

DEVOLUTION OF POWER

Dancing around the fire is not the solution to any problem. One should try to see beneath the surface in order to grasp an idea about the basic issue. Deposit a stream of strong words and announcements made by the past rulers of Pakistan, nothing concrete has been done to introduce a proper economy revival plan. Rather the situation has taken a quantum leap for the worse. The problem of centralization of power has been the most crucial issue in Pakistan. The idea of the decentralization that is transfer of power to the provinces and from there to the Districts, Tehsil Councils and Union councils is a welcome step.

Decentralization of power at the grass roots level leads to better provision of social and civil services, restoration of the real democracy in the country and a more active and beneficial interaction and participation of the masses in all tiers of governance,. Successful District government will play a big role towards the establishment of a truly democratic and lasting political order in the country.

Devolution of power is an internationally tested mode of governance. It will go a long way towards helping the present military regime to achieve its declared goals of strengthening the federation, removing provincial disharmony and restoring National Cohesion. Headway in these critical areas will facilitate the achievements of the goals on the agenda points ensuring law and order, providing speedy justice and accountability and eradicating corruption.

The existing political and administrative structure with its highly centralized state power is incapable of providing effective popular governance. The prevailing system strongly resists equitable distribution of power in which the rich protect their own interests. Autocracy and centralized rule practiced by the past rulers, both military and civil, has damaged democracy, destroyed National Institutions, and kept a healthy political culture from developing.

By giving the power to the people, where it actually belongs, the future well being, stability and unity of the nation will be enhanced. The decision to bring the voter's age down from twenty one to eighteen years has increased the number of voters and has brought youth in the mainstream of national life. Local governments can enable the local monitoring communities to manage their primary social and civic tasks. To make the devolution of power effective, the district governments have to be granted vast financial and administrative powers.

They must have the power to levy and collect revenues. Devolution without enabling the local governments to raise and manage funds from their own resources is not likely to enable the people to run their own affairs.

Since effective lower judiciary is an important part of the system of devolution, new local judicial institutions have to be created and existing one's strengthened to provide cheap and immediate justice. Arbitration and conciliatory courts at union council level will also help to avoid expensive litigation whereas according to the present set up the common man has to run to the provincial capital or to Islamabad to obtain justice, which in many other countries, are the responsibility of local authorities.

Effective decentralization of authority is essential to ensure peoples involvement in government from the village to the National level. Only through active participation of the masses and strong and united nation.

An accessible infrastructure of quick and better solution will be provided for the day to day problems of the people through the Union Councils, Tehsils, and District government. Decentralization will ensure the provision of better civic and utility services, as they will be controlled by local elected representatives. The people will thus have a far more responsible government,. Social welfare, public works, public transport, education and health services along with law and order will be the responsibility of the **local government**. They must therefore be granted financial and administrative powers for effective control and management.

The genesis of the present situation is that in Pakistan politics has never been based on some specific philosophy, programme or principles. It has been in **negation** of all the ingredients of democracy. It has always been confined to prison or personalities. Ever since partition the only motive of alliances has been for personal gain, power and wealth. **Political parties** are the personal fiefdom of political leaders; scions of inter related families of Landlords, Pirs, Nawabs, industrialists, business tycoons and Generals. They conspire and intrigue with civil/ military bureaucracy to achieve, retain and perpetuate power.

Provincial disharmony has arisen out of the neglect and the deprivation of the smaller provinces. The centralization of power has encouraged internal dissension

and disharmony. It has weakened the State and aggravated the multi dimensional crises the people face in their daily life. This has resulted in deteriorating political and social fabric of the country. Therefore, decentralization of power will make the government more responsive to the aspiration of the poor as their participation in governance would increase. Till now all the provinces are devoid of effective power and the center has enjoyed power in majority of subjects. Most of these required to be decentralized and restored to the provinces and from thence to the Districts. As there was no system to grant more provincial autonomy so, the local autonomy was always lacking in our country. Hence the process of decentralization was long overdue because autonomy can not be introduced without ensuring and safeguarding provincial autonomy.

The historical background of the issue irradiates that our provincial and national politics have been helpless victims of the power hogging syndrome. Whoever reaches the throne, sets about misusing all the power that he can lay his hands on, whether, it is covered by the rules or not. However, the local government was degenerated into an instrument for perpetuating the British Raj. Bureaucracy was imposed on the people's representatives, Deputy commissioners were the pillars of British Empire. Nothing much changed after independence in the year 1947. Pakistan inherited a highly centralized political system. Even the idea of federation envisaged by the successive reconstitutions was negated by the preponderance of the central government's power in legislative, financial, administrative and political fields. The ruling classes confirm to the colonial traditions of governing the entire country from a strong centre.

Rapidly changing governments with programmes mainly for their perpetuation led to the neglect of development of local government. Suppression of the local government has been a common phenomenon. Bureaucratic dominance led to internal conflicts. Administrators frequently replaced the elected representatives. The power sharing problem has played a vital role in the political scene of the country. The most tragic outcome of this issue is the creation of Bangladesh.

The devolution of power plan introduced by the Chief Executive sounds very well but one major aspect that has not yet built the system is an internal control mechanism. The only political check on the powers of the Nazim is the District Assembly. However, this check comes in the form of a no confidence motion or voting on a decision making powers of the Nazim.

Local government should be evolved and developed by the local people according to their own experiences and aspirations. That is what happens in United States and other developed countries. The public representative elected in this way might misuse his power. This hazard can be eliminated in this way that there must be a three or five member standing committee, to be elected by the assembly, to share powers with the Nazim. This committee is usually provided in most elected assemblies in the world. In our country, such a committee is either never elected, or if it is, the chief or the Mayor makes sure that it is not effective. This committee is actually meant to be a political check for the Mayor and the political system. In our case, this is probably the time to write in ironclad clauses to ensure that it functions and performs the role of a watchdog.

In order to ensure that the committee is elected in transparent manner, election of this committee should be handled by the Election Commission simultaneously with the elections of the Nazim. Thus the Nazim and the assembly will know from the very beginning that the committee has to be taken seriously and that it will be the supreme decision taking body. Experience has shown that the committees are less vulnerable to corruption than individuals.

Another major issue is the exact extent of power to be exercised by the civil servants and the elected representatives at the district level. It is not enough to say that the District officers will be subordinate to the district Nazim. Since these officers shall be appointed by the provincial government, they will continue to report in some matters and some ways to the provincial governments. For instance, a scheme that is costlier than a prescribed amount may be required to be cleared by a higher authority in this case the district officer will have to send it to the provincial government. In such cases, exact powers for each department and each layer of the hierarchy will have to be defined.

Essentially it boils down to the distribution of powers between the provincial government and the district for the government functionaries we are talking about are really the functionaries of the provincial governments. However, the method and extent of control over the provincial civil servants by the district and provincial governments will be crucial to the success of the devolution plan.

If the district representative is made all powerful, he might begin to misuse his authority over the civil servants. Similarly, if the civil servant knows that the district representative has negligible control over him, the devolution exercise

may prove of not much democratic worth.

It is therefore, necessary to decide the issue with great care. An extensive exercise is required before the question of powers and their sharing can be decided. We must first decide the quantum of work and the exact amount of funds that will be placed at the disposal of the district governments. At the same time, we need to decide exactly how the files would move in the district government hierarchy. Who will sanction a scheme, which will prepare it and who will check it before it is approved. The answers of these questions will determine the level of officers required in different positions in the district.

In some departments, it may not be necessary to have senior officers. In these cases, like planning and finance, it may be necessary to have at least a couple of senior officers to scrutinize a project or other work before being put up to the Nazim or the Assembly. Such officers, although subordinate to the Nazim will have to be under some form of indirect control of the chief secretary and the provincial government so that decisions on important matters are subject to some supervision at a higher level.

So, conceived in this way that the concept is workable and is already working in the advanced and highly developed countries. In our country illiteracy may prove a major impediment in this conceptual change. In developed countries the literacy rate is high and temperament is tolerant. A number of bottlenecks are likely to doom the envisaged devolution of power at the grass roots level to failure. This in turn may have serious implications for the country as a whole and for the army in particular. Conceptually it is not a bad idea. But it can be analysed that this hen is not likely to lay the golden egg, unless the present set of government continues for another minimum of ten years. This is because the seed being sown now has yet to sprout, grow into an adult plant, bear the fruit and then the quality, taste and flavor of this fruit is to be monitored for a few years to establish its palatability. If meanwhile the gardener changes, the next one may even uproot that plant finding it not to his taste.