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Politics-Bureaucracy Relations in Pakistan: A Case of Local Government

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Abstract

Local government is recognized as the nursery of democracy. In Pakistan, it has been the victim of three enemies: military coup, incompetent politicians and corrupt bureaucracy. However, stranglehold of bureaucracy has corroded the local government system from within. Even if 18th amendment provides for the devolution of administrative, political, and financial powers, higher bureaucracy has ironically been hostile to local government. The civilian government's delay in law-making and reluctance in conducting elections on time has given an edge to bureaucracy to dominate local government. LGO 2001 was an effort to subordinate Civil Servant to elected representative, but this too couldn't escape the stranglehold of the bureaucracy. Local Government Act 2013 doesn't also devolve adequate power and empowers bureaucracy as a major actor at grassroots level. Thus, this paper predominantly delves into the nature of relationship between Civil Servants and Local Government to identify the factors facilitating conflict between two actors at grassroots level.

Keywords: Bureaucracy, Constitution, Democracy, Local Government, Power, Supremacy

1. Introduction

Most of the government in the modern era run by two main actors; politicians, who come into power by public votes and appointed bureaucrats. Politics-bureaucracy relation determines the strength of legitimacy in a country. Pakistan, being a democratic country, promotes local government in each province and emphasizes that the political, administrative, and financial responsibilities be devolved to the local good governance at local level especially country like Pakistan where, officials who work for central and provincial governments do not provide efficient government because they don't have the necessary knowledge of local affairs. Despite the fact that Local Government institutions serve as micro-manager, it has been the effort of higher bureaucracy to weaken local elected bodies. The interference of bureaucracy is one of the main challenges in the way of efficient and accountable local administration in Pakistan. An interesting fact about Local Government is that.

three major reforms have also been introduced by military regimes. Although constitution of Pakistan recognized local government as third tier of the government, there are some visible trends that indicate that power is yet to be devolved to LG. Such as return of District Commissioner, assigning the functions of LG to provincial bureaucracy, provincial leadership reluctance to pass LG laws (Shafqat, 2014)

Thus, this paper predominantly delves into the nature of relationship between Civil Servants and Local Government. It investigates the following questions: What factors figure out the relationships between the Local Government and Civil Servants? Who manages the policies at grassroots level? What are the principal causes of discord between the two actors? And how the "bureaucrats and elected politicians" relationship around politics-bureaucracy relations differ from contemporary theories? This research is an attempt to determine theoretical paradigmatic perspectives from existing literature on politics-bureaucracy relations and identify "dichotomy" and "mutuality" as the major two models of the theoretical perspective.

| Theoretical Models | Principal Characteristics | Governance Attributes |
|--------------------|--|---|
| Dichotomy | Independent duties Political Neutrality Professional Competency | Political Domination Democratic Accountability Both are Professionals Less Politicization Mechanistic Interaction |
| Mutuality | Overlapping Roles/Duties Political Involvement of Bureaucrats Political Responsiveness | Mostly Bureaucratic Domination Joint Accountability Bureaucrats are Professional More Politicization Mutual Interaction |
| Symbiosis | Separate Roles/Duties with Complementarity Political Neutrality Mutual Respect with Self- Identity | Mutual Domination Shared Accountability Both are Professional Less Politicization Shared and Balance Influence |

| Table | 1: | The | Theoretical | Framework | for | Politics- | bureaucracy | Relations |
|--------|----|------|-------------|-------------|-----|-----------|-------------|------------|
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Adopted from (Rahman, 2015).

1.1 Bureaucracy and Local Government: An Overview

The role of Local government is important as the particular advantage lies in its ability to organize for the delivery of local public services in line with local flavors and preferences. Many countries in Middle East, America, Asia, Africa, North America and Europe present four main reasons for empowering Local government at local level (Sikander, 2015).

- 1. Local bodies are easy to reach for every common citizen and local programs and services can be adjusted according tospecific need the community.
- 2. Local bodies can allocate the resources in most efficient way.
- 3. Local people will use money in a more efficient way if they are given access to development project expenditures. It will help in reducing the cost also.
- 4. Local government serves as a platform for locals to participate in decision-making. This sense of ownership makes the locals ready in investing their times and resources in development projects

However, in the governance structure bureaucracy has been gained a pejorative reputation by associating it with red-tapism, a corrupt structure, a standing stone that works with its own standardized rules and regulation, going against reforms in its structure and preventing those who try holding them accountable (Ejersbo & Svara, 2012). Noting the nature of bureaucratic influence in developing countries, (Riggs, 1962), mentions that the domination of bureaucracy in politics of developing countries will be high due to the weak political organs.

2. Literature Review

2.1 Bureaucracy and Local government relations in Formative Years

Pakistan inherited its bureaucracy from its metropole, so its structure was molded to serve the British interest. Accordingly, the administrative officials didn't prove supportive in making the newly established state stable (Kennedy, 1988). In 1947, Pakistan emergence as an independent country was so surprising and sudden that for the first decade (1947 – 1958) Pakistan, "while theoretically a parliamentary democracy was ruled by a cabal of senior civil servant with military as junior partner" (Group, 2010). Consequently, this oligarchy of bureaucracy and military didn't let any political party establish and run the government democratically (Ashutosh, 2009). Previously, in order to control India, British strengthened its state bureaucracy, so as was the pattern of governance in ensuing years where the control of the state was in the hand of military and bureaucracy (Siddiqa, 2007). Observing the speech of poised Governor General of Pakistan, Muhammad Ali Jinnah, at Government House in Peshawar, April 14, 1948 (Ali, 1983) noted that Mohammad Ali Jinnah was secretly dependent on bureaucrats as he suggested bureaucrats in this speech not to be influenced by politics. According to researchers like (Kennedy, 1988) this dependency was due to weak political structure of Pakistan. The reason for supremacy of bureaucracy in politics was their experience in the art of governance which the politicians didn't have (Ahmed, 1980).

The bureaucrats were so powerful and authoritative that, with the Governor General and all-powerful authorized officials, often discharged Prime Minister, the cabinet and the national and provincial legislatures

(Leftwich, 1993). One of the famous bureaucrats of that time was Ghulam Muhammad, the third governorgeneral, who launched the first constitutional assaults on the legislature by discharging the Prime Minister Khawaja Nizamuddin. Ayub Khan, the commander-in-chief was also appointed by Ghulam Muhammad as defense minister, which was all formalizing the entry of army into politics (Group, 2010).

2.2 Ayub's Era: Basic Democracies Order and Bureaucracy

The first serious attempt to refurbish local government was made when military assumed power and introduced Basic Democracies Order in 1959. This was a new induction in political system of Pakistan (Musarrat & Azhar, 2012). The Field Marshal Ayub Khan disbanded national and provincial assemblies and set representative government at central and provincial layer and reviving Local government system of British Colony as the only representative level of government. The prestige given to Basic democracy was the authority to vote for the country's president and members of the National and Provincial assemblies by 80,000 members from the lowest tier (Shafqat, 2014).

Ayyub's regime provided an opportunity to the bureaucrats to strengthen their dominancy. He created a pay and service commission in order to examine the structure of civil service as well as enhance his power in the business of state (Kalia, 2013). This system of bureaucracy supported two programs of military regime, the basic democracy and rural development program. Though local council received funds to perform civic functions, bureaucracy monopolized the powerful offices of commissioner, deputy commissioner (DC), and assistant commissioner (AC), including the power to overrule and even suspend or reject the council decision (Group, 2010).

The Thana councils were supervised by bureaucrats namely Sub- divisional Officers (SDO) and same were with Divisional and district council (Rahman, 2015). "The bureaucracy held a place of higher consideration. Bureaucracy dealt with the public in an arrogant and whimsical manner, the higher-ranking bureaucrats had awarded undeserved advantages to the family of the President and other businessmen, many of them had become rich at the cost of the public that had undermined the electoral process and had satisfied Ayyub's political advisors" (Jalal, 1995).

2.3 Civil Services Reforms under Z.A. Bhutto

The first elected government in Pakistan didn't pay any major attention towards the local government and didn't hold local body's elections. However, civil service was decimated by dismissing 1,300 civil servants were dismissed due to their incompetency and involvement in corruption while at the same time doing away with constitutional guarantee (Chaudry, 2011). Civil Services reform 1973 was instituted to curb the autonomy of civil services and bring it under political control. This reform introduced the strategy of "lateral recruitment" which was used as tool to politicize bureaucracy. This process of politicization made bureaucracy dependent of politicians for their posting, promotion or transfer (Wilder, 2010). Bhutto's administrative reform also brought fundamental changes in the structure of bureaucracy. The dominant elite CSP cadre was abolished and was labeled as "occupational group". Hierarchal division of civil servant into four classes was supplanted by Basic Pay Scale (BPS). Unskilled labors" tasks were from 1 to 4 grades, clerical per scanned 5– 15 grades, superintendent 16 grade and officers under 17 - 22 grades (Group, 2010). The main motive behind administrative reforms of 1973 was to ensure the supremacy of civilian over bureaucracy. For this, the reform abolished the guarantee provided by the previous constitutions to civil servants.

Despite these structural changes, these reforms failed to diminish bureaucracy's supremacy. The elite cadre enjoyed a wide-ranging power as Bhutto's government started nationalization of private sector industries and this provided bureaucracy new opportunities for corruption (Kalia, 2013). The reason for a supreme bureaucracy was not that organizations were supreme, but it was all due to the major positions occupied by top bureaucrats (Heeger, 1977).

2.4 Zia-ul-Haq's Regimes

General Zia-ul-Haq regimes (1969-71 and 1977-88) also adapted the Local government of his predecessor while keeping a centralized authority. Zia introduced Local Government Ordinance in 1979 and installed local government and instituted electoral representation in villages (Jalal, 1995). After assuming power, Zia promised conducting general election in 90 days, but it's important to note that he held local bodies'' election before general election on 1985. Local government elections were conducted on non-party basis in 1979, 1983 and 1985. Influential parties like Pakistan Peoples Party (PPP) were also eliminated from political arena (Musarrat & Azhar, 2012).

Local government was structured in following four layers: Town Committees, Municipal Committees, Municipal Corporations, and Metropolitan Corporations. Under the LGO 1979, Local Governments were expanded, and Deputy Commissioners were empowered (Jalal, 1995). However, (Muhammad & Yasin, 2011) argue that unlike Ayyub's BDO the Local self-government of Zia ul Haq was more democratic and was free from bureaucratic influence, but bureaucrats acted as referee due to some clause of this ordinance. In essence, "the army sought to use its old strategy of divide and rule by creating a new and competing class of collaborative local-level politicians" (Jalal, 1995).

2.5 The Democratic Regimes of Benazir Bhutto and Nawaz Sharif

Flip-flop about the bureaucracy continued in so called democratic regimes of Nawaz Sharif and Benzir Bhutto. A consummate and ingenious stratagem of this era was politicizing bureaucracy in order to consolidate their regime hence the use of ploy has done irreversible harm to civil servant of Pakistan. Despite the fact that Pakistan inherited its bureaucracy from same structure as neighbor India, the bureaucracy in India is much more adaptive to democratic orders (Chaudry, 2011).

2.6 Musharaf Regimes: Reducing Bureaucratic Power in Local Government

Musharaf like military regimes installed Local Government as tool to consolidate the military rule. Shortly after assuming power on October 1999, General Pervez Musharraf, in his presidential address explained a "seven-point agenda". Installing was of special concern among these seven agendas. As (Musharraf, 2006) claims about true democracy, "Genuine democracy has to evolve from the grassroots upwards, not be thrust from top to down and the base of the pyramid has to be strong, or else it will collapse". He further maintains, "A local government system that is genuinely empowered politically, administratively, and financially lies at the heart of democracy because it is best equipped to understand and also to address the needs and problems of the common people".

Unlike other Local government, LGO 2001 didn't create any hierarchal connection between local and provincial government and was free from bureaucratic control. District Nazim was the main authority at district level, having all executive, judicial and administrative power and new administrative head District Coordination Officer was also accountable to him ((NCGR), 2008)

As Musharraf, (2006) stated in his book "This ordinance did away the vestiges of the colonial era, when a deputy commissioner and a superintendent of police ran districts like lords. With the stroke of a pen they were both subordinated to the elected mayor (Nazim)". Undoubtedly, this reform in local government was unique of all the other reforms. The design aimed at combating elitism, transferring power-relations, devolving power at Nazims and eliminating centralization of power (Alam, 2015). The devolution plan also received criticism for unduly military involvement. Like other military rulers, Musharraf's "devolution scheme had exacerbated the Pakistani state's institutional crisis by rooting the military in local politics" (Niaz, 2010).

| S. # | Names of the Leaders | Local Elections |
|-------------|------------------------------------|-----------------|
| 1 | Liaqat Ali Khan to Feroz Khan Noon | No |
| 2 | General Ayub Khan | Yes |
| 3 | General Yahya Khan | No |
| 4 | Zulfiqar Ali Bhutto | No |
| 5 | General Zia-ul-Haq | Yes |
| 6 | Benazir Bhutto | No |
| 7 | Nawaz Shari | No |

 Table 2: Local government election conducted in Pakistan

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| 8 | Benazir Bhutto | No |
|----|--------------------------|-----|
| 9 | Nawaz Sharif | No |
| 10 | General Pervez Musharraf | Yes |
| 11 | Asif Zardari | No |
| 12 | Nawaz Sharif | Yes |

Source: by the Researcher

2.7 Charter of Democracy

Charter of Democracy is an agreement of current ruling party Pakistan Muslim League-Nawaz (PMLN) and precious party Pakistan Peoples Party (PPP), which was signed in London on May 15 2006. In this agreement both parties have agreed upon implementing different democratic values in the country including the recognition of Local government. Following articles in charter recognize a local government in Pakistan under democratically- elected government.

Article 10: "Local bodies" election will be held on part basis through provincial election commission in respective provinces and constitutional protection will be given to the local bodies to make them autonomous and answerable to their respective assemblies as well as to the people through regular court of law".

Article 29: "local bodies" elections will be held within three months of the holding of general elections".

Article 30: "The concerned election authority shall suspend and appoint neutral administrator for all local bodies from the date of formation of a caretaker government for holding of general elections till the elections are held".

| Author | Name of the Book/Paper | Emphasis on |
|----------------------|--|--|
| Hamza Alavi | | Since the inception of Pakistan military and bureaucracy has been the main power holder in the state. |
| Khalid Bin Sayeed | The Political Role of Pakistan's Civil Service. | Since formation civil servants had more vital role than their metrople, which was mainly incompetent politicians and military dominance |
| Saeed Shafqat | Bureaucracy. Crisis of | Purge in bureaucracy and Bhutto's reforms in 1973 proved to be very hostile to bureaucratic competency. |

 Table 3: Summary of Research on Bureaucratic Dominance

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| Robert Laporte | The Pakistan | The power vacuum created |
|--------------------|---------------------------------------|--|
| | Bureaucracy; Two Views | by incompetent political actors was filled skilled civil |
| | | servants. Competency of |
| | | bureaucracy was weakened by Bhutto's reforms. |
| Khalid B. | The Political System of | The writer elucidates the |
| Sayeed | Pakistan, 1967. | characters and structure of bureaucracy in Pakistan and maintains that civil servants filled the vacuum after |
| CI 1 | The Bureaucracy in | formation of Pakistan. Describes Pakistan as a |
| Charles Kennedy | | bureaucratic polity and sees 1973 reforms as the major reason politicization of civil services. |
| Ralph | Research on the | This work is a sort of |
| Briabanti | Bureaucracy of Pakistan. | reference book which contains documents about administration of Pakistan. |
| Gerelad | Bureaucracies, Political | The writer maintains that |
| Heeger | Parties and Political Development. | bureaucratic supremacy is not due to dominance of administrative apparatus but because of top governmental offices held by the elite |

Sources: (Tanwir & Fennel, 2010)

3. Results and Findings

3.1 The 18th Constitutional Amendment

The 18th amendment, which was passed on 10th April 2010, ensures provincial autonomy. According to the amendment, it's obligatory for the Federal and provincial government to transfer administrative, political and financial power to at grassroots level. As Article 140-A states

- (1) "Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments".
- (2) "Elections to the local governments shall be held by the Election Commission of Pakistan."

Considering local government the nursery of democracy, article 37 (i) reads "Decentralize the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public".

On the order of Supreme Court in July 2013, every government enacts local government laws so that local 8 | GMR Vol. 3, No. 1, 2018

elections are conducted. As a result, Sindh government passed local government on 19th August, 2013. On 21st August, 2013 Punjab government passed Punjab Local Government Act 2013, Balochistan government passed Balochistan Local Government Act 2013 on August 30, 2013 and on October 30, 3013 Khyber Pakhthunkhwa passed KPK Local Government Act 2013.

3.2 Local Government Act 2013

At the end of December 2009 previous system of local government was put to an end. Local government elections were considerably delayed by all provinces. For 9 years the successive government was r e l u c t a n t to conduct local government elections in provinces expect Balochistan where the elections were conducted in 2013. Local government elections were held in Khyber Pakhtunkhwa in May 2015 and Punjab, Sindh conducted local government in 2015. Because this local government system is an extension of 1979 ordinance, Sindh, Punjab and Balochistan doesn't devolve much substantive power local bodies.

One of striking features of all local governments is that provincial governments are authorized to suspend the elected heads and conduct inquiry through Local government commission. LG Act of Balochistan authorizes provincial government to remove the elected heads or members of the councils also. Financial Autonomy remains an issue for Local Government since Provincial Finance Commission (PFC) is established in all provinces under Finance minister of the province, which allocated budget through Provincial Finance Commission Award. (This commission is named Divisional Coordination Committee in Balochistan). Very limited power has been given to local government to levy taxes and to regulate other functions. The Act of 2013 does not also have a consistent duration of local government for all the provinces as Punjab gives 5 years duration, Balochistan and Sindh provide four years term and KP provide a term of 3 years. Provincial Local Government Commission which comprises of provincial bureaucrats and provincial assembly members is empowered to suspend and to conduct special inquiry against any mayor or chairman of councils.

3.3 Return of DC

The recently promulgated Punjab Civil Administration Ordinance (PCAO) 2016 has resurrected the office of the District Commissioner legitimizing its control over the departments such as health, education, development works etc. The alteration in the administrative structure also reintroduces the offices of commissioners and assistant commissioners in divisions and sub-divisions respectively. The DC has been empowered with vast financial and administrative power in district, which clearly negates the Article 140(A) of the constitution in which the local governments are empowered with administrative, political and financial power. Another striking feature of the ordinance is the DC''s supervision by Commissioner - bureaucrat accountable to a bureaucrat. The phenomena will further increase the stranglehold of bureaucracy on local bodies.

3.4 Factors Facilitating Bureaucratic Supremacy

3.4.1 Colonial Legacy

Colonial legacy seems to be evident in nature of Pakistani bureaucracy, behaving in manner as was brought by British. It undermines the autonomy of its stakeholders, especially local government to which the constitution of Pakistan devolves adequate power. Infested with inefficiency and corruption, bureaucracy has maintained a centralized structure, resisting every reform, upholding attitude, exam pattern, and most other colonial trends are still evident in nature of Pakistani bureaucracy, which is contrary to democratic principles.

3.4.2 Reluctant Provincial Government

According to various respondents the supremacy of bureaucracy has maintained because they are backed by provincial government. The reason for inadequate framework of local government in civilian government is that the politicians don't want a new vote bank at local level. This has been one of the primary reasons for bureaucracy to gain upper hand in the country's administration. Instead of regulating the bureaucracy, provincial governments have used bureaucracy as mean to accomplish their private interest, discouraging the development of local government. At grassroots level bureaucracy follows the rules outlined by the provincial government, which tilt power in favor of bureaucracy. Besides this, the study suggest that local government don't have any source of generating revenue and therefore economically dependent on provincial government. Most of the chairmen of local government claim that annual budget assigned to local government is only for non-development works.

3.4.3 Unclear Power Domain

Be it military, politics or executive branch, there seems to an unclear domain of power being practice in the country. The executive branch practices unrestrained power that has made the political system instable especially local government. Democratic timidity has paved the way for bureaucratic supremacy in Pakistan. The conceivable explanation for not empowering the elected representative is that they are not prepared to implement grassroots democracy. Importantly, the same has been the argument of every military regime that "Pakistan was not yet ready for the full democratic experience".

4. Conclusion

This paper has attempted to contextualize the politics-bureaucracy relations at District level. The rising dominance of bureaucracy on local government has resulted in an imbalance of power. The imbalance in the Pakistani State that has resulted from this highly unequal power sharing between bureaucrats and political

players madeit almost impossible to come to a stable political settlement within the state. Unequal power sharing between politician and administrative official has precluded the possibility for the stability of politics within the state.

Based on centralization, political system of Pakistan has always been facing the problem in balancing the power among different tier of government. Be it military regimes or civilian government, the powers were stacked at the central level. In the case of military rule, the provincial layer of government was abolished and local government empowered to perform with fiscal autonomy and to become the vote bank of the rulers. Though the military regimes have credit for reforming local government and empowering local body institutions, the real sense of devolution did not happen even during these regimes. The major functions at district level were in the hand of civil servants, excluding the case of 2001 local government ordinance under Pervaiz Musharaf.

Unconstrained to its power, bureaucracy in Pakistan has marinated a centralized way of service delivery, which doesn't benefit the citizens but the political master. The colonial mentality and lifestyle in Pakistani bureaucracy is reason that bureaucracy relation with citizen looks like "client and subject".

Furthermore, the study suggests different reasons for supremacy of bureaucracy on local government representatives. According to the data, there is an imbalance of power between the local bodies" representatives and the bureaucracy at local level. Each of them doesn't have a clear domain of their jurisdiction. This unclear domain has resulted in a clash of power between two stakeholders. In this "clash of power" bureaucracy is supported by provincial government to further consolidate their power. Because the provincial government is reluctant to make the third tier of government functional, they never let bureaucracy be junior to or accountable to a local government chairman.

In the recent decade, there has been a shift from government to governance. The new model of governance requires a collaborative form of governance in which all the stakeholders are equally participating in implementing governance in the country. Like other actors, bureaucracy is equally important in creating conditions where democratic institutions take roots. It is not just by way of implementing the executive orders generated by democratic institutions but also by interacting to provide consultations towards participative decision making in the first place. Thus, the colonial and semi-colonial legacy, dominant attitude of the political players and civil servants, politicization of bureaucracy, distinguished self-image and mutual interaction have been some apparent reasons for conflict between the two political organs.

Recommendations

- A radical restructure of administration is need of the time. For efficacious the government must consider redesigning the framework civil servant at all three levels.
- Government needs to overhaul local government laws in scope and domain.
- Division of power must be ensured by introducing crystal clear separation of power along with the instrument of check and balances. This mechanism will surely prevent the politics of interference in governance system.
- Forum like Council of Common Interest (CCI) must serve for better coordination among provinces and common national vision.

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