



THE ROLE OF LOCAL GOVERNMENT SYSTEM IN SOUTH ASIA: A CASE STUDY OF PAKISTAN

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Abstract:

Pakistan is a democratic country in the region of South Asia, but it has been deprived of political backdrop from its independence from the British Empire in 1947, notably in the field of local self-government. Pakistan's history demonstrates that inconsistency in civilian norms hampered the establishment of a robust democratic culture at all levels of government. The military has repeatedly swallowed the civil-military political romance. Each military commander instituted local self-government; General Ayyub instituted the Basic Democratic System in his dictatorship, and General Zia instituted local government as well; their primary goal was to legitimate their own authority and that of the military. However, the decentralisation changes in Pakistan may be traced back to the last military takeover led by General Musharraf in 1999. Under General Musharraf's leadership, recent decentralisation measures in Pakistan have been examined in this article. We emphasise the most important features of this reform and examine its growth in the context of history to better recognize the probable causes for the current decentralisation of power. In Pakistan, the history of local government reforms is particularly intriguing as, on request of a non-representative centre, each of the top three reform efforts has been executed using a "top-down" strategy for the reform process. It should be noted that each of these reforms is an add-on to the broader constitutional reengineering agenda that is designed to centralise the political authority of a non-representative centre further. In these cases, we would propose that the design of local government reforms is endogenous rather than exogenous for centralization purposes of the non-representative centre. Pakistan's analysis aims to provide understanding into the good economics of why non-representative



governments were keen to promote local decentralisation, which has been dismay formerly.

Keywords: Local Government, Democracy, South Asia, Pakistan, General Musharraf

Introduction:

In authoritarian regimes, it is conceivable that the leaders try to develop controlled clientele or divide the political body in order to retain their dominance. Several authoritarian administrations must accept a variety of sub-national players and alternative power structures as part of their governance in order to exist in the polycentre or 'hybrid' governments (Boege et al. 2009). Development experts continue to struggle to comprehend the factors that influence government reform efforts in hybrid nations. Our argument is that the concept of multi-level governance is beneficial because it may provide a fuller understanding of the dynamics and political processes that occur inside a hybrid state system. As a case study, Pakistan may be used to highlight a variety of issues. In 1999-2008, the military government reorganised the government of Pakistan and devolved authority to local governments. Pervez Musharraf was Pakistan president of the government. In the context of this reorganisation, three tiers of hierarchical governance have been formed in order to undermine provincial governments and regional political parties: districts, tehsils (or cities) and Union Councils (UC). There wasn't a specific hierarchical structure for every level of government and substantial amounts of authority were held by the central government. Musharraf's reforms were quite similar to those of Ayub Khan's military rule in the 1960s and Zia-ul-regime Haque's in 1979. Local government changes were entrusted to the provinces in 2008, following the return of democracy. The 18th Constitutional Amendment of 2010 handed this responsibility to the provinces (Adeney, 2012). Local governments in Pakistan have, however, continued to use the mechanisms established by Musharraf's rule. In 2000, Musharraf launched the Devolution of Power Plan. The primary goal is to empower democratic institutions while also strengthening the people at the grassroots level by empowering them with the authority to create and implement their own community-driven initiatives. This research will begin with a quick overview of the Devolution Plan, after which I will analyse the Principal, Structure, and Significant Characteristics of the Devolution Power Plan.

A comparative examination of local government introduced under Ayub's Basic democratic system and Musharraf's Devolution Plan would be conducted in the next section. We examine the Musharraf administration's changes in the field and discuss the reasons why they followed a pattern akin to the past military governments' reform of local government. Astoundingly, three distinct military regimes have pursued identical changes, and we relate this to the interplay between the government's aims and the



general structure of Pakistani society. Multi-level governance and hybrid political governments are ideas we utilise to drive the study. These themes look at ways in which governments respond to a range of subnational entities and otherwise engage with them to develop a certain pattern of governance (Boege, Brown and Clements 2009, Ongaro 2015). This study does not consider the potential consequences of Pakistan's current decentralisation changes, which are being implemented in diverse ways across the country's provinces.

Background

It was not until 1843 and 1849 that the British conquered Sindh and Punjab in India that the British formed local government in India, not through the creation of local governance institutions, such as panchayats. Tinker 1968, Venkatarangaiya, and Pattabhiram 1969) are few examples of this. Major objective of the system was to co-opt the indigenous elite by creating local governments. However, in urban and rural regions, local authorities have been made up in "top-down" terms with relatively limited responsibilities, members not elected locally but designated by the British bureaucracy, never really empowered (Tinker 1968). Instead, the DC, a non-representative central administrative district with 2 agents, emerged as the main local player (Ahmed 1964). General Parvez Musharraf declared on 17 October 1999 his proposal to decentralise authority in Pakistan at a lower or grassroots level. The devolution of the power plan was initiated and accomplished in 2001 in order to apply these powers on 14 August 2000.

According to Cheema, this new system's primary purpose is to enhance Pakistan's democratic system and empower people at the lower level. It was recommended that this strategy enhanced ordinary citizens' engagement in politics as well as service delivery, enhanced government officials' responsibilities and improved social service distribution. This power plan will pave the path for the restoration in districts and sub-districts of local governments (Cheema 2005). This plan devolved the political, administrative and budgetary authorities at three unions, tehsil and district levels to local governments. Pervez Musharraf's military regime (1999-8) restructured Pakistan's state and transferred power to local authorities. In order to undermine provincial governments and the local political parties, three hierarchical levels of local government were established as part of that restructuring - Districts, Tehsil (or towns) and Union Councils (UC). Each tier of government's tasks was not clearly hierarchical and the central government was maintained with substantial authority. The changes under Musharraf's time were very like earlier reforms implemented in the 1960s by the Ayub Khan military administration and Zia-ul-Haque in 1979. The provinces were tasked, following the restoration of democracy in 2008, with the 18th constitutional amendment in 2010 to develop and implement the



local government reform (Adeney, 2012). But the mechanisms established by the Musharraf administration remain at the core of the local government in Pakistan.

Multi-Level Governance and Hybrid Political Orders

Boege, Brown and Clements (2009) note that the state is not the only player with, or capable of claiming power in many nations (see also Nay, 2013). Therefore, conventional Weberian concepts of governance that exercise unbridled and unquestioned state powers do not apply. Raleigh and Left (2018) highlight that governments are often forced to compete with or negotiate in the governance process with various subnational entities in many nations. As such the government operates in a hybrid form or structure that combines a number of socioeconomic groupings and both public bureaucracy and political platforms. Boege et al. (2009 p. 17) have said that "...the State has no advantageous monopoly position in this environment..." The idea that governments work in a multi-centred setting is very similar to cross-governance, which has long stressed that governments have shared power throughout time with a variety of actors (Skelcher, 2005; Ongaro, 2015). In the early nineties, the multi-level talks on governance were originally a way of assessing European integration. This notion was drawn from well-known works of literature on intergovernmental relations, federalism and multicenter government, which studied the interaction of multiple national and sub-national players under effective administration (Hooghe and Marks, 2003, Piatonni, 2009). A popular paradigm was first presented by Marks and Hodge (2004) in order to explain multi-level governance by distinguishing types I and II types of governance. Only a few generically based countries use Type I arrangements. Type I focuses on the organization of governing authorities and government control mechanisms. Type II arrangements, on the other hand, are networked and non-hierarchical. Typically, it's organized around certain issues or activities. When public sector reform programs split state capacities or duties for resolving specific political challenges, these types of agreements are frequently the end result (Skelcher, 2005). There are a number of different types of multi-level governance research (Klijn and Koppenjan, 2015). Although the two multilevel types of administration are focused differently, they have a shared interest in studying trans-agency collaboration processes and impacts in a variable, dynamic and challenging environment. This makes the idea especially suitable for the analysis of hybrid states. Piatonni (2009) points out that the three connected elements of Multi-level Governance Arranges may be understood: policy reform, political mobilisation and policymaking.

Devolution Power Plan by General Pervaiz Musharraf



Through a Local Governance Ordinance (LGO) 2001, General Musharraf created a new structure for local government. His LGO contains some differences which thus deserve a thorough investigation, as the local governments have been significantly reorganised. In earlier times the powers of local authorities were relatively little, most of them being exercised by provincial authorities (deconcentrated administrative levels that do not directly report to the elected provincial officials) (Batool 2014; Cheema et al. 2005). Under transfer, the newly elected District Administration was established and was politically bound up with local governments at sub District level [The Sil (City) and the Union Council] (see LGO 2001). The Local Government (LGO) 2001 has differentiated itself, compared with previous rules, by overcoming urban-rural divisions and by establishing local bodies at three levels: the Unions Council, the Tehsil Council, and the District Council (Batool 2014). The Union was the principal institution and the Nazis (major) of the Union were chosen directly and the Union's deputy mayor, Naib Nazim, was respectively a council member and a councillor for Tehsil (Batool 2014).

The LGO has disrupted the conventional hierarchy between provincial and local governments. Instead, many organisations such as the National Recovery Bureaux and the Community Devolution Trust have been linked directly to the President by the local government (Cheema et al. 2005). After the reintroduction in 2002 of the quasi-civil government, elections were held and presidential referendums were organised at national and provincial assemblies, which chose Musharraf as head of the States and a military alliance under the name of the Muslim League to sustain them. The district board was handed administrative, financial and development power by the elected officials, as opposed to prior local government systems, to the municipal authorities and other government departments. The transfer has abandoned the rule of the adjutants and its successors, the DCOs, are lawfully and administratively subordinate to the Nazis in the district (Batool, 2014). Musharraf also for the first time established an institutional mechanism for providing the provincial finance commission with money between provinces and local governments. In the past, the institutional resource allocation framework was provided for federal and provincial governments by the National Finance Commission alone. Moreover, the 2001 LGOs were characterized by 33% reserved women's seats. For the first time in Pakistan's history, Musharraf prided his leadership on empowering women. LGO 2001 established District Supervisory Committees to monitor the operation of government institutions and Community Citizens' Committees to help citizens participate in the design and supervision of the project (Hasnain 2008) However, the LGO 2001 shares a number of parallels with past local governments, despite many changes. For example, Musharraf has maintained prior military regimes and staged local non-party elections to further entrench the strategy of sponsorship based on clan and caste loyalty.



Whilst Musharraf granted local governments with a short term constitutional standing by 2009 (i.e. through the presidential decree that no local government was able to dissolve by Musharraf till 2009); local governments still did not have a constitutional status on an ongoing basis. Although a great deal of economic decentralisation has been carried out, unlike past military regimes, budget planning has remained the responsibility of bureaucracy. Budget plans were produced by the district coordinator (DCOs) and the other provincially appointed officials, and the district Nazi council may submit to approve the prepared budget. If the Budget was not approved by the Council, this would result in zero spendings after the end of the financial year, 14 days (Cheema et al. 2005). The Council therefore virtually received a *fait accompli* when the Nazis submitted to it for approval a bureaucratically constricted budget plan. This 18th Constitutional Amendment enhanced provincial autonomy after Musharraf was ousted in 2008. It was sponsored by the Pakistan People's Party led by Mr. Zardari. By that time already 2009 had expired the constitutional limitation of 2001 on the amendment of the local government decree. After that, the provinces were able to legislate a system of their own for local administration. Therefore, for their local administrations, various provinces have chosen diverse forms. Provincial assemblies of Baluchistan, Punjab, Sindh and Khyber Pakhtunkhwa, passed the Local Government Act of 2010 and the Local Government Act of 2013, respectively (UNDP 2016).

Each province's local government statutes grant limited autonomy to local councils in budgetary administration and the ability to provide services, income and taxes and police services in its current form. It is true that some service delivery responsibilities have been devolved to local authorities, however provinces retain control over large enterprises, like KWSA, Sindh Building Control Authority (SBCA) and Lahore Development Authority (LDA) (UNDP 2016). Health care and education administrative oversight were also offered (UNDP2016). Moreover, in many ways municipal authorities are subject to the provisions of local government acts in all four provinces. For example, they were allowed to remove the local authorities or the heads of the council following the dismissal of the council leaders (UNDP 2016). The new legislation adopted in different provinces by local governments, unlike the Military Local Government Acts, has elected local government political parties. Legislation of the local government The law in issue, however, was too subservient and limited to its scope in providing real "democratic ethics" at the core of the notion of the local government (PILDAT 2013, p. 26). Ministers and members of the province parliament were able to keep development money in their hands, allowing them to construct their own patronage networks under civil authority, which allowed the provincial governments to establish powerful local authorities in general. Political parties and democratic political culture have been undermined by recurrent and lengthy military control periods, which may lead to substantial



transformations. The military authorities backed a variety of political ideologies as well as military-aligned politicians. To do this, local governments were judiciously utilized and political sponsorship was encouraged. For example, under a civilian government, the military cannot utilize power and patronage as zero games, but it may use them in a more political way to subvert local administrations.

Changes of Structure

These are modifications when a comparable agent (bureaucrat or politician) decides on a certain service at a different level in the government structure than previously. While it is feasible in theory to make many sorts of changes, devolution mostly includes:

A. The Province.

In order to be thorough, we begin with cases in which the administrative level has not been changed. This can occur due to either:

- i. A department as a whole is not transferred. Examples are departments such as Irrigation that has not been transferred due to major inter-jurisdictional discharges.
- ii. Some departmental operations at the provincial level have been preserved. For example, university education is a provincial affair, notwithstanding the district status of most other education services

iii. There has been effective retention of some budget heads of spending at the provincial level. The most significant example is the pay and allowance costs of all employees in the department. Because most of the department's personnel are employed by the provinces, the district can establish, decrease or adapt its compensation structures and a major portion of the district budget will thus be determined. This is also a key issue that restricts the degree of decentralisation for departments where considerable proportions of their present expenses have been expended on wages, such as the Education Department, which spends around 90% of its non-development budget on wages.

B. District:

This is the most prevalent and major shift, which has now transferred the budgeting, planning and development tasks of services formerly agreed on at the provincial level. Since much of these operations had previously been determined at the provincial level, this included a change of administrative level that was largely based on the Provincial Secretariat and Provincial Cabinet before these choices had. The District of Nazi, the Executive District Officer for Finance und Planning and the Executive District Officer for the department in question now comprise similar decision-makers.



C. Tehsil Local Urban/Rural Council:

This shift in level entails geographical and functional integration since many of the services formerly within the jurisdiction of urban or rural councils at the Tehsil level have been combined. These comprise important city services such as sewerage, sanitation, drainage, water supply and street lighting. They also include public transport services.

Structure of Accountability

These are modifications in which an agent who varies in its public accountability is now deciding a particular service. Such a shift of responsibility was mostly at the district level, especially with the devolution. Whereas before the transfer, the de-centralized district-level provincial bureaucracies were answerable to their unelected provincial secretariat, they are responsible to elected district heads and the governments of Tehsil under the present arrangement. Any service under the jurisdiction of a province line department district official and now put under the district government, instead of examining what services such a shift has taken place, is enough to notice that such a revision of responsibility has really been carried out. This is to say the final decision-maker moved from a District Official to a Nazi who was elected to the Provincial Bureau and eventually became the accountable person for the inhabitants. In the current structure, the District Coordinator (DCO) reports to the Nazis elected, the de facto head of the District administration, the Deputy Commissioner (DC). It is worth mentioning, however, that the Nazis' jurisdiction over the DCO and Executive District Officers, EDO, is restricted in transferring and promoting items still within the competence of the provincial secretariat (Manning et. al. 2003).

Changes to Financial Structure

Fiscal changes accompanying the transferral process were made that, although the allocation of funds for a certain service is not necessarily directly affected, are likely to indirectly influence those allocations to the extent that they change the total amount of funds available to each local government. The introduction of a 'rule-based' system of fiscal transfer between the provinces and the local governments was an important financial reform that accompanied decentralisation. Earlier local government reforms failed to create an appropriate framework for fiscal transfers, which means that local councils were unable to execute even their restricted spending tasks (AERC 1990, Nasim 1999). The "Provincial Finance Committee" awards will determine the non-discretionary intergovernmental tax-transfer procedure. 28 These financial transfers have also altered, in addition to this non-discretionary element, as they are no longer sluggish, and are maintained by local government authorities. However, it should be noted that while a



rules-based transfer mechanism has been established by the interim Provincial Finance Commission (PFC), the PFCs have yet to establish well-defined 'rules' for the division of the Provincial Consolidated Fund between the Province and the local governments (Cheema and Ali 2005). Despite these reforms, however, the scope of economic decentralisation remains restricted. District governments are still subject to similar restrictions and are unduly dependent, through the awards from provincial finance commissions, on provincial and eventually federal money. 29 Moreover, a significant proportion of district expenditures are "establishment costs"³⁰, which the district does not, however, alter; they cover administrative staff salaries who continue to be provincial staff and which are therefore not allowed to fire or adjust their salaries. The administrative staff members are therefore the same as provincial staff members. The merger of the administrative areas of urban and rural regions (Tehsil) has had major effects on the flow of money between urban and rural communities. In particular, a substantial source of income was provided for all products, irrespective of whether they were consumed in a rural region, in the metropolitan areas by 1999. In particular. 31 This led to unequal access for metropolitan regions to resources. However, since these two regions are within the authority of the same tehsil administration after the transfer, there is no longer any rural-urban divide. In such a circumstance the resources are pooled for the two Tehsil regions and, given the anticipated significance of the vote in rural areas, it may be expected that the urban ties in financing will be corrected and maybe even the rural areas will be tilted.

The salient feature of the Devolution Power Plan

General Musharraf's Devolution plan has some substantial significance that differs from the system of local government Ayyub and Zia. The most important intervention in the new system is women's representation. Women have 1/3 of the new local government system. The reinstatement of minority participation in the political mainstream is yet another shift in the Devolution Plan. The Citizen Community Boards are the other main aspects of the Power Plan. This board is made up of non-elected members and the development of the areas is the sole reason or major aim of the formation of CCBs. By doing the actions in developing their fields, the representatives of the areas have received financial assistance from the local Government, showing the citizens' direct engagement in the delivery of services. The allocation of authority at the local level is another essential component of the devolution strategy. Authorities are split into the three levels of local authorities: the District Council, the Tehsil Council and the Union Council (Shah, N. Syed, T. Hussain, S. 2016.). In past administrations, the district coordinators were accountable to non-elected officials but must be accountable to the elected district Nazis in the new local government, which demonstrates the public's presence in the new



system. Similarly, urban and rural are the two different entities within the former governmental structure, but in the devolution plan the rural-urban division is abolished and urban and rural areas are integrated. This shift is crucial in terms of resource allocation. Many tasks like planning, infrastructure and budgeting at district and tehsil levels have now been delegated. The allocated authorities to all three levels of local government are cleared up by local government ordinances. The council, for example, is responsible for carrying out services such as basic health care, social welfare and education. The tehsil councils provide municipal services including sanitary services, water etc. The implementation of fiscal decentralisation is seen as the main adjustment in the power transfer plan. They alone are responsible for creating their own budget for the provision of most public services under the new local government. The federal and provincial governments exclusively deal with political concerns, international relationship maintenance, monitoring tasks. In all provinces, the PFC is created to develop the taxes and to transfer the revenues to local administrations. In addition to these two new taxes, local councils are now being created in the new local government which is responsible for health and education taxes with 2.5% of general sales taxes.

Comparing Previous Democratic system with Musharraf's Devolution Plan's Local Self Government concepts

Three times, under the Ayyub Khan administration, initially under the Zia regime and finally during the Musharraf period, the local government in Pakistan introduced military leaders. But I shall concentrate on Ayyub and Musharraf's local government systems. He has created a fundamental democratic system with 80,000 fundamental democratic members during the General Ayyub Khan rule. In the State of Pakistan, the first well-defined system was implemented. This system moves from urban to rural political involvement, and it includes citizens, via decentralisation of power. The BD, however, gave the administrative authority the portfolio of decision-making. By granting them a lot of authority, Ayyub Khan would enhance the bureaucratic structure. This system has the capacity to elect politicians, but at a lesser level, it may pass legislation. Ayyub's principal objective is to justify his own abilities. On the other side, Musharraf introduced the transfer plan to grassroots power transfers. This system gave the elect greater authority and removed the bureaucrats' privileges. The principal difference between the local government system of Ayyub and Musharraf is the structure. The Ayyub's local self-government is of four levels and the three lowest levels are most important. On the other side, Musharraf implemented the power transfer plan by granting the local government three levels and eliminating all the top offices.



The Deputy Commissioner under Ayyub System is accountable or reports to the unelected representative, whereas the District Committee Officer in Musharraf's Regime reports to the Nazim District Elected. Another difference in its systems is that the Provincial government performed the various functions of the basic Democratic system, such as budgeting, planning, infrastructure, education, health services, and the policies, but these services and functions, on the other hand, are carried out by district bureaucrats (District Nazim). People had limited representation in the fundamental democratic system and their participation was constrained in decision making but not only enhanced public representation but also gave the right to be involved not only in the political sector but also in public services in the devolution plan. Between Ayyub, in the rural and urban areas there existed a noticeable contrast (Rural-urban divide). However, there is no financial difference between rural-urban areas under Musharraf's proposal. In Musharraf's system they empower women's representation, but, as they have increased the number of women seated in legislative assemblies, the transfer of power plan has established a 33% quota for local municipal women and a 17% quota in the legislative assembly. The Ayyub system is hence very centralised. It is therefore noticeable. The system represented military and bureaucratic political thought. But Musharraf, on the other hand, established a decentralised structure, which transferred authority to the grassroots.

Conclusion

This research explores General Pervaiz Musharraf's Devolution Power Plan to strengthen the institutions in Pakistan. The Devolution Plan was created to empower the people at the grassroots level. This approach is based on five ideas: decentralisation of power, the delegation of administrative authority, deconstruction of management installations, dispersion of power and sharing of local resources. Five concepts underlie the use of this strategy. The new system of local government developed a framework in which authority is equally distributed across all levels of local government, which is known as the distribution of equal power. It represents the public and ensures that the general public is involved, among other things, in policy and service delivery. It is obvious that Musharraf's system is far superior to the previous. Ayub's core democratic system has been very centralised, not only limiting public representation but also limiting public engagement in decision-making but also transferring authority to the local level, in accordance with Musharraf's Devolution of power plan. ... It also empowers women, which can be clearly observed in the plan through the allotment of seats for women. General Musharraf's system of local government has a lot of key features absent in the system of local government Ayub and Zia. The following are the features: The transfer of power plans shifted political, administrative and budgetary authority to the local authorities, coordinating the process by the federal government. These powers are equally



used by all three tiers of the new local government system. Another significant accomplishment was the allocation to women, farmers and minorities of seats in the new structure of the local government. As a result of this system, the elected members acquired greater influence and the bureaucrats saw their power decreasing. In carrying out this Plan, the public representation has not only been extended but also the right to engage in politics and the public sector. Although the Devolution Plan is considerably superior to the previous plan, this technique in Pakistan has not been successful. At the non-partisan local government elections, the baradari system was raised. The Devolution Plan for Musharraf was criticised for failure to supply the framework of local government with sufficient controls and balances.



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