**Campaign finance laws**

**[Saad Rasool](https://nation.com.pk/Columnist/saad-rasool)**

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As our politics settles down into the post-Senate elections scenario, the hypocrisy and lust for money, in our political culture, has become visible for all to see. So blatant has this corrosive model of money-politics become, that even the most die-hard supporters of our current ‘system’ of democracy, are being forced to revisit its fundamentals.

In particular, people have started to ask whether there is any ‘limit’ to the use of money in our politics. Specifically, who keeps a track of how much money each ‘candidate’ spent in getting elected, and whether such expenditure was within the confines of law. Most importantly, is there any veracity to the disclosure made by the respective candidates for the amount of money they spent in getting elected to the Senate, the National Assembly or the Provincial Assemblies? Or are we just fooling ourselves that these people—whose moral fabric has become rotten to the core—will tell us the truth about their financial expenditures?

[Socially-distanced Grammy ceremony welcomes winners, sets records](https://nation.com.pk/15-Mar-2021/socially-distanced-grammy-ceremony-welcomes-winners-sets-records)

Per the disclosure made before the ECP, in the 2018 general elections, Shehbaz Sharif claims to have spent only Rs19,40,000 on his electoral campaign in NA-132. Similarly, Imran Khan, for his campaign in NA-131, claims to have spent only Rs997,925. Abdul Aleem Khan, known for his excessive political expenditures, claims to have spent Rs39,80,000 for NA-129 campaign. Rana Sanaullah, for his NA-106 election, claims to have spent Rs32,50,000 million. Whereas Bilawal Bhutto Zardari, for his election from NA-200, has claimed that only Rs33,60,000 were spent.

Most ironically, perhaps, each of the candidates for Senate, in the 2021 elections, have disclosed that they spent less than Rs15,00,000 in their respective electoral campaign. Yes, less than Rs1.5 million each—in an election where media reports reveal that, in some cases, more than Rs50,000,000 were used to buy/bribe one provincial assembly vote.

In the circumstances, do the disclosures made by the candidates, for their electoral expenditures, seem plausible? Does anyone (reasonably) believe that in a country where money plays a pivotal role in establishing political power, that these expenditures represent the true accounts? Or, have these numbers been concocted simply to meet the requisite legal requirements, without having any nexus with the reality on ground? Is there some way to monitor the actual expenditures made? If so, who is responsible for instituting mechanisms of accountability in electoral expenditures?

[Pakistan records 2,253 new coronavirus cases in 24 hours](https://nation.com.pk/15-Mar-2021/pakistan-records-2-253-new-coronavirus-cases-in-24-hours)

In Pakistan (much like other democracies of the world) the influx of money in political campaigns has ensured that the privilege of being elected is now limited to the select few who can ‘afford’ it. Despite legal safeguards built into our election laws, the flow of (often illegal) money dominates the outcome of the electoral process. And misdeclaration of electoral expenditures continues to go unpunished.

From the constitutional perspective, under Articles 218, 219 and 222, it is the responsibility of the Election Commission of Pakistan to ensure that that elections are conducted “honestly, justly, fairly, and in accordance with law, and that corrupt practices are guarded against.” Under the Constitution, Section 132 of the Election Act stipulates a cap on the total amount of funds that can be expended, in any constituency, by a contesting candidate (or his supporters). Specifically, the law states that “election expenses of a candidate shall include the expenses incurred by any person or a political party on behalf of the candidate or incurred by a political party specifically for the candidate”. And that no such expenditure can exceed: (a) “one million and five hundred thousand rupees for election to a seat in the Senate”; (b) “four million rupees for election to a seat in the National Assembly”; and (c) “two million rupees for election to a seat in a Provincial Assembly.”

[Ireland suspends Oxford vaccine rollout over clot fears](https://nation.com.pk/15-Mar-2021/ireland-suspends-oxford-vaccine-rollout-over-clot-fears)

It is no secret, however, that these statutorily prescribed limits of election expenditures are not adhered to by most (if not all) candidates, during the electoral process. Our political saga is replete with examples about electoral expenditures that make a mockery of campaign finance laws. It is now widely accepted that the 2015 by-election in NA-122 alone entailed a collective candidate expenditure of over Rs300 million (between Aleem Khan and Ayyaz Sadiq). During the 2018 General Elections, each political party preferred awarding its ticket to ‘electables’, who have the financial muscle to contest (read: buy) elections. In many ways, reducing the election to an equation of money, is the very reason that we inevitably elect the same moneyed elite to our cathedrals of legislative power.

Surprisingly, combing through our jurisprudential history reveals that virtually no litigation of note has ever been brought to the courts on issues of campaign finance. Not because all parties and candidates have only ever used legitimate sources of funding within prescribed limits; but instead, because all sides of the political divide are guilty of violating campaign finance laws, no one seems interested in raising the issue. As a result, our political process has been reduced to a simple equation of who can spend the most money running for elections (and then recover it during the term in office to contest once again).

[Billion-years old Meteorite found in Sahara: suspected protoplanet fragment](https://nation.com.pk/14-Mar-2021/billion-years-old-meteorite-found-in-sahara-reportedly-suspected-to-be-extinct-protoplanet-fragment)

By transforming the election process into a capital-intensive exercise, we have given up on the ideal of allowing ‘anyone’ an opportunity to contest. This sad reality has systematically ostracised the majority of our population from ever aspiring for political office. And we have reached this point for no other reason, but a lack of enforcement of law that already exists on our statute books.

No one can reasonably claim that sufficient legal framework for regulating campaign finance issues does not exist on our state books. Consequently, the entire responsibility (fault?) for not enforcing these provisions rests with the ECP. How does the ECP ensure that the statutory mandate of section 132 of the Election Act is complied with? Why has the ECP not instituted specific monitoring measures for overseeing the expenditure of each candidate? Why are there no standard operating procedures for this purpose? Why are there no special monitoring teams (in each constituency) for observing the ‘on-ground’ expenditures being made? Does the ECP merely believe the disclosures made by the candidates? Or does it have some method for performing its own due diligence in this regard?

[PM Khan to hold Cabinet meeting on Monday](https://nation.com.pk/14-Mar-2021/pm-khan-to-hold-cabinet-meeting-on-monday)

For now the ECP seems to have entirely failed in its responsibility of monitoring election expenditures. And this should embarrass the commission—much more so than failure of the RTS system. If ECP monitors such expenditures in a manner that identifies violations of campaign finance laws, the results will send shockwaves throughout our democracy. It will not only enforce the applicable law, but will also help extend the promise of democracy to a larger fraction of our population, who for now cannot ‘afford’ to participate in it.