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STATE PATERNALISM IN PAKISTAN: PROTECTION, CONTROL, AND THE LIMITS OF INDIVIDUAL AUTONOMY

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ABSTRACT

Paternalism, defined as state or authority interventions to protect individuals' welfare or guide their behaviour, has long been debated in political theory due to its tension with individual autonomy. In hybrid governance systems, where democratic institutions coexist with centralized authority and security imperatives, paternalism becomes particularly complex. Pakistan exemplifies such a context, with governance shaped by historical legacies, military influence, and a constitutionally embedded religious identity. These factors create a recurring tension between protective objectives and constraints on personal freedom. This study introduces the concept of security-driven paternalism, emphasizing interventions justified by welfare, morality, and the imperative to maintain social and political order. The theoretical framework draws on classical liberal, behavioural, and republican approaches, examining the balance between autonomy, protection, and domination. A qualitative study using normative political theory and case studies examines public health, digital media, and moral governance in Pakistan, analysing legal and policy documents to assess patterns of intervention and constraints on autonomy. The study findings reveal that paternalism in Pakistan operates across a spectrum: public health measures prioritize welfare with limited coercion; digital and media regulation combines protective rationales with discretionary enforcement; and moral and social policies exhibit enduring normative control that constrains autonomy. This study contributes to both theory and practice by conceptualizing security-driven paternalism, providing a framework to assess the ethical and political implications of interventions in hybrid states.

Keywords: *Paternalism, welfare, Protection, State, Pakistan*

Introduction

Paternalism refers to a set of actions or policies in which an authority intervenes in individuals' decision-making with the justification of protecting their welfare, safety, or moral interests. In political theory, paternalism is broadly categorized as soft or hard, depending on whether the individual's knowledge or competence is considered sufficient to make informed choices (Feinberg, 1986). Soft paternalism occurs when interventions address incomplete information or misunderstanding, while hard paternalism involves overriding fully informed and competent choices. The ethical and political legitimacy of such interventions has long been debated in liberal thought, particularly regarding their impact

on individual autonomy**.** Classical liberal theorists, such as John Stuart Mill, emphasize the harm principle, arguing that state interference is justified only to prevent harm to others, not to protect individuals from themselves (Mill, 1978). Contemporary theorists refine this distinction, differentiating between interventions that prevent significant harm and those that unnecessarily restrict freedom. Libertarian and behavioral perspectives further complicate the debate: nudge theory advocates for subtle guidance of individual behavior while preserving choice, whereas critics argue that such interventions may manipulate preferences and undermine true autonomy. Paternalism remains controversial because it raises normative tensions between protection and liberty. Critics argue that excessive intervention can become coercive, eroding personal freedom and responsibility, while proponents contend that strategic guidance can enhance welfare and prevent avoidable harm. These tensions are particularly pronounced in contexts where legal, moral, and security considerations intersect, requiring careful balancing of ethical principles, governance objectives, and practical constraints. Understanding these dynamics is essential for analyzing how states justify and implement interventions in diverse political and social settings.

Pakistan presents a compelling context for studying paternalism, with a hybrid political structure that combines centralized bureaucratic authority, military influence, and democratic institutions. Governance in Pakistan is characterized by a historical legacy of colonial administration, recurrent military intervention, and a constitutionally embedded religious identity. This hybrid structure creates a political environment in which interventions are justified through welfare, security, or moral rationales, often resulting in significant tension between protection and individual autonomy. Public health mandates, digital regulations, and moral legislation illustrate how paternalistic interventions operate simultaneously to safeguard citizens and enforce compliance. While these measures may address legitimate societal risks, their implementation frequently extends beyond proportionality, raising concerns about arbitrary enforcement, unequal application, and restriction of fundamental freedoms. This statement problem highlights the need to examine how paternalism functions in practice, particularly in hybrid or post-colonial states, where governance is shaped by overlapping normative, political, and institutional imperatives.

This study introduces the concept of **"**security-driven paternalism**"**, which refers to interventions that are justified not only by welfare or moral protection but also by the imperative to maintain political stability, social order, or national security. Security-driven paternalism emphasizes the dual role of the state as both protector and enforcer, highlighting how interventions can extend beyond welfare into mechanisms of control, surveillance, and normative regulation. Unlike classical or soft paternalism, security-driven interventions often involve discretionary enforcement, institutionalized monitoring, and long-term behavioral guidance. The study makes an original contribution by linking theoretical frameworks of paternalism with empirical analysis in the Pakistani context. Previous study has examined liberal, behavioral, and communitarian approaches to paternalism, but limited attention has been given to its manifestations in hybrid or post-colonial states. By focusing on public health, digital governance, and moral regulation, this study provides a nuanced understanding of how paternalistic interventions are rationalized, implemented, and experienced.

Furthermore, this study bridges normative theory and applied political analysis, demonstrating how security-driven rationales interact with welfare, morality, and autonomy. It highlights the ethical, legal, and practical tensions inherent in state interventions, contributing both to theoretical discussions of paternalism and to policy debates regarding proportionality, legitimacy, and accountability. By conceptualizing security-driven paternalism, the study offers a framework for evaluating state interventions that combines normative rigor with empirical relevance, providing insights applicable to Pakistan and comparable governance contexts.

Literature Review

Classical liberal political theory has long debated the limits of state intervention in individual lives. John Stuart Mill's (1859) harm principle posits that the state should only interfere with individual liberty to prevent harm to others, not to protect individuals from themselves. Mill argued that personal autonomy is essential for moral and intellectual development, and paternalistic interventions can stifle individuality and self-improvement. Building on this foundation, analyzed paternalism through the lens of autonomy, arguing that while some interventions might be justified in protecting individuals from substantial, irreversible harm, excessive paternalism risks undermining the very capacity for autonomous decision-making. Feinberg (1986) further refined this debate by distinguishing soft paternalism, in which interference is justified because an individual lacks sufficient information to make an informed decision, from hard paternalism, where the state overrides a fully informed and voluntary choice. These classical frameworks provide a conceptual toolkit for analyzing the ethical and normative tensions inherent in state paternalism. In the context of post-colonial or hybrid states, such as Pakistan, these theories help illuminate the balance between claimed protective functions of the state and the potential curtailment of individual autonomy. By understanding the foundational distinctions between permissible and impermissible interference, scholars can assess the legitimacy and limits of state paternalistic interventions in various domains, from public health to moral regulation.

In contrast to classical theories, libertarian and behavioral approaches emphasize "choice architecture" as a subtle form of guidance rather than coercion. Thaler and Sunstein (2008) introduced nudge theory, arguing that policymakers can influence decisions while preserving freedom of choice, for example, by organizing default options to promote welfare without restricting autonomy. While this approach is less overtly coercive, it raises normative concerns about manipulation versus autonomy, particularly when individuals may be unaware of the influence being exerted on their decisions (Bovens, 2009). Libertarian paternalism has been applied primarily in developed liberal democracies to areas such as health, finance, and environmental behavior. Its relevance to states like Pakistan lies in the conceptual lens it provides: policymakers may justify behavioral interventions under the guise of welfare or protection, but the ethical challenge remains in ensuring transparency and respecting citizens' autonomous decision-making.

Republican and communitarian theories offer an alternative critique to classical liberal approaches by emphasizing the social and relational dimensions of autonomy. Pettit (1997) defines freedom as non-domination, focusing on the absence of arbitrary interference rather than merely the absence of constraints. From this perspective, state interventions are legitimate only if they prevent domination and ensure equitable participation in political life. Communitarian theorists argue that individuals are socially embedded, and autonomy cannot be understood in isolation from the moral and cultural contexts that shape decision-making (Sandel, 1998). This critique challenges classical liberal assumptions by highlighting that unregulated individual choice is not inherently superior to guided or constrained action. In the Pakistani context, these perspectives underscore how state paternalism can be viewed not merely as interference but as part of a broader negotiation between societal norms, communal welfare, and individual liberties, particularly in a society where moral, religious, and political obligations intersect.

Foucault's (1977) concept of governmentality provides a lens to analyze how modern states manage populations through techniques of control, normalization, and surveillance, often justified in the name of protection. Paternalistic interventions can thus be understood as part of broader strategies of governance, wherein power is exercised subtly through regulatory frameworks and social norms rather than through overt coercion. Agamben's (2005) notion of the state of exception extends this framework by highlighting how governments may suspend normative rules under the guise of emergency or protection, effectively legitimizing extraordinary

interventions. In hybrid or post-colonial states, including Pakistan, these frameworks help explain how paternalism can be institutionalized as part of state power: interventions ostensibly aimed at public welfare or moral order may also serve to consolidate political control, regulate dissent, or maintain hierarchical authority, blurring the boundary between legitimate protection and domination.

Gap Analysis

Despite extensive theoretical work on paternalism, the literature predominantly focuses on Western liberal democracies. There is a notable lack of study on paternalism in hybrid or post-colonial states**,** where historical, cultural, and institutional contexts differ significantly. Similarly, empirical analyses of state paternalism in Pakistan are limited, with few studies examining how public policies, moral regulations, or security-driven interventions interact with individual autonomy. This study addresses this gap by applying classical, behavioral, republican, and govern mentality perspectives to the Pakistani context, providing a nuanced understanding of how paternalistic interventions operate in practice and how they affect citizens' freedom and autonomy in a post-colonial, hybrid political environment.

Theoretical Framework

State paternalism refers to government actions that intentionally constrain, guide, or regulate individual behavior for the supposed benefit of citizens (Dworkin, 1972; Feinberg, 1986). It encompasses a spectrum of interventions, from minor behavioral nudges to comprehensive legal restrictions, all justified in terms of welfare, safety, or moral improvement. Classical liberal theorists provide a foundational lens for understanding these interventions. Mill's (1859/1978) harm principle maintains that individual liberty should only be restricted to prevent harm to others, emphasizing autonomy as essential for moral and intellectual development. Refines this notion, distinguishing interventions justified by the prevention of substantial, irreversible harm from excessive interference that undermines autonomy. Feinberg (1986) differentiates between soft paternalism, applied when individuals lack adequate information to make informed choices, and hard paternalism, where competent individuals' decisions are overridden.

Modern political science classifies paternalism along three dimensions: the degree of coercion, the domain of intervention (e.g., health, morality, security), and the justification framework (utilitarian welfare, moral protection, social stability) (Thaler & Sunstein, 2008; Bovens, 2009). Understanding these typologies is critical for analyzing governance in contexts where legal, religious, and administrative mechanisms intersect with paternalistic rationales (Cheema & Gazdar, 2016). Conceptualizing state paternalism in this way provides a systematic framework to examine both the intentions and practical implications of interventions across different policy areas. A central tension in paternalism is balancing individual autonomy with protection. Autonomy denotes the capacity to make informed, uncoerced decisions about one's own life. Interventions justified as protective, such as public health mandates or moral regulations, can restrict meaningful choice, raising questions about legitimacy and proportionality. Classical liberal and libertarian theorists argue that interventions are justified only under specific conditions, such as preventing irreversible harm or protecting vulnerable populations (Feinberg, 1986). Republican perspectives define freedom as non-domination, emphasizing that state interference is problematic when it introduces arbitrary control (Pettit, 1997). Communitarian theorists add that autonomy is socially embedded, shaped by cultural norms, moral obligations, and institutional structures (Sandel, 1998). This framework allows for assessing interventions in terms of intent, proportionality, and impact on autonomy. Policies may be protective in rationale but restrictive in effect, highlighting the ethical complexity of paternalistic governance. By juxtaposing autonomy and protection, it becomes possible to evaluate whether interventions are legitimate safeguards or coercive constraints.

Security-Driven Paternalism

Security-driven paternalism describes interventions justified by welfare, morality, and the need to maintain political stability, social order, or national security (Cheema & Gazdar, 2016). Unlike soft paternalism, it often involves legal restrictions, administrative controls, or surveillance, extending the limits of permissible interference. Foucault's (1977) concept of governmentality explains how governance operates through regulation, normalization, and subtle forms of control. Agamben's (2005) state of exception illustrates how emergencies or protective rationales can legitimize extraordinary interventions. Examples include restrictions on media and digital platforms, public health mandates, and moral legislation, where protective and coercive objectives overlap. This framework emphasizes three dimensions: (1) the intent of interventions (protection versus control), (2) the mechanisms employed (legal, administrative, behavioral), and (3) the impact on autonomy. It allows for systematic analysis of interventions, highlighting both ethical justifications and practical consequences, and bridges classical and contemporary debates on paternalism in governance.

Research Methodology

This study adopts a qualitative research design, combining normative political theory with a case study approach to examine the nature, justification, and implications of state paternalism. The normative political theory framework allows for the systematic evaluation of ethical and philosophical dimensions of state interventions, particularly regarding the tension between protection and individual autonomy. The case study method is employed to provide in-depth analysis of specific policy domains, selected based on their representativeness, significance, and impact on citizen autonomy. Cases include public health regulations, digital and media governance, and moral legislation, which collectively illustrate different dimensions of paternalistic governance in practice. Data is sourced from a combination of constitutional texts, legislative documents, policy frameworks, and judicial rulings, providing both legal and institutional perspectives, supplemented by secondary sources such as academic analyses and human rights reports. This multi-source approach enables triangulation, ensuring the robustness of interpretations and the identification of patterns across different domains of state intervention. While this methodology provides rich qualitative insights, it is subject to several limitations, including the potential for bias in the interpretation of normative arguments, restricted access to internal governmental deliberations, and the challenge of generalizing findings beyond the selected cases. Nevertheless, this approach is well-suited to illuminate the ethical, legal, and political complexities of paternalistic interventions, offering a nuanced understanding of how state actions intended for protection may simultaneously constrain individual autonomy and reflect broader strategies of control.

Historical and Political Context of Pakistan

Pakistan's governance structures are deeply influenced by the administrative and political legacies of British colonial rule in the Indian subcontinent. The colonial state emphasized centralized authority, bureaucratic hierarchy, and strict legal control, designed to maintain order rather than promote participatory governance (Wolpert, 1993). This centralized model created strong institutions capable of top-down decision-making but often detached from local needs, fostering a culture where compliance with authority took precedence over democratic engagement. The legal and administrative frameworks inherited from the British, including the Indian Penal Code and civil service structures, continue to shape state operations and the exercise of power (Jalal, 1995). These structures facilitated the institutionalization of paternalistic practices, as the state retained the authority to regulate social, moral, and economic behavior under the guise of welfare, order, and protection. Furthermore, colonial policies of indirect rule and segmentation along ethnic, linguistic, and religious lines contributed to a fragmented polity, in which central authority often justifies interventions as necessary to maintain cohesion

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and stability. The enduring centralization of power in Pakistan's bureaucracy and legal system provides the institutional foundation for contemporary paternalistic interventions, allowing the state to implement policies that regulate individual behavior across multiple domains, from public health to moral governance, while maintaining a strong claim to legitimacy grounded in historical precedent.

Civil-military relations have played a decisive role in shaping Pakistan's political landscape, contributing to the emergence of a security-driven state where paternalistic interventions are often justified by national security imperatives. Since independence in 1947, Pakistan has experienced multiple military coups, periods of martial law, and extended military influence over civilian governance, creating a hybrid political system in which military actors exert significant authority over policymaking and institutional control (Shafqat, 1997). This dominance has entrenched a culture of centralized decision-making and control, where the state often prioritizes stability and security over participatory governance or individual freedoms. The military's pervasive influence has normalized top-down interventions in both political and social spheres, shaping policies that are justified as protective or stabilizing yet frequently limit autonomy. Security concerns have also extended into civil domains, including media regulation, public assembly restrictions, and counterterrorism measures, reinforcing a paternalistic logic in which the state positions itself as guardian of both order and welfare (Rashid, 2012). Consequently, interventions in public life, whether framed as emergency health mandates or anti-terrorism policies, are frequently implemented with limited public consultation or transparency, reflecting a pattern of governance that privileges control and protection simultaneously. This historical pattern of civil-military interactions provides a critical context for understanding how paternalism in Pakistan is institutionalized not merely as ethical guidance but as a mechanism for consolidating authority and managing social, political, and security risks.

Religious Constitutional Identity and Moral Governance

Religion and constitutional identity have significantly shaped the moral and legislative frameworks of Pakistan, reinforcing the scope for state paternalism in regulating behavior. Pakistan was founded with the objective of creating a homeland for Muslims in South Asia, embedding Islam as a central component of state identity (Nasr, 2001). Over time, constitutional amendments and legal frameworks have institutionalized Islamic principles in governance, including the incorporation of Sharia-compliant laws, blasphemy legislation, and moral regulations affecting social and personal conduct (Jalal, 1995). This religious constitutional identity allows the state to justify interventions in the name of moral protection, social cohesion, and the safeguarding of religious values, often constraining individual liberties and freedoms in areas such as speech, assembly, and gender rights. Moral governance in Pakistan is also reinforced through regulatory bodies, educational curricula, and public policy mechanisms, which shape citizen behavior according to state-sanctioned ethical norms (Rahman, 2012). Paternalistic interventions in this context are thus framed as both protective and obligatory, merging welfare-oriented justifications with religious and social imperatives. The intertwining of moral authority and legal regulation creates a distinctive form of governance in which citizens' autonomy is frequently secondary to collective ideals, reflecting the broader historical pattern of paternalism embedded in state structures. This religious and moral dimension complements the centralization and security considerations discussed earlier, illustrating how historical, institutional, and ideological factors converge to shape the contours of state paternalism in Pakistan.

Case Studies: Protection or Control?

Public health interventions in Pakistan provide a clear example of the tension between autonomy and protection**.** During the COVID-19 pandemic, the government implemented a series of lockdowns, movement restrictions, and mandatory quarantine protocols, justified as

necessary to contain the virus and prevent widespread mortality (Pakistan Ministry of National Health Services, 2020). These measures illustrate the principles of soft paternalism, where individual choices were constrained due to incomplete information and potential harm to the population at large (Feinberg, 1986). While these policies were motivated by welfare considerations, they also raised concerns regarding the limits of state intervention and the protection of individual autonomy. Enforcement of health directives often involved fines, police supervision, and community monitoring, reflecting a coercive dimension that goes beyond mere guidance. Reports indicated inconsistencies in enforcement, where some populations experienced stricter policing than others, revealing potential inequalities and arbitrary applications of authority (Siddiqui & Abbas, 2021). Additionally, digital tracking apps and public reporting mechanisms introduced surveillance elements, raising questions about privacy and the long-term implications of normalizing state oversight in citizens' private lives (Khan et al., 2021). The COVID-19 case demonstrates how public health interventions, even when welfare-oriented, can constrain freedoms and establish precedents for broader security-driven paternalism (Cheema & Gazdar, 2016). While restrictions arguably reduced immediate harm and saved lives, they also illustrate the ethical and political dilemmas inherent in balancing collective safety with individual autonomy. The pandemic highlighted the challenges of proportionality and legitimacy, emphasizing the need for transparency, accountability, and public trust in the enforcement of protective policies.

Digital governance and media regulation in Pakistan reflect another domain where paternalism intersects with control and security imperatives**.** The Prevention of Electronic Crimes Act (PECA) 2016 provides the legal framework for regulating online behavior, criminalizing content deemed harmful to public order, morality, or national security (PECA, 2016). While the law is justified as protecting citizens from cybercrime, misinformation, and extremist propaganda, it has been criticized for vague definitions and discretionary powers that enable the state to restrict online speech arbitrarily (Rahman, 2019). Enforcement mechanisms under PECA, including takedown orders, website blocking, and social media monitoring, demonstrate the coercive and regulatory aspects of paternalism. Social media users, journalists, and civil society actors often face censorship or legal action for content that challenges government policies, criticizes religious authorities, or exposes human rights violations, raising concerns about proportionality and accountability (Human Rights Watch, 2020). The legislation's reliance on national security as a justification illustrates a form of security-driven paternalism, where protective rationales mask broader objectives of maintaining political and social control. The regulation of digital media also highlights the tension between public welfare and individual freedoms**.** While controlling misinformation and extremist content may protect citizens, overly broad enforcement can suppress dissent and limit public debate, undermining the democratic principle of free expression (Rahman, 2019). Moreover, the discretionary application of PECA has created uncertainty about the boundaries of permissible speech, contributing to self-censorship among media professionals and the general public. Online governance demonstrates how contemporary paternalism combines behavioral guidance, legal enforcement, and surveillance, reflecting the government's dual role as protector and enforcer. By examining digital regulation, it becomes evident that paternalistic interventions, while framed as protective, often operate in ways that limit autonomy, enforce compliance, and consolidate state authority in hybrid political contexts.

Moral and social regulation in Pakistan represents a domain where paternalism is closely intertwined with religious and cultural norms. Blasphemy laws**,** which criminalize speech or actions deemed disrespectful to Islam, exemplify the intersection of moral protection and coercion. These laws are justified by the state as necessary to maintain social harmony and religious sanctity, but have been widely criticized for enabling misuse, harassment, and arbitrary enforcement (Saeed, 2019). Individuals accused under these laws face legal

penalties and social ostracism, highlighting the limits of autonomy in areas of personal belief and expression. Gender-related policies also illustrate state paternalism in moral and social domains. Laws regulating women's dress codes, workplace behavior, and family relations often seek to protect women from social harm, yet they simultaneously constrain individual choices and reinforce patriarchal norms (Shaheed, 2010). These interventions reflect a broader pattern of security-driven paternalism**,** where protection is justified in moral terms but enforcement mechanisms perpetuate hierarchical authority and restrict freedoms. Public morality policies, including the regulation of media content, entertainment, and public conduct, further demonstrate the state's role in shaping social norms. Censorship boards and morality tribunals exercise discretionary power to limit content deemed offensive, reflecting paternalistic assumptions about collective welfare and moral integrity (Rahman, 2012). While intended to protect societal values, these measures often prioritize conformity over individual rights, illustrating the tension between protection and control. Collectively, moral and social regulations reveal the complex interplay between ethical justification, coercive enforcement, and autonomy**.** Paternalism in this domain extends beyond welfare protection into social and moral governance, demonstrating how interventions can simultaneously safeguard and constrain. These case studies highlight the ethical, legal, and political dilemmas inherent in paternalistic governance, underscoring the need for proportionality, transparency, and accountability in balancing protection with individual freedom.

Analysis and Discussion

A comparative analysis of the three domains, public health governance, digital and media regulation, and moral and social regulation, reveals both convergences and divergences in the application of state paternalism in Pakistan. Across all cases, interventions are framed as protective measures, yet the degree of coercion, scope of enforcement, and impact on autonomy differ significantly. In public health governance, particularly during COVID-19, the state adopted largely welfare-oriented measures, emphasizing population safety through lockdowns, quarantine mandates, and surveillance for infection control (Pakistan Ministry of National Health Services, 2020; Khan et al., 2021). While coercion was present through fines and police enforcement, the interventions were largely justified in terms of immediate risk mitigation, illustrating soft paternalism, where restrictions were applied due to incomplete information and the collective vulnerability of the population (Feinberg, 1986). In contrast, digital and media regulation demonstrates a stronger alignment with security-driven paternalism. PECA 2016 and related policies extend state authority into private communications, social media activity, and journalistic practice, justified under national security, public order, and morality (Rahman, 2019). The law's discretionary nature and broad definitions enable enforcement that often overrides individual autonomy and limits public debate, demonstrating a more coercive and political dimension of paternalism. Here, the protective rationale is intertwined with control, illustrating how interventions extend beyond welfare into mechanisms of surveillance and authority consolidation (Cheema & Gazdar, 2016).

Moral and social regulation represents yet another distinct pattern, where religious and cultural imperatives justify restrictive laws such as blasphemy legislation, gender policies, and public morality frameworks (Saeed, 2019; Shaheed, 2010). These policies exhibit highly coercive paternalism, constraining individual freedoms under moral and religious rationales. Unlike public health interventions, where restrictions are temporally bound and aimed at immediate safety, moral regulation is enduring and normative, shaping citizen behavior over extended periods. Comparatively, these cases demonstrate that paternalistic interventions in Pakistan vary in scope, coercion, and temporal application**,** but consistently reflect a tension between welfare, moral order, and autonomy. Public health measures prioritize welfare with limited coercion, digital regulation blends welfare with security and

control, and moral governance emphasizes normative control with profound autonomy constraints. Collectively, these cases illustrate the diverse mechanisms and rationales of state paternalism, highlighting its adaptive nature across policy domains.

The analysis of these case studies raises critical questions regarding the limits of paternalism and its potential to become domination**.** Pettit's (1997) republican framework conceptualizes domination not merely as coercion but as the capacity of one actor to arbitrarily interfere with another's choices. In this sense, paternalistic interventions risk sliding into domination when enforcement mechanisms are discretionary, opaque, or prolonged. The digital and media regulation cases exemplify this risk: PECA 2016 empowers authorities to restrict speech, block content, or prosecute individuals with minimal judicial oversight, creating conditions for arbitrary interference (Rahman, 2019). While intended as protective measures, these interventions can operate as tools of political and social control, undermining citizen autonomy and inhibiting dissent. Moral and social regulations, particularly blasphemy laws, illustrate the highest potential for domination. The legal and social consequences of violations extend beyond immediate enforcement, shaping behavior through fear of persecution, social stigma, and community sanctions (Saeed, 2019). Gender-based policies similarly constrain personal autonomy by embedding societal norms into state enforcement, reducing the capacity for individuals, particularly women, to exercise informed and independent choices (Shaheed, 2010). These cases demonstrate how protective rationales can mask structural inequalities and reinforce hierarchical authority. By contrast, public health interventions during COVID-19, while coercive, were largely time-bound, transparent in rationale, and oriented toward mitigating immediate harm (Pakistan Ministry of National Health Services, 2020). They illustrate that paternalism does not inevitably lead to domination; proportionality, temporality, and accountability are critical mediating factors. The distinction between legitimate paternalism and domination thus hinges on the degree of arbitrariness, transparency of enforcement, and respect for citizen autonomy, suggesting that ethical paternalism is achievable when protective goals are coupled with oversight and proportionality.

Assessing the legitimacy and proportionality of paternalistic interventions requires evaluating both normative justification and practical implementation. From a normative perspective, interventions are legitimate when they prevent significant harm, address vulnerability, or promote collective welfare, provided that restrictions on autonomy are minimized and justified. Public health measures exemplify relatively high legitimacy, as they were grounded in evidence, addressed immediate risks, and applied universal standards without targeting specific populations arbitrarily (Khan et al., 2021; Siddiqui & Abbas, 2021). Digital and media regulation presents a more ambiguous case. While controlling misinformation or cybercrime may be justifiable under national security imperatives, the vague definitions and discretionary powers of PECA reduce transparency and proportionality, undermining legitimacy (Rahman, 2019). Enforcement mechanisms that restrict free expression disproportionately affect journalists, activists, and marginalized groups, highlighting a misalignment between protective intent and practical outcomes. Moral and social regulations demonstrate the most significant challenges to proportionality. Laws regulating blasphemy, gender norms, and public morality often extend beyond preventing immediate harm, instead shaping social behavior over long periods through coercion and fear. While these interventions are framed as ethically and socially justified, their disproportionate impact on autonomy, especially for vulnerable populations, limits their legitimacy. The arbitrary application of laws and discretionary enforcement further exacerbate this concern.

In sum, legitimacy and proportionality in paternalistic governance depend on clarity of justification, temporality of enforcement, and minimization of arbitrary interference. Public health interventions illustrate high proportionality, digital regulation exhibits partial alignment, and moral governance shows

significant disproportion between protective goals and autonomy constraints. These evaluations underscore that paternalism can be ethically defensible when designed and implemented with transparency, oversight, and respect for individual rights, but can easily transform into domination when enforcement becomes arbitrary, opaque, or normatively rigid.

Conclusion

The analysis of state paternalism in Pakistan across public health, digital media, and moral regulation demonstrates the complex and multidimensional nature of government interventions. In public health governance, interventions such as lockdowns and quarantine measures illustrate paternalism aimed at protecting collective welfare, often justified by immediate threats to safety. While coercion was present, the measures were generally time-bound, transparent, and oriented toward reducing harm, showing a relatively balanced approach between protection and individual autonomy. Digital and media regulation reflects a more coercive form of paternalism. Policies such as the Prevention of Electronic Crimes Act grant authorities broad discretionary powers, resulting in significant limitations on freedom of expression and potential arbitrary enforcement. Here, the protective rationale of preventing misinformation, cybercrime, and threats to national security is intertwined with mechanisms of control, revealing a hybrid of welfare-oriented and security-driven paternalism. Moral and social regulations, including blasphemy laws, gender policies, and public morality frameworks, represent the most enduring and pervasive interventions. These measures are deeply embedded in cultural and religious norms and often restrict autonomy over extended periods. While intended to safeguard societal values and moral order, they frequently constrain individual freedoms and reinforce hierarchical structures. Across these domains, the findings indicate that paternalism in Pakistan varies in scope, coercion, and temporal application, yet consistently balances claims of protection with control. The degree of autonomy restriction correlates with the perceived significance of societal or security threats, suggesting a context-dependent approach to intervention. Overall, the analysis highlights that while paternalism can be protective and ethically defensible, it carries a persistent risk of overreach, particularly when enforcement is discretionary or normative frameworks are rigid.

The case studies and analysis underscore several theoretical insights regarding the nature of state paternalism. First, the study demonstrates the applicability of classical and contemporary frameworks in explaining variations in paternalistic interventions. Concepts such as soft and hard paternalism, behavioral nudges, and security-driven paternalism provide useful lenses for understanding the ethical, political, and practical dimensions of government action. Second, the findings highlight the importance of contextualizing paternalism within historical, political, and socio-cultural structures. In Pakistan, colonial legacies, centralized authority, civil-military relations, and religious constitutional identity shape the nature and justification of interventions. The study suggests that theoretical frameworks must account for hybrid governance structures, where protective rationales are closely intertwined with control, surveillance, and normative enforcement. Third, the analysis illustrates the continuum between ethical paternalism and domination. Interventions can shift from protection to coercion depending on discretion, transparency, and proportionality, demonstrating the need for theories of paternalism to integrate criteria for legitimacy, autonomy, and accountability. Security-driven interventions, particularly in digital and moral domains, challenge the assumption that paternalism is always welfare-oriented, emphasizing that the political and normative context significantly influences outcomes. Finally, the study reinforces the notion that paternalism is not inherently negative but must be evaluated based on its implementation, temporality, and ethical justification. Theoretical frameworks that incorporate these dimensions are better equipped to explain variations in policy impact, predict ethical dilemmas, and inform normative

judgments about state intervention in individual autonomy.

The findings have important implications for policy design and democratic governance. First, interventions should strive for proportionality and transparency, ensuring that protective measures do not unnecessarily infringe upon individual autonomy. Policies should include clear rationales, evidence-based decision-making, and time-bound enforcement to maintain legitimacy and public trust. Second, there is a need for accountability mechanisms to prevent arbitrary or discretionary enforcement. Oversight institutions, judicial review, and public consultation processes can help balance protective objectives with individual rights, reducing the risk of paternalism sliding into domination. Third, digital and media governance requires careful calibration. While protecting citizens from misinformation and security threats is necessary, laws should clearly define prohibited content, limit discretionary enforcement, and safeguard freedom of expression to maintain democratic space and prevent self-censorship. Fourth, moral and social regulations must be critically evaluated for their impact on autonomy and equality. Policies that embed cultural or religious norms into law risk reinforcing hierarchical and exclusionary structures. Democratic governance demands that such interventions prioritize citizen participation, fairness, and respect for individual rights while balancing collective moral considerations. Finally, the study highlights the broader challenge of managing hybrid governance systems, where welfare, security, and moral imperatives intersect. Policymakers should adopt nuanced approaches that account for context-specific risks and benefits, integrating ethical principles, empirical evidence, and participatory processes. By doing so, paternalistic interventions can protect citizens without undermining democratic norms, autonomy, or legitimacy, ensuring that the state serves both as a guardian of welfare and a respecter of individual freedom.

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