

The Evolution of Devolution

A Critical Study of New LG System

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INTRODUCTION

Dr. Hasan Askari Rizvi

Elected local government is the foundation of democracy. All democratic countries have vibrant elected local government systems for governance and political management at the local level. Their role, powers and relationship with higher level governments varies in different political systems. However, every democratic political system attaches importance to setting up local government bodies with some administrative and financial autonomy.

Authoritarian and military governments are also favourably disposed towards establishing some system of local government which may be totally or partly elected. These governments establish local government as an appendage to the national level administration; the latter plays domineering role in local government affairs. They hardly believe in autonomous local government institutions. The authoritarian rulers establish local bodies and councils in order to demonstrate their democratic credentials. Another objective is to cultivate local leadership for extending their support base. However, local government institutions perform their role more effectively if these function in a democratic environment. Democracy at the higher levels is conducive to strengthening the democratic spirit of local government institutions. They are better placed in a democratic framework to develop as an autonomous political entity and perform their development and welfare functions in an effective manner.

The underlying assumptions of local government institutions are three-fold. First, these serve as a training ground for the people for undertaking responsibilities at the higher level. The people get the first lesson in art of governance at the local level. Later, they graduate to the higher echelons of elected bodies and administration. This gives them useful experience and confidence in their ability to manage their affairs. Second, local leadership has a better understanding of local problems which is mobilized through elected bodies for addressing them. By transferring exclusively local affairs to local government agencies the higher level administration can pay more attention to the issues at the national and sub-national levels. Such a division of responsibilities improves administrative efficiency and creates a strong sense of political participation among the people. Third, elected local government provides institutional arrangements and political linkages for community participation in development and welfare work. The experience of the developing countries shows that welfare and development work in a community is performed in an effective manner if the leaders and other activists of the concerned community are involved in identifying the problems, selection of strategies to cope with these problems and implementation of development and welfare projects. Elected local government pursues participatory development.

Historical Overview

The roots of the current local government system can be traced back to May 1882, when Lord George Rippon (Governor General and Viceroy of India, 1880-1884) initiated local government in British India. He examined the Mughal administrative system, local traditions and British liberalism to introduce district and sub-district boards. Several changes were made in the 20th Century, including the setting up of municipal committees in urban areas. This system was constrained by the over-riding powers of the district administration and the colonial administration under the Viceroy.

Pakistan inherited this system of local government which was dominated by the bureaucracy and the provincial/national governments. In the early 1950s the Village Agricultural and Industrial Development Programme (popularly known as Village AID) was launched for development and welfare work. Another programme, Community Development, was later introduced in urban areas.

The first attempt to introduce a comprehensive and integrated system of local government was made by the military government of Field Marshal Muhammad Ayub Khan who introduced the Basic Democracy System (the BD system) on the first anniversary (October 27, 1959) of his assumption of the Presidency. Originally the BD system had five tiers. The top level was done away with when the 1962 Constitution was introduced and the national and provincial assemblies came into existence. The BD tiers were Union Council or Committee, Tehsil or Thana Council, District Council, and Divisional Council. The people directly elected 80,000 members of the Union Councils and Committees, divided equally between East and West Pakistan. The higher levels were elected indirectly. Initially, the government nominated government officials and non-official members. Later, the nomination system was discarded. The military government made ample funds available to these Councils because it wanted them to succeed. The elected BD members also served as the Electoral College for electing the President, the National Assembly and the Provincial Assemblies under the 1962 Constitution. The BD system got so closely identified with Ayub Khan that it could not survive after his exit from power.

The Pakistan People's Party (PPP) government led by Zulfikar Ali Bhutto announced the People's Works Programme (PWP) in May 1972 for improving the quality of life for the people by improving rural economy and living conditions in urban areas. It also aimed at combating unemployment and under-development. The Punjab Government issued a local government ordinance in the same year. This ordinance was not implemented. In February 1975 the four provincial governments issued local government ordinances

to set up three tiers system in rural areas and a three tier system in urban areas. These local bodies were not established because the government did not hold elections. For all practical purposes, no elected local government existed during the elder Bhutto rule. The development work was undertaken through the PWP and Integrated Rural Development Programme.

The military government of General Zia-ul-Haq established a three-tier local government system in 1979, elected on non-party basis. These partyless elections were held in 1979, 1983, 1987 and 1991. It is interesting to note that General Zia-ul-Haq's military government held local government elections in 1979 and 1983 but postponed national and provincial elections. These institutions functioned as an appendage to the military government of General Zia-ul-Haq and were meant to build support for the military government through the elected local councilors. The post-Zia civilian governments continued with non-party local government elections which were held in 1987 and 1991. These governments lost interest in the local government system and relied on members of the parliament and the provincial assemblies for addressing local problems and development work.

The caretaker government of Dr. Moeen Qureshi suspended local government institutions before the 1993 general elections. The subsequent civilian governments did not show much interest in reviving them. The Punjab and Balochistan held lack luster elections to local government in May 1998 and May 1999 respectively.

The Local Government System, 2001

The military government of General Pervez Musharraf decided in 2001 to introduce a new and elaborate system of local government which comprised three levels: Union Council, Tehsil Council and District Council. Its first elections were held in phases in 2001 and the system was launched on August 14, 2001. The next elections to local government were held in July-September 2005. The political parties were not allowed to participate in these elections.

However, the major political parties either fielded their candidates under new group-labels or supported some from the sidelines.

The current local government institutions, especially the District Council, are assigned more powers and functions than their counterparts in the past. The District Nazim (elected head of District Council) occupies a pivotal role in the local government system, curtailing the powers of the bureaucrats at the district level.

General Pervez Musharraf's government projected the local government as the first step in building democratic structure and bringing forward the genuine representatives of the people. This was also described as a participatory arrangement for transferring the fruits of socio-economic development to the grass-roots level for improving the quality of life for the ordinary people.

Despite the wholehearted support of the Musharraf government and availability of funds the system of local government has faced a number of problems. The major problems include the differences between the District Nazims and the provincial governments on the exercise of power and appointment of officials at the district level, disbursement of development funds by the District Nazim/Council in disregard to the political agendas of the parliamentarians from the district, conflicts between different levels of local government on distribution of development funds, corruption and mismanagement, and periodic disagreements between the bureaucrats and the District Nazim and the Nazims of lower level councils.

The 2005 local government elections produced serious opposition complaints about official interference in favour of the pro-government candidates. The provincial governments of the Punjab and Sindh actively supported their candidates, especially for the position of District Nazim in their respective provinces.

The system of local government, functioning since August 2001, has generated polemical debate in the political circles. The official

narrative highlights the local government system as a major achievement of the Musharraf government which has set in motion an era of genuinely popular governance and development work at the lowest level in Pakistan. According to the official perspective the new system has empowered the ordinary people and it has given a clear precedence to the elected representatives over the bureaucracy at the district level and below.

The non-official and the opposition narratives express varying degrees of criticism. Some critics take exception to some specific aspects of its working and make suggestions for improving the system. Others complain about the undue interference by the provincial or federal governments, and conflicts between the Nazims and the parliamentarians or the provincial governments. Still others point out that the development funds are often disbursed on partisan considerations by the Nazim and the provincial government. The latter uses its power to pressure the Nazims that do not identify with the ruling party at the provincial level. There are those who view local government as an extension of the Musharraf government and the ruling Pakistan Muslim League. Their opposition is part of their over all negative disposition towards the current political arrangements.

Rationale of the Book

The book includes major articles, commentaries and editorials published on the local government system in the major Pakistani English and Urdu language newspapers. This provides a fair representation of the perspectives of different political circles and leaders of public opinion. Each article is independent, although these have been categorized on the basis of the point-of-view of the authors. However, some articles express several opinions which cause problems in their categorization.

The most outstanding feature of the book is that it accommodates all the major perspectives on the local government system, enabling the readers to get information and arguments on all aspects. The publication of the book has also preserved important

political discourse on the local government system which would not have been accessible to most readers as it was originally published in different publications over a long period of time.

The first part of the book 'Devolution: The Saviour' includes the articles that explain and rationalize the local government system. The articles express varying degrees of support for the system. The interview of the current Chairman of National Reconstruction Bureau (NRB), Daniyal Aziz, provides useful insights into the official perspective. Some other articles endorse the underlying assumptions of the system and support it.

The articles in the second part 'A Debate' discuss the local government system and other changes that have been made in the administrative system, including the problems of implementation. These articles are generally sympathetic but some of these express cautious criticism and make suggestions for improvement. A two-part article by the founder-Chairman of the NRB, Lt. General (R) Tanvir Hussain Naqvi is included in the second part.

The Third section of the book 'the Critique' – includes articles and comments that take an issue either with the whole system or focus on some particular aspect. Some people are not impressed by the performance of local government while others focus on mismanagement, corruption, politicized use of these institutions and their funds, their troubled interaction with the members of Parliament and the provincial assemblies and the provincial government. There are complaints about intra-local government conflict and the provincial government interference in local government elections in 2005.

The last section includes leading newspaper editorials on the subject and some letters to the editor. This collection enables the readers to understand how the local government system was received by the Pakistani press. This is a good representation of Pakistan's English language press.

The book is useful for students and scholars undertaking research on Pakistan's local government because they can find useful material in one volume. This is equally relevant to the general readers who want to understand the rationale and dynamics of local government and get information on its operational problems and weaknesses. For the government circles, especially those dealing directly with local government, the book will help them to understand the perspectives of political analysts and other politically active people.

The articles, comments and editorials included in the book show that there is realization in the country that there has to be an effective local government system. Most appreciate that the government has introduced a new local government system in 2001 and intends to support it. However, the local government system has not been able to command a widespread acceptability in the country.

Some people have strong reservations about its role and performance. There are those who got alienated from the local government system because of the active involvement of the provincial government and major political parties in the election, although the elections were supposed to be held on non-party basis. The active involvement of the provincial governments in support of their favourite candidates in the 2005 local government elections has adversely affected the credibility of the system.

Elected local government contributes to strengthening the people's attachment with the political system and helps to bolster democracy only if it is allowed to develop as an autonomous entity. Whereas local government needs the financial and administrative support of the higher-level political leadership and administration, the latter should avoid overwhelming it. If the provincial and federal governments resort to undue interference in its affairs, especially in the management of development work, or manipulate its elections, local government suffers from the crisis of credibility and it cannot endure the political breakdown or upheavals at the higher levels. It is no surprise that local

government's track record in Pakistan is characterized by discontinuity, often affected by political and constitutional breakdown or upheaval at the national level.

The present-day local government system can become viable if its institutions and processes are allowed to develop autonomous of the political processes at the national and provincial levels. Further, local government system must address the problems of poverty and under-development in rural areas. Its endurance also depends on the credibility of its elections. The manipulation of the electoral process by the rulers/dominant elite may serve their immediate political interests but undermines the prospects of improvement in and continuity of the current local government system.

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