

## GOVERNANCE AND PUBLIC POLICIES

(2)

### I INTRODUCTION

Islam is a complete code of life that provide comprehensive framework of governance. Islamic principles of justice (Adl), shura and accountability can be a panacea for the crumbling governance structure of Pakistan. Pakistan can undertake several reforms to address corruption, inequality and weak institutional capacity like Enforcing rule of law, strengthening oversight mechanisms, focus on moral education and reformation of curriculum and consultative policy making.



## II- CONCEPT OF ADL, SHURA AND ACCOUNTABILITY IN ISLAM

Adl or justice means equitable making decisions in a just manner and Allah has said

ان الله يامر بالعدل  
(Al-Quran)

Moreover, Islam has emphasized consultation among stakeholder for decision making

"And decide your affairs with consultation"  
(Al-Quran)

Furthermore, accountability concept in Islam refers to the dual accountability; Hisbah means accountability to one self and accountability to people. Allah has made everyone a vicegerent on earth who is accountable to him

ان جعل في خلقه الخليفة  
(Al-Quran)



## II HOW THESE ISLAMIC PRINCIPLES CAN BE INTEGRATED INTO PAKISTAN'S GOVERNANCE FRAMEWORK

### ① RULE OF LAW AND EQUAL APPLICABILITY OF LAW

Law in Pakistan is not equally applicable to everyone in Pakistan.

Islam has emphasized that rule of law is the pivotal concept of governance. Hazrat Muhammad SAW said

"Nations before you were destroyed because they punished the common and let their dignitaries go free.

If my daughter Fatima had committed the crime, I would have cut her hand."

(Hazrat Muhammad)



: 6/5

In Pakistan dignitaries go unattended by crime and it is common man who is punished by law

→ Plea Bargain in NAB and Natasha case

Pakistan need to equally apply law to every citizen irrespective of class, gender, ethnicity

② STRENGTHEN OVERSIGHT MECHANISMS AND COMPLETE SEPERATION OF POWER TO CHECK ABUSE OF POWER

Islam has emphasized that everyone is responsible for is responsible for his ward

"Everyone of you is responsible for your own ward; A leader is accountable for his people"  
(~~Hadith~~ PBUH)



: 6/11

According to Islam, governance and responsibility is a sacred trust. So in order to reduce corruption government need to strengthen accountability mechanisms and enhance intra-department and inter-department accountability.

→ legislative check on bureaucracy (Public Accounts Committee)

→ Enforce accountability mechanisms

### ③ FOCUS ON MORAL EDUCATION IN SCHOOLS

School is the first form institution of socialization. There is a need to address the moral decline in the society because we have forgotten Islamic concept of "inner accountability". Education system reformation can inculcate the moral and ethical values.



: 6/5

④ CONSULTATIVE POLICY MAKING THROUGH INCLUDING ALL STAKEHOLDERS OPPOSITION, CITIZENS, PRIVATE SECTOR AND CIVIL SOCIETY (LOCAL GOVT)

Caliphate of Rashidun and Madina State used to conduct affairs through consultation. Pakistan has to do away with centralized tendencies and transfer power to local government to ensure consultative decision making.

→ Transferring power from provincial govt + local govt

⑤ PROGRESSIVE TAXATION TO REDUCE INEQUAITY

In order to reduce inequality (Top 5% of people in Pakistan hold 30% of wealth)

Pakistan has introduced progressive taxation instead of burdening the



already burdened class

"Whenever you do justice  
between people do  
it with justice"  
(Al-Quran)

Pakistan has to make efforts  
to tax the holy cows i.e. retail  
sector, real estate and agricultural  
feudal lords to increase circulation  
of money in the society.

## ⑥ FOCUS ON MERITOCRACY

Hazrat Muhammad (SAW) used  
to appoint best people for administrative  
posts in Madina and same principle  
was followed by Rashidun caliphate.  
A system of political patronage and  
nepotism exists in Pakistan. Only  
through ensuring meritocracy, Pakistan  
can progress.



## IV. CONCLUSION

To encapsulate, Islamic golden principle of justice, consultation and accountability can help Pakistan in getting out of governance quagmire. Pakistan needs ensure rule of law, reform curriculum and inculcate moral values in the society to uphold high moral and ethical standards. Furthermore, governance needs to be done to consultative process and there is an urgent need to ensure meritocracy for key positions in the country.



(5)

## I- INTRODUCTION

Bureaucracy is pivotal organ of governance that is an implementing arm of government in all the policies made to ensure good governance.

Rule of law, government effectiveness and regulatory quality those governance indicators that are pivotal for stability and growth but the performance of bureaucracy in these indicators have been dismal and effective reform are needed in the bureaucracy to ensure good governance.

## II- IMPORTANCE OF RULE OF LAW, GOVERNMENT EFFECTIVENESS AND REGULATORY QUALITY



→ Rule of law ensure that law enacted by the government is just in nature and is equally and equitably applicable to everyone in the society

→ Government effectiveness determine the quality of output and the quality of public services being delivered by government

→ Regulatory Quality ensure that markets and private sector is complying with rules and standard procedures prescribed by government

→ OGRA (Oil & Gas Regulatory Authority) → regulating oil & Gas Industry

→ State Bank of Pakistan regulating



Banks of Pakistan

→ PTA (Pakistan Telecommunication Authority) regulating telecommunication companies

### III ROLE OF PAKISTAN'S BUREAUCRACY IN IMPROVING THESE INDICATORS, CRITICAL ANALYSIS

WEAK ENFORCEMENT

① ~~Role of law~~ EQUAL ENFORCEMENT OF LAW

Bureaucracy ensures that laws are equally applicable to everyone in the society and everyone is beneficiary of the government of policy. But in Pakistan laws have weak enforcement and it is not effectively implemented that leads to bad governance

→ Poor implementation of education and health policies

directly impacts effectiveness of governance



: 6/5

## ② CORRUPTION BY BUREAUCRACY

Bureaucracy is involved in corruption that weakens rule of law, government effectiveness

→ Thana culture of Police & Bribery for government services

## ③ SERVING THE INTERESTS OF LOBBYISTS AND POWERFUL

Regulatory authorities are meant to check compliance of private sector with rules, law and standard operating procedures but often these regulatory bodies play into the hand of lobbyists and represent their interests

→ Weak regulatory mechanisms



## ④ FUNDING CONSTRAINTS

Bureaucracy also face funding constraints in order to carry out government policies. For example

→ In order to enforce e-governance, digital infrastructure is needed but lack of funding constraints limit the effectiveness of governance.

## IV. EFFECTIVE BUREAUCRATIC REFORMS TO ACHIEVE SUSTAINABLE GROWTH

### ① CAPACITY BUILDING OF BUREAUCRATS

In order to reduce the trained incapacity of bureaucrats, there is a need to build the capacity of bureaucrats to carry out effective governance reforms.



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## USE OF TECHNOLOGY TO ENHANCE GOVERNANCE - SHIFT TOWARDS DIGITALIZATION

There is a need to increase  
of technology in governance  
to enhance transparency and  
effectiveness. Pakistan stands  
at 99 in terms of governance

Although government has introduced  
several initiatives

- Citizen Portal
- Digital Land Record Management
- E-office

But there is a need to address  
constraints like poor digital  
literacy of bureaucrats and  
lack of resources.



: 6/15

### ③ STRONG ACCOUNTABILITY MECHANISMS AND INCENTIVE BASE PROMOTION: KPIs

Government needs to introduce KPIs of bureaucracy and there is a need to ensure strong accountability mechanisms to ensure proper implementation of government policies.

## V- CONCLUSION

To encapsulate, role of laws, government effectiveness and regulatory quality are key indicators to ensure good governance. Bureaucracy role is pivotal in the improvement of these indicators however bureaucratic system in Pakistan is marred with corruption, weak enforcement and funding constraints. There is a need to do capacity building of bureaucrats, enhance use of technology and ensure



Strong accountability measures to ensure good governance.

(7)

## I- INTRODUCTION

Legal system of Pakistan is inaccessible mainly due to adjournment of cases, backlog of cases, cumbersome legal procedures, costly legal procedures and accessibility issues. Moreover, governance structure of the country have further exacerbated these legal issues because of lack of political will to implement reforms. Growing youth bulge and limited avenues for youth engagement are contributed to political violence as manifested by increased polarization on the digital space,



lack of tolerance in society and increasing extremist incidents in the country and increased role of youth in them

## II- KEY CHALLENGES IN ACCESSING THE LEGAL SYSTEM IN PAKISTAN

### ① Adjourment of CASES

In Pakistan's legal justice system there is continuous adjourment of cases that leads to prolonged litigation and denied justice

"Justice delayed is Justice denied"

### ② BACKLOG OF CASES PREVENT EXPEDITIOUS JUSTICE

Almost 2.26 million cases in Pakistan's judiciary that prevent expeditious justice



3) CUMBERSOME LEGAL PROCEDURES

Cumbersome legal procedures make it difficult for common man to access the legal system of the country

→ Complex procedure of filing a case

4) COSTLY LEGAL PROCEDURES

High costs associated with legal procedures reduce accessibility of citizens. Moreover, continuous adjournments and long delay adjudications further make it costly to file and sustain a case

→ Fees charged by lawyers



65

## ⑤ LOW CONVICTION RATES DUE TO WEAK PROSECUTION AND EVIDENCE

Weak conviction rate of almost 5% further reduces trust of people in legal system. Furthermore, weak prosecution and evidence collection weakens the case and reduces accessibility of justice for a common citizen.

## ⑥ LACK OF AWARENESS ABOUT LAWS

Citizens are not aware of the laws and if they know about laws, they are unaware which agency to contact. This unawareness further reduces accessibility to legal system.

→ Lack of awareness about PECA laws regarding Cyber Crime and NR3C of FIA



### III - HOW GOVERNANCE

#### (7) PREVALENT CORRUPTION IN LEGAL SYSTEM

Corruption in the justice system especially in Police, that is the first point of contact in legal system further reduces the accessibility

→ Thana culture

### III - HOW GOVERNANCE STRUCTURES EXACERBATES THE ISSUES

Lack of political will on the part of governance structure to reform legal system exacerbates the accessibility issues

### IV - GROWING YOUTH BULGE AND LIMITED AVENUES FOR YOUTH ENGAGEMENT



:60

## ARE CONTRIBUTING TO POLITICAL VIOLENCE IN A COUNTRY

### ① INCREASE A POLARIZATION IN YOUTH

Increased polarization in the youth due to lack of engagement activities shows its enhanced role in political violence.

→ Increased polarization on social media

### ② LACK OF TOLERANCE AND INCREASING INCIDENTS OF POLITICAL VIOLENCE ; INCREASE IN FRUSTRATION AND LACK OF TRUST IN PUBLIC

There is growing intolerance among youth especially in political domain mainly due to growing frustration as a result of lack



of engagement opportunities and  
 and that has led to the lack  
 of trust in government  
 → continuous political protests  
 and agitational politics

## V- CONCLUSION

To encapsulate, key challenges  
 in accessing legal system are  
 adjournment of cases, backlog  
 of cases, cumbersome legal  
 procedures, low conviction rates  
 and all this is exacerbated by  
 lack of political will to implement  
 legal reforms. Furthermore, growing  
 youth bulges and limited avenues  
 for youth engagement are contributing  
 to political violence as manifested  
 by growing intolerance and  
 polarization among youth.



(6)

## I- INTRODUCTION

Institutions play important role in fostering sustainable development economic uplift and business opportunities by creating conducive environment through its regulatory mechanism and public policies. There are several challenges in attaining investment and enhancing country's competitiveness i.e. weak rule of law and extended litigations, bureaucratic inefficiency and red tapism, complex legal procedures for business registration, low education quality and human resource and deteriorating security situation in a country. Immediate measures are needed to attract investment and enhance country's competitiveness.



## II- ROLE OF INSTITUTION BUILDING AND EFFECTIVE GOVERNANCE IN FOSTERING SUSTAINABLE DEVELOPMENT, ECONOMIC UPLIFT AND BUSINESS OPPORTUNITIES

- Provide conducive environment for business, innovation and research
- build productivity of its people/citizens by investing in their education, health and overall socio-economic development
- provide regulatory framework to the business
- provide economic opportunities through its industrial policies and other policies



6/5

### III- CHALLENGES IN ATTAINING INVESTMENT AND ENHANCING COUNTRY'S COMPETITIVENESS

#### ① WEAK RULE OF LAW AND EXTENDED LITIGATIONS

Weak rule of law and backlog of cases doesn't inspire confidence in the legal system of the country and is a major reason for attaining investment

→ Reko Dik case

→ 2.26 million pending cases

→ Slowdown of CPEC 2.0 phase

#### ② BUREAUCRATIC INEFFICIENCY AND RED TAPISM

Bureaucratic inefficiency and red tapism is another reason due to which investment is declining in a country and country's



competitiveness is not increasing -  
mainly due to weak enforcement  
mechanism

→ Investment + GDP ratio declined  
from 15% to 13.2% in 2024

→ Global competitiveness ranking of  
Pakistan 102/195

### ③ COMPLEX PROCEDURES FOR BUSINESS REGISTRATION

Complex procedures for business  
registration also hinder  
foreign investments.

→ Business in Pakistan has to register  
with almost 13-14 regulatory  
bodies

### ④ LACK OF INVESTMENT IN HUMAN CAPITAL

Dismal socio-economic conditions  
of people with low literacy rates



poverty, declining health levels decrease productivity and they can't effectively participate to the development of the country

→ Human Development Ranking of Pakistan 164/193

→ 40% poverty rate

→ 40% of children suffering from malnourishment

## ⑤ DETERIORATING SECURITY SITUATION

Deteriorating security situation in a country and lack of writ of institutions has become a challenge for business environment in the country

→ Attack on Chinese engineers working on CPEC



## ⑥ STAGNANT EXPORT AND FLAWED POLICIES

lack of diversification of exports and lack of diversification of export markets is also impacting Pakistan's competitiveness.

## IV- RECOMMENDATIONS

### ① STRENGTHENING LEGAL SYSTEM

There is a need to strengthen legal system of the country to enhance the trust of businesses in legal system.

→ Singapore 1st Rank in competitiveness

### ② DECENTRALIZATION

Provincial governments especially need to decentralize power to local government to increase business environment and

focus on human development indicators for development of



productive human capital.  
Parallel jurisdiction at provincial level affects business confidence.  
→ Kerala Decentralization Model

### ③ SKILL DEVELOPMENT

There is a need to focus on the skill development of people through increased industry academia linkage and vocational training programs so that their skills are in accordance with industry needs.

### ④ BETTER SECURITY ENVIRONMENT

There is a need to provide safe security environment to build trust of business. No one will invest in unsafe working environment



# V- CONCLUSION

To encapsulate, Institutions play pivotal role in fostering sustainable development, business opportunities in country.

There are several challenges like weak rule of law, red tapism and complex business registration that are affecting investment climate of Pakistan and it's competitiveness. There is a need to strengthen legal system, decentralize governance and focus on skill development to overcome these challenges.

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