

Noref Policy Brief

Challenges of Pakistan's Governance System

Marco Mezzera

Executive Summary

This policy brief looks at the underlying causes of weak governance and poor interaction between Pakistan's institutions and its citizens. Factors are broadly organized in three dimensions: structural, including geopolitical position, historical backdrop and social structures; the distribution and exercise of power; and Pakistan's current state of affairs.

The country's difficult geography, the strong ethnic identity of its four provinces and its geopolitical relations have posed challenges to the Pakistani state and compelled it to rely on two strategies: guaranteeing national security and promoting Islam as a unifying factor. Consequently, the army comprises a "state within a state" with increasing power over the economy, foreign policy and domestic allocation of resources. Political parties in Pakistan lack internal democracy, relying on patron-client networks to garner votes, and the judiciary plays a subservient role to the military and political class.

Key current trends include increased radicalization and militancy within the country; the negative impact on public opinion of US strategy in the region and the Pakistani government's alignment with it; the growth of media influence and its sympathy for religious radicals and militants; and the military escalation of the conflict between the state and the Pakistani Taliban, currently manifested in the Swat valley offensive which has displaced over two million people. The complexity of Pakistan's current political fragility and security crisis must be fully analyzed by the West and international donors. Then they must offer a long-term commitment and wholehearted support to address Pakistan's most urgent need: to restore a legitimate, democratic Pakistani state.

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With the launch of the army offensive in the Swat Valley, at the end of April 2009, the Pakistani state finally seemed to bow to international pressure to deal with what was perceived from the outside as an existential threat to the survival of the country. President Asif Ali Zardari, confirming his fame as political opportunist, reacted quickly to declarations by US Secretary of State, Hillary Clinton, that the Taliban were a major threat to the existence of Pakistan.¹ Zardari aptly exploited Western fears of a possible takeover of Pakistan's nuclear arsenal by the Taliban, by suggesting that although remote, there was a possibility that it could take place, at least in the absence of "international support for his economically teetering country".²

The West's compulsive concern with Islamic terrorism and Taliban insurgents can be understood in light of the threat that these subversive forces pose both domestically and internationally. At the same time this concern risks simplifying the context in which the Taliban originated and now operate, potentially triggering wrong policy recommendations and decisions.

Pakistan's current political fragility and security crisis can only be properly understood and acted upon, both by its domestic stakeholders and by the international community, if their complexity is properly recognized and analysed.

Based on the *Pakistan State-Society Analysis*,³ this policy brief attempts to synthesize the current state of affairs in Pakistan. Built around three analytical dimensions, the brief looks at the underlying causes of weak governance and interaction between state institutions and citizens. These dimensions are referred to as the "Foundational factors", the "Rules

of the game" (Pakistani political power relations) and the "Here and now" (current circumstantial factors affecting the Pakistani state).

Although all three levels of analysis are important in order to understand the political challenges being faced in Pakistan, the "Rules of the game" dimension is definitely the most important for policymaking purposes. It is at this level that formal and informal institutions shape the quality of governance in Pakistan.

Foundational factors

These are factors that fundamentally shape the Pakistani state and its political system. They tend to be of very long-term origin and significantly change-proof. Although external actors can do little about them, they need to be borne in mind because they represent the building blocks of the overall political context.

Geography

In the case of Pakistan, geography has contributed to the challenge of governing parts of the country. The mountainous character of Baluchistan, the Federally Administered Tribal Areas (FATA) and much of the North-West Frontier Province (NWFP), and the extended desert areas in southern Punjab, eastern Sindh and parts of Baluchistan, pose significant challenges to transport, communication, the delivery of goods and services, and the provision of administration and security. Historically, the state has been less able and probably also less willing to deliver basic services to these remote and sparsely populated areas – even though it extracts significant resource wealth from some of these regions. They remain the poorest and most marginal parts of the country, and are also the regions in which the state's authority is most directly challenged.

Geo-strategic position

The insecurities created by Pakistan's historically strained relations with India and Afghanistan have been of fundamental importance in the evolution of the role of the state. These insecurities have also contributed to the militarisation of Pakistani politics. Pakistan's problematic relationship with India has been characterised by three outstanding issues:

1 "Pakistan disorder 'global threat'", BBC News, 23 April 2009, http://news.bbc.co.uk/2/hi/south_asia/8013677.stm, accessed 23 September 2009.

2 Howard La Franchi, "US officials ratchet up pressure on Pakistan over Taliban militants", The Christian Science Monitor, 28 April 2009, <http://www.csmonitor.com/2009/0429/p90s01-usfp.html>, accessed 23 September 2009.

3 Marco Mezzera and Safiya Aftab, Pakistan State – Society Analysis, Initiative for Peace-building, January 2009, http://www.initiativeforpeacebuilding.eu/pdf/Pakistan_State_Society_Analysis.pdf.

1. The consequences of the 1947 partition, which ended in the traumatic separation of West and East Pakistan from the rest of British India; East Pakistan subsequently became Bangladesh.
2. The 1947 onset of the Kashmir conflict and its after-effects, which still pose an almost insurmountable obstacle to the normalization of relations between the two countries;
3. Tensions over sharing water, mainly concerning reciprocal disagreements over water usage.

Pakistan's relations with its other significant neighbour, Afghanistan, have been equally characterised by structural tensions mainly caused by the following:

1. Allegations that the Pakistani army has meddled with Afghanistan's internal affairs in order to safeguard the necessary "strategic depth" to retreat and re-group in this country in the case of an attack by India;
2. The contested border between the two countries and its porosity, which has allowed for the movement and operations of the Taliban on both sides of the 1893 Durand Line;
3. Water sharing disputes, mainly concerning the Kabul River.

Relations with its other two neighbours, Iran and China, have been historically less problematic, but nevertheless, they have impacted on domestic politics and militarization trends. Since the 1979 revolution, Iran has grown increasingly wary about Sunni Pakistan, and that perception has been strengthened by Pakistan's close relationship with the US since the Russian invasion of Afghanistan. More recently, political instability in Pakistan has revived concerns about Iran's volatile province of Sistan and Baluchistan. The Baluchistan Liberation Army's resumption of hostilities against Pakistani security forces, at the beginning of 2009, adds new concerns for the Iranian authorities, as this movement is officially committed to the establishment of a Greater Baluchistan, comprising Baluchi people in Pakistan, Afghanistan and Iran.⁴

China has entertained an almost undisputed special relationship with the Pakistani state, dating back five decades, mainly based on the two countries' common hostility towards India. The China-Pakistan partnership serves both Chinese and Pakistani interests by presenting India with a potential two-front theatre in the event of war with either country.⁵ This special relationship has found concrete expression through the supply of weapons and nuclear and missile technology,⁶ and through technical and financial support to the development of heavy infrastructure projects in the country (eg, the Gwadar port and related rail links).

Finally, Pakistan's geo-strategic position cannot be fully understood without taking into consideration its relations with the US. The terrorist attacks on the US in September 2001 represent a watershed in the way in which the two countries are mutually linked. Regional and global security dimensions have dominated this relationship, while other concerns, such as Afghan stability, democratisation, the Kashmir problem and economic development, remained secondary. Since 2002, the US has channelled more than one billion dollars a year to the Pakistani armed forces for a wide range of security-related activities (not including covert funds).

Political historical backdrop

By allowing a buffer zone between British India and Afghanistan, which ran along the Durand Line, the English laid the foundation for subsequent conflicts between strongly tribal-based areas (Baluchistan, FATA and parts of NWFP included) and Pakistan's central authorities. They also set up the precursor of the powerful Civil Service, based on strong central control and an emphasis on the maintenance of law and order, rather than on the provision of services – a deficiency that has been felt most keenly in the less developed regions of NWFP and Baluchistan, as well as interior Sindh and southern Punjab.

Pakistan's leaders have always faced a fundamental problem of nation- and state-building. Pakistan's traumatic birth, the bloody secession of Bangladesh, and its insecure boundaries have all challenged the idea of Pakistan as a unified nation-state with a fixed

4 Alex Vatanka, "Iran's Wild Eastern Frontiers", Middle East Institute Commentary, 7 May 2009.

5 John W. Garver, *Protracted Contest: Sino-Indian Rivalry in the Twentieth Century*, Seattle, University of Washington Press, 2001, p 188.

6 W. van Kemenade, "The fragile Pakistani state: Ally of the United States and China." Online publication - chapter from a forthcoming Clingendael monograph, The Hague, Clingendael Institute, 2008, p 28, http://www.clingendael.nl/publications/2008/20080300_cdsp_paper_kemenade.pdf, accessed 23

boundary and a shared identity. This idea has been further challenged by the strong ethnic identities of Pakistan's four provinces: Punjab, Sindh, the North-West Frontier and Baluchistan. Therefore, Pakistani leaders have considered building a shared national identity as a central task. To do so, they have relied on two key strategies: guaranteeing state security and promoting Islam as a unifying factor.

Social Structures

The caste system in Pakistan creates a social divide whereby lower castes (or classes) are often severely persecuted by the upper castes, and women from the lower castes have a particularly disadvantaged position. In other parts of the country (Baluchistan and NWFP), tribal structures with hereditary leaders (eg, *maliks* and *sardars*) prevail.

Pakistani politics are dominated by rural-based elites, who have been able to convert control over land and caste networks (*biradri*) into political power. These "feudal" elites are central to the patron-client nature of politics. Industrialists are another elite group, who control most of the country's industry and commerce.

There are few groups within society which could provide a check to the elite or a platform for the development of issue-based politics. The decline of state industries and the increased "informalization" of the economy have undermined the role of trade unions. Pakistan, however, has a growing and educated urban middle class with the potential to provide a more issue-based focus to Pakistani politics, and to demand greater accountability from service providers and elected officials. However, their capacity to present a unified front remains to be seen.

Rules of the Game

Substantive power in Pakistan tends to lie with a small elite and its military allies. This patrimonial elite has used its control over economic and social resources to maintain its position of authority. Once in power, elected and military officials have been able to use their formal positions of authority to advance their personal fortunes and those of their clients and patrons.

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The formal framework

Pakistan has a relatively comprehensive legal framework for governance, based on British civil law. In practice, however, legislation is selectively enforced and contradictory. In addition, Pakistan's elected and military leaders have governed by constitutional amendments and decrees rather than parliamentary law-making.

Attempts have been made to create a more accountable and effective local governance system. In August 2001, the government implemented the Local Government Plan and created three levels of local government, entailing political, financial and administrative devolution, on the premise that locally-managed services would facilitate improved delivery. Some problems did emerge, however, such as politically-based transfers of authority and non-merit-based recruitment of staff. In addition, few allocations were actually made to the new local governments from the development budget.

Political competition

The military has directly or through military-dominated civilian governments, ruled Pakistan for over half of its history. To a great extent, the army comprises a "state within a state" with increasing economic power. Even in civilian regimes, the military has heavily influenced foreign policy and the domestic allocation of resources.

Pakistan's economy and political system have historically been dominated by a relatively small number of powerful land-owning families. Politics in Pakistan is personalistic and patrimonial in character and political parties in Pakistan show few signs of internal democracy.⁷ Politicians are seldom elected on the basis of policy proposals and manifestos. Instead, political parties and leaders rely on patron-client networks to garner votes.

Distribution and exercise of power

The most important power holder has undoubtedly been the security apparatus. The armed forces have historically been dominated by Punjabis, and have represented landed and industrial interests.

The judiciary does not have a strong history of independence and plays a subservient role to the military

⁷ Jamaat-e-Islami is the only political party on record that holds elections for the post of Amir (or leader) and other party offices. All other parties do a show of holding elections, but the election results always consist of a unanimous vote in favour of the current head.

and political class. Access to justice is largely determined by social-economic status and corruption is widespread. Informal, customary systems of justice (eg, *jirgas* and vigilante justice) thrive in the void left by the failure of the formal system.

Some Islamic groups and leaders possess significant political power. Successive governments, and especially the military regimes, have sought to build their support and legitimacy through engagement with religious leaders. The military has relied on these religious allies to counter civilian opposition, primarily in the form of the Pakistan People's Party and Pakistan Muslim League (Nawaz), which dominated politics during the democratic interlude of the 1990s.

Civil society organisations have grown in depth and capacity during the past decade. Civil society is largely involved in welfare or development issues, but there are few organisations engaged in research or advocacy. In practice, there are limited openings for these organisations to engage the government in a substantive policy dialogue and few incentives for government to listen to them.

External actors have played a key role in legitimising political regimes in Pakistan and providing them with the resources necessary to maintain their power. In particular, the support of the US and its allies during the Cold War, the Afghan conflict and the global "War on Terror" have provided successive military regimes with international recognition and substantial financial resources. On the other hand, the current government's alignment with the US-led fight against the Taliban and al-Qaeda has impacted on its popularity and has fuelled direct (and armed) challenges to its authority.

Key trends

The question then arises as to what broad trends can be identified that have the potential to change the quality of governance and the sharing and exercise of power in Pakistan.

- Increased radicalization and militancy: Tacit and, in some cases, active state support for extremist groups, and the Islamisation of education and social issues, have made Pakistan increasingly

prone to Islamic extremism. In particular, the government's endorsement of the US-led global war against terrorism has been met with growing resentment within Pakistani society, which has proved to be an ideal breeding ground for extremist positions. The increasing capacity of Islamist extremists to attack the state clearly indicates that this worrisome trend is not going to subside soon. Furthermore, religious radicalization of society could break out of its traditional areas of origin to engulf the whole country. The state's inability to deliver basic services and development, Pakistan's "democratic deficit", and widespread corruption have also added to the appeal of these groups.

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- Growth of the media and its influence: Both print and broadcast media have expanded substantially: television channels multiplied from three state-run stations in 2000, to over 50 privately

owned channels in 2008. There are about five religious channels, which produce programmes related to Islam, but which also deal with social issues. Under President Zardari, the media has gained in freedom of expression, but it has been accused of sensationalism and being conservative and militaristic. In addition, a religiously radical position emerged in the media throughout 2008 and 2009, caused by pressure on the media from radical groups.⁸ Only with the shocking takeover of governance power by the Taliban in seven districts of the Provincially Administered Tribal Areas in April 2009, and the subsequent military offensive in the Swat valley, was there a significant turnaround in the media's orientation towards domestic radicalism. Furthermore, radical elements have exploited illegal FM stations and printed press for proselytism purposes. The growth of the media in Pakistani society is irreversible and it will be crucial to monitor whether it becomes a channel of objective or partisan reporting.

⁸ For a more detailed elaboration on this issue see: Muhammad Azam, "Radicalization and Media", Conflict and Peace Studies, 2008, No. 1, Islamabad, Pak Institute for Peace Studies (PIPS), <http://san-pips.com/index.php?action=san&id=226>, accessed 23 September 2009.

Here and now

Certain key current events are expected to shape the prospects for governance and state-society relations in Pakistan. As the situation in Pakistan is in continuous evolution, this analysis should be seen as a “snapshot” to be updated.



Context & Actors

- **The internal conflict:** There is no doubt that the single event that has been, and still is, significantly affecting Pakistani society and government is the military escalation of the conflict between the state and the Pakistani Taliban. The April 2009 offensive in the Swat valley has displaced over two million people, most of whom are still living in host communities or camps due to concerns about the fragile security situation. The enormous humanitarian costs of this and other military operations could easily turn into fertile ground for new militant recruits if the state does not follow up with appropriate emergency and development initiatives.
- **The complex interaction with the US:** President Obama’s new strategy for Afghanistan and Pakistan envisages significant increases in both military spending and development aid.⁹ However, the Kerry-Lugar bill was not passed by Congress before the summer because of disagreements over benchmarks. Pakistan also views these conditions with suspicion, as they seem to imply a lack of capacity or political willingness on its part in the fight against extremism. However, Pakistan’s military offensive in the Swat valley in April 2009 was widely supported by the international community. The US has increasingly centred its policy on Pakistan’s tribal areas as safe havens for the Taliban and other foreign terrorists operating in Pakistan and across the border with Afghanistan. As a result, since September 2008, the US has intensified its cross-border drone attacks in these tribal areas.

However, this escalation has caused a backlash among the population for two reasons: a) the high

incidence of civilian casualties;¹⁰ and b) the manifest encroachment upon the country’s territorial sovereignty. Although Pakistani authorities have formally denounced this violation of international borders, there is a widespread perception among the population that the US drone attacks are part of a concerted military strategy between the two countries. The US has also sent out mixed signals to Pakistan in its strategic approach to India. The nuclear deal, which was approved by the US Congress in October 2008 and confirmed by the current US Secretary of State, Hillary Clinton, was received with suspicion by Pakistan and could potentially trigger similar deals between this country and its other strategic ally China.¹¹

- **Public opinion and its relation to governance and political stability:** Although Pakistan’s political system is based on elite-centred power structures that strongly limit dissenting popular views, public opinion has a powerful effect on the domestic political debate. The key players in the country have been careful to have the majority of the public on their side, or have actively attempted to influence public opinion, especially when it comes to strategically sensitive issues, such as the radicalization of the country, the role of the US, and relations with India. General support for military action against the Taliban and al-Qaeda showed a clear increase by June 2009, coinciding with the military offensive in the Swat valley. However, according to an al-Jazeera/Gallup Pakistan survey, public support had waned by August 2009, revealing signs of disillusionment with a military solution that was slow to come and had caused so much civilian damage.¹² Public opinion has also been very influential in keeping a check on US involvement on Pakistani soil in the war against terrorism. The same al-Jazeera/Gallup survey

⁹ For more details on this strategy, see: http://www.whitehouse.gov/assets/documents/afghanistan_pakistan_white_paper_final.pdf, accessed 23 September 2009.

¹⁰ For a detailed reflection on the matter, especially with regard to the alleged abysmally low hit rate of drone strikes (about 2%), see: David Kilcullen and Andrew McDonald Exum, ‘Death From Above, Outrage Down Below’, *The New York Times*, 16 May 2009, <http://www.nytimes.com/2009/05/17/opinion/17exum.html>, accessed 23 September 2009.

¹¹ As a matter of fact, a high-level state delegation, comprising President Zardari and Foreign Minister Qureshi, visited China the week after the signing of the US-India deal, and besides discussing a major cash infusion from China and arms sales, moves on a possible civilian nuclear pact were also signalled.

¹² Al Jazeera/Gallup Pakistan Survey, <http://english.aljazeera.net/focus/2009/08/2009888238994769.html>, accessed 23 September 2009.

revealed that 59% of the population viewed the US as the “greatest threat to the country”, well above the scores registered by the Pakistani Taliban (11%) and arch-rival India (18%).

- The Baluchistan black hole: Since the beginning of the year, the security situation in Baluchistan appears to have degenerated. Baluchi nationalist groups have stepped up their operations, probably in reaction to increased pressure both from the military and the Taliban present in the province. The army and its paramilitary forces are engaged in an intensive crackdown of suspected nationalists, because of the fear that India is encouraging insurgent movements from the Afghan side of the border in an attempt to “bleed” Pakistan by keeping it militarily engaged. To strengthen its repressive strategy, the military has apparently been siding with the local Taliban, who, in turn, are aiming to increase their territorial control and political hold on the province. This sort of alliance will obviously conflict with the increasing US focus on the province as the next haven for both Pakistani Taliban moving south from the Waziristan agencies, and for the Afghan Taliban who are thought to hold a *Shura* (the movement’s ruling council), in the city of Quetta. Increased military activity in Baluchistan may also be due to the government’s frustration regarding completion of the Iran-Pakistan gas pipeline. Islamabad is also worried about the slowness in converting Gwadar port into a maritime gateway for the Central Asian republics and China’s Xinjiang province. Baluchistan is thus left with the scars of illegal detentions, abduction and torture which fuel civic resentment, and with the disturbing emergence of shadowy criminal groups whose kidnapping activities were highlighted by the abduction in February 2009 of a UNHCR official in Quetta.

The international community must commit for the long term to work towards an inclusive and responsive state.

Conclusions and recommendations

International policy makers are left with a broad menu of choices aimed at reforming Pakistan’s governance system and strengthening its connections to society.

However, the most urgent need that emerges is that of bringing back a legitimate effective state and substantive democracy to the Pakistani people. If ac-

tion is not taken on fundamental governance issues, the Pakistani state runs the risk of merely postponing an inevitable descent into chaos. The abyss existing between state institutions and the rest of society may reveal itself once the effects of its short-term stabilization policies begin to fade. The international community needs to recognize its share of responsibilities in having supported a security-centred approach to the country for too long, which has justified and legitimized past military regimes.

If the West wants to engage Pakistan in the fight against the Taliban and the international terrorists operating in that country and in Afghanistan, it needs to listen to what Pakistani society has to say. This means not just the elites or the civil, military, political or economic members of the establishment, but those drivers of change that have been advocating real governance reform. The lawyers’ movement is probably the best-known example, but by no means the only one. The space for these progressive drivers of change needs to be created and protected by the international community, in spite of possible short-term destabilizing effects.

The alternative to such a strategy is a country descending into chaos, where the struggle for power among the elites is leaving a huge window of opportunity for religious extremism to appeal to all those

- The Taliban and the alleged death of their leader: 2009 has so far been the most successful year for the Pakistani Taliban and, at the same time, it may herald the beginning of their end. After coming within 100km of the national capital in April 2009, the military offensive launched in the Swat valley has pushed the Taliban onto the defensive again,

marginalized members of society. Democratic institutions therefore need to be authorised to fulfil their mandate and respond genuinely to society's needs. Unfortunately, recent developments seem to point in the opposite direction: the co-opting of the 2001 Local Governance Law by local power brokers; the evident manipulations inflicted on the Supreme Court; and the nearly complete ineffectiveness of the Parliament as a legislative and oversight body.

It is essential that international donors first obtain a thorough understanding of the political context, before attempting to intervene in the country. Without this, their well-intentioned plans may simply exacerbate the existing dysfunctional system. Furthermore, having grasped the situation, they should coordinate with like-minded donors in efforts aimed at institutional reform and other areas. However, the international community must commit for the long term to work towards an inclusive and responsive state.

For example, support could be provided in the following areas:

- Development of an objective and independent media;
- Strengthening of basic social services such as education, health and access to justice;
- Public finance management and the taxation system, with the aim of reducing inequity in income distribution;
- Capacity-building programmes for legislative bodies.

In the end, it is not the choice of a specific intervention that is crucial. The ultimate purpose of whatever activity is undertaken should be to break those structures and processes that make Pakistan's political system so exclusive and resistant to openings from below.



Further reading

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5. Daniel Markey, "Securing Pakistan's Tribal Belt", Council Special Report No. 36, August 2008, Council on Foreign Relations, http://www.cfr.org/content/publications/attachments/Pakistan_CSR36.pdf, accessed 1 October 2009

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Editor: Fionnuala Ní Éigearthaigh

Design: Ivar Windheim and pikelus.no

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