

The Governance Related Repercussions Of Constitutional Deviation

By Arif Hasan

The present political crisis has been discussed to death in the press, and before it was curbed, in the electronic media. However, its governance related repercussions still need to be analysed. The process of trying to legitimise “constitutional deviation” is more destructive of the institutions of governance that affect the lives of common citizens, than “constitutional deviation” itself. This is because the only tools available for legitimising the usurpation of power are lies, deceit, coercion, buying and selling of loyalties and the support of turncoats, opportunists and sycophants, in short all those who have no interest in the well-being of society. So how can anything vaguely ethical or beneficial for society emerge from or survive such an onslaught?

The search for legitimacy also leads to manipulating existing governance institutions, ostensibly for getting rid of corruption. However, the real reason is to curtail their autonomy and make them subservient to the illegitimate power structure. As a result, they become ineffective. For the same reasons new governance systems are created which have nothing to do with the real needs of society or with existing social and political relationships. These institutions are not created through a normal process of rules and regulations and so their

only loyalty is to those who have usurped power. As such, these institutions do not take root, their continuity is always questioned, and by their very nurture, seeped in their origins, they promote corruption and nepotism. This has been the story of Ayub's basic democracy, Zia's Majlis-e-Shoora and education and legal "reforms," and more recently of Musharraf devolution plan.

The search for legitimacy is also sought through the development of high profile projects unrelated to the needs of the people and to building grand monuments that serve no purpose. All the previous generals who have usurped power have indulged in promoting grandeur as an alternative to genuine progress. False propaganda, which even becomes farcical at times, is promoted and if one reads between the lines, it is not even believed by the sycophants to those in power. The present ruling elite's thesis that Pakistan is rich and prosperous because of the number of cars and mobile phones that have been purchased, is a case in point. That education and health systems have collapsed and people have no access to housing does not seem to matter. This tendency to fabricate increases as the failure to legitimise usurpation increases with time, and ultimately it is only the ruler and his court who believe in it. The ineffectiveness and corruption of the institutions of governance on the one hand and the disbelief of people in what the state says on the other, promotes opportunism, cynicism and/or alienation at all levels in society.

The greatest damage of "constitutional deviation" however, is that it suspends all consensus making mechanisms and reduces all political activity to a one-point agenda for the restoration of democracy in

which there is no place for discussion on development and progress. This has a fourfold effect. One, it fragments society to the extent that centrifugal forces set in and keep increasing in geometric progression with the passage of time; two, that by suspending the political process, a new political leadership does not emerge and people have to turn to their clan, tribal or ethnic organisations for support to the extent of solving their personal and property disputes and intervening in their dealings with state organisations; three, in the absence of a dialogue between different points of view inappropriate and often disastrous policy decisions are taken; and four, since maintaining power through illegitimate means becomes a priority, a ruthless game of divide and rule takes precedence over all other things. We have seen all this happen in our last eight year period of “deviation.”

In the case of Pakistan, the propaganda justifying “constitutional deviation” has in the last sixty years, constantly used the excuse of “Pakistan is in danger.” The major repercussion of this process is the disconnect between the rulers and the ruled and the depoliticisation of the elite, who for their own vested interests see no option but to side with the rulers. It also leads in our case to a questioning, often irrationally, of the viability of our state and its origins, especially by the better educated of our younger generation.

Given the serious repercussions of “constitutional deviation” on the institutions of governance, among other issues, it is necessary that it should never happen again. The proposed elections in the present circumstances in Pakistan, are in themselves a constitutional deviation. As many commentators have said, they will not solve

Pakistan's constitutional crisis and will not bring about stability, legitimacy or reform. They will only make the crisis fester longer and lead subsequently to further fragmentation of society. The main victims of this will be the people of Pakistan who will increasingly have to seek illegal means or the support of self-servicing patronage to solve their problems and the problems of the settlements in which they live. Therefore, it is in the larger interests of the political parties, to not only boycott these elections but to come together to promote and struggle for a future election process that guarantees a proper election and hence a future legitimate set-up. The million dollar question is, why are they not doing this? Perhaps in the answer to this question lies the real political crisis in Pakistan.

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