The Issues and Challenges in Electoral Process: A Case Study of Pakistan

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Abstract:
Different issues concerning electoral politics have been discussed in the paper. The development political system has concerns to electoral process. The martial government and selected by electoral process government are functioned in country. The objective of paper is to evaluate findings about electoral process which are useful for establishing democratic government. The credibility of every election is challenged by political parties. The fruitful results of electoral process have key role in enhancing public participation that is requisite for democratization. The independent election commission has vital role. Political culture and role of political parties for democratization is studied in paper. The analytical method is used for discussion of different issues in holding of election in Pakistan.

Key words: Establishment & Functioning of ECP, Electoral Procedure, Political Culture, Political Parties, Issues of Election procedures (ECP; Election Commission of Pakistan)

Introduction
The issue of institutional imbalance started since independence of Pakistan. Without constitutional development it cannot be balanced. Due to English legacy the civil and military bureaucracy are more organized and established. The political and democratic institutions are less developed for smoothly running the state. The transitorily adopted constitution of 1947
is caused of strengthened bureaucracy authoritative pattern of governing system. The imbalance was armored in the political domain by two inter-related trends. Such developments heightened institutional imbalance. It has disadvantages for civilian leadership. The political forces are weak and fragmented feel difficulty for sustainability without the backing and collaboration of the civil military bureaucracy. The situation oxygenated to enhance the role of the bureaucracy and the military in policy making. They have chance to dominate in governing system. The electoral process loses its credibility in the military establishment dominated political system. The establishment exercise power for the most favored groups bring to govern. The electoral reforms are needed for strengthening of democratic system in Pakistan. The objectives of the electoral process are to facilitate public for selection of their representative. They have to run government democratically not function. The electoral process should have not used as an instrument of political manipulation.

Establishment of Election Commission of Pakistan

After the promulgating first constitution 1956 of Pakistan, the Election Commission was established as institution to conduct elections. With passage of time transformation happened in Election Commission which made it open and flexible institution. It seems that it function as dynamic body playing effective role to strengthen democratic system in the country. The composition of Election Commission is which headed by Chief Election Commissioner with four provincial members. The appointments are made by President of Pakistan. (Constitution, 1973) The selection process of chief Election Commissioner as well as members of Election Commission has been changed after 18th amendment in constitution. The parliamentary committee made recommendations for selection.
The committee has of containing members from treasury and opposition benches.

The Functioning of Election Commission of Pakistan

The election commission is constitutionally answerable to ensure in conduction of election. Election Commission has compulsion to conduct free and fair elections in the country which has given provisions under constitution 1973. ECP is constitutional body and has responsibility to conduct election in the country. Constitutionally ECP is responsible to organize such necessary arrangements and conduct elections. The conduction of elections honestly, justly and fairly is a federal subject. (Constitution, 1973).

The commission made responsible to prepare electoral rolls and revise. The commission is responsible to conduct elections of Senate, National Assembly and Provincial Assemblies after specific period under constitution. It is also responsible to conduct local government elections. (Constitution, 1973). The commission has to formulate Election Tribunals to resolve postelection issues. Chief Election Commissioner has to be retired judge of Supreme Court /High Court which can be entitled to appoint as judge of Superior Court. The four members of election commission ought to be former judges four High Courts. (Constitution, 1973)

The election commission managed elections in country which is 6th biggest country of world in terms of population. It is tough task in developing countries like Pakistan. However election commission managed election maneuvers, because it is cognizant of capacities, projections as well as restrictions. During 30 years of direct military rule which sternly battered ECP’s independence impartiality and competency. It is reducing the institutional appropriateness due to provide concealment of acceptability martial ruler.

Generally chief election commissioners are employed for requiring favorable results for gaining control the politics of Pakistan. There is a hue and cry on appointment of ex-Justice Irshad Hasan Khan as CEC in the media. The opposition political parties and the bar councils are opposing his selection. He established his provocative character after validation to incarceration of power by Pervez Musharraf. He made controversial after validation of suspension of constitutional arrangements of government and dissolution of the Assemblies.

Electoral Procedure in Pakistan

The election schedule was asked by the government to announce. Then election process started and The Chief Election Commissioner made appointments of District Returning Officers at district level. These are working district sessions judges. They have to perform their executive role during electoral process. The functioning of DROs has to hold election which is comprises with start of accept or reject submissions papers of the contesting candidates. (Constitution, 1985) They have authority for defining polling stations places. They have to supervise governmental machinery which has assigned different elections duties. The appeals of candidates who have rejected their nominee papers could be filed in Election Tribunal. These tribunal courts judges nominated with approval of President from the concern High Court Bench. The
appeals maybe submitted against approval of papers of contesting candidate in Appellate Tribunal with allegations in default of loans, taxes issues or other administration excises. These appeals have to decide in given time frame.

For conducting election the polling stations staff has appointed which performed the respective duties. The electoral process seems flawless apparently, but in practically has in it. The polling agents of powerful candidates remained in polling stations but agents of weaker candidates threatening them to leave the polling stations. The polling staffs can be bought or compelled from higher authorities for favorable outcomes. The candidates who are losing in election as well as their polling agents refused for certification of results. They focused to developed political controversies. Now it can be claimed that some frauds are committed. Such blame games minimized the credibility of electoral process. Pakistani media also play vital role on baseless allegations.

**Election Process for Local Government**

The numerous waves of devolution are undertaken in former periods in Pakistan. President Musharraf introduced devolution plan in 2000 which has comprehensive representation. The local government system was not performing an eloquent role in the past history of Pakistan. The local governments are performing a relatively sluggish. The functioning of government is operationalized at regional level. The devolution of power has brought significant changes authorities for disbursements for various services from provinces level to district level. The accountability mechanisms are introduced for political administration of elected local governments. The electoral process itself proved as accountability tool of political leadership. The people have open choice to select their representative for decision making. Free and fair election brings fruitful results to public of devolution plan.
Reforms in devolution plane leads to decentralization in governmental configuration. This system comprises of three tiers of elected representatives for local government. It has consisted of 96 District Councils, 337 Tehsils Councils with 6022 union councils. The newly created local government system is favored by public. It has a significant role in strengthening democratic process. The success of this system enhanced the political participation in democratization in the country. The power of decision making process and mechanism to utilized financial resources at the district level awarded to public.

The impact Political Participation on Casting Rate

Political participation of masses in electoral process enhanced casting votes. The solution of issue can be deal with model of sustained democracy. The political groups empowered effectively for articulating of their specific interests with influence on public policy which can be in their favor and stopped discrimination with all the marginalized groups. (Samuel P. Huntington, 1968, p.461)

The autonomous and proactive Election Commission is guardian of democratic process. This institution cannot afford for performance as deferential to government. The commission should have perception for taking action on lapses and inadvertences on the behalf of governmental establishments. It will lead to realize trustworthiness of electoral process. The Pakistani people have some faith in democratization.

The voter turnout shows public trend for public participation in electoral process. Voter turnout is very low because of the political participation in electoral system. “It was only 44.6% in 2008 against only about 35% in 1997. The highest turnout was 58% in 1970. The basic reason of low turnout is the feeling that my vote will make absolutely no impact on the results. This needs to be changed through change in the
electoral system. The winning party usually bags only about 15% to 20% votes of the total registered voters. Fifty five to sixty five percent voters do not vote at all and the balance 20% to 25% vote for other parties. This type of democracy where a party with only 15 to 20% of people's support is authorized to form the Government and rule the entire 100% of the population is highly questionable”. (Sadiq) There is feeling of changings in system. It has to decide genuine majority having party be supported to rule the country. The factors also have specific impact for improvements of election process that can keep in view are discussed next.

**Political Consensus-building**

The democratization is based on political consensus of different stakeholder of country. It cannot make functional without a lowest consensus on the operative standards of polity. This lowest consensus is foundation limit for democratic process. The political process make good functioning that provide chances for political progression and power sharing. This situation evokes support from different segments of society. The significance of consensus amplifies with support from more groups and individuals which are entering into political mainstream. It is happening through the democratic standards that are set out in the constitutional frame. These norms formulate the political institutions sustainable. The democratic institutions are established after political consensus between different stakeholders in which political parties has significant role. The Pakistani society is incompetent for complete development of a consensus on the functioning political rules. The competing interests are permitted to fitter away with time because of the non-accommodating temperament of the competing interests and an open defiance of constitutionalism and norms of democracy. This situation made constitutional controversies with the passage of time. The violations are made by the power
wielders. (Austin Ranney and Willmoore Kendell, 1956, pp.85-87)

The Impact of Political Parties and Leadership on Electoral Process

Political parties have key role in developing harmony in the society. Political parties are headed by leadership. The vision of political leadership and political mobilization are used as instruments which have primary role for interest articulation and aggregation. The political parties of Pakistan have weak foundation and incompetent for performing for effective and significant manner. The political parties have several issues such as inter alia, sporadic limitations for political activities in martial era, occasional elections, weak structure of organization. The weak discipline in party members, nonexistence of gorgeous socio-economic programs for workers and a scarcity of monetary resources also have deep impact on participation in electoral process. The personality, region and ideology issues are caused of factionalism political parties. (Duverger, 1954, pp. 203-204.)

The political parties could not have capabilities to develop political consensus, stability and continuousness. Pakistani political parties have of lack resources and qualified human power to undertake unflustered and systematic study related to socio-political and economic snags. The elected houses of parliament and provincial assemblies have to be center of debate. The level of debate in these houses is low and these elected bodies have the challenge of shortage of quorum. It is reflection of non-seriousness of political parties. It seems how elected members serious in dealing the national issues. The ministers and parliamentary secretaries are not available in the house to respond on issues raised by elected members. The Pakistani nation shares specific political culture which strengthens behavior of political leadership to strengthen
nonpolitical leadership with powers and authority. The issue is not that individuals are agreeing on arrogances of civil leadership. The leadership has to focus on the concerns political governing system. The Martial law government leadership has to handle the issue of legitimacy. They have opted electoral process and referendums. The ruling class has attempts to establish as axis of power in governing system. The system is whether parliamentary or presidential form of government rulers used different tools for legitimacy of authority. The political leaders supported authoritarians to have power in governing system. The autocrat rulers used different methods comprising publicity, clientelism, and compulsion to attained legitimacy for governance. They have attaining authority through such factors instead of democratic methods. The people are becoming frustrated against these authoritarians rulers as well as their institutions. (Afzal, 1998)

**Issues of Elections in Pakistan**

Pakistani people are undergoing elections which are conducted off and on but not for regular and constant periods. These elections are apprehended with different patterns. It is depend upon objectives and purposes of ruling group. The election commission under different martial law regimes tried considerably mixed pattern for elections. The election commission system remained under less civilian control of political parties. “Some of the systems experimented in Pakistan were as under:

1. Basic Democracy
2. Nonparty elections as for Majlas-e-shura
3. Majoritarian or First Past The Post (FPTP) System with minor variations like separate or joint electorate for minorities, different numbers of special seats for women, allocation of Senate seats to different parties”. (Sadiq)
There are different issues generated postlections in Pakistan. The mostly results of elections becomes controversial and stemmed sometimes dangerous political polarizations. The majority of losing political parties elevated serious reservations about fairness. The sacrosanctity of Elections Commission made pathetic credibility. The political parties are express doubts and concerns about independence and integrity of institution. The civil elected representatives and loser both consistently alleged for manipulation of elections. This method adopted for help specific group or party for victory. Such type of functioning of election commission is caused of controlled democracy. The referendums conducted on three occasions for legitimization of martial law government with high casting percentage. It has damaged sacredness of vote and ballot. Some of these allegations are of course embellished. These discernments related to transparency and lack of fairness remained in the public.

Second the changes done under legal process under Legal Framework Order by generals. Sometimes rapid changes are in lawful requirements needed due to shortage of time but the elections have to be conducted under new procedures. These changes are extensively agreed by candidates. After sometime these changes have become part of institution.

Third, there malpractices are done at government as well as private levels. The management has authority to change procedures relating to electoral process for assistance of certain candidates or parties. It can be interceded clandestinely for influence which has impact on critical decisions election process arrangements. On other hand in private level the malpractices including terrorization voters and polling agents at polling stations. There are fake identities, counterfeit records for voter roll. It can do through bribe or threats to polling staff. There can be stuffed ballot boxes with fake votes. The polling could be disruptive with violent means.
Lastly there is discrimination in voting behavior against women, lower castes and the minorities in elections has been pervasive. The feudal lord has dominated electoral process in countryside. The new middle class has emerged. The social mobilization has to translate into representation of politics in Pakistan. The weak party system in politics, disturbance of democratization and elite assortment are caused of present shape ruling class partnerships. The deliverance and authorization of power to women is social and political issue. The group discrimination in politics has deep impact on lower castes.

It is evident that there are allegations on every election. It has always questioning about credibility of elections in Pakistan. It cannot be claimed about election’s fairness and its consequence presumed without questioning doubts and reservations. It is said that the election of 1970 are free and fair but intemperate new forces come on the scene of politics and ended in political polarization with disintegration. The intensity of rigging allegation in election happened but has variation for different elections. Therefore query arises why the consequence of such elections has questioned which leads to the uncertainty about election conduction mechanism in country. (Craig Baxter, March 1971)

The organization of election commission of Pakistan which has responsibility to conducts elections. It has to face issue of satisfactory autonomy and independence. The pitiable performance is shown by commission. The efforts remained fail to improve as a national institution of some stature. The contemptuous type of political culture and usual defamation of political groups targeted election commission for their catastrophes. These are causes that commission remained fail in cultivating neutrality and trust. The political class having power may use electoral machinery for favor to control their interests. The widespread discernments about veracity of Election Commission of Pakistan are depressing. There are
several political developments in history which can explain low levels of widespread confidence for election procedure. This low level of affirmation on reliability of electoral practice does not discourage large numbers of people are still want to vote.

The real dilemma of electoral politics is attached to the civil military relations in Pakistan. The general elections conducted by a directly military establishment or by provisional government which has responsible to supervise since 1970. There is need to fathom the position of civilian and military relationship. It becomes clear for understanding the election procedure where flaws are seen. The question has to rise for neutrality. The military establishment has different visualization for political leadership, economic growth and democratic process. Now the military elite taking a long deviance and doesn’t distrust political leadership. Neither has it believed that they are only unpretentious representatives of masses of country. (Shafqat, 1997)

“Musharraf is my boss” it is answer of Pakistani Prime Minister Zafar ulUllah Jamali. The social scientist Rasool Bukush Rais has opinion, “Military leaders who captured power have viewed free play of democratic forces as dangerous, anti-development, and pregnant with the potential of degenerating to lawlessness and anarchy”. (Herald, 2008) Pakistan has facing tissues of economic growth, unsolidified political background, and hazardous security environments are resent serious challenges. The political leadership is also responsible for these issues. It is perceived a modern, well-organized and vivacious institution have in the state. The leaders made efforts for imposing a different pattern of political order. This variation has different labels in different eras as it is Basic Democracy in Ayub Khan era. (Keith Callard, 1968, p.329.) It leads to true democracy in President General Pervez Musharraf era. The basic approach of some order is containing same content in the new political order. The trend of dogmatic changes in politics and reforms related for economy growth has uncontestably
remained identical in martial governments. The establishment has aimed for development of controlled and steered democracy. The military establishment administration got success in picking a substantial segment of political leadership from opposition for alliance to govern the state with co-ordination. (Hamid Khan, 2006, pp.130-135 )

There is trend of frequently changes of political fidelities to get lucrative status in governing system. On other hand they wanted to elude as to be an accountable. There has made an annex between the military leadership with disintegrated groups of several political parties. The military rulers assisted and supported to lucrative political groups. Military established dominated or directed political system. To support them in the electoral process damage the credibility of institution. The actual worth of voting process lies in assisting to public representative management. It has not to use as appliance of manipulation for political groups. The military establishment is leading in governing system while having opted political leadership act as second contraption with conscripted responsibilities of governance. Prime Minister Zafarullah Khan Jamali is performed such responsibilities which has deep impact to electoral politics in Pakistan. (Lawrence Ziring, 2001,pp.440-446)

The expression has become true in conducting elections in country. It is extensively alleged that military intelligence agencies supported in shade or on the horizon tried to change the loyalty of politicians. The political campaigns are funded for favorite politicians. The commission has choosing to change election results if these selective groups failed to succeed. The problem starts with the voters. They were never included errors or entire voting population. The registration of voters to formulate voter roll is a worldwide problem in democratic states but it has more serious in our country. There are political causes in registering people for voting lists. There are make
efforts to submit wrong admittances in voter rolls. (Constitution, 1974)

Similarly, the lack of an effective remedy for electoral disputes means that some public officials are found to have been improperly seated years after the elections, especially in local elections. These differences have sometimes led to violence. Efficiency and resolution of electoral disputes quickly can become a critical issue in relation to political stability, for example, if the election results are very close.

The people have truncated confidence on the election procedure. The opposition put up frequent controversies for this process. It blamed as fraud representation. Such issues lessened turnout in elections. On other hand it has a reflection of cynicism on political leadership for major political parties specifically PML (N) and PPP. There are different stories of corruption, favoritism, maladministration for economic growth. The casting vote ratio is only 38 percent of registered voters voted in the 1997 election figure elections in October 2002 are slightly higher, but less than 50 percent. (Muhammad Waseem, 2006 p.189)

Low participation in elections in Pakistan can be explained with allusion on basis of two aspects depoliticization as well as disappearance of philosophy. The long martial law era and mistrust of political leadership also vital affect for low participation. The people have less interest participation in political parties these factors leads to more decline. The empirical analysis is based on a series of multilevel logistic models of electoral participation through electoral mechanisms controlling the characteristics of state and local socio-economic electorate of Pakistan. Our dependent variable is the behavior of voters to vote in their experience. The participation rate is influenced by changes in costs and benefits of votes received and the likelihood to affect the outcome. In general, the results show that the participation rate is strongly associated with social and personal satisfaction of people come to vote, but
preferably matching between candidates and voters and credible elections play an important role in determining electoral participation. In regard of the effect of perceptions of credibility of the elections and electoral priorities of political candidates results of a multilevel model suggests that these effects vary depending on the level of education of voters. (Qureshi, 2002 p.392)

Elections provide relatively popular and genuine participation in political activities. When people are lost reliance for unprejudiced determination about people or party lose political participation opportunity. The disappearance of ideology also cause of decline of popular participation. The polarization of politics is based on ideology in 1970. It has three ethnic dimensions of Islam, nationalism, and socialism. Ethno-nationalism and Islam are prevailing issues having concentrated deliberation on ideologies or conventional of dialogue politics. The ethnicity based groups have reserved with supports come on scene in elections 2002 on slogan of nationalism and Islam. The Islam based ideological groups have enlarged their political span. The majority part of society has not concerned in old debate on ideology based. There is failure of political parties to brooding new ideologies for debate handle horde of complications that Pakistan has facing since birth. (Report, 16 August 2012)

The disposition desolately cultivated political process that leads back into authoritative pattern and moving away from destination of democratic country. Allegations handling and use of state resources to support candidates in the polls the current crisis, and the validity of the elections are equally important issues that must be addressed carefully and quickly. The Commission is mismanaged, poorly resources, insufficient and under-trained. ECP staff promotion prospectus are inadequate and employment strategies remained fail in attracting vigorous candidates, topmost position holders tend to be occupied by officials of federal establishment regularly,
mainly employees have not skills of ECP. The training programs are not conducted on systematic basis for staff of ECP, and were little or no resources for research and analysis of past elections and electoral issues important growth. (Report, General Elections Report 1988, 1990, 1993 &1997, Vol.2, 1997 pp.680-690)

**Recommendations**

The Election Commission has important role to play for democratic setup. The role of election authorities ensuring the level of reliability has become satisfactory. For this it should have to made autonomous independent, impartial and effective. This institution has to face various issues to conduct election as transparent and fair. (Case, 2011). The selection of Chief Election Commissioner with its members is made innocently on merit. It can be done through extensive consultancy amongst Prime Minister, Opposition Leader under the eighteenth amendment. It is the need of the time to implement for the conducting free and fair election. Parliamentary committee debated on different names and finalized. The Chief Election Commissioner should be appointed four years. The supreme judicial council of Pakistan has authority for exclusion of the CEC in unusual situation. The competence of Election Commission has improved through apportioning better financial resources. The effective recruitment policies for manpower have attraction for outstanding candidates. The topmost positions holding candidates are nominated from regular federal bureaucracy with having a proper and regular training. The following steps should have been taken for betterment of democratic process and state. There are some suggestions are given to handle the challenges of electoral process in Pakistan.

- Election Commission has to bind in providing assistance for election observers unencumbered access to polling
stations on polling days. It is obligation to conduct and make assure elections are free and fair.

- Election Commission website has to develop as friendly facilitation for public. There is compulsion of provision of information related to election to masses as well as contestants which are related political activities and electoral procedures. It is comprise over issue identity cards of voter, registering of voters. All such process is computerized containing complete process of voter registration, electoral roll of voter having photographs.

- The scrutiny process for nomination papers in the current process which is conducted by returning officer. This is associated with reforms in electoral process. Election Commission of Pakistan (ECP) as well as the political parties has vigilant role to select candidates who have contested elections.

- The electoral rolls should be formulated computerized on annual basis. The finalized list of voters is available on website of ECP which is accessible for public. The voter lists should have to maintain on yearly based. ECP and NADRA have interfacing regularly for formulating and updated electoral rolls. There should be serious study for computerized voting for implementation. This process has minimized persistent distrust clouds in the people of Pakistan.

- The polling stations should be made on permanent basis which are arranged with willing of all patrons. The final list is provided with their locations on official website.

- There is need of scientific and independent formulation of mechanism for challenging the appointment of polling officials to hold election managing assigned polling stations, and effective response to poll-related violence. The terms and conditions defining for impermanent staff employment and procedure of probing misconduct and
punitive action on founding remorseful of transgression has decided to take against polling officials.

- The trainings should be conducted for administrative personnel of elections which lead by expert and professional trainers. Federal Election Academy has significant role for this objectives. Therefore it is basic requirement has enhanced trainings and research on issues of electoral process which could be meet with increase of human resource competences.

- The comprehensive policy related to requirement of human resource instigated, formulating job portrayals and fabricating well demarcated path of career progression for all permanent officials. The selection procedure for executives is operated by Federal Public Service Commission. The separate cadre is established for ECP officials as Electoral Service of Pakistan.

- There should have need to adopt a broad programs to train on two modules, a basic placement course which disseminates staffs with historical background, functioning and authorities of ECP. It can be narrated about previous conduction of elections particular training for explicit zones for electoral management. There is special focus on delimitation of constituencies and election disputes resolution.

- There is further need to improve the existing system of communication of paper ballots at polling places.

- There are issues in manual counts which has to improved and need better trainings and unbiased observations are required in the whole electoral process.

- The complaints and appeals procedures are needed to simplify. It lessened burden of administrative personnel relevant process of petitions and rationalization all pertinent administrative mechanisms.

- It should be basic responsibility of ECP has to scrutinized annual declarations of belongings and
liabilities which are filed by representative of masses. The ECP has to introduce robust procedures and recommending chastisements for chosen representatives in case of filing false submission of statements. The political instability outcomes are seen in case of breaches and obscurities in election structure. The educational qualification of contestants issue and the subsequently spate of court cases are related to fake degrees holders.

- One man can contest election from one constituency in a general election.
- There is need for improvement of basic infrastructure related to polling stations.

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