

Political system of pakistan



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INTRODUCTION

The current system of government in Pakistan is a mixed, “ hybrid” form of government with elements from the parliamentary as well as the presidential systems. The country initially had a parliamentary form of government, it shifted to a presidential one with the 1962 constitution but later reverted back to a parliamentary one according to the current 1973 constitution. However, the various amendments and modifications to the constitutional provisions carried out by political leaders over the years have left a democratic, parliamentary government only in paper. The question that this paper, thus, attempts to answer is that, is a pure parliamentary form of government suitable for Pakistan?

To find a proper conclusion to the aforementioned question, the essay will explore the shortfalls of the current system and compare the two forms of government i. e. Parliamentary and Presidential, in order to suggest the better suited government structures of the two. In order to do this India, with it’s similarities to Pakistan in terms of shared history and culture, is taken as an example for Pakistan along with instances of the two types of democratic government systems prevalent in other countries. While the arguments for Parliamentary and Presidential forms of governments may draw inspiration from their practical application in India and elsewhere but these examples will be implied and not necessarily always mentioned explicitly.

RESEARCH METHODOLOGY

The research for this paper comprised primarily of review of works by established professionals and academics in the field. Most of the research

was limited to consultation of print and online sources for access to published material on the relevant topic.

The starting point of analysis was with examination of the text containing reviews of the current system of government structure in Pakistan, its flaws and the eventual inefficiencies it has led to. Various journal articles and books were consulted for a variety of perspectives on the debate regarding the suitable system of government for Pakistan.

Along with consultation of material for analysis of government structure of various countries, especially India and the South Asian region in particular, online journals were looked upon for comparative perspectives on the suitable government structure and their merits and demerits.

Although the research is limited to a select few academics and professionals in the field, it allows for a sample of the general prevalent views on the issue since both sides of the debate have been looked at.

LITERATURE REVIEW

A large majority of literature on the topic is either about the shortfalls of the current mixed government of Pakistan or it highlights how the presidential system of government is better suited for the country. What is needed, however, is a detailed comparison of the two systems and not just analysis of any one of the systems with regards to Pakistan. Material by foreign academics and professionals looks at the Pakistani political system in comparison to their own and focuses on the inadequacies of the Pakistani system. The following reviewed literature comprises of a small sample of previously conducted study and analyses on the subject under discussion.

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Khalid Sayeed (1967), in his book 'The Political System of Pakistan', explained the chronological progression of events leading up to the constitution of 1962 and the provisions it made regarding the system of governance to be put in practice in Pakistan. Regarding the 1962 constitution, the author (Sayeed, 1967) was of the view that the constitution severely curtailed the powers of the parliament and reduced the country to a distorted version of a presidential government. The author provided a favorable opinion about the parliamentary form of government, provided that it is actually in its truly democratic form (Sayeed, 1967, pp. 83). Although the author has given his opinion with support through illustrative historical examples but the author has failed to mention, explicitly, the merits or demerits of either of the systems of government and his clear choice of the either of the two. The author's arguments seemed to reflect a leaning towards the parliamentary system but he does not clearly highlight his choice, leaving the audience a little ambiguous about his perspective.

In the book entitled 'Government of Pakistan', Parmatma Sharan (1975) gave an outsider's opinion regarding the system of government present in Pakistan with comparison to their home country, India's government system. The author has sounded alarms regarding the high centralization of the government in Pakistan throughout the years ever since its independence. The author has said that this should be countered since a weaker leadership can, and has shown in actuality, the perils of a weak decision-making power in times of need (Sharan, 1975, pp. 150).

Ahmed Shuja Pasha (1995), in his account of the scenario of the Pakistani politics, was of the view that people themselves are largely responsible for

choosing the 'wrong' leaders as their democratic representatives. Pasha (1995, pp. 281-287) believed that the inefficiencies present in the political system of Pakistan are largely due to the fact that people associate democracy with one particular person who takes advantage of the situation and manipulates their powerful position for their own gains. Pasha's (1995) views were a little biased as he does not consider the constant shuffling of the regime as much of a problem for the lack of people getting accustomed to the workings of a democracy. The author's views were favorable for the military as he finds the military having the most disciplined set up during the times it came into power in the country (Pasha, 1995, pp. 189-190).

In an attempt to contextualize the latest Musharraf-led military coup in Pakistan, Sohail Mahmood (2001) tried to consider the factors that have led to the demise of true democracy in the country. He was of the view that regardless of the fact that the country is under parliamentary or presidential regime, the country has never truly been a democratic country because of the highly centralized nature of governance (Mahmood, 2001, pp. 7). The author also discussed the current semi-parliamentary system of Pakistan in comparison with a more presidential system like governance. He analyzed the merits and demerits of both (Mahmood, 2001, pp. 128-129). Although the author presented a fairly balanced view about the situation, he merely referenced historical political situations as chronological facts without his opinions being clear regarding them.

The author, Udaya N. Shukla, in his essay "Parliamentary Control over Government Policies in India" (1990) looked at the parliamentary system as a British legacy. The shortcomings in this system experienced in South Asia

(by India as well as Pakistan) are attributed to the centralization and the lack of proper literate population to understand the exact nuts and bolts of a parliamentary government (Shukla, 1990). The author should consider that this leads to the political elite to manipulate the situation and also he should outline the kind of political elite that could benefit by the ignorance of the population regarding the system. This is important because it allows the audience to contextualize the problems that plague the current parliamentary form of government.

Furthermore, it is not possible to make an absolute, decisive conclusion on the issue since access to every study and detailed research has not been possible and limited numbers of past discourses have been examined for the current analysis.

ANALYSIS

Pakistan, according to its constitution, is a 'federal republic' (Constitution of Pakistan 1973, Article 1(1)). This means that Pakistan is a country where several autonomous states have come together under a federation, the states being the self-governing provinces and the federal capital, Islamabad, being the centralizing federal authority. Being a republic, Pakistani government is a government where majority of the power vests among the larger body of citizens and where there is a head of state but that is not a monarch, the head of state is democratically elected, directly or indirectly (Merriam-Webster, 2011).

The Constitution of Pakistan calls for a democratically elected government where the legislative authority is vested in the Parliament and the executive

is led by the President (Constitution of Pakistan 1973, Objectives Resolution). The origins of the sort of power division proposed by the 1973 Constitution can be found in the 'Separation of Powers' doctrine proposed by Montesquieu (Anon. web). The Montesquieu doctrine called for division of the powers to govern a country with three proper divisions i. e. Legislature, Executive and Judiciary. Checks and Balances on all three of them by each other were proposed to ensure that every government instrument carried upon its tasks without infringing upon other institutions. However, the system of mixed government at present in Pakistan where the President, in paper is ceremonial, but in reality is a political affiliate of a particular party and where the Prime Minister is not only the leader of the Legislative body but also the head of the Council of Ministers which is the Executive body, is not properly following the 'Separation of Powers'. Chaudhry Muhammad Ali, the fourth Prime Minister of Pakistan, has even been quoted calling the 1965 government one that is "a government of the President, by the President and for the President" (Sayeed, 1967, pp. 105), there is a similar situation at present as well.

This is a problem for the country since the population has not even been accustomed to the concept of a proper parliamentary democracy that was introduced initially, now the highly distorted form of government is the product of and also leads to further irresponsible decision-making by the country's leadership, centralization of all important government policy matters and hegemony of the few. These inefficiencies have also been reflected in the political parties of Pakistan and their working.

Being a heterogeneous society, Pakistan, like other developing countries with people from a diverse background, for instance India, Pakistan also needs the participation of a larger number of people in the political life in order to break the shackles of domination that the political elite are keeping an overwhelming majority bound in (Kohli, 1994, pp. 90). The form of government and the design of party politics prevalent at present in the country is a major road block towards a liberal democratic Pakistan where all adults are actually empowered and educated enough to voice their opinions. Party politics is dominated by a handful of feudal families which share the government between them. This leads to a centralized system of decision making in the country regarding national and international matters which does not necessarily effectively reflect the majority's opinion and keeps the ascendancy of the few (Kohli, 1994; Sayeed, 1967).

Pakistan has also been suffering from bad governance owing to high centralization of the command (Sharan, 1975; Sayeed, 1977; Mahmood, 2001). This centralization of the decision making further conforms to Atul Kohli's (1994) comments regarding the increased hegemony of the richer, more dominant political elite. With increased concentration of powers not only does one person or office become uncontrollably powerful but there is an increased chance of the irresponsible and corrupt usage of that power (Mahmood, 2001). In Pakistan's case if the Prime Minister or the President is leading the Legislative body as well as the Executive they themselves are the one's making any new laws and regulations and ensuring their adherence by the general public, this becomes a case similar to the British Monarchy where the crown is above the law (De, 1991, pp. 246). A situation

like this leads to chaos when that particular person does not remain in their position anymore and since there has been no power sharing and none of the other institutions have contributed to the decision making process so nobody is ready to completely assume responsibility automatically upon the vacation of the office. Ahmed S. Pasha (1995) also sounded off similar comments when he mentioned that the population associated democracy with one person and the exit of that person caused chaos and disruption in the functioning of the government.

In order to clear up the mess of the mixed system and completely evolve into a more efficient form of governance it is necessary to understand both the systems of government – Parliamentary and Presidential.

The Parliamentary form of government has been labeled by most as a direct descendent of Monarchy. While a monarch comes into power by a dynastic succession, the head of state in a parliamentary form of government is democratically elected through the concept of universal suffrage (Philip. 2007, pp. 42). The existence of political parties is crucial for a parliamentary form of government. For a true parliamentary democracy, S. C. Stokes (1999, pp. 263) said that political parties are an essential component and there is no removing them. However, the present party system does not seem capable enough to accommodate the essence of a liberal democracy where any number of people from any background can represent their group. Thus, for establishing an effective liberal parliamentary democracy political parties need to be truly democratic themselves (Mahmood, 2001). This measure may also effectively solve the issue of centralization of power in the hands of a few since with a democratic setup of the parties more

people from diverse backgrounds can participate in the party politics.

Another feature of the parliamentary system is that the division of powers is often blurred; this again alludes to the Monarchical roots of the parliamentary system of government. However, lack of strong division of power does not mean lack of power sharing. Even in a parliamentary system there can be more decentralized decision making with powers vested in various echelons of the government. This can be seen in United Kingdom where although the final decision approving authority is with the executive - the Crown, the decision-making power is highly differentiated with the House of Commons and the House of Lords being involved in the legislative process.

On the other hand, the Presidential system of government is based strictly on the doctrine of ' Separation of Powers' and the Head of the State - the President, is elected directly by the population along with the core legislative body (Philip. 2007. pp. 39).

Both the systems have their own merits and demerits but for a heterogeneous society like Pakistan where strong ethnic affiliations play a central role in the populations' trust in their representative, a parliamentary system is rather more effective because the direct election of the Head of State in Pakistan is definitely not a suitable option as larger population areas are more likely to have their candidates elected to the office every time.

Moreover, as Ahmed Shuja Pasha (1995) argued that most of Pakistan's problems of electing the ' wrong' candidate are associated with the lack of awareness regarding the best candidate by the general voters. The

Presidential system calls for the election of one particular person and implementation of such a system in Pakistan would not change the status quo of re-election of the same feudal leaders. In a true form of Parliamentary system where political parties are truly democratic themselves, this would allow for parties to choose better candidates for election and helping the largely illiterate Pakistani population in electing deserving representatives. Accountability of a ' non-deserving' candidate's election will be, in such a system, done once that person has been elected to the Parliament. The lack of capability of such a person would soon be exposed in a truly parliamentary system and this would lead to damaging of the political party's image so they would be wary of choosing those who are not capable.

Another favorable argument for a parliamentary government system is that it allows for electing the government once, unlike a presidential system where the governments are to be elected in two steps; once the congress and then the president (Mehta, 1994; Mahmood, 2001; Philip, 2007). This may lead to instances, in a presidential system, where the president is of a different political ideology than the majority of the congress. In such a situation passing legislation would be a torturously slow task. While Sohail Mahmood (2001) was of the view that slowing down legislation is the goal for a country like Pakistan, in fact a quicker paced legislative process would be required for the country once it adopts the true democratic form of Parliamentary government. This quicker paced legislative process would be favored because this way reforms and legislation favored by the public can be enacted quickly which would be very slow if a Presidential system is adopted..

One point that defendants of the Presidential system make is that it brings the leaders closer to the people and this way the population can decide the best person they feel that can govern them (Philip, 2007, pp. 45). However, in Pakistan this is actually a disadvantage since charismatic leadership is often overshadowed by the feudal hegemony maintained by the ruling elite. A pure parliamentary system can at least allow more people to compete alongside the ruling elite and may be they even give them an opportunity to be a part of the government.

CONCLUSION

The question of the form of government is extremely important for Pakistan because the form of government intended by the constitution is a parliamentary form of democracy (Constitution of Pakistan 1973, Preamble). This already establishes that all administrative and political aspects of governance will be dealt with according to the general provisions of a parliamentary democratic government. An important aspect to be discussed here is that parliamentary democracy itself is the ideal form because of a long history of the success rate of a parliamentary democracy as compared to a presidential one. José Cheibub and Fernando Limongi (2002, pp. 152) have reported that most forms of parliamentary democracies have survived over a longer period of time unlike a presidential form which has fallen prey to a dictator's hands numerous times. Although in the current system even the president is part of one of those families, in the long term once a true liberal democratic regime has been established in the country the hegemony of the few might be effectively destroyed and the president will work as merely a ceremonial head of state, as can be seen in India. Regulation of

political parties is also important and legislation to enforce certain measures, like in-party elections, should be introduced.

Whatever the final outcome may be, it is quite welcome that the current government has at least intended to move away from the present mixed system to a more parliamentary form of government. The incumbent Prime Minister of Pakistan has been reported to have resolved to make sure necessary steps are taken to start the process of this transition (Daily Times, 2008; VOA News, 2010). It is suggested to the current government that decentralization of decision-making and clean-up process within the political parties be taken as the first steps to start the journey towards a pure parliamentary democracy for Pakistan.