

ELECTORAL REFORMS THE ONLY WAY OUT FOR SUSTAINABLE PEACE AND GOVERNANCE

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Since its creation in 1947, Pakistan has been going through a turmoil of inefficient and ineffective governance system, which has grossly led to an unrest in the society. Pakistan, though having rich natural and human resource, has not capitalized opportunities due to many factors, among which unsustainable governance, inefficient bureaucracy and arbitrary democratic system plagued with problems and corruption are the key factors. **The democratic, governance and judicial system in Pakistan is widely seen to be arbitrary and corrupt and has to be transformed.**

Yet Pakistan is seeing another major opportunity of transformation in the form of CPEC, however, our concern is that its true benefits may not reach to the poor masses who are living in a state of misery not only in rural areas but also in urban centres. It is beyond imagination that how a labourer earning 2-3 thousand rupees [equivalent to US \$ 20-30] per month is surviving these days. The stories of mismanagement in government social safety net programs, such as BISP are the beauty lines of every newspaper every day, which is simply due to inefficient governance. The older people and pensioners once used to be happily surviving on the government saving schemes are at the mercy of open market interest rates. While rich evade taxes, the poor and middle class has been overtaxed by imposing indirect taxes. The GDP of any country does not speak out the well-being of that country, which is measured by the ratio of income of rich and poor, access to jobs, livelihoods, education and hospitals. All okay reports and onset or completion of mega projects do not represent ground realities.

As Pakistan is now a key player of one-road, one-belt program, the sustainable peace and governance here is a key to success of this program which is likely to bring changes and transformations in many countries in the region and beyond. In Pakistan, it is like a light in the tunnel for the poor peasants, who are at the mercy of mill owners and importers of agricultural products from India.

The sustainable peace and governance is related with an efficient and transparent electoral system which is not good in the present form. The transparency of elections of 2013 has been widely questioned by all the parties which has led to a turmoil in politics during the last 5 years and has challenged peace in the country and harnessing of economic benefits. It may not be incorrect to say that the present and previous democratic governments have wasted 10 years of the nation, and by introducing constitutional amendment 18, the federation has become weakened. Everyone had high expectations with this amendment but it has proved to be lethal for the federation and should be immediately withdrawn. At the top of it, the media which is an important pillar of democracy and governance has also not behaved responsibly and helped in national agenda setting.

The National Democratic Foundation [NDF] strongly advocates for electoral reforms prior to 2018 elections, which is the foundation stone of free, fair and transparent elections and peace in the country

in future, success of CPEC and regional peace. It is wish of majority that the PTI leadership should have demanded rigorous electoral reforms rather than wasting time of the nation, media and its own time in making protests on less important issues. NDF philosophy is to nip the evil in the bud, rather than going for hunting the evils but not attacking on the breeding grounds of corruption and inefficient democratic system which in fact invites protests by masses and martial-law.

The NDF, since its inception is advocating for electoral reforms, and has been organizing roundtable discussions, and advocating reforms in print and electronic media to achieve this novel goal. NDF has already submitted 25 recommendations to the Chairman of Parliament Committee for Electoral Reforms, Mr. Ishaq Dar, Chief Justice of Pakistan, Speaker of National Assembly, Chairman Senate, Heads of all the political parties and important politicians. Some long-term recommendations proposed are as follows:

1. **Appointment of caretaker Prime Minister** is the most important point. The caretaker Prime Minister should be a vibrant personality who is physically and mentally fit to undertake stressful workload. A committee comprising of Prime Minister, Leader of the Opposition, and Chairman Senate should jointly select 3 names for the Caretaker Prime Minister, and final vetting should be done by the Army Chief and Chief Justice of Pakistan. Since, the Army Chief has to manage the internal and external security of the country, he should be highly vigilant with the national political, financial, environmental and social issues, and his role in the selection of Caretaker Prime Minister should be recognised.
2. The tenure of the government should be reduced to 4 years, meaning thereby that all assemblies including local government should be dissolved after every 4 years for re-election. The speed of technology and international development directly impacts the velocity of time, therefore, the window of opportunity for a government to perform should be rationalized in line with the aspirations of people and international developments.
3. The quota for dedicated seats for women in the parliament should be abolished, rather it should be mandatory for every contesting party to allocate 10% of the seats to women contestants.
4. Political leaders should be allowed to function as political party's office bearers for only two consecutive terms to ensure that dynasty politics does not grow in our political culture and that cross section of the political party members should get the opportunity to rise to the leadership cadres. This move will minimize the emergence of smaller parties or pressure groups.
5. Additional category of '**none for above**' candidates should be added in the ballot paper to give legitimate right to the voters who are not satisfied with any of the above elections contesting candidates. Thus opening way for re-elections for constituencies where majority of voters reject candidates, nominated by political parties or independent candidates. The present system hostages voters to vote for candidates listed in the ballot paper, and eliminates overall opinion of the people.
6. The ECP should work like an independent institution and it should not be under the influence of government. The Election Commission should be constituted by the joint parliament and vetted by the Judicial Committee instead of parliamentary committee. This system is being successfully practiced in Canada, Thailand and Indonesia.

7. The Election Commission of Pakistan should be given an observer role in the intra-party elections under Political Parties Order 2002 Article 11 and 12.
8. The development funds at the disposal of members of parliament are grossly misused, important works in the community are ignored simply on the pretext that the voters have not voted for x, y, z candidate. Further, the projects completed by the development fund quota are not integrated or linked with any other development project and grossly lead to mushrooming of slums. This practice of corruption, and discrimination among parliament members, should be discontinued and all the funds should go to the local government and spent on projects benefiting masses rather than on the basis of political affiliation.
9. The electronic voting machine system has become controversial in USA and France. In India High Courts of 3 states declared this system as unreliable. The Assembly of state of Delhi has also declared that the electronic voting machine system has been tempered. Therefore, the political parties and ECP should drop the idea of electronic voting system as it will further complicate the system and will create more doubts and litigation.
10. All the winning independent candidates should be made mandatory not to join any political party, whereas they should form independent group in the parliament.
11. If any political party wins less than 10% of the national or each provincial assembly seats, then all the seats of that party should be transferred to the majority party. This will ensure eradication of black-mailing and pressure groups. This system is also being successfully practiced in Turkey.
12. There should be separate Returning officers for the national and provincial assembly seats which will reduce workload on them for legal and administrative matters.
13. In each Polling station, a Polling Assistant should be appointed only for the election-day who will observe the execution of election and closely observe the attitude and behavior of political parties, polling agents, elections and administrative staff. He / she should be a retired civil or military official or a community notable from the same constituency but not having affiliation with any party.
14. The Polling Agent at each Polling station should be given observer status and his/her attendance in the Polling station should be mandatory during the election hours and his attendance sheet should be submitted to ECP along with the election result of a given constituency after due verification by the concerned Presiding Officer.
15. The consolidation of the results should be done under section 39 of the Representation of People Act 1976 and not rely on Form 14. The Returning Officer must physically verify [recounting] the votes to validate contents of Form 14, in order to fill accurate and verified data on Form 16.
16. Along with Form 16 [Polling station wise result summary by the Returning officer] and Form 17 [candidate wise result summary by the Returning Officer], the Returning Officer must submit Form 14 [summary of counting by the Presiding Officer] and Form 15 [Ballot paper count by Presiding Officer]. By adopting this recommendation, the ECP shall have complete

record in its possession rather than being dependent on lower government tiers. It will automatically reduce the number of complaints to Election Tribunal.

17. Form 14-16-17 should be uploaded on ECP website as soon as these are received.
18. The Returning Officers in person, should be held responsible for rigging. For the purpose, amended version of Section 68 of the Representation of People Act 1975 should be adopted.
19. The ECP should be required to submit all collected record about the sources of party funds to the out-going Speaker of the National / Provincial Assembly for debate. Discussion and conclusion on it should be held within initial six months of the National / Provincial Assembly.
20. The Election Commission of Pakistan should be given an observer role in the intra-party elections under Political Parties Order 2002 Article 11 and 12.
21. The qualification of any parliamentarian on Section 62 and 63 is an important parameter and it has been grossly ignored. The parliamentary ticket board of all the political parties should be held accountable for issuance of party tickets to candidates. In case any candidate is disqualified by the court on the basis of section 62 and 63, then the ECP should also disqualify members of the party ticket board who had voted for him/her for at least 2 terms. This system is successfully practiced in Bangladesh and Turkey.

The research on electoral reforms is evolving as new situations and conflicts arise within and among the political parties and misuse or misinterpretation of election procedures and rules occurs. NDF commits itself to continue research to make the electoral system fool-proof to match the interests of majority and to eliminate pressure groups from the system. All the tiers of government, like administration, judiciary, parliament and media should function in harmony for the welfare of masses and strengthening of governance in the country.

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