

COMPARISON OF LOCAL SELF GOVERNMENT CONCEPTS OF AYUB AND MUSHARAF DEVOLUTION PLAN

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ABSTRACT

An analytical and comparative (Qualitative) approach has been adopted to study the Local Government system of Ayub and Musharraf in Pakistan as it has a deep impact on Politicians, bureaucracy and the masses. Political thinkers in Pakistan, at various occasions have designed the institutional structure without realizing the popular support hence the benefits to the masses could not be shifted in real sense. So it resulted in the “tug of war “between” various segments of the society. The second part is the comparative analysis of President Ayub BD system and General Musharraf Devolution of Power Plan. In this regard, the current study is an attempt to compare the devolution plan of Musharraf and Ayub regimes with the aim that which plan was most effective. Comparison of both era proves that Musharraf devolution plan is better as compare to Ayub concept of local Government.

Keywords: *Local governments, Bureaucracy, Devolution Plan, Perception and Misperception*

INTRODUCTION

Local self-government system is one of the most effective systems around the world to bring democracy at the grass root level. It has become inevitable in order to manage the affairs of the state. This practice has its roots not in Middle Ages but even earlier in the history. Basically this decentralization is done purely on administrative basis (Farooq, 1989). The term local government is not new to the Subcontinent as we can find its roots as early as 300 BC in Ancient India. It was present in the form of panchayat system in Ancient Indian (Hinton, 1963). This research in an endeavour to perceive the actual position of the local government system that whether it is as useful in Pakistan as it is appreciated and successful in almost more than forty countries of Common Wealth. The impediment faced to run system effectively some suggestions and recommendations will be put forward. The roots of indigenous system are very deep in the history of the Subcontinent. To find out about the origin of these local bodies we have to go through the history of political structure prevailed in the subcontinent.

The political system was developed through ages from ancient times to modern era. The roots of the local governing system were present in ancient India, in the shape of municipalities in ‘Indus Valley Civilization’ till the present time (Rumi, 2006). Kautilya was an important figure at the court of Mauriyan Empires (Hinton, 1963). The Mauriyan rulers were the ones who introduced this

local government system in India who was involved in in earliest classic texts collection. Mauriyan rulers had a centralized system of government however the village affairs were controlled by the village assemblies or “Panchayat” (Kumar, 2013). The Mughals were the greatest, best organized and prosperous, highly centralized but governed by efficient civil servants and administrators both Hindus and Muslims. (Hinton, 1963). The Mughal empire was divided into 12 -15 provinces during Aurangzeb’s rule. These provinces were subdivided into districts and divisions. The Mughal rule was ma mixture of Persian-Arabic rules of governance with elements of Hindu rules of governance (Khan, 2009).

The British introduced the local system of governance by appointing local representatives based on the pattern of village Panchyhet. The British introduced the Zamindari system to have an easy access to the villages (Kumar, 2013). Pakistan after its independence experienced political instability and frequent administrative changes. Since the creation of Pakistan the question of having of adequate system of government has always been in the lime light. Pakistan is a pluralistic society having different religious, linguistic, ethnic, cultural, sectarian and parochial segments of the society living with each other all these groups have their own aspirations and demands which can’t be ignored by just thinking that most of the population is Muslim. (Khan, 2009). In the post-independence era a little emphasis was paid to local system of governance. During decade of 1950’s, local governments were weak. AHK (2013), Pakistan consumes a deprived historical background of constitutional development for more than half of its early years. Initially Pakistan faced problem of division of power between the centre and the provinces.

The history and geography demanded that Pakistan should have federal system but unfortunately the makers of the constitution failed to achieve a mid-way between the two schools of thoughts i.e. the school demanding the greater authority provinces and the school advocating the greater authority for the centre (khan, 2009) the first constitution failed to satisfy the both and the major steps toward the local governments were taken by General Ayub khan in form of basic democracy system. There is an interesting fact about local governments in Pakistan that they only flourished under military regimes whether it was Ayub Khan, Zia or Musharraf (AHK, 2013). The system introduced by Zia experienced a lot of structural reforms in the local governance system. Significant change was the election of the local bodies by adult franchise. They were given much political and financial authority. It can be justified that this was a foundation step towards the local government system (Ayaz, 2011). This research is designed to compare two vital eras of local Governments i.e. President Ayub’s BD system and General Musharraf’s Devolution of Power Plan.

LITERATURE REVIEW

General Ayub Era

During General Ayub regime, organisation of indigenou government was given lots of importance. He built his system not only to run an indigenou government but to achieve duty of a democratic

college of the president and the assemblies at national and provincial level (Ayaz, 2011). Ayub system was a new induction to the political system of Pakistan. This system however had some specified objectives like:

- To shift political participation from urban to rural.
- Introduction of presidential system, its Electoral College and continuation of this system
- A system made to counter influence of political parties
- The creation of a non- political system for awareness and equality among the masses
- Involving public in the form of decentralization.
- To counter involvement of bureaucracy and controlling democracy (Mussarat, 2012).

The system was established under order of Basic Democracy 1959 for rural zones and Community Administration Ordinance 1960 for urban areas. This system was consisted of four tiers:

- Union council in the countryside areas and town committees in the metropolitan areas formed the lowest tier
- Tehsil or Thana council in urban parts and community committees and cantonment boards in city areas
- The other two councils namely district and divisional council was the same for urban and rural areas.
- However the controlling power was held within the bureaucracy who could stop the proceeding of any work or suspend any bill passed by the local bodies (Cheema, 2005).

The system introduced were General Ayub failed to achieve its targets because it didn't relay on the sole responsibility of local administration rather its scope was widened to select the president and the national assembly. This system refrained the locals from choosing their representatives and declared it "against the genius of the people" (khan, 2009). Friedman however states: The simple consensus is not, in reality, democracy for it does not characterize control by the people over government power except in a particularly limited manner (Friedman, 1960). But even then it can be justified to state that it was the first step toward the devolution of power from the centre to the locals as Ashford states writing in 1967: "The decorative organisation of councils organized by the Pakistani military bureaucratic oligarchy is certainly the most motivated of the three systems for local reforms" (Zaidi, 2005).

General Musharraf Era

The devolution of centralized government was revived in its true spirit during Musharraf era. For this particular purpose an ordinance was included in sixth timetable of constitution as "Provincial Indigenous Government Ordinance 2001". The local bodies established under this ordinance were based on these five principles:

- Decentralization of political power.
- Delegation of administrative authority
- Deconstruction of management facilities

- Dispersion of power authority nexus
- Sharing of resources (Saadia, 2012).

The decentralization process initiated by the National Reconstruction Bureau Local Government Proposed Plan (LGPP) in May 2000, equally divided the authority and duties among the three levels of the government i.e. federal, local and local which empowered the local governments to carry out their duties. The Musharraf government was very keen about building a local government structure before the elections of the parliament. The system prepared by NRB was aimed at empowering the citizens of Pakistan (Webster, Friedman, 2006). The Local Government Ordinance 2001 put the devolution plan in-effect. General Musharraf declared ordinance as: “The beginning of productive, elected, energetic revolt whose individual aim was to give in the hands of the people the power to figure their own fortune”.

The aim was to provide people authority and power at the most basic level and to improve the quality of services for national development (Malik, 2009). The devolution of power plan had three tier structures:

- Union council: the lowest tier consisted of twenty one members out of which four seats were allocated for women and the members were directly elected.
- Tehsil council: the second tier having 2/3 member directly elected as “Niab Nazims “and 1/3 indirectly elected members having reserved seats for women and peasants.
- The District or Zila council it consisted of all the Nazims of union councils having 1/3 seats for women, minorities and peasants (NRB, 2001).

There were basic administrative changes made in the government departments. The local bodies and the government were integrated together at the point of bureaucracy being answerable to the elected Nazims. Secondly the administrative units “Divisions” were completely abolished. Thirdly local bodies were given many services like schooling and health. (Cheema, 2005). The devolution of power plan of General Pervaiz Musharraf did not prove to be effective as it had many defects. The structure of electoral system had an adverse effect as instead of union council campaigning for election there were Nazims campaigning on the behalf of union councillors. The other problem was the non- party based local government system which raised the “biraderi” system for elections. (Hussnain, 2008). There was also a lack of check and balance within system and worst of all was the clash of interests between the local governing bodies and provincial governments which created a lack of ownership between the government and the local bodies (Mmezzera, 2010).

DATA ANALYSIS

Following are the main characteristics of Ayub Local self-Government.

- To shift political participation from urban to rural.
- Introduction of presidential system, its Electoral College and continuation of this system

- A system made to counter influence of political parties
- The creation of a non- political system for awareness and equality among the masses
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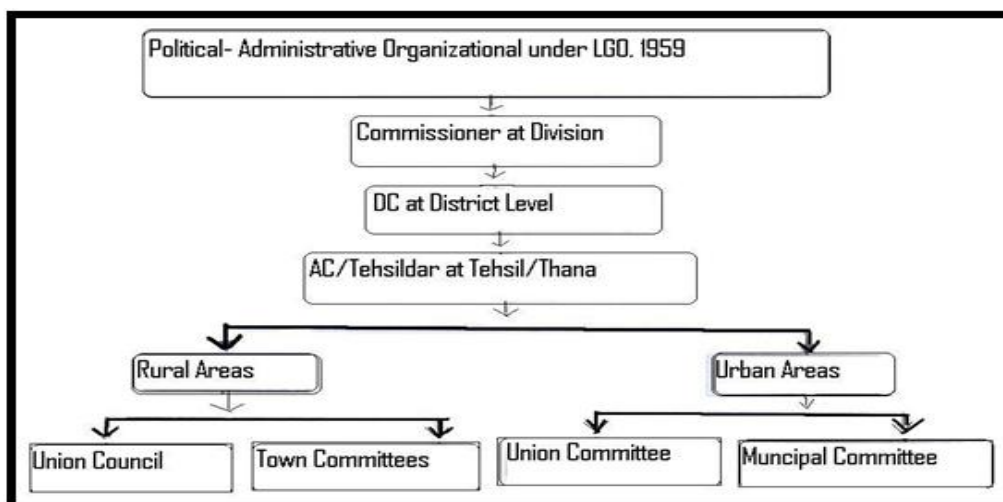
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Comparison of Ayub Basic Democracy and Musharraf Local Government System, 2001



Both the diagrams will provide the readers true picture of Local Body system which was a mixture of both government and indigenous democracy. The reason behind starting this system was to participate the municipal and countryside parts of Pakistan. In figure I, the BD System of Ayub khan was just created to provide the support to dictatorship. The BD system left judgment to the government and political governance were made subservient to bureaucrats like Commissioner at Division level, Deputy Commissioner at district level and Asst. Commissioner at Tensile/Thana level respectively by virtue of their appointment as Chairman. DC was empowered to exercise enormous administrative and fiscal controls under BD system governmental control was controlled. Arguing the leading role of public servant, Lawrence Ziring says: “The simple republic system in part goals at violating the authoritarian control of government, decentralization management, and nurturing the development of accountable management at the basic level. Though, at all the levels above the Union Council, the public servant sustained to control the sight.”

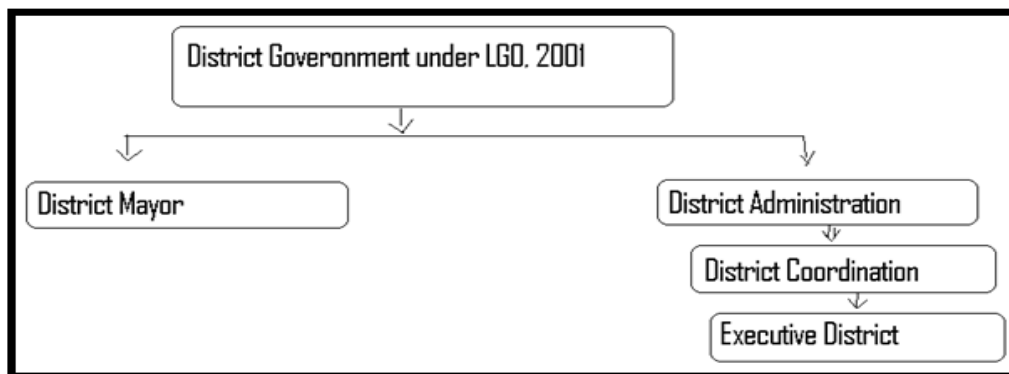
The immediate criticism levelled against basic democracies was that the system did little to free the citizens from the control of Bureaucracy and the professional administration had been made responsible for the success or failure of local ventures instead of elected chairman of the Union Council. The BD system came under criticism during Yahiya regime and was ultimately abolished in 1969. Pervaiz Musharraf presented the local administration system under Native Government Ordinance, 2001, under this law he put the bureaucracy under the peoples elected representative and district Government was headed under Zillah Nazim and Region Coordination Officer (DCO) was put the Region Nazim. This was first ocean that District Nazim was given the control to pledge the yearly performance reports of the District Officer. In fact this was shift from the colonial legacy and every time top bureaucrats at district and Tehsil level was scared off the District Nazim who was the actual head of bureaucracy. So, the bureaucracy started a front against the setup to make it a failure and to overall it according to their whims and wishes.

Musharraf devolution was widely criticized because he had weekend the police by removing the police from the authority of the district commissioner (Burra Sahib) and now rename them district coordinating officer and placing them under the elected councillor i.e. Zila Nazim which the civil Bureaucracy is not going to accept. Musharraf has introduced a radical change to local government setting a side one-third of all local bodies' seats for women. He also has established a cabinet-level National Reconstruction Bureau to help develop new local structure and process for sub provincial government. Now under LGA 2013, the all concept was revised and some changes was made in the names and some characteristic of LGO 2001 were obtained, any how this document is full of ambiguity and doesn't say anything about sovereignty of political superiors. Local self-governance is the third level of government in Pakistan, after National Government and district government. Presently there are three kinds of managerial divisions of native government in Pakistan.

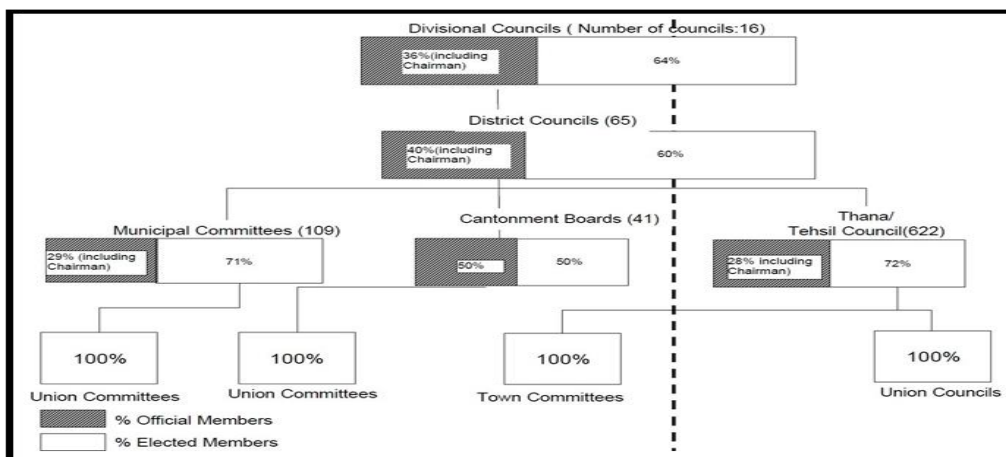
- Region government administration
- Urban Municipal administration
- Union council administration

There are more than five thousand governments in Pakistan. Since 2001, they have been controlled by legitimately chosen native councils, each controlled by a Nazim the word means Administrator in urdu, but in sometimes translated as Supervisor). Particular districts, including large urban parts are known as city districts. A city districts comprise of division called Towns and Union councils. Council elections are detained after every four years. Prior to it during Ayub Khan Era there were four tiers of administrative units of local government those were as under:

- Division level government administration headed by commissioner.
- District government administration headed by DC.
- Tehsil/ Thana level administration headed by AC.
- Union council level administration headed by elected chairman.



Structure of Local Governments under General Ayub



Factors Facilitated Bureaucratic Supremacy

The government has always on supreme and has controlled political system of Pakistan since its inception. It didn't allow flourishing the system due to ambiguous structure and clear demarcation of duties about the elected members. Bureaucracy always helps the political leadership to achieve their ulterior motives and material interests and in turn bureaucracy sought all types of favour from the rulers and added their powers. Due to this reason there was unbalance political system in Pakistan in this connection Riggs says: Bureaucracy is typically attracted to give favouritism to its own interests. Pakistan's governmental system can carefully be termed a bureaucratic polity, that is, an unstable organization ruled by an authoritative bureaucracy.

The everlasting environment of bureaucracy associated to temporary hold of the political leaders has also donated to total control of government on indigenous bodies. Bureaucracy is a permanent setup whereas political leadership keeps on changing as they come for specific time frame. The

reforms to enhance the efficiency local Govt. is always lack support from successor Government. This provides a chance to government to rollback these modifications which it reflects a danger to its position and power. It permits only those changes which suit its benefits. The condition would have been changed if political parties had constant managerial programme to implement regardless of the party that came to rule.

Perception

The concept of local government is the base of democracy as it provides the opportunities for the local publics' participation in the government (National Commission 2010). These local bodies can administer a small area like a city, town or a state etc. they are authorized to elect the officials collect taxes and can perform duties for their specific small area. These bodies are necessary for the democratic system as they give a chance to the citizens to administer their areas and solve their own problems (Khalid, 2014). The local governing system gives people the right over material and non- material resources by which they can change their conditions with their abilities. Local governments add its influence in political, economic and social development of the people (Khanal, 2005). Laski says *"we cannot understand the full advantage of autonomous government if we initiate by the admission that all issues are not vital issues and the consequence of difficulties are not central; in their occurrence required conclusion at the place and by the persons where and by whom the incidence is most deeply felt."* (Malik, 2006).

All the democratic countries have integrated local governing systems. However, there rules, authorities, duties and relationship with political systems is different in different countries. Every local system is provided by subsequent administrative and financial autonomy (Rizvi, 2005). A state is a combination of the people living in it and their interests as a nation. So a state can require some local organizations to fulfil requirements. It is a better way to run the government as far as local government is fulfilling its responsibilities within its limits (Maciver, 2000). Basically decentralization is the root to devolved responsibilities and resources to the locals of the state. It is for the improvement of service and good governance (Mmezzera, 2010). It is the most modern concept that the citizens should be given opportunities by the state to participate in the affairs of the government. It is the state's responsibility to provide a legal frame-work which should enable the citizens to participate socially, collect taxes and do something constructive (Saha, 2004). The local system of government is considered to be the backbone of democracy. It serves as foundation and involves people in local development and has a deep impact on people's lives which creates a higher public stake in democratic system (National Commission, 2010).

Misperception

No doubt that the decentralization or the devolution of power towards the local public is the most discussed and appreciated mode of government now a days but still there are certain misperceptions about this system in Pakistan. Unfortunately the investigation of the history of indigenous

governments in Pakistan exposes the fact that these local governments were made mostly by the military regimes to take charge of the state it can rightly be said that it was originally the need of the military dictators in Pakistan behind all the attempts to maintain these local governments and reforms (Cheema, 2005). Since Independence the devolution of power has been focus of attention in Pakistan. But the system adopted failed to fulfil the needs and the demands of the people. To remove the dissatisfaction of people many “experiments” were done at federal or provincial level but the resentment was increased not minimized (Musarat, 2012). Mushraf decentralization aimed only at provincial level not at federal, this clarifies and needs and considerate view that devolution was an attempt to restrict the authority of the federal government. This plan can be analysed as “*UN even progress between different levels of provincial and local government bodies failed in coordination between line departments and local governments. Local variations in the degree of community involvement in local department activities*” (Webster, Friedman, 2006).

CONCLUSION

The pattern of local government in Pakistan which exists now-a-days is the product of a long period of experimentation. The present system is characterized by a strong element of de-centralization and a minimum interference by central and provincial government. The local government structure needs comprehensive and defined framework within which local bodies can function independently and without nay fear and intervention. No doubt, there is tremendous progress in recent years but still local elected bodies are not well established in Pakistan. Ironically they have been most prominent during period of military dictatorship largely for cynical legitimization. De-centralization is reflected to be an important pre requisite for refining services delivery and insure viable progress. Contribution and participation of people in growth process at most basic level through their chosen representative in indigenous administration is important to support local democracy. Nevertheless, the centralization could be counterproductive if not correctly planned. They provide and outlet for power full rural feudal, by passing the more politically active and savvy urban area. For these very reasons elected governments have been wary of local government, though it is acknowledge that it must be straightened for democratization. A system which is truly democratic in nature and effected with a clear check and balance can be resulted in true system of democracy and only this system provides check and balances and crystal clear accountability.

Recommendations

The local government system in Pakistan has not proved to be successful but it is not a matter of disappointment as certain remedies are given by different departments and organization to eradicate weaknesses of local institutions in Pakistan. Organizations like United Nations, World Bank, Asian development bank, and international crisis group of Brussels have recommended to improve the structure and working efficiency of local governments.

- The administration and human resource capacity should be assessed and developed carefully.

- A strong link between district government and Tehsil municipal administration should be assured.
- A legal framework should be maintained to regulate the capacity of the local government administration.
- The close cooperation should be maintained between the government and local organization to achieve administrative effectiveness.
- The economic efficiency of local governments can be achieved by providing with due economic assistance and independence in policy making.
- All local bodies have lacked sufficient authority to fulfill their responsibility. They should be fully equipped with authority and power to perform duties satisfactorily.
- The revenue sharing criteria for expenditure and development needs to be increased for the purpose of regional development.
- The honest, knowledgeable and professional persons should be appointed around the local system administration.
- The representational seats of women should be increased from 33% to 50% in order to give them equitable participation in the decision making process.
- The decisions undertaken by the elected representatives of local governments through reconciliation should be granted the status of Rule of Law under the Judicial Recommendation and Arbitration Act.
- The right to impeach the District and Tehsil Chairmen should be granted to the Councilors to ensure accountability.
- Local Government Service Commission should be formed to recruit/post/induct staff on merit and oversee the transfer of administrators in coordination with the chairman of the District Council.

References

- AHK Resource Centre, UNDP. (2013). *Community Voices Towards Effective Legislation on Local Government*. Akhtar Hameed Khan Resource Center, KP, 2013.
- Ashford, D. E. (1967). *National Development and Local Reform: Political Participation in Morocco, Tunisia and Pakistan*, Princeton University Press, Princeton.
- Ayaz. M. M., Ghulam, Y. (2011). Local Governments and Empowerment of Marginalized Groups: A Case Study of BDS and LSG in Pakistan. *Pakistan Journal Of Social Sciences, (PJSS)*, 31 (1), 115-125.
- Cheema. A., Asim, I. K., & Qadir, A. (2003). *Local Government Reforms in Pakistan: Context, Content and Causes*.
- Cheema, A., & Mohmand, S. (2003). *Local Government Reforms In Pakistan: Legitimising or a Driver for Pro-Poor Change?* Unpublished mimeo.
- Dennis, A., Rondinelli, J., Nellis, R., & Cheema, S. (1984). Decentralization in Developing Countries, *World Bank Staff Working Paper No.58*, Washington D.C. The World Bank, P.1.
- Friedman, H. J. (1960). Pakistan's Experiments in Basic Democracies. *Pacific Affairs*, 33.

- Government of Pakistan, KP. (2012). Local Government System in Khyber Pakhtunkhwa: A Historical Analysis.
- Hasnain, Z. (2008). Devolution, Accountability and Service Delivery: Some Insights from Pakistan. *Policy Research Paper 4610*, World Bank, Washington DC.
- Hasnat, S. F. (1989). The System of Federation in Pakistan: "Constitutional Provisions for Decentralization. *South Asian Studies*, 6 (2), Centre For South Asian Studies, Punjab University.
- Hinton, I., Palmer, C., & Wheeler, K. (1963). *Major Governments of Asia*. Cornell University Press, Ithaca, New York.
- Kaviraj, S., & Khilani, S. (2001). *Civil Society: History and Possibilities*. Cambridge University Press, Cambridge.
- Khalid, T., & Sadia, B. (2014). Best Practices of Local Government and Pakistan. *Research Digest*, Pakistan Institute for Parliamentary Services, 1, 16.
- Kumar, P. D., Kumar, N., & Kumar, K. (2013). ICT in Local Self Governance: A Study of Rural India,"*International Journal of Computer Applications*, 83 (6).
- MacIver, R. M. (2000). *The Modern State*, Oxford University Press, London, Geoffrey, Cumberledge.
- Malik, N. (2009). The Modern Face of Traditional Agrarian Rule: Local Government in Pakistan", *Develompent in Practice*, 19 (8).
- Mussarat, R. M., & Azhar, P. (2012). Decentralization Reforms in Pakistan",*Journal of Public Administration and Governance*, 2 (1).
- National Reconstruction Bureau, (2001). The SBNP. *Local Government Ordinance 2001*.
- Rizvi, H., & Akbar, K. (2007). *The Evolution of Devolution: A Critical Study of New LG System*, Mashal Books.
- Rumi, A. (2006). Challenges of Urban Local Government in India. *Asia Research Centre Working Paper 19*.
- Saadia, S., & Ahmed, M. (2012). Political Administrative Structure of Local Bodies in Pakistan: A Case Study of City District Government Faisalabad, *Berkley Journal of Social Science*, 2 (6-7).
- Saha, D. (2004). *Civil Society and Modern Politics*. Global Vision Publishing House, New Delhi.
- Shah, S. A., Khalid, M., & Shah, T. (2006). Convergence Model of Governance: A Case Study of the Local Government System in Pakistan", *A Pakistan Development Review* 45 (4).
- Webster, N., & Friedborg, L. (2006). Final Report for Devolution In Pakistan",*Final Report Bankok*, UNDP Regional Centre in Bangkok,
- Zaidi, S. A. (2005). The Political Economy of Decentralization in Pakistan: Transversal Theme. *Decentralization and Social Movements*, Working Paper No 1.