



Governance and Political System in Pakistan

Challenges | Dichotomies | Reforms



Governance and Political System in Pakistan

Research Report



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Governance and Political System in Pakistan

The Institute of Policy Studies (IPS) in collaboration with the Islamabad Policy Research Institute (IPRI), conducted a series of roundtable discussions and seminars under the theme “Governance and Political System in Pakistan.” This report has substantially drawn on the experts’ analyses and specialized input during the interactive sessions.

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Executive Summary

- The governance system essentially originates from the Constitution, which provides all the necessary foundations. Nevertheless, there are serious issues with the implementation of the Constitution, leading to dichotomies affecting national strengths. The core governance issues in Pakistan start with these dichotomies, i.e., the ideological dichotomy, the dichotomy of civil-military power balance, the dichotomy of democracy and electoral system, the issue of devolution, and imbalances within provinces.
- As Pakistan's governance issues inherently relate to the unrepresentative democracy leading to elite capture, which only manages its personal or group stakes, it is inevitable to move to proportional representation from the 'first-past-the-post,' along with making political nurseries and local governments operative to resolve the issue of devolution. There is also a need to restructure and rationalize the provincial architecture to improve political culture, representation quality, and interprovincial disparities.
- Breaking these dichotomies requires a reformative agenda based on improving the constitutional implementation gaps, subordinate legislation, efficient parliament, rule of law, and the rules of business to improve institutionalized decision-making. For initiating this reform process, the most important prerequisite is a consensus of vision and political will. This demands ownership by and inclusivity of all stakeholders in governance, i.e., the bureaucracy, civil administration, and military establishment.
- The quality of governance essentially depends on the commitment, character, and performance of the rulers and the bureaucratic officials. The Constitution provides the basic guidelines for running state affairs; after that, it is the job of political parties, the bureaucracy, and concerned citizens to make the right decisions and bring reforms while sticking to the Constitution.
- As the civil administration is responsible for governance at the operational level, the upright professionals among them need to maintain the initiative, adopt an attitude of responsibility, and justify their competence. The power dichotomy has also had implications for the professional roles of the armed forces. It is important to maintain a clear distinction between the roles of the military and civilian institutions in state governance, particularly when the military is not directly in power, to strengthen democratic institutions and the civilian character of the political system.
- While considering these factors in formulating integrated strategies, the issues must be approached and recognized under a right-thinking paradigm for correct diagnosis of problems and formulation of effective responses and governance models.



Overview

There is no universally agreed definition of governance;¹ therefore, no model can be considered universally ideal. At the conceptual level, a simple reason for this lack of consensus is that governance is not confined to any one type of institution or department of human life. At the highest level, it is directly related to the global system. At the national level, it is related to different tiers of government, various types of organizations, and public institutions at different stages.

In each case, the success or failure of governance is linked to the goals set in the particular sphere at a given point in time and place. Thus, a successful model of public governance for a nation is expected to take into account the structures, values, traditions, and historical and social attitudes in the society as well as internal and external conditions of the country.

Despite this diversity, it is generally agreed that the success of any governance model depends on the degree of clarity, both in terms of words and practices, of the following four overriding questions:

- Who has power – de jure and de facto?
- Who makes decisions and how?
- To what extent are the stakeholders on board?
- How effectively is accountability rendered?

Governance in Pakistan

Just as there is no scarcity of literature on governance, there is no dearth of reviews and reports on the state of governance in Pakistan and how to improve it. This work has been done regarding the national level as a whole and includes almost every government sector, such as health and education, law and order, the judicial system, the economic situation, and the political and electoral system. It has been carried out at different times on local and national initiatives as well as with the support of foreign experts and institutions.

The public governance situation in Pakistan is generally perceived as poor and described as deteriorating and weakening. Notwithstanding many successes, and there are many, the perception both within and outside the country is quite depressing. The weak and deteriorating economic condition,² which is squeezing any fiscal or financial space for self-correcting

¹ Generally, governance is considered to be the process of making and enforcing decisions within an organization or society. It involves establishing rules, regulations, and laws, as well as implementing and monitoring compliance.

² The inflation (average consumer prices) increased from 3.925% in 2018 to 12.148% in 2022. The gross debt increased from 64.82% of GDP in 2018 to 77.751% of GDP in 2022. The unemployed percentage of total labor force has also negatively increased from 5.8% in 2018 to 6.2% in 2022. Along with that, unstable GDP growth rate, massive devaluation of the rupee, diminishing foreign currency reserves, and increasing fiscal deficit, among others, augment the fear of economic default. See, “World Economic Outlook Database,” International Monetary Fund, accessed January 6, 2023, https://www.imf.org/en/Publications/WEO/weo-database/2022/October/weo-report?c=564,&s=NGDP_RPCH,NGDPD,PPPGDP,NGDPDPC,PPPPC,PCPIPCH,LUR,GGXWDG_NGDP,&sy=1980&ey=2022&ssm=0&scsm=1&ssc=0&ssd=1&ssc=0&sic=0&sort=country&ds=.&br=1

mechanisms,³ the constantly challenging security environment owing to both external⁴ and internal developments,⁵ political instability,⁶ inconsistencies in managing external relations,⁷ and the worrying status of social indicators,⁸ particularly in the education⁹ and health¹⁰ sectors, along with increasing income inequalities are some of the factors cited as the background as well as the outcome of such a situation.

Corruption, red-tapism, and inefficiencies of public institutions,¹¹ which create everyday difficulties for the people at the grassroots while giving a kind of credence to this view, are adding frustration and bitterness in society. Above all, the distorting equations, the actual as well as the perceived transgression of institutions¹² crossing their respective domains, have made the government machinery grossly, if not totally, ineffective in pursuing any comprehensive development path.

It is, however, important to keep in purview that the present unsatisfactory development progress of Pakistan is an outcome of multiple factors which have originated from the global political dynamics, the situation in the region, and most of all the crisis of integrity, competency, and confidence within the country over the span of seven decades. These multiple factors have created problems not only for the country's economic and political independence and internal stability but also for its cultural and ideological identity.



³ Self-correcting mechanisms of an economy, such as flexibility of wages and resource prices, act to pull an economy out of a recessionary gap or an inflationary gap and adjusts the market from disequilibrium to equilibrium. See, "What is meant by the self-correcting mechanism of the economy?" Sage-Advices, December 9, 2019, <https://sage-advices.com/what-is-meant-by-the-self-correcting-mechanism-of-the-economy/>

⁴ Mudassir Mukhtar, Waseem Ishaque, and Muhammad Shoaib Malik, "National Security Paradigm of Pakistan – Retrospective Analysis," *NDU Journal* (2019): 173-180. <http://111.68.99.125/website/ndu-journal/pub-new/11-National-Security-Paradigm.pdf>

⁵ Ibid.

⁶ Ayesha Naz, Hafsa Jabeen, and Azra Nasir, "Interlinkages among Terrorism, Macroeconomic Instability, Political Instability, and Economic Growth in Pakistan," *NUST Journal of Social Sciences and Humanities* 7, no. 1 (January-June 2021): 38, https://www.academia.edu/85210612/Interlinkages_among_Terrorism_Macroeconomic_Instability_Political_Instability_and_Economic_Growth_in_Pakistan

⁷ Farhan Hanif Siddiqi, "Exploring the Impulses in Pakistan's Foreign Policy," *South Asian Voices* (September 17, 2020), <https://southasianvoices.org/exploring-the-impulses-in-pakistans-foreign-policy/>

⁸ Pakistan's HDI value for 2021 was 0.544, which puts the country in the low human development category. See, "Pakistan," Human Development Reports, UNDP, last modified September 8, 2022, <https://hdr.undp.org/data-center/specific-country-data#/countries/PAK>

⁹ "Pakistan," Sustainable Development Report, <https://dashboards.sdgindex.org/profiles/pakistan/indicators>

¹⁰ "2021 GHS Index Country Profile for Pakistan," Global Health Security Index, <https://www.ghsindex.org/country/pakistan/>

¹¹ Michael Kugelman and Ishrat Husain, eds., *Pakistan's Institutions: We Know They Matter, But How Can They Work Better?* (Washington: The Wilson Center, 2018), 1. <https://www.wilsoncenter.org/publication/pakistans-institutions-we-know-they-matter-how-can-they-work-better>

¹² Muhammad Mumtaz Ali Kha and Imran Alam, "Good governance in Pakistan: Parameters, causes and measures," *Pakistan Vision* 21, no. 1 (2020): 325, 326, 328, 329, http://pu.edu.pk/images/journal/studies/PDF-FILES/23_v21_1_20.pdf

The Issue Analyzed

Can Things Get Better and How?

Each of the above-mentioned aspects is important in its own place, and each requires special measures to improve the ground situation as well as perceptions. Nothing substantial can happen in isolation as everything is interrelated. Moreover, it is a chicken-and-egg-like situation. Therefore, any process of reform in any sphere cannot be fully effective unless there is improvement in the rest of the spheres as well. Thus, the overall system needs to be seen and improved in the context of the aforementioned key questions: Who has power? Who makes decisions? Are stakeholders on board? How is accountability rendered?

The process of improvement is basically related to improving the entire governance system, which essentially originates from the Constitution and leads to legislation, policies, formation of decision-making institutions and frameworks, implementation mechanisms, accountability, and rewards and punishment mechanisms for their operations.

There are certain prerequisites for getting this reform process initiated and making it successful. Most important among them is a clear and consensus vision and political will – from the leadership to the grassroots levels – to achieve that concept. This would need ownership by all stakeholders, which is essentially an outcome of inclusivity (taking stakeholders on board) in governance. Although inclusivity is important at every level – from local and institutional to national – the reality is that the culture of inclusivity in any society is developed through practices at the grassroots, but it flourishes once it is genuinely operationalized at the highest levels. Thus, it has a bottom-up and trickle-down effect at the same time.

It, however, needs to be reiterated that while ensuring inclusivity as a principle of good governance, countries and societies, in view of their culture, values, and political traditions developed over centuries through their actions and interactions, may differ in the ways to ensure inclusivity in the form of government and governance infrastructures. Historical, geographical, and strategic factors also influence the governance style of each country. This is the reason why many different models of governance remain in vogue around the world.¹³ Thus, while discussing governance in Pakistan, or for that matter in any other country, it is necessary to benefit from global experiences, but the indigenous dimension should be an overriding consideration.

Similarly, it is not only logical to infer but is also globally exhibited that notwithstanding the model and structure, the quality of governance essentially depends on the commitment and character as well as the role and performance of the rulers and the ruling classes, i.e., the quality of human resources who have the power and make the decisions.

A component of this aspect is how qualified these people are and how much acceptance they enjoy in society. From the point of view of governance, this acceptance, rather than any ethnic, regional, linguistic or sectarian bias, develops in an environment where people have confidence

¹³ Democracy, republic, monarchy, communism, and dictatorship, each having different approaches based on objectives and national interests of states, are different models of governance across the globe.

in their representatives, their sincerity, and their competence, and at the same time in the transparency of the system which brings them to the decision-making positions. This is directly related to the composition of representative institutions and the electoral system, which, among other elements of answerability, serves as the most important mechanism for rendering accountability.

Constitution – The Key Governance Document

Against this backdrop, the Constitution of Pakistan [1973] provides a clear vision for society and a framework for governance and the governmental structure.¹⁴ It lays down and clearly outlines a system for governance and public representation.¹⁵ Notwithstanding changes, this Constitution has remained generally acceptable over the past 50 years. The three important features of this Constitution, which make it acceptable, are its federal, democratic, and Islamic character.¹⁶

Along with this, the Constitution also provides clear principles for the political system. The establishment of national [and other levels] representative institutions,¹⁷ eligibility criteria¹⁸ for aspiring representatives, and institutions and mechanisms to conduct the whole system.¹⁹ Also, the division in administrative units is clear.²⁰ The Principles of Policy²¹ are also explained with reference to the decisions and their implementation after the formation of the parliament and governments. The roles of the legislature, executive, and judiciary, and the relationship between them²² have also been clearly stated. Besides, it provides for governments at the grassroots level.²³

In this way, the Constitution of Pakistan provides the necessary foundations for good governance in the country. Nevertheless, there are serious issues with regard to operation and

¹⁴ The government structure of Pakistan is federal with three primary branches: the legislative, the executive, and the judiciary. Part III, IV, and V of the Constitution provide frameworks for government structure based on federation, provinces, and relationship between them, respectively. See, “The Constitution of the Islamic Republic of Pakistan,” National Assembly of Pakistan, https://na.gov.pk/uploads/documents/1549886415_632.pdf.

¹⁵ The Constitution, in the form of Articles 51, 59, 62, and 63, has outlined the prerequisites for public representation. See, “The Constitution of the Islamic Republic of Pakistan,” National Assembly of Pakistan, as modified up to May 21, 2018, https://na.gov.pk/uploads/documents/1549886415_632.pdf.

¹⁶ Prime minister elect Zulfikar Ali Bhutto, addressing the National Assembly on August 12, 1973, two days prior to promulgation of the constitution, said: “The country has a Constitution framed by the people. Nobody can deny that it is not a democratic Constitution. It is a Parliamentary Constitution because that has been the urge and the aspiration of the people for a long time. It is a Federal Constitution because the people have wanted provincial autonomy and on the basis of provincial autonomy a Federal Constitution has been framed by their representatives. It is an Islamic Constitution because the urge and the sentiments of the people from the first day of Pakistan, have sought an Islamic Constitution.” See, The National Assembly of Pakistan (Legislature) Debates, Official Report, pages 8-9, August 12, 1973.

¹⁷ Part III and IV, “The Constitution of the Islamic Republic of Pakistan.”

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Part XII, Chapter 3, “The Constitution of the Islamic Republic of Pakistan.”

²¹ Part I, Chapter 2, “The Constitution of the Islamic Republic of Pakistan.”

²² All three branches of government are assigned specified areas of responsibilities to achieve a system free of conflict. Different provisions, like Articles 68, 69, and 239, clearly state the ambit of these branches to avoid interference of responsibilities or conflicts.

²³ The 18th Amendment of the Constitution of April 2010 transferred responsibility for local government from the federal to the provincial governments. See, Article 140A, “The Constitution of the Islamic Republic of Pakistan.”

implementation and, therefore, voices for a new social contract are also occasionally heard, declaring the Constitution controversial. Concerns expressed by a significant number of people about their future in the country, the way society is getting severely polarized at the political, social, and institutional levels, and the way this is causing serious issues of uncertainty, instability, and rising despair are some of the reasons cited in this regard. While such concerns are understandable, making the Constitution controversial, instead of emphasizing its application, is actually a very dangerous approach.

Subordinate legislation²⁴ – an important factor in making the Constitution effective: It is imperative to dispel the general impression that every day-to-day failure requires a constitutional amendment to improve governance. By providing the basic guidelines for the running of the affairs of the state, the Constitution itself becomes indifferent. After that, it is the job of political parties and concerned citizens to get subordinate legislation from the parliament in the light of the Constitution. In fact, this is often the first step towards better governance once the Constitution is in place. One of the major problems at this time is that in a number of areas subordinate legislation is missing or is not efficient. Let's take the issue of the judiciary, as an example, in this regard.

Subordinate legislation regarding the judiciary as a case in point: The independence of the judiciary is the cornerstone of governance. It is guaranteed in the Constitution,²⁵ but due to the lack of subordinate legislation, the chief justice of the country (and high courts, in the case of provinces) has enormous discretionary powers. Often, the use of such powers brings inconsistencies and shifting emphasis in dealing with issues, depending on the individuals' approach who are occupying the position.

Consequently, it is a common observation that many important issues related to state affairs remain on hold and political cases take priority. In the absence of detailed rules, the benches are formed according to the discretion of the chief justice. Moreover, it is the discretion of the chief justice as to which case is to be heard immediately and which is kept in abeyance. In principle, there may be room for limited discretionary powers to allow any genuine urgency or in view of the importance of the cases. Yet, in order to deal with judicial matters, legislation is required for the constitution of benches so that any case, instead of remaining dependent on the discretion of the chief justice, should be heard on its turn.

Another worth noting example is related to the Supreme Judicial Council. The guiding principles for the Supreme Judicial Council are present in the Constitution, but if a complaint is made against a judge and the chief justice does not wish to, it remains unheard due to a lack of any binding obligation on him, which requires subordinate legislation. There are occasions when judges retire, and the complaints become ineffective. Due to the absence of a detailed law in the light of the Constitution, the Supreme Judicial Council is practically a suspended institution even after more than fifty years with no office, no secretariat, and no law to govern its affairs.

²⁴ Rules, regulations, orders, schemes, byelaws, etc. having the force of law, framed by the executive or any other subordinate authority in pursuance of the power conferred on it by the Constitution or delegated to it by an Act of Parliament.

²⁵ Article 2A as well as the preamble of the Constitution guarantee the independence of judiciary.

In fact, the judiciary has to play a final and decisive role in establishing the rule of law, which is an extremely important element of good governance. It corrects any malpractices in terms of governance and thereby ensures better functioning of the system. If the discretionary powers continue to affect this role of the judiciary, the errors will be perpetuated instead of corrected.²⁶

Amendments to the Constitution: There is always room for necessary improvement or alterations in the Constitution to accommodate the requirements of changing circumstances, yet talking about a new social contract or altering the fundamentals in the Constitution reflects only naïve and unrealistic thinking. The fact is that this document, which was adopted by consensus in 1973, has outlined a clear procedure for change, and accordingly there have been 26 amendments to it so far. Moreover, despite successive changes in government, including four military regimes as well, it has sustained itself for 50 years without compromising its fundamental character and basic features.

The option of amendments will always remain open in the future as well in light of changing circumstances. The real and important question is how far the vision, governance framework, and priorities given in the Constitution have been, and could be, implemented in accordance with its original spirit. Seen this way, and repeating the key questions mentioned above with reference to good governance, the real problem is to eliminate the dichotomies in the system. At present, these dichotomies exist in a number of ways.

Approaching the Reforms

Defining the context – four important questions: The dichotomies will be explained later. Meanwhile, it will be useful to have a cursory look at the situation from a holistic and longer perspective rather than any knee-jerk or impulsive reflex in view of the currently prevailing scenario.²⁷ Indeed, thinking paradigms and patterns play an extremely important role in reaching the correct diagnosis and formulation of the best responses. Four questions must be considered in this regard.

First, are the problems related to governance specific to Pakistan? The reality is that although there is certainly a difference in degree, the country is not alone in the world or at the bottom in terms of problems being faced by the people owing to weak governance situations.²⁸

²⁶ Ideally a balance in judicial restraint and activism needs to be maintained which, on occasions, seems tilting randomly. There could be many more ideas about the improvement of judiciary but the stress here is confined to only these two aspects in this larger study on governance.

²⁷ A highly polarized political situation developed in April 2022 and continued to exist at the beginning of 2023.

²⁸ In the wider context, governance-related problems are afflicting the whole world. For instance, in the UK the appointment of three prime ministers in less than two months in 2022 created a condition of political chaos that was questioned as being a new normal of British politics. See, “Three PMs in two months, is political chaos the UK's new normal?” BBC, October 26, 2022, <https://www.bbc.com/news/uk-63383616>. Also, corruption remains a serious problem in EU countries. See, “Corruption,” Special Eurobarometer SP523, European Union, <https://europa.eu/eurobarometer/surveys/detail/2658>. The alarming increase in mass shooting and gun violence has plagued the US. See, “Charts and Maps,” Gun Violence Archive, <https://www.gunviolencearchive.org/>. In the social dimension as well, a developed country like the UK is stricken with sexual violence and rape assaults with no appropriate justice delivery in this regard. See, “Statistics about sexual violence and abuse,” Rape Crisis, <https://rapecrisis.org.uk/get-informed/statistics-sexual-violence/>. “The illicit drugs market is big business, worth an estimated £9.4 billion a year. Around 3 million people took drugs in England and Wales last year, with around 300,000 in England taking the most harmful drugs...”. See, Dame Carol Black, “Review of drugs: summary (accessible version),” Gov.uk, September 17, 2020, <https://www.gov.uk/government/publications/review-of-drugs-phase-one-report/review-of-drugs-summary>.

The second question is whether the current crisis is a sudden development or whether some historical factors are also responsible for it. There is no doubt that there are historical factors. In fact, there is a colonial legacy in the administrative structure and culture of governance, and in the behavior of the ruling elite created by foreign rulers before 1947, which was primarily devised to maintain their control over a subjugated population.²⁹

The third question is whether only local dynamics are responsible for the poor performance or whether there are external factors behind it. There is no doubt that along with the weaknesses, external elements and factors have also played a significant role in corrupting the governance.³⁰

The fourth, and most important, question is directly related to the thinking patterns and parameters of consideration while proposing a plan of action for reforming the situation. Considering the larger picture indicated above and the strengths and weaknesses, how should the whole subject be approached?

With the above questions in the background, recognition and acceptance of the fact that the situation is bad and has been getting worse for a long time is the first step. Denial would be the biggest obstacle to overcoming it, and so would be the blame game. Whatever is being faced today is the cumulative outcome of misconduct.

Along with that, there is a need to come out of fear, and the hope has to be rekindled that no matter how bad the situation is, it can be improved. Polarization should not be allowed to undermine national achievements. While there is no shortcut, in order to boost morale across the board at the national level, even small successes need to be celebrated and echoed. There are many examples of this around the world and in the nation's history as well.³¹

²⁹ The colonial power maintained its control on colonized public through (1) military, which operated as an occupation force to keep occupation intact, (2) civil service, the officials of which primarily worked like corporate managers responsible for collecting revenues, (3) judiciary, which, rather than delivering justice, only worked to decide according to laws given by the colonist regime, and (4) socio-economic elite, who were rewarded with land ownerships for loyalty to rulers. This elitist capture, that the colonists incorporated in the system, has persisted even after 1947 with new benefits for the elites.

³⁰ War in neighboring Afghanistan has influenced the country in a number of ways. See, for example, "The longest war in US history is, in fact, a proxy war with Pakistan." Bruce Riedel, "The US isn't abandoning Afghanistan. It now needs a strategy to tackle the Pakistani deep state," Brookings, April 15, 2017, <https://www.brookings.edu/opinions/the-us-isnt-abandoning-afghanistan-it-now-needs-a-strategy-to-tackle-the-pakistani-deep-state/>.

³¹ A few examples are given here. Pakistan secured top third rank in the global normalcy index by Economist showing the country's resilience and balanced policymaking during the Covid pandemic. See, "The Economist launches 'normalcy index' to quantify the return of pre-pandemic life in 50 countries," The Economist Group, July 1, 2021, <https://www.economistgroup.com/group-news/the-economist/the-economist-launches-normalcy-index-to-quantify-the-return-of-pre-pandemic>. Pakistan is the second largest state hosting refugees, while for more than four decades, it has been the largest one. See, "Pakistan world's largest host of refugees: UNHCR," Radio Pakistan, March 15, 2018, <https://www.radio.gov.pk/15-03-2018/pakistan-worlds-largest-host-of-refugees-unhcr>. Pakistan is amongst the world's top ten producers of wheat, cotton, sugarcane, mango, dates and kinnow oranges, and is ranked 10th in rice production. See, "Pakistan at a Glance," Food and Agriculture Organization of the United Nations, <https://www.fao.org/pakistan/our-office/pakistan-at-a-glance/en/>. Pakistan acquired nuclear power status in a very short time and became one of the nuclear states and the first Muslim country to achieve success in the nuclear program. NADRA is among top system integrators in identification sector employing e-governance with a citizen-centric approach. See, Tariq Malik, "Technology in the Service of Development: The NADRA Story," Center for Global Developments, 2014, <https://www.cgdev.org/publication/ft/technology-service-development-nadra-story>. Pakistan has been a prominent producer of sports products like footballs used in FIFA World Cup. See, "Football made in Pakistan will be used in the FIFA World Cup in 2022," Economy.pk, April 1, 2022, <https://www.economy.pk/footballs-made-in-pakistan-will>.

Another aspect, which has also been pointed out above, is that human thinking tends to be driven by spur-of-the-moment thinking, which is not unnatural. However, for a sustainable solution, it is necessary to keep the historical trends, larger context, and overall perspective in mind.

Dealing with the dichotomies in the system: It has been mentioned above that the real problem causing poor governance is related to the dichotomies affecting national strengths. While there are a number of areas which need to be discussed under this subject, five key dimensions, elaborated below, can be picked here in the context of the theme under discussion.

- **The ideological dimension:** The Constitution of Pakistan distinguishes itself from other countries of the world in terms of the concept of sovereignty.³² Likewise, it spells out the spirit and provides for such institutions that can help ensure the implementation of this concept of supreme sovereignty³³ in all areas of governance and legislation. However, in practice, neither the spirit is followed, nor the institutions concerned are wholeheartedly allowed to play their role.³⁴ This dichotomy is expressly present even in the Principles of Policy,³⁵ otherwise a good set of guiding principles, which bars any legal action against the violation of these principles.³⁶ In fact, if any immediate attention is required for improving the Constitution, this is one of the most important agenda items.

The paradigm of development is also an area related to the ideological dimension. What kind of development does the nation aspire to? The Western model essentially revolves around GDP and its growth. It has its own merits based on the value system it is founded on. While GDP growth is always welcome, development under an indigenous culture and value-based paradigm that revolves around the ‘Objectives of Shariah’³⁷ and emphasizes developing a caring community founded on a sustainable family institution

be-used-in-the-fifa-world-cup-in-2022/. The winning of Ramon Magsaysay Award by Akhuwat Foundation, largest Islamic microfinancing program, of Pakistan is a big success story. See, “Saqib, Muhammad Amjad,” Ramon Magsaysay Award Foundation, <https://www.rmaward.asia/awardee/muhammad-amjad-saqib>. In the Global Fire Power Index, Pakistan is denoted among the top 10 world powers after securing 7/145 rank for 2023. See, “2023 Pakistan Military Strength,” GFP, https://www.globalfirepower.com/country-military-strength-detail.php?country_id=pakistan.

³² As set out in the Objectives Resolution in the Constitution of Pakistan, “sovereignty over the entire universe belongs to Allah Almighty alone and the authority which He has delegated to the State of Pakistan, through its people for being exercised within the limits prescribed by Him, is a sacred trust.”

³³ Complete surrender to Allah; the operational dimension to it is a model of governance that requires keeping objectives of Shariah in view while making any decision or taking any action.

³⁴ For instance, provisions and practices about Council of Islamic Ideology reports and the disregard shown to Federal Shariat Court decisions.

³⁵ With regards to promotion of local governments, promotion of backward areas, free education, speedy justice, end of social evils, reduction in income disparities, provision of basic necessities of life to all, and social and economic well-being of people, among others, are set out in the Principles of Policy in the Constitution but have low scope of implementation. See, Part I, Chapter 2, “The Constitution of the Islamic Republic of Pakistan.”

³⁶ The directives under Principles of Policy cannot be enforced by courts, provide no legal remedy, establish no legal rights, and are not permanent in nature. See Article 30, “The Constitution of the Islamic Republic of Pakistan.”

³⁷ Maznita Mokhtar, Mohamed Ariff, and Obiyathulla Ismath Bacha, “People’s Wellbeing: A Strive to Meet Maqasid Al-Shariah,” in *Handbook of Analytical Studies in Islamic Finance and Economics*, edited by Zamir Iqbal, Tarik Akin, Nabil Maghrebi and Abbas Mirakhor (Berlin, Boston: De Gruyter Oldenbourg, 2020), 521-525, <https://doi.org/10.1515/9783110587920-023>.

needs to be stressed. With this in view, self-reliance by making optimum utilization of the country's natural and human resources, welfare, conservation, simplicity, and austerity must be the cardinal principles of national development policies in all spheres.

- **The power balance:** The second major dichotomy is related to the domains and role of various institutions. In the 75-year history of Pakistan, long periods of breaking and suspending the Constitution, owing to martial laws and military regimes, have made the question of 'who has the power' practically meaningless. Moreover, it is no secret now that even if the military is not directly in power, it influences almost all the important areas of governance.³⁸ This duality has been generally named as a hybrid model.

While this model has affected the professional culture of the armed forces, it has given rise to another problem regarding the role and functions of the civil administration, which is actually responsible for governance at the operational level. The upright professionals among them have lost the initiative. To others, this hybrid model of governance has provided excuses to justify their incompetence and failure or adopt an attitude of evading responsibility. As far as the debate about the parliamentary or presidential systems is concerned, it is unnecessary, and opening it in today's sensitive environment is in no way advisable.³⁹ In a diverse society like Pakistan, the parliamentary system is much more suitable than any other option.

- **Democracy and system of elections:** The third dimension is related to democracy and national politics, which is directly related to the electoral system. It is said that democracy does not exist anywhere in the world in its ideal form,⁴⁰ but the situation in Pakistan is even worse as there is hardly any political party that can be called genuinely democratic internally. In fact, a few family-based groups hold the position of representing the people in the country. This malpractice is also supported by the prevailing electoral system, which helps a select few of the elite group to be elected for their interests, based on their personal or group benefits, and on the basis of caste, community, and regionalism rather than any program and manifesto to improve governance and achieve national objectives.

Moreover, in the electoral system based on 'first-past-the-post',⁴¹ most of the representatives get elected to the parliament by obtaining votes from only a small

³⁸ Saeed Shafqat, "Pakistan military: sustaining hegemony and constructing democracy?" *Journal of South Asian and Middle Eastern Studies* 42, no. 2 (2019): 22, [Pakistan_Military-converted-libre.pdf](https://www.researchgate.net/publication/338888888_Pakistan_Military-converted-libre.pdf) (dlwqtxts1xzle7.cloudfront.net).

³⁹ Both systems have their own merits and demerits; both have been experienced in Pakistan and neither of these experiences can be regarded as ideal. The Constitution of Pakistan provides a customized parliamentary system, which may be called the 'prime ministerial form', where the prime minister has the power to appoint as many special assistants as he likes. While such things need to be rationalized, it has to be reiterated that it is necessary to observe the checks and balances that exist in any system. And in the final analysis, the success of the system depends on the individuals' attitude to the rule of law and their character.

⁴⁰ Claude Longchamp, "The Perfect Democracy Does Not Exist – Not Even in Switzerland," SWI swissinfo.ch, May 28, 2021, https://www.swissinfo.ch/eng/directdemocracy/swiss-democracy-in-an-international-context_the-perfect-democracy-does-not-exist---not-even-in-switzerland/45578888.

⁴¹ See Annexure.

percentage of the people of their constituency.⁴² This in no way serves the objective of electing a body that genuinely represents all stakeholders in their due proportion.

- ***The issue of devolution:*** The fourth dimension, which is also related to the political sphere, is devolution. Despite clear instructions in the Constitution about the establishment of local governments, they are not established in the first place, and even if they are formed, they are deprived of the powers to make decisions and control resources. In the absence [or ineffectiveness] of these local governments, the bottom rung, and in a sense the most important rung of governance, remains empty. The burden of governance shifts to the upper [provincial] level and spoils it in a number of ways. How heavy this burden is can be estimated from the fact that, in terms of population, the province of Punjab is larger than 183 countries while, in terms of area, Balochistan is bigger than 131 countries of the world. And importantly, many of these countries have local and grassroots governments as a normal routine.
- ***Imbalance within provinces:*** This leads to another important dimension of the issue of governance, which is related to interprovincial disparities. The restructuring and rationalization of the provincial architecture by revisiting the number of federating units in terms of their size, role, and resources is a necessary requirement for national integration, inclusivity, and better governance. However, even with this alteration, the basic unit of governance should be the district and tehsils with local governments in place.⁴³



⁴² See Annexure.

⁴³ Addressing this would however need a constitutional amendment.

Recommendations

How to move on?

The five dimensions discussed above are not exhaustive in terms of a full and sector-wise diagnosis of the governance problem but indicate the main and overriding causes. While formulating the future plan of action regarding good governance, the focus must again turn to the four questions stated at the beginning of this discourse.⁴⁴ In light of these questions, smoothening the dichotomies in decision-making by correcting the entire system should be the top priority. An agenda based on the following points should form the basis for any governance reforms program.

- Respecting the Constitution, which is the basic guiding document, in letter and spirit. Elimination of institutional overlap and conflict, reducing the military's role in the political sphere, and depoliticization of the judiciary and bureaucracy, as well as the law enforcement agencies, would automatically follow the course.
- Under the Constitution, the highest legislative body is the parliament (and provincial assemblies in the provinces). The better the performance of this institution, the better the governance will automatically be. To make parliament effective and strong, it is necessary to ensure the stability of this institution. On the other hand, steps have to be taken to improve its performance by raising and facilitating the efficiency of individual members, its committees, and the quality of parliamentary debate. It has to be ensured that its fundamental task is legislation and a check on the performance of the government and its policies. The decisions taken here are not for any individual or group or even any particular institutional interest but truly in the context of national interests.⁴⁵
- A review of the rules of business to improve the overall working and institutionalized decision-making, especially in matters of sovereignty, independence, and national security, is also needed. Most of all, it is the MPs' commitment and their professional qualities that count. Measures to achieve the highest level of excellence would require reviewing the whole process of elections.

Political Culture and the Electoral System

When it comes to implementing these points, it is easier said than done. The main reason for this difficulty is the flawed electoral system, which only promotes elite capture. In the present electoral system, it is more or less impossible for genuinely competent people to be elected as public representatives on the basis of a national agenda. This means the role of parliament will

⁴⁴ These include: Who has power – de jure and de facto? Who makes decisions and how? Inclusivity; to what extent the stakeholders are on board? How effectively is the accountability rendered?

⁴⁵ The distribution of billions of rupees to members of parliament and provincial assemblies in the name of development funds over the years is nothing but formalizing and legalizing the vested individual and group interests of MPs. Such traditions need to be stopped immediately.

never be up to the mark. From this perspective, some fundamental changes in the electoral system, by moving to proportional representation from ‘first-past-the-post’, are inevitable.⁴⁶

- These changes could alter the political culture and result in the national interest and program becoming the basis of representation in parliament. The performance of the members elected to parliament and political parties should also be evaluated on the same basis. Rebuilding of the political parties is also required through their mandatory democratization involving intra-party elections by secret party ballot and elimination by law of the hereditary succession of political leadership which, in essence, is the very negation of inclusivity and democracy.

Exceptions are everywhere, and there could always be found some outstanding parliamentarians. But the simple point is that it is not right to expect a person, who is elected with the support of a few percent of the cast votes and whose political future is dependent on maintaining the support of those voters in a particular constituency, to struggle for the fulfillment of national interests. It is even far-fetched that he would be genuinely and unbiasedly active for across-the-board benefits even in his constituency where many people do not support him.

With this in view, there is a need to amend the current majoritarian adult franchise system and move on to holding elections based on proportionate representation. This will ensure the representation of political parties in national (or provincial) legislature proportionate to the percentage of votes they receive. It will provide greater access to non-feudal, non-elitist, educated middle-class people and professionals in elected assemblies.

- Along with this fundamental change in the electoral system, political nurseries need to be made operative to improve the quality of representation and efficiency in the parliament. In this regard, the clear instructions of the Constitution concerning the establishment and empowerment of local governments through the electoral process need to be followed rigorously.⁴⁷

Besides, elections of student unions and labor and professional associations are also indispensable for improving political culture as they will increase opportunities for injecting and grooming new blood in politics. While governance in the area of sports and games is not directly related to the political system and therefore requires a separate discussion, it needs to be reiterated that it has a relation to developing the attitude of following the rule-based system. It grooms youngsters by learning and adopting the behavior of observing the rules of the game irrespective of the number of stakes involved in victory or defeat in any competition.

- In the context of the political history of Pakistan and the specific socio-political conditions, there is also a need to consider reducing the term of the government. Elections could be held every four years to allow people to express their choice, i.e.,

⁴⁶ See Annexure.

⁴⁷ Article 140A provides for the establishment of local governments, while Article 219(a) and 219(d) charges the Election Commission to prepare for the elections of local governments.

ideology, program, party, or leader. Change/renewal of mandate every four years will inculcate new traditions of patience and struggle in the political culture.⁴⁸

Likewise, the holding of simultaneous elections of provincial and national legislatures should not be binding. Elections provide an opportunity to release or reduce the suffocation created in the political environment and, at the same time, an occasion to focus on the real performance of various governments and the parties running them. Different maturity dates of the parliament and provincial assemblies' terms will only strengthen this process.

The use (or otherwise) of electronic voting machines (EVMs) has been mentioned very often with reference to elections. In fact, it has become a major topic of political controversy.⁴⁹ Regardless of the arguments for and against EVM, it is a minor issue compared to the many important steps outlined above to reform the electoral system.

E-governance dimension: Digital technology and opportunities for handling big data have provided new prospects for improving the entire system of governance⁵⁰ and not just elections. There is no dearth of talent in this regard in Pakistan, and there has been significant progress in many small and big projects. A comprehensive, far-reaching, and clear vision and goals, as well as the necessary allocation of human and financial resources towards e-governance, is the need of the hour. This subject itself requires an exclusive discussion.



⁴⁸ "No Pakistani prime minister has completed a full term in office," Aljazeera, April 9, 2022, <https://www.aljazeera.com/news/2022/4/9/factbox-no-pakistani-prime-minister-has-completed-a-full-tenure>

⁴⁹ Hina Binte Haq and Syed Ali Talha, "Electronic Voting Machines For Pakistan: Opportunities, Challenges and the Way Forward," paper presented at Rasta Conference, Pakistan Institute of Development Economics, Islamabad, March 28-29, 2022, <https://pide.org.pk/rasta/wp-content/uploads/Hina-Bint-Haq-Conference-Paper.pdf>

⁵⁰ Pakistan has started giving considerable attention to the application of ICT and e-governance in various sectors. For instance, the implementation of big data technology during the Covid pandemic has contributed a lot to the nation's resilience and post-pandemic recovery. See, SparkLabs, and Augmentcare, "Battling Covid: Leadership and Technology Lessons Learned from Pakistan," August 13, 2020, <https://www.augmentcare.com/wp-content/uploads/2020/08/Pakistan-Covid-Case-Study-13Aug2020.pdf>. Moreover, the government's efforts to bring innovation through implementation of e-Governance initiatives in the public sector, e.g. NADRA, Sehat Sahulat Program, and in banking sector, have resulted in improved service delivery. See, "e-Governance," NADRA Pakistan, <https://www.nadra.gov.pk/solutions/e-governance/>. See, "Sehat Sahulat Program," State Health, https://statehealth.com.pk/sehat_sahulat_program.php.

Agenda for Future Research

The objective of this research report was to identify the core governance issues in Pakistan with respect to the country's political system and provide related recommendations. Governance itself is a vast topic with multiple dimensions. This discourse doesn't seek to address all aspects of governance as it falls beyond the report's scope. The core focus of analysis throughout the report has been the political system and its issues in the governance system in today's Pakistan. Even if the political system is to be extensively addressed, it can include a wide range of topics. The report has brought attention to them. However, in view of the concepts and ideas presented in the report, there is a need for further research and practical work on the specifics of the following diverse topics, each of which carries its own significance and scope for good governance.

- **Dichotomies:** The report outlines five system dichotomies, i.e., the ideological dichotomy, the dichotomy of power balance, the dichotomy of democracy and the electoral system, the issue of devolution, and imbalances within provinces. Thorough analysis and research must be conducted to find viable and practical solutions to break them for better governance.
- **Electoral System:** The report gives a general overview of the electoral process and the proportional representation system for it. However, topics such as public awareness and their training to operationalize the system, amendments to the Constitution and other legislation, and rules and regulations to conduct elections under the proportional representation model need distinct and exclusive work.
- **Political Nurseries and Local Government:** To improve the political culture and to train the public, political workers, and administrative personnel, the report has recommended focusing on political nurseries. In these nurseries, special emphasis has been laid on the establishment of local governments and the formation of student associations or unions. As the establishment of local governments is a constitutional requirement, it is necessary to conduct a study to determine how this requirement may be implemented in its letter and spirit. Similarly, detailed work is also needed for legislation and, if legislation exists, its implementation for student unions and other associations or platforms.
- **Subordinate Legislation:** A case study of the judiciary has been given on the topic of subordinate legislation, which remains a less focused area of attention. This also requires thorough research.
- **Sports:** The world of sports is an extraordinary field of training in terms of the culture of teamwork and the rule of law. It has a relation to political culture improvement, as it develops the attitude of following the rule-based system irrespective of the number of stakes involved in victory or defeat. This should be another future area of research focusing on how to organize and promote sports.

- **Technology and E-governance:** Technology and e-governance are also distinctive areas of governance and require subsequent research. Without an integrated program of resource allocation, technology, and training at the macro and micro levels under a holistic vision, good and successful governance in contemporary times cannot be realized. Moreover, research is required to determine what actions may be needed to include and implement modern technology and e-governance solutions in the election process and other related areas.
- **Thinking Paradigm and Value-based Development:** As discussed in the report, development under an indigenous culture and value-based paradigm that centers on the ‘Objectives of Shariah’ and emphasizes the building of a caring community rooted in sustainable family institutions must be made a focus of future research. Topics such as the thinking paradigm and, within this paradigm, the message of hope and value-based development, require a separate study with a view to putting forward detailed recommendations.



Conclusion

Human life has a lot of diversity and constant change is one of its main features. Against this backdrop, governance is not only a vast subject, but it is also a dynamic one. Being able to keep an eye on the upcoming changes and respond to emerging trends according to one's vision and circumstances is a sign of good governance and makes it more effective.

In this analysis, important suggestions have been given with reference to Pakistan's overall governance; however, each of these requires additional and detailed work. Part of this in-depth work will be a review of the governance of various sectors and preparing an integrated strategy.

It is important to point out that systems and structural weaknesses certainly affect governance, but the governance crisis is closely related to the moral and ethical crisis. In any society, if the moral condition of the people, and especially those who are in authority, is declining, then measures in structural changes cannot improve the situation. It should be recognized that notwithstanding many good qualities of Pakistani society, its overall moral condition is also deteriorating. In this context, it needs to be addressed not only as a part of improving governance but in its own significance.

There is no doubt that human knowledge and skills are important features for governing the affairs of any unit in human society. However, only those organizations and nations achieve sustainable success which adhere to basic human ethics, moral principles and values.



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Annexure

Moving for a Fairer Electoral System⁵¹

The system of voting and counting votes represents the mechanism through which people record their approach and thinking on major issues of the day, enabling the organs of the state to reflect and fulfill the will of the public. These systems should be as accurate, reliable, and impartial as possible. The success of democracy in a society depends, in the final analysis, on the effectiveness of the method of representation adopted. If the process ensures just representation of all shades of opinion and assigns to each a weight in proportion to its total strength in the society, it would result in fair play and strengthen the roots of democracy. If it fails on this count, it will impair the proper working of democracy in spite of all the trappings and symbols of a democratic order.

Several methods of representation have been tried over the years in different democratic societies. All of them can be roughly grouped under two major categories.

The first method is known as the majority system or first-past-the-post system, where the country is divided into a number of single-member constituencies, and whoever gets the largest number of votes in their constituency is treated as the representative of that constituency in the national forum.

The other major system of representation is proportional representation. It is based on the concept that the whole electorate, both majority and minority, should be reflected in the decision-making body in such a way that the strength of the representatives of a particular viewpoint should approximately correspond to their relative position in the population. There are many ways in which this method has been implemented. The central idea in all of these cases is that the real emphasis should be on the political weight of every group or party and that each party should carry a weight in the decision-making body in proportion to its electoral support.

The current system of representation in Pakistan is based on first-past-the-post, which is considered to be a less efficient and unfair system of representation. In this system, the majority of votes in a given constituency wins the seat regardless of how small the majority is. This practice often leads to a practically unrepresentative government, as the majority of representatives may not be from the majority of the population. On the other hand, national issues become secondary for the elected representatives. In most cases, the focus remains on their constituency issues and the interests of particular groups whose support is considered vital for their electoral victory in the future.

⁵¹ This note has been adapted from an earlier IPS study, Khurshid Ahmad, "A Proportional Representation Model for Pakistan," in *Proportional Representation and the Revival of Democratic Process in Pakistan* (Islamabad: IPS Press, 1983). It discusses the proportional representation system and its significance and also gives a basic framework for its implementation in Pakistan. A detailed exercise needs to be conducted to further develop a Pakistan-specific model keeping in view the special needs of the time and current facts and data.

Proportional representation, on the other hand, is a much more efficient system for representing all the stakeholders in society. In this system, parties are allocated seats in a legislature based on their share of the total votes. It is designed to ensure that all citizens have an equal say in the political process regardless of their political affiliation. The idea of proportional representation has been around for decades, but it has gained more attention in recent years. Compared to first-past-the-post, it is a fairer and more equitable way to elect representatives to government.

There are variations in form and operational details, depending on the political culture, administrative divisions, demography, and election history, in different countries. Yet, the common feature is that, under this system, voters would cast their votes for a political party or list of candidates. The seats in the parliament are then allocated according to the proportion of votes each of them or the list of candidates receives. While this is a popular form of proportional representation because it is simple, easy to understand, and easy to implement, variations, as indicated earlier, can be introduced according to a country's specific political requirements.

Proportional representation may have provisions for independent candidates. Depending on the form of proportional representation used, independent candidates may run for the seat as part of a party list in multi-member constituencies. Additionally, proportional representation systems may also provide for pre-election alliances between parties. This is often done through open lists, where parties can come together to form joint lists of candidates who are more likely to be elected.

Globally, around 90 countries use some form of proportional representation. In Europe, it is the most common form of the electoral system. Countries such as Norway, Sweden, Finland, Iceland, Denmark, Belgium, Luxembourg, the Netherlands, Germany, Austria, Portugal, Spain, Ireland, and Türkiye use this system. Outside Europe, Argentina, South Africa, Australia, and New Zealand are among the countries using this system.

A look at the objections to the proportional representation system and its benefits: It is argued that the system often leads to unstable governments, but empirical evidence does not favor this contention. It is also contended that the system can lead to voters feeling disconnected from their representatives since they may not have a local representative to turn to for help. While this is true, it should be desirable as the national or provincial legislatures are not meant for individual benefits but to work for the community and society. Another argument is that proportional representation leads to a proliferation of political parties and a multiplication of splinter groups. While the argument carries some weight, the issue is resolved with the passage of time as the parties move towards collaboration and alliances.

Benefits of the proportional representation system: The most significant benefit of proportional representation is that it allows for a more diverse representation in government. It warrants greater chances for representation of smaller groups and prevents one party from dominating the legislature. It ensures that elected representatives are relatively more competent and qualified, efficient, and reflect the views of the whole population rather than just a few powerful interests. This allows for a more inclusive government that is more likely to represent all segments of the population. In the first-past-the-post system, where the party with the most votes wins all the seats, smaller parties often find themselves without a voice. But with

proportional representation, smaller parties can gain representation even with fewer votes than the larger parties. This can lead to a more balanced and representative government.

Moreover, proportional representation can lead to improved governance. This is because the system encourages collaboration between parties, as each has a stake in the outcome of policy decisions. This can lead to more effective implementation of policy and greater accountability of elected representatives.

Importantly, under the proportional representation system, a shift of emphasis occurs from the individual candidate to the party on whose ticket he operates. Individual influence is never totally eliminated, yet the focus is more on the party, its program and its national character. This raises the level of discussion from individual traits to social and ideological issues and sets the political process to move in the right direction. This brings about very revolutionary and healthy changes in the operation and strengthening of the democratic processes in the country; the importance of the party increases, and greater effort is directed toward strengthening the party and its institutions. Organization of parties throughout the country gets a fillip because the strength of a party in each area is tied to its strength in the rest of the country. This also creates greater discipline and accountability in politics.

Moreover, the probability of a fair election is much greater in proportional representation than in the majority system. If a party is involved in rigging, it may change the percentage of votes marginally, but it would not be in a position to upset the results totally. In addition, during the election campaign, the discussion concentrates on party ideology and programs. So the voters and political workers can be trained accordingly. This process has helped in the emergence of ideological parties in several European countries, and this has led to the reduction of tribal and money power in favor of ideologically-oriented political parties.

This system inherently produces greater cooperation and even ultimate integration among political parties. The result is that parties become more national and integrated through networks of agreements and alliances. More or less permanent groupings of like-minded organizations emerge and cleanse the political climate of some of the fog generated by too many parties and rival political groupings.

The system also reduces tendencies towards political violence by ensuring each significant group a place in the national forum for decision-making. The divergence between the expected and actual results usually is narrow in this system.

The long-term influences of the system could also be significant. It gradually trains the people to accept differences and dissent and to accommodate them in the body politic. They begin to discover greater harmony of interests, and a new equation develops between different groups, which may be further strengthened by coalition governments. As every region gets proper representation and every significant viewpoint gets a respectable hearing, this reduces parochialism and regionalism and strengthens the national character of the society.



Proportional Representation Model for Pakistan⁵²

As stated earlier, there are variations in the operational details of the proportional representation system. Thus, nothing is sacrosanct about the modalities through which the system should be introduced and operated upon. Necessary changes could be made to suit Pakistan's unique needs, and below a model has also been suggested. Whatever arrangements are made for adopting this system in the country, the nation would have enough opportunities to improve it further through experience and experimentation. The most important thing is to make a beginning.

The system of proportionate representation in Pakistan may be based on the following premises:

- 1) For the National Assembly, the division will constitute a constituency, save in exceptional cases where a division may be divided into two constituencies.
- 2) For provincial assemblies, each district will form a constituency.
- 3) A party or alliance of parties that gets less than five percent of the total votes cast in the country and four percent of the votes cast in each province shall not be considered a national party eligible to be represented in the National Assembly.
- 4) A party or alliance of parties which fails to get less than five percent of the votes in the province in which it has contested elections shall not be eligible to be represented in the provincial assembly.

The reason for making every division a constituency is to guarantee territorial representation along with the representation of political parties and political groups. Due to the federal nature of the state, the country cannot be considered as one constituency as a whole. Therefore, it is necessary that there should be at least four constituencies for the four provinces, in principle, in line with the provincial entities. But as there are large disparities in the population size of the provinces, an alternative in the form of division as a constituency has been suggested.

The idea behind making a division a constituency is to maintain the territorial representative character intact along with the representations of political parties and groups. Besides, the arrangement will reduce parochialism and provincialism.

In the case of elections of provincial assemblies, it is proposed that each district should be treated as one constituency. This will further eliminate the tendencies of the *baradari* system and sectarian feelings and will also help enhance the representative character of a provincial assembly by ensuring the representation of every district in the provincial assembly.

While ideally, the entire election should be held on a party list system, for an interim period of transition, elections for a certain number of seats may be considered on the present majoritarian system. However, there should not be any independent candidates.



⁵² Adapted from an earlier IPS study, Khurshid Ahmad, "A Proportional Representation Model for Pakistan," in *Proportional Representation and the Revival of Democratic Process in Pakistan* (Islamabad: IPS Press, 1983).



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