

Analyzing State Failure and its Consequences in Omar Shahid Hamid's *The Prisoner*

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Abstract

*State failure refers to the weak writ of the state and failure of different state institutions to function for the welfare of the people. The present research analyses the novel *The Prisoner* in the context of state failure. Omar Shahid Hamid's novel is set in Karachi, the largest city of Pakistan. Qualitative content analysis technique was used for data analysis. The work of Diamond (2015) was used to form a conceptual framework for this research. The novel presents Pakistan as a state where lawlessness abounds and citizens' fundamental rights are frequently usurped. The present study in the light of the selected theoretical framework analyzed explicitly depicted state failure. The state properly failed to implement rule of law and making sure the provision of fundamental rights of every citizen. The state writ has been brazenly challenged again and again by unlawful forces. Justice is either denied or delayed and every institution pokes its nose into the affairs of other institution putting citizens' fundamental human rights of life, liberty, justice, freedom, and general welfare etc. at stake and leaving them to experience unbearable pain and constantly suffering from one misery after another.*

Keywords: *State Failure, Weak Writ, Pakistan, Fundamental Rights, The Prisoner.*

Introduction

Politics has never been alien to Pakistani English Fiction. Partition of India, first military regime, partition of Pakistan, second military regime, hanging of Zulfikar Ali Bhutto, third military regime, Benazir's stint in power, fourth military regime and Benazir's murder, frequently provide substance to the novelists to spin their tales around. The important political figures from Pakistan's political story quite often find their way in the world of fiction. Novelists love to weave their tales around the lives of Bhutto's, Ziaul Haq and Musharraf. But the novels centering Pakistani politics and political figures do not stop at rendering fictionalized political history. They do more. The novels also center the plight of the citizens of the state in the midst of titanic political struggles. This is what prompted me to undertake this research: the relationship of state and its citizens. Plenty of studies had already been done focusing the victim status of the various segments of the society, i.e. the religious minorities, ethnic minorities, women, trans-genders etc. These studies mostly focused on the immediate socio-economic causes of this state of affairs. A detailed study of Pakistani English Fiction alighted me to ask a rather more fundamental question. Whose responsibility it is to protect the victims. Where does the buck stop? Does it stop with the individual, with the immediate family and friends, with the larger society or the state? Pakistani English Fiction portrays a Prime Minister

being hanged, a military president dying in a mysterious plane crash and a female prime minister getting murdered. It also portrays ordinary citizens living in squalor and abject poverty, dying in bomb blasts and suicide attacks, getting raped and tortured to death. This led me to focus on the concept of state failure. I realized that the ultimate responsibility to safeguard the rights and civil liberties of all citizens lies with the state and if the state fails to do its job it leads to state failure. People in modern day and age live in nation states. In the tradition of Hobbes, Rousseau and Locke, a nation state comes into existence as a product of a social contract. "From this viewpoint, the authority of the state rests upon an agreement among the members of the society to acknowledge the authority of a set of rules or a political regime" (Chesterman, Ignatieff & Thakur, 2005, p. 15). This creates a relationship between state and society whereby all members of the society submit to the authority of the state and the state takes upon itself the responsibility of delivery of services to the members of the society, particularly the services of security and social justice. State failure means, "that the basic functions of the state are no longer performed" (15). Hence, the judicial murder of a prime minister, mysterious plane crash of a president, murder of a female prime minister, and mass murders of ordinary citizens as portrayed in the Pakistani English Fiction must point finger at the failure of state to perform its basic functions. The centrality of state in the novels made it important for me to take help from the discipline of political science. Hence, the interdisciplinary nature of this study is not an option but a necessity. It was only the field of political science which could provide me with the understanding of the nature of state and state failure. Pakistani English Fiction provides many a specimen to undertake this study but considering the boundaries of this research, I have selected *The Prisoner* to locate state failure and its consequences for the people therein. This novel is selected for its explicit political themes. *The Prisoner* is set in Karachi and foregrounds the mafia-style politics of the city. It sheds light on the ill-equipped police department that fails to check the excesses of a powerful political party and its leader. The novel thus becomes a perfect specimen for studying state failure as nearly all the state institutions i.e., the police, the judiciary, the executive, political parties etc. get exposed by the novelist. Furthermore, the novel also centers the common citizens who must bear the brunt of the failure of state institutions. State failure means the failure of different state institutions to perform their primary duties to the optimum level and safeguard the interests of the people. The novel is about inability of the state institutions to protect the said interests and therefore becomes a very suitable text to be analyzed in the current study.

Literature Review

State is a territorially defined association that embraces all the persons in that territory, has monopoly of violence and has a government (Finer, 1970). This definition makes clear the responsibilities of a state, that it must have a territory and it can control and has writ across its territory in exclusion of any other power. It must ensure equality of all citizens, and it must have a body of people who exercise its monopoly of violence in its name. "A failed state is characterized by the 'collapse of central government to impose order, resulting in loss of physical control of territory, and/or the monopoly over the legitimate use of force'" (Taylor, 2013, p. 1). Similarly, according to Encyclopedia Britannica, a state is considered failed, when, "it cannot project authority over its territory and peoples, and it cannot protect its national boundaries". This definition further states that, a state fails, when its institutions i.e. executive, judiciary, bureaucracy, legislature and military are weak and lose their capacity to function properly. Such a state fails to provide public services and utilities like the infrastructure, health, education, economic growth and general human development. So, a failed state cannot provide guarantees to its citizens on security, economic, and political fronts. A failed state loses monopoly over legitimate use of force. It cannot protect civil liberties and fundamental human rights. State failure comes in degrees, and total collapse marks the extreme stage of state failure.

Organizations that measure state fragility, rank Pakistan among the category of states that have varying degrees of failure. Fragile states index annual report (2019) ranks Pakistan amongst the countries that are very fragile. Total categories in this index are very sustainable, sustainable, very stable, more stable, warning, elevated warning, high warning, alert, high alert, and very high alert. Scores are based on twelve

key indicators i.e. security apparatus, factionalized elites, group grievances, economic decline, uneven development, human flight and brain drain, state legitimacy, public service, human rights and rule of law, demographic pressure, refugees and IDPs and external intervention. It places Pakistan in the category, 'Alert' at number 155 out of 178 countries that are ranked. So, according to this index Pakistan was 23rd most fragile country in 2019. It is important to note that according to this index liberal democratic countries like, Finland, Norway and Denmark are ranked as, 'very stable'. A state must have writ across its territory, its institutions must be functioning to the optimum and the people must be getting internal and external security, the civic facilities and there should be political stability. Pakistan may not be a totally collapsed state, but it ranks high amongst the states that suffer from failure.

Another study of Graf (2012) also ranks Pakistan in the category of failed states. This study uses five indicators to judge state capacity, which are, "the legitimate use of force; to generate sufficient revenue to finance its operations; to effectively administer its operations; to regulate civil society through the provision of public goods; and to command legitimacy" (p. 2). This study ranks Pakistan at number 159 amongst the 172 states listed and puts it in the category of failed states.

Similarly, Freedom House Report (2019) ranks Pakistan as partly free. According to this report, Pakistan holds regular elections but influence of military on different policy matters is overwhelming. It also points out the restrictions on civil liberties by the authorities. It cites different incidents during 2018 that highlight the fragility of the state. For example, there were irregularities in the elections of 2018. Pre-election environment favored one party, the PTI. Media faced increased restrictions. Corruption is endemic and the government does not act with full transparency. As for civil liberties are concerned, according to this report, even though Pakistan has a vibrant media, yet it is not completely free as newspapers and TV channels face restrictions and some topic and issues cannot be debated, being taboo. Religious freedom is also not safeguarded to the optimum as minorities often complain of discrimination. Freedom of expression also gets mixed scores in this report. Rule of law is an important component of political stability. Freedom House gives negative score to this category, because Judiciary according to it, is politicized and broader justice system is marred by problems, e.g. corruption, backlog of cases, and low conviction rates. This report also raises questions regarding due process of law, as law enforcing agencies are accused of arbitrary actions. As for individual rights, like freedom of movement, ownership of property, etc. are concerned, the report points out some legal and extra-legal hurdles, like inheritance laws and land grabbing.

The purpose of citing all the above reports is simply to ascertain that Pakistani state has failed to guarantee its citizens, civil liberties, freedom of expression, individual rights, rule of law etc. to the optimum. All these reports seem to give similar scores against the above-mentioned indicators. The definition of state failure noted earlier makes clear that state failure comes in degrees. It is not a matter of black and white, but of many shades of grey. Pakistan according to these reports still lies in the grey zone. It is not a completely failed state as regular elections take place, there is a vibrant media, justice system has many flaws but still it gives some protection to the people. So, Pakistan is no Somalia, but it is no Denmark either.

A failed state is unable to safeguard human rights and civil liberties, and to enforce rule of law. The effects of this state of affairs on the citizens are obvious. People do not have access to health care and education. Freedom of thought and expression is at a premium. No rule of law means that poor masses are at the mercy of the powerful elite. Rape, honor killings, and child abuse are endemic. There is no protection of life and property. And, there is absolute poverty. According to Amnesty International (2018) report of 2017/2018, freedom of expression in Pakistan was under attack. Human rights activists faced harassment, threat and violence. Government failed to provide economic, social and cultural rights, as 58% households remained food insecure, 44% children were malnourished, bonded labor in rural areas was high, workers in informal economy were without social protection, spending in health and education sector remained inadequate. Violence against women continued as 94 women were killed in KP alone by family members. Rule of law was undermined as parallel justice system continued to issue verdicts and security forces were reported to be involved in human rights violations. Many people died in terror related incidents.

Human Rights Watch (2019) also paints a bleak picture of Pakistan in its annual report. According to this report, media faced censorship as it was under pressure from different government agencies not to report on several issues related to judiciary and government. Journalists were harassed and even abducted. Functioning and registration of INGOs were impeded. This report also mentions the lack of religious freedoms, as it highlights various incidents related to the issue of blasphemy and abuse of this law. Women and children also remained vulnerable as honor killings, rape and acid attacks continued. Terror related incidents took the lives of many people.

Human Rights Commission of Pakistan (2019), in its annual report gives a detailed overview of the situation of human rights in Pakistan. All the important indicators i.e. rule of law, enforcement of law, fundamental freedoms, democratic development, rights of disadvantaged and social and economic rights are discussed in detail. This report mentions that new laws have been enacted to improve the situation of human rights but these efforts are not satisfactory as law is still not enforced equally, justice system has many lacunas, freedom of expression is under duress, disadvantaged and poorer factions of the society face discrimination, health and education facilities are still not available to all. Even though the transgender community has been given some fundamental rights, they still live on the fringes and face abuse and exploitation (Rahman, Rahman & Shahabullah, 2020). Enforced disappearances is still a matter of great concern. Violence against women and children has not subsided. This report also mentions the blasphemy laws and related cases that foreground the loopholes in the justice system. As for the democracy is concerned, this report terms it a guided democracy, which is a reference to the role of military in pre and post 2018 general elections.

It is important to note here that, the researchers have used recent reports to gauge the level of state failure in Pakistan. Similar reports from the past can also be mentioned to prove my point, but such an effort would be an unnecessary labor, since most of such reports do not differ significantly from the reports cited here. More importantly, this would be a vast historical study, worthy of a separate research endeavor.

All these recent reports on the human rights situation in Pakistan, bring to light, the injustice, discrimination, exploitation and violence that various segments of the society endure. It also becomes obvious that there is a class, generally referred to as the elite, that benefits from the failure of the state, and becomes the cause of this injustice, discrimination, exploitation and violence. This brings me to the core debate of this research. How is state failure and its consequences depicted in *The Prisoner*?

Procedure of Analysis

This study has been undertaken by applying concept of state failure as propounded by the political scientist, Larry Diamond (Diamond, 2015). The design of the study has been analytical and descriptive, based on qualitative content analysis technique. The focus, however, was to analyse the negative results of the failure of a state and its impact on various individuals with reference to the novel in question in order to find out the effects of 'state failure' with all its implications and aspects.

Conceptual Framework

According to Diamond (2015), much of the developing world has absolute poverty. He points out that hurdles to eliminate this poverty are chiefly political, as these countries proclaim to be democratic, but they have pseudo democracies, and competitive authoritarian regimes. Such regimes are ill-equipped to make and implement proper policy to empower the poor. He further says that empowerment implies, providing the poor with health care, education, electricity, roads etc. and an enabling environment. By enabling environment, he means that state should have a transparent and efficient bureaucracy, and an accessible justice system. When state fails on all these fronts it provides an enabling environment for the "predatory elite" (p. 386). Thus, a minority, 'elite' exploits the majority 'poor'. Those in power are unwilling and unable to use state resources for the benefit of the masses. Lack of good governance and endemic

corruption increase the plight of the poor. This adds to the troubles of the masses as state failure has dire consequences for the masses, but great benefits for the elite. In the absence of rule of law, good governance, a reliable and transparent justice system, state fails. It becomes a jungle where survival of the fittest becomes the only law applicable. Masses in this system are like prey-always looking for the next meal and always looking out for the next predator to avoid becoming meal.

Descriptive Codes

The above discussion leads me to identify certain codes, a set of key concepts that the researchers have used for data analysis. The coding provided consistency and dependability to the research. The codes were divided into three categories. The first category of codes used to identify and analyze the factors related to state failure in the selected novels. The second category of codes used to identify and analyze the consequences of state failure for the characters in the selected novel. These codes are as under:

- a) Writ of the state
- b) State institutions
- c) Human rights

The two codes, writ of the state and state institutions, were developed to identify state failure in the data. It has been discussed before that a state tilts towards failure as its writ is weakened and its institutions fail to function effectively. These codes were used to objectively examine the data to locate state failure therein. It must be noted here that these codes did not encompass all the elements of state failure but the two key features that turned up during the examination of the selected data. Hence these codes held water only in the context of this research. The third code, human rights, were used to study the consequences of state failure on the characters in the selected texts. This code was all-encompassing because it represented all the human rights violations that the characters faced e.g. physical violence, rape, torture, murder, censorship, illegal detention, extortion etc.

Weak Writ of State in *The Prisoner*

The Prisoner by Omar Shahid Hamid is a crime thriller with two policemen, Constantine D' Souza, and Akbar Khan, as the protagonists (Hamid, 2013). The novel is set in Karachi with its petty crimes and bloody politics. The ordinary thugs, the goonda politicians, the fundamentalist Jihadists and the Karachi police find their paths intertwined as the narrative builds around the incident of Jon Friedland's (American journalist) kidnapping. As the two cops join hands with the people from intelligence agencies to solve the case and recover the kidnapped journalist, the novel tells the story of Karachi with its never-ending chaos and violence. But above all, the novel is about the unfathomable challenges faced by the Karachi police that serves in one of the toughest conditions anywhere on the planet.

The structure of the plot of *The Prisoner* is built upon an incident that depicts weak writ of the state: the kidnapping of an American journalist, Jon Friedland (13). The rest of the story is about his recovery from the kidnappers, which takes the efforts of the entire state machinery, i.e. the president, the agencies, and the police. The fact that the journalist is kidnapped at gun point in broad day light from a posh area of Karachi, reveals the inability of the state to impose its writ in the biggest city. "Then, one of the men had held a gun to his head and pushed him towards a waiting car" (107). Jon Friedland's kidnapping at gunpoint however is overshadowed by the foregrounding of Karachi and the United Front. Most of the space in the novel is dedicated to the description of Karachi as a lawless city, a place where the law of the land takes a back seat in favor of the law of the United Front. So, the story is about the United Front's unbridled and unshared control over the city of Karachi and state's meek efforts to check it, which in the end remain fruitless. The Jihadis and the Chandios appear as minor characters but nonetheless important, as they eke out some space for themselves and put their share of mayhem in an already godforsaken city.

The text of the novel is full of instances of the excesses of the United Front. The party acts like a mafia and holds complete control of the city as is mentioned very early in the novel, “But in reality they created a parallel government where they had the power of taxation, dispute resolution, punishment, even life and death, over the citizens of the city” (23). The text thus leaves little room to further elucidate the way the party devours the writ of the state. The above sentence counts all the facets of a state’s power that can be challenged to render it a failed state, one that has lost its monopoly over the legitimate use of force and thus has been reduced to a docile bystander. The party in simple words has established a state within a state with a complete set of systems to perform the role that a state is supposed to perform. Collecting taxes and dispute resolution aside, the matters of life and death are also usurped from the authority of the state. Thus, the prime and exclusive domain of the state power (tax collection, rendering justice) is encroached upon by an illegitimate power that takes its strength from the age-old mantra of political expediency. Similarly, this weak writ of the state is expressed in the novel by the utter helplessness of the police to challenge the might of this parallel power center. Constantine shows frustration at his inability to do anything for the girl who is kidnapped and raped by the thugs of the party, “They raped the girl to their heart’s content, we didn’t stop them” (29). The police, despite being aware of the location of the kidnapped girl is unable to act and help the victim. The police do not stop them because they themselves are at the mercy of the goodwill of the party. Some brave police officers who try to impose the writ of the state and challenge the United Front get killed the next day by the party’s “death squads” (42). The rest are left so scared that they do not even dare to wear police uniform to avoid the same fate (41). At another point in the text, an old police inspector tells the same tale of woe when he pleads his case against the members of the party in front of the Inspector General, Dr Death, “I have forty years of service, and I have never seen anybody slaughter policemen like they do” (87). The police, the tool through which the state enforces its writ paints this shameful picture. The word, “hijras” that Constantine uses for the members of this institution is more meaningful (29). This word denotes lack of manhood/power and is as relevant for the state as the institution in point. The police are just a reflection of the state’s authority. State’s weakness naturally reflects upon the weakness of the police. It is the state that is unable to enforce its writ and the city is mortgaged to the ruthless fascists who devour all signs of state’s presence from the city.

The leader of the United Front, the Don, runs his party from New York and through it holds, “the city in a vice-like grip” (188). The city mostly remains on edge because the party can bring it to a screeching halt at a moment’s notice from the Don. Strike calls are always successful because all the vehicles on the main streets are set ablaze and people are compelled to stay home (73). This way of making the strikes successful is unique to the city depicted in the novel. People are given little choice to support the party. They are forced into submission as if they are not the citizens of a modern nation state but the slaves of a medieval fiefdom. The Don can shut the city of 16 million on a phone call (188). The state with all its administrative infrastructure does not dare to open it and the law of the state is flouted as an irrelevant thing. Instead of law of the state, “it’s the law of the jungle out there” (87). Akbar’s words leave little room for wonder that in Karachi the law of the state is non-existent. Instead it is every man for himself. Its survival of the fittest and to survive in this city, “you have to show everybody that you are the bigger badmash” (42). These words are ironic coming from the mouth of Akbar, a police officer. Even a police officer, the enforcer of law, must become a bigger goon to survive in this lawless place. The state justifies its existence on the grounds that it alone will hold the right to use of force in exclusion to any other person or entity. This is to protect the weak against the mighty and thereby replace the law of the jungle with law of a state. But if a police officer prefers to rely on the age-old law of “survival of the fittest and might is right” it says volumes about the failure of such a state to justify its very existence.

The ward bosses of the United Front are more powerful than the police and enjoy “unchallenged authority” (100). Constantine tries to turn tables for once and manages to arrest one such ward boss, Ateeq Tension. But this effort too proves futile as the goon does not remain in custody for very long. The United Front joins the government of the President and puts forward Ateeq’s release as one of the conditions (115). This episode is an example of state’s eroding writ as it cannot keep an ordinary thug in prison for very long. Besides, his release leaves Constantine in a quandary as he scrambles in fear to provide safety for his family. This again is ironic that a police officer does not think his family to be safe inside the walls of his

home and he finds no safer place than the brothel of “Salma Begum” (207). Weak writ of the state is again depicted in the novel when Akbar and Constantine arrest Shashlik Khan, a close ally of Nawaz Chandio (168). In response, Nawaz raids the police station with his guards, grabs the SP Maqsood Mahr by his lapel and shoves him against the wall before hitting him with a mighty blow that leaves him staggering “like a drunk” (179). The SP cannot believe that he has been struck by Nawaz Chandio, but this bewilderment on his part is misplaced in the context of the world he lives in. Being part of the system, he fully understands the rule of the game as mentioned above, “the bigger badmash survives”. His amazement at being struck would have been bewildering if the state he works for was an epitome of rule of law. Besides, Nawaz’s thrashing of a senior police officer within the police station is less humiliating for the SP and more for the state he serves. The police officer draws his authority from the law of the state and his sheepish reaction to this treatment by a politician is a clear manifestation of the state’s failure to enforce its writ.

The actions of the United Front and the Chandios are the main cause of state’s weak writ but the novel also points to another source of this problem, the jihadis. It is this group of the religious extremists that kidnaps the American journalist. The jihadis have made their presence felt in Karachi by this kidnapping but their control in the tribal areas of the country is absolute as they are up in arms against the state and running a full-scale insurgency (14). Qari Saif, the jihadi who wants to kill the journalist, hints at the absence of state’s writ in the tribal areas when he suggests to Shiekh Noman to move there after killing Friedland. “No one will be able to touch us there” (323). This confidence on the part of Qari Saif is well founded since the jihadis are running a parallel state in the tribal areas of the country just like the United Front holds sway in Karachi. But even in Karachi these jihadis have made a name for themselves for their ruthlessness. Their extremist beliefs, poverty, and tendency for suicide attacks make them a frightening challenger to state’s writ (62).

The text of the novel does not leave anything to conjecture regarding the weak writ of the state. Nawaz Chandio’s killing at the hands of the police is followed by chaos and rampage as his followers run riot and burn the city with abandon for four days (256). Constantine finds himself amazed at the absolute failure of state to intervene and stop the mayhem. His thoughts at this point in the narrative systematically lay down the case of state’s failure to enforce its writ. “Constantine had always believed in the inherent strength of the State and its institutions [...] it seemed as if the State had vanished altogether” (256). He is surprised because he belongs to the coercive arm of the state and believes in its inherent strength. He is bewildered at the unravelling of the state like this. The United Front has been a constant presence in the city to poke fun at the authority of the state but the pillage following the death of Nawaz is too much to stomach for Constantine. He cannot believe that the almighty state can be paralyzed like this by the followers of a politician. The massacre at this occasion might be extreme but it is not the only occasion when the writ of the state is exposed like this in the novel. Many other occasions have been discussed above in this context. The scale of this rampage for example is nothing compared to the insurgency in the tribal areas referred to in the text. However, the words of the narrator that “the state seemed to have vanished” go a long way to explain the entire concept of state failure. The words used by the narrator are extreme, but they fully enshrine the soul of the very idea of state. If a state cannot guarantee its writ across its territory and loses its monopoly over the legitimate use of force, then it loses its legitimacy to be treated as a stable entity. The least that can be said about such a state is that its writ is weak which makes it prone to failure.

Failure of State Institutions in *The Prisoner*

The prisoner is an in-depth study of the lives of Karachi police officers, therefore keeps its focus on one particular state institution, the department of police. The novel is an attempt to highlight the valor and perseverance of Karachi police officers who put their lives on the line to bring some respite to the people of this crime ridden city. But the novel in no way tries to hide the rampant corrupt practices and shoddy activities that this state institution is involved in. The text rather details the failures of this institution and there are many instances to prove this point. The prison for example is considered to be a rehabilitation center where the criminals get help to reform themselves so that they can become useful part of the society. But the Central Prison Karachi as depicted in the novel is no such place. If an offender of minor offence

finds himself locked up here for two years, “he would come out with a Masters degree in criminality” (5). The prison, far from being a center of rehabilitation is a place of declension. If the Prison is a lair of crime and criminals, the police station is a den of corruption and deceit.

The novel presents police stations as organized business houses where shady deals are made in exchange for huge sums of money. “Preedy was considered to be the most lucrative police station in the city” (27). Officers pay huge bribes to be appointed in charge of such lucrative police stations because few years there can make them millionaires. The police station is supposed to be the first line of defense in war against crime and succor to the victims, but lucrative stations of Karachi as depicted in the novel are a bane for the citizens, as it is their cash that fills the coffers of the officers. The extorted money makes the illegal activities go unchecked as the officers look the other way. Even the brothel houses pay a determined amount to the police station so that they can do business without any hindrance. Sub Inspector Ali Hassan points to the importance of the Naika for the police station, “After all, she is the guarantor of our economic prosperity” (28). A police station being funded by the In-Charge of a brothel cannot be expected to perform miracles when it comes to apprehending the criminals. Similarly, the police stations which are expected to control organized crime and fight terrorists do not have proper weapons to do the job. The episode in the novel where Akbar and Constantine attack a United Front ward office called the Hajji Camp, is a case in point. Their rickety old pick-up, and ill-equipped manpower is soon overwhelmed by a barrage of “bright red tracer bullets” (47). Earlier in the narrative, Constantine recalls the unpreparedness of the Karachi police stations to fight the United Front in these words, “I remember the only rifles we had in the police station were World War II surplus rifles” (24). So, police stations are funded by the money extorted from the brothels and equipped with weapons left over from World War II. These stations are bound to fail to nab the criminals and protect the citizens.

This failure is further compounded by the fact that the police is manned by officers who are mostly corrupt and are less interested in fighting crime and more in taking bribes. Inspector Deedar, the SHO of Preedy Police Station, serves the state in theory but in practice works for the local ward office of the United Front. When Constantine suggests to him that sending the only patrolling vehicle to escort the ward boss to a wedding party was not a good idea, he hisses back that he has no desire to be taken to a ward office and tortured (32). Deedar sends the police vehicle for the ward boss and leaves the area free for criminals to roam about. “The SHO of the Docks Police Station was the richest police officer in the city” (159). His possessions are the product of the many ships that come to port and pay the bribes before getting clearance. The dockyard keeps the city alive and pulsating and the SHO rich. SP Hanuman is so named because he has two faces (42). He also does not serve the interest of the state but the interests of whosoever is in power. He serves the United Front when they are in power and their opponents when they are replaced. The DIG Maqsood Mahr was no exception as to say that he “was corrupt would be an understatement. He had turned extortion into an art and his greed was insatiable” (50). His rise from a constable to the DIG of police is not the result of continuous honest service in the line of duty, but bribing his superiors and obeying their orders, “legal and illegal” (51). Even the protagonists of the novel Constantine and Akbar, as brave and dutiful as they are, feel no qualms to pay bribes for suitable postings. Constantine, the Superintendent of Central Prison Karachi for example, has “to pay five petis (lakh) for this job” (220). So, the police officers manning the ill-equipped police stations are morally ill equipped. Their honesty and integrity are compromised as they openly give and take bribes. And their loyalty to state is questionable as they are more loyal to those in power. This combination of debased police stations and perverted police officers is a nightmare for the city and its people.

Police’s corruption however is not limited to bribery and extortion alone. The institution which is the coercive arm of the state and responsible for ensuring rule of law, ignores the limits as imposed by the law of the land. Instead of following the law under all circumstances, it prefers the dictum, “We are the law!” (86). This kind of thinking results in, fake police encounters, extra judicial killings, and arbitrary arrests. Akbar arrests Adnan Doodhwala and kills him in a fake police encounter despite Constantine’s objection that police officers should work within the limits of the law, “Akbar, we are police officers, not butchers (79). Akbar retorts back that, “what are they”. This argument makes it clear that police in Karachi as

depicted in the novel is no different than the criminals, they are fighting in the sense that both have no regard for the rule of law. IG, Dr Death agrees with, and appreciates Akbar's way of thinking and gives orders for a tit for tat response to murders of police officers. "If I hear of a police officer's body being found on the road, I want the body of a ward boss lying on the exact same spot within twenty-four hours" (88). Such orders coming from the most senior police officer make it clear that the institution has miserably failed to abide by the rules and regulations. It has degraded itself to a level where it functions more as a rogue militia and less as an organized and disciplined institution, subservient to the laws of the state. Responding to a criminal act by another criminal act is not justifiable. The criminals of Karachi cannot be blamed for their ruthless butchery, because it is expected of them, but a state institute responsible for upholding the law must abide by it under all circumstances. Ironically, when Akbar does try to do his job according to the law and arrests the kidnapers of young boys, he gets suspended (34). He is suspended because the DSP, instead of upholding the law, cringes under pressure from the United Front and gladly serves the wish of the party bosses. At another point in the narrative the IG, Dr Death shows his helplessness in the face of political pressure when he refuses to intervene and stop the mayhem that ensues in the city after the killing of Nawaz Chandio (257). So, the police officers are playing the game of survival of the fittest. They are not bothered about the concepts of institutional jurisdiction or supremacy of the law. Besides, the institution as depicted in the novel is disorganized, ill equipped and undisciplined. The officers without any exception are corrupt in one or another way. They give bribes and use sifarish for personal gains, and step back from the line of duty whenever the going gets tough. Most of them join the police force not because of a desire for public service but because, this job enables them to protect their families and to make some money. One of Constantine's reasons to join the police force, "that my family will not have to pay extortion to the UF thugs or the police" subtly exposes failure of this institution (138). People prefer to join the police so that they can be protected from the police. Nothing more ignominious can be said about an institution than these words of one of its own members.

The novel also hints at the failure of other state institutions like the judiciary, the military agencies and the executive. The judiciary gets mentioned in the same old context of delayed justice. The prime responsibility of this institution is to ensure swift justice for the citizens from all walks of life. The entire society is built upon the proper functioning of this arm of the state as it is judiciary which enforces the rule of law through its decisions. But if the courts take years to give judgments, they fail to serve the very purpose of doing justice. Akbar Khan spends two years in prison because no one follows the case, but also because the courts are too "slow and overworked" (15). Similarly, Constantine's efforts to keep a UF thug, Ateeq Tension in prison for long go astray because of "the time that it took for his appeal to move through the judicial system" (193). The case takes a lot of time in the process of appeal, and in the meanwhile the United Front comes back to power and gets him released. The judiciary is thus depicted as a very weak institution that is plagued by many problems e.g. huge amount of pending cases, needless delays and absence of freedom from political interference. The novel makes a matter-of-factly comment on the release of Ateeq. The narrative does not bother to detail the cause of his release more than that the United Front comes back to power. It simply exposes the reality of the weak judicial system which comes crashing down under pressure from a political party.

The novel does not question the organizational and disciplinary aspects of the military agencies but does shed a sideways glance at their policy failures. This feeling is expressed by Constantine, who accuses the agencies of creating "a monster of a party" in the form of the United Front (41). When the party becomes too powerful, they decide to cut it down to size and launch an operation against it, which in turn is abruptly halted because the President finds himself in need of the party. Similarly, Akbar questions the logic of going after the jihadis and accuses Colonel Tarkeen of abandoning the erstwhile allies saying, "You used to justify everything that the jihadis did, just because you needed them" (227). Tarkeen's reply that, "policies change" is not good enough an excuse for failed policies on the part of the agencies. Besides, such changes in policy have dire consequences as the jihadis are mounting a full-scale insurgency in the tribal areas (14). The executive represented in the novel by the Home Minister, Pakora, also paints a sorry picture. The Home Minister is the political head of the police and outdoes the institution in corruption, nepotism and avarice. Pakora's corruption is limitless and "even in a department where corruption flourished like

crabgrass, Pakora had broken new records” (188). His corruption, personal and institutional, knows no bounds. He demands priciest girls and five-star hotel rooms from the police officers (59). His office is more like a business venture where every official responsibility, postings, transfers, promotions has a price (189). And to boot it all, the UF militant, ‘Ateeq Tension’ is his chief adviser (197). The Home Ministry, the second highest office in the executive after the Prime Minister is not even making any efforts for semblance of success. This institution as depicted in the novel is epitome of failure in every sense of the word. So, different state institutions e.g. the police, the judiciary, the agencies and the executive as depicted in the novel not only fail to live up to the theoretical ideal standards but fall very short of any acceptable level of success.

Fundamental Human Rights Violations as Consequences of State Failure in *The Prisoner*

The prisoner tells the tale of two police officers, Constantine and Akbar, trying to recover a kidnapped American journalist. The protagonists are however overshadowed by the story of Karachi, a city plagued by the contagion of the Don and his political party, the United Progressive Front. The dominance of this party in the city makes the lives of the people a living hell as their fundamental human rights are frequently violated. The people are subjected to a constant sense of fear because their lives are always at risk as there are, “massacres on buses, firing between rival groups, target killings” (24). The narrative does not linger on to detail the violence but obviously it is the people of Karachi who are at the receiving end of these massacres and target killings. People are killed in multitudes simply to satiate the political goals of a fascist party (127). Target killings are a terrifying reminder of the precarious nature of life for the people of Karachi. The casual way these massacres and target killings are referred to in the novel point to the frequency of their occurrence. The people of Karachi face this violence so often that it has become a part of the city’s everyday routine. The Don, himself gives orders for target killings and his select target killer, Ateeq Tension, does the job at one phone call from his boss. “If the Don called Ateeq Tension and gave him a name, it was the equivalent of a death warrant” (90). People’s right to life is thus taken away from them at the whim of the Don who issues death sentences with impunity. The fact that the Don does not reside in the city and gives such orders on phone calls adds callousness to the crime. It shows an utter disrespect for the sanctity of human life. “The Don has caused so much pain to so many people” that people like Akbar can only wait for the victim’s prayers to end his horrible existence (219). Those who manage to avoid death for some time, do so by paying extortion money to the party’s “ward bosses” (24). So, in order to protect one’s life one has to sacrifice another of his fundamental rights, the right to one’s own things. No one has a right to take a person’s money by threat or coercion, but the novel depicts this menace as a petty crime that is not only committed by the United Front ward boys but also by the police (50). The most fundamental of all human rights, right to life, has thus become a prime luxury, only to be afforded by a lucky few. Ward bosses also love to infringe upon the fundamental rights of women as they casually abduct and rape them. The novel tells the sorry tale of one such girl who is abducted by a ward boss and raped while her father pleads with the indifferent police officers to recover her. The girl ends up committing suicide (29). Rape and sexual assault are extreme human rights violations as it leaves the victim traumatized and broken. But the novel’s depiction of rape and torture is as casual as its portrayal of other kinds of violence. The way the narrative clubs together kidnapping of women with other crimes like extortion and gambling, exposes how the seriousness of this crime is slighted in Karachi. “The ward bosses extorted money, ran gambling dens, carried weapons openly, kidnapped people’s daughters” (24). The women are treated like a commodity that can be extorted just like money and a plaything that can be molested “in front of hundreds of people” (194).

Similarly, the children are also depicted as victims of the United Front’s excesses. Kidnapping of children for ransom is described in the text as a means of making some money “on the side” (34). The heinous violation of basic human right is depicted as a side business for the thugs of the party. Children are the most vulnerable segment of a society and it is a state’s utmost responsibility to ensure their well-being. It is their right to prosper in a stable and peaceful environment. Kidnapping is the worst kind of violation of their fundamental rights, but the children of Karachi as depicted in the novel are left at the mercy of the United Front’s thugs just like the people’s daughters.

It is however not just the most vulnerable segments of the society whose lives are at risk since the policemen, who have means to fight back, are also no match for the atrocities of the party. The UF gangsters routinely dump the tortured bodies of the policemen “by the side of the road” (86). This macabre picture of the nature of violence, leaves one questioning the ability of the state to ensure protection of human’s right to life. If the members of the coercive arm of the state themselves find it difficult to protect their lives, then the ordinary citizens are left with nothing but a sense of interminable morbidity. At one point in the novel Constantine relates the helplessness of police officers as they are killed in cold blood for taking part in a previous operation against the party. “Off-duty officers were killed in mafia-style hits by unidentified gunmen” (203). And to add injury to insult no one bothered to investigate “these cases properly” (203). Thus, the right to life, right not to be tortured and right to protection of law are all violated as policemen are tortured, killed and left unrecompensed by the justice system. Sometimes, the slain police officer has to suffer even more than this as his home is visited by a UF thug and his daughter is repeatedly raped while the mother is forced to watch (91). How many fundamental rights are violated here is beyond all counts? The rights of the policeman, his daughter and his wife are desecrated as the entire family is deprived of the dignity that is a sacred trust enshrined in the very concept of human existence.

The Don and his party are however not the only factors responsible for human rights violations as depicted in the novel. Many policemen and paramilitary forces personnel are killed by Nawaz Chandio’s “guerrilla band” (171). His fidayeen (loyalists) lay waste to people’s lives and properties just like the ward boys of the United Front. Nawaz Chandio’s killing brings these loyalists out on the streets of Karachi and they loot and burn for days “with abandon” (256). People’s right to their own property, a basic human right, is violated as the state stands indifferent. Then there are the jihadists, who are up in arms against the state and running an “insurgency in the tribal areas” (14). Their tactics are so violent and ruthless that Constantine shows his reluctance to join the team investigating the American journalist’s kidnapping by them. He is scared of jihadis because their method of ending a human life is abominable and heart wrenching to say the least, as when they strike, people “would be scraping parts of your body out of the trees for weeks” (63). Their suicide attacks leave no dead bodies behind to bury. Similarly, the tactics of the state to deal with the insurgency in the tribal areas ends up trampling on people’s right to life as villages are “accidentally bombed, civilians killed” (66). Ordinary individuals thus get bombed to smithereens as they are caught between the insurgent jihadis and the organized government forces. While the civilians get killed in the tribal areas as a collateral damage, no such niceties of language are used for the many being murdered in Karachi by the United Front, because they are on board with the government and as long as they are loyal to the president “they can rape and pillage this city to their heart’s content” (229).

So, *The Prisoner* portrays the people of Karachi as helpless victims, whose fundamental human rights are pillaged by state and non-state actors alike. Human rights like freedom of thought and expression, freedom of movement, freedom of assembly etc. take a back seat as the most basic of all human rights, right to life, becomes a rare commodity.

Conclusion

The above analysis of the novel proves that on the one hand state’s writ is brazenly challenged again and again. The Taliban, the Fidayeen, the Jihadists, the Feudals, and the ordinary thugs lay waste to the concepts of rule of law and state’s right to the legitimate use of violence, and on the other, various state institutions i.e. the judiciary, the executive, the military, and subsidiary state institutions are plagued with illegitimate and corrupt practices. The judiciary fails to guarantee swift justice, the executive is corrupt and irresponsible, the military and its agencies are involved in political deals, and the police is a bane for the people. The novel thus explicitly depicts state failure. Furthermore, the analysis of the novel turns up enough evidence to prove that when state fails, people’s fundamental human rights become a casualty. When the executive, the judiciary, the military, the police and other state institutions fail, people’s fundamental human rights of life, liberty, justice, freedom, and general welfare etc. are put at stake. Life without the mandatory provision of these rights becomes a painful and unbearable experience as people are

left to suffer one misery after another. From not so petty problems like power failures, dug up roads, and filth riddled streets to kidnappings, rape, torture and mass killings people endure nothing less than hell on earth.

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