



Mid-Term Assessment of the Quality of Democracy in Pakistan March 17, 2008 – September 16, 2010

Executive Summary

Released on the International Day of Democracy: September 15

As the current democratically elected Parliament and the Government of Pakistan complete half of their constitutionally mandated term of 5 years on September 16 and September 24, 2010 respectively, the Democracy Assessment Group (DAG), convened by the Pakistan Institute of Legislative Development And Transparency - **PILDAT**, has undertaken a **Mid-Term Assessment of the Quality of Democracy in Pakistan**. This is a pioneering effort to apply an international framework for the Assessment of the Quality of Democracy in Pakistan.

The Framework of Assessment

The Framework for the Assessment for the Quality of Democracy, based on the experience of democracies around the world, was created by the Democratic Audit, UK, an independent research organisation that draws upon a wide range of collaborators from academia, journalism, the legal profession and elsewhere, and later refined by the Sweden-based International Institute of Democracy and Electoral Assistance (I-IDEA). The framework rests on the following four pillars:

1. State-Citizen Relationship
2. Representative and Accountable Government
3. Civil Society and Popular Participation
4. External Influences on and of the country's Democracy or Democracy beyond the State

Each of these pillars is further supported by a number of sub-pillars. There are a total of 15 sub-pillars associated with all the four pillars. Each of the sub-pillars is expressed in the form of an over-arching question. There are a number of questions associated with each sub pillar or under each over-arching question which need to be answered by assigning a score from 1 to 5; 1 being the lowest score and 5 as the highest score. There are a total of 75 questions and therefore a maximum score of 375. The greatest weightage in the entire framework is that of the 'Representative and Accountable Government' pillar and it accounts for 45 % of the total score. The **State-Citizen Relationship** pillar has a weightage of 29 % followed by the **Civil Society and Popular Participation**, with a weightage of 16 %, while the **External Influence on and of the Country's Democracy** has a weightage of 10 %. The details of the framework are attached as **Appendix A**.

The Report on the Mid-Term Assessment of the Quality of Democracy in Pakistan

Before undertaking the scoring exercise, extensive data was collected relating to each of the 75 questions so that the Democracy Assessment Group could make informed and educated decisions while assigning score to each question. The collected data and its narrative discussion are compiled in the form of a Report which forms the basis and background to the actual assessment. The complete Report, to be released soon, forms the basis of the scoring exercise for each of the 75 aspects of the Quality of Democracy in Pakistan by the Democracy Assessment Group. The Executive Summary shares the scores, key analyses and the way forward.

The Democracy Assessment Group (DAG) and the National Workshops

Drawn from all provinces and regions of Pakistan, the 24-member Democracy Assessment Group or DAG represents the broad diversity of the Pakistani Society. Province, Gender, Profession, Language and Political Affiliation are some of the features of the DAG members' profiles which were kept in view while inviting them for this delicate exercise. The DAG has met a number of times before finalizing the Mid-Term Assessment. The framework and the assessment by the DAG have been shared in two national workshops comprising about 50 participants each from different walks of life in Pakistan. The 50 participants included the members of the DAG as well. The National Workshops have discussed and endorsed the Assessment of the DAG. The matrix of DAG membership is attached as **Appendix B**.

Objectives of the Assessment

The main objective of the Assessment of the Quality of Democracy in Pakistan is to identify strengths and achievements and to also identify the weaknesses so as to propose reforms to address those weaknesses. The DAG and the National Workshops have proposed a reform agenda for the democratic system of Pakistan for wider discussion and debate and eventually for implementation by the relevant authorities.

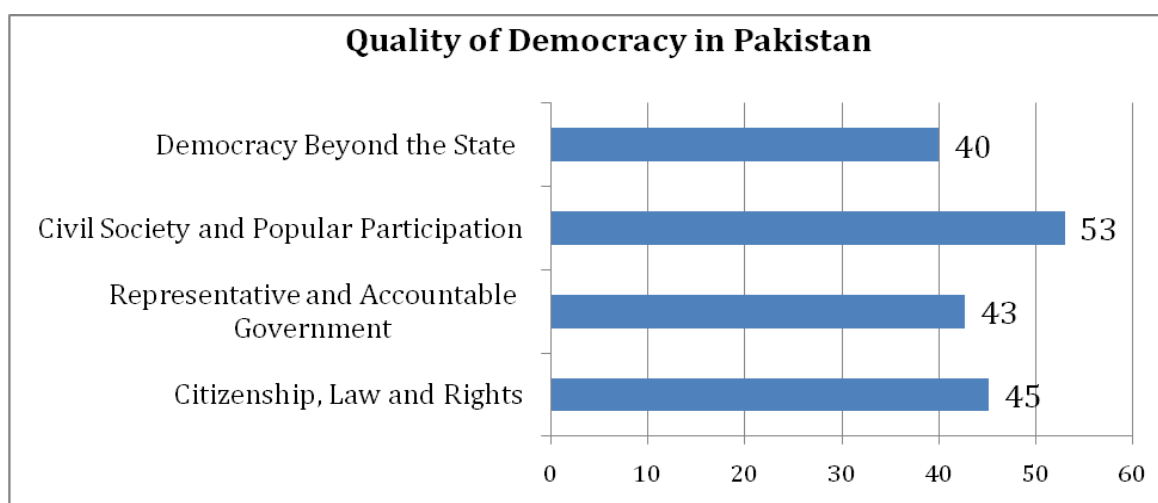
Although a major part of the assessment framework deals with the policies and actions of the Government, the exercise is not focused on Government performance alone. A closer look at the 75 aspects of Quality of Democracy indicates that the society as a whole contributes to the quality of democracy. The assessment is also intended to reinforce the citizens' ownership of the democratic process and to highlight the need to continuously struggle to improve its quality.

The Mid-Term Assessment also sets a baseline for future assessments to measure progress or lack of it in the Quality of Democracy in Pakistan.

The Democracy Score Card and the Analysis of the scores assigned in the Assessment:

Overall Score

The Mid-Term Assessment of the Quality of Democracy in Pakistan has yielded an aggregate score of **172** out of a total of **375** which corresponds to **45 %** score. The Group had assessed the Quality of Democracy for the period prior to 2008 Election (Musharraf-era) in January 2010 and it had resulted in an overall score of 40 %. In comparison, the Group had assessed the Quality of Democracy as it stood in January 2010 and had given a score of **48 %** at that time. The results of the assessment in September 2010 clearly point towards a slight deterioration in the Quality of Democracy since the beginning of the term of the present Government in March 2008 – a drop of just 3 percentage points from **48 %** to **45 %** in a span of 7 months.



The pillar receiving the highest score – Civil Society and Popular Participation

Out of the four pillars of the framework, the pillar of ***Civil Society and Popular Participation*** received the highest scores of **53 %**.

The Role of Media

The Role of Media as a sub-pillar received the highest score of **58 %**. Under this sub-pillar, the *independence of media* received a high score of **62 %**; *representativeness of the media of the diversity of public opinion* received a score of **67 %** and the *investigative ability of the media and civil society* received a score of **62 %**. Relatively a lower score, i.e., **52 %**, was received by the *freedom of private citizens from the intrusiveness of media* which underscores the need for media to be a little more sensitive to the privacy of a citizen.

Political Participation

Political Participation by various groups of citizens received **52 %** scores but the *Equality of Access for all social groups to public office* received a low score of **42 %**.

The Degree of Decentralization

The Degree of Decentralization sub-pillar received a score of **47 %** indicating not a very satisfactory state. Within the sub-pillar, the degree of government's cooperation to involve grass-root organizations and citizens at the lowest level of Government received a score of **41 %** which indicates an unhealthy condition as far as the involvement of common people and grass-roots organizations at the lower levels of the Government.

The Citizen-State Relations pillar: the second highest score

The *Citizen-State Relations* pillar received **46 %** score which is slightly behind the highest score of **45 %** received by the *Civil Society and Popular Participation* pillar.

Common Citizenship without discrimination

Under the *Citizen-State Relations*, the Group scores indicate relative satisfaction about the current constitutional arrangements regarding the citizens' rights but some dissatisfaction with the arrangements to protect the non-Muslim minorities and vulnerable social groups. Public agreement on a common citizenship without discrimination received **61 %** score.

Rule of Law and Access to Justice

Rule of Law and Access to Justice receives a **43 %** score. Within this sub-pillar, the Group scores indicate dissatisfaction about the operation of the *Rule of Law* as it receives one of the lowest scores of **33 %**. The Independence of Judiciary, however, received high marks: **60 %**.

Civil and Political Rights

The *Civil and Political Rights* sub-pillar received **47 %** marks which does not indicate a satisfactory condition. Within the sub-pillar, the Group assigned one of the lowest marks, which is **34 %**, to the *freedom from physical violation* or even the freedom from the fear of physical violation.

Economic and Social Rights

The sub-pillar of Economic and Social Rights received a low score of **40 %**. The Group assigned low marks to the *state of provision of basic necessities and services* such as food, shelter, clean water at **31 %**, Healthcare at **33 %** and Education at **41 %**. The *Freedom of Trade Unions* received a **49 %** score while the effectiveness of the *Rules of Corporate Governance* received a **48 %** score.

Representative and Accountable Government receives the second lowest score

The second lowest score has been assigned to the ***Representative and Accountable Government*** pillar. This pillar is the most important of the four pillars as it commands the greatest weightage of **45 %**. The DAG assigned **43 %** score to this pillar. An analysis of the scores assigned to the six sub-pillars under this pillar indicates that while the *Representativeness of the Government* receives relatively high scores, it is the *Accountability* part which does not fare well in the assessment.

Free and Fair Elections

The *Free and Fair Elections* sub-pillar received **50 %** score. The score indicates a satisfactory status with room for improvement.

Democratic Role of Political Parties

The *Democratic Role of Political Parties* sub-pillar also received a **51 %** score. The Group gave high marks (**63 %**) for the freedom enjoyed by the political parties and **56 %** for their role in the formation and sustenance of the federal and provincial governments. The DAG, however, felt that the political parties are not yet sufficiently membership-based and organised entities and gave a rather low score of **39 %** to this aspect of the political parties. With regard to the financial needs and expenditures of political parties, the Group noted that, despite the legal requirements for financial reporting overseen by the Election Commission, there is notable absence of credibility. The scope for introducing a fair system of State funding of political parties, as in several other countries, deserves serious consideration. This aspect of the political parties received **40 %** marks.

Effective and Responsive Government

This sub-pillar received a rather low score of **38 %** indicating that the Group does not consider that the present Government is effective and responsive. The score assigned to the *Ability of the Government to solve the main problems confronting the society and their own ability to influence the government to do it* received a low score of **31 %** indicating a weak level of confidence in the ability of the Government.

The Democratic Effectiveness of Parliament

The *Democratic Effectiveness of Parliament* sub-pillar received the highest score of **50 %** within this pillar. This score indicate that despite the pessimism often expressed about the role of the Parliament and the Political Parties in Pakistan, the DAG favourably viewed the constitutional and legal arrangements for the independence of the Parliament and the powers of oversight that it enjoys. The Group, however, was not so sure about the effectiveness of the Parliament's role in the budget process especially the taxation proposals and this particular aspect received **38 %** score.

Civilian Control of the Military

The *Civilian Control of the Military* sub-pillar received the second lowest score of **35 %** within this pillar. The Effectiveness of Civilian Control over the Armed Forces received a low score of **26 %** which is one of the lowest score assigned to any question. This score calls for a serious reflection both by the civilian and military leadership. An elected, democratic government must be able to exercise credible and effective control of the military. In the opinion of the Group, Pakistan is far from this stage. However, the Group noted with satisfaction steady progress in making the composition of the Armed Forces more reflective of the social and regional composition of Pakistan. This particular aspect of the sub-pillar received **51 %** score.

Integrity in Public Life

The *Integrity in Public Life* sub-pillar received the least score (**34 %**) not only within this pillar but also among the total 15 sub-pillars of the entire framework. This low score indicates that in the opinion of the DAG, the current constitutional and legal arrangements to ensure the integrity in public office are unsatisfactory and there are questions about the

conduct of the public office holders and that this conduct does not evoke public trust. *The public confidence in Public Officials and Services* received a low score of **28 %**.

External Influence on and of the Country's Democracy: received the lowest score

The analysis of the Assessment of the Quality of Democracy in Pakistan reveals that the *External Influence on and of the Country's Democracy* gets the lowest score of **38 %** among the four pillars.

External Influences on the Country's Democracy

43 % is the score assigned to the *Supportiveness of the External Influence on the Country's Democracy* indicating that the Group does not consider that the net effect of the external influences is very supportive for the Democracy in Pakistan. This score indicates that there is a considerable negative impact of factors external to the country on the Quality of Democracy in Pakistan. This low score of **35 %** indicates that, in the opinion of the Group, the external influences are undermining or compromising the *Democratic Process* and the *National Interest* of Pakistan. The assessment also indicates that the current level of Parliamentary Oversight on the country's negotiating positions at the international forums or in bilateral relations and international commitments is far from satisfactory. The Group assigned **32 %** score to this particular aspect.

Pakistan's Democratic Impact Abroad

A relatively better score (**45%**) was received by Pakistan's efforts to support democracy and human Rights abroad.

A complete Score Card using the Framework is placed at **Appendix C**.

Key Message of the Assessment

The key message of the Mid-Term Assessment of the Quality of Democracy in Pakistan is that the status of Constitutional and institutional arrangements of Democracy are comparatively better than in most parts of our history. Today, we have the basic ingredients of Democracy in place such as an independent Judiciary, independent and diverse media, a sovereign and inclusive Parliament in which the opposition is given an important role and a free open civil society. But the state of governance, rule of law, accountability and integrity in public office are not satisfactory and need urgent improvement.

Challenges Facing Democracy upon its Restoration in March 2008

In the opinion of the Democracy Assessment Group, Democracy has made some impressive gains during the past two and a half years despite various difficulties and challenges at the very outset. These difficulties should not be ignored while ascertaining the accomplishments and weaknesses of the democratic era. The major challenges facing Democracy in Pakistan in March 2008 included the following:

- a. An extremely weak democratic culture inherited from the previous government which depended on one powerful individual, General Pervez Musharraf, who happened to be the President of Pakistan as well as the Chief of Army Staff rather than on democratic institutions such as the Parliament, Provincial Assemblies, Judiciary and the Election Commission.
- b. Democratic institutions were weak and demoralised
- c. Federation-Province Relations lacked harmony especially the people of Balochistan who were extremely disenchanted with the Federal Government due to the policies followed by the Government of General Musharraf
- d. The superior Judiciary was sacked by General Musharraf without any lawful authority and the country was facing street agitation when the new democratic era began
- e. The Civil-Military relations were at their lowest level due to the long, unjust and illegitimate rule of General Musharraf which was resented by the people. The Military as an institution was brought to disrepute by the policies of General Musharraf.
- f. The Rule of Law was significantly disrupted because General Musharraf twice suspended Constitutional provisions, heavily manipulated the 2002 Election by unlawfully using intelligence agencies to alter results and party alignments.
- g. Parts of the country were in the grip of insurgency which intensified due to the policies adopted by the Musharraf regime
- h. Despite apparent economic stability, the economic crisis that began to set in during the last days of the Musharraf-led regime worsened especially during the period of the caretaker government that unwisely deferred increase in the price of oil for reasons of political expediency despite sharp rise in prices in the international market. Thus a huge deficit was inherited by the next Government.

Major Accomplishments of Democracy during the past Two and a Half Years

Some of the major accomplishments are as follows:

1. **Restoration of Judiciary:** Despite the apparent reluctance of the new democratic Government to restore the superior Judiciary sacked by General Musharraf, it was due to restored Democracy that street agitation demonstrated the power to force the Government to restore the Judiciary unconditionally and completely. Thus commenced a new era of an independent Judiciary.

2. **Unanimous passage of the 18th Constitutional Amendment:** The unanimous passage of the 18th Constitutional Amendment by the Parliament is one of the major accomplishments of Democracy during the past 30 months. The package of 100 amendments to 97 articles of the Constitution was debated for more than 9 months by a Special Parliamentary Committee on Constitutional Reforms consisting of the representatives of all political parties represented in the Parliament and was ultimately unanimously passed by both Houses of the Parliament. The package of amendments is a rare feat as it created consensus among various parties on some of the most divisive issues in the country such as Provincial Autonomy and giving a new name of Khyber Pakhtunkhwa to the North West Frontier Province. The Amendment restored the Parliamentary character of the Constitution, strengthened the Parliament and Provincial Assemblies, strengthened Fundamental Rights and minimised personal discretion.
3. **7th National Finance Commission (NFC) Award:** Serious differences in the past among the provinces had prevented a consensus on a new formula to divide the financial resources between the Federation and the Provinces and among the provinces. The last consensus award was made possible in 1996 during a caretaker government. The 7th NFC Award formally notified on May 10, 2010 was historical in the sense that it was for the first time that the provinces had agreed on multiple criteria for the distribution of resources among the provinces unlike the sole criteria of population that was followed in the past to the great dismay of three smaller provinces. It was also historical because for the first time the share of the provinces became larger than the federal share. The Federation share will be 44 % during 2010-11 and 42.5 % from the year 2011-2012 onwards. Such a consensus among so many parties ruling in various provinces and at the Centre would not have been possible without the democratic spirit.
4. **Making the Public Accounts Committees (PACs) more effective:** For virtually the first time in recent history of Pakistan the Government agreed to the election of a member of the Opposition as the Chairman of the Public Accounts Committee in the 13th National Assembly, in line with internationally-established democratic traditions. The same practice was followed in the case of at least one of the two PACs in the Punjab Assembly.
5. **Recognition of the Role of Opposition in the Parliament and the Provincial Assemblies:** The ruling coalition in the Centre did not insist on getting their members elected as chairs of all the parliamentary committees in the National Assembly. As another unprecedented first, more than 25 per cent of the parliamentary committees' chairs represent the Opposition parties.
6. **Constructive Role of the Opposition:** The PML-N is the main opposition party in Pakistan. Despite some serious differences with the PPP which heads the coalition government in the federation, the PML-N, in a clean departure from the past, does not try to remove the government through agitation or intrigues. The opposition, in fact, has supported the government at times facing the taunts of friendly opposition. The PML-N leader Nawaz Sharif publicly distances himself from the acts which

appear to be expanding the sphere of influence of the military at the expense of the civil government. It is one of the major accomplishments of democracy that such a mature level of accommodation and tolerance prevails in the country.

7. **Aghaz-e-Huqooq-e-Balochistan:** In view of the long-standing grievances of the people of Balochistan, the federal government announced a 30-point special package of reforms and development for the province in November 2009 with the title of Aghaz e Huqooq e Balochistan. Even though this package is a major initiative and has the potential to promote reconciliation and harmony in the Federation-Province relations, it has not satisfied everyone in Balochistan.

8. **Gilgit-Baltistan Empowerment and Self-Governance Order, 2009:** The order signed by the President of Pakistan Mr. Asif Ali Zardari on September 7, 2009 (post-1947 called Northern Areas) introduces several administrative and legislative reforms. The Government of Pakistan conducted election to the GB Legislative Assembly following the promulgation of the order. The Order addresses at least some of the long-standing demands of the people of Gilgit-Baltistan and expands the sphere of democracy to this region. Political parties of Azad Jammu and Kashmir have expressed strong reservations on this initiative.

Challenges to Democracy and Key Areas of Concern

There remain many challenges to Democracy in Pakistan. Recognising that democracy was restored only two and a half years ago and that the repeated interruptions in the democratic process by military or quasi military interventions have rendered the democratic institutions fragile and weak, Democracy in Pakistan is vulnerable and far from secure and stable. It is therefore important that the challenges being faced by Democracy today are identified and highlighted for a wholesome analysis on the State of Democracy in Pakistan and for consideration and action by all citizens of Pakistan and especially the Government and its various branches including the Judiciary and the Armed forces.

1. Socio-Economic Challenges

The challenges in the social and economic sectors pose the most potent threats to fragile democracy. The country's low ranking in the global human development index and our failure to achieve most of the targets set by the Millennium Development Goals reflect the neglect of the fundamental priorities of education, health and basic services for the overwhelming majority of the people. Disruption and at times complete suspension of basic public services such as electric power, gas and water are cruel manifestations of poor planning, economic mismanagement and absence of a strategic vision.

High inflation in the prices of essential items, a low growth rate fuelling unemployment and ever-expanding losses of State-owned enterprises are some of the other serious challenges. The unprecedented floods in July-August 2010 have destroyed homes and a large part of the infrastructure. Destruction of crops, livestock and stored grains have set the country back by many years. The on-going

insurgency especially in the areas adjoining Afghanistan adds a huge economic burden to the national economy. All these challenges add up to a formidable challenge to Democracy when people may tend to explain the economic hardships as an outcome of democracy. A strict economic discipline, adopting austerity measures at all levels including the most visible ones at the top to set good example, thoughtful planning, winning confidence and trust of the international donors to support Pakistan are some of the immediate measures needed to avert a public backlash on democracy.

2. Terrorism affecting Pakistan's Democracy in the 21st century

While the economic and socio-economic costs of terrorism in Pakistan run into billions and the price paid in human lives is incalculable, the effect of terrorism on Pakistan's democracy is equally palpable. This is especially evident in the plummeting confidence of the people in the elected Government's capacity to enforce law and order. The Armed Forces are reported to complain of a lack of effective, comprehensive follow-up action by the civil Government in areas where they have conducted clean-up operations against terrorists and militants.

3. Perceptions of Corruption and delay in instituting an Accountability Mechanism

Prime Minister of Pakistan, Syed Yusuf Raza Gilani, in his very first speech in the National Assembly on March 29, 2008, promised to disband the National Accountability Bureau (NAB) and create instead an independent Accountability Commission as envisaged in the Charter of Democracy signed by the PML-N and the PPP leaders. Two and a half years down the line, this unfulfilled promise is one of the greatest failing of the current Government and to some extent of the Parliament which has allowed the Holders of Public Offices (Accountability) Bill 2009 to stay with the National Assembly Standing Committee on Law, Justice and Parliamentary Affairs for over 17 months since its introduction in the National Assembly on April 15, 2009. While the law is far from passed, the existing accountability mechanism in the form of the NAB is in limbo.

The Government, the Opposition, and the Parliament as an institution, must act fast on creating an effective and independent Accountability mechanism by passing a law that provides for speedy accountability and is immune to all types of influence. The sustainability of Democracy in Pakistan is closely and directly related to the existence of such an Accountability mechanism. Corruption was used as a key argument for the dismissal of at least 6 governments in the past 30 years in Pakistan. Providing a credible accountability mechanism will rob any future adventurer of the pretext of corruption to disrupt democracy. Pakistan, as a signatory to United Nations Convention Against Corruption (UNCAC) has international obligations, too, to move effectively and speedily for the establishment of a Credible Anti-Corruption mechanism.

A weak and inefficient mechanism of accountability of the holders of public office undermines democracy, given Pakistan's peculiar context in which democracy gets derailed every few years. If the Government fails to establish an effective

mechanism of accountability, the democratic system will be imperilled, regardless of how strongly are the pro-democracy forces in the country.

4. A weak Performance Legitimacy of the Government

While carrying out a general discussion of factors that affect the quality of democracy in Pakistan, the Democracy Assessment Group emphasised the role that performance plays in legitimizing democracy. Performance failure of a democratic government is seen as the failure of democracy and one of the greatest threats to Pakistan's democracy is the Government's performance. Given the challenges that Pakistan faced today, performance legitimacy is all the more important.

5. Perception of Confrontation between the Supreme Court and the Government

Since the July 31, 2009 judgment of the Supreme Court of Pakistan on the National Reconciliation Ordinance (NRO), a confrontational relationship appears to be emerging between the elected Government and the Supreme Court of Pakistan, especially on the question of the Government's implementation of the Court's NRO judgment. The mechanism of Parliamentary Scrutiny and a Judicial Commission provided for in the 18th Amendment for the appointment of Judges has added another point to the possible areas of divergence between the Executive and the Judiciary and between the Parliament and the Judiciary. The confrontation between two state institutions does not augur well for democracy and may develop deeper implications for the continuity of democracy in Pakistan especially if the military steps into the foray as well.

6. Weak Political Parties and Intra-party Democracy

Lack of institutional decision making and a lack of democracy within political parties has been termed as one of the key features that hamper the Quality of Democracy in Pakistan. Until the passage of the 18th Constitutional amendment in March 2010, there existed Constitutional legal requirements that forced political parties to hold internal elections, even though those were widely perceived to be often sham and lacking legitimacy. The 18th Constitutional amendment did away with the Constitutional obligation to hold inter-party elections even though legal requirements to do so remain in place. Until political parties promote a democratic a genuinely democratic internal culture and conduct reforms with robust internal democratic decision-making mechanisms, the quality of democracy will remain compromised. There is also a need for political parties to increase their popular base beyond narrow ethnic and regional limits.

7. The Need to strengthen Parliamentary Oversight of the Executive

Parliament is the key legitimate forum to carry out an effective oversight over the executive. There was consensus on the need to strengthen the role of parliamentary committees and the allocation of funds by the government for them to carry out their work. This includes effective oversight of the Defence sector which is crucial especially in Pakistan's peculiar civil-military relations. The existing bi-partisan Parliamentary Committee on National Security should conduct oversight of the intelligence apparatus. Despite the existence of 41 Standing Committees in the National Assembly there is a need to address public concerns at the tendency to use

most of these committees for narrow, partisan purposes and for grand standing exercises rather than to achieve authentic improvements in oversight.

8. The Perception of Inadequate Dividends of Democracy for Public

Democracy in Pakistan will only be as strong as people would want it to be. However people increasingly feel that democratic governments are equally incapable of resolving their problems as non-democratic ones. Hence, they have very little attachment to democracy and do not respond adequately to threats to democracy. This problem needed to be resolved at a societal level.

9. The Need to Channelize the Potential of Youth for Democracy

70% of the population of Pakistan is below 30 years of age, while 45% is below the age of 15 years. The youth demographics alone, if ignored, pose a huge challenge and an opportunity in Pakistan. If youth's potential is not harnessed, especially for democratic participation, interest and relevance of democracy, youth can become a recruiting source for extremism ideologies.

10. Role and Responsibility of the Media

Even though the media have played a pivotal role in empowering people with the information that is essential for a functioning democracy, there is a distinct sense of concern at the imbalance and excesses of news media in covering the political process, in reporting violence and in fostering national self-esteem. There is a need for both media and Government to ensure voluntary practice of codes of conduct that already exist and to implement the existing law for a Press Council.

The Way Forward

During the process of this assessment and during the consideration of the results of this assessment, the Group was unanimous in the firm belief that the way forward for Pakistan is to sustain, refine and strengthen the democratic system.

Disappointment at the performance of elected legislatures and governments in a particular phase cannot become the justification for abandoning the democratic process.

More than ever before, any disruption of the democratic process at this stage in the country's precarious and vulnerable situation is bound to produce adverse consequences.

The low over-all score of **45 %** is, on the one hand, accurate and, on the other, it is also misleading.

The low score is accurate in so far as it correctly reflects a widespread sense of disillusionment and dis-satisfaction with the performance of elected governments for two and a half years. This despondency applies to the performance of Federal as well as Provincial governments, irrespective of which political parties or coalitions are in office.

At the same time, the low score is misleading because it does not adequately or holistically reflect the fact that in the very same two and a half years, the elected legislatures have

transformed the mutilated, authoritarian dimensions of the original much-amended 1973 Constitution into an authentically new Parliamentary framework. By adopting the 18th Amendment, the Federal legislatures have actually advanced along the democratic path far more than even the 1973 Constitution did. For the first time in Pakistan's 63-year history, Provincial autonomy and the true principles of Federalism have been categorically enshrined. By also forging a consensus to equitably share revenues through the new National Finance Award the elected governments have demonstrated the capacity to transcend narrow interests for the larger cause of national cohesion.

Yet it is the next phase that becomes the far more formidable challenge.

This is the challenge of translating this new Constitutional framework and consensus sanctified on paper into concrete, practical, visible benefits which are seen and felt by citizens in every sphere of their lives, and thus make a measurable difference.

The way forward, therefore, is to use democracy to conduct comprehensive reforms, to significantly improve governance, ensure transparency and accountability, and enforce the rule of law without fear or favour.

The elected legislatures monitored by vigilant citizens and media, supported by an independent judiciary have prime responsibility to initiate this elemental change.

If, however, democracy continues to be used to perpetuate corruption and nepotism, prolong malpractices and mis-governance, it is not just democracy which will face old or new threats. The very existence of Pakistan will be put at grave risk. Mere continuation of past trends and repeated resort to partisan tactics will nullify the spirit and substance of the historic Constitutional transformation and the admirable consensus on the distribution of finances.

Any survey of the way forward for democracy has to be cognizant of the enormous impact of the catastrophic floods of August 2010. This calamity has wreaked huge damage to agriculture and food security, to physical infrastructure and to the livelihoods of about 20 million Pakistanis. The aftermath will shape economic conditions and effect our entire administrative and governance systems for the next several years.

This is precisely why sustaining democracy at this time becomes even more important. It is only the participation of the people themselves and active role of their elected representatives in taking decisions that affect the process of recovery and rejuvenation which will facilitate fair, orderly and enduring reconstruction and renewal.

The way forward is to place the citizen, and not the rulers, at the apex of pelf, privilege and public policy. This is only possible through sustained democracy.

A democratic Pakistan alone is a secure Pakistan.

Appendix A

Framework for the Assessment of the Quality of Democracy

1. State-Citizen Relationship: 110 Scores (29 % of the Total Score)

a. Nationhood and Citizenship: 30

- i. Inclusive citizenship for all
- ii. Protection of Minorities and vulnerable groups
- iii. Consensus on State Boundaries and Constitutional Arrangements
- iv. Effectiveness of the Constitution to reconcile divisions in the society
- v. Inclusivity and Impartiality of the procedure to amend the constitution
- vi. Respect of international obligations regarding refugees by the Government

b. Rule of Law and Access to Justice: 30

- i. State of Rule of Law
- ii. Subordination of State Officials to Rule of Law; Transparency of Rules regarding performance of public officials
- iii. Independence of Judiciary
- iv. Citizens' Access to Justice and redressal of grievances in case of maladministration
- v. Adherence to due process in criminal justice and penal systems
- vi. Citizens' confidence in the legal system to deliver justice

c. Civil and Political Rights: 20

- i. Freedom from physical violation and fear of physical violation
- ii. Effectiveness of Freedom of Movement, Freedom of Expression, Freedom of Association and freedom of Assembly and application of this freedom to all citizens
- iii. Effectiveness of Freedom to practice one's own religion, language and culture
- iv. Freedom from harassment and intimidation for Human rights Activists

d. Economic and Social Rights: 30

- i. Access of Social Security to all
- ii. Effectiveness of the guaranteed supply of basic necessities of life like Food, Shelter and Clean water
- iii. Protection of Citizens Health
- iv. Inclusiveness of the right to education including civic education
- v. Freedom of Trade Unions and Associations
- vi. Transparency and Rigorousness of rules of Corporate Governance

2. Representative and Accountable Government: 170 (45 % of the Total Score)

a. Free and Fair Elections: 30

- i. Election of public Office Holders and Possibility of Change of Government through election
- ii. Freedom and inclusiveness of Voter Registration and Vote Casting procedures
- iii. Fairness of registration of Political Parties and Candidates and their access to voters through media and otherwise
- iv. Fairness of the system of election to make legislatures truly reflect the public choices in elections
- v. Legislatures' reflection of the social composition of the electorate
- vi. Voter Turn-out and Acceptability of Election Results

b. The Democratic Role of Political Parties: 25

- i. Freedom of political parties to form, recruit members, engage with public and campaign
- ii. Effectiveness of the Party system in forming and sustaining governments
- iii. Effectiveness and Influence of members in deciding party policy and its candidates
- iv. Freedom of the party from interest groups in raising finances for itself
- v. Inclusiveness of Parties across religious, cultural and linguistic divides

c. Effective and Responsive Government:30

- i. Influence and Control of the Government on matters important to the lives of its people
- ii. Effectiveness and Accountable Control of Elected Officials on the administration
- iii. Government's Open and Systematic procedures to consult people on its policies and proposed legislation
- iv. Accessibility and Reliability of public services to their users and consultation process with users on service delivery
- v. Effectiveness and Comprehensiveness of Right to Information
- vi. People's confidence in the Government's ability to solve the problems facing the society and in their own ability to influence the Government to solve these problems

d. Democratic and Effective Parliament: 40

- i. Independence of Parliament and Freedom of Expression of its members
 - ii. Extensiveness and Effectiveness of the Legislative Powers of the Parliament
 - iii. Extensiveness and Effectiveness of the powers of the parliament to Oversee the executive
 - iv. Rigorousness of the procedure to approve and supervise taxation and public expenditure
 - v. Freedom of the parties to organize and function within parliament
 - vi. Extensiveness of parliamentary procedures to consult public and interest groups on all matters within its purview
 - vii. Accessibility of parliamentarians to their constituents
 - viii. Effectiveness of Parliament as a forum of debate and deliberations on issues of public concern
- e. Civilian Control of the Military and Police: 20**
- i. Effectiveness of Civilian Control over the armed forces and Freedom of political life from military involvement
 - ii. Public Accountability of Police and Security Services for their activities

- iii. Reflection of social composition of the society in the Composition of Armed Forces and Police
 - iv. Freedom of the country from the operation of paramilitary units, private armies, warlordism and criminal mafias
- f. **Integrity in Public Life: 25**
- i. Effectiveness of separation of public office from the interests of public office holders
 - ii. Effectiveness of arrangements to protect office holders and the public from involvement in bribery
 - iii. Effectiveness of the Rules and Procedures for Election Finance to prevent candidates and elected representatives' subordination to interest groups
 - iv. Effectiveness of checks on influence of powerful corporations and business interests over public policy and freedom of corporations and businesses from corruption and foreign influence
 - v. Public Confidence in the integrity of public officials and public services that these are corruption free
3. **Civil Society and Popular Participation: 60 (16 % of the total Score)**
- a. **The Media in a democratic Society: 25**
- i. Independence of media from government, foreign governments, multinational companies and their pluralistic ownership
 - ii. Representativeness of media of different public opinions and its accessibility to different sections of the society
 - iii. Effectiveness of media and other independent bodies in investigating government and powerful corporations
 - iv. Freedom of journalists from restrictive laws, harassment and intimidation
 - v. Freedom of citizens from intrusion and harassment by the media
- b. **Political Participation: 20**
- i. Extensiveness of the range of voluntary associations, citizen groups, social movements and their independence of the government
 - ii. Extensiveness of Citizens Participation in voluntary associations and other voluntary public activity
 - iii. Participation of women in political life and public offices at all levels
 - iv. Equality of access for all social groups to public office and their fair representation in those offices
- c. **Decentralization: 15**
- i. Independence of sub-national governments of the national government and their power and resourcefulness to carry out their responsibilities
 - ii. Free and Fair Election of sub-national governments and their openness, accountability and responsiveness
 - iii. Cooperation of government at the lowest tier of government with associations and communities to formulate and implement policies and service delivery

4. Democracy beyond the State: 35 (10 % of the Total Score)

a. External influence on the country's Democracy: 15

- i. Freedom of the country from external influences which undermine or compromise its democratic process or national interest
- ii. Degree of equitable influence exercised by the government in bilateral, regional or international organizations whose decisions the country is subject to
- iii. Effectiveness of Legislative Oversight and public debate on government's negotiating positions and subsequent commitments within international organizations

b. The Country's Democratic Impact Abroad: 20

- i. Consistency of Government in its support for and protection of human rights and democracy abroad
- ii. Government's Support to the UN, agencies of international cooperation and respect for the rule of law internationally
- iii. Extensiveness and Consistency of Government's contribution to international development
- iv. Effectiveness of Parliamentary Oversight and public influence over Government's international policy

Total Score: 375

Appendix B

The Democracy Assessment Group

The names of the Democracy Assessment Group are written in alphabetical order on first name basis from serial number 01-23.

No.	Name	Profession	Region	Political Affiliation	Gender
1	Cyril Almeida	Journalism	Sindh	None	Male
2	Ghazi Salahuddin	Journalism	Sindh	None	Male
3	Hasan-Askari Rizvi	Research	Punjab	None	Male
4	Ijaz Shafi Gilani	Research	Sindh	None	Male
5	Ilahi Baksh Soomro	Politics	Sindh	PML-N	Male
6	Javed Hafeez	Former Government	Punjab	None	Male
7	Javed Jabbar	Media / Former government	Sindh	None; Previously MP & PPP	Male
8	Khalida Ghaus	Research	Sindh	None	Female
9	Mir Hasil Khan Bizenjo	Politics	Balochistan	NP	Male
10	Mohammad Waseem	Academia	Punjab	None	Male
11	Moinuddin Haider	Former Government/ Military	Sindh	None	Male
12	Mujib-ur-Rehman Shami	Journalism	Punjab	None	Male
13	NASIM ZEHRA	JOURNALISM/ RESEARCH	PUNJAB	NONE	Female
14	OMAR KHAN AFRIDI	FORMER GOVERNMENT	KHYBER PAKHTUNKHWA	NONE	Male
15	PARVEZ HASSAN	LAW	PUNJAB	PTI	Male
16	SYED AKBAR ZAIDI	RESEARCH/ ACADEMIA	SINDH	NONE	Male
17	SARDAR KHALID IBRAHIM	POLITICS	AZAD JAMMU & KASHMIR	JKPP	Male
18	SARTAJ AZIZ	FORMER GOVERNMENT/ POLITICS	KHYBER PAKHTUNKHWA	PML-N	Male
19	SHAHID HAMID	LAW; FORMER GOVERNMENT	PUNJAB	NONE	Male
20	SHERRY REHMAN	POLITICS; GOVERNMENT; FORMER JOURNALISM	SINDH	PPPP	Female
21	TALAT MASOOD	RESEARCH & ANALYSIS; FORMER MILITARY; GOVERNMENT	ISLAMABAD CAPITAL TERRITORY	NONE	Male
22	WAZIR AHMAD JOGEZAI	POLITICS	BALUCHISTAN	PPP	Male
23	AHMED BILAL MEHBOOB	RESEARCH & ANALYSIS	PUNJAB	NONE	Male
24	AASIYA RIAZ	RESEARCH & ANALYSIS	PUNJAB	NONE	Female

Appendix C

Score Card

Mid-Term Assessment of the Quality of Democracy in Pakistan

No.	Parameter and Sub-Area of Evaluation	Maximum Score	Score Assigned by DAG	Score Assigned by DAG (Percentage)
1	Citizenship, Law and Rights	110	50	46
1.1	Nationhood and Citizenship	30	16	54
	<i>Overarching Question: Is there public agreement on a common citizenship without discrimination?</i>			
1.1.1	How inclusive is the political nation and state citizenship of all who live within the territory?	5	3	51
1.1.2	How far are cultural differences acknowledged, and how well are minorities and vulnerable social groups protected?	5	2	40
1.1.3	How much consensus is there on state boundaries and constitutional arrangements?	5	3	61
1.1.4	How far do constitutional and political arrangements enable major societal divisions to be moderated or reconciled?	5	3	56
1.1.5	How impartial and inclusive are the procedures for amending the Constitution?	5	3	62
1.1.6	How far does the government respect its international obligations in its treatment of refugees and asylum seekers, and how free from arbitrary discrimination is its immigration policy?	5	3	58
1.2	Rule of Law and Access to Justice	30	13	43
	<i>Overarching Question: Are state and society consistently subject to the law?</i>			
1.2.1	How far is the rule of law operative throughout the territory?	5	2	33
1.2.2	To what extent are all public officials subject to the rule of law and to transparent rules in the performance of their functions?	5	2	39
1.2.3	How independent are the courts and the judiciary from the executive, and how free are they from all kinds of interference?	5	3	60
1.2.4	How equal and secure is the access of citizens to justice, to due process and to redress in the event of maladministration?	5	2	43
1.2.5	How far do the criminal justice and penal systems observe due rules of impartial and equitable treatment in their operations?	5	2	40
1.2.6	How much confidence do people have in the legal system to deliver fair and effective justice?	5	2	40
1.3	Civil and Political Rights	20	9	47
	<i>Overarching Question: Are civil and political rights equally guaranteed for all?</i>			

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1.3.1	How free are all people from physical violation of their person, and from fear of it?	5	2	34
1.3.2	How effective and equal is the protection of the freedoms of movement, expression, association and assembly?	5	3	56
1.3.3	How secure is the freedom for all to practice their own religion, language or culture?	5	2	48
1.3.4	How free from harassment and intimidation are individuals and groups working to improve human rights?	5	2	48
1.4.	Economic and Social Rights	30	12	40
	<i>Overarching Question: Are economic and social rights equally guaranteed for all?</i>			
1.4.1	How far is access to work or social security available to all, without discrimination?	5	2	39
1.4.2	How effectively are the basic necessities of life guaranteed, including adequate food, shelter and clean water?	5	2	31
1.4.3	To what extent is the health of the population protected, in all spheres and stages of life?	5	2	33
1.4.4	How extensive and inclusive is the right to education, including education in the rights and responsibilities of citizenship?	5	2	41
1.4.5	How free are trade unions and other work-related associations to organize and represent their members' interests?	5	2	49
1.4.6	How rigorous and transparent are the rules on corporate governance, and how effectively are corporations regulated in the public interest?	5	2	48
2	Representative and Accountable Government	170	75	43
2.1	Free and Fair Elections	30	15	50
	<i>Overarching Question: Do elections give the people control over governments and their policies?</i>			
2.1.1	How far is appointment to governmental and legislative office determined by popular competitive election, and how frequently do elections lead to change in the governing parties or personnel?	5	3	51
2.1.2	How inclusive and accessible for all citizens are the registration and voting procedures, how independent are they of government and party control, and how free from intimidation and abuse?	5	3	53
2.1.3	How fair are the procedures for the registration of candidates and parties, and how far is there fair access for them to the media and other means of communication with the voters?	5	3	56
2.1.4	How effective a range of choice does the electoral and party system allow the voters, how equally do their votes count, and how closely do the composition of the legislature and the selection of the executive reflect the choices they make?	5	3	51
2.1.5	How far does the legislature reflect the social composition of the electorate?	5	2	42

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2.1.6	What proportion of the electorate votes, and how far are the election results accepted by all political forces in the country and outside?	5	3	50
2.2	The Democratic Role of Political Parties	25	13	51
	<i>Overarching Question: Does the party system assist the working of democracy?</i>			
2.2.1	How freely are parties able to form and recruit members, engage with the public and campaign for office?	5	3	63
2.2.2	How effective is the party system in forming and sustaining governments in office?	5	3	56
2.2.3	How far are parties effective membership organizations, and how far are members able to influence party policy and candidate selection?	5	2	39
2.2.4	How far does the system of party financing prevent the subordination of parties to special interests?	5	2	40
2.2.5	To what extent do parties cross ethnic, religious and linguistic divisions?	5	3	56
2.3	Effective and Responsive Government	30	11	38
	<i>Overarching Question: Is government effective in serving the public and responsive to its concerns?</i>			
2.3.1	How far is the elected government able to influence or control those matters that are important to the lives of its people, and how well is it informed, organized and resourced to do so?	5	2	36
2.3.2	How effective and open to scrutiny is the control exercised by elected leaders and their ministers over their administrative staff and other executive agencies?	5	2	44
2.3.3	How open and systematic are the procedures for public consultation on government policy and legislation, and how equal is the access for relevant interests to government?	5	2	39
2.3.4	How accessible and reliable are public services for those who need them, and how systematic is consultation with users over service delivery?	5	2	34
2.3.5	How comprehensive and effective is the right of access for citizens to government information under the constitution or other laws?	5	2	43
2.3.6	How much confidence do people have in the ability of government to solve the main problems confronting society, and in their own ability to influence it?	5	2	31
2.4	The Democratic Effectiveness of Parliament	40	20	50
	<i>Overarching Question: Does the Parliament or Legislature contribute effectively to the democratic process?</i>			
2.4.1	How independent is the Parliament or legislature of the executive, and how freely are its members able to express their opinions?	5	3	54
2.4.2	How extensive and effective are the powers of the Parliament or legislature to initiate, scrutinize and amend legislation?	5	3	61

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2.4.3	How extensive and effective are the powers of the parliament or legislature to oversee the executive and hold it to account?	5	2	44
2.4.4	How rigorous are the procedures for approval and supervision of taxation and public expenditure?	5	2	38
2.4.5	How freely are all parties and groups able to organize within the parliament or legislature and contribute to its work?	5	3	56
2.4.6	How extensive are the procedures of the parliament or legislature for consulting the public and relevant interests across the range of its work?	5	2	42
2.4.7	How accessible are elected representatives to their constituents?	5	3	60
2.4.8	How well does the parliament or legislature provide a forum for deliberation and debate on issues of public concern?	5	2	48
2.5	Civilian Control of the Military and Police	20	7	35
	<i>Overarching Question: Are the military and police forces under civilian control?</i>			
2.5.1	How effective is civilian control over the armed forces, and how free is political life from military involvement?	5	1	26
2.5.2	How publicly accountable are the police and security services for their activities?	5	2	33
2.5.3	How far does the composition of the army, police and security services reflect the social composition of society at large?	5	3	51
2.5.4	How free is the country from the operation of paramilitary units, private armies, warlordism and criminal mafias?	5	2	33
2.6	Integrity in Public Life	25	8	34
	<i>Overarching Question: Is the integrity of conduct in public life assured?</i>			
2.6.1	How effective is the separation of public office from the interests of office holders?	5	2	36
2.6.2	How effective are the arrangements for protecting office holders and the public from involvement in bribery?	5	2	33
2.6.3	How far do the rules and procedures for financing elections, candidates and elected representatives prevent their subordination to sectional interests?	5	2	36
2.6.4	How far is the influence of powerful corporations and business interests over public policy kept in check, and how free are they from involvement in corruption, including overseas?	5	2	37
2.6.5	How much confidence do people have that public officials and public services are free from corruption?	5	1	28
3	Civil Society and Popular Participation	60	32	53
3.1	The Media in a Democratic Society	25	15	58
	<i>Overarching Question: Do the media operate in a way that sustains democratic values?</i>			

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3.1.1	How independent are the media from government, how pluralistic is their ownership, and how free are they from subordination to foreign governments or multinational companies?	5	3	62
3.1.2	How representative are the media of different opinions and how accessible are they to different sections of society?	5	3	67
3.1.3	How effective are the media and other independent bodies in investigating government and powerful corporations?	5	3	62
3.1.4	How free are journalists from restrictive laws, harassment and intimidation?	5	2	48
3.1.5	How free are private citizens from intrusion and harassment by the media?	5	3	52
3.2	Political Participation	20	10	52
	<i>Overarching Question: Is there full citizen participation in public life?</i>			
3.2.1	How extensive is the range of voluntary associations, citizen groups, social movements etc., and how independent are they from government?	5	3	63
3.2.2	How extensive is citizen participation in voluntary associations and self-management organizations, and in other voluntary public activity?	5	3	53
3.2.3	How far do women participate in political life and public office at all levels?	5	2	49
3.2.4	How equal is access for all social groups to public office, and how fairly are they represented within it?	5	2	42
3.3	Decentralization	15	7	47
	<i>Overarching Question: Are decisions taken at the level of government that is most appropriate for the people affected?</i>			
3.3.1	How independent are the sub-central tiers of government from the centre, and how far do they have the powers and resources to carry out their responsibilities?	5	3	53
3.3.2	How far are these levels of government subject to free and fair electoral authorization, and to the criteria of openness, accountability and responsiveness in their operation?	5	2	48
3.3.3	How extensive is the cooperation of government at the most local level with relevant partners, associations and communities in the formation and implementation of policy, and in service provision?	5	2	41
4	Democracy Beyond the State	35	15	43
4.1	External Influences on the Country's Democracy	15	6	40
	<i>Overarching Question: Is the impact of external influences broadly supportive of the country's democracy?</i>			
4.1.1	How free is the country from external influences which undermine or compromise its democratic process or national interests?	5	2	35

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4.1.2	How equitable is the degree of influence exercised by the government within the bilateral, regional and international organizations to whose decisions it may be subject?	5	2	41
4.1.3	How far are the government's negotiating positions and subsequent commitments within these organizations subject to effective legislative oversight and public debate?	5	2	32
4.2	The Country's Democratic Impact Abroad	20	9	45
	<i>Overarching Question: Do the country's international policies contribute to strengthening global democracy?</i>			
4.2.1	How consistent is the government in its support for, and protection of, human rights and democracy abroad?	5	2	42
4.2.2	How far does the government support the UN and agencies of international cooperation, and respect the rule of law internationally?	5	3	54
4.2.3	How extensive and consistent is the government's contribution to international development?	5	2	48
4.2.4	How far is the government's international policy subject to effective parliamentary oversight and public influence?	5	2	34
Aggregate		375	172	45