

## STATE OF THE STATE AFFAIRS -PART II: State of the New Executive Branch and Old Establishment 2019-23

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*In study of new Executive branch, one noticed changed ways of governance which were in line with the personality traits of the new Party Leader in 2018, in common with some other elected leaders in the region and faraway lands. Personal charisma and charm of the new leader in Pakistan is a fact, denied or ignored by the old Pakistan leaders. They used to brush aside the new leader as a novice with no chance of getting majority in Parliament. One used to argue with them that he is a charismatic leader of a significant proportion of Pakistani public especially women, youth and expats. Riding on anti-corruption slogan and patronage of establishment he was definitely going to get a chance as ruler, may be not very long or for many terms. He not only survived longer than one's expectations but left with better than perceived economic indicators. The biggest surprise or shock to those who are in a state of denial to his personal charisma clubbed with effective use of new media and techniques by his strategists is the fight back and rise in popularity and vote bank.*

*Whatever happened in 2018 general elections was a step forward from what has been happening before, during and immediately after every general election since our times in and around state affairs. A coalition government led by a new party came into power. Studying that Executive or administration, one finds that some of their bold steps in right direction and a departure from unhealthy policies and practices of past not being duly appreciated. A vast majority of not only leaders and followers of old parties but the famous journalists and analysts who have taken refuge in social media after being dislodged from print and electronic media, are busy in rejecting, ridiculing all decisions and statements of the new government and its leader. They find fault in every policy and plan of the government based on their perception with old lenses and experiences of doing or seeing government business in the old Pakistan. They hardly realize that things have changed in the country, in the region and world. The demands and styles of governance are changing in many countries. Government business is not done as slowly, seriously and secretly as it used to be. From Philippines to India, UK to US and Saudi Arabia to Brazil, the leaders are saying and doing things which are too bold, risky and prone to abrupt changes and shifts. The instant digital and social media has compelled the governments and leaders to act more promptly, openly and individualistically.*

*Those who find all wrong with the new ways of governance and administration in the blind love of old and set pattern of the past must realize that if those were good or better then why Pakistan became "ungovernable" state. So changing ways of doing government business is a must. However, the incumbent executive needs to develop capabilities to properly govern*

*the state before embarking on huge change required for new Pakistan. At times, and many times the manner in which they deal with foreign policy issues and counter the moves of local and foreign 'enemies' lowers the stature of the very state.*

*Although three years in power and heading towards end of term, it appears that the new party and leader are yet to get fully in office due to own shortcomings and follies as well as the mines in bureaucratic, economic and diplomatic fields that they had to cross. Own follies are too many and too serious which need to be checked. But it does not mean all is wrong and faulty during new administration. There are many policies and plans which are in right direction for peoples centered futuristic governance. But when it comes to implementation the still learning Ministers and Chief Ministers, the replete and supererogatory bureaucracy with rigid ways of running ministries and line departments deface the few good initiatives.*

*The Executive organ of the state of Pakistan, elected leadership as well as career bureaucrats, need urgent fundamental changes in the philosophy, design, structure and practices of governance to cope with the surmounting challenges due to many decades of misgovernance by civilian administrations, military rules and interventions and more so due to the dramatically changed society, polity and socio-technological environment of Pakistan. ICTs have changed all societies but sudden explosion in developing countries with predominantly young population have a flood of expectations, demands and desires.*

*Having discussed the classic or overt state institutions, we now come to the one considered by some as de-facto state and by others as 'deep state' or State above the State, terms coined for the powerful mitabishment. Before looking at current state of affairs, we need to remind ourselves of the historical facts. The initial disadvantage to democratic elected institutions, political parties and civil society since partition and early decade, continued to hamper and distort their growth. The British established, recruited and trained military and civil bureaucracy were much better organized, equipped and experienced than political parties and elected institutions. Instead of fostering the relatively weak institutions, the more powerful ones had been playing and experimenting with them; capturing, dismantling and restating them after creating more or new loopholes for future adventures.*

*There were signs of some continuity, maturity and strength in these institutions and they were making attempts to regain lost space in the state affairs in the past two terms of old parties. The shortcomings, gaps and fault lines in the structure, organization and functioning of political parties and elected institutions were not addressed by the top leaders even in times of continuity, leaving them vulnerable to maneuvering. And the response from powerful and ever ready ones to the unplanned or unrealistic tussle by the politicians was swift and befitting; a cloak-and-dagger operation that finds some institutions and leaders captured, others lined up.*

*Notwithstanding the historic facts and dimensions of civil military imbalance, it cannot be denied that the scale at which its awareness has spread in recent years is because of political parties and leaders, who had brought the issue in jalsas and streets. Since a constitutional and institutional matter has been politicized or taken to the court of people, the new party that has come in power and replaced the old ones has self-assumed the role of defending establishment and attacking everyone and everything of the past. This has become a murky confrontation with serious implications if not checked or settled.*

*A desegregation of the proponents of civilian supremacy or rule of Constitution and Law, we find they are of two categories. There are seasoned and old times torchbearers of the golden principles and there are new comers who have joined as followers of political parties who took the fight to streets. Another kind of new ones is mushrooming social media warriors, influencers and bloggers who are taking the confrontation to new dimensions and heights.*

*For the political new comers the struggle is just like between two competing political parties. They do not realize that victory of one and defeat of other contesting political party is a normal, regular thing decided in elections. No such constitutional mechanism exists in case of confrontation between parties to a civil military confrontation. And this state or national matter cannot be contested and won through media campaigns or public gatherings alone.*

*And the social media warriors do not realize that it is not an administrative, moral or social wrong that can be remedied through trends and hashtags. It is fundamental, historical and structural disequilibrium which requires consistent struggle and sacrifice. With a much advanced media and social media, the people in west had to come on streets during Covid for 'black lives matter' that met partial success. The Turks had to come on streets and overpower tanks to retain civilian space. Indian farmers had struggled and sacrificed too long without success. In Pakistan only religion based or exploited protestors are giving sacrifices and gaining space. The political parties, leaders and workers are not willing to render any sacrifices except the ones thrust upon them.*

*The challenge here is much bigger. Civil military equation requires shedding of powers by the historic excessive power holder. Only those who had tried to restore some balance, know how powerful, omnipresent and omnipotent they are. It also requires civilian leaders and institutions being capable of assuming those powers and responsibilities. And even if these preconditions are met physical struggle and sacrifice on ground is required, for which hardly anyone in Pakistan is ready after 80's. There is no easy way to get a power equation resettled by sitting in drawing rooms or posting messages on social media. There is no constitutional mechanism for such transfer of powers or resetting the domains.*

*Even the political leaders who have waged the recent war of civilian supremacy have not explained till date the mechanism, forum and procedure for resetting constitutional domains. Some party leaders have mentioned about Truth (and Reconciliation) Commission*

*but nobody or party has studied the conditions, structure and forums required for such a Commission. There are not many examples or models to be followed. In South Africa it worked in a constitutional vacuum. It can also be considered by countries in transition from a constitutional order breakdown due to internal or external wars and conflicts. But to establish and benefit from such a commission in a functioning constitutional order without causing further conflict or harm, a lot needs to be studied and examined.*

*So how will this change and transfer of power take place that many new warriors of civilian supremacy are expecting in near future? As already told such transfer of power has no legal provisions, mechanism or procedure. Yes there are constitutional limits and boundaries but we are in a situation where the 'super power holders' had gained and historically retained excessive domain. The Institution of Judiciary that could have played a role in resetting the power equation has all along been helping in more powers to the powerful. The Judiciary is now struggling with the inroads made in its own rank and files besides open fire from bars and civil society, leaving little hope of any role by it in resetting power equation.*

*Power is not a gift that will be presented to the old or new critical voices merely on their demand or wishes. There are not many examples of any one shedding down or transferring own powers to another body or institution voluntarily or just because of criticism in media, public or excessive noise on social media. Holders of excessive powers are immune to criticism and do not budge to fear of losing respect in the eyes of critics. So what are the possibilities or scenarios if the demand for rule of constitution within own bounds or powers persists and increases.*

*A highly unlikely or remote possibility is that the holders of power are forced or compelled. And if it happens it will be at what cost? Notwithstanding regional and international forces wanting it, the struggle turning to tussle is between national players. Defeat of one is not victory for the others, God forbid it may be defeat of all. In the dark case of separation of East Pakistan, the big surrender and resulting eclipse in their power proved short lived and just after few years one of the most powerful and popular Prime Minister was hanged and one of the cruelest and longest martial law imposed. So while the loss to state and people may be permanent the eclipse to the might of powerful may be short lived.*

*There are in between scenarios of scaling down or dying down of the confrontation. This can be by way of change of faces of leads or hawks on one or both sides. But this again will be temporary and shallow as fundamental issues will remain and equation will not change. The new entrants or young enthusiasts may get a relief and sense of victory but the seasoned warriors of rule of constitution and law know how many times change of faces had brought temporary halt but the adventurism restarted again after few months not years. So for any party or institution seriously interested in finding a way out of the tussle and recent*

*increased hostilities, it is time to study the mechanisms for deliberations between the two sides and models to reset the power equation. Just mention of Truth and Reconciliation Commission is not enough. A lot needs to be studied as there are no constitutional provisions, required conditions and platforms to replicate South African model. There are ways and examples where parliament can play a role and become a platform but this has preconditions and requirements before being seriously considered as the present neutralized and disabled parliament is unable to function properly for its regular business*