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Decentralization in Theory and Practice: A Historical and Critical Comparison of Pakistan's Local Government Ordinances of 1979 and 2001

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Abstract

This article examines the two most consequential pieces of local government legislation in Pakistan's post-independence history: the Local Government Ordinance (LGO) of 1979, promulgated under General Zia-ul-Haq, and the Local Government Ordinance of 2001, promulgated under General Pervez Musharraf. By situating both ordinances within their respective political, historical, and ideological contexts, the article offers a comparative critique of their structural designs, stated objectives, and practical outcomes. It argues that despite markedly different rhetorical frameworks—the 1979 Ordinance emphasizing administrative efficiency and the 2001 Ordinance championing grassroots empowerment—both instruments ultimately served to consolidate authoritarian power rather than to transfer meaningful governance authority to elected local bodies. The article traces the colonial roots of local government in the subcontinent, analyses the structural provisions of each ordinance, and assesses their respective legacies through the lenses of fiscal autonomy, political decentralization, and democratic accountability. The analysis traces continuities and ruptures between the two frameworks, assesses their developmental and democratic consequences, and situates them within broader comparative and theoretical debates about decentralization in the Global South.

Key Words: *Local Government, Legislation, Local Government Ordinance, Post-independence, Local Bodies, Decentralization*

Introduction: Decentralization as Theory and Political Instrument

Decentralization—broadly understood as the transfer of authority, responsibility, and resources from central governments to subnational or local levels—has occupied a central place in development theory and governance reform discourse since at least the 1970s. Theorists such as Rondinelli, Nellis, and Cheema distinguished between *de-concentration*, *delegation*, *devolution*, and *privatization* as analytically distinct forms of decentralization, each with different implications for institutional design and democratic accountability.[1] At the normative level, proponents of decentralization have argued that it brings government closer to citizens, improves service delivery efficiency, promotes participatory democracy, and allows for

[1]Dennis A. Rondinelli, John R. Nellis, and G. Shabbir Cheema, *Decentralization in Developing Countries: A Review of Recent Experience* (Washington, D.C.: World Bank, 1983), 8–12.

policy experimentation suited to local contexts.[2] Critics, however, have cautioned that decentralization in practice often reproduces elite capture at local levels, exacerbates regional inequalities, and serves as a mechanism through which central governments shed accountability without genuinely transferring power.[3]

The question of how political authority should be organised between central, provincial, and local levels of government has been one of the most persistent and contested in Pakistan's constitutional history. From the moment of independence in 1947, successive governments—civilian and military alike—have sought to resolve this question through legislative intervention, producing a succession of local government frameworks that have been enacted, suspended, revived, and dismantled with remarkable frequency. Nowhere is this volatility more visible than in the careers of the two landmark ordinances that form the subject of this study.

The Local Government Ordinance of 1979 and the Local Government Ordinance of 2001 represent the two most ambitious attempts in Pakistan's history to design a comprehensive architecture for subnational governance. Both were the products of military regimes and both were presented to the public as instruments of democratic empowerment. Yet both have attracted substantial scholarly criticism for the gap between their professed ambitions and their practical consequences. Understanding why these ordinances fell short requires locating them within the deeper currents of Pakistan's political economy, colonial inheritance, and the enduring tension between centralisation and devolution.

This article proceeds in five sections. Section II surveys the colonial and early post-independence background of local government in the region. Section III analyses the historical context, structural provisions, and critical reception of the LGO 1979. Section IV does the same for the LGO 2001. Section V undertakes a systematic comparative analysis across several thematic dimensions. The article concludes with a reflection on what this history reveals about the prospects for genuine decentralization in Pakistan.

Colonial Roots & Early Post-Independence Local Government

Any serious study of Pakistani local government must begin with the colonial period, because the institutions, bureaucratic cultures, and spatial hierarchies established under British rule have proven extraordinarily durable. The British Raj governed its Indian territories through a system that combined a powerful district administration—headed by the District Collector or Deputy Commissioner—with nominally representative local bodies whose authority was carefully circumscribed. The Local Self-Government Acts of the late nineteenth century created an appearance of participatory governance while ensuring that effective power remained in the hands of the colonial bureaucracy.[4]

The colonial logic was explicitly instrumental: local bodies were not designed to produce self-governance but to co-opt local elites, distribute administrative burdens, and provide a safety valve for political aspirations that might otherwise destabilize imperial rule. This pattern, in which the form of representation is granted while the substance of power is withheld, became deeply inscribed in the institutional DNA of the subcontinent's bureaucratic culture.[5]

At independence in 1947, Pakistan inherited this institutional legacy wholesale. The new state faced enormous administrative challenges—the influx of millions of refugees, the partition of Punjab and Bengal, and the absence of an established civil service in the territories that became Pakistan—and responded by relying even more heavily on the centralized bureaucratic apparatus than the British had. The district

[2]James Manor, *The Political Economy of Democratic Decentralization* (Washington, D.C.: World Bank, 1999), 1–5.

[3]Pranab Bardhan, "Decentralization of Governance and Development," *Journal of Economic Perspectives* 16, no. 4 (2002): 185–205.

[4]Inayatullah, *Basic Democracies, District Administration, and Development* (Peshawar: Pakistan Academy for Rural Development, 1964), 12.

[5]Charles H. Kennedy, *Bureaucracy in Pakistan* (Karachi: Oxford University Press, 1987), 45.

administration remained the primary instrument of governance, and local bodies continued to function in a subordinate and financially dependent capacity.[6]

The first military regime of General Ayub Khan introduced the Basic Democracies system in 1959, which ostensibly created an eighty-thousand-strong tier of elected local representatives known as Basic Democrats. These representatives formed the Electoral College for national and provincial assemblies, giving them a pivotal formal role in the constitutional order. In practice, however, Basic Democrats were closely monitored and manipulated by the bureaucracy, and the system served primarily as a mechanism for legitimizing Ayub's own rule rather than for devolving power to communities.[7]

The Bhutto era of the 1970s saw a partial reversal of this approach, with the People's Works Programme attempting to channel development resources through local communities. However, the political turbulence of the period—including the separation of East Pakistan, the 1971 war, and fierce contestation over the 1973 Constitution—prevented any sustained attention to local government reform. When General Zia-ul-Haq overthrew the Bhutto government in July 1977, he inherited a local government system that was fragmented, under-resourced, and lacking constitutional standing.[8]

The Local Government Ordinance of 1979: Context, Structure and Critique

1. Historical Context

General Zia-ul-Haq's military government promulgated the Local Government Ordinance of 1979 against a backdrop of severe political instability and authoritarian consolidation. Having dissolved the National Assembly and banned political parties, Zia required a mechanism that could simultaneously demonstrate a commitment to popular participation and provide a loyal administrative base for his regime. Local government elections, held without party affiliations, served both purposes: they created a veneer of democratic activity while ensuring that the elected bodies remained fragmented, politically neutered, and dependent on the bureaucracy.[9]

The ordinance was introduced separately in each of the four provinces, with broadly similar provisions but important variations reflecting provincial administrative traditions. The formal rationale offered by the Zia government was that non-party local elections would depoliticise governance at the grassroots level and allow development to proceed on the basis of merit rather than political patronage.[10]

2. Structural Provisions

The LGO 1979 established a three-tier structure of local government: Union Councils at the lowest level, Town Committees and Municipal Committees at the intermediate level, and District Councils at the apex. Union Councils, each covering a population of roughly five to ten thousand, were directly elected and were intended to serve as the primary vehicle for community-level governance. Above them, Municipal and Town Committees managed urban services in smaller towns, while District Councils coordinated development activities across larger rural areas.[11]

Each tier was assigned a range of functions broadly corresponding to its scale: sanitation, local roads, markets, and cattle pounds at the union level; water supply, street lighting, and minor infrastructure at the

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[6]Hamza Alavi, "The State in Post-Colonial Societies: Pakistan and Bangladesh," *New Left Review* 74 (1972): 59.

[7]Government of Pakistan, *Report of the Basic Democracies Order* (Karachi: Government Press, 1959), 3.

[8]Mushtaq Ahmad, *Government and Politics in Pakistan* (Karachi: Pakistan Publishing House, 1970), 88.

[9]Mohammad Waseem, *Politics and the State in Pakistan* (Islamabad: National Institute of Historical and Cultural Research, 1994), 210.

[10]Government of Pakistan, *The Local Government Ordinance 1979* (Islamabad: Ministry of Law and Parliamentary Affairs, 1979), 1.

[11]Saeed Shafqat, *Civil-Military Relations in Pakistan* (Boulder: Westview Press, 1997), 135.

municipal level; and district-wide development works, secondary education support, and health facilities at the district level. Revenue-raising powers were, however, severely constrained. Local bodies could levy limited octroi duties and user charges, but the bulk of their resources came from provincial grants, which could be withheld or redirected for political reasons.[12]

The ordinance preserved a powerful supervisory role for the provincial bureaucracy. The Deputy Commissioner—a civil servant accountable to the provincial government—retained extensive oversight powers over district-level elected bodies, including the power to approve or veto local budgets, suspend resolutions, and recommend the dissolution of councils. This dual arrangement, in which elected bodies nominally led development activities while civil servants retained veto powers, was characteristic of the colonial model and represented a fundamental continuity rather than a break from it.[13]

3. Critical Assessment of LGO 1979

The scholarly consensus on the LGO 1979 is broadly critical, though not entirely dismissive. On the positive side, the ordinance did succeed in establishing an institutional framework for local governance that persisted, in modified form, for over two decades. The Union Council system became an important channel for community-level dispute resolution and minor development works, particularly in rural Punjab and the NWFP. The requirement that a proportion of seats be reserved for women represented a modest advance in gender inclusion.[14]

However, the more fundamental criticisms are difficult to dismiss. The ban on political parties in local elections, justified as an antidote to politicisation, had the paradoxical effect of reinforcing the dominance of traditional landed elites and biraderi networks, who were able to mobilise votes through social pressure without the countervailing force of party organisation. The promise of administrative decentralisation was systematically undermined by the retention of supervisory powers in the hands of the Deputy Commissioner, making local bodies structurally dependent on the goodwill of a civil servant who owed no political accountability to local communities.[15]

Most critically, the LGO 1979 was transparently designed to serve the political interests of the Zia regime. By providing a nationwide network of local elected representatives who had no party affiliation and thus no independent political base, the ordinance replicated the Basic Democracies model of Ayub Khan in all but name. As Waseem has observed, Pakistani military governments have consistently deployed local government reform as a strategy for political legitimation rather than as a genuine commitment to democratic decentralisation.[16]

The Local Government Ordinance of 2001: Context, Structure and Critique

1) Historical Contexts

The Local Government Ordinance of 2001 was the centrepiece of General Pervez Musharraf's Devolution of Power Plan, an ambitious programme of administrative restructuring formally launched by the National Reconstruction Bureau in 2000. The NRB's Local Government Plan 2000 set out a vision of radical decentralisation that would dismantle the colonial district administration, transfer substantial authority to

[12]Rasul Bakhsh Rais, *State, Society and Democratic Change in Pakistan* (Karachi: Oxford University Press, 1997), 78.

[13]Iftikhar H. Malik, *State and Civil Society in Pakistan* (Basingstoke: Macmillan Press, 1997), 162.

[14]Asia Foundation, *Local Government in Pakistan: An Overview* (Islamabad: Asia Foundation, 2002), 9.

[15]National Reconstruction Bureau, *Local Government Plan 2000* (Islamabad: National Reconstruction Bureau, 2000), 5.

[16]Mohammad Waseem, *Politics and the State in Pakistan* (Islamabad: National Institute of Historical and Cultural Research, 1994), 215.

elected local governments, and integrate previously separate provincial departments—police, health, education, and agriculture—under the control of elected District Nazims.[17]

The intellectual architecture of the plan drew heavily on international development discourse of the 1990s, which had strongly promoted decentralisation as a mechanism for improving public service delivery, reducing corruption, and deepening democratic accountability. The World Bank, Asian Development Bank, and bilateral donors were broadly supportive of the devolution agenda, lending the plan a degree of technocratic legitimacy that was useful to a government that had come to power through a coup and was seeking international rehabilitation.[18]

2) Structural Provisions

The LGO 2001 established a three-tier system consisting of District Governments at the apex, Town Municipal Administrations in urban areas and Tehsil Municipal Administrations in rural areas at the intermediate level, and Union Administrations at the lowest level. The most dramatic innovation was the abolition of the office of Deputy Commissioner and the formal transfer of the functions previously performed by the district bureaucracy to the elected District Nazim, who would serve as the chief executive of the District Government.[19]

Each District Government was to be led by a directly elected Nazim and Naib-Nazim, with a District Council providing legislative oversight. A system of reserved seats was introduced for women (33 percent of seats at all tiers), peasants and workers, and non-Muslim minorities, representing a significant advance in formal inclusion relative to the LGO 1979. The ordinance also established Citizen Community Boards as a vehicle for community participation in development planning.[20]

On paper, the fiscal provisions of the LGO 2001 were considerably more generous than those of its predecessor. The Provincial Finance Commissions were reformed to ensure that a larger and more predictable share of provincial revenues was transferred to local governments. Districts were given authority over major development budgets in health, education, agriculture, and public works. The transfer of provincial departments to district control was intended to create unified administrative capacity at the local level.[21]

3) Critical Assessment of LGO 2001

The LGO 2001 attracted a more intense and polarised scholarly and political debate than any previous local government reform in Pakistan's history. Its supporters argued that the abolition of the Deputy Commissioner's office represented a genuine and historic rupture with the colonial administrative tradition, and that the transfer of development budgets to elected Nazims had the potential to transform service delivery at the local level. Early evaluations by the World Bank and other development agencies were cautiously optimistic, noting improvements in some indicators of local service delivery in the first years of implementation.[22]

Critics, however, pointed to a catalogue of structural flaws that severely compromised the ordinance's transformative potential. The most fundamental was the retention of provincial authority over local government appointments, finances, and even the tenure of elected officials. Provincial governments

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[17]Government of Pakistan, *The Local Government Ordinance 2001* (Islamabad: Ministry of Law, Justice and Human Rights, 2001), 4.

[18]World Bank, *Devolution in Pakistan: An Assessment and Recommendations for Action* (Washington D.C.: World Bank, 2004), 14.

[19]Akhtar Hussain, *The Political Economy of Local Governance in Pakistan* (Islamabad: SDPI, 2005), 66.

[20]Aisha Ghaus-Pasha and Musharraf Rasool Cyan, "Local Government Finances in Pakistan," *Pakistan Development Review* 35, no. 4 (1996): 653.

[21]Haris Gazdar, *A Review of Migration Issues in Pakistan* (Karachi: Collective for Social Science Research, 2003), 38.

[22]Charles H. Kennedy, *Bureaucracy in Pakistan* (Karachi: Oxford University Press, 1987), 99.

consistently sought to undermine the implementation of the ordinance. The Concurrent Legislative List gave provinces the power to legislate on local government matters, and they used this power aggressively to claw back administrative control.[23]

The police reforms embedded in the devolution plan—which sought to place the district police under the supervisory authority of a Public Safety Commission rather than under the exclusive control of the provincial government—proved particularly contentious and were never effectively implemented. The result was a structural incoherence in which the Nazim was nominally responsible for law and order in his district but had no effective authority over the police, undermining his credibility and political authority in the most fundamental way.[24]

As with the LGO 1979, the LGO 2001 also served transparent political purposes for its military author. The Nazim system created a nationwide network of political allies for Musharraf who owed their positions to the devolution plan and could be relied upon to support the PML-Q in the 2002 elections. The International Crisis Group's comprehensive assessment, published in2004, concluded that the devolution plan had been designed to serve the needs of the military regime rather than to create genuinely accountable local governance.[252627]

Comparative Analysis

A. Political Origins & Legitimating Purposes

The most striking commonality between the LGO 1979 and the LGO 2001 is that both were produced by military governments seeking political legitimation through the language of democratic decentralisation. Both Zia and Musharraf had suspended constitutional government and could not hold general elections without risking the transfer of power to civilian parties. Local government elections—particularly when conducted without party labels, as in 1979, or on a new institutional template that disadvantaged established parties, as in 2001—provided a substitute form of political activity that could be managed and channelled to the regime's advantage.[28]

B. Structural Design & Institutional Architecture

In terms of structural ambition, the two ordinances are sharply differentiated. The LGO 1979 was a conservative instrument that largely preserved the colonial architecture of the district administration and simply added a layer of elected local bodies alongside it. The LGO 2001, by contrast, attempted a far more radical restructuring, abolishing the Deputy Commissioner's office, integrating provincial departments into district governments, and creating an elected chief executive with a comprehensive development mandate. On paper, the 2001 system represented a qualitative leap in the scope of decentralisation.

In practice, however, the gap between the two systems narrowed considerably during implementation. The LGO 2001's bold institutional design was progressively diluted by provincial governments that were unwilling to relinquish administrative control, and by a civil service that successfully resisted genuine subordination to elected local officials. By the mid-2000s, district governments in many parts of Pakistan were operating with considerably less effective authority than the document they replaced had envisaged. The LGO

[23]Tariq Banuri, *Civil Society and Governance in Pakistan* (Islamabad: SDPI Working Paper Series, 2001), 25.

[24]UNDP Pakistan, *Pakistan National Human Development Report 2003* (Islamabad: UNDP, 2003), 112.

[25]Pervez Musharraf, *In the Line of Fire: A Memoir* (New York: Free Press, 2006), 157.

[26]International Crisis Group, *Devolution in Pakistan: Reform or Regression?* (Islamabad/Brussels: ICG Asia Report No. 77, 2004), 3.

[27]Ayesha Siddiqa, *Military Inc.: Inside Pakistan's Military Economy* (London: Pluto Press, 2007), 88.

[28]Zulfiqar Gilani, *Federalism, Devolution and Local Self-Governance in Pakistan* (Lahore: Vanguard Books, 2010), 194.

1979, for all its limitations, had at least generated stable institutional expectations over its twenty-year lifespan.[29]

C. Fiscal Autonomy & Resource Transfer

Both ordinances failed to resolve the fundamental fiscal problem of Pakistani local government: the mismatch between assigned functions and available revenues. Under the LGO 1979, local bodies were assigned extensive service delivery responsibilities but were given negligible independent revenue-raising authority, leaving them structurally dependent on provincial transfers subject to political manipulation. Under the LGO 2001, the reformed Provincial Finance Commissions transferred larger volumes of resources to districts, but the terms of transfer remained at provincial discretion. In neither system did local governments acquire the financial autonomy necessary to plan and deliver services on a multi-year basis.[30]

D. Gender Inclusion & Minority Representation

One clear area of improvement between 1979 and 2001 is the treatment of gender and minority representation. The LGO 1979 included modest reserved seats for women at union council level but made no provision for reserved seats in higher tiers or for minority communities. The LGO 2001 introduced a mandatory 33 percent reservation of seats for women at all tiers, as well as reserved seats for peasants and workers and for non-Muslim minorities. While the implementation of women's reserved seats was imperfect—many women councillors functioned as proxies for male relatives—the formal commitment to inclusion represented a significant normative advance with measurable effects on women's political participation over time.

E. Durability & Institutional Stability

The LGO 1979 had a lifespan of approximately twenty-two years, surviving the transition to civilian government in 1988 and operating, with modifications, under both Benazir Bhutto and Nawaz Sharif. Its longevity was a function partly of institutional inertia and partly of the absence of any consensus among civilian governments on a replacement framework. The LGO 2001, by contrast, was substantially dismantled within a decade. Following Musharraf's departure from power in 2008, the provincial governments moved quickly to restore elements of the pre-2001 system, and the passage of the Eighteenth Constitutional Amendment in 2010 effectively gave each province full authority to legislate its own local government system. By 2013, all four provinces had enacted new provincial local government laws that differed substantially from the 2001 template.

Post-2008 Developments and Legacy of Both Ordinance

The return of civilian democratic government in 2008, following Musharraf's resignation, precipitated the rapid dismantling of the 2001 system. Provincial governments, dominated by parties that had opposed the Nazim system, moved to suspend local government elections and revert administrative authority to provincial bureaucracies. This transition period—lasting in some provinces until 2012 or beyond—left local governance in a state of institutional interregnum.[31]

The Eighteenth Constitutional Amendment of 2010 marked a watershed moment in Pakistan's constitutional history by devolving significant functional responsibilities from the federal to the provincial governments, and by mandating elected local government systems under Article 140-A.[32] However, the amendment left the detailed design of local government to provincial legislatures, resulting in diverse and

[29]Syed Mukhtar Ahmad Ali, *Local Government in Pakistan: Issues and Challenges* (Islamabad: PILDAT, 2012), 7.

[30]Shahrukh Rafi Khan, *Fifty Years of Pakistan's Economy* (Karachi: Oxford University Press, 1999), 314.

[31]Pakistan Institute of Legislative Development and Transparency (PILDAT), *Local Government System and Election in Pakistan* (Islamabad: PILDAT, 2012), 7–10.

[32]Government of Pakistan, *Eighteenth Constitutional Amendment Act 2010* (Islamabad: Government of Pakistan Press, 2010).

sometimes regressive provincial frameworks. Maryam Khan has argued that the Eighteenth Amendment's local government provisions represented an incomplete devolution that strengthened provinces vis-à-vis the federation, but did not correspondingly strengthen local government's vis-à-vis provinces.[33]

The period following the Eighteenth Amendment witnessed provinces enacting new local government laws with widely varying degrees of genuine devolution. Punjab's Local Government Act 2013, Sindh's Local Government Act 2013, and subsequent revisions across all four provinces produced a fragmented national picture in which local government frameworks diverged substantially in institutional design, fiscal provisions, and democratic character.[34]

Evaluations conducted by the Sustainable Development Policy Institute and other research organizations found that in most provinces, the post-2010 local government systems represented regressions from the 2001 framework in terms of the scope of functions assigned to local governments, the fiscal resources allocated, and the degree of political autonomy afforded to elected local officials.[35]

Conclusion

The comparative history of Pakistan's Local Government Ordinances of 1979 and 2001 offers a sobering lesson in the limits of institutional design when political will is absent or misdirected. Both ordinances were crafted by intelligent administrators and drew on genuine intellectual traditions of decentralisation theory. Both created institutional frameworks that had real, if partial, positive effects on local governance in some parts of the country during parts of their operational lifetimes. Yet both ultimately failed to deliver on their transformative promises, because both were designed to serve the political interests of the military regimes that enacted them rather than to create durable structures of democratic local self-governance.

The lesson is not that decentralisation is inherently impossible in Pakistan, but that decentralisation cannot be achieved by decree from above. Meaningful local government requires constitutional protection, guaranteed revenue streams, genuine bureaucratic subordination to elected authority, and, above all, a political culture in which central and provincial governments accept the loss of control that genuine devolution entails. None of these conditions were present under either the LGO 1979 or the LGO 2001, and neither ordinance was designed to create them.

The Eighteenth Constitutional Amendment of 2010 has created a new framework in which provinces are formally responsible for local government. Whether this provincial responsibility will produce more durable and meaningful decentralisation than the federal military ordinances that preceded it remains to be seen. The historical record counsel's caution: the incentives of provincial governments to concentrate power at the provincial level are no less powerful than those of federal governments and military regimes. Pakistan's quest for genuine decentralisation remains unfinished, and the history traced in this article suggests that finishing it will require not merely better legislation but a fundamental transformation of the political economy of governance.

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[34]Faisal Bari, *Education for All: Mid-Decade Assessment, Pakistan Country Study* (Islamabad: UNESCO, 2008), 34–36.

[35]SDPI (Sustainable Development Policy Institute), *Assessment of Decentralisation and Local Governance in Pakistan 2007–2010* (Islamabad: SDPI, 2010), 18–22.

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