

## World Governance Survey Country Report

### Pakistan<sup>1</sup>

#### Summary

The quality of governance is an issue of increasing concern in countries around the world, both developed and developing. The UN Secretary-General Kofi Annan has stated “*good governance is perhaps the single most important factor in eradicating poverty and promoting development.*”<sup>2</sup> And if governance matters, so does the need for more reliable and valid data on key governance processes.

Using a comprehensive framework and questionnaire, governance assessments were undertaken in 16 developing and transitional societies in early 2001. A national coordinator selected a panel of experts to complete the assessment exercise in each country. In Pakistan, the governance assessment questionnaire was completed by a small but fairly representative group of governance experts (comprising 37 persons from government, military, parliament, civil service, business, law, academia, journalists and NGOs). It sought perceptions on 30 indicators of governance in Pakistan in six governance arenas – civil society, political society, government, bureaucracy, economic society and the judiciary. Respondents were asked to rank each answer on a scale from 5 to 1; the higher the score, the better. In addition, respondents were invited to provide qualitative comments. The questionnaire also sought ratings for changes in each indicator over the last 5 years.

Unfortunately, Pakistan’s governance realm has very few bright spots. The results of the survey point to a decrease in perceptions on the quality of governance in Pakistan. A decrease in average ratings has been registered for five out of the six arenas studied. Political society is seen as the worst rated arena of governance in Pakistan. This is not surprising given military rule. Only in the area of economic society (state-market relations) is governance perceived to have improved over the last 5 years. And here cronyism and corruption remain major problems.

Clearly a move away from autocratic government is the priority – at least towards increasing civil and political freedoms. The findings also point an overarching concern that policy-making is rather divorced from the people and their interests; policy does not reflect public preferences. There is also a need to improve access to justice – making justice more timely, less costly and less corrupt.

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<sup>1</sup> Although this report was prepared by Julius Court, it draws on the data collection work and some analysis (particularly regarding the data collection section) by the country coordinator of the survey in Pakistan. Although the person did not want to be named for obvious reasons, great credit should go to them.

<sup>2</sup> Kofi Annan, *Partnerships for Global Community: Annual Report on the Work of the Organization*, 1998, A/53/1)

## Data Collection

Given the required sample of 35, a total of 50 individuals were identified on the basis of their relevant expertise. They were contacted and presented a copy of the questionnaire. It was assumed that even if the non-response rate was as high as 20 percent, more than the required sample size would be achieved. However, the response rate turned out to be even lower than anticipated. Thus, more individuals were contacted in a second phase. Overall, about 110 individuals were contacted, of whom about 80 agreed to respond to the questionnaire. However, despite repeated phone calls and visits, only 37 individuals completed the survey.

The reasons for non-response were many. One was lack of interest. The rate of non-response on this count was significantly higher among women than men. Another was apprehension. Government functionaries were particularly reluctant to respond. There were other factors too. Four persons (identified initially) turned out to be in prison and had to be dropped. Three persons were arrested after they had accepted to complete the questionnaire. As such, the number of parliamentarians in the sample is smaller than intended.

The final sample is fairly diverse and represents various segments: government, military, parliament, politics, civil service, business, agriculture, trade unions, law, academia, journalism, and NGOs. The military has been included in the sample on account of the importance of the military in Pakistan's governance. Individuals who command an important role in politics but have never been elected to parliament have also been included as a separate category. The sample includes a former Governor of the central bank, one of the senior most generals of the 1977-88 military regime, a former Chief Justice, former federal ministers, business leaders, trade unionists representing industrial and agricultural labor, and academics and representatives of NGOs dealing with governance issues. An attempt has been made to cover women in as many fields as possible. The distribution of the sample is as follows:

<b>Sector</b>	<b>No.</b>	<b>Women</b>
Government	2	Nil
Military	2	Nil
Parliament	3	1
Politics	3	1
Civil service	4	1
Business	4	1
Agriculture	1	Nil
Trade unions	2	Nil
Law	5	Nil
Academia	6	1
Journalism	1	1
NGO	4	2
<b>Total</b>	<b>37</b>	<b>8</b>

## Overall findings

The results of the survey point to a decrease in perceptions on the quality of governance in Pakistan. A decrease in average ratings has been registered for five out of the six arenas

studied. The lowest current average rating was given to the political society arena (1.73) and the highest to the bureaucracy dimension (2.69).

Arena	5 years ago	Now	Change
Civil Society	2.58	2.29	(.29)
Political Society	2.26	1.73	(.53)
Government	2.02	2.08	(.06)
Bureaucracy	2.58	2.69	(.11)
Economic Society	2.34	2.61	.27
Judiciary	2.17	2.14	(.03)
TOTAL	2.32	2.25	(.13)

### *Civil Society*

The set of indicators here concerns the rules that guide public involvement in the political process. The section focuses on the conditions under which citizens can express their opinions, organize themselves for collective action, compete for influence, have an input into policy, and fulfill their own obligations as citizens by adhering to the rules set for the conduct of public affairs.

	1. freedom of expression		2. freedom of assembly		3. discrimination in politics		4. Government open to public input		5. citizens respect for rules	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
Question Average	2.89	2.92	3.30	2.06	2.51	2.47	2.03	1.97	2.19	2.05
1996 Average	2.58									
2000 Average	2.29									

An overview of the perceptions shows that there are two broad conclusions. First, there is a perception of deterioration in the quality of governance related to civil society. Second, and most importantly, this is driven in particular by the large fall in perceptions regarding freedom of assembly. The expert comments all support this rating. As one notes: *“The main reason for change ... is the ban on political meetings in public ... public demonstrations, processions and public meetings are vulnerable to police intervention.”* However, for the other indicators, a large percentage of responses have remained the same for 5 years ago and now. For example, in the question relating to freedom of expression (Question 1), the largest number of respondents reported moderate freedom of expression 5 years ago as well as now. This reflects the fact that there has been little real change on the ground in terms of the quality of governance. As one commentator noted: *“Despite military rule, certain sections of the media and civil society have maintained their freedom, others have become cautious.”*

It is also clear that, despite the relative freedom of expression, there is a general impression that government is *not* open to public input into policy. Governments simply do not provide an environment in which such input is facilitated and set the policy agenda much on its own.

As one expert laments: “*Whether civilian or military, there are minimal consultative efforts and decision-making is totally non-transparent.*”

### **Political Society**

This is the arena where public preferences and private interests are supposed to be reconciled and aggregated into policy. The focus here is on the representativeness, influence and accountability of legislators.

	6. Legislature representative of society		7. Competition for political power		8. Fair aggregation of public preferences		9. Impact of legislative branch		10. Accountability of legislators	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
<b>Question Average</b>	2.08	1.65	3.35	2.13	1.92	1.68	2.05	1.52	1.92	1.68
<b>1996 Average</b>	2.26									
<b>2000 Average</b>	1.73									

The questionnaire attempts to record the change in governance perceptions over the last five years. In Pakistan’s case, the comparison needs to be qualified by the fact that the two periods – 5 years ago and now – are not strictly comparable. Five years ago, the country was governed constitutionally. Now, the Constitution stands suspended and the country is being governed by the military. Parliament does not exist and, as such, the ‘Now’ column of Questions 6, 8, and 10 are not easily applicable.

As a result, there have been significant declines in perceptions of the quality of governance in all indicators in this arena. There are particularly low scores for the representativeness of the legislature, aggregation of public preferences, impact of the legislative branch and accountability of legislators. Reflecting the general view, one expert notes: “*The process of political degeneration has excluded the people and their views out of the policymaking process.*” In a similar vein, another notes: “*Many groups have always been excluded. Now the whole population is excluded.*”

### **The Executive**

This section reports on how government is assessed in terms of its stewardship of society. Included here are issues like the extent to which government is concerned about ensuring the personal security of citizens and freedom from want, as well as the military’s subordination to civilian government.

	11. Ensuring personal security		12. Ensuring freedom from want		13. Able to make tough decisions		14. Civil-military relations		15. Peaceful resolution of conflicts	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
<b>Question Average</b>	2.14	2.32	2.14	2.14	1.70	2.16	1.57	1.37	2.54	2.41
<b>1996 Average</b>	2.02									
<b>2000 Average</b>	2.08									

The findings here are particularly interesting. Not surprisingly, the rating for civil-military relations remains the lowest in all the survey. However, despite the military takeover, there has not been the expected major drop in ratings for the arena as whole.

Although the scores remain very low, the few instances where an improvement in governance is perceived constitute an exception – and warrant further discussion. In the question relating to personal security of citizens (Question 11), an improvement is perceived on account of the fact that the imposition of military rule has led in general to reduction of political violence and of violent crime, at least in the short run. The improvement in the perception regarding government making tough decisions (Question 13) can be explained through the tough talking on the part of ruling generals. However, any ‘tough’ decision to cut the privileges of the elite, particularly the military elite, is yet to be seen. The divergence between words and actions stands noted.

With the high levels of poverty and illiteracy that characterize much of the population and the modest gains over time, there remains a lack of confidence in the government’s commitment to improving the standards of living among citizens, i.e. “ensuring freedom from want.” The need for improving the standard of living is universally recognized, but actions in this direction are nowhere near in sight. As one expert laments: *“Very little commitment. Mega projects, defense, and corruption leave little room for development priorities.”*

### ***The Bureaucracy***

The framework for implementing policy is clearly very important. How the day-to-day management of government operations are structured affects how effective government is seen to be. In this section, therefore, we are interested in assessing the quality of governance as it relates to the bureaucracy.

	Scope for expert policy advice		Meritocracy in recruitment		Accountability of civil servants		Transparency in civil service		Equal access to public services	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
<b>Question Average</b>	4.00	3.86	2.73	2.92	1.86	2.41	2.36	2.31	1.97	1.95
<b>1996 Average</b>	2.59									
<b>2000 Average</b>	2.69									

The bureaucracy received the highest rating of all arenas – though not by much and the overall score remains low. In particular, the ratings are supported by comments that there has always been scope for bureaucrats to provide policy advice. But expert comments highlight many different perspectives. Responses have also been affected by the different interpretations of the questions. One notes: *“Role of bureaucracy has been significant.”* Another that: *“Military has assumed a major role now.”* In Pakistan, however, the higher bureaucracy has been instrumental over a long period, along with the military, in dominating

and subverting the political process. Therefore, even if their role in policy-making has improved, this does not carry positive connotations.

Interestingly, there are perceived improvements in the meritocracy of recruitment (Question 17) and in the accountability of civil servants (Question 18). While expert comments highlight many problems of patronage and political/military appointments, the Civil Service examination does have “*a little credibility as far as merit is concerned.*” However, the accountability owes itself less to institutional factors and more to the accountability drive by the military authorities. Such drives have been carried out by earlier military regimes and have failed to render civil servants accountable to political institutions or to the people.

The low score regarding equal access to public services is very much reflected in expert comments. Experts note: “*This is the major challenge for Pakistan*” and “*The common man does not have fair access to public services.*” Another laments that only “*either contacts or bribes work.*” This is clearly a very worrying issue for poverty reduction efforts in Pakistan.

### ***Economic Society***

This term refers to the interface between state and market. All governments regulate and oversee the market to some degree and also provide public goods (to varying degrees) that may not be produced by the market alone. The way the relations between the public and private sectors are structured is important.

	21. Respect for property rights		22. Equal application of regulations		23. Corrupt transactions		24. Consultation on policy		25. International economic issues	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
<b>Question Average</b>	2.32	2.46	2.08	2.58	2.46	2.86	2.30	2.32	2.56	2.83
<b>1996 Average</b>	2.34									
<b>2000 Average</b>	2.61									

This is the only arena to have seen an improvement over the last 5 years – with notable improvements in most indicators. The findings point to varied implications for Pakistan’s business community. One expert notes that: “*The current military regime has shown some willingness to take tough measures in the economic field but has proved equally timid in the matter of social reforms.*” In the question regarding respect for property rights (Question 21), although the ratings indicate a perceived improvement, the expert comments are largely negative. They particularly highlight issues of cronyism – i.e. the system “*favors those who have access to power*” as well as weak enforcement).

The same pattern is reflected regarding perceptions on economic regulation (Question 22) and corruption (Question 23). While there has been a significant improvement in regulation, experts again highlight the problem of cronyism. As one put it: “*Special treatment to the favorites is and has been the order of the day.*” Another agrees that: “*Usually special*

*treatment is accorded to those firms that spend money and have political influence.” Although rated better than some of the other issues in this arena, an expert notes: “Corrupt practices are rampant, and it is un-thinkable that even a genuine work will be done without any hurdle.”*

Respondents also had a relatively high appreciation of government’s consideration of international economic issues in making policy (Question 25). There has also been a rise over the last five years. However, this does not mean that respondents are blind to the potential adverse effects of globalization. Several make references to the challenges that these new policies pose to the country in general.

### ***The Judiciary***

This is typically referred to as the third branch of government. Societies produce their own dispute or conflict solving institutions, the most important being the courts that resolve conflicts of both a civil (between private parties) and public nature. In this survey we gathered data on how easily members of the public have access to justice, how transparently justice is being administered, how accountable judges are, how open national rights regimes are to international legal norms, and the scope for non-judicial forms of conflict resolution.

	Access to justice		Transparency in judicial process		Accountability of judicial officials		Incorporation of international legal norms		Non-judicial conflict resolution	
	1996	2000	1996	2000	1996	2000	1996	2000	1996	2000
<b>Question Average</b>	2.00	1.86	2.25	2.17	2.00	1.97	2.29	2.34	2.31	2.37
<b>1996 Average</b>	2.17									
<b>2000 Average</b>	2.14									

Overall, the rating for the judiciary in our survey remained rather low. All the indicators are roughly in the same range and there have been no major changes (improvement or deterioration) over the last 5 years. The perceptions of access to justice and transparency had worsened, but were somewhat offset by increases in the ratings for incorporation of international legal norms and use of non-judicial processes.

A special comment is warranted here on the question dealing with the incorporation of international human rights norms. The survey only asked respondents to comment on the extent to which these norms from various international conventions have been adopted. They were generally ready to admit that this process has been ongoing in recent years, but many respondents also pointed out that this incorporation has taken place “on paper” only. We recognize, therefore, that the high scoring recorded on this question probably does not reflect the *de facto* situation in Pakistan.

On the whole, there was widespread dissatisfaction with the justice system. There are two main types of critical comments. One is that “money buys justice”. The rich have easier

access to justice, due to the legitimate costs involved as well as to corrupt payments. The second set of comments refers to the slow processing of cases. “Justice delayed is justice denied” is a proposition that most of the respondents agree with and highlight as a critical problem.

The comments by experts make for particularly depressing reading. One expert noted that: *“The judiciary is corrupt to the core, more so at the lower levels. Yes, citizens avoid going to courts for security and financial reasons, but most of all, because they believe that the case will either drag on for years or that they will not get justice because of the corrupt system.”* Another that: *“No judicial reform has taken place for decades. Women, minorities, poor and children are particularly disenfranchised and suffer from judicial delays, discriminatory legislation, deliberate prejudicial enforcement of law, and penal sanctions.”* Another that: *“Whatever little was left of the judiciary, the present military government has put the final nail into its coffin.”*



**Annex: Frequency distribution of the responses**

**PART I: PARTICIPATION IN THE POLITICAL PROCESS**

**1. To what extent do citizens have the freedom of expression?**

	<b>5 years ago</b>	<b>Now</b>
(5) very high	2.7	8.1
(4) high	29.7	24.3
(3) moderate	32.4	32.4
(2) low	24.3	21.6
(1) very low	10.8	13.5

**2. To what degree do citizens have the freedom of peaceful assembly and association?**

	<b>5 years ago</b>	<b>Now</b>
(5) very high	2.7	zero
(4) high	40.5	11.1
(3) moderate	43.2	8.3
(2) low	10.8	55.6
(1) very low	2.7	25.0

**3. To what extent is there discrimination in politics?**

	<b>5 years ago</b>	<b>Now</b>
(5) very high	14.3	25.7
(4) high	40.0	28.6
(3) moderate	28.6	25.7
(2) low	14.3	5.7
(1) very low	2.9	14.3

**4. To what extent do governments facilitate public discussion on major shifts in policy?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	zero	8.3
(3)	moderate	33.3	22.2
(2)	low	36.1	27.8
(1)	very low	30.6	41.7

**5. To what extent do citizens respect the system of rule-making?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.7	2.7
(4)	high	zero	2.7
(3)	moderate	24.3	16.2
(2)	low	59.5	54.1
(1)	very low	13.5	24.3

**PART II: INTEREST AGGREGATION IN THE POLITICAL PROCESS**

**6. To what extent is the legislature representative of society? This would cover, for example, the degree to which the legislature contains women or minority groups.**

		<b>5 years ago</b>	<b>Now</b>
(1)	very high	2.8	
(2)	high	2.8	
(3)	moderate	22.2	
(2)	low	44.4	
(1)	very low	27.8	

**7. To what degree is there real competition for political power?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	18.9	3.1
(4)	high	40.5	15.6
(3)	moderate	13.5	12.5

(2)	low	10.8	28.1
(1)	very low	16.5	40.6

**8. To what extent does the policy-making process fairly reflect public preferences?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	zero	2.9
(3)	moderate	22.2	14.7
(2)	low	47.2	29.4
(1)	very low	30.6	52.9

**9. To what extent does the legislative function affect policy content?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	
(4)	high	2.7	
(3)	moderate	27.0	
(2)	low	43.2	
(1)	very low	27.0	

**10. To what extent are legislators accountable to the public?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	
(4)	high	5.4	
(3)	moderate	16.2	
(2)	low	43.2	
(1)	very low	35.1	

**PART III: GOVERNMENT STEWARDSHIP**

**11. To what extent is the government committed to ensuring the personal security of citizens?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.7	2.7
(4)	high	5.4	10.8
(3)	moderate	24.3	27.0
(2)	low	37.8	35.1
(1)	very low	29.7	24.3

**12. To what extent is the government committed to ensuring an adequate standard of living for citizens?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	5.6	11.1
(3)	moderate	25.0	27.8
(2)	low	47.2	25.0
(1)	very low	22.2	36.1

**13. To what extent are leaders encouraged to make tough decisions that are in the national interest?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	2.7
(4)	high	2.7	10.8
(3)	moderate	8.1	18.9
(2)	low	45.9	35.1
(1)	very low	43.2	32.4

**14. To what extent does the military accept its subordination to a civilian government?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.9	6.7
(4)	high	5.7	3.3

(3)	moderate	17.1	16.7
(2)	low	22.9	3.3
(1)	very low	51.4	70.0

**15. To what extent is the government committed to peaceful resolution of internal conflicts?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	5.4	2.7
(4)	high	10.8	16.2
(3)	moderate	32.4	24.3
(2)	low	35.1	32.4
(1)	very low	16.2	24.3

**PART IV: POLICY IMPLEMENTATION, ESPECIALLY THE BUREAUCRACY**

**16. To what extent are higher civil servants part of the policy-making process?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	32.4	40.5
(4)	high	43.2	27.0
(3)	moderate	16.2	16.2
(2)	low	8.1	10.8
(1)	very low	zero	5.4

**17. To what extent is there a merit-based system for recruitment into the civil service?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.7	5.4
(4)	high	13.4	21.6
(3)	moderate	51.4	43.2
(2)	low	18.9	18.9

(1)	very low	13.5	10.8
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**18. To what extent are civil servants accountable for their actions?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	zero	18.9
(3)	moderate	8.1	16.2
(2)	low	70.3	51.4
(1)	very low	21.6	13.5

**19. To what extent are there clear decision-making processes in the civil service?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.8	2.8
(4)	high	2.8	5.6
(3)	moderate	44.4	36.1
(2)	low	27.8	30.6
(1)	very low	22.5	25.0

**20. To what extent is there equal access to public services?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	2.7	2.7
(3)	moderate	18.9	18.9
(2)	low	51.4	48.6
(1)	very low	27.0	29.7

**PART V: RELATIONSHIP BETWEEN THE STATE AND THE MARKET.**

**21. To what extent do persons in public office promote respect for property rights?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	2.7
(4)	high	5.4	5.4
(3)	moderate	37.8	45.9
(2)	low	40.5	27.0
(1)	very low	16.2	18.9

**22. To what extent are economic regulations applied equally to firms in the economy?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.8	2.8
(4)	high	2.8	11.1
(3)	moderate	16.7	41.7
(2)	low	55.6	30.6
(1)	very low	22.2	13.9

**23. To what extent is obtaining a business license associated with corrupt transactions?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	21.6	5.4
(4)	high	37.8	24.3
(3)	moderate	16.2	51.4
(2)	low	21.6	16.2
(1)	very low	2.7	2.7

**24. To what extent is there consultation on policy between public and private sector actors?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	2.8
(4)	high	2.8	5.6
(3)	moderate	38.9	38.9

(2)	low	50.0	33.3
(1)	very low	8.3	19.4

**25. To what extent does the government take the new rules of global trade, finance and technology flows into account when formulating policy?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	2.8
(4)	high	8.3	16.7
(3)	moderate	44.4	50.0
(2)	low	41.7	22.2
(1)	very low	5.6	8.3

## **PART VI: DISPUTE RESOLUTION, PARTICULARLY THE JUDICIARY**

**26. To what extent is there equal access to justice for citizens?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.7	2.8
(4)	high	2.7	Zero
(3)	moderate	21.6	22.2
(2)	low	37.8	30.6
(1)	very low	35.1	44.4

**27. To what extent are there clear decision-making processes in the judicial system?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.8	2.8
(4)	high	5.6	2.8
(3)	moderate	22.2	25.0
(2)	low	52.8	47.2
(1)	very low	16.7	22.2



**28. To what extent are judicial officials accountable for their actions?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.9	2.9
(4)	high	2.9	2.9
(3)	moderate	20.0	22.9
(2)	low	40.0	31.4
(1)	very low	34.3	40.0

**29. To what extent are international legal norms in the human rights field being incorporated into the national rights regime?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	2.9	2.9
(4)	high	zero	2.9
(3)	moderate	34.3	40.0
(2)	low	48.6	34.3
(1)	very low	14.3	20.0

**30. To what extent are non-judicial processes in place for fair resolution of conflicts?**

		<b>5 years ago</b>	<b>Now</b>
(5)	very high	zero	zero
(4)	high	14.3	11.4
(3)	moderate	22.9	34.3
(2)	low	42.9	34.3
(1)	very low	20.0	20.0