



Mini Review

Democracy in Pakistan: Problems and Prospects in Making Informed Choices

Muhammad Waqas^{1*} and Muqaddas Khattak²

¹Department of Law, Abdul Wali Khan University Mardan, Pakistan

²Beacon House School Systems, Peshawar, Pakistan

*Corresponding author's email: advwaqas89@yahoo.com

Abstract

Democracy is a form of government which supports extensive participation of people in government and also promotes the views of citizens for the smooth functioning of society. The form of Democracy in Pakistan is one of the best and unique democracies in the world but unfortunately its future is bleak due to the non observance of what is actually the true essence of democracy, the informed choices. The main reasons that informed choices are not made is due to the unawareness of the people about the form of democracy in Pakistan, flawed political culture, and legal pluralism.

Keywords: Democracy; Informed Choices; Legal Pluralism; Political Culture.

Introduction

Democracy is a Greek word literally means “rule by the people”. It is one of the best forms of government ever created or preserved by the modern-day civilizations. It is a form of government which supports extensive participation of people in government and also promotes the views of citizens for the smooth functioning of society. Democratic principles are governed and inspired by the universal freedoms such as the right to take part in the government directly or through freely chosen representatives as stated in article 21 of Universal Declaration of Human Rights. People would be able to exercise their right by choosing the candidate they want to govern them if they are provided with ‘informed choices’, which is the knowledgeable decisions of people reflecting their values, culture, and views made after a thorough and justified analysis of the available options (Carr and Young, 2010).

Challenges to the Informed Choices in Pakistan

Unawareness about the Nature of Democracy

Democracy is the government by public choices and a good and informed choice can be made, only, on the basis of knowledge (Government of India, 1997). Democracy in Pakistan is lacking its true essence due to the unawareness of the people about the form of democracy in Pakistan. Democracy in Pakistan is the mixture of Islamism and

Secularism which makes it unique. Pakistan is a country where people are having different ideologies. Some people are secular while others are Islamist. But neither of them is aware of the democracy in Pakistan which has halted the democratic system. The democracy of Pakistan is designed to give an opportunity to people of different ideologies to take part in politics and bring those people, in power, they wish to govern them. In fact democracy in Pakistan is the only democracy that has made a door open for political revolution. The current chaos in Pakistan created by the terrorists in the name of Islamic revolution is due to the unawareness of the people about the real democracy in Pakistan. Since majority of the people of Pakistan are Muslims, they want to have an Islamic government to govern them, terrorist are taking advantage from these simple minded people by brain washing them that Pakistan is a secular state and that they will change its status from secular state into Islamic state by implementing *Shariah* laws. Although *Shariah* laws are already implemented in Pakistan in the form of *Hadrood* laws, Inheritance laws etc and *Tazir* laws are only applied when the offence committed cannot be proved by the criteria laid down by Islam. These terrorist have named the stoning to death, lashing in cases of adultery, imputation of hands in cases of theft etc as Islam. In fact these are only *Shariah* punishments which are only a part of Islamic criminal law, not Islam as a whole, and these can only be imposed after the alleged crime has been proved against the offenders after a tough procedure of evidence laid down by the *Holy*

Quran and Sunnah. On the contrary, Islam is a complete code comprised of several features like purpose of Islamic state, democracy in Islam, executive and legislature, civil laws and criminal laws etc. The unaware people of Pakistan become part of the conspiracy against Pakistan in the name of Islamic revolution although democratic system in Pakistan has itself kept a door open for Islamic Political Revolution. The constitution of Pakistan itself is supporting an Islamic Political Revolution. In Chapter 2 of the constitution, the name written over there for the parliament is "The Majlis-e-Shora", the word "parliament" has been written in parenthesis after it. A parenthetical phrase is an explanatory or qualifying word, clause, or sentence inserted into a passage used to clarify the meaning. So the main focus is on Majlis-e-Shora. *Shora* has an Islamic origin. It was created by Hazrat Omar (RA) for the election of *Khalifa* after Hazrat Omar (RA). Although most of the Muslims at that time were *Sahaba* (RA) but the members of *Shora* were *Ulema* and *Faqih*. The members of *Shora* then elected Hazrat Usman (RA) as the *Khalifa*. It means that today's Majlis-e-Shora is working just like the *Shora* created by Hazrat Omer (RA). So those who want an Islamic revolution in Pakistan need not to adopt any unlawful strategy. A legal procedure, protected by constitution, is there for a peaceful Islamic revolution. What they need is to vote and send knowledgeable people (*Ulema*) to Majlis-e-Shora who would then elect the head of the state to govern the country.

The Distorted Political Culture

Similarly another challenge to informed choices is the flawed political culture of Pakistan. Consensual political culture is the back bone of democratic form of government. Political culture refers to "attitudes toward the political system and its various parts, and attitudes toward the self in the system" (Gabriel and Sidney, 1963). It may be defined as the ways adopted by people and the extent to which they participate in a political process. Our political structure is greatly influenced by caste/biradari. In caste/biradari system, people are divided into social hierachal communities. Each community has its own place in the social hierarchy which remains constant generation after generation (Ahmed, 2005). Although caste system, in general, has been remarkably declined yet its influence has been significantly increased in politics (Holtzman, 2005). A New York Times reporter Barbara Crossette in a report about Pakistan said that Caste system plays a vital rule in party's choice of candidates. Even the role of caste is surprisingly important in nomination of candidates, by parties, to contest elections. A survey conducted in 2008 established the fact that 27% urban and 37% rural voters had confirmed that they had gathered in a meeting of biradari to decide whom to vote. In biradari system individual opinion have no value, they are bound

by the decision of biradari. Biradari makes decision of every political and social aspect. Ethnicity has been exploited and a self-made political culture has been introduced that have halted individual's participation in elections. The backward rural areas of Pakistan have feudalism like political structure regulated by lords/feudals. The leading political parties maximize their votes by harnessing the land-lords and factory owners, with powers over non wealthy peasants and urban factory workers, respectively. This aggressive and violent style of thinking gives rise to such circumstances where the existing problems are not redressed and become more complex. In such a political culture informed choices become a dream for the individuals whose opinion does not stand a chance in front of biradari and vote become an element which only represents a family action.

Legal Pluralism

Another challenge to the informed choices or it can be rightly said a challenge to democracy in Pakistan is legal pluralism. Legal pluralism is a term used for the existence of more than one legal system in a community or geographical area. Democracy is a system of rule by laws, and for the proper functioning of the rule of law, the unity of law is very important. The supreme law should be the law of the state and should be uniform for all the subjects. The duty of its enforcement lies on the shoulder of the state institutions (Griffiths, 1986). There should be no legal pluralism in a democratic state. But unfortunately most of the developing countries like Pakistan are facing legal and cultural pluralism due to the existence of different races in the country. If we study the developed countries of the world we will find that they are also legally and culturally plural (Moore, 2001). Almost all the countries of the world have faced this problem but the stronger and developed states were able to get rid of this problem by shaping their laws in accordance with their custom and traditions. While the developing countries are still unable to resolve this problem, the gap between the official law and the customs is very small in the developed countries. UK, Germany can be cited as an example because they have shaped their laws in consonance with their customs and cultures. Developing countries and specifically those countries having colonial past like Pakistan and India, have adopted and styled their laws in accordance with the laws of developed countries and thus were failed to give proper attention to their customs (Petersen, 1997). Pakistan has unfortunately colonial past and remained in the dominion of the Great Britain for a very long time in the shape of United India. After independence of Pakistan in 1947, the first duty of the state authority was to legislate for the newly born country in which different caste and religion of people lived and they had their own different cultures and traditions. While framing law the authority had to bear in mind all these

condition but unfortunately they were unable to full-fill the task handed over to them and had introduced the existing laws with slight changes, which were not fulfilling the demand of the society and that is why people followed their own customs and practices for the administration of justice. In a legally plural society, people usually do not participate in the elections because they think their problems are not redressed by the state laws. They usually do not cast their votes or cast it as an element that has no value for them or even some of them sell it to a candidate in exchange for money. Informed choice in casting vote doesn't make any sense to them.

Conclusion and Prospects

To sum up democracy is the form of government in which power is vested in people. That's why informed choices are of great significance in democratic form of government to degrade the abuse of this power. Citizens can ensure informed choices by participation in public life which is in fact a key role of citizens in democracy. In democratic governments, citizens are under obligation to become informed about the public issues and to investigate how the political representatives cope with these issues and how the elected representatives exercise the powers transferred to them by voting. They should know about the political process. Only then they could be able to make informed choices of the candidates by expressing their opinions and interests in the form of voting. Voting is an important method through which citizen participation in government and their choice of leaders can be determined. Participation also involves political campaigning, contesting elections as a candidate, debating issues of public interests etc. Furthermore, legal literacy of citizens is essential to ensure their participation in government and strengthen democracy. In Pakistan, literacy rate is very low as compared to other countries of the world and the rate drops very low in the rural areas. People living in the rural area are living in the style of their ancestors and they follow those customs and laws as were followed by their elders and they are not aware of the new laws and regulations of the state that have been changed with the passage of time and in accordance with the need of the

society. They are unaware of their rights and duties. They usually do not participate in political process or being used by leading political parties to maximize their votes. Similarly political participation and political awareness can also help in establishing consensual political culture and can eradicate the influence of biradari/caste system in politics that have hobbled democracy and underpin the rule of elites. If people are not aware of the basic issues of the state, they cannot make informed choices. As such they will possibly go for a wrong choice the consequences of which can be very dangerous for the public and the state as well.

References

- Ahmed M (2005) *Faisalabad Division ke Siasat per Biradrism kay Asraat*. Ph. D Thesis, Department of Political Science and International Relations. B Z University.
- Carr G and Young A (2010) Informed Choices from Theory into Practice. Scottish Sensory Center, The University of Edinburg. Retrieved from: <http://www.ssc.education.ed.ac.uk/courses/deaf/dmar10ii.html>
- Gabriel A and Sidney V (1963) The Civic Culture: Political Attitudes and Democracy in Five Nations. Princeton, UP.
- Government of India (1997) Report of the working group on information and promotion of transparent government. Department of Personnel and Administrative Reforms, Government of India.
- Griffiths J (1986) What is Legal Pluralism? *Journal of Legal Pluralism and Unofficial Law* 24: 3.
- Holtzman S (2005) Biradaris and Elections in the Punjab: Colonial Roots and Post Colonial Implications. Columbia University (Lahore: The News)
- Moore SF (2001) Certainties Undone: Fifty Turbulent Years of Legal Anthropology, 1949-1999. *Journal of the Royal Anthropological Institute* (N.V.) 7: 96.
- Petersen H (1997) Legal Pluralism and its Relevance for Women's Law. In: Mehdi R and Shaheed F (eds) *Women's Law in Legal Education and Practice in Pakistan: North South Cooperation*, New Social Science Monograph, Copenhagen, 153.