that prompted the army high command to start a propaganda against the Prime Minister included: the army leadership chronic distrust of the civilian government, the pressure from the barracks, media highlighting the failure of Kargil Operation and importantly „the rogue army“ advertisement that appeared in the US press. The army chief wanted an official rebuttal to be issued in every newspaper where the advertisement had appeared. He asked a common friend to convey to the Prime Minister that it was a matter of the troop’s morale and even offered the fund the rebuttal from the army fund if

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<sup>158</sup> Umer Farooq, Islamabad’s Haphazard Decisions Viewed, *The Nation*, July 7, 1999.

the government faced funding issues but the prime minister disagreed. Only one article was published to counter the advertisement.<sup>159</sup>

### **The August Quadrangle**

By early August the general found themselves in the middle of a blame game that they considered a threat to their survival. The power structure of Pakistan had become highly instable as both the military and civilian leadership had become distrustful of each other. Moreover, political pressure was also building as opposition parties accused the government of selling off Kashmir and to divert attention from the Kargil operation, the army leadership started raising questions about the economic policies of the government. Afterwards, by the end of August tensions between the army and civilian had raised many folds yet the Prime minister had no intension to remove the army chief, he stood by the army and tried to deal with the credibility crisis at the external front. But the general though differently as they felt insecure and tried to push back the government.<sup>160</sup>

By early September there was talk of removing the army chief in the power corridors and with the prime minister refusal to issue a rebuttal of the rogue army advertisement fueled the rumors. Musharraf's insecurity grew and he along with his inner circle started work on the survival plan. The CGS general Aziz Khan at the GHQ started to plan a counter move in case the Army Chief was removed. The survival strategy was five folds.<sup>161</sup> Use media to spread fake news about Kargil and holding back facts about the disaster Kargil and the displeasure within the army rather efforts were made to hold the Prime Minister responsible for the failure and portray him as pro-India, pro-US and anti-Pakistan. Two, Encourage and facilitate all opposition parties to come together at one platform against the government and demand its ouster. During protest demands were made for an army take over.

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<sup>159</sup> Zehra, *From Kargil to Coup*.

<sup>160</sup> Musharraf, *In The Line of Fire*, 137.

<sup>161</sup> Zehra, *From Kargil to Coup*, 386.

Three, widen the gaps between the ruling party by working on those already upset with the party leadership. Four, be ready on short notice to launch a coup d'état. And for this purpose General Musharraf appointed his trusted men at key positions. Brigadier Salauddin Satti, Musharraf's most trusted man was appointed as commander of the coup-maker brigade the 111 brigade. Moreover, general Aziz Khan was appointed as DGMO and General Muzaffar Usmani commander V Corps was also taken into confidence. Five, a special SOP was developed to deal with unusual situation, involving the removal of the army chief. Musharraf feared that he could be called to the PM House and asked to resign or is dismissed as his predecessor. Instructions were given if the army chief takes unusually long to return from the PM house, this should be considered as danger signal.<sup>162</sup> Further, additional troops and commandos were stationed around the PM house. Additionally more sophisticated intelligence gadgets were used to monitor the activities of the prime minister.<sup>163</sup>

### **Effort to mend Civil Military Relations**

In order to normalize the situation between the army and the civilians and dispel the rumors of retiring the army chief or appointing him as Chairman JCSC which is a ceremonial post the prime minister gave Musharraf the additional charge of Chairman JCSC. Then there was the issue of General Tariq Pervaiz the Corps Commander Quetta. Musharraf wanted to retire general Tariq because according to Musharraf he was trying to destabilize him. The prime minister signed the retirement orders of general Tariq and considered it as a CBM.

However, by October 10<sup>th</sup> a day after the removal of General Tariq Pervaiz, a story appeared in a newspapers stating the reason of the removal to General TP as he was widely known, was that he meet the prime minister without the approval of the "Chief of Army Staff". Nawaz Sharif asked the defense secretary to find out who provided the facts of the story and to ask GHQ to issue a rebuttal. When the Defense Secretary ask GHQ to

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<sup>162</sup> Ibid.

<sup>163</sup> Ibid, 387.

issue a rebuttal both CGS and DG ISPR responded, “not without the Chief’s permission”, the agitated prime minister considered this story as a direct challenge to his authority.

Subsequently, after this episode the prime minister in principal decided to remove the army chief. The Prime Minister’s younger brother the “Chief Minister of Punjab” Shehbaz Sharif advised against doing so and said that it will end in a coup but Nawaz Sharif had principally decided to remove Musharraf. And on October 12<sup>th</sup>, exercising his powers under article 243<sup>164</sup> entitled „Command of the Armed Forces“, the Prime Minister removed General Musharraf from his post of army chief and chairman JSCS and General Zia ud din DG ISI was appointed as army chief.

During this time Musharraf was on an official visit to Srilanka. When the news of the removal of General Musharraf was announced on the national TV, the army reacted as they were ready for such a situation and 111 brigade move in to arrest the prime minister. General Mehmood commander 10<sup>th</sup> Corps reached the PM House and asked the almost deposed prime minister, Sir why did you do it? To which the prime minister responded that “I was legally and constitutionally competent to do this”, to which general Mehmood responded “What is legal and constitutional, we will see”. The Prime Minister and his brother Shehbaz Sharif were escorted to a car parked outside and shifted to the 10 Corps Annexe, essentially a VIP mess. And that was the end of the elected government of Pakistan.<sup>165</sup>

### **The case of General Musharraf and Punishment Theory**

The case of General Musharraf is different from that of General Jehangir Karamat. As discussed above General Jehangir Karamat was considered pro-democracy and was not in favor military meddling in the affairs of the civilian government but according to him when thing were getting out of hand he suggested to create a National

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<sup>164</sup> Under clause 1 of the Constitutional article 243 entitled Command of the Armed Forces “The Federal government shall have command and control of the armed forces.”

<sup>165</sup> Zehra, From Kargil to Coup, 417.

security Council which will help the government overcome the crises that the country faced during that time.

However, the case of General Musharraf is quite different from that of General Karamat as a lot of events took place during the term of General Musharraf that ultimately ended in the removal of an elected government from office.

In the subsequent paragraphs the events or time will be highlight when the army chief did not took the civilian government into confidence or held back information about what was going in Siachin and conspired against the government in order to hold it responsible for what was a battle won but due to the governments withdrawal decision that victory was converted into embarrassment for the country. Now that it has been established that shirking was committed by the Chief of Army Staff Genera Pervaiz Musharraf it will be analyzed in the light of the punishment theory that why he went unpunished and rather he punished the civilian government for trying to punish a shirking military leader.

Now the two factor of the punishment theory that identify if a shirking officer will be punished or not will be implemented in this case to identify if the decision of the then prime minister Nawaz Sharif to punish General Musharraf for shirking were fulfilled or not.

In this case the issue under consideration was important. The authority of the civilian government was compromised as a very important foreign policy decision was taken by the army chief without taking the government into confidence. It is for the elected government to decide on policy and the military can only recommend or give advice to the government but in this case the decision was taken by the army chief all by himself and the not only the civilian government but the navy and air force were also not informed about the actual situation. Moreover, by the media campaign against the prime minister after he order to withdraw the prime minister's political standing was undermined as people considered him responsible for the decision to withdraw from a winning position and it was hurting him politically so the first factor that is to be looked

into was helping the case for punishing the shirking officer. Whereas the second factor of the support of the military as an institution for the civilian principal to punish the shirking officer was not there. The military did not support the prime minister in his decision to punish the shirking officer. General Musharraf had appointed his trusted men on the important position in the army and there was no chance that they would support the prime minister in his decision to remove the army chief and they stood by their boss. Moreover, Nawaz Sharif had also removed the predecessor of General Musharraf from office and the army overall was not happy with that decision and now removing another chief within a year was not acceptable to the army therefore the army reacted and the prime minister was removed from office and martial law was imposed.

## CONCLUSION

This study aim to highlight the concept of punishment in the “civil military relations of Pakistan” as it is an area which has not been focused upon while discussing the subject of civil military relations in Pakistan. Civil military relations is not an easy subject and there are issue related to this aspect of running the affairs of the state around the world same is the case in Pakistan rather in Pakistan civil military relations are more sensitive than are in other countries. In this study, the role the military plays in politics has been discussed and how and why the military had to take over and remove civilian governments is discussed.

The political history of Pakistan since its inception can be considered as a tale of repeated military coups followed by a long period of military rule punctuated by elected civilian rule. Till 2013 Pakistan did not saw a single transfer of power from one democratically elected government to another. First coup attempt was made in the decade after its independence. A failed coup attempt in the year 1951 was led by Major General Akbar Khan along with a dozen veterans of the Kashmir war, supported by some civilians. Afterwards, in 1958 martial law was imposed by General Ayub Khan citing political and economic instability and law and order situation. General Ayub Khan later note: “The army could not remain unaffected by the conditions around it. Nor was it inconceivable that officers and men would not react to all the political chicanery, intrigue, corruption and inefficiency manifest in every sphere of life. They had their relatives. They read newspapers.”<sup>166</sup>

Due to the political uncertainty in the country the men in uniform took advantage of the situation and imposed martial law on the pretext that the country is in turmoil and the only way to save was through military rule. Similarly, in again in 1979 martial law was imposed by the then Chief of Army Staff General Zia ulHaq citing political

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<sup>166</sup>Ayub Khan, *Friends Not Masters*, 75.

instability and to save the country. In these cases shirking was committed at the highest level.

The cases that were studied in detail were that of General Jehangir Karamt and General Pervaiz Musharraf and were analyzed through the prism of the theory of punishment given by Eric Lobber and Danial Bessner. In this theory, Lobber and Bessner through the principal agent relation discuss how the civilian principal can punish a shirking military officer. Shirking is defined by Peter D. Feaver as “doing thing the way those in the military wants.” Bessner and Lobber define punishment as a significant disciplinary response to a military leader shirking<sup>167</sup>. This response includes removal of a military leader from his or her command position, an offer of resignation before his or her official term ends, or quick retirement after removal from a particular. They further describes two factor or conditions based on which the principal will decide whether to punish the shirking officer or not including the importance of the issue at stake and the support of the military as an institution for punishing the shirking officer. Based upon these factors it is decided by the civilian principal whether to punish the shirking officer or not.

General Jehangir Karamat resigned voluntarily from his post after he made a speech at the Naval War College where he asked the government to form a National Security Council that will advise the government on issues related to economy, foreign policy and defense policy. The institution suggested by the army chief had no place in the constitution as there is no such provision which permits setting up any such body. It was considered as setting up an institution over the cabinet that will advise the government in the policy making particularly related to defense, foreign policy and economics. If this demand or suggestion is looked at under the punishment theory and the principal agent mechanism it comes under relational shirking and the prime minister asked for the resignation of the army chief which he submitted even though the military did not support his decision and encouraged him to take a stand against the prime minister’s decision but

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<sup>167</sup> Bessner and Lorber, “Towards a Theory of Civil Military Relations”, 649-668.



to the contrary General Karamat resigned. If we look at this situation through the lens of the punishment theory it can be assumed that he was punished as General Karamat resigned from his post even though the principal i.e. civilians were not supported by the military as a institution to punish the shirking officer. So the factors or conditions that are specified by the punishment theory were not fulfilled but even then the civilian principal was able to punish the shirking officer in the case of General Jehangir Karamat.

Whereas in the case of General Pervaiz Musharraf, relational shirking was done multiple times as the elected government wanted to pursue a policy peaceful co-existence with India and for this purpose efforts were being made by the government. A summit was scheduled at Lahore between the “Prime Minister of India” and “Prime Minister of Pakistan” and during this summit decisions were made to restore peace between the two nuclear armed neighbors whereas the army chief on the other hand was planning to take back some strategically important locations from that were captured by India. This plan was kept secret and only a few high ranking officers including the army chief knew about it. Neither was the prime minister’s permission taken before the launch of the Operation Koh-i-Paima nor was he informed about it before hand. Moreover during subsequent briefings the true situation of what was going on at Siachin was not discussed with the prime minister. When the army takes policy decisions all by itself it comes under relational shirking as described Peter D. Feaver. In the case of decision making related to Operation KP, it was decided by the Chief of Army Staff therefore the army chief was engaged in relational shirking.

However, when the prime minister decided to remove the army chief for being engaged in shirking his decision was not obeyed rather a coup was staged against the elected government and the prime minster was arrested and the constitution was suspended. Therefore, in the case of Pakistan it seems that the military is the principal and civilians are their agents if we look at the situation from the principal agent relation point of view. As throughout the history of Pakistan it is the military who decides and the civilians follow.

When the two cases are compared it is identified that in case of General Karamat the support of the military of punishing the shirking officer was not there but he himself considered it a better option to resign for the betterment of the country so that civil military relations do not get more worst and the state machinery work properly however it was claimed by General Karamat that the Prime Minister had undercut his support in the army high command and some of the general supported the prime minister covertly. Whereas, in the case of General Musharraf the military openly supported the army chief but even then the prime minister went for punishing the shirking officer and as a result the army reacted and arrested the prime minister and imposed martial law. The difference between the two cases is that in the first case there was no reaction from the army upon the removal of the army chief even though the decision was not supported by the military whereas in the second case the military did not support the prime minister in his decision to punish the shirking officer and there was also a reaction from the army in form of a coup d'état.

Moreover, if we look at the two case studies, in the first case the conditions described by Bessner and Lobber in the punishment theory were not completely met as the military did not support the government in its decision to remove the army chief General Karamat but even then he resigned whereas in the second case the support of military was not with the civilian government but even then the government went forward with its decision to remove the army chief and what happened was that the army retaliated and removed the government. Therefore, it can be concluded that the theory of punishment highlights a limited scenario and does not focus on other instances where the military stages a coup rather than accepting the decision of the civilian government.

The theory can be applied in countries where military is under the effective control of the civilians. But in countries like Pakistan where the military are more powerful than the civilians and when relations become strained the military has the option of overthrowing the government to implement its own policies this theory doesn't seem fit to be applied. An example of military's influence in Pakistan can be the recent verdict by the special court set up by the supreme court for the trial of General Pervaiz

Musharraf on charges of high treason for suspending the constitution in November 2007. According to General Musharraf, he was helped by former COAS General Raheel Sharif to flee the country rather than face his trial. The verdict was announced after six years and even then General Musharraf was out of the country.

The judgment was criticized for having words that were harsh but it was a big step towards achieving civilian supremacy. But after the judgment was announced, the government who was the complainant in the case and the decision was given in its favor the government criticized the judgment which indicated the grasp of the military over power in Pakistan was the survival of government was at stake and the ISPR reaction highlights even further how strong the military is in Pakistan. In order to make Pakistan a true democracy where civilian authority is supreme the civilian leadership will have to sacrifice its personal interest because of which they are willing to support the military against a democratically elected government otherwise civilian supremacy will always remain a distant dream in Pakistan.

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