

**Problems and Prospects of Decentralization in Pakistan:  
A Study of Musharraf Devolution Plan**



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**Abstract:** Pakistan has had a long history devolution plan since independence. However, every local government has been masterminded and implemented by the military dictator. Musharraf, after taking over the affairs of the government, introduced a system of local self-government whose elections were to be held on a non-party basis. Although this was one good initiative as the system transferred powers to the grass root level by empowering the local population, tried to ensure the financial autonomy of the local government institutions, and provided for the civilian supremacy of the elected representatives over the more powerful bureaucracy. However, despite all these good points, the system came under hot criticism for many of the loopholes that the authorities filed to address. Perhaps, the most important was the election on a non-party basis. Furthermore, a continuous tussle between the elected representative and district administration hampered the smooth running of the affairs of the district. What this paper concludes is that there is plenty of room for improvement in the system.

**Key Words:** Local Government, Musharraf, Devolution Plan, Representatives

## Introduction

General Pervez Musharraf, the Army Chief, overthrew an elected government on 12th October 1999. Later on, this military coup was legitimized by Musharraf through various so-called reforms. Amongst all the important ones, and the first one was his seven Point Democratic Agenda. The so-called agenda was announced by General Musharraf while addressing the nation as Chief Executive. In his speech, he stressed various problems faced by Pakistan, focusing on the weak economy, peace and stability, provincial disharmony, which caused cracks in the federation. In the initial days, he claimed that the Military forces had no attention and greed to seek power or to stay in power, which would hamper the flourishing of democracy in the country; for this purpose, he introduced the seven-point agenda having the major idea of Local Government ([International Crisis Group, 2004](#)).

The National Reconstruction Bureau (NRB) was established by Musharraf in November 1999. The

NRB was assigned various tasks, amongst which the core one was to introduce a scheme for the devolution of power. The 2000 pattern of Local government Plan was announced on the 23rd Day of March 2000. That plan was developed by NRB on a priority basis. The main purpose of the developed plan, i.e. “Local Government Plan 2002”, was to heighten and strengthen the basic democratic institution, which will empower the citizens at the grass level ([International Crisis Group, 2004](#)). Five fundamentals were put forwarded in the LG Plan 2000: decentralization of management functions, decentralization of administrative authority, diffusion of power authority nexus, and distribution of resources to the district level and finally, devolution of political power. Under that plan, Local governments were introduced at three levels: union, tehsil and district. For the new district government set up, in 2001, representatives were elected as a result of non-party elections. At the three levels, the elected local

governments were established. In the history of Pakistan special ratio of representation of various class and gender was introduced for the very first time. At all of the levels, 2 seats were reserved for workers /peasants and minorities. Women were also given a significant weightage by allocating 33% reserved seats in the local government at each level. To abolish and eradicate the indifference and division between rural and urban areas, both were assimilated and joined administratively and structurally as well. Under “Local Government Plan 2000”, Nazim and Naib Nazim were introduced instead of chairman and Deputy Chairman, respectively (Khan, 2006).

There are a lot of countries in the world that are enjoying Parliamentary democracy in their respective political system. The political system of these countries consists of three tiers which are Central, Provincial and Local governments. The gist of these parliamentary form of democracies is local government, as it helps in strengthening the democratic cultures and values in these democratic countries. The constitution of our country also provides for a similar form of government on the pattern of the Parliamentary democracies prevailing worldwide, i.e. federal, provincial and local government. In Pakistan, the Parliamentary form of government is installed, but it's a bicameral legislature, and it's a form of government in which powers are withheld by the Centre and provinces are at the mercy of Central Legislatures but after the 18th amendment with the abolishment of the concurrent legislative list to larger extent power had been devolved to the province which a good omen for the strong democratic process and provincial autonomy in the future. The federal and provincial governments were conceptualized by the elected and authoritative regimes. However, the local governments were only installed by the authoritative and military rules. It was for the purpose to reinforce their illegitimate ruling and weakening the political parties at their grassroot level rather than meeting the constitutional requirement. The elected regimes in Pakistan had paid zero attention regarding the establishment of the local government in the true sense. This is the major reason of which the elected governments totally failed to tender they're demanded and required services to the citizens of Pakistan. By ignoring such an important constitutional requirement, the state was not able to develop and build a very responsible relationship with its subjects. In the history of Pakistan, General Ayub

Khan was the first ruler who introduced the local government titled as “basic democracies”. The former president of the Islamic Republic of Pakistan, General Zia, also launched Local Governments in 1979 by implementing the “Local Government Ordinance 1979”. With the compliance of this ordinance, he arranged non-party elections in 1979, 1983 and 1987. He enormously supported the local governments by sponsoring and providing massive funds to their relevant sectors. He also held non-party based general elections in 1985. The general elections of 1985 were for the national and provincial assemblies, after which General Zia adopted the policy of conciliation by introducing the tradition of equal distribution of funds. According to this policy, he allocated 5 Million PKR for the National and Provincial legislators. The said allocated amount was enhanced in the various governments by maximizing it to 50 Million PKR. However, it was reduced by the current government to 10 Million PKR. In the regime of Ayub and Zia, Deputy Commissioners and Commissioners were there to operate and supervise the local government. This patronage and supervision brought the local governments under the strict control of the provincial government. During the Musharraf era, local government was presented with new schemes with certain amendments. It was a very bold initiative, but up to some extent, this model confirmed the demanded model of local government by the constitution. It empowered the members of local government at the grass root levels and thus helped to a larger extent in curtailing the powers and monopoly of civil bureaucrats at the district level by eradicating the offices of the District Magistrate and Divisional Commissioners. The introduction of the said model also caused the separation of the judiciary at the district level from the executive office. Pro-Musharraf government led by PML-Q brought some changes in this model by modifying some of its basics and restricting some of its features. As a result of which they initiated the process of decentralization of some of the developmental sectors. The changes made to the model were highly opposed by the legislators as they have had a very large interest in having the developmental funds within their hands. They also showed resistance regarding the dominance of the most powerful bureaucratic groups like DMG and Police because these groups had a big stake in the civil bureaucracy at the district level. The then President

Musharaf quitted before this opposition and resistance. After the general elections in 2008, the democratic setup was restored. But unluckily, all of the provinces abolished the model of local. No province had made serious efforts to hold any type of elections for the establishment of the local government. This created a very large gap between the theory and practice of the democratic government. The constitution of the Islamic Republic of Pakistan, by Article 140 A (1&2), provides for a Local government and devolution of powers to the provinces. This article visualizes provincial autonomy and makes the central legislature devolve powers of legislation to the provinces and as little as possible power to do legislation on the subject be left with the Central legislature. The article of the constitution made it obligatory that elections must be held under the supervision of the Election Commission. In the light of these very specific recommendations of the constitution, every central government of Pakistan is required to establish a local government.

### **Organizational Structure of the Musharraf Devolution Plan**

Under the Musharraf Devolution Plan: Union, tehsil and district councils were established means three levels were formed in the local government. An administrative structure, an elected body composed of men and women councillors, a Nazim and Naib-Nazim were the ingredients of each level of the local government. District, Tehsil and Union Administration were titled for the administrative structure of the district, tehsil and Union Councils, respectively. The heads of their respective administrative councils were called Nazims. The Union Council' members were elected directly. The district and tehsil councils' elected bodies were comprised of Union Nazim and Naib-Nazim. The 30 organizational structure of the local government is given in the following:

#### **First Tier (Union council)**

Union council is the first tier in the structure of Musharraf's local government. At the union council level, there were three portfolios: Union Administration, Union Nazim and Naib- Union Nazim. This tier was introduced in both of the local areas, i.e. urban and rural. The strength of the representation of all the bodies in the urban and rural areas was kept equal. The strength of the seats in each

union council was 21. To monitor various specific functions and developmental works, various committees were formed. Secretary Community Development, Secretary Municipal Functions, and Secretary Union Committees were the three secretaries to manage all those functions. Amongst the twenty-one seats: four were reserved for women and eight for men titled as Muslim General Councillors. Peasants and workers were given six seats with a representation of two for women, one for minority, and the rest of two was for Union level Nazims, which were the highest seats of the Union council. Usually, a union council had 18 wards comprising of 25000 populations approximately. A member ward was given to all those villages which were small in the strength of population as they were jointly grouped into a single member ward. Those villages which were having large populations were given many wards titled multi-member wards. The Nazim and the Naib Nazim of the Union were elected directly from the concerned union council, while the rest of the union councils' members were elected indirectly from the single-member ward or multi-member ward. In Musharraf, the Local reforms scheme was deemed to be a balance system as an attempt was made to give representation to every faction of our society. It was a little example of decentralization by sharing and distributing powers among the local representatives at the grass root level. Musharraf scheme stresses the formation of different committees for the effective implementation of devolution of power. In this scheme, power was equally distributed at district, tehsil, union council level and different portfolios of District Nazim, Tehsil Nazim, and their Naib Nazims etc. were created for the better administration and smooth running of local government. Taluka / Tehsil council Next to the union council was the Tehsil council, the second higher tier of that local government. There were four ingredients of which the tehsil government was composed: the tehsil administration, the tehsil council, the Naib Tehsil Nazim and the tehsil Nazim. Naib union Nazim of all the union council was included to form an elected body titled as Tehsil Council.

#### **District/ Zila council**

In this local government, the District Council is at the apex level of hierarchy. It had great importance as the whole district administration runs from the upper head, which is District/ Zila Council. The District

Council is consist of District Nazim and his Naib Zila Nazim. District Nazim is the head of the District government and acts as the Chief executive of the entire district, while the District Naib Nazim work as his Naib and assist him in the smooth running of the district government. The election of both District Nazim and Naib Nazim is unique in the sense that both of them are elected as joint candidates. All the councillors of the district vote, and the successful candidates get the majority vote from the councillors of the district. Their election is indirect in nature as they are not directly elected by the popular vote of the people. The education qualification for the office of District Nazim and Naib Nazim was fixed Secondary School Certificate. It was the minimum qualification for the candidature of District Nazim and Naib Nazim. It's one of the good reforms in the present scheme of local government. In a district council, the women, worker-peasant and minorities were given representation by 33% for women and 5 % for the rest of each section of society.

### **Salient features of the Devolution Plan (2000)**

The Devolution Plan (2000) had certain distinguishing features from the previous two government systems ([Rana, 2019](#)) is of the view that irrespective of the fact that the recent Devolution Plan converges with multiple provisions of the past two local body election reforms but still there are certain areas where modification and improvement had been made which distinguishes this plan their previous two local elections. It is a good thing that one-third of seats have been reserved for women while religious minorities have been given due consideration by bringing them into mainstream politics. Citizen Community Boards is a new concept in the recent reforms scheme. Its work for the development and welfare of their localities and citizen. Citizen Community Boards is comprised of non-elected members. The CCBs play a vital role in the development at the local level of society. It is mainly funded by civil society and local government ([Grindle, 2007](#)). It creates coordination among the masses and local government and similarly helps in reducing workload from the local government. The CCBs engage the citizen in a spirit of self-help and keep them motivated to improve their living condition by taking the initiative in community development. The direct role of the union at the election of higher tiers of government is also a distinguishing feature of

this reforms scheme which distinguishes it from the previous two systems. In the new system of local government, the Union Nazim and Naib Nazim are also by default members of Tehsil and District Council. Similarly, the councillors of the entire district constitute the Electoral College for the election of District Nazim and District Naib Nazim. This is in similarity with the US President Election Electoral College. The representation of the lower tier of government in the election of the higher tier lead to a kind of empowerment to the lower tier as they use this opportunity to keep the higher tier accountable and under continuous pressure for better administration of the district government and fulfilment of their due demands. This current structure of governments at three levels of its hierarchy are interlinked and connected with each other, which is a good omen for the smooth and progressive running of the district government. It will keep all the tiers focused and connected with each other. It will bring harmony and a spirit of coordination among these tiers of government. It will ultimately help in the timely release of developmental funds and accountability factors. In the recent reforms, DCO had been made subordinate and answerable to a publically nominated member. District Nazim rather than the previous system in which the District Coordination officer was answerable to a non-elected provincial secretariat. In order to abolish the Rural and Urban divide, both the system had been bridged by the integration of these areas in one equal block. The Provincial government promulgated Local Government Ordinances in August 2001 and thus gave all the three tiers of the district government equal duties and responsibilities in the fields of public service delivery with the independence of separation of powers and a vigilant accountability mechanism. This system had distributed the powers among the three tiers of district government and made them liable to bring improvement in the field of health, education, social welfare, sanitation system, water drainage system. This system will help in the decentralization of powers from the center to the small units at the grass root level. The tilt of power will now from center toward the provinces and further towards the district, tehsil and union council at the local level ([Talbot, 2005](#)).

### **Decentralization – Issues and Perspectives**

Decentralization is the devolution of powers from

center to the federating units. The Center devolved powers to the units, which helps in the administration of good governance. The decentralization has been classified and explained in four different forms by different authors. The Classification is made in four major groups. It is De-centralization, devolution of powers to semi-autonomous and other semi-state agencies. It also includes the transfer of powers to non-governmental institutions from the governmental institutions (Tomancy, 2016).

According to (Rondinelli and Cheema 1983), Decentralization is the distribution of powers by the central government administrative units. It is the transfer of powers from the central capital to the units federating units. The center transfer not only powers to the units but also gives the power to legislate on different subjects to the provinces. It is simple words that mean the powers are de-centred from the Center to its units. The power scheme is redistributed and scheme is changed from the Centripetal to the centrifugal direction. The centre of gravity that was the centre is transformed, and the provinces are made empowered, which is the gist of the process and the idea of decentralization. The process of De-centralization is also a form of redistribution of powers from government bodies to the not governmental organization and institutions. It also includes the transfer of power to legislate to the lower units of government and state. The use of decentralization and devolution and two sides of the same coin. These terminologies are used for each other, and sometimes, people misunderstand this phenomenon. Both terminologies are interrelated. These are two phenomena that are self-explanatory rather than two different ideas and perspectives. In this study, a brief account of the different perspectives and approaches of the process of decentralization has been reviewed and critically researched in detail. The comprehensive study of all reforms introduced through local body elections made it evident that there were certain factors that are responsible for making decentralization a weak attempt. The incompetency of representatives, lack of vision on the part of our political rulers, deficiency of resources, lack of managerial skill and training of the local representatives, coordination among the institutions were responsible for the undermining of the process of decentralization (Murtaza, 2016) In other words; it will not be wrong to say that unfortunately our democratic leaders,

politician want a democratic process in the country but in reality they also hesitant to share the powers with the common masses which also the main cause that the power does not devolve at the gross root level. The Pakistan case study of local body election reforms is the best example as only four times local body election had been held since partition and first three times the credit goes to the military ruler who introduced reforms with vested interest while only for the last time in May 2015 local body election was held under the supervision of democratic governments but here also the credit goes to the supreme court of Pakistan which thankful take notice and shows judicial activism which made the provincial governments compelled to hold the local body elections.

The list of factors responsible for the undermining of the process of decentralization is very lengthy, but one main reason is also the lack of interest of the common masses owing to the weak financial status and worry of the bread and butter. The people said that there is a lack of Political Activism, which also cause to undermining of the process of decentralization. The fact is that in developing countries like Pakistan, where the poverty level of people is high, and a great number of people live under the poverty lines, in such circumstances expecting political activism is just daydreaming. A person who could not provide his children one time meal how he can take part in political activities like procession, strikes, and struggle for rights. He only strives to work day and night in one way or other to provide his family one time meals. He could not afford time for all political activities as if he took part in political activity like a protest; he missed the opportunity to provide even one time of meal to his family as he ran his family on daily wages. One of the factors which had undermined decentralization is also illiteracy and the absence of a vibrant and fully awarded civil society. A civil society that is fully aware of its rights and liabilities will compel its government to make the process of decentralization a reality.

In our country, the apolitical culture, elitism, the high flooded use of money in elections, and lack of interest of educated and literate people in politics also provides an opportunity to the selfish and powers hungry incapable and illiterate people to rule, which is also one of the reasons that powers do not reach to the lower level. The open civil society is interlinked with the literacy ratio of a country. Only in a literate nation, the idea of an open society can be expected. In Pakistan,

we also face the problem of literacy. The literacy ratio is very low, which leads to ignorance of our rights and responsibilities. Resultantly we have a passive and uneducated civil society. The role of civil bureaucracy is also responsible for the hindrance in the full-fledged administration of decentralization in the country. Tenure-based governments always face difficulty to materialize their agenda, and manifest as a permanent civil bureaucracy creates hurdles in the name of technicalities. The role of civil bureaucracy is instrumental in making the process of decentralization a reality. It's the civil bureaucracy that makes the process a difficult job. Secondly, there is always civil-military differences which lead to affect the distribution and balance of powers among the institutions. It will not be wrong to say that weak institutions and lack of strong coordination among the institution internally are also responsible for the hampering of the process of decentralization. In addition to all the above-mentioned factors, tribal culture in our society and the culture of corruption is

also one of the main factors which are responsible for the undermining of the process of decentralization.

### **Conclusion**

The local government structure is the backbone of any democratic system. It helps devolve power to the grass roots level and empower people on the ground. However, local government in Pakistan still continues to remain in the experimentation stage. Ironically, local government in Pakistan has traditionally been masterminded by the military dictators their own political agenda. Elected civilian governments have never allowed local governments to establish and take roots. For that reason, this system is still faced with challenges and problems. For democracy to develop, it is important that local government system must be given time and resources to develop and bear fruits. Only this way, democracy can develop and flourish in a society like Pakistan.

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