

Democracy Does the Heavy Lifting, Handle It with Care

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The right to vote has been a leading factor in an otherwise desultory history of post-colonial state-building in Pakistan. This insight, however, comes with twist-in-the-tail implications for the theory and practice of democracy in the country.

Many who support democracy do so because of deep conviction – or because they hold other prior values such as equality for which democratic representation is seen as a natural and necessary corollary.

Development and State-Building

Pakistan's institutional history provides democrats with the additional argument that democracy has been essential for state-building, which in turn is critical for sustained economic development. It cannot be disputed that complex economic activity, let alone social and economic development, will take place only where the State fulfils what are commonly regarded as its basic Weberian functions of ensuring a monopoly of legitimate coercive power over its territory. There are, of course, many examples in the world where strong states have not led to economic growth, but no cases where weak states have produced sustained social or economic development.

In Pakistan it can be easily shown that despite frequent interruptions, institutions of popular representation raced ahead of other formal institutions such as those pertaining to administration, property rights, dispute resolution and the rule of the law, in post-colonial state-building. This insight is easily ignored and forgotten, but remains the byword for facing the security and development challenges facing Pakistan and the region today.

State-building would have meant a number of things in Pakistan's post-colonial context. It would have meant expanding the reach of the modern state into society. More often than not it would have meant challenging existing patriarchal institutions of self-governance and replacing them with formal arrangements based on the acceptance of individual personhood and universal citizenship rights. Extending

and ensuring the “writ of the state” has been a popular slogan with Pakistani elites and it almost always takes on security-based connotations. The State's ability to raise revenues and to bring diverse territories and communities under the jurisdiction of common legal and administrative systems would be other indices of progressive state-building. The provision of public goods and services would be an important, if second-order goal.

It is clear that on all these possible gauges of state-building, Pakistan has done far worse than most Asian countries, even if it has done better than “failed” states such as Afghanistan and Somalia. Its current security challenges in Pashtunkhwa (North-West Frontier Province or NWFP), Federally Administered Tribal Areas (FATA) and Balochistan make the deficit in the “writ of the state” conspicuous, but there are longer trends and patterns that suggest that even in core regions such as Punjab and Karachi the progress of formal institutions of governance has been weak and uncertain to say the least. Informal networks and systems of arbitration remain crucial for contract enforcement and the functioning of virtually all markets not only in the rural hinterland but even in densely populated, socially heterogeneous, and economically diverse urban areas. Most of these informal social networks operate around bonds of extended kinship and rely upon and reinforce the power of patriarchal institutions. It is not just segmented markets, but obvious obstacles to women's achievement of personhood, that work together to slow down the process of social and economic development.

State-Building and Democracy

What is truly remarkable, however, is that some aspects of institutional development stand out in an otherwise uneven or regressive history of formalisation. The most striking among these is political representation or the vote. Even as Pakistani courts continue to propagate archaic institutions such as “benami” – or the claim that a person (usually a man) might be the rightful owner of property that in terms of formal title belongs to someone else (usually a woman) – all men and women

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across the country enjoy equal formal rights of voting. And while the system of landownership even in the prosperous and developed rural areas of central Punjab has not moved to clear and individual title in place of shares in family ownership, the notion of an individual vote is widely understood and acknowledged. People treated as irregular migrants in irregular settlements of Karachi such as the ethnic Bengali Machhar Colony can boast of having voted for their “own” councillors.

The State’s tactical concession of sharia law in the Malakand division as a way of cornering the Swat militants would have institutionalised Taliban rule in the region, but fell short of revoking the principle of universal adult franchise in the region. Local jihadi militants stood badly exposed when they then launched a diatribe against institutions of electoral representation, only to be reminded that many of them had themselves stood for office in the past. And most remarkably, every single one of the key leaders of the Baloch nationalist insurgency against the Pakistani state has at one time or other held elected office at the federal or provincial level.

There is clearly far more to Ayesha Jalal’s observation that the key transformation experienced by Pakistan (and India) at the time of independence was the introduction of representative institutions into an otherwise functioning colonial system governance. M N Srinivas would find validation for his own elevation of representation and franchise in the Indian context were he still around to take a glance at the reach and acceptance of these institutions in diverse communities across the border. It would appear that in Pakistan the introduction of representation was not just the key post-colonial transformation – it was about the only significant re-imagining of state-society relations after independence.

West of the Indus

The two wars that currently test the organisational coherence of the Pakistani state – the struggle against jihadi militants in NWFP and FATA, and the nationalist insurgency in the ethnic Baloch part of Balochistan – could not be more different from each other except in one important

regard. The incomplete institutional integration of these regions into the administrative, legal and security systems of the state was pursued as a matter of deliberate policy, particularly during periods of military government.

The FATA is of course well known today as a safe haven for the Taliban, Al Qaida and other jihadi militants. The system of governance here has been based on collective responsibility of tribes for security, and the channelling of state interactions through a political agent. Even in the “settled” districts of the NWFP a large number of areas have similar collective tribal arrangements – and are governed as the Provincially Administered Tribal Areas (PATA). It has been argued that the perpetuation of tribal-based systems of governance created openings in the political landscape that were filled by clerics and their allies among jihadi militants.

Virtually all of present-day Balochistan was governed through arrangements similar to those prevalent in FATA until 1948. The northern part of the province was known as British Baluchistan and was divided administratively into “A” and “B” areas. The former enjoyed more or less complete systems of administration and law available in other directly ruled parts of the British Indian empire. Most of the territory, however, consisted of tribally self-governed “B” areas where government was based on collective entitlements and responsibilities adjudicated through political agents and designated tribal chiefs. The Kalat state and its vassals constituted the larger part of the population and territory of present-day Balochistan. These areas were incorporated into Pakistan mostly as “B” areas. Tribal chiefs have remained integral to the political management of the province from the outset.

The Pakistani state’s project of state-building in the vast land mass to the west of the river Indus – or over half of its territory – has moved slowly and with stops and starts. Political parties have been allowed to operate in FATA only recently. Local systems of arbitration are recognised by the law not only in FATA but also in PATA. Despite the steady erosion of the legal basis of Balochistan’s administrative division into “A” and “B” areas, the State

has not been able to come up with an acceptable route to institutional integration.

It is striking, however, that in all of these regions with strong informal institutions, or more correctly, regions where informal institutions have been incorporated into formal ones, institutions of political representation have taken the lead over all others in terms of expanding the reach of the state. Balochistan, for example, got universal adult franchise on the same day in 1971 as Punjab in spite of the fact that the latter had a lead time of over a century in exposure to formal administrative and legal institutions. Adult franchise has been extended and utilised progressively in FATA over decades despite the complete absence of other institutional development. There was a functioning political party in Kalat state way back in the 1940s, and parties operated covertly in FATA before legal restrictions on them were lifted recently.

The Twist in the Tail

The fact that the reach of formal institutions of the state in Pakistan has been led historically by institutions of political representation means that democracy will be critical for facing the challenges of state-building. It will have to do so under fire from the State’s non-representative institutions, and from other anti-democratic forces inside and outside the country. The reach and acceptance of democratic institutions across diverse terrains does not, moreover, imply political uniformity. Extra care will be needed to ensure the accommodation of political heterogeneity in order to keep alive the stake of disparate constituencies in state-building. In practice this means welcoming coalition politics rather than merely tolerating it for the foreseeable future.

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