

PATRONAGE POLITICS: THE CASE OF LOCAL GOVERNMENT IN PAKISTAN

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ABSTRACT

This descriptive and analytical study aims to expose the real intentions behind launching of different models of local government in Pakistan. Among liberals, local government is considered the nursery of democracy. Paradoxically, in Pakistan this nursery is flourished under the period of authoritarian rules. The three models of local governments are introduced in the era of Martial laws. The Basic democracy of Ayub, the local government of president Zia and the devolution plan of Musharraf are presented under the military rule. Throughout the political and constitutional history of Pakistan, the civilian regimes seem reluctant to introduce the local government. This article highlights the reasons behind the reluctance of civilians and the compulsions of military dictators to support the system of local government. The apparent reason is lack of parliamentary culture in Pakistan. Parliament is the exclusive channel to reflect the people's empowerment. The representatives are elected by the people to present their demands in parliament. All policies, whether internal or external, should be originated within the parliament. There is also the need of checking the civil dictatorship in the form of leading political parties and their chairmen. Thus the role of parliament is very important to introduce the local self-government in Pakistan. The governing elites, particularly the military regimes introduced the local government systems just to get political support for seemingly democratic legitimacy. The article investigates the intentions behind the scheme of local government in Pakistan. Both civilian and military have introduced the local government, but it could not produce the desired results.

KEYWORDS: Politics, Local Government, Civilians, Military regimes, Pakistan.

Introduction

The concept, local government is used in the meaning decentralization, improve the efficiency and quality of public service and empower lower units to become more responsive. Local government significantly promotes democratic culture at the local level. It is accomplished through delegation of administrative authorities, fiscal decentralization and Devolution of political power. (Manor, 1999)

Local government is generally viewed in the foundation of democracy at grassroots. With the democratic development at local level, it is the appropriate way for the development of the state where better utilization of the finance is allocated to the local politicians. Internationally its worth and value is also appreciated and encouraged. Most of the analysts among the donor countries along with the other international institutions of finance, consider local government more appropriate level of government to consolidate democracy. (Malik 2016)

It is the forum used by the local populations and citizens to settle their petty issues at local level. There is proper mechanism of local government, through which citizen can articulate their interests. The rights and obligations are also exercised at the grassroots level by the citizens. For instance, contractors assist the decentralized works and civic education to assist the CBOs. This assistance and support strengthen local communities and hence enable them to check the performance of local government. Gender equality and empowerment to the poor section of society is also prioritized. (UNDP 2004)

South Asian countries are facing many issues concerning the performance of local government. These few examples are vividly depicting the working of local government in the countries. The literature review shows that the reason behind the failure of local government in these countries is due to the weak and insincere efforts on the part of the central government to properly implement the system. In Bangladesh the level of corruption has been increased many fold due to the inefficient local government. Similarly the countries in Southeast Asia like Indonesia and Philippine, the system of local government is not successful. The level of corruption is also increased in these countries. The reason is the poor performance of local government.

There is strong system of downward accountability and local government discretion in Philippines. Although the allocation of funds to the local authorities is forty percent, but the fact is that the culture of patronage instead of discretion is the main hurdle to the downward accountability. (Hardiz, 2004)

The story of local government in Pakistan has both success and failures. The success remains with the incumbent government. With the change of government, the model of local government adopted by the government in power wiped out. Similarly, when new government is installed, the new model of the local government is introduced. The history of local government shows the inconsistency in the any model introduced by the military government. There are multiples factors behind the inconsistency and failure of the local government. It is very hard fact that the primary objective of the ruling elites at center remained to create such a sound system that could serve their predatory interests in better way. It has been the primary aim of the decentralization to assist and strengthen the military bureaucracy for the establishment of most centralized structure.

The policy of strong center has been achieved by different regimes through the tactics of marginalization of the mainstream political parties. Then the tactics of co-opting newly emerging politicians of local government is adopted. Resultantly, these newly emerging politicians served the central government instead of providing the services to the common people of their respective constituencies. Hence, it has been the prime objective and active game of the military regimes to always introduce the new model of local government. In the subsequent pages discussion will briefly explain the historical description of the local government in Pakistan and will expose the patronage politics of local government. However, before moving further, it is also relevant to describe the methodology of the research applied in this piece of work.

Research Methodology

Efforts have been made in this article to concentrate on both the theoretical and historical review of literature by using the case study method. In the section of theoretical review, decentralization in developing countries is studied to examine the relevant studies. So in this concept based literature review, better service delivery, accountability and grassroots

democracy form the theoretical framework. This approach of literature review is not confined to geography, rather it throws more light on the local governments in Pakistan as there is lot of similarity among the developing countries.

The other section of the literature review illustrates the historical perspective of local government in Pakistan. The historical literature helps to understand the different situation and circumstances of Pakistan. Through historical review it has been learnt that how Pakistan is different countries from the other developing countries. This approach of literature review helps to address the major question politics of local government in Pakistan. Generally, in qualitative research, the case study approach is more appropriate. In case study approach, researcher examines the mechanism and functioning of the state institutions. It also helps to construct in-depth understanding of the policies and behaviors of various actors in the state. (woodside, 2010)

Islamic Republic of Pakistan got independence from British colonialism on 1947. Pakistan is situated in south Asia and surrounded by India on Eastern, Afghanistan and Iran on western border, China on north, while Arabian Sea on the southern side. The system of governance is federal parliamentary according to the constitution of 1973. It has four provinces with Islamabad the federal capital city. There are three tier government structures functioning in Pakistan. This tier of ruling power consists of central government, provincial government and local government. At the lower tier local level, village is the basic unit of administration. Then the second level is union council comprises cluster of villages, then Tehsil council comprising group of union council and final stage at local level is district council formed by the Tehsil councils.

Hypothesis

Local government is the nursery of democratic and political development enhances to become grass root public institution instead of fulfilling the personal objectives of the ruling elites throughout the political history of Pakistan.

Historical view of the local government in Pakistan-Panchayat system

The history of local government in Pakistan dates back to the second millennium B.C. It was first time introduced by the Aryans in Indo-Pak subcontinent. But this type of local government was very comprehensive. During this period, agriculture was the main source of income of the people. So the entire social economic and political life was based on the centrality of the village. The shape of the villages was small and local administration was controlled by the chief officers. (Alderfer, 1964)

There was panchayat system predominant at India where all the political and social issues were settled by the community and custom leaderships. Allocation of land to the cultivators, disputes settlement and ensuring the services delivery to the people and tax collection for the central government were the basic responsibilities of the panchayat. Law and order were maintained with the help of state functionaries. (Mathai, 1915).

This evolutionary process continued until villages flourished and maintained their system of governance and institutions. All the developmental, administrative and judicial functions were performed by the governments at village level which was though different from the modern times state system. (Iqbal, 1976)

The same pattern of local government continued during the Muslim period in the Indian subcontinent. There was no significant change in the structure of local government in the Muslim period of Delhi sultans as well as in the era of Mughal Dynasty. Life at village level was going on with peace and tranquility as there was no changes in the pattern and

practices of local government. Almost people were leading their life with satisfaction. (Kosambi, 1975)

Changing pattern of Local Government under British Regime in Sub-Continent

British came into India as traders but gradually they occupied the country and hailed sway up to 1947- the time of great divide of India into two separate independent states India and Pakistan. During this British period, the old practice of local government was changed. They first created highly centralized and coercive state apparatus over different regions and diverse nationalities. The main source of agriculture production was changed and the power structure at local level was also converted accordingly. Feudalism was the prominent feature of the local administration. (Kosambi 1975)

The process of privatizing the land was also started in India when in 1870 lord Cornwallis introduced the “law of permanent settlement” Through this new law, the emerging new class of feudal at villages was controlled by powerful bureaucracy and also patronized by giving them little representation in the village councils. At urban areas, urban councils were created to provide municipal services. (Gardezi, 1983)

In this way rural-urban divide was evident regarding the provision of services delivery. Rural councils were supposed to serve at village level while urban councils for the municipal services at urban centers. This rural urban divide in local government under British rule continued even after the partition of India subcontinent. The middle class during colonial period on the base of modern language started movement of nationalism to gain independence. It was because this middle class educated in modern language and once served in the British rule. Thus they got the closer exposure of the British administration. (Alvi, 1980)

This modern urban educated class was primarily inspired by the western ideologies. The impact of this western ideology was the creation of associations, trade unions, organizations and different unions to counter the British. (Ayaz, 2004) The aim of these indigenous organizations was to get control over the colonial state structure. So the model of local governance in Pakistan is the legacy of British colonial period. The post-independence period was the transmitting phase of democratic experience. The political instability caused the poor progress in the introduction of local government. The local government system was functioning with little attention. The local Government elections were not held and thus member were elected without elections. Civil and military bureaucracy served the interests of highly centralized state system. (Talbot, 1998)

This trend of highly centralized state continued and the military remain most powerful state actor since 1950s. Resultantly, military initiated major democratic decisions of devolving the power up to the grass root level with the practice of co-opt local political elites. (Friedman, 1960)

The politics of patronage in local government during (1959-1970)

The first experience of local government was introduced by then president of Pakistan General Ayub Khan in 1958. This military president introduced the extensive system of local Government, popularly known as Basic Democracy. Under the basic democracies ordinance of 1959 new local government system was established. Higher tier was dissolved to create new local governments- serving as the representatives of the government at lower level. In

the highest tier these directly elected members of the union councils elected some members indirectly while some official members were to be nominated by the government. (Batool, 2014). The municipal administration ordinance of 1960 comprised of four tiers with hierarchical system. Union council of elected members was the lowest tier in Basic Democracy system. The chairman was elected amongst the members of the Union Council. The local government was overall controlled by the strong bureaucracy. Deputy Commissioner and Commissioner could annul any decision taken by the local government. It was open fact that the intentions behind the induction of such strong centralized controlled local government, using bureaucracy was actually to legitimize the presidential constitution of 1962. (Cheema et al.2005). So the objective of the military was fulfilled as this structure of local government was meant to strengthen the central government having popular support at local level. Most of the writers like Friedman opined that the scheme of basic democracy did not meant for democracy. It did not empower the people to participate in the decision making process. (Friedman 1960). Development funds were sharply increased by Ayub contrary to the old practice. The intentions were gaining the popular support from rural areas. It was actually manipulating the democratic posture to maintain prolonged stay in power. Developing the BD as an apparatus of real democratic culture was not the objective, rather military used it as a personal tool in seemingly democratic environment. The patronized class of BD system supported Ayub khan in the presidential election despite the strong combined opposition. According to khan, the BD system under Ayub could not evolve itself as an institution of rational democracy. (Khan, 2016)

The Patronage Politics of Local Government under General Zia 1977-1988

The second model of local government was introduced by the General Zia-ul-Haq. The old system of local government functioning under Ayub khan was reformed and revived. General Zia enacted the local government ordinance of 1979 that remained functional up to 2000. Like the previous local government of Ayub Khan, this system also took resort to the centralized state rule. First the previous constitution of 1973 was put to an abeyance. (Cheema et al.2005)

As military took the direct control of the country, therefore, the scheme of local government was introduced without the national government. Local government elections were held on nonparty basis in all provinces. (Cheema et al.2005). The main stream political parties were banned and the new class of politicians emerging from the local government was ready to serve the interests of the military. These local governments were not provided legal protection. This constitutional flaw encouraged the other tier of the government to frequently interfere and dictate the matters of local government, even sometimes threaten to change the disobedient politicians. (Cheema et al.2005)

Rural urban divide also continued as was common not only during British regime but also under the Ayub' BD system. In this model of local government, urban councilors did not need to share the financial benefits with that of rural councils. Although the urban local councils funds were increasing, but Zia obliged these urban councilors not to transfer funds up to the lower tier. (Amjad, 1984). The apparent reason of rural urban divide during the Zia regime was the anti-Bhutto factor. During the civilian regime of Zulfiqar Ali Bhutto (1971-1977), anti-Bhutto movement was started from the urban areas. Therefore it was the selected policy of Zia to satisfy the interests of those elements who were anti Bhutto. The resources generated at urban areas were shared to the rural councils. Accommodating the anti-urban middle class politician and political movement with the control over the fund utilization was

the ultimate objective of the Zia. It was the political tactics to use this urban union council funds to entrench the localized client list's networks. (Cheema et al.2005)

This trend in local politics created the culture of patronage. The nonparty based elections paved the way for relying on the caste and clans for political mobilization. This division of population on caste and clan for local government elections further segregated the society. (Batool 2014). This class of local politicians formed the government at national and provincial level and remained in power through the patronage of military. This social habit of patronizing politics remained affective in the national and provincial stage of the government. They remained busy in patronizing their clan based constituencies by spending development funds for the securing the chances of reelection (Wilder, 1999)

This created the environment of conflict between the members of different tiers of the government. It is also worth mentioning here that Zia revived the constitution on 1985 after a long time direct military rule. After 8th amendment in constitution of 1973, its shape was totally changed. A quasi presidential form of government was introduced along with the indirect military rule (Batool, 2014). In short the model of local government on non-party basis introduced by Zia systematically weakened the political system in the country. Such adverse effects on the political system caused the delay to devolve authority of the subsequent civilian regimes in Pakistan.

Patronage politics of General Musharraf (Devolution Plan)

General Pervez Musharraf took the charge of government in October 1999 by military coup removing the civilian Prime Minister Nawaz Sharif. On assuming the power he declared his seven point agenda. Devolution of plan was among the seven points of his strategy. For this, he introduced the local government system through the local government ordinance of 2001. This time the model of local government was different from those of previously introduced. It directly linked the local government with the president office. The previous hierarchical practice of center to province was removed. This plan has the following features.

1. Elections of local government were held on nonparty basis.
2. New elected government was established at district level.
3. Politically linked to the Tehsil town and union councils. (Alam and Wajidi, 2013)
5. Local government was established at three levels: District, Tehsil and Village (union) council.
6. Union council was the basic unit of the devolution plan.
7. Union Nazims and Naib Nazims were directly elected.
8. Union Nazims were the part of district councils.
9. Naib Nazims became the members of the Tehsil councils.
10. Several institutions like National Reconciliation Bureau were under the direct control of president.
11. The hold of center on local government continued even after the establishment of pro-military civil government in 2002 both at national and provincial level under the banner of Pakistan Muslim League (Q).
12. Administrative, financial and developmental powers rest with the local councils.
13. All governmental departments were held accountable to the district councils.
14. The rule of Deputy Commissioner was changed.
15. District Coordination officers were under the control of District Nazims. (Batool

2014)

16. An institutional framework was devised named Provincial Finance Commission for the sake of resources allocation between the provinces and local government.

17. To empower the women, 33 per cent seats were reserved in the local government.

18. District monitoring Committees were established to check the working of the governmental departments.

19. Citizen Community Boards were introduced to empower the citizens.

20. Citizen Police Liaison Committees were introduced to promote the rule of the law.

(Hasnain, 2008)

21. Thorough presidential Order, short term constitutional status was provided to the local government that up till 2009, it cannot be dissolved by any government.

22. Fiscal decentralization: DCOs and other officers from the provincial government formulated the budget proposals then district Nazim could propose the suggested budget to the council for approval. In case of not approval from the council, it will lead to zero spending budget after the fourteen days expiry of financial year. (Cheema et al. 2005)

In this model, we see that there are some distinctive features from the previous models of the local governments. But again the some similar features like elections on nonparty basis continued and further fragmented the society on casts and clans. The constitutional protection was not on permanent basis. It was short lived. Fiscal decentralization was actually under the control of bureaucracy. When a bureaucratically prepared budget proposal was submitted to the council, it was effectively presented with a fait accompli.

Local Government in post18th Amendment 2010

With the expiry of local government ordinance 2001, Devolution plan of Musharraf ended in 2009. The civilian government of Pakistan People's Party introduced 18th constitutional amendment. This amendment empowered the provinces to conduct local government in their respective provinces. New local government act of 2013 was introduced. In this regard, provincial assemblies passed the local government. Unlike the previous model of local governments introduced by the military regimes, this time elections were held on party basis in all the four provinces. But the real ethos of democracy-the very heart of the idea of the democracy was missing in this new act of local government. This act devolved some delivery functions to local government. In other words, this act provided limited freedom to the local councils in the areas of financial management, services delivery, police and taxation. Large entities in urban areas like Karachi Water and Sewerage Board, Sind Building Control Authority, Lahore Development Authority (LDA) and Solid Waste Management (SWM) were under the control of provincial government. This local government acts authorized provincial governments to retain administrative control over health and education services delivery. Besides local governments was the domain of provincial government. The chief minister of the province was authorized to change or dismiss the local government or head of the councils.

The Case of Development Fund

The patronage politics of local government in Pakistan is evident at the time of financial management. The direct and prolonged military rule in the country had deteriorated the political, democratic and institutional culture. Provincial governments under the civilian regimes remained reluctant to establish stable and viable structure of local government. The

members of the provincial assemblies and the office holders of the mainstream political parties could keep build their personalized patronage networks in the constituencies.

Local Government under Pakistan Tehreek Insaf (PTI) government

The third consecutive term of civilian regime under the Pakistan Tehreek Insaf (PTI) led by Imran Khan was established in August 2018. On assuming the power, Khan dismantled the local government structure in KP province and introduced new local government system. It is generally perceived and always claimed by the political elites that local bodies are building blocks of democracy. Ironically this concept is copied by our elites from the western concept of local government. The revolutionary step is taken by the incumbent Prime Minister. He has committed to reform the local bodies system. The initiative took by the PTI government in KPK in 2013 regarding new local government is praiseworthy. This incorporates the village as the basic tier and unit in place of union. Almost 1001 union councils were replaced by 3501 villages' council. This structure of local government started the self-governance at village level. Development funds promised to the new village councils were up to thirty percent, while the ratio of delegated governmental functions were twenty four percent. Unfortunately this promised and well committed structure of Local Government could not reach its practical point. As it was seen that the promised functions which were to be delegated to the village councils were immediately withheld and all the funds were also withdrawn. The objection on the fund transfer was that it should 'be routed by the designated officers'. In short, this local government act of 2013 retained only eight functions. The polling of local government under this amended law were also held in the year of 2015.

Similarly, the amendment introduced in the local government act in 2019 replaced the 'district elected organization' with the 'elected Tehsil Council'. The principal representative of provincial government is deputy commissioner. The elected Tehsil council was under the suzerainty of deputy commissioner affected the powers at grassroots level. Even then this amended system remained nonfunctional. Government in center always remain uncomfortable with the local bodies. Therefore, only in Punjab 58000 elected bodies were stopped functioning from their duties. Elections of the local government are yet to be held. Only the promises of conducting elections in 2021 were made.

The fate of local government in Pakistan remained around the frequent dissolution. Since 1972, local government have been dismissed ten times. The proper mechanism of power sharing between provincial and local government have not been structured. All the parliamentarian from top to bottom at provincial level do not like to share power with the Nazims or chairman of the local government. Our neighboring country-India had to face such problem of power sharing. The century old panchayat system was reformed in 1992. Indian government introduced two constitutional amendments- 73 and 74th to reform the system. Under these amendments, sanctity of the rural and urban government is fixed. While, in Pakistan the constitution contains the very brief articles related to local government.

Article 32 says "the senate shall encourage local government institutions..." Article 140-A says "each provincial government shall, by law, establish a local government system and devolve political, administrative and financial responsibility.

These cursory constitutional provisions lack the capacity to solve the power sharing method. The responsibility of encouraging the setting up of local bodies has been given to the state, rather than to a specific office undermines the power of local bodies. In India the governor of the state is responsible for ensuring continuity of the local bodies.

To cut the long story short, people of Pakistan has lot of expectations on the PTI government. Now the responsibility lies on the government, if it is really interested in Naya (new) Pakistan, it should be thinking of amending our constitution to give a detailed structure of the local bodies and build in specific provisions to ensure continuity rather than leave it to political expediency. Without a predictable, continuing local bodies system in the country, good governance will remain a dream. (Noorani, <https://epaper.dawn.com>)

In Punjab province the Local government Act 2019 has codified the new system. Under this act the existing local government institutions have been dissolved and instructed the Punjab government to hold election of local government until 2020. (Punjab Local Government Act 2019)

Features of the Local Act 2019

1. Reintroduced rural-urban distinction
2. Establishment of metropolitan/Municipal/town Corporation/Committees for urban areas and Tehsil council for rural areas.
3. Head of each local government will be elected by the people.
4. There will be a cabinet to assist the head of the local government.
5. This cabinet will consist of the councilors and professionals.
6. Contrary to the previous practice, the councilors will be elected on the basis of proportional representation.
7. Elections will be held on party basis. Each party will give the list of the candidates in order. The nominees of a political party will become members according to the percentage of vote a party gains in election.
8. To ensure the participation at grass roots level, this act of local government includes the establishment of Panchayat council for rural and neighborhood council for urban areas. These forums will function on behalf of the local government-not constitutionally.

Analysis of the Act 2019

The above discussion reveals that throughout the political history of Pakistan, the cases of performance of local government have been associated with the intentions and designs of the ruling elites at center. Each governance layers intends and much expects from the higher strata to delegate power and authority but unwilling to delegate the same to the lower tier. The Act of 2019 allows the supervisory role to the provincial government and thus local governments will be bound to comply with the orders and directions of the provincial governments. The most important area of the local government needs independence is considered the finance. But this Act privileges the provincial authorities to sanction the funds without understanding the significance of the local priorities. The section 137 binds the chief officer of the local government to get prior permission of the complete statement of the estimated expenditures from the provincial government. At this stage provincial government has the power to suspends, sanctions or rejects the demands of the local government. (Section 228 of the Act)

The provision of overseeing allows the minister, secretary or any other officials deputed for this purpose to participate or even influence the proceedings of the local government. The new institution of 'inspectorate of local government' will inspect, monitor and review the functioning of the local government. It will inspect at least once in every year and may commission as many commission deems necessary for its convenience. Thus, this act of local government 2019 by the present government seems to serve the interests of the provincial government rather than empowering the local government to perform its exclusive

role of serving the populace at grassroots. It undermines the spirit of local government by subordinating it to the provincial government regarding independent policy making and in implementation.

CONCLUSION

The military rule (1958-1969) under Ayub Khan, 1977-1988 under General Zia and 1999-2008 under the General Pervez Musharraf implemented the local government only to prolong their rule. Creating the coercive central state to accumulate more power in the guise of democracy has been the major tendencies in the different experiences of local government by the authoritarian regimes in Pakistan. The continuous and prolonged military rules systematically weakened the democratic political culture. Loyalty to the military regime was the criteria to become a politician. Thus the experiments of local government meant for the propagation of the military regime instead of serving the people. On the other hand, civilian governments were reluctant to properly implement it was the clash of interests among the politicians. It has been the desire of the parliamentarians, whether MNAs or MPAs, to control the developmental funds so that they can oblige the people in their constituencies. It is very easy to assess that the failure in the performance of local government has been due to inadequate framework of local government, dominance of various interest groups and the lack of proper mechanism of implementation. These dominant factors are the hurdles in the adequate delivery of services at the local level as well as obstructing the process of strengthening the grass root level democracy. It is a very hard fact that from the very inception of Pakistan, serious efforts have been made to fulfil two basic purposes. These two objectives were strengthening of the civil and military bureaucracy and the other object was to patronize the emerging class of politicians out of the local councils. These two objectives were fulfilled, but the real and genuine purpose of local government that was to empower the people at grass root level was missing in the priorities of the ruling elite at center. Most centralized and coercive governmental structure was created to marginalize the mainstream politicians. The newly emerging local politicians had been acting as conduit between the ruling government and the local constituencies.

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