

MANAGEMENT OF LOCAL GOVERNMENT IN PAKISTAN: AN ANALYSIS OF MUSHARRAF ERA

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ABSTRACT

The study investigates the nature and functioning of Local Government System of Musharraf regime. Though, it had some loopholes but it was significantly credible system as compared to previous models of local governments introduced in the country time to time. The Local Government Plan unveiled on 14th August, 2000 was intended to reform the democratic institutions and to empower the people at grass-root level through the transfer of political, administrative and fiscal powers to lower tiers of government. Analysis in the context of previous experiences of decentralization reforms in Pakistan indicates that the aim to introduce such reforms by military regime was and had always been regime legitimacy, state control and survival. Military rulers have always expressed their tendency to focus on the system of local bodies as a semblance of democracy to divert the attention of the people from extreme autocracy at the national level. However the system under discussion was a positive advance as far as the management of local affairs is concerned. This study will help to understand the increasing role of local government in modern and developing democratic countries with special focus on Pakistan. It will also helpful to strengthen, revive and promote the local democracy in Pakistan.

Keywords: Pakistan, Local Government, Devolution, Musharraf, Democracy

INTRODUCTION

On 12th October, 1999, in a counter coup, the then Chief of Army Staff of Pakistan, General Pervaiz Musharraf removed the then elected Prime Minister and took over powers of government. Unlike previous military regimes, he did not impose the martial law. Rather a state of emergency was imposed in the country by suspending the national and provincial assemblies. The new government of Musharraf had laid down his seven points agenda to get the support of nation. One of the agenda points of new government was related to devolution of powers in the country at grass-roots level. (Khan, 2004: 7) For this purpose, The National Reconstruction Bureau (NRB) was given the task to prepare draft for future local government system under devolution plan. The task was implemented within three months of laborious work and the Local Government Ordinance got sanctioned on 23rd march, 2000.

The plan envisaged a four-tier structure below the provinces including district (zila), sub-district (tehsil), union council, and village. No formal institutional structure was conceived for the village (grass-roots) level, and hence no elections for office holders, but the plan proposed an elaborate structure of councils and committees, nonetheless, even for this lowest foundational tier in chain. (Khan, 2004: 7) Under the Local Government Ordinance, the local

bodies' elections were held across the country into various phases which were completed within eight months after the promulgation of Ordinance.

The justification and rationale of presenting this devolution of power plan were given by Musharraf in the following words:

It is the beginning of a constructive, democratic, dynamic revolution whose sole objective was to place in the hands of the people the power to shape their own destiny. An unprecedented transfer of power will take place from the elites to the vast majority." (*Dawn* 24 March 2000)

We can observe the resemblance between the words and tendency of Ge. Zia, who in the absence of a Parliament, decided to set up an alternative system of local bodies to get some sort of popular legitimacy. He had frequently suggested that democracy in Pakistan must be built "from the ground up". In March 1980, he convened an All-Pakistan Local Bodies Convention in Islamabad. Hailing the meeting as "first step towards the establishment of a representative government", he assured the three hundred delegates that they were "the real representatives of the people—duly elected." (Gustafson and Richter, 1981: 166)

The military government of Musharraf achieved a number of advantages through the newly installed system of nazims across the country. One such benefit was the winning of referendum of 2002 by Musharraf in return for economic and political rewards. There was no true decentralization of powers in Pakistan at the federal to provincial level rather the focus was only the decentralization of powers from the provincial to district level under the new devolution plan.

THE PLAN: AIMS AND OBJECTIVES

The National Reconstruction Bureau based its proposals on the following principles/objectives:

1. Devolution of political power.
2. Decentralization of administrative authority.
3. De-concentration of management functions.
4. Diffusion of the power-authority nexus.
5. Distribution of resources at the district level.

Objectives

National Reconstruction Bureau had laid down the following objectives of the new system of governance: -

1. Restructuring the bureaucratic set up and decentralization of administrative authority to the district and below level.
2. To allow public participation in decision-making process.
3. Monitoring of government functionaries by monitoring committees of the local councils.
4. Rationalization of administrative structures for improving efficiency.
5. Introduction of performance incentive systems to reward efficient officials.
6. Integrated functioning of all offices to achieve synergistic effect and improve service delivery.
7. Improvement of administrative and financial management practices in the district and management controls over operational units.

8. Redressing grievances of people and government functionaries against mal-administration through the office of Zila Mohtasib. (Khan, 2009: 47)

It was argued while making this new system that community should be given the power to raise their own resources via property and other taxes and fees for service so they could locally spend monies for the betterment of the community by providing social and physical infrastructure. The theory is that there will be the incentive to pay the taxes since communities will see where and how the money is spent. Thus empowered, rural and urban communities would quickly and wisely spend their own, and perhaps some provincial and federal, resources and quickly along the path to sustainable development. The increased participation and collective action at the local level that was envisaged were additional plus points for such democratic decentralization. (Khan, 2004: 9) Cheema argued that despite a great pressure on Pakistan both internal and external, a true reforms in this field could not take place before the Musharraf's regime which proved to be a turning point in the development of a grass-root democratic government. (Cheema & Adnan: 2003)

The devolution of power plan under Musharraf was different in many respects as compared to the preceding systems. The new system had ensured the transfer of powers from the provincial government to the district and other lower levels. It had laid emphasis on two main essential elements which included the decentralization and electoral reforms. It had for the first time introduced such reforms which had not been introduced ever in Pakistan. (Alam & Wajidi, 2013:25)

REFORMS: DISTINCTIVE FEATURES

Reforms in Electoral Process

The first distinctive feature of the devolution plan was the introduction of reforms in electoral process. The age of voters was reduced from 21 to 18 years. For the candidates of Nazims, a minimum educational qualification i.e. matriculation was included. To contest the elections of district and tehsil nazims, the latter must have manifesto that was required to be put up to the people. For the first time, the local government elections were also conducted by the Election Commission of Pakistan instead of provincial authorities. Moreover, the elections of local government were held in phases across the country in order to ensure better management and coordination. The quota for women in local bodies at all tiers was increased to 33% which was one of the largest ever introduced.(Alam & Wajidi, 2013: 26)

Abolition of the Divisional Administration

The plan of devolution also brought a number of reforms in general area. For example, it abolished the tier of divisional government that was an extra level between the district and provincial governments. The office of divisional commissioner and deputy commissioners were merged into one office known as the District Coordination Officer who was made responsible to the district nazim. Overall, the District Nazim was made in charge of the local government while the district bureaucracy was made subservient to the local leadership. Moreover, an elaborate mechanism of recall of elected representatives was also one of attractive features of that new system. (Alam & Wajidi, 2013: 25)

Establishment of Provincial Finance Commission

The new system had established the Provincial Finance Commission for the purpose of distribution of financial resources to the various districts as per the population, requirement and special needs of that particular district. (Alam & Wajidi, 2013: 25)

Amendment in Police Act

The devolution plan had also introduced a number of reforms in the Police Act 1861 after nearly 150 years. The District Nazim was made overall in charge of law and order situation of a district. The District Police Officer was made responsible to the District Nazim for all his actions. (SBNP:2001) The District Public Safety Commissions were also proposed in the plan comprising the elected and appointed members to redress the grievances of the masses. (SBNP:2001)

Elimination of Rural-Urban Division

The new system also abolished the rural-urban divide between the villages and cities by introducing the same system at both levels. Under the British Raj, there was an institution of urban local councils for providing municipal services to cities while the rural councils were established for rural areas which had not that capacity to deliver services at rural areas as compared to urban councils. (Siddique, 1992: 25)

SOCIO-POLITICAL CHANGE

The new system had pledged to bring a social change starting from grass-roots level in the society. Social change is a process of transition from one stage or phase of construed cycle of development to the another. It is the movement of a social forms or whole society from a 'less advanced' state towards a durable 'advanced' state. (Randall & Strasser: 1981). It is a debatable question whether devolution plan really brought a social change or not. In order to understand this phenomenon, there is a requirement to not only study the various institutions of local government but also to carry out in depth analysis of the diverse society of Pakistan including its demography, economy, history, law and politics. The holding of only two local government elections is not adequate to strengthen this process of social change through local democracy. (Alam & Wajidi, 2001: 30) The social changes witnessed as a result of two local government elections in Pakistan held in 2001 and 2005 can be summarized as follow.

The first and the foremost was the involvement of young people in local bodies' elections due to reduction in age limit from 21 to 18 years. Nationwide, approximately, 15 % of the successful District and Town candidates were in the age group 25- 30 years while 35% were 31-40 years. (Alam, 2004) Some 30 % of candidates were aged 41-50 years, and approximately 20 % were older than 50 years. (Pattan, 2006)

Another change recorded in the local government elections of 2001 and 2005 was the contest of elections by new entrants. In 2001, 57% of candidates for Nazims and 75% for Naib Nazim (Deputy Mayors) appeared in the elections for the first time. Similarly, in the elections of 2005, 70% of the candidates for councillors were new faces in the local democracy. (Alam & Wajidi, 2013: 30) According to the Alam's study (2004) of the 2001 elections in Sind province, out of 16 district mayors, none of them had any past experience in the field of local administration rather 12 out of 16 had been a member of parliament or provincial assemblies. (Alam, 2004)

Another significant social change observed was the involvement of women in local government elections. The quota for women in various tiers of local government was increased from 5% to 33%. The women folk contented elections across Pakistan except some of the areas of Balochistan and Khyber Pakhtunkhwa due to social restriction over there. According to election figures, nearly about 22,000 women across the country were elected at various tiers of local government. Another interesting data was about 100 % increase in the election of women as Nazim and Naib Nazim between the periods from 2001 to 2005 which was from 16 to 32 respectively. (Alam & Wajidi, 2001: 30)

PRINCIPLES AND FEATURES OF THE PLAN

Centrality of the People

The new system was based upon the people centered approach. People centered development is the basic principle for economic, social, political and administrative reconstruction strategies. In Pakistan, public policy was not generally people-centered. The colonial legacy of a State that protected the interests of the rulers rather than those of the ruled had persisted. Dominance of bureaucracy had put the management of local affairs out of the reach of common citizens. The new system ensured dominance of public representatives over bureaucracy at district level.

Rights and Responsibilities

The new system of local government of Musharraf was generally rights and responsibility based. (Iqbal, 2007: 16) Rights carry responsibilities with them. This is the case for both the state and citizens. The most basic responsibilities of the state are the protection of citizens' rights and security, and prompt provision of justice. Citizen rights are the foundation of state responsibility. Citizens have the responsibility to obey the constitution and to actively support the functioning of public institutions. Citizens' rights were expanded in the following three significant areas:

- (1) The Right to Progress.
- (2) The Right to Partaking.
- (3) The Right to Information.

Service Oriented Administration

Another basic principle of the change agenda was that the local government became a service-oriented. It was declared to be inspired by a people-centered and service-oriented approach to governance. (Aftab & Yusuf, 2010:8) Service orientation requires a profound change in the organizational behavior and the culture of government, as well as the national political culture. In the past, the State had colluded to protect the interests of elites. The citizen had been someone to be taxed and controlled without concomitant provision of services. However, under the new system of local government, new situation and dynamics had been created by the combination of initiatives at all levels and across the local government system as envisaged. The plan had tried to reinforce service orientation and induced changes in attitudes and behaviors.

Bottom-up Methodology

Bottom-up Methodology was another tenet of that new system. A top-down approach begins reconstruction with federal and provincial ministries and agencies. Complex layer of procedures, rules, structures and systems lie between them and the points of final service delivery to citizens. Transformation takes time to condition the level of final service delivery, if at all. Effective reaction, methodologies have been developed over time at upper echelon of government to disarm reform initiatives. However, what is complex at the federal levels may be much simpler at the local level. The bottom-up approach was based on the principle of subsidiary government, which meant that all services that could be effectively delivered at the local, or district levels should be delivered at that level. (Iqbal, 2007: 16)

Consensus Building Approach

Another feature of the new local government system was consensus building. The process of electing political leadership has been designed to enhance consensus building and collaboration at all levels of the electoral system. Local government elections in the past had resulted in promoting factionalism because political boundaries based on population cut across the historical, associative and organizational frameworks of society. The integrity of village was not upheld as an electoral constituency. Resultantly, the historical momentum of a framework that promoted cooperative and collaborative impetus was gradually marginalized over several local elections.

Ownership Building

The next feature of that system was ownership building. Comparative global experience suggests that vibrant sustainable loose governments do not exist or protect themselves because of constitutionally mandated provisions alone. The mechanism through which many a local government created actually protected its edifice was through community ownership of the functions, attempts at encroachment on local government functioning by higher levels of government. District and Local Government Reforms created an enabling environment for freedom of information, citizen monitoring, citizen voice and influence on the protection of rights and delivery of services, as well as enhanced representation. It strengthened and expanded resource-based power and community-based power in the society. (Iqbal, 2007: 16)

As local investment and mobilization of resources for common objectives in traditionally protected government services is realized, the ownership of local self-government should be a direct outcome. Ultimately, it will be the critical mass of this ownership that will build the bulwark for protection of local government system against encroachments by centrist forces in the future. In addition, to provide a space and legal authority of protection in the nascent stages of this development, it will be desirable to provide extensive constitutional cover to local governments.

Centrality of Local Issues

The issue-based politics was made another focal point of new local government system. With little control over service delivery or infrastructure development, there had been little capacity in local government to solve problems of people due to centralized decision-making. (Naqvi A, 2007: 25) In order to focus on the working of elected leadership as well as provide specific verifiable tasks to be carried out, the design of the local government reform had included the division of each elected level of government into committees. While mandatory creation of committees had been prescribed for certain functions, flexibility had also been provided to initiate the creation of those committees that are specific to locally determined needs. Politicians under the new system could thus be held more electorally accountable on whether services improved or not. A more issue based politics could emerge from these exercises that could eventually reduce the patronage-based politics that had failed to deliver in the past. The absence of meaningful functions at the local level had led to almost exclusive attention to patronage. Issue-based politics could also attract more qualified candidates into the political arena. The new system also bridged the rural-urban divide. (Burki, 2007: 29)

Corporate Governance

Another cardinal principle of new system was corporate governance with an entrepreneurial approach. The system of local government and its utility can be understood by analogizing this system with the system of corporate. In any corporation, its shareholders including its chief executive work for effective running of it and delivering efficient services. Similarly, in the

local government, the union councilors are basically the stake holders who work for the welfare of their respective areas under their Chief Mayor. Under the new system, for the first time in history, it was designed on corporate basis in which the various tiers of the local government were made efficient to run the administration of district in effective way. The most important thing in new system was that local leadership was entrusted with complete authority and powers to take immediate decisions concerning local affairs. Moreover, like a corporate, all the union councilors including its Nazims were the people's representatives who could hold their offices effectively if they were able to deliver services to people effectively. (Naqvi S, 2007: 36)

Devolution of Political Power

The devolution of political power was the core of new system introduced. The new model empowered the down-trodden and under-privileged classes of society especially the women, peasants, working classes and minorities by doubling their representation into various tiers of local government. Empowering the people through devolution of power and responsibility at local level meant placing peoples' representatives where people and therefore, power already existed waiting to be harnessed. It necessarily involved disempowering some people who were already exercising power and passing it on to some other people. One of very effective rules of the new system was that no powers of local authorities were taken from lower bodies without the consent of these.

CONCLUSION

New system for the management of local government in Pakistan adopted the people centered approach. It was an positive mechanism of public administration in Pakistan, where public affairs have not generally remained people-centered. The colonial legacy of a State that protected the interests of the bureaucracy rather than those of the ruled had persisted. Patronage politics and administrative corruption had put even basic rights and services out of reach of common citizens. The challenge in devolving power basically lies in trusting ordinary citizen at the grass-roots level, and the new system ensured it. The working model of local government presented by the military government embodied a few fundamental principles. First, it supported the concept of devolution to the grass-roots level since much of the service delivery was at that level. Second, power devolution is a zero-sum game and empowerment at the grass-roots level required disempowerment of other groups and interests at other levels. It ensured the transfer of power from the provinces to the elected local bodies at the district level. The system ensured that accountability must reside at the grass-roots level for the functions that were in their jurisdiction. For this purpose, the regular elections, right to take village assemblies to district courts and judicial review were incorporated in this new system. The proposed model was however too complex and involved much overlap and lack of clarity regarding developmental, accountability, and judicial authority and responsibility across various tiers. Moreover autocracy remained dominant at central and provincial level and vital policy issues remained in the hands Gen. Musharraf himself. This aspect marred the democratic credibility of the whole system.

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