

# **DELIVERABLE DEMOCRATIC GOVERNANCE<sup>1</sup>**

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I wish to thank Kazim Saeed for providing me this opportunity to pay tributes to Mumtaz Saeed and to share my thoughts about the book he has so ably authored.

I knew Mumtaz Saeed in several different capacities. First, he was my consultant for the Change management of State Bank of Pakistan and his assistance was of immense help to me in the transformation of the Bank. Second, when I took over as the Dean & Director of IBA Karachi I drafted a consultative strategy document which I circulated for comments and the views of the stakeholders including IBA's alumni. Mumtaz Saeed was among the few who made extensive comments and gave me useful feedback. Finally, he was very gracious to ask me to read the manuscript of this book and was magnanimous in accepting my candid critique and making the necessary changes in the manuscript.

This evening I can consume all my time by turning my attention to the history of Management Thought aptly discussed in this book. From Taylor's Scientific Management to Human Relations and behavioral schools he surveys the whole water front and argues that human resources are critical for growth in productivity. He talks about management systems and styles, motivational theories and managerial grid in this book. According to him, corporations have evolved from business machines to organisms in social systems.

I won't elaborate on these topics as the audience present here would be more interested in the broader issues of Democratic Management. In addition to the four transitions that I highlighted in my Introduction to this book I would submit that there are several other transitions that need to take place in Pakistan in order to fulfill the agenda for Deliverable Democratic Governance laid out by Mumtaz Saeed in his book.

First, the 18<sup>th</sup> amendment and 7<sup>th</sup> NFC have very rightly devolved administrative, legal and financial powers and authority from the Federal to the Provincial Governments. But this devolution remains incomplete as the provinces have not transferred the powers and resources further down to the local governments where most of the interaction between an ordinary citizen and the Government taken place. Whether it is law and order and security, schooling for the children, immunization and healthcare for the family, drinking water

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<sup>1</sup> Chief Guest address at the launching ceremony of the book "Permanent Revolution – Managing for Deliverable Democracy" by late Syed Mumtaz Saeed held at Karachi on February 18, 2015

supply, sanitation. It is the local government that delivers these essential services. Since 2008 the powers of the local governments have been resumed by the provincial governments. The proposed laws setting up the local governments are a big step backward from the Local Government Ordinance 2001. With the exception of KPK, the provinces would enjoy tremendous powers under the proposed laws to keep the elected local governments subservient to them. Under such a setup, the elected representatives at the local level will remain limpy and impotent.

Second, the administrative machinery of the Government i.e. the Civil Services as a whole has broken down. If we analyze any of the crises facing Pakistan for the last many years i.e. the security of person and property and poor law and order, Energy Shortages, delays in administration of justice, Ghost Schools and absentee teachers, missing drugs and malfunctioning health facilities, piles of garbage in the urban areas, these can all be traced to institutional decay and governance deficit. Reforms in Police, Civil Service, Revenue Administration, Land Management, Judiciary, Delivery of Social Services have to be immediately undertaken to set the country in the right direction.

Third, we need the reforms of the electoral process whereby constituencies are delimited afresh on the basis of the new population census. Electoral rolls have to be prepared from the new data of the households generated through this census. Election Commission and Chief Election Commissioner have to be given unfettered powers to organize the elections by directly taking over the administrative apparatus of the provincial and the district governments. This will obviate the need for inducting the care taker governments which have only proved to be disruptive of the smooth process of conducting elections. Electronic machines should be used for voting. Candidates for the National and Provincial Assemblies should be carefully screened and those who do not meet the eligibility criteria should be disqualified by the Election Commission from contesting the elections.

Fourth, the political parties themselves have to institute democratic contest within the parties. In the 1950s, for example, the elections for party office bearers were held at the grass root level. Those who were elected by the memberships through popular and transparent voting could stand up to their leaders. Since 1970s, this process has been substituted by the discretionary choice conferred upon the powerful top leader. He or she selects the office bearers of the party at all levels, nominates the central working committee members, allocates

party ticket for the National and Provincial Assemblies and the Senate. He chooses the Ministers for the Federal and Provincial Governments if his party gains powers.

Constitutional amendments have stripped individual member to vote according to his conscience. Thus dissent and differences of opinions within the party have given way to sycophancy and pleasing the boss at all cost attitude. The combination of the offices of the Party Chief and the Chief Executive in the same person has withered away whatever little accountability could be expected.

Fifth, the dispensation of justice in Pakistan has become time consuming, expensive, convoluted and unnecessarily layered. Criminal and Civil Procedure Codes and Evidence Act have been modified in Britain itself but have remained intact in Pakistan. Backlog of millions of cases pending in the lower courts has taken away the deterrent effect of punishment from the criminals, defaulters, violators of laws. State revenues, amounting to over hundred billion rupees are stuck up due to litigation by tax violators and grant of indefinite stay orders. Bank loan defaulters enjoy a free ride because of the unending stay orders and appeals and lack of progress in execution of decrees granted by the courts themselves. Property titles and exchanges of deed have lost their sanctity because of the prolonged disputes and complex processes prescribed by the courts. Detection, Investigation and Prosecution of cases are so sloppy that the conviction rate is too low. Criminals get escort free and indulge in their nefarious activities without any fear. Mumtaz Saeed cites his own personal experience of obtaining a succession certificate. It took him thirty years from filing the application in the court in 1974 to 2004 when the court finally granted him the certificate.

Sixth, the Freedom of Information Act by the Federal Government is too diluted and is defanged. In fact it does not do anything to facilitate flow of information getting into the public hands. The Right to Information Act in India has played a major role in keeping the public servants and the political leaders on toes because their actions and deeds could become object of public knowledge and embarrass them. Civil society organizations and the media have played a critical role in accessing information and data under the Act. A similar effective legislation in Pakistan and the curtailment of Official Secrets Act can go a long way in ensuring transparency in the affairs of the government and thus strengthening Democratic Governance.

Seventh, the Parliament is supposed to provide checks and balances to the excesses of the Executive Branch. But this is hardly the case in Pakistan. There is little legislative

accountability to citizens, weak market oversight, and indifference in responsiveness to the citizen demands. The Parliamentary Committees such as Public Accounts Committee through public hearings can exert a sobering pre-emptive influence on the Government departments, Ministries and agencies. They could ensure that public expenditures are underpinned by value for money and waste, inefficiencies and irregularities are minimized. But the partisanship exhibited in the committees' deliberations and the lack of technical expertise among the staff assigned to these committees have weakened their watchdog and oversight functions. Strengthening of these committees would help placing effective controls over the misuse of power and resources by the Executive Branch.

Finally, the management practices in the government need to be modernized and overhauled. Over-centralization, concentration of power in the hands of the Prime Minister and the Provincial Chief has resulted in diffused responsibility, absence of clear accountability inertia and lack of commitment. Too long hierarchical chains, consultation for the sake of form and procedures rather than substance, turf building and turf protection, the tendency to pass the buck has created a big wedge between promises and performance. The rules of business have to be rewritten to assign clear responsibilities to the Ministries giving them the requisite authority and resources to fulfill their obligations and hold them accountable for results. Inter-Ministerial coordination and conflict resolution should take place at the level of the Cabinet Secretary, Secretaries' Committees, Cabinet Sub Committees and the Cabinet.

The above catalogue of comprehensive reforms is easy to describe but difficult to implement. It would not be possible if all the major political parties agree and reach a consensus so that partisanship and print scoring do not come in the way of the implementation of these reforms. The ultimate beneficiaries would not only be the citizens of Pakistan but also the political parties themselves. The cynicism and wide distrust of politicians among the society at large would be replaced by delivery of essential basic services thus bolstering the confidence in the politicians. The best way to pay tribute to the memory of Mumtaz Saeed is to work together to bring about these reforms and translate the idea of Deliverable Democratic Governance into actual practice.