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Civil Society-Democracy Nexus in Pakistan

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ABSTRACT

The article aims to examine the relationship between civil and democracy in a historical context, and find its traces in Pakistan. There are different ways in which the term 'civil society' has been interpreted and explained. The concept has both political and sociological aspects, with the former playing a key role in promoting democracy and the latter facilitating development in community as a parallel agency in relation to government. The fact that civil society is a promoter of democracy as well as a development agency puts it in direct opposition to the government. In an undemocratic or semi democratic setup, civil society thus faces stiff resistance from the ruling clique. In Pakistan, where true democracy has not taken root, this situation exists. Because of lack of understanding of the notion of civil society, NGOs have become synonymous with this term, provoking harsh criticism. The media, on the other hand, has failed to bring the entire concept of civil society and its role in democracy to full public view. The article tries to explore these complications from the perspective of civil society and democracy in Pakistan.

Key Words: Civil society, Democracy, State, NGOs, Public, Governance, Media

Civil Society in a Historical Context

Civil society is the public space that exists between the state and market. In its most general usage, "civil society refers to all voluntarily-constituted social relations, institutions, and organizations that are not reducible to the administrative grasp of the state". (Swift, 1999). After the end of the Cold War, however, civil

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society has been associated increasingly with democracy. Especially with the advent of the liberal democracy, the concept has been recognized more often than not as an instrument of change with regard to democracy. “The functioning of a civil society is at the heart of democracy” (Ibid). Civil society, in essence, is an autonomous sphere of associational activity constituted by disparate societal groups, bonded together by the common passion of collective action. Thus civil society generates ‘social capital’ and inculcates a general sense of ‘publicness’ that in turn makes the government responsive and accountable to it. (Sigge, 1996).

With the growth of mass media, ordinary people are now recognizing increasingly their responsibility to help address issues of local, national and international concern. This marks a shift in consciousness away from dependency on governments toward the insight that interdependence is the keynote of all life, implying that it is only through the enlightened thinking and actions of all that global crises could be faced and resolved. (Trivedy Acharya, 1996). However, David Reiff, writing in *The Nation* (1999), cautions, “Those who tout it as the silver bullet both to ‘open’ repressive societies and to guarantee or deepen democratic liberties move with feline grace between using civil society as a descriptive term and a prescriptive one”. (Swift, 1999). There are some others also who are not so optimistic about the projected role of civil society, especially in developing countries, and argue that positive impact of civil society is hard to realize in countries where states are strong and civil organizations still weak. (Chandoke, 1995)

Most such critics have not reposed a lot of confidence in civil society because in many countries it has become synonymous with non-governmental organizations (NGOs). They are critical of NGOs’ turning into ‘business of development’. (Ahmad, 2001). These critics accuse NGOs of ever willing to sell terms like ‘gender equality’ and ‘good governance’ for acquisition of funds, and call it a convenient phrase to use in preparing a funding proposal. (Nairn, 1997). Still, literature in favor of civil society, implying basically NGOs, abounds. For example, magazines like *The Economist* and international financial institutions like the World Bank continue to celebrate civil society in the form of NGOs as a fresh alternative to inefficient governments in the South. “NGOs have always served as our collective conscience and as a vehicle for citizen participation closest to the people.” (Tocqueville, 1831). says Canadian politician Jean Augustine.

Even some NGO critics believe that even if civil society has become fashionable in the international aid system, it remains an important concept in the struggle for global justice. “It might be tempting to see it as projecting an idealized

Western model of parliamentary democracy”. (Najam, 1999). The concept ‘civil society’ has been around for centuries, but it has been revitalized in the last few years or so. Civil society has seeped into political vocabulary, because as an idea its time has come. (Manor and & etal, 1999). From the 17th century onwards, almost all political theorists have talked about civil society. Thomas Hobbes and John Locke distinguished between the state and civil society. According to Hobbes and Locke, it was possible not to have a state, but they needed a concept to describe the remaining institutions. Thus civil society as a concept emerged as a framework of economic relationships, family and kinship structures, religious institutions, etc. Locke drew up a blueprint for a political system in which the government would be subject to control by the citizenry. He and later French philosopher Jean Jacques Rousseau argued that sovereignty lay with the people.

German philosopher G. W. Friedrich Hegel analyzed civil society as an intermediate institution between the family and the political relations of the state. In *German Ideology*, Karl Marx and Friedrich Engels argued that civil society was the true source and theater of all history and explanation of political events. (Ibid) Antonio Gramsci adopted Marxist conception and argued that civil society existed between the coercive relations of the state and the economic sphere of production. (Walzer, 1991). The modern usage of the term ‘civil society’ can be traced to Adam Ferguson. In his work *An Essay on the History of Civil Society*, Ferguson saw civil society as a socially desirable alternative both to the state of nature and the heightened individualism of emergent capitalism. (Dajani, 1997).

While he did not draw a line between the state and society, Hegel made this distinction in *Elements of the Philosophy of Right*. In this work, civil society (German, ‘bürgerliche Gesellschaft’) is a stage on the dialectical relationship between the macro-community of the state and the micro-community of the family. The work of Alexis de Tocqueville has been used to support arguments in favor of civil society. His account of 19th century ‘associationalism’ in the United States stressed volunteerism, community spirit and independent associational life protections against the domination of society by the state. (Keene, 1997)

The school of de Tocqueville is reflected in Western moralist writings. According to Marc Nefrin, civil society is essentially a citizens’ domain, well captured in his formulation *Neither Prince nor Merchant: Citizen* (1987). He distinguishes the ‘citizen’ from the ‘prince’ and the ‘merchant’. (Seligmann, 1992).

In normative terms, civil society has been seen widely as an increasingly crucial agent for limiting authoritarian government and strengthening popular empowerment. (Dajani, 1997)

Since the use of 'civil society' as a term has become fashionable, many individuals and institutions have tried to define it order to capture its diverse perceptions and help maximum people relate to it. In other words, there is no consensus on the exact meaning of the term. The differences between definitions of 'civil society' are often rooted in alternative social and political philosophies. (Ahmad, 2001) A noted American professor sees 'civil society' as "a dense network of civil associations, working openly in a democratic society and having the ability to reach the decision-maker in order to influence events." (Tandon, 2001) This 'dense network' is said to promote the stability and effectiveness of the democratic polity through the effects of associations on citizens and their influence on decision-makers. (Serrano, 1994).

The term 'civil society' refers to a mixture of various forms of associations, including unions, clubs, charities, religious associations and, in political terms, political parties. It is important to note that civil society does not allow one civil group to act selfishly for their own goal without regard to the others. (Putnam, 1995) A very important question has been raised by critics that whether religious – related organizations and charities have this right to impose their beliefs on us. (Havel, 1991) For civil society to work, you have to have societal pluralism, that is, the ability of all groups to work freely and equally. (Robinson & White, 1997).

Some other modern perspectives on civil society are:

"It expresses the potential for toleration,
(Manor, etal, 1999) "It is a collection initiative
for common public good." (Bayart, 1986).

"The network of autonomous associations meant to address common problems." (*CIVICUS: The World Alliance for Citizen Partnership*) (Fatton, 1995)
"The social capital for effective government." *Civics Matters*; (Manor etal, 1999)
"It has three basic pillars: association, decentralization of the state and delegation of the exercise of some of its functions to relatively independent entities."; (Barber, 1995). It refers to that sphere of voluntary associations and informal networks. For democratic societies, it provides an essential link between citizens and the state." (*Civic Practices Network*) (Manor etal, 1999).

In current analysis, one can discern two underlying understandings of the term: political and sociological. The *political* conception is rooted in the Anglo-American tradition of liberal-democratic theory that identifies civic institutions and political activity as an essential component of the emergence of a particular type of political society based on the principles of citizenship, rights, democratic representation, and the rule of law. The *sociological* conception is that of an intermediate associational realm situated between the state on the one side and the

basic building blocks of society on the other - individuals, families and firms. Problems arise because these two notions are often used simultaneously in confusing ways. The political definition is often criticized for many reasons, including “it often extends beyond the activities of concrete organizations to include broader and more abstract notions of political participation and public discourse.” (Shah, 2002).

The sociological definition also presents many problems, including that of civil society taking form of mafia, its being dependent on the state or external agencies, etc. In this context, there can be no assumption that civil society is ‘virtuous’ by definition or that it contains an intrinsic potential for contributing to better governance. (Javeed, 2002). Nor can we assume that it has explicit concerns with improving the quality of political life and governance. (Sattar & Baig, 2001).

Civil society organizations vary in the nature and range of their objectives: for example, by changing an authoritarian into a democratic regime; by deepening the democratic character of an existing democratic regime; changing socio-economic circumstances by improving equity or stimulating particular kinds of developmental action which improve the well-being of poor and excluded people. (Iqbal & Baig, 2000).

Still others may be concerned with more limited goals, seeking to maximize the narrow interests of their own members. “Paradoxically, once civil society had been privatized and commercialized, groups organized in desperate defense of the public interest found themselves cast as mere examples of plundering private interest lobbies. (Sattar & Baig, 2001).

A research study³⁵ conducted in over 30 countries of the world identifies the following five contextual elements: democratization; reforms of political structures; institutional ‘rebalancing; economic liberalization; globalization. The same study identifies the following seven broad types of Community Service organizations: social and recreational organizations; interest-based organizations; service provision organizations; self-help organizations; advocacy groups; cultural/religious/ethnic organizations.

Civil Society in Pakistan

VOLUNTEERISM HAS TRADITIONALLY BEEN ENCOURAGED BY THE RELIGIOUS OBLIGATION OF HELPING THE POOR AND THE NEEDY. DURING THE COLONIAL PERIOD, PHILANTHROPISTS ESTABLISHED EDUCATIONAL AND HEALTH CARE CHARITIES THAT WERE OPEN TO

ALL REGARDLESS OF CASTE, CREED OR COLOR. THEY LEFT BEHIND A LEGACY THAT WAS TO GUIDE AND INSPIRE MANY A FUTURE PHILANTHROPIST AND VOLUNTEER. CHARITY ORGANIZATIONS THAT WERE SET UP IN PAKISTAN AFTER THE PARTITION DREW ON THE HISTORICAL TRADITION OF PROVIDING RELIEF TO THE NEEDY.

PAKISTAN'S CIVIL SOCIETY SHOULD BE SEEN AGAINST THE BACKDROP OF AUTHORITARIAN SETUPS AND CONSEQUENT DEMOCRATIC DEFICIT. CIVIL SOCIETY IN PAKISTAN HAS THEREFORE BORNE THE BRUNT OF REPEATED MILITARY INTERVENTIONS IN THE COUNTRY'S POLITY. DECADES OF PERVASIVE AUTHORITARIAN RULE HAVE CLEARLY UNDERMINED THE EMERGENCE OF A POLITICALLY VIBRANT CIVIL SOCIETY. (Khan, 2007). THE STATE REPRESSION CAME IN MANY FORMS: BANS ON NGOS, ARREST OF CIVIL SOCIETY LEADERS AND POLITICAL PRESSURE. ALTHOUGH THE SITUATION IMPROVED STEADILY WITH THE RESTORATION OF DEMOCRACY IN THE LATE 1980S, A TRULY FACILITATIVE AND ENABLING ENVIRONMENT FOR CIVIL SOCIETY REMAINED A DISTANT DREAM. THE LATEST MILITARY COUP STAGED IN OCTOBER 1999 WAS THE LAST NAIL IN THE COFFIN OF DEMOCRACY AND EXPOSED THE FRAGILITY OF CIVIL SOCIETY IN PAKISTAN.

"IT'S ABOUT TIME THAT WE COURAGEOUSLY BEGIN CONCEDED THAT PRESIDENT GENERAL PERVEZ MUSHARRAF'S TAKING OVER OF POWER EXPOSED THE LIMITS OF THE SO-CALLED CIVIL SOCIETY. THE SELF-PROFESSED LEADERS OF IT HAD BEEN LOUDLY LAMENTING OVER THE DOINGS OF 'PUBLIC REPRESENTATIVES', WE EXPERIENCED FROM 1985 TO 1999. (Ahmad, 2001). DESPITE YEARS OF POLITICAL REPRESSION, CIVIL SOCIETY HAS DEVELOPED IN PAKISTAN. ITS ORGANIZATIONS HAVE PERFORMED THE ROLE OF PROMOTING HUMAN RIGHTS AND SOCIAL JUSTICE. THEY HAVE CONSISTENTLY OPPOSED STATE LEGISLATION THAT DISCRIMINATED AGAINST WOMEN AND MINORITIES. THEY HAVE REPEATEDLY EXPOSED HUMAN RIGHTS VIOLATIONS. NGOS ARE GENERALLY SECULAR IN NATURE IN THAT THEIR MEMBERSHIP IS OPEN TO PEOPLE BELONGING TO EVERY RELIGION AND THEIR SERVICES ARE AVAILABLE TO ALL REGARDLESS OF CASTE, CREED OR SECT. (Ahmad & Malik, 2000). THEY HAVE ENJOYED THE SUPPORT

OF PAKISTAN'S ENGLISH PRESS IN GETTING THEIR POINTS OF VIEW ACROSS TO THE GOVERNMENT AND THE PUBLIC.

A STUDY (Rais, 2006) FOUND A SHARP DICHOTOMY BETWEEN THE ENGLISH PRESS AND THE URDU PRESS, WITH THE LATTER BEING GENERALLY NEGATIVE TOWARD NGOS. THE MOST COMMON ALLEGATIONS RELATED TO ADHERENCE TO FOREIGN AGENDAS, CORRUPTION, PROMOTION OF WESTERN VALUES, AND LACK OF ACCOUNTABILITY. THE PERCEPTION THAT NGOS DO NOT HAVE A POSITIVE CAN BE ATTRIBUTED PARTLY TO THE LACK OF UNDERSTANDING BETWEEN THEM AND THE MEDIA. IT CAN BE ARGUED THAT NGOS NEED TO BECOME MORE PROACTIVE AND PROFESSIONAL ABOUT SHARING INFORMATION ABOUT THEIR ACTIVITIES WITH THE MEDIA.

For this and other factors, civil society is yet to gain currency in popular parlance. The term has yet no equivalence in any of Pakistan's vernacular languages. Similarly, there is a lack of research material or studies on the concept and development of civil society in Pakistan and its interaction with the state.

Therefore, it is difficult to gauge the canvas of civil society in Pakistan as no comprehensive database has been maintained on a regular basis. Although several initiatives have been launched during the 1990s to collect data on various dimensions of civil society, no comprehensive analysis has been undertaken so far. The available data, mostly focusing on NGOs, is sketchy and sector-or area-specific. Other components of civil society, particularly the informal sub-sectors, are yet to get the critical attention they deserve. There is no consolidated data available on the number, funding sources, and resources of such traditional civil society actors as *madrassas* (seminaries), *jirgas* (councils of elders) and *panchayats* (village councils), savings groups, burial societies, neighborhood associations, and shrines.

Development discourse, academic discussions and journalistic writings tend to employ civil society as an umbrella term for a range of non-state and non-market citizens' organizations and initiatives, networks and alliances operating in a broad spectrum of social, economic and cultural fields. These include formal institutions such as political parties, NGOs, trade unions, professional associations, philanthropies, academia, independent and quasi-independent pressure groups, think tanks, and traditional, informal formations such as faith-based organizations, shrines, seminaries, neighborhood associations, burial societies, *jirgas* and savings groups. (Pitfai, 2002).

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There also has been debate over whether fundamentalist and their organizations are part of civil society or not. "Fundamentalists may have a stake in a society formed on the basis of bigoted notions, but to say that they may have a stake in civil society plainly militates against the very concept of moderation and tolerance on the basis of which such a society thrives." (Syed, 2002).

Pakistan's civil society is characterized by hybrid forms and an unresolved struggle between authoritarian legacies and democratic aspirations. Its cultural manifestations appear as a collection of conflicting worldviews. While some social forms such as councils of elders, neighborhood associations and shrines continue from previous phases of society, many new groups have been created 'organically' through the development of capitalism. Still, civil society's presence reduces the possibility of any exploitation by the state or the market. "They seem to empower ordinary people both in rural and urban areas." (Ibid)

The political situation in Pakistan provides civil society with a historic opportunity to come forward and play its role for the revival of true democracy in the country. (Ali, 2005) But they need to gel together for tangible results. Given the examples of some states that have made the transition to democracy from military regimes, civil society can mobilize masses at the popular level. (Ahmad, 2001)

Commenting on the reasons behind the failure of civil society in Pakistan, a noted scholar writes: "The first and the foremost is the lack of democratic process, which waylays the very purpose of any such development". (Swift, 1999). "The second potent reason is the government's desire to engineer the growth of civil society. Every ruler tries to interpret the indigenous orientations according to his or her own predilections and later tries to enforce that paradigm on the natural growth of institutions, (Qadeer, 1997).

It is also important to make a distinction between CSOs and NGOs. They should not be confused with each other. "Speaking literally, every mosque, school or college, private corporation, club, literary society, and gambling house, among a hundred others, is an NGO, but it is not necessarily an organ of civil society. One may also want to exclude political parties as they are avowedly in the business of pursuing governmental authority and, thus, are too close to the institutions of governance." (Malik, 1997).

All professional and occupational associations that have an interest in influencing law and public policy relevant to their own particular interests, and/or generally to the public good, may be counted as organs of civil society. (Qadeer, 1997)

Some major manifestations and strands of civil society in Pakistan can be classified broadly under the following heads: Non-Governmental Organizations (NGOs), but they are often do not : many political commentators are of the view that donor organizations are promoting a rather limited understanding of civil society in developing countries like Pakistan. NGOs can often become preoccupied by the need to document activities for their donors. (Swift, 1999). There was an air of excitement around when NGOs were let loose on the Pakistani society after the end of Zia's dictatorship. But, the martial law was still on the people's mind. The 11-year rule of the dictator had taken a heavy toll on the Pakistani society and there was hardly an institution in the country that had not been affected. The best idea at that time appeared to organize people and help them create community-based organizations for collective good.

Training was imparted to social, political and human rights' activists from all over the country with a view to building their capacity, but with little results. (Shah, 2002). Besides civil liberties groups gaining prominence in Pakistan in response to the repression of Zia's martial law, feminism came up against traditional Islamic conceptions of the role of women in society. (Jan, 2006). A group of political theorists argues that civil society in Pakistan has been crucial in bringing about the end of entire political regimes, including the governments of Mohammad Ayub Khan (1958-69) and Zulfikar Ali Bhutto (1971-77). (Sattar & Baig, 2001) During Ayub Khan's time in power, according to Qadeer, new forms of civil society evolved from a relatively cohesive clan-based social organization into social formations based on ethnicity and class interests, as well as primordial ties. During Bhutto's rule civil society's center of gravity shifted toward 'primordial' or fundamentalist groups. The mosque became a center for social mobilization, with clerics, landlords, traders, and informal sector 'bazaaris' gaining influence while urban professionals, commercial and industrial interests, and organized urban labor saw their fortunes decline.

While human rights and feminist organizations solidified themselves and resisted, the military in coalition with the traditionalists held sway. The press and the judiciary were stifled. Migration from country to city and emigration from Pakistan accelerated, and remittances from workers who migrated to the Persian Gulf provided a key prop to the economy and many families. "Democracy was portrayed as an anathema to Islam. The Islamic faction in civil society gained at the cost of secular, modern and urban interests. (Tahseen, 1997).

The other track of civil society – human rights organizations, NGOs, and groups concerned with social justice – is active in Pakistan but their capacity to mobilize mass support is limited. (Sattar & Baig, 2001). When the state is instable,

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weak or corrupt, the organizations have only a limited effectiveness. Countries where the state is corrupt or inefficient or both, civil society will have great difficulties promoting and protecting the delivery of collective goods. (NGO's working for others, 1991). A Pakistani Critic Notes: "Ngos, Touted As The Most Effective Avatar Of Civil Society, Are Also A Classic Example Of An Experiment Gone Wrong. (Sattar & Baig, 2001).

CONSPIRACY theorists do not lag behind in their criticism of NGOs. After the Cold War, the US and its allies reshaped NGOs in the new context of a unipolar world. From now onward, the NGOs would play a scripted role. Until a few years ago people in general were unfamiliar with the term 'civil society'. But it soon became a reality because the peddlers tagged to it vocabulary through the media. (Directory of Intermediary, 2000)

It is estimated that in Pakistan, (Sattar & Baig, 2000). the bulk of NGOs (59 percent) is in Punjab followed by Sindh and the NWFP. The number of formal NGOs rose from a few hundred in early 1980s to more than 10,000 in the 1990s. NGOs, however, are limited by isolation from each other and the overall social and political movements. (Ahmad & Malik, 2000). There are six different laws under which organizations can be registered: the Societies Act (1860), the Trust Act (1882), the Charitable Endowments Act (1890), the Co-operative Act (1925), the Voluntary Social Welfare Agencies (Registration and Control) Ordinance (1961), and Companies Ordinance (1984). There is no system whereby non-functional NGOs are struck off the registration records. Consequently, many NGOs that have become defunct continue to be listed and present a false picture.

The shortage of NGOs in NWFP and Balochistan is attributed to logistical difficulties, widespread illiteracy, limitations on women's mobility and the tribal/feudal system. Because Pakistani NGOs are predominantly urban, they do not genuinely represent more than 65 percent of the rural-based population. (Shah, 2002) An earlier study identified 4,833 intermediary NGOs. Of these, 2,714 were located in Punjab, 1,742 in Sindh, 213 in Balochistan and 163 in NWFP. The survey also revealed that 70 percent of organizations were urban-based. Another survey of intermediary NGOs reveals that 18 percent of intermediary organizations are exclusively urban-based, 21 percent exclusively rural-based, and the remaining operate in both urban and rural areas. It must be pointed out that folk sub-sectors are present across rural Pakistan; however, there is insufficient information available on their size, number, and regional distribution. (Raza, 2002).

In terms of thematic focus, education (including basic, primary, adult, and informal) represents 56 percent of the total, while health and women's development account for 39 percent each. (Ibid) Other areas of focus include early childhood development (15.2 percent), sports promotion and recreation (12.3 percent), and community development (12 percent). Intermediary NGOs and support organizations are also most actively engaged in education (69 percent) and women's development (56 percent) (Khan, 2002).

The state's attitude towards NGOs has been mixed and ambiguous. While it appreciates the services that the NGOs provide, it also perceives them as a competitor for donor funding. (Babar, 2004). The NGO-state relations turned overtly hostile in 1996 when the then government led by Prime Minister Mian Muhammad Nawaz Sharif proposed a bill in the Senate titled the Social Welfare Agencies (Registration and Regulation) Act. The PNF and its units rejected the bill outright as they found it to be a legitimizing tool for extraordinary interventions in NGO affairs. The bill also proposed to eliminate civic education as a permissible NGO activity, thus precluding the advocacy role of most of them. While the bill was never made law, it did engender a strong sense of vulnerability among NGOs.

In 1998-99, the then government launched a campaign against NGOs, de-registering as many as 2,500 of them in Punjab, Sindh and NWFP. The action came in the wake of the protests staged by NGOs against a proposed religious legislation (Shariat Bill) and the nuclear tests conducted in May 1998. Many NGOs, particularly in Punjab, complained of being intimidated by personnel of intelligence agencies.

The instances of active government-CSO collaboration are few and far between. (Shujaat, 2002). Again, certain sub-sectors, especially service delivery NGOs and religious organizations have been more fortunate than advocacy and human rights groups. Yet criticism abounds. For instance, in order to get close to General Pervez Musharraf and thus the echelons of power, NGO leaders shamelessly supported the drama staged by the military dictator in the name of presidential referendum in 2002, noted S. Akbar Zaidi. Seeking a greater voice in public policy but unable to partake in the largely restrictive traditional party politics, prominent civil society actors have sought to articulate their social and political interests through donor-financed NGOs. "Since the early 1980s, this NGOization of civil society has facilitated the emergence of a new socio-political class, upwardly mobile and less restrained by traditional patterns of social compliance. Anti-politics is a marriage of mutual convenience in which NGOs derive material succor from donor funds, and donors in return utilize their readily

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disposable 'expertise' to depoliticize governance and public policy reforms in Pakistan." (Babar, 2004).

Another noted political analyst views: "Most NGOs in Pakistan are led by disgruntled revolutionaries of the past. They consider civil society as the 'best compromise' with the contemporary enemy – market economy – without letting go of much of their revolutionary spirit. they can continue with the changed form of their revolutionary struggle." (Ibid). Lamenting that, "NGOs, out of their kind-heartedness and despite superior humanitarian objectives, are bound to be used by the flag carriers of the market forces and the end of the day they will feel that they have wasted their breath," (Ibid). he adds.

Some other writers have been more forceful in their criticism of NGOs. "Intellectuals are beginning to argue that NGOs can actually be counterproductive to the development of civil society if they are co-opted by the establishment or pursue donor-driven agendas. (Rais, 2006).

The media can strengthen civil society by providing it voice. This voice is of paramount importance in Pakistan, which is still struggling to imbibe democracy as the core political philosophy and societal value. The press in Pakistan has not been permitted to play its role to promote civil society by authoritarian regimes, interests of owners and intimidation by pressure groups. This has resulted in erosion of press credibility in Pakistan, which is detrimental to its status as the fourth pillar of the state and, in this capacity, as a strong driver of democracy.

Pakistan's media has failed on many occasions to provide an objective and unbiased account of events and issues, leading to chaos. One such example is its failure in exposing the reality of the so-called prosperity of Ayub Khan. This failure not only helped the general to reinforce his grip on power by conjuring up an illusion of prosperity, but also widened the class cleavage. In its wake, voices of civil society were stifled and issues relating to civil liberties blithely put to the backburner. In the East Pakistan debacle, Pakistan's press, by and large, failed to measure up to the challenge of presenting the true picture of the dismal situation. A large section of the press also failed to face up to Ziaul Haq, when he embarked on his agenda to radicalize the Pakistani society. The militancy in the Pakistani society that Pervez Musharraf claims he is trying to weed out is the outcome of that era.

Media and Civil Society

Pakistan's media, by and large, therefore has failed to lend support to civil society issues and also its representatives. As a consequence, militancy has spread in equal proportion to crackdowns on the press and hindrances in its free working, which has resulted in obstructing democracy and subsequently civil society. Why Pakistan's media could not fulfil its responsibilities is because it is perceived to have abdicated its role of agenda-setting enjoined on it by the tenets of its profession. It has been instead following the agenda of the state, and of commercial interests and pressure groups. It is not entirely idealistic to expect the press to recast itself as a catalyst for building institutions and for checking the excesses inflicted by the state as well as pressure groups.

“The effective use of the right to information can contribute to the changing of the culture of the bureaucracy – from a secretive regime to a more open and transparent administration, The use of the right to information makes the government more accountable and leads to improvement in good governance. And finally, it supports human rights by reducing corruption and abuse of power. As a country riddled with corruption at all levels of its public institutions as well as human rights violations, the right to information is essential to Pakistan.” (Ibid).

Several NGOs like the Human Rights Commission of Pakistan, the Consumers Rights Protection and others have been fighting for a freedom of information law. Some international donor organizations, particularly the Asian Development Bank, link aid to transparency in governance and the right of the people to know. As a result, governments in Pakistan have made some half-hearted attempts at legislation. An ordinance was promulgated in 1997, but was quietly allowed to lapse subsequently.

“In October 2002, when international donors insisted on legislation on the people's right to know, the Freedom of Information Ordinance was hurriedly promulgated. The fact that the parliament that had come into being at that time was deliberately bypassed in making the law throws some light on the negative attitude of the government of the day on the issue. It seems that the real purpose was less to ensure a citizen's right to know and more to deflect pressure from international donors. From the serious flaws in the ordinance, it is clear that it has been designed to give protection to the

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privileged ruling elite from being questioned by civil society.” (Shah, 2002).

Parliament was bypassed for reasons perhaps of fear that the elected representatives might not agree to the blanket protection of the privileged few under cover of national security and classified records. Furthermore, the fact that rules have still to be framed for the implementation of the ordinance shows that it was not the intention of the government to implement even this faulty law.

Be that as it may, civil society must now see to it that the freedom of information law is brought before parliament for a thorough debate. It is an affront to the elected representatives that a three-member committee, two of whom were civil servants, should make the ‘right to know law’, which is the foundation of transparency in governance. There are serious shortcomings in the Freedom of Information Act, 2002, which can be removed only through an open discussion in parliament. As a matter of fact, the draft law should be thrown open for a public debate for a month or so before being presented in parliament, so that all stakeholders and members of civil society can contribute to the making of such a fundamental law.

Some of the serious flaws in the Freedom of Information Law stand out. “First, the ordinance is in addition to, and not in derogation of, anything contained in any other law for the time being in force. It means that if there is any law that militates against the right to know, that will take precedence over the ordinance and nullify its effect. For instance under the Official Secrets Act, which was promulgated in 1923, any official document marked as ‘secret’ or ‘classified’ cannot be made public. There are no rules and guidelines as to who orders such classification of official documents and the criterion for doing so. Thus, a section officer will just have to scribble ‘classified’ on a document to deny anyone access to it.” (Ibid).

Secondly, the ordinance prohibits making public several important documents that throw light on the decision-making process in government departments. These include noting on files, minutes of meetings, any interim orders, records of banking companies relating to the accounts of their customers, and the record of private documents furnished to public offices among others. “Denying access to these important documents means shielding the government against charges of misgovernance and corruption in hatching schemes, and making purchases that might be utterly useless or downright harmful. For instance, in all high-value contracts and purchases one would like to know where the money comes from and on what terms, who drafts and who approves the specifications that suit a particular beneficiary to the exclusion of others? One should like to know the

minutes of the meeting at which the awards were finally made. What were the objections raised by some officers and what happened to them? Who overruled their objections and what reasons were given for such a stand? One also wants to know the circumstances under which the lowest tender was rejected. Or how the lowest bid, which ultimately proved not to be the lowest, was manipulated by secretly understating the quantity of a high-value item. How were the objections of the others dealt with?" (Shujaat, 2002).

"The same principle should also apply to the massive purchase in defense deals that have already been reported in international papers and are known to all except the people of Pakistan. The reports of the Public Accounts Committee of parliament on questionable deals and irregularities are regularly published. There can be no justifiable restrictions on documents relating to such deals on the unconvincing plea of national security and secrecy. The procedure of appointment of judges has been laid down in the Constitution. The public should know whether and how the procedure is followed. The ordinance fails to achieve the vital purpose of the right to know and must be placed before parliament and the public at large for a detailed discussion and evaluation." (Shah, 2002).

Civil Society and Democracy

An important factor for the failure of the current opposition to mobilize society in the cause for democracy is its inability to engage the fledging civil society. The civil society, a product of economic development and modernization, does not trust the present class of political elites, whether they are with the government or in the two mainstream political parties – the Pakistan Muslim League-Nawaz and the Pakistan People's Party. "Their political incompetence, nepotism and corruption and their politics of polarization and confrontation disappointed the civil society groups." (Syed, 2002).

Most of the civil society seems to be committed to the basic principles of democratic governance, but it is not clear about what role it can and should play

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for helping the country transition to democracy. Civil society groups do a lot of advocacy for gender equality, rule of law, respect for human rights and freedoms, but they do not want to organize or lead the movement for the restoration of democracy. Once there is a credible leadership with an agenda of change, some of the civil society groups may join as a supportive element rather than be in the vanguard. In democratic transition from mobilizing masses to post-regime change reconstruction, civil society groups in the third-wave democratization have played a vital role. The reason these groups may not play that role in Pakistan is that they are not entirely convinced about the democratic credentials of the opposition parties.

Our struggle for democracy will remain a struggle for power among the rival coalitions of elites until new leaders with a new vision and a new program emerge on our political horizon. "But the emergence of such leaders may have to meet two preconditions: free and fair elections, and active involvement of genuine civil society groups (associations of lawyers, teachers, labor unions, students, teachers, farmers, and professional groups) in the struggle for democracy." (Sattar & Baig, 2001).

Another political commentator argues that imaging civil society as an autonomous sphere in direct opposition to state is not very helpful in explaining its political failure in Pakistan. "At the cost of privileging the modern/tradition dichotomy, it can be claimed that the concept of 'citizenship' as understood in the West, is still alien to a large majority of the Pakistani public. Primary attachments such as tribe, culture, and language remain powerful markers of identity the unmitigated failure of state in managing diverse ethnic, social, and political claims on it." (Ibid).

Naturally, where access to state is controlled, private interests are bound to take precedence over the public good. People frustrated with a state that excludes them as citizens are forced to withdraw from the public sphere, and ultimately jockey for state resources and access via these primordial loyalties. No less importantly, a large majority of the public is still dependent on, and derives financial and social power from, state. Government employment and contracts constitute the biggest sources of economic security in the country. "Professional associations, such as academia and trade unions, too are beholden to state for economic revival. This nascent and dependent civil society is thus intrinsically mingled in state." (Ibid).

Political parties, essential to any democratic political order, play the role of a bridge between civil society and state: a role that political scientists compare with

that of ‘amphibians’ – their existence in both spheres, connecting one to the other. “Parties translate public demands into laws and rules, and above all, make governments answerable to the electorate. A politically inclined ‘civil society’ clearly needs their integrative influence to help it break free from the corrosive vestiges of both authoritarian state control and its own structural coma.” (Ibid).

Poor and socially disadvantaged groups such as marginal peasants, landless laborers, informal sector workers, urban slum dwellers, disabled people and certain categories of women are usually much less able to exercise influence over public policy and resource allocations. Higher rates of political participation often result from institutional innovations – such as democratic decentralization – designed to promote local involvement in decision-making. But such innovations will only be effective if grassroots organizations and social movements can organize the poor and articulate their demands at local and higher levels.

“CSOs can have a constructive impact on political life, by playing a key role in mobilizing particular constituencies to participate more fully in politics and public affairs. Wealthy and socially dominant groups are better able to organize themselves and, by virtue of superior resources and social status, are able to exert considerable influence over public policy. They can form and support intermediary organizations to represent and articulate their interests in an effective manner.”(Syed, 2002).

Crucial to the quality and stability of political democracy is the nature of the transition from authoritarianism. Where an authoritarian regime controls the pace and character of this transition, establishing the supremacy of elected authorities becomes next to impossible. “In such cases, as the post-1989 experience in Pakistan reveals, democratically elected leaders are largely preoccupied with averting potential democratic reversals and breakdowns. Working under the perpetual threat of coups, the continued decision-making power of ‘authoritarian enclaves’ left over from the ‘ancien regime’, and limited policy and budgetary space, insecure civilian leaders are prone to such temptations as centralization, deinstitutionalization, and whatever else it takes to maximize their hold on power..”

Freedom of association is guaranteed under Article 17 of the Constitution of the Islamic Republic of Pakistan. However, this fundamental right has often been usurped, curtailed, and subjected to restrictions in the name of the ‘national

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interest'. This has taken the form of frequent bans on public demonstrations and assemblies, arrest of civil society leaders and public vilification. In the face of the hostile attitude adopted by certain religious groups, the state has often been wanting in its responsibility of ensuring the right of citizens to association.

In many developed polities, labor unions are a political force to be reckoned with. In terms of both financial contribution and votes, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), the Teamsters (the truckers' union), and several other unions lend significant importance to the Democratic Party in the United States. Labor unions are an even more potent political force in Britain and the Scandinavian countries.

Unions surfaced in pre-independence India in the second decade of the 20th century at the government's initiative when it transpired that Indian delegations to meetings of the International Labor Organization (ILO) had to include workers' representatives. In Pakistan unions have been more active in the public than in the private sector – for instance, the postal services, railways, Pakistan Steel Mills, and the Pakistan International Airlines. There are no nationwide, or even industry-wide, labor organizations in the country.

“Pakistani political culture is no especially known for its friendliness towards workers. The Pakistan People's Party is the only party that began its career with a specifically worker-friendly manifesto, but within months of coming to power, Bhutto's government launched a severe crackdown on workers in Karachi and elsewhere to subdue their excessive enthusiasm and self-assertion. Workers have not much better under the subsequent regimes. The labor movement and union in Pakistan cannot be regarded as political actors of any noteworthy consequence.”

The number of trade unions in Pakistan is estimated to be around 8,000, with a total membership of around one million (five percent of the country's employed labor force). According to sources from All Pakistan Trade Union Federation (APTUF), this is mainly due to the restrictive nature of the Industrial Relations Ordinance (1969) and the Essential Services Act that debar entire categories of employees from forming their unions. For example, temporary workers (those employed in the informal sector and agriculture) do not form part of trade unions.

It is believed that the number of trade unions and their members have actually been on the decline due to privatization, retrenchment and lay off of the public sector employees, and closure of some industrial units. Of the total registered unions, only 2,000 have the right to collective bargaining (negotiating with employers on behalf of workers).

There are more than 100 trade union federations in the country, most of them industry-specific. The largest cross-sector umbrella body of trade unions, the Pakistan Workers' Confederation, is said to be the representative of around 70 percent of organized workers in the country. Other apex bodies include APTUF, Muttahida Labor Federation (MLF), All Pakistan Federation of Labor (APFOL), All Pakistan Trade Unions Congress and Pakistan National Federation of Trade Unions, each one of them affiliated with a major political party.

Trade unions have been subjected to state suppression for their perceived role in the disruption of industry. The labour laws in Pakistan apply only to workplaces employing more than 50 workers. Therefore, the right to form a union, a constitutional provision, is denied to a large proportion of the workforce. Poor working conditions, poor health and safety hazards, long working hours, and poor wages – all of these co-exist in small-scale industries where workers are not allowed to practice collective bargaining.

The laws governing trade union activities are considered obsolete and restrictive by many. Existing labour laws do not cover either the agricultural sector or the informal sector, where the largest percentage of the work force is employed. The government has extensive powers to legally intervene in the internal affairs of the unions. This makes legal strikes impossible. Workers employed in hospitals, educational institutions, railways, the radio corporation, the Security Printing Press, the Defence Housing Societies, agriculture, export processing zones, ordinance factories, Federal and provincial government service as well as in the informal sectors have no real right to unionize and bargain collectively. However, as a way around this, employees of many such organizations have formed welfare associations that appear to have assumed de facto bargaining powers.

The government has imposed the Essential Services Ordinance on public sector workers. This means that though they have the formal right to form a union and to bargain collectively, they have no right to hold strikes and the government has the authority to ban their trade union activities at any time. The government of Nawaz Sharif also made amendments to the Banking Ordinance of 1986, and section 27B now states that no worker is entitled to become a member or officer of a trade union, if he or she is retrenched from the service. "Trade unionism, it has been argued, has remained weak and factionalized due to the government policies of interference, co-option of leaders, and setting up of rival unions to break the strength of the more autonomous unions."

Students in both developed and developing polities have participated with considerable effects in movements to force policy changes or bring down

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governments from time to time. The American students' role in opposing the war in Vietnam, and their endeavors in support of equal rights for black people and women, will always be remembered. One may recall also the role of students in forcing the resignation of President Charles de Gaulle in France, the overthrow of governments in Turkey and South Korea in 1968, and the ouster of President Ayub Khan in Pakistan in March 1969.

Student unions have functioned in the subcontinent since before independence, and students played an important role in the drive for the establishment of Pakistan. Their concerns have always extended beyond issues of their well-being as students and included the state of politics in the country. But since as far back as the mid-1950s their organizations have not been able to work independently, because both ruling and opposition political parties infiltrated their ranks to use them as their instruments.

“In this connection the role of the Islami Jamiat-i-Tulaba, an affiliate of the Jamaat-i-Islami, on university and college campuses deserves to be noted. It has often won student union elections, but it has been a formidable force even when it has lost them. It has commanded a great deal of muscle power and used it to coerce or intimidate fellow students, faculty, and campus administrations. Student groups of other parties – especially the Pakistan People's Party the Pakistan Muslim League– have had similar inclinations, but not the same organizational cohesion and physical force.” Proceeding from the unwarranted assumption that politics is none of the students' business, heads of universities and colleges, acting at the behest of governments, have often suspended or banned student unions. During the last 50 years or so, they have remained out of commission longer than they have functioned. “This negative attitude has made student leaders more rebellious and rowdy than they might otherwise have been. Student unions have a large potential for contributing to the development of democratic culture in Pakistan, but regretfully it must be said that circumstances have not been propitious enough for them to have realized this goal.”

Conclusion

It is clear from the above inquiry that civil society has the potential to seep up development and foster democracy. In Pakistan, its full potential needs to be utilized in order to meet the objective of sustainable development and democracy. In the present situation when there is a ban on student unions and labor unions are

almost dysfunctional owing to political interventions, civil society, which showed its mettle during the movement for restoration of judiciary, remains largely inactive. The other problem is identification of civil society with NGOs, which limits its space because of negative connotations NGOs invoke. Political parties, for their part, have failed to grow in the wake of intra party democracy, squeezing the capacity of civil society further. While these factors need to be addressed, the media in Pakistan too will have to focus on civil society by explaining its potential for democracy.

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