

# **Delusive Semblance of Democracy: CPEC, Military and The Latest Truncation of Democratic Transition in Pakistan**

By Siegfried O. Wolf, Sept 15,2016

The first 'regular' transfer of power between two civilian governments in Pakistan manifested itself in the aftermath of the 2013 general elections. Many celebrated this shift as a positive sign of democratic consolidation. However, the appreciation of this allegedly '*new democratic wave*' ignores the resilience of decade-old authoritarian and anti-democratic patterns. The military still dominates all significant political decision-making processes. Furthermore, due to certain requirements (to ensure security, stability and national consensus) for the implementation of the China-Pakistan-Economic Corridor (CPEC), a multi-billion USD development project, the soldiers were able to further entrench their formal role in the political-institutional setup. This seriously challenges the notion of civilian supremacy, which is unfortunate, since civilian control of the armed forces is a necessary constituent for democracy and democratic consolidation. As such one can state, that in order to guarantee a secure environment for the CPEC development, the military is expanding its power. This phenomenon significantly affects negatively the country's already unhealthy civil-military relations and civilian control over the military, while challenging the process of democratic transition initiated by the 2013 general elections.

Indeed, the 2013 elections were a milestone in the country's political development. However, it would be a total misreading of the realities on the ground to interpret the first regular change of civilian governments via elections as an indication for the consolidation of democracy in Pakistan. In this context, one must state that the technical aspect of holding elections is not enough for an effective transition towards a political system which is generally understood as 'liberal democracy'. To have such a kind of governance, among several other things (like political participation, civil rights, accountability etc.), civilian control over the armed forces must be established and institutionalized. In other words, in order to have democracy, the elected government must have control over the armed forces. Of course one can state, as the case of Turkey perfectly shows, that civilian control does not automatically indicate the existence of democratic governance, however, one must point out that without civilian control liberal democracy impossible to achieve.

Here we have to state, that Pakistan never experienced a situation which could be described as civilian supremacy over the armed forces. Nevertheless, one could emphasize that the soldiers did not influence the last general elections outside the benchmarks as they got defined by the civilian government. But civilian control means also that the elected civilians have control over all decision-making processes. But latter one is not the case in Pakistan today. Civilians never had any say in crucial policy fields, especially not in foreign policy, national defense and security, nuclearization, or military organization. Civilians possessed until recently decision-making power in some areas of public policy (as long as the economic interests of the military was not negatively affected) and before 9/11 also some leverage in internal security. But this changed with the start of the CPEC implementation. Being overwhelmed by the challenge of eradicating domestic security threats in order to ensure a smooth and safe CPEC implementation, the government granted the army more and more a formal role in the country's political system. Not only the National Action Plan (NAP) got formulated emphasizing the fight against terrorism as the country's top priority which of course will be naturally ensured by the army. But also the constitution got amended in favor of the establishment of military courts. More concrete, this 21st Amendment Act provides for the creation of military speed trial courts (STCs) for offenses relating to terrorism, waging war against Pakistan and prevention of acts threatening the security of the country. Later ones determine a significant transfer of power to armed forces' authorities, especially since the new legal regulations makes civilians can be subjected to military jurisdiction.

In addition, the army enforced the establishment of so-called Apex Committees, constituting a quasi-parallel administrative structure sidelining the executive and legislative on the national and provincial level in all matters regarding the CPEC development. However, since mega-projects like CPEC, affecting more or less all spheres of life, the Apex Committees, in which the military top brass is, without the doubt, the main decision-maker, quickly emerged as the most important institution in the current structure of governance. In this context, one must also point out that recent decisions regarding the launch, duration, range and goals of the major military operation, like Zarb-e-Azb, or the latest major counter-terrorist campaign in Karachi was done autonomously by the military themselves. Also, the decision about building up new special forces in Sindh and Balochistan was done by the military and the civilians got consulted (rather briefed) afterward.

In sum, one can state that today, due to the CPEC project the army has the strongest formal (institutionalized) role in the country's political system ever. Additionally, to ensure the CPEC development, the military has built-up a parallel governance structure, exercising tremendous executive and judicial powers and side-lining the civilian government. The way in which CPEC is getting implemented limits the decision-making powers of the civilian government and hampers civilian control over the military and consequently the consolidation of democracy. In other words, the military possesses so much political power does it don't need any more to carry out a *coup d'état* in order to take over the affairs of the state.

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