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**Amending the system**

The PTI government has recently introduced the 26th Constitutional Amendment Bill in the National Assembly, which sparked a fiery debate in the House and saw, to the surprise of many, incomprehensible denunciation of the amendment by the Opposition. Please note that this is an amendment that aims at parliamentary electoral reforms and is expected to benefit not only the ruling political party, but also the entire electoral system of Pakistan, and is a step forward towards the consolidation of our overall parliamentary system.

There is no gainsaying that opposition's criticism of the government's decisions or proposals is a natural and democratic phenomenon. But instead of opposing for the sake of opposition, if the opposition reviews this Amendment Bill impartially and then expresses its reaction, it will strengthen the parliamentary system and make our electoral process transparent.

In fact, the amendment is significant in the sense that it attempts to rectify the lacunas in our electoral system and ensure maximum transparency in parliamentary elections. Therefore, an exhaustive discussion on this amendment is necessary as it seeks to reform parliamentary elections on the one hand and the basic principle of secret ballot on the other. For this, it is worthwhile to review the history of the parliamentary system and scope of the secret ballot in the evolution of parliamentary democracy.

The history of the parliamentary system, especially the modern system, is not as old as that of the secret ballot. Ancient Rome and Greece had a secret ballot system. The system of the secret ballot was employed on issues of legal and political nature.

Since the advent of the modern parliamentary system, the secret ballot has been considered an important part of democracy in most countries. Article 31 of the French constitution, the Ballot Act of the UK, 1872 and the first ever elections in Australia back in 1901 – all adopted the principle of secret balloting. In addition, the secret ballot was first introduced in the US in 1891 in Kentucky, but it took 56 years for the secret ballot to become an inalienable part of the electoral process throughout the US. In 1950, South Carolina was the last state to hold a secret ballot. So the principle of the secret ballot gradually became popular throughout the US.

The transparency of Pakistan's electoral process has always been controversial and it is the legal, political and moral responsibility of all politicians, particularly parliamentarians, to make efforts at making the electoral system transparent and ensuring that the consolidation of the democratic system and integrity of the country takes precedence over their own interests.

In Pakistan, during the Senate elections, so-called horse-trading – the sale and purchase of members of parliament – becomes rampant and corrupts the entire parliamentary system, thereby facilitating the influx of corrupt elements in parliament.

When Prime Minister Imran Khan was informed in 2018 that 20 members from the PTI had sold their votes in lieu of millions of rupees, he – for the first time in the modern political history of Pakistan – expelled all 20 members from the party. In fact, Imran Khan has been trying to reform the Senate election system since 2013, and to address this electoral flaw, the PTI government introduced the 26th Constitution Amendment Bill so that loyalties are not bought under the guise of elections.

Each country undergoes an evolutionary process and various experiments to make its electoral system more transparent and productive. For example, the American constitution was passed in 1788, but for 125 years there was no direct election of the Senate in the US. The first direct election to the Senate was held in 1826, and it was said that the Senate had become a 'millionaire club' and that senators were either puppets or had been advancing their personal interests.

Interestingly, those who sat in the Senate for 100 years left no stone unturned in impeding the passage of the amendment for direct election to the Senate. But, eventually, American congressional pundits succeeded in having the 17th Amendment passed and paved the way for direct election to the Senate.

Even in India, similar reforms were introduced in Rajya Sabha elections to make the election process more transparent. In 1973, a bill was introduced to eradicate corruption from Rajya Sabha elections. There were years of debate on this question and the committee set up on the issue in 1999 presented its report, and in 2010 it was decided in principle that the system of secret ballot in the Rajya Sabha elections in India stood abolished. For this, the Representation Act of India, 1951 was amended. It is now the practice in India for each party to appoint a representative who will verify the vote. Otherwise, the vote will be considered rejected, thereby eradicating effectively the menace of corruption or horse-trading from the electoral process of India. Even when Kuldip Nayyar challenged the amendment in the Supreme Court, the apex court of India rejected the petition, declaring the decision to be for the good of democratic dispensation in the country.

When the whole world is endeavouring to build its electoral systems on more transparent and genuinely democratic values, why are such reforms not possible in Pakistan? Pakistan is also an independent country; democracy is flourishing in Pakistan too. While we have taken upon ourselves the task of reforming every system, then what is stopping us from reforming our basic electoral system?

An open ballot in the Senate will bring about a seachange in the parliamentary electoral system of Pakistan. This will strengthen our parliamentary system and will restore the trust of the people in parliament. The biggest advantage of an open ballot will be that it paves the way for the election of individuals of political acumen in the Senate. Strictly speaking, such an amendment would allow the Senate to become a real Upper House of parliament and prevent it from becoming a race course.

Unfortunately, it is the opposition parties – the so-called custodians of democracy – that have presented themselves as a stumbling block to this electoral reform. In my opinion, the PML-N has nothing to do with democracy, but the disapproval of the Amendment Bill from the PPP leaders is tantamount to going astray from the ideology of their leaders Zulfikar Ali Bhutto and Benazir Bhutto. To the vivid disappointment and disillusionment of PPP supporters, the current PPP leadership has forgotten the services of Shaheed Benazir Bhutto for democracy. They should at least take a look at the Charter of Democracy which glaringly provides for electoral reforms in letter and spirit.

Honestly speaking, whatsoever the intentions of the opposition may be, electoral reforms has been a plank of the PTI's manifesto, and as such we will make every effort to bring these democratic and electoral reforms to effect. And we will overcome every obstacle in the way of establishing a true democratic and parliamentary system in Pakistan.

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