

## **Democracy and Good Governance**

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### **What is Good Governance? Some believe in less Government or lesser involvement of the Government in different walks of life.**

For the IMF, Good Governance is confined to "surveillance over macroeconomic policies, transparency of Government Accounts, effectiveness of public resources management and the stability and transparency of the economic and regulatory environment for Private Sector activity" as was stated by Mr. Michel Camdessus, then-Managing Director IM F in his address to the United Nations on July 02, 1997. However, I believe Good Governance for people at large has greater significance and demands. Some of the generally recognized criteria include (a) Observance of the Rule of Law; (b) Implementation of writ of the Government; (c) Effective checks and balances to prevent abuse of authority; (d) Independence of Judiciary; (e) Strict accountability of all across the board; (f) Freedom of Press; (g) Fiscal Discipline; (h) Eradication of corruption, exploitation, and discrimination on any basis; (i) Protection of Life, Property and Human Rights of the citizens and above all; (j) Expeditious and inexpensive dispensation of justice. These are just some of the parameters to judge the quality of governance. Irrespective of the system any Country may be following, if it is able to satisfy most of these demands, then undoubtedly it can claim to have Good Governance.

Democracy by itself may not be sine qua non for Good Governance. There are a number of examples of duly elected popular leaders turning into dictators. Remember Hitler was also an elected popular leader of Germany. Just about 12 years ago in Pakistan our elected Prime Minister, claiming a so-called "heavy mandate", through the general elections of 1997 (though engineered), commanded a two-thirds majority in the lower House. Had our then Prime Minister in 1999 survived, he would have turned into a worse dictator, after the passage of his proposed Fifteenth Constitution Amendment Bill by the Senate of Pakistan as well.

As a practicing Senior Advocate of the Supreme Court of Pakistan, a former Senator, and having held various portfolios in the Federal Cabinet including Law and Parliamentary Affairs, I have observed several issues and matters of grave concern, which I believe are hampering the functioning of democracy and Good Governance. One such area of concern is the growing criminalization of politics in the SAARC – South Asian Association for Regional Cooperation – member countries, which in my opinion constitutes today a serious threat and challenge to both Democracy and Good Governance.

Another issue, which needs to be addressed, is the separate and independent functioning of the three institutions of the State. I strongly feel that the principle of separation of the three institutions of the State should not be confined only to separation of Judiciary from Executive. Separation of Legislature from Executive, in my opinion, is equally important for the effective functioning of democratic institutions and the provision of Good Governance. Therefore, the prevailing practice in SAARC countries in particular, of appointing members of the Parliament

as Cabinet Ministers should be cast out. At the same time harmonious working of these three institutions of a State is also imperative. This can be achieved if the three institutions function strictly within the scope of authority prescribed under the Constitution and refrain from encroaching upon the powers & functions of each other. Among all the political systems that have been practiced in the past centuries, democracy in its various forms - despite many flaws and drawbacks - appears to be the most coveted system. The founder and the first Governor General of Pakistan, Mr. Mohammad Ali Jinnah, had emphatically assured that Pakistan shall be a Federal Democratic State. In fact Pakistan is the unique country in the world that came into being through a democratic process. Similarly, the first Prime Minister of India, the late Jawahar Lal Nehru, while supporting democracy had once said "Democracy is good. I say this because other systems are worse".

In the end it would be appropriate to quote Mr. Alfred E. Smith, who had rightly emphasized that "All the ills of democracy can be cured by more democracy". How true are these pearls of wisdom, which I wholeheartedly appreciate.