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**THE IMPERATIVE OF OPTIMISING THE INSTITUTIONAL
FRAMEWORK
FOR DEVELOPMENT IN
DISTRICTS IN PAKISTAN**

Musharraf Rasool

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THE IMPERATIVE OF OPTIMISING THE INSTITUTIONAL FRAMEWORK FOR DEVELOPMENT IN DISTRICTS IN PAKISTAN

INTRODUCTION

In the organisation of society, institutions develop for various reasons, predominantly as responses to the felt needs of society as a whole or certain sectors within it. Institutions are entities set up to achieve specific goals of society or its sub-groups. In economic exchanges, they are a means for dealing with uncertainty (North, 1998:18). A conceptualisation of development which aims to widen individual choice in order to enhance welfare (Haq, 1995:14; UNDP, 1997:10) requires a mechanism to implement these objectives at the level of society. Some of the institutions that exist within the socio-political milieu serve the purpose of achieving welfare objectives. Others may be perceived to obstruct the process. Others may have to be created. In any case, institutional arrangements will be made in accordance with current development policy. Rather than remaining oblivious to social and state institutions, policy will have to endeavour to target these in order that they function in accordance with their objectives (cf. Siedman & Seidman, 1994:27;54; Meier, 1995:83-84). It is through these institutions that policy will be implemented, inputs and outputs determined and end results rationalised to a great extent.

Of the two above-mentioned types of institution, state institutions are better defined and therefore more responsive to the effects of policy. However, this does not mean that they are easy to change. The implementation of policy in line with the aims of development can be quite intractable. However, it is essential to understand the nature of state institutions, identify their strengths and weaknesses, and consider them as resources to be incorporated into the development process. This may require action which affects institutional design, which is an important part of the development debate (WB, 1997:25). The discussion of this theme with reference to the Deputy Commissioner in Pakistan is the topic of this paper.

The Deputy Commissioner (DC) is the chief executive of the district, and comes under the responsibility of the provincial government. The DC performs functions such as the maintenance of law and order, collection of land revenue, and co-ordination and basic supervision of the activities of all government departments in the district (Aslam, 1993:89). In addition, the DC performs certain regulatory functions. Within districts, local councils are created by the provincial government with defined statutory mandates for the provision of services. Hence, the state institutions within districts perform roles which influence citizens'

welfare. The aim of this paper is to identify certain issues concerning this institutional arrangement, to consider them in relation to development objectives and to discuss measures to consolidate the design of the DC's role with certain aspects of institutional arrangement in accordance with development objectives. This paper focuses on not only the pre-eminence of the office of DC, but also the importance of the role of the DC in achieving development objectives. Specific attention will be given to the way this institution spans two different levels of government, thus linking many state institutions.

Chapter 1 will present the identification of issues and their relation to the objectives of development, which will also be elaborated, which forms the basis of the analysis that follows. Certain issues, notwithstanding their relevance to the general discussion, have been omitted, as the scope of this paper does not permit the examination of all aspects of this issue. Thus, the paper focuses on the DC's role in the provision of security, the supervision and co-ordination of functions of various government agencies in the delivery of services and implementation of development projects, and the implementation of regulations relevant to development. These are addressed in Chapters 2, 3 and 4 respectively. Three important areas of the DC's function with significant implications for human well-being have been chosen from a myriad of other duties and responsibilities. The other functions have been omitted as they are either less significant for development or have a time-specific aspect. The paper will specifically focus on the strengths and weaknesses of the three functions. Each is evaluated for its potential in becoming incorporated into policy for enhancing citizens' well-being. The results of this evaluation have led to certain suggestions, and, taken together, they can be considered as a proposal for an institutional design in line with the aims of development in the district.

Any institutional design of formal state agencies is not complete without a means for performance evaluation, through which efficiency and effectiveness can be achieved. When an institution is entrusted with the delivery of services and the creation of conditions for the healthy functioning of the economy, its performance has implications for development. This issue, with consideration to advantages and ways of instituting tangible criteria in performance evaluation, is addressed in Chapter 5 following the same pattern of analysis leading to suggestions. The paper asserts that it can be considered as a means of increasing effectiveness in the three functions of the DC's.

This paper is an attempt to contribute to the general discussion of improvement in the performance of the role of the state in development by focusing on a specific institution, which by its very nature encompasses a relationship between numerous departments. A policy response which utilises the DC will result in enhancing both the capacity of state and effective policy implementation.

Although it embarks upon the idea of amending institutional arrangements in order to direct them towards the attainment of development objectives, a deliberate effort has been made to avoid the use of the terms 'reform', 'change', 'new', and even 'democratisation' due to their platitudinous connotations. But this arises not only from an aversion to the use of hackneyed expressions; the fact is that these terms evoke ethos in minds which are potent stimuli themselves, at times causing an acceptance of ideas which are otherwise not useful. It is preferable to subject ideas to a rational evaluation, without arousing responses which have more to do with wishes to see something different and resembling vaguely shaped desires, rather than involving analysis. Therefore, in order to give ideas a fair chance of being dispassionately analysed, they ought not to be couched in such terms. Moreover, this paper is based on the premise that it is important to make existing institutions work and to achieve targets of development through them, rather than romanticising novelty.

1. DEVELOPMENT AND INSTITUTIONAL ARRANGEMENT

A Consideration of Some Issues

1.1 Choice in the Conceptualisation of Development

Development has evolved as a concept for the incorporation of ideas of human welfare (Haq, 1995:3). This has changed the nature of the discourse from an economic notion of increasing growth to a conceptualisation of widening choice for all citizens. The quest for the latter can be realised with reference to the social and cultural context of the people (Haq, 1995:14). Hence, even with a universal concept of development, a concrete and ubiquitously applicable definition of choices cannot be finalised nor can an exhaustive list be drawn up. In fact, the very effort of enforcing a list of choices which is not indigenously crafted, would defeat the purpose by rendering the whole process of policy the pursuit of a utopian goal. Before further consideration, two issues require elaboration at the outset, as they will effect the definition of the objectives of development: the question of determining choice and the process of widening it.

1.2 Determination of Choice and Development Policy

Whilst there can be little serious debate over the undesirability of imposing choices upon a population, leaving the choices as utterly indeterminate can also lead to problems. Even when the answers are not succinct, one can resort to the universally accepted norms that determine human well-being. Access to affordable education, health, food, water, security and human rights are some widely accepted factors of human well-being in an ascending order of importance (Gillis et al, 1992:79; UNDP, 1994:13; Todaro, 1997:16). From another perspective, poverty results in the denial of choices and opportunities (UNDP, 1990:5). Moreover, material needs of an economic nature cannot be separated from non-material needs such as a guarantee of civil rights, in the development process (cf. Streeten et al, 1981:188). Without provision of these choices, formulation and implementation of development policy would be a futile activity working towards the increase of the wealth of a minority. Provision of these choices will therefore have to be incorporated into development policy (cf. Todaro, 1997:18). The other part can aim at enabling people to make their own choices in other areas and determine the provision of all the choices as they wish. Neither of these components of policy can be treated as separate entities in development, but as interconnected aspects. The enablement of people in order to enhance their choices and provide a context in which they can be exercised will occur through the provision of these basic choices. The aim of development to enable people to make choices in life will be served by the incorporation into policy of measures which consolidate the circumstances in society in which choices can be made available, exercised and widened as components of legitimate human activity.

Therefore, the definition and determination of choices will not only address the issue of enablement, but will also be significant for the process of widening choices. Where development seeks to widen choices in individuals' lives, a process of the creation and delivery of services without continuous reference to the individuals will result in a relative increase but not absolute attainment of the aim, in given economic circumstances. It will provide some services, which were earlier non-existent but cannot ensure that the provision is optimal. Decision-making in pursuit of development would require being with the recipients of the benefits to ensure that the choices of the people shape development. Participation is an essential part of the process of development (cf. Bamberger, 1988:5). It is even regarded essential for national integration (Bangash, 1997:61). Hence

the aim of development being defined as increasing human well-being, and being translated into widening people's choices will incorporate their participation in decision-making. Moreover, the widening of choices is intended for all citizens and therefore it requires the equitable distribution of the benefits of development among them. Without pursuit of equity, development will fail to reach weaker groups within communities. To achieve development, individuals do not act as unconnected entities, but strive within society for attainment of desired choices. Institutions as components of society either enable or thwart the efforts of individuals. This interaction of institutions and individuals' activities shape outcomes and remains an important interface for development policy. It is manifested as a formal prescription of rights from the top which works with informal mutual rights and obligations in the community (Galtung, 1981:122). The activities of individuals in making choices and enlarging them, making the choices available for all citizens and pursuing welfare as part of development thus includes designing institutional arrangements, planning desired outputs, fashioning functions accordingly and ensuring that the outcomes are for the furtherance of the objectives. This will provide an enabling framework for development (UNDP 1995 122).

1.3 Institutional Frameworks for the Realisation of Development Objectives

With this clarification of the objectives of development, it can be surmised that policy would always be formulated to achieve them. This presumption is made in order to focus the discussion on certain issues. But even when policy formulation is optimal, its implementation can experience problems. Development policy includes projects for the creation and delivery of services for the benefit of people. State institutions either deliver the projects or services directly or monitor them by interceding in the process or even putting conditioning on delivery by the private sector. Hence institutions have a significant role in development (WB, 1997:29). In either case, their role is to ensure that provision is in accordance with policy objectives. When they fail to adequately perform this role, the provision of services often fails to come up to the standards defined in policy. Weaker groups may suffer as a result (Burki, 1997:12). When public sector provision is substandard, it is taken to task by the neo-classical view of economics and market solutions are proposed as the solution (Roemer & Radelet, 1991:58). Market solutions have been widely adopted around the world in order to attain efficiency (Meyer & Gomez-Ibanez, 1993:74). On the other hand, despite the recognised benefits, private sector provision of services has been seen

to fail to meet the objective of equity (Martin, 1994:150). At times, even the aims of efficiency are not met (Kemal, 1996:655). Those with little purchasing power have a weaker influence on the market and consequently become marginalised. State interference then comes in to redress the situation and interferes with the operation of the free market (Naya, quoted in Turner & Hulme, 1997:185). In this mixed environment, the question whether the state needs to play a role does not appear to be primarily contentious. It is more a question of means to be adopted by the state to perform the role that can be explored.

The state creates institutions for the performance of this role which vary in nature, functions, design and level of operation. One of the manifestations of such an institutional arrangement is to provide services through state institutions. However, the performance of this role is subject to variation. In practice, the role is weakened through the influence of dogmas and is largely a result of the realisation of the advantages of specific arrangements appropriate to the situation. Institutional arrangements are instruments of policy and not universal principles. The variety of solutions indicates that each service in its specific context presents a unique situation amenable to a peerless arrangement for its optimum provision. A general solution of having certain kinds of arrangements would be too simplistic. Rather it will be beneficial to understand the nature of the service, its social and cultural context, history and present problems, and create a policy in response to these factors. Once a policy response has been thus properly formulated, its application to the institutional arrangement will require the consideration of the specific conditions of corresponding institutions (cf. Vickers, 1983:121).

State institutions, at all levels, are important for the delivery of services in accordance with development policy, even when the unnecessary public sector enterprises are dismantled because of their role in conditioning it. The administrative apparatus guarantees the continuation of policy over a period of time, as well as its actual implementation (Wonders & Solop, 1993:206). Therefore, a generalisation about the receding role of the state cannot be made. Privatisation decreases the state's role in provision of certain commodities and services, but enhances the requirement that regulation become actively involved in the working of private enterprises (Turner & Hulme, 1997:187). Institutional capability is crucial for the implementation of development policy (WB, 1997:33 & figure 2.3, 35). Furthermore, it is not only central government policy that represents the role of the state in the delivery of services, and its conditioning, but that of regional and state governments, which also carry out important activities for achieving welfare

objectives. In fact, it is these two levels which are mostly concerned with the delivery of services within the general policy framework defined by the central state. A brief examination of their institutional arrangements will indicate their significance for any action directed towards enhancing human well-being.

1.4 Institutional Make-up in Districts in Pakistan

In Pakistan, the district is a unit of government within which three categories of state institution fall: central, provincial and local. Central departments, most prominently, deal with the provision of electricity, telephone, and population planning services. The provincial government departments are numerous in most districts, and deal with security, education, health, water, sanitation, agriculture, industry, mining, forestry, food, etc. (*vide infra*, Annex C). Each of these departments has a well-defined structure and function-specific role, and is linked to the provincial office. Every district has a Deputy Commissioner, who is the executive head of the district. Its mandate includes functions related to security, administration of land revenue, regulation of certain economic and social activities, and basic supervision and co-ordination of the functions of all other government departments which execute projects and provide services. It is a non-integrated prefectural arrangement (Turner & Hulme, 1997:162). Activities are carried out on behalf of the provincial government, in some way fulfilling the constitutional mandate of that entity. Local government institutions consist of the District Council for the rural areas of the district and the municipal councils for the urban areas. They are created by the provincial government, under the constitution, and have a statutory mandate. They deal with refuse collection, street lighting, minor roads, water supply, road paving, provision of abattoirs, and have some taxation authority to generate local funds. Under this institutional arrangement, provincial government is the most important actor in terms of service provision having a bearing on the well-being of citizens. It has more human and financial resources of the district at its command than the central or local agencies. Therefore, a consideration of Provincial government departments is important from a development perspective.

Another aspect of the institutional arrangement is that the provision of services is not optimal from the perspective development objectives. The present performance of the provincial government departments in the districts leaves much to be desired. A development policy which does not take the condition and performance of institutions in districts into account would achieve very little.

Increasing the efficiency, effectiveness and responsiveness of these departments entails a number of issues (World Bank, 1997). The selection, training, motivation and incentives for public service are foremost for realising the three improvements. Without efficient public service, development objectives cannot be achieved (Hakim, 1993:111; World Bank, 1997:80). However, this deserves a separate discussion. Similarly, there are other factors such as interference, insecurity of tenure, non-market based salaries, which impinge upon the performance of these institutions. However, the purpose of this paper is to focus on the issues pertaining to the design of the institutional arrangement. This paper departs from the assumption that the above-mentioned aspects can be settled in favour of institutional performance. Those pertaining to the design of an institutional arrangement will remain a legitimate subject of enquiry at all stages.

1.5 The DC as an Institutional Resource for Development

The DC is a resource that can be utilised by development policy. This is not a discovery, but a restatement. The DC has been recognised mostly by being awarded additional functions, ranging from the implementation of population planning to the execution of development projects (cf. Kumar, 1993:80). However, this institutional resource can also be utilised in policy for bringing the institutional arrangements in line with development objectives. The following discussion is an elaboration of this subject.

1.6 The Centrality of the DC to Institutional Arrangements

The DC performs certain functions in the district which make it pivotal in institutional arrangements (for detail see Aslam, 1993). The foremost function is the maintenance of public order and part responsibility for the provision of security. This basic service provided by the state forms a basis for the performance of social and economic activities. Not only is the DC responsible for public order, but his functions also ensure that the criminal justice system functions properly. The DC, in its supervision of police work, acts as a mechanism within the executive for guaranteeing that state's execution of coercive authority will be within the bounds of law and that any extreme measures are judicious. This prevents the exercise from becoming repressive, which can lead to social disruption. In addition, the DC engages in the maintenance of land records and providing security of property rights. This is another parameter which is crucial for the functioning of the economy. In its

supervisory and co-ordinating functions, the DC assumes the role of a local institution (rather than a provincial one) and remains part of the provincial government. It functions at the district level and deals with district affairs. It is also important in the implementation of policy. Many policies require an inter-departmental response in the district, and the functions of specific departments are inappropriate to perform such mandates. Co-ordinated responses from the DC thus become pivotal in achieving policy goals (cf. Kumar, 1993:80). Due to its neutrality, the DC is effective in the resolution of conflicts. This characteristic allows it to perform duties without being amenable to local influences and attain results that require such an approach.

1.7 Focusing on Functions Intertwined with Development Objectives

From the long litany of functions of the DC, there are some which have major implications for development objectives, and are thus discussed here. Other functions of the DC (*vide infra*, Annex A) are less important because of their outcomes for development, although they are not totally irrelevant. Some of these, such as the management of local councils, are not permanent functions. Similarly, the execution of development schemes and projects are assignments, but not part of the mandate. Functions relating to matters such as civil defence, flood relief and protocol are less important for development compared with the three considered here. Provision of security is the foremost of these. Without a secure environment, not only does economic activity suffer, but with it quality of life. When development itself generates conflicts or highlights existing problems, a strong institutional guarantee of security and law enforcement to securing the rights of all citizens regardless of their social status, is a mandatory factor for enabling people to exercise choice. On the contrary, any shift in local social power relationships occurring as a result of development policy will generate conflicts, causing disruption and may even allow dominant interests to further establish positions through coercion. In such a situation, the widening of choice will remain unfulfilled.

The DC's supervisory and co-ordinating functions for the delivery of services, together with duties for the redressing of public grievances, give the DC the role of a local institution acting under the provincial government. Its objective is to ensure that services are delivered optimally and that the benefits of development accrue to all individuals. The idea behind this institutional arrangement has important implications for development. The provincial government's functional relationship with local councils is also manifested in some respects through the duties of DC in this respect. Hence this

function has an impact on the institutional performance of various state agencies geared towards the delivery of services, and therefore merits consideration in this paper. But the analysis is not built on the role of the DC at a particular point in time. Instead, attention is given to viewing the role of the DC within an institutional arrangement which would be beneficial for development.

The state has a recognised role in the regulation of social and economic activities. Development cannot only lose from undue regulation, but can also achieve its objectives of equity as well as the management of the commons, by dealing with various categories of goods not amenable to market operation. An effective regulation based on a proper design is instrumental in achieving the objectives of human welfare. The regulatory regime, however, has various levels. Districts are only one part of the overall regulatory regime. Within the district, the regulatory mechanism involves various departments such as food, forestry, and wildlife. The DC again becomes a component of that mechanism in the performance of its executive and magisterial functions. Although it is not being argued that the ultimate results and effectiveness can be achieved by one office alone, without a concomitant improvement in the performance of all components of regulation, the discussion of the DC will remain incomplete without consideration of the impact of its regulatory duties on the outcomes of development. Moreover, when all other components of a regulatory regime function effectively, a poor performance by the DC will still prevent regulation from achieving its aims. While other departments play a role in designing and carrying out prosecution under regulatory regimes, the DC is mainly concerned with the imposition of penalties.

1.8 Policy Implications of the Role of the DC

The role of the DC in the provision of security, supervision of service delivery by provincial government departments and the regulation of certain economic and social activities, is examined here in terms of strengths and weaknesses. It is through these functions of the DC that some of the important objectives of development can be realised by optimal service provision and the consequent increase in the well-being of citizens. Policy needs to incorporate institutional strengths in its framework and build on them while seeking to consolidate the weaknesses. The institutional arrangement based on this structure will bring the functioning of state institutions into agreement with the objectives of development, making institutions supporters and enablers of individuals in sustainable development (cf. UNDP, 1994:21). Due to the pivotal role of the DC in the functioning

of state institutions in districts, a focus on this is a useful way of contemplating the actions required. Through this approach, the inter-governmental relationships can be defined and harmonised in accordance with development policy. Furthermore, the institutional design should incorporate a mechanism for the improvement of the performance of the DC through institutional means, in view of its connection with development activity in the district, but without prejudice to any other measures. The performance of an evaluation process can achieve this by improving the functioning of the DC, by introducing incentives to the evaluation process. Therefore, the incorporation of such a mechanism in the institutional arrangement will be an essential component of policy. The delivery of services by local government instead of provincial government is relevant and imminent to a consideration of institutional arrangements in the district. However, premature conclusions will not be presented here in order to avoid a dogmatic prescription for policy. The role of the DC in the furtherance of development objectives in a decentralised institutional arrangement is again based on its treatment as an institutional resource.

An efficient, effective, responsive DC that ensures the achievement of human well-being through the optimum provision of security, delivery of services and regulation of certain economic and social activities is imperative for the objectives of development. But in this regard, attention is paid to the existing structures as the waste of present resources is contradictory to development policy. The argument that the DC is a colonial vestige and therefore harmful for development is erroneous at best, as it ignores the development of the office in its historical context (Aslam, 1993:14; Singh, 1994:167; Mukhopadhyay, 1997:698) and recent evolution since independence. Confusion over its efficacy occurs due to the performance of certain individuals holding the post of DC. However, the present discussion concerns the institution rather than the post-holder, as solutions for the incapability of the institution would differ from those relating to the individual DC.

2. PROVISION OF SECURITY - A BASIC SERVICE

A Case of Means and Ends

The most important service that state institutions provide in the districts is security. Its importance is based on the effects it has on the achievement of development objectives. The Deputy Commissioner, referred to as the District Magistrate (DM) in this chapter, police and the district judiciary are components of the mechanism for the provision of public security. At present, the mechanism is not working very efficiently: there are

long delays in courts, conviction rates are low, there are widespread complaints of police abuse of power, and non-registration of cases have all contributed to a less than desirable situation. The service provision can certainly not be said to be optimal. In this chapter, aspects related to institutional design will be considered by discussing room for improvement in the situation. This will include a discussion on the nature of the service, and implications drawn from it for delivery mechanisms, taking into consideration the role of the DM in a scheme of optimal delivery.

2.1 Institutional Requirements for the Provision of Security

Before discussing the institution of the DM in the mechanism for the provision of security, there are two aspects of the issue which must first be examined. Firstly, the delivery of services which involve immeasurable outputs require well-defined mechanisms to ensure a satisfactory result. The simple arrest of the accused even followed by prosecution may not always constitute a satisfactory provision of security. Hence the introduction of structural means, such as laws, to define the desired means through which security is to be provided. Security is a service of which society not only expects delivery, but also a specified manner of delivery. Laws come into effect as social groups generate state action (Wonders & Solop, 1993:220). The implementation of laws then becomes indicative of the fundamental values of society (Conley, 1991:203-204). This entire issue has been regarded as paramount, leading to a detailed enunciation of each and every aspect of the acts that need to be performed by the agencies charged with the provision of security. Hence the introduction of the body of laws and rules governing the functioning of institutions of the DM, police and judiciary. Not only is security provision intangible in some aspects, thus requiring much elaboration of means for its delivery, but it is treated punctiliously because it deals with the sacrosanct subject of citizen rights.

2.2 The Issue of Rights in Development

Rights are an important consideration for development. Not only is the recognition of rights to economic benefits important for human welfare, but also the enjoyment of civil and political rights can be diminished by poverty (Ramphal, 1981:21). This means that well-being will be negatively affected if any of these rights is not provided as part of development. Therefore, the state's liability of guaranteeing rights needs to pursue the eradication of poverty as part of policy to ensure the provision of rights; and thus becomes a development objective in this respect. However,

there mere delivery of development will not suffice unless citizens have a right to participate in decision-making (McDermot, 1981:29). In this regard, a simplistic process of decentralisation and measures to involve the community cannot achieve this objective unless institutions provide and guarantee security to all citizens. Economic well-being pursued through higher incomes with equitable distribution is part of development; but together with this, ensuring justice is a basic component of the right to development (Alston, 1981:105). The criminal justice system should ensure that all its components, both executive and judiciary, work towards justice. The protection of individual rights must be a part of this. Institutions working towards security must be designed and their functioning obtained in a manner that will ensure justice. Another instance in which rights impinge on the development process is the preservation of order. This can only be acceptable if it ensures that the mechanism guaranteeing security and order works towards civil and political rights together with economic rights, as both categories are indivisible (UN Resolution 32/130 quoted in Alston, 1981:40). Therefore, institutional mechanisms, are essential for the provision of security within the development process.

2.3 Concept of Security and Imperatives for Development

Secondly, the concept of security itself needs to be elaborated because it has a bearing on the quality of services delivered, as well as the choice of the design of the means of delivery. Security is regarded as one of the basic services delivered by the state (World Bank, 1997:27). The very existence of the state owes itself to the need for security. Therefore, the precincts within which its delivery is made are defined as Fundamental Rights in the Constitution of Pakistan (GoP, 1973) and are mentioned in the UN Charter (Kanger, 1984:14). Security is not only essential for the preservation of life and its enjoyment, but also lies at the heart of the pursuit of happiness. These aspects emphasise the importance and essentiality of the concept.

Following the recognition that development should include human development aspects rather than solely emphasising economic growth, security has also been incorporated into the modern state function of development. Security is considered as one of the requirements for a better quality of life as well as development (Claude, 1998:7). No collection of services that a state is expected to provide to its residents can adequately fulfil citizens' well-being without the important component of security. Security, both in terms of personal security as well as that of property, is one of the bulwarks to evolve, nurture and sustain the

operation of the market, leading to economic growth and welfare (cf. Burki, 1996:325). The conditions of public order and the judiciary have a recognised impact on the investment and functioning of the economy (World Bank, 1997:31). The whole image and functioning of the state is linked to a secure environment (cf. Shafqat, 1997).

Moreover, human well-being is a function of the enjoyment of life. It has moral and spiritual dimensions no less important than the material aspects of economic development (Mbaye, 1981:11). Personal and property security are a precondition that enable the rightful enjoyment of life in the absence of fear. Opportunities created by deliberate public policy and the widening of choices would consequently require an absence of fear and a positive guarantee of security for availing them (cf. Sharp, 1992:43). All activities that individuals like to perform in accordance with socio-cultural norms contribute towards the enjoyment of life. They can have immediate fulfilment and satisfaction or be long-term investments for the enhancement of capabilities, increased income and increased choices. Even when circumscribed by legal structures and socio-cultural norms, individual choices have to be assured in a context of freedom, peace and stability. This is because some choices can alter existing social structures and seek empowerment, and can only become operative with institutions to guarantee safety and justice for all (cf. Oakley, 1991). When it becomes the responsibility of the state to provide increased choice through its development policy, it requires combining this with properly-designed and experienced institutions in order to attain security. The mere provision of choice without the accompanying freedom to enable people to take them up will fall short of the objectives of development. Where society's power relationships and other institutions are threatened by development, it is the state institutions imbued with professionalism which can work to eliminate fear. In pursuit of development, a conceptualisation of security can only be acceptable if it guarantees that all citizens are able to exercise their right to make choices in life, and that this guarantee is adjusted to the local social and cultural context. A further aspect of this equity is a guarantee of protection from crime for all citizens, but especially the poor, who are the main victims (Vanderschueren, 1998:4).

2.4 Concept of Security and Imperatives for Institutional Arrangements

It is through the guarantee of security that life can be made worth living (Mbaye, 1981:6). Social injustice can be avoided without hampering economic growth (Alston, 1981:65). State institutions brought into being for the purpose of

providing security have to be predicated on a firm basis of security, both in design and functioning in order to work in consonance with the objectives of human well-being. Development has to deal with economic, social and cultural rights in conjunction with civil and political rights (Mestdagh, 1981:224). Security thus incorporates the important component of guaranteeing citizens' rights and not merely the enforcement of the state's power on them.

In the face of the state's imposition of coercive authority, there is a need for checks and balances within the institutional arrangement which prevent the abuse of authority and maintain an optimal standard of service delivery. Ensuring freedom and justice as part of security for all citizens is essential (Clark, 1990:8). Thus, where security entails arrests and convictions, it also requires a means for the redress of grievances. Where it has responsibility for such arrests and convictions, it will require a means for ensuring that such responsibility is always enforced and not overlooked. In cases where this occurs, it must be ensured that a recourse is available to citizens, who are essentially the consumers of the service. An agency's responsibility to deprive some individuals of their rights on behalf of society can also lead to problems. On one hand it is imperative to curb lawlessness, but at the same time it is also crucial to introduce a mechanism for the redressal of grievances against police. Thus, alongside the responsibility of security provision to citizens, an affirmation of the dual responsibility of ensuring citizens' rights also arises. Where means for the first are sought through statutes and agencies created by them, those for the latter are also provided through statutes and rules and other agencies created under them, and the operation of both are equally important. If anything, the latter is paramount for it guarantees basic rights while the former only determines exceptions to these. The DM is an agency with responsibilities in both domains, but it needs to act in the right area. It is not the statutes but the actual functioning of the institutional mechanism which truly defines the law (Wellman, 1997:5).

2.5 The Responsibility of the DM with respect to Quality of Service

The DM is responsible for ensuring that security is provided in the specified manner. Where it involves the arrest and investigation of an accused, it ensures that he/she is not mistreated, the DM is responsible for the enforcement of the specific objectives of laws and is responsible for prosecuting criminals in the courts of Sessions and their subordinate courts. These three sets of responsibilities are basic for the provision of security by the state in Pakistan. Without law

enforcement, a civilised social context cannot be achieved. Without prosecution, the machinery of criminal justice would remain disjointed and inoperative, and without supervision of policing, the conditional right ceded to the state may be sullied. The end result would be a lack of provision of this service in the socially desired manner and the failure of a state function. It would fail to measure up to 'development being an idea of dignity, security, justice and equity', in addition to economic betterment (Brandt Commission Report quoted by Ramphal, 1981:13). Furthermore, the control of crime has to be seen in a manner in which a large number of agencies can be brought together along with the police for devising strategies (UNCHS, 1998:6). The DM should discharge this role in a pro-active manner, and thus make provision of security no longer a reactive action of policing by one agency. It must be recognised, for instance, that crime cannot be reduced without providing housing and employment to the poor, and devising a strategy to address such a problem will involve more than law enforcement by police.

2.6 Law Enforcement and Public Order

Public order, as required for economic development and human well-being, is a concept which is a direct product of the social contract. Law enforcement is a corollary of the same, in which the wishes of society are exercised or expressed by way of statutes and rules, and in which societal objectives are encapsulated and state institutions charged with various responsibilities for their attainment. The DM is responsible for maintaining public order in the district and this is a cardinal function (Khera, 1979:137). The DM is invested with the lawful authority of the state (Inayatullah, 1998) for this purpose. Certain explicit legal provisions such as sections 144 and 145 of the Code of Criminal Procedure (GoP, 1987), the Police Act and the Police Rules articulate some of these functions. Rather than being a reflex to quell any disorderly situation, their invocation is envisioned to be the judicious decision of a judicial mind. Allowing citizens to exercise their right to assemble peacefully while keeping the roads patent and protecting lawful business is a continuous task (Brewer et al, 1996:14). Thus in practice it translates into dispute resolution many times without the use of force. Despite the availability of the police and other agencies for this purpose, the preferred mode is negotiation. Despite these systemic advantages, there a host of problems, which have produced somewhat unsavoury results.

It is also pertinent to consider the nature of the criminal justice system. Obviously this is not just for offenders, but a means for wide-ranging state

intervention in society (Uglow, 1988:61). It can be used to preserve the interests of the elite and can prevent social change. In this respect, it has a political nature. Through choosing the kind of action, a positive or negative influence can be exercised (Cohen & Feldberg, 1991:3). When conflicts are generated by an interplay between political equality and economic inequality, the requirement of the enforcement of public order increases (cf. Brewer et al, 1996:128). However, despite the contentious nature of this assignment, the principles of fair-play have to be upheld. The role has to be performed in accordance with laws and rules, but the exercise of choice of action can contribute towards the better application of these. When the same tasks are undertaken for the elite but not in consonance with laws and rules, they totally transform the nature of the accomplishment. The state's tenuous right of the use of force becomes perilous. The entire credibility of the structure then becomes unsteady and social control is transformed into repression – an anathema to human well-being. Therefore, law enforcement has to be free of the influence of the minority elite and geared towards the general good of society (cf. Monet, 1995:227). Training, attaching incentives to performance evaluation and ultimate accountability to the legislature in a defined manner can keep performance optimal (vide infra, chapter 5). Meanwhile, inherent legal biases highlight the need for its evolution to be remedied.

2.7 Prosecution and Provision of Security

The DM, in accordance with the Code of Criminal Procedure, has responsibility for prosecution (GoP, 1987). The significance of prosecution in the criminal justice system does not need to be explained here. The role of prosecution agencies, together with other law enforcement agencies, is a basic component of the 'full and non-discriminatory realisation' of human rights and 'processes' of democracy and sustainable development (UNCHR, 1994:iii). It is through prosecution that the state seeks to exercise the ultimate right of inflicting loss of liberty, life or another form of punishment upon some citizens. Granting punishment to offenders in order to achieve a peaceful and coherent society, with security of life and property, is acceptable in the presence of an independent judiciary and lawful prosecution. Under the rule of law, this remains a preferred mode for achieving this end. A departure from this mode of inflicting punishment, notwithstanding the nobility of controlling lawlessness, and providing security of property and life or striving for other social objectives, would be rendered a form of lynching, albeit through official procedures.

On the other hand, the zealous prosecution of offenders removes undesirable elements from

society and helps to create an atmosphere of security. The predictability of the mechanism acts as a deterrent to errant behaviour by providing area of certainty to entrepreneurs for their activity. Another effect is the significant contribution towards the well-being of citizens by removing fear from their environment and allowing them to engage in productive activities, rather than concentrating on fending off the unpredictable threats of crime.

But there are two problems with prosecution: complaints of abuse of power and low conviction rates. Low conviction rates can be attributed to more than one reason, including flawed investigation, lack of commitment of prosecutors etc. For the purposes of this discussion, only the role of the institutional arrangements for prosecution will be focused upon.

2.8 Imperatives for Effective Prosecution

Prosecution not only suffers from the lack of motivation on the part of prosecutors, but is also plagued by a faulty institutional set-up. Investigation and prosecution work as part of the same department. Therefore the evaluation of evidence before prosecution in courts is carried out intradepartmentally, unlike the UK (Maguire & Corbett, 1991:27) or Japan (UN 1985:45), where prosecutors evaluate cases independently to assess whether they need to be taken to court. Notwithstanding the unfairness of the arrangement (Wegg-Prosser, 1986:177), even when the statutory responsibility lies with the DM, this has merely become a nominal function. It is not recommended here that the Japanese or British system be instituted; on the contrary, the contention is that neither can be reproduced with successful results. Only the general principal based on genuine enquiry and proven efficacy can be adopted, which in this case seems to be enunciated in the separation of investigation and prosecution agencies within the executive part of the criminal justice system. In line with the legal system in Pakistani districts, this will have some advantages once the investigation and prosecution are effectively separated. It provides for an evaluation of evidence before prosecution of the case, preventing the overburdening of courts and the resolution of minor cases without undue and unjustifiable harassment. Secondly, within the executive the two agencies can provide evaluation before the case is lost in court; cases with weak evidence can be returned to the investigation officer and improved. Thirdly, it will enable the heads of police in districts to use it as a management tool for evaluating the performance of investigation officers. Lastly, and most importantly, citizens will benefit from improved

investigations as well as the prevention of abuse of authority.

2.9 Policing for Security: Service Provision and Cost

An important aspect of the DM's work concerns policing in the district. This is unfortunately the worst area in terms of service delivery to citizens. On one hand action against offenders is weakening, while on the other there are unsubstantiated complaints of abuse of police authority including harassment and neglect of duties such as the registering of cases. From the point of view of the delivery of security through the criminal justice system, the police is an agency which confronts the problems of crime and antisocial behaviour head on. It deserves kudos for that. But again it would be simplistic to argue that service delivery be made the exclusive domain of a provider of a part of the service. The law envisages that the DM, police and courts all act as components of the arbitration of offenders' fates, which is society's expressed standard for the provision of security. The state monopolises the use of legitimate force against citizens. Not only because it is a monopoly and hence faces no competition for the better provision of services does it require regulation, but also because this concerns basic rights and therefore requires special arrangements. The authority of police is considered to be substantial even in democratic societies (Hayson, 1989:139). Accountability to outside agencies is a mechanism to regulate the use of such authority (Reiner, 1995:24). These arrangements have to be well defined so they leave little room for abuse. Even if they are cumbersome, they need to be used in order to guarantee freedom in society.

2.10 The Limitations of Policing Crime in Development Policy

Fighting crime in society is an onerous task, especially where rapid socio-economic transformations are occurring. Even the definition of crime is undergoing continual alterations as society develops. Even then, through the use of discretion in the application of law, the police ultimately define crime (Haine et al, 1979:17), making it imperative for legislature and other institutions to leave little room for discretion. On the one hand, the generalisation of treating crime as human frailty can be subject to personal characteristics. Such a definition ends up in the style of policing which legitimises strict measures and the avid demonstration of social authority together with attention in the form of hefty resource allocations (Uglow, 1988:59). But it only goes as far as treating the symptoms. The social and

economic deprivation leading to criminal behaviour does not get the attention it merits. Therefore, police and in fact the whole criminal justice system, have a limited role in dealing with crime even when it is of a continuous nature. At times the causes of crime need to be addressed at the level of development policies (UN 1985:35). The law mostly emphasises crimes against property and personal injury, compared with those concerning the health and safety of workers (Chambliss, 1993:55). This idea leads to the creation of large police forces. However, if the safety of workers is important for increasing the welfare of a significant number of people, as opposed to public order, then this also requires inclusion in development policy. Policies, and not police, are the answer to the wider problem.

2.11 The Need to Make District Mechanisms Work

However, the criminal justice system carries the responsibility of dealing with crime in whatever form it occurs. It is much more than a reassurance that society is endeavouring to obtain collective defence (cf. Uglow, 1988, 59-60). As mentioned elsewhere, the protection of life and property, as well as the sanctity of economic transactions, are essential for the operation of the market (WB, 1997:31). However, when the system fails to meet its symbolic expectations, the negative effects on the economy and society can be very pronounced (WB, 1997:32). Attempts to make district criminal justice systems to work efficiently and effectively have to be part of the development strategy. They cannot only be in the form of generous resource allocations. In addition to this, they may require institutional arrangements. Moreover, a doubling or tripling, not a mere increase in police salaries, better training and greater intake are important issues, without which no realistic improvement can be made. But this merits a separate discussion.

2.12 The Role of the DM in Securing Optimal Policing

The executive component in the district criminal justice system is able to achieve some aims through training and staff development and intradepartmental accountability. The latter however, has not proved to be the most satisfactory of means and does not suffice as the only arrangement (Reiner, 1995:27). The UK police force, putatively the best in the world, faced the loss of public confidence when departmental accountability was the only means of accountability (Maguire & Corbett, 1991:59). Consequently the Police and Criminal Evidence Act, 1984 created the Police Complaints Authority, which is an independent body for investigating complaints.

Despite its independence and supervision of the investigation of important cases, it has still to achieve public confidence (ibid.). There is a strong belief that the investigations conducted by the department, and not by an independent third party, are not optimal (Cawthra, 1993:175). Alongside this is the ongoing clamour for the independent monitoring of police in search of a solution to the age-old saying '*quis custodiet ipsos custodes*' (who shall guard the guardian). Therefore, need for a mechanism to influence police behaviour is stressed (Waddington, 1992:197). This is imperative to address cases of abuse of authority which cause resentment (Khawaja, 1997).

In the supervision of police stations, the DM can resolve some public complaints. In this respect, the office should be stringently accountable. Cases of illegal confinement and maltreatment should be investigated through the Area Magistrates. Regular visits to places of detention by officials responsible to an authority other than that in charge of the place of detention is an international norm (UNCHR, 1994:35). The non-registration of First Information Reports can be similarly addressed through the interference of magistrates. In fact, all complaints against police need to be registered and investigated through magistrates. This will address issues of quality and non-provision of services to citizens. The enormous potential for positive or negative outcomes through the choice of actions (Cohen & Feldberg, 1991:3) requires continuous monitoring in order that the potential is not misapplied. Periodic auditing by the DM, with results being published on specified criteria of the quality of service, will help to improve it (cf. Weatheritt, 1993:24).

3. INSTITUTIONAL ARRANGEMENTS FOR THE DELIVERY OF SERVICES IN ACCORDANCE WITH DEVELOPMENT OBJECTIVES

Giving Buoyancy to a Millstone

3.1 The role of the Deputy Commissioner within the Institutional Arrangements for Service Delivery in Districts

The departments of the provincial and federal governments in districts are concerned with the provision of services such as education, health, sanitation, and water supply; and are responsible to their respective heads of departments in the provincial or federal headquarters (vide infra, Annex C). In districts, the DC has a minimal supervisory role over them as a co-ordinator of developmental activity (Mahmud, 1987:86; Aslam, 1993:62). Decision-making with regard to service delivery is done by the central offices, and input from the provinces is transferred by way of the official hierarchy or through representatives. Allocation of resources and selection of projects is

done as a result of both sources of information. In districts, local government institutions have separate jurisdictions, whereby urban councils have mandates for the areas designated urban and the district council for the rural areas in the district. These institutions are created by the provincial government and do not have an autonomous constitutional existence (GoP, 1973; UNDP, 1998). The functions of the local councils are prescribed under the statutes by which they are created (vide infra, Annex B). They perform important functions like water provision, construction of minor roads, sanitation and road paving etc. Major works and services, including utilities such as electricity and telephones, remain with provincial and federal governments. At times, the DC may also have to perform functions in local councils (GoPunjab, 1998; Choudhary, 1996:253). This amounts to a direct involvement on behalf of the provincial government. In addition to this, the provincial government has control over local councils through the local government department. Taxes on property transactions are within the role of the DC as Land Revenue Collector, especially when the valuation tables for urban lands are compiled by the DC's office. These taxes are leviable by local councils and form an important source of their income.

3.2 The Connection of Institutional Arrangements with Development Objectives

The institutional arrangements in districts can be discussed from various perspectives. One of these perspectives is that of service delivery which is efficiently and effectively in consonance with the wider aim of development and public policy. This means that it would not only be an efficient and effective means of service provision to citizens but would also reconcile these with objectives of equity. Poverty should be allocated more resources, even when poorer groups generate a smaller proportion of the national income. Moreover, decision-making works at more than one level of service provision to citizens and affects their lives, thus having a direct bearing on human welfare. Allocation of resources and selection of projects are both significant state activities which alter the lives of citizens to varying degrees. Decisions can be positive for most citizens, but will have some negative impacts for others. Therefore, decision-making has to be within a structure that benefits the majority of citizens through their influence and oversight of the process (Hyden & Bratton, 1992:14-16). Yet there are limits to the application of this criteria in that the needs of a few may still require resources at the expense of the many. Hence decision-making and institutions in control of a larger proportion of the population, as opposed to fewer, can take steps towards optimality (Aziz & Arnold, 1996:1).

3.3 Attenuated Service Delivery and the Panacea of Decentralisation

The situation in Pakistan leaves a lot to be desired in terms of the quality of services provided (Haq, 1997:37). Centralised and local service provision both lack quality. As provincial and federal departments far outweigh local councils in importance and financial capacity, they are apportioned a larger share of the blame. A proffered solution is decentralisation. This would bring the provision of services closer to recipients and would mean improved decision-making through a greater understanding of local issues, better use of locally available inputs, accountability and other factors (Rondinelli & Cheema, 1983:14-17; Wolman, 1990:30-35; Turner & Hulme, 1997:157; UNDP, 1998:7). Flexibility can be introduced into planning through the incorporation of local demands and needs (cf. Amos, 1998:10; Haq & Haq, 1998:82). However, it would only be realistic to anticipate difficulties and shortcomings which may upset full-scale decentralisation. At the same time, forgoing this option due to problems would be countenancing an insufferable state of inefficiency and lack of responsiveness. The solution needs to bring out the benefits of decentralisation together with the incorporation of measures seeking to deal with anticipated problems. Simultaneously, market solutions for service delivery need to be enhanced. Institutional design can be manipulated by such aims rather than foisting a set model on it. The following paragraphs embody an attempt to search for means to achieve efficiency, effectiveness, responsiveness and equity in the delivery of services to citizens in districts in order to enhance their well-being. Moreover, it will seek to encompass accountability and participation.

3.4 Managing Decentralisation for Development Objectives

For the purpose of this chapter, decentralisation is used in the sense of devolution in which local governments are given authority and responsibility over the departments of the state. The advocacy of decentralisation is made from a number of perspectives; however, the most poignant theme is the increased participation and hence advancement of democratic enjoyment of benefits from institutional processes. Attempts at decentralising government departments to local government control have to keep such objectives in view, and consequently they have to be modelled on a pattern that guarantees that they benefit citizens. Unfortunately, it would be an oversimplification to assume that decentralisation alone would automatically translate into these

benefits (Davey, 1993:27; Scott, 1996:12). It has been seen that the effects of decentralisation policies depend upon the social and cultural conditions as much as on the policies themselves (Cook & Manor quoted in Turner & Hulme, 1997:171). The working of the local councils hitherto can also be taken into account, assessing the extent to which the delivery of the limited mandates has been in accordance with the expectations of the public.

Decentralisation has not always provided the expected results. Moreover, the case for increased participation and increased control of common citizens over their lives is doubtful, as there is the possibility of co-option by local elites (Griffin quoted in Turner & Hulme, 1997:172; Asmerom et al, 1995:754; UNDP, 1991:52). When decentralisation is envisaged as a means of transferring power from elites (Task Force, 1994:67), this may not work. Local decision-making can ignore deprived areas (Davey, 1993:27). Therefore, decentralisation in the absence of consideration of these factors can create a myriad of new problems without solving many of the old ones. In addition, different districts will have diverging income levels, and therefore poorer districts will be unable to generate resources to acquire financial or trained human resources. Availability of financial and material resources is essential for decentralisation to work (Asmerom et al, 1995:739). Districts will be dependent on provincial governments for the provision of finance and staff. It is central and regional taxation which aids the redistribution of resources (Prud'homme, 1990:120). Where finances are generated by the provincial government, but used by local councils, this will lead to a situation whereby the government making the expenditure will not be responsible to the citizens paying the taxes to it. Therefore, such factors need to be given consideration in the design of institutional arrangements in districts. Rather than suffering from 'a fine disregard for the feasible' (Safier, 1992:9), progress in solving problems drawing upon knowledge accumulated empirically or otherwise is desirable.

3.5 Decentralising Responsibility with Resources

Along with decentralisation, the weakness of civil society also requires attention. Deliberate attempts are needed to increase citizens' organisational capacity. In conjunction with this, the control of primary and secondary education, health services, public health (water supply), minor and intermediate roads, and buildings (but not central hospitals catering for needs of patients on a wider level) should be transferred to local councils. The immediate transfer of control of these departments

will put pressure on local councils' capabilities due to their limited finances and trained staff. Budget allocations for districts should be made from the provincial exchequer on the basis of their needs and other suitable criteria. The sharing of taxes could be one of the mechanisms for achieving this (Ghaus, 1989:104). This should be done in a predictable manner by indicating future allocations for at least five years. Local councils will then be able to plan to put the finances to the best use. Provincial governments, in their role as tax-collecting agencies, can exercise influence in this regard, as will be discussed later in this paper. Trained staff should be also allocated to local councils with accompanying budgets for their salaries. Dealing with issues of service delivery under dual responsibility is not new, as it is practised between federal and provincial governments as well as provincial and local governments. However, the accountability of employees needs to be the responsibility of local councils in order to achieve efficiency of departments. Therefore, staff occupying positions under heads of department may be transferred to local councils, with the local councils their employers but with continued budgetary support from provincial and federal levels in cases where local councils cannot generate their own finance. Another important resource is the establishment of district planning offices initially staffed by the Planning, Environment and Development Department (Qureshi, 1998:26; Malik, 1998:40).

3.6 The Case of Deconcentration with Community Involvement

Other government departments in districts, such as agriculture, industries and forestry, should be fully deconcentrated. Deconcentration has previously worked well for development in Pakistan (Turner & Hulme, 1997:170). The district heads of these departments should be made responsible for the management and achievement of results prescribed by the provincial government. The rationale for having these departments under provincial control is that their working is directed towards wider policies, thus having a remit over wider domains. Controlling them at the local council level can lead to unnecessary fragmentation of the public sector effort for development. But the participation of the community in the planning and implementation of projects will serve the purposes of development (Dudley, 1993:160; WB, 1994:21). Similarly, a deconcentrated land revenue administration geared towards meeting specified criteria of efficiency will require attention (cf. Panda, 1994:212).

3.7 Residual Provincial Liability in Decentralised Districts

This leads to the issue of provincial and federal government liability for human well-being. These governments are also held accountable to citizens through elections. Therefore an argument that local councils can be somehow more responsible than provincial governments is not tenable in all cases. The role of provincial governments in ensuring equity in resource allocation can be a major factor in driving the pursuit of development towards achieving human well-being.

The liability of the provincial government in ensuring that human well-being is enhanced as a result of institutional processes means that they have the right to prescribe standards for local governments to follow. The transfer of funds from the provincial exchequer to local councils entails a dual responsibility to the electorate. Local councils shall inherit the responsibility of ensuring that funds are well spent in order to enhance the well-being of the populace. At the same time, the provincial government levying taxes or receiving revenue from the federation under the constitution will remain responsible for their use. Total responsibility cannot be transferred in conjunction with funds. Moreover, an equitable distribution of resources will require that the districts incapable of generating sufficient funds will need larger shares from the common fund (Qureshi, 1998:37). In this case, the population of a certain district may contribute more and receive less. This is quite acceptable for the purpose of equity and redistribution of income. However, the right to tax is only granted to a government if it can ensure its expenditure in consonance with the citizens' mandate. Those paying should be able to receive accountability. Local governments receiving funds from provincial governments on a preferential basis cannot be held accountable by the electorate from whom they were raised. Therefore, provincial governments will have to exercise supervision over the use of the funds it provides as it can be held responsible to the citizens contributing the funds directly or through the federal government. This mechanism can also work towards achieving policy co-ordination.

Moreover, properly designed central controls are beneficial (Davey, 1993:28). Local councils, like public enterprises, should be made to reconcile their objectives with central and provincial government policy (cf. Batra & Kaur, 1994:52). At the same time, this mechanism cannot be allowed to weigh too heavily on local councils so as to eliminate local initiative; which was the initial rationale for decentralisation. A balance between these two needs will be required (Batra & Batra, 1993:93).

3.8 The role of the DC in Decentralised Districts

The Punjab Local Government Act 1998 envisages the role of provincial government through the office of the DC (GoPunjab, 1998). However, it would be a better idea to have openly declared standards for local councils and give them tangible targets where possible. These can be in the form of enrolment ratios, for instance. The DC can be asked to report to the provincial government on its functioning as a measure of these targets. The office should be given a clear mandate and should be responsible to the provincial government for this. It should function as a chair of expert committees for the assessment of service delivery, forming a basis of the DC's reports to the provincial government. The supervision of local councils by provincial government can be exercised through strengthened auditing. Clearly mandated roles of local councils in spending funds transferred from provincial and federal levels should be defined. Local councils accepting the grants should enter the arrangement as a contractual mechanism by which funds are transferred in partial agreement that they will be spent in a mutually agreeable manner. Provincial governments should not impose details of project options, but broad policy guidelines could be specified. An auditing system of the specified standards should determine future grants. Assessing efficiency and effectiveness and not financial probity should be the sole aim of auditing. This auditing would be additional to financial accounting, incorporating matters like providing a share of development to minority groups in the community. The DC's office should provide input in such auditing.

One of the inherent problems encountered in decentralisation is that a measure initiated with the express desire of enhancing participation of the people in policy formulation and implementation can lead to the domination of local institutions by local elites. Such situations can result in poorer sections of the community suffering further neglect. Central influence in districts is therefore not always harmful. Local institutions dominated by elites cannot enhance human welfare. A hierarchical arrangement of local institutions culminating in an institutional pyramid within the district will mean that citizens who do not have access to the hierarchy or are not in favour with it lose out in the process. In order to avoid the domination of local institutions and large sections of the communities losing out, a framework of institutions is preferable to a hierarchy (Martinussen, 1997:216). On behalf of the provincial government, the institution of the DC can provide access to neglected groups and sectors of the community (cf. Aslam, 1993:89). A multiplicity of state institutions within districts can also provide the people with more opportunities for making themselves heard. The DC can assess the

functioning of local councils on the basis of defined and agreed criteria through committees in which weaker groups should be given representation in addition to experts.

3.9 Access to Justice in a Decentralised and Privatised Context

Access to justice becomes a more important theme as state institutions increasingly move towards free market economies, in addition to decentralised management, making the need for redressal of grievances paramount. The privatisation of services in provincial and local departments raises the issue of individual citizens as consumers who exercise choice and seek redress when services fall short of expectations. Providing a means of redressal is a duty of the state (cf. WB, 1997:27). Where access to justice cannot be equated with access to courts (Birkinshaw, 1991:1), the executive's liability to ensure fair-play becomes paramount. It does not end with the establishment of judicial institutions. In this regard, the traditional role of the DC in solving citizens' problems (Mahmud, 1987:201) can be transformed into a formal function of an ombudsman in the district with responsibility for providing relief to aggrieved persons against state as well as private agencies. Well-defined standards for service delivery, including tasks, contracts and performance (Andrew & Goldsmith, 1998:107) should be published. In the case of complaints, investigatory methods should be used to establish the facts and make recommendations for redressal. This will ensure that economic efficiency is not being achieved at the expense of social equity and the importance of individual citizens.

4. THE DISTRICT AS A COMPONENT WITHIN THE STATE REGULATORY REGIME

Ensuring the Attainment of Developmental Objectives Through Effective Institutions

4.1 The Non-Free Market and Principle of Regulation

Notwithstanding the theory of free market and its benign impacts, the operation of the market in the real world does not always lead to the predicted results of increased welfare for all. Markets operate in favour of certain sectors of society and against that of others (Martin, 1993:159). Certain sectors of society have control over the factors of market production and operation, and the outcome of this is not egalitarian. For instance, those with more money and land can influence the market more than citizens with little purchasing power. Such actors take command of all possible resources in order to pursue their interests (Birkinshaw, 1991:13). The discourse on this subject elaborates

the problems and limitations of market operation (Martin, 1993; WB, 1997). In particular, the mere withdrawal of the state does not lead to the development of market economies with market regulation (Elsenhans, 1994:393). In fact, "free market" is a misnomer, for it may be freer of the influences of the state but not from powerful persons and organisations (Martin, 1993:47). Sometimes, these interests operate through state monetary and fiscal policies, affecting the market (Meier, 1995:540). Therefore, the free market is sacrosanct in theory only. In practice, state regulation is required for keeping it on an even keel. Once such a principle is established for healthy market operation, then regulation for the purposes of ensuring welfare of weaker sectors of society cannot be disregarded. It is also required for ensuring the appropriate use of commodities, like non-rival and non-excludable, private, common property and club goods (WB, 1997:26). Regulations are created to protect air and water bodies from pollution (Sairam, 1993:409). From a purely economic perspective, forest exploitation will cause the loss of biodiversity in the quest for enhanced productivity. Therefore, even with free market operation, in place of dogma, workable solutions need to be combined with regulation.

4.2 The Use of Regulation in Market Operation

The state intervenes in order to promote a beneficial use of resources, achieve social goals through equitable distribution of benefits and respond to various sectors of society. In case of the latter, regulation defines the relationships between various groups in society with respect to resources and derivation of benefits. It helps in achieving the necessary social cohesion for the smooth functioning of the market (Painter, 1991:24). Regulatory regimes implicitly define economic relationships between social groups but remain subject to change and evolution. In societies where means are available for the evolution of regulatory regimes in response to changing actual situations of social relationships, social cohesion remains intact through continual adjustment. Regulation in this respect becomes a tool amenable to change, but in the interregnum keeps a defined structural mechanism in place to gain orderly access to benefits from the economy in place. This gives a credible and tangible frame of reference to social groups in the overall context of unpredictable and continually changing aspects of market operation removing the need to constantly change positions which causes turmoil. However, the regulation regime has to be effectively implemented in order to meet the objectives for which it was designed. In the case of the contrary, it not only dissatisfies the groups who want its amendment but also those for whose

benefit it has been put in place, becoming disaffected for the non-delivery of services.

4.3 Regulation for Development Objectives

In addition to the benefits of regulation, the pursuit of development draws upon it. The use of regulation in development-oriented public policy goes back to the theme of the imperfection of the market. While the market is arguably a mechanism of choice for allocational efficiency of production and economic growth (Moore, 1993:13) it does not always fare well when the allocational efficiency wanted relates to the welfare of all in society (Martin, 1993:49). Market operation is adopted for the former aim, as it is an integral part of developmental policy. But making policy meaningful on the predicate of human welfare also requires the efficient pursuit of the latter. Proper regulation helps society move towards this (cf. WB, 1997:65 & 71). Moreover, institutions and regulation can achieve the objectives of development by the incorporation of the latter in the consumer-oriented provision of services (cf. Lerner, 1997:384). Therefore, the regulation approach as a discourse is concerned with the design of institutions (Jessop, 1995:318).

This leads to the question regarding the form of regulation. An over-regulated economy can defeat the purpose (cf. Fisher & Thomas, 1990:810). Only properly designed and effectively implemented regulation is instrumental in the achievement of the desired income distribution and equitable sharing of benefits of development.

4.4 The role of the DC's Office in Regulation

In districts, some regulatory functions are performed by the DC on behalf of the provincial government. Some of these are direct functions of the DC's office, but in other cases these functions form part of the regulatory regime. Here the office acts at the local level as part of the state regulatory regime (cf. Lipietz, 1988:28). Thus price control of essential items is a direct function of the DC performed under a statute (Aslam, 1993:54) whereas the office functions as part of an integrated mechanism to regulate matters pertaining to the sustainable use of forests and pollution control. Some regulatory functions of the DC are of an economic nature, while others are social but which have an indirect bearing on the performance of the economy. Price control, removal of encroachments, licensing of mineral extraction, controls over the movement of foodstuffs, implementation of environmental laws concerning pollution, and magisterial and regulatory duties concerning forestry, wildlife and fisheries are some examples of the former. The

exercise of responsibilities under sections 133 and 144 of the Code of Criminal Procedure 1898 (GoP, 1987) requiring restriction on usufruct of property pertain to the latter. With respect to these duties under the Code, the DC's function becomes a classic case of formal regulation combining the right amount of flexibility. While legal provisions define the scope of the duties, their application is shaped by responsiveness and choice of action at the district level.

4.5 The Place of District Regulation within Development Policy

Despite their significance for the performance of the district economy, all these regulatory functions have been relegated to a secondary position. In fact, it is not only macro-economic policies but also the lower level institutions that play an important role in sustaining the accumulation regimes (Jessop, 1995:319). In the case of price control, the function becomes active erratically. One of the reasons for this is the consciousness that prices are affected by macro-economic factors more than control at the district level. Large price fluctuations can take place due to changes in fiscal or monetary policy. Even then, regulation at the district level does not provide consumer protection against artificially inflated prices by local monopolies of suppliers or retailers of essential items. When those in trade associations increase prices together, the effect is that of a monopoly. Intervention from the DC checks such increases, providing succour. Despite the overarching importance of macro-economic factors in the determination of prices, regulatory intervention at the district level is an important mechanism in the regulation regime for consumers in the poorer sections of society, as they are most vulnerable to inflation in the price of basic goods. Macro-economic policy formulated with the objective of providing affordable basic goods to the poor can combine with the district regulatory mechanism to achieve the aim of sharing the benefits of development amongst all sectors of society.

The DC's responsibilities of ensuring that no hoarding and black marketeering takes place is an important means of preventing market abuse. It works towards preventing individuals from gaining the power to affect the market from artificial prices which go against the interests of society. For these roles to be optimally implemented, they need to be emphasised as part of the DC's function and made part of the evaluation (vide infra, chapter 5). Similarly, the DC's duties with regard to the adulteration of fuels etc. should also be emphasised.

4.6 The role of Regulation in Resource Management

The magisterial implementation of laws concerning forestry and environment and the contribution towards the establishment of a benign environment, which supports the economy as well as people, is the apex of the state's role as an environmental manager in districts (cf. Taylor, 1992:206). Despite the exploration of alternative

regimes for resource management and ecological conservation, the role of state institutions in attaining such objectives remains well-defined (cf. Holdgate, 1996:114). The magisterial component of environmental regulation provides the means of enforcement to institutions working towards environmental management goals. It helps in conditioning the responses of actors including businesses, resource users and owners etc. Along with involving civil society in resource management, the DC's function needs to be emphasised.

4.7 Regulation of the Physical Environment

One of the important parts of regulation deals with the physical environment. Encroachment upon roads, streets, green areas, open spaces and beds of watercourses subvert planning and cause environmental as well as human disasters. Attempts to erase such informal settlements and encroachments are a simplistic solution. An integrated policy for the provision of affordable housing to the poor, introduction of income generating schemes and building of social responsibility is required. The role of anti-encroachment efforts by state departments under the express direction of the DC (GoNWFP, 1976) will be part of such a mechanism. Aside from policy, delinquent behaviour requires measures defined by law, especially when encroachments are not only a result of poverty but due to a lack of social responsibility. Without an adequate policy framework that addresses the problem at various levels, mere enforcement of laws on the removal of encroachments is short-lived, as they are largely unrealistic and oblivious to the needs of the poor. With the inception of proper changes to public policy, the law can become a last resort, acting more as a deterrent, and would be seen as a fair dispensation by the majority of citizens. Instead of facing a mass of encroachments, the enforcement of the law would be against a few with greater chances of being effective. It will be an instrument for preserving the physical environment within the structure of comprehensive public policy. This role should be given emphasis in performance tasks (vide infra, chapter 5).

4.8 Regulating Greenfield Projects

Projects of various dimensions constantly change the environment in districts. Development is seen as embodied by industrial and infrastructure projects. It invariably alters the condition of the land. Many of these projects are green field ventures. When projects encroach on agricultural land or forest or exude pollutants into water bodies in their vicinity, this can be due to flawed planning. Environmental impact assessment for all development projects in the public and private sector can forestall many of these impacts. As a land acquisition Collector under the Land Acquisition Act, 1904, the DC is required to certify that land being acquired for projects is being utilised with the least environmental impact. This mandate requires strengthening, and the Land Acquisition Rules need to be amended to incorporate the opinion of the DC on the basis of such impact assessments. General Guidelines by the Environmental Protection Agency could be provided to the DC's office in the form of the Standing Order of the Board of Revenue. This would ensure that development projects are devised in accordance with strategic environmental policy.

4.9 Social Regulation with Economic Implications

Social regulation is enforced in accordance with social ideologies through the authority of the state (cf. Hay, 1995:402). Some of these ideologies have direct and others indirect effects on the functioning of economy. The licensing of weapons and businesses dealing with dangerous materials is a non-contentious regulatory function, as they have a bearing on the security of life and property. Even when coercive authority is not used, leading to damaging consequences for citizens' lives and property, it is an important part of the regulation regime. The DC's responsibilities with regard to regulation should also be emphasised. Provisions 133 and 144 of the Code accord the DC with the responsibility to adopt a proactive role in safeguarding public interest. The neglect of these functions may cause a failure in service delivery and amount to an abuse of functions. Where abuse can be redressed through judicial review, disuse can be prevented by emphasising this role and making it part of the evaluation (vide infra, chapter 5). A proper use of these provisions of law can provide enormous relief to citizens without recourse to costly alternatives.

5. EVALUATION OF PERFORMANCE IN INSTITUTIONAL DESIGN FOR EFFECTIVE POLICY IMPLEMENTATION

Rationalising the Linkages Between Efficiency and Incentives

5.1 Performance Evaluation and Institutional Performance for Attaining Development Objectives

Whatever the part that institutions have to play in the development process, it is imperative that their performance is in accordance with desired standards. The output and outcome of their performance has implications for development policy (WB, 1997:Figure 2.2, 32). When security is provided, services are delivered optimally and state regulation achieves its results, thus enhancing the well-being of citizens. When services are poorly delivered, the outcome is an increase in misery. Therefore means for evaluating the performance of institutions is mandatory for assessing the situation and studying the role for further policy responses.

Performance evaluation forms an important part of the institutional mechanism designed for achieving the desired ends of development. In the case of institutions which are based on service delivery, this can be gauged through evaluation and the consequent institutionalisation of proper responses. The other purpose of the exercise is to maximise the potential of the institution by basing the system of rewards and chastisement on a rational evaluation and thus professionalising the public services. In this capacity it effects the behaviour and work of individuals in institutions (Davey, 1993:30). Attaching incentives to performance evaluation can lead to the enhanced capability of the state (WB, 1997:27-28). Otherwise, a lack of prioritisation of performance evaluation leaves individuals to act on the basis of their notions of morality or other such factors. It exposes the institutions to the vagaries of the whims of the ultimate arbiters of authority within them; as it is not professionally determined standards that are pursued but the protean edicts to which they have to conform. At the same time, it can be safely said that a sole reliance on the will to strive for self-optimisation within an organisation can not yield good results.

It is necessary to have a rational performance evaluation in order to work as an incentive towards institutional efficiency. A well-designed system can also be made a basis of clarifying and specifying the mandates of individual offices. This can in turn prevent the abuse of discretion and focus the activity where and as desired by the policy makers. The actions of the offices in various state organisations can be geared towards a better realisation of measurable commodities and services.

5.2 The Inadequacy of Present Performance Evaluation

Presently, performance evaluation is largely based on the Annual Confidential Reports (ACRs). In the case of the DC, the ACR is written by the Divisional Commissioner and countersigned by the Chief Secretary of the province. The records of these reports form an important part of the promotions of the officers. The decision to post officers to particular districts or other equivalent government offices are not based on the ACRs as such. Hence they work as delayed action incentives with a long-term effect. But the real weakness in the ACR is that they are based on intangible aspects of performance. The reports assess the performance of an officer in terms of his/her personal and professional qualities as regarded by his/her superior, and this is based on intangible factors like ethical viewpoints, behaviour and attitude and the general performance of duties. Performance is considered as manifested through superiors' formation of opinions with regard to the above-mentioned criteria. In the most part, it does not take tangible performance into account. Moreover, it does not take into consideration the situation at the beginning of the officer's tenure nor does it look at the factors that he/she had to deal with. This does some justice to the component of the DC's work that is intangible, by presenting a verdict on the essence of performance. But there are important areas where performance evaluation falls short of assessment, and becomes a basis of the formulation of tasks for officers or even a comparative statement of performance.

5.3 The Benefits of Tangible Evaluation Criteria

In order to improve the system of evaluation and make it more useful for institutional and policy purposes, a further report should be added to the present form of ACR. This will be accomplished through the incorporation of some tangible aspects of the work of the DC. Consequently, it will produce a better picture of the DC's performance. This will not only produce a fairer and more objective performance evaluation, but also the information from these reports will become a basis of task formulation for specific districts. Where backlogs of work are discovered, they can be made into specific targets at the time of posting individual officers and can be amended at a later stage by undertaking work. The reports would serve as a basis of an objective comparative analysis of performance. Finally, such a system of reporting can be made to work towards the improvement in the functioning of the DC's office by attaching incentives to tangible output targets.

A Tangible Performance Evaluation (TPE) can be based on numerous areas of the DC's work.

5.4 Rendering Security Provision Tangible

In its capacity of District Magistrate, the DC is expected to perform certain functions for the protection of citizens' rights and their temporary redefinition in the interests of the common public good. When not performed or improperly performed, some of these are subject to abuse of responsibility. Hence, cases where relief needs to be provided under sections 133 and 144 of the Code of Criminal Procedure 1898 were identified, but these provisions were not invoked or made part of the evaluation. This should be done with all magisterial jurisdictions in the district and not only the DC itself. The law and order situations and their outcomes as a result of the DC's actions should be specifically mentioned in the evaluation. Long-standing disputes in districts should be identified and the DC's performance assessed on the basis of its actions in containing and resolving them. The Home Department should issue mandates on these disputes on a yearly basis. The assessment of licensing functions should also be carried out. In fact, general guidelines should be provided for dealing with specific issues like the proliferation of arms, and the Home Department should carry out research for identifying causes and solutions and to provide information to the DC for formulating local responses in consultation with the local population. Such responses and actions pursuant to them should become part of the evaluation.

The office as in charge of prosecution should be assessed. The number of cases prosecuted successfully culminating in conviction, those returned because of improper investigation or inadequate evidence, and the average length of pendency and all pendencies more than three months are useful data providing an insight into the performance of the office in charge of prosecution. This should become a part of the DC's TPE. In that branch of administrative cases (local and special laws) where the DC's subordinate executive magistrates adjudicate, the number of cases decided versus those pending decision should be compared and indicated in the TPE. Complaints against the police generally entail matters like the non-registration of First Information Reports and abuses of authority in the form of illegal confinement, use of force etc. All such complaints must be documented and immediate redressal provided. This record should then be made part of the TPE.

5.5 Evaluating Land Administration

In the field of revenue administration, the factors which can be identified are mostly concerned with the work of subordinate staff. Integrating them into

the evaluation of the DC will strengthen the supervisory role and the improvement of efficiency will lose importance. For instance, the number of mutations finalised in accordance with the law without delay, in comparison with those not finalised or in which delays occurred, can be one of the criteria. Similarly, the amount of revenue recovered in comparison with the recoverable amount can be an indication of performance in this significant area. Here the recovery of all referred amounts like the arrears of the Agricultural Development Bank can be included. The maintenance of land records forms the basis of guarantee of immovable property rights. An abuse of this process causes problems for the smooth functioning of the economy, as land is not only an agricultural asset but as a means of holding wealth (Warriner, 1995:420-421). The proper maintenance of records in whatever technological form is one of the main responsibilities of the DC's office through the revenue agencies. Hence any delay in the preparation of the four-yearly editions of the record-of-rights (*chaharsalajat*) should be mentioned in the performance evaluation. Not only punctuality, but also quality of work, should be assessed. The inspections of Board of Revenue can become input in this regard. Disputes, which manifest as revenue cases, are incessantly delayed. The number of cases decided by all revenue courts, lengths of pendency, number of pending cases and decisions on appeals should be some of the indicators which should be made a part of the performance evaluation in revenue matters.

Land acquisition should be assessed according to the number of cases dealt with, delays in reaching decisions, amounts of compensation paid, the number of cases having gone to appeal, and the appropriateness of the decision with regard to the environment etc. These factors will indicate the quality of the process undertaken by the DC. Similarly, abuses of the process in which land is notified as required for acquisition but never legally taken over by the acquiring agency should be brought to light. As a general rule, any divergence from the legal process and misapplication of law should specifically appear in the TPE.

5.6 Engendering Responsiveness For Individuals

One of the important roles of the DC is the redressal of public grievances. This is the quickest, most accessible and least costly form of justice provided by the state in the district. For this, the performance of the DC's office regarding the registration of complaints, redress provided, delays in response, quality of response and such other factors should be assessed and made part of the TPE. Reports from the reporting officer should

incorporate the views of the Provincial Inspection Teams and record the reasons in cases of disagreement.

5.7 Evaluation Of Regulatory Functions

The regulatory functions performed through the magistrates should also be mentioned. Cases regarding forestry and the environment suffer unparalleled neglect. Although this paper has earlier argued that success can only be achieved with an appropriate policy matrix, the role entrusted to the DC's office must be assessed in the context of the policy regime. The number of cases pending, those resolved, and the length of time they are pending are some indicators that will indicate performance levels. In cases of encroachment, inspection teams and reporting officers can assess the situation. Where cases are identified, these can be made part of the formulation of tasks and performance can be assessed with reference to these. Where flagrant violation of rules occur, the DC should be responsible for initiating action. Abuses of responsibility should find mention in the TPE. Similarly, the DC's reports on decentralised functions to local councils should become part of its assessment. Even when the DC functions within a committee, this would bear the main responsibility for compiling proper reports for the provincial government. An assessment of these reports by the reporting officer should become part of the TPE and reasons for disagreement recorded, in cases where these occur.

5.8 Evaluation of Tasks

The DC is often given a role in the implementation of programmes in accordance with development policy. For instance, population planning has a committee at the district level with the DC as its chairperson. Such special policy assignments can be assessed on the basis of responsibility and tasks allocated to the office. Other periodic tasks like relief and elections can be assessed on the basis of responsibility guidelines. These assessments should become part of the TPE.

5.9 The TPE as an Instrument for Inducing Responsiveness to Development Policy

The institution of the TPE will work towards increasing the efficiency of the DC's office when incentives are attached to tangible tasks formulated by the provincial government in various areas leading to effective policy implementation. Giving different levels of importance to various functions in evaluation can indicate the relative importance attached to them by officers at the district level. This would be based on the priorities of development policy. However, in this system,

emphasis can be varied with a shift in priorities reflecting desired performance. Rather than having rigid performance criteria, tangible policy priorities can be periodically reflected through a variation of priority attached to different performance indicators. This will make the DCs act in accordance with the objectives of policy as they evolve over a period of time bringing their working in consonance with development.

For this purpose, each of the areas of duties and functions can be translated into a mathematical number and a coefficient given to indicate their weight in the policy process. Coefficients can be changed in order to accommodate variations in development policy. For instance, if a DC's office scores 30 in security provision and 25 in regulation, having coefficients of 2 and 1 for security and regulatory functions will give an evaluation number of 60 for security and 25 for regulation, with an evaluated total of 85. A policy emphasis requiring importance for regulation over security can be reflected in coefficients of 1 for security and 2 for regulation. This will result in evaluation numbers of 30 and 50 for provision of security and regulation respectively, with an evaluation total of 80. Evaluation affected by coefficients in this manner will be instrumental in achieving desired responses indicative of policy preferences.

In this way, the system of evaluation will become an instrument of conveying policy preferences and eliciting appropriate responses in the district offices. At the same time, a rational and measurable performance index will enhance the efficiency of the DC together with subordinate and related offices. This will contribute to the achievement of effective policy implementation.

6. CONCLUSIONS

RECOUNTING THE UTILITY OF THE DC FOR DEVELOPMENT AND THE MECHANISMS FOR ATTAINING IT

In Pakistan, development has been delivered via activities and projects with a simultaneous decline in service delivery. Consequently the objectives of development, namely enhancing people's well being by increasing their choices, have remained elusive. Therefore development policy needs to consider the delivery of services as an important component and incorporate measures for bringing institutional arrangements in line with the objectives, rather than merely creating departments and agencies.

In districts, the largest number of departments belongs to the provincial government. The above imperative can be followed by actions that seek to

enhance the performance of institutions, ensure the optimal provision of services and enable a larger number of people to participate in decision-making. Existing institutions can produce desirable outputs. There is no need to demolish them and create new ones. Where development policy should address various aspects of most institutions and many issues pertaining to them, a focus on the DC behoves its objectives primarily due to its centrality in the district framework; and an improvement in its functioning will have beneficial effects on other agencies. But that is the least significant reason for incorporating it into development policy. More significant reasons are the envisaged results that it can produce in the provision of security—a service that defines the context for the functioning of the economy which in itself is counted as part of human well-being. In maintaining order judiciously, prosecuting against crime and ensuring quality in policing, the DC can provide citizens with security in an optimal manner. It is only through a judicious, equitable and rightful provision of security that the objectives of economic growth and increased participation of citizens in decision-making can be realised. Requiring the DC to function with this emphasis will gear the institutional arrangement towards this purpose.

However, the requirement of making institutional arrangements part of policy for attaining development objectives becomes paramount in the case of other services like education, health, and water supply etc. A realisation of the objectives of efficiency, responsiveness and accountability in the delivery of services can only be achieved through the decentralisation of departments to local councils when policy is conscious of pitfalls and endeavours to attain well-defined aims. Again, the office of the DC appears as a resource available for incorporation into policy. Its presence in districts affords the provincial government the opportunity to maintain due influence in decentralised districts through the monitoring of service delivery against the criteria which have evolved in the light of development objectives. Moreover, the privatisation of service provision, which creates aggrieved citizens, will be addressed through the provision of an institution at the district level charged with the responsibility of redressing grievances. This will help in ensuring

the equitable distribution of the benefits of development without ignoring weaker individuals and social groups likely to be marginalised in representative local institutions and commercially operated service delivery.

In the realm of regulation, the functions of the district are part of the state's regulatory regime, seeking to save poor consumers from the vagaries of price fluctuation, achieve sustainable natural resource use, conserve the physical environment and protect life and property. Although the regulatory functions attached to the DC's office are components of larger mechanisms requiring broader policy initiatives for realisation of maximum objectives, their importance lies in ensuring that the coercive element achieves its designed output to whichever extent it has been deemed useful. Some policies, without regulatory coercion, will not be able to achieve their aims in an optimal manner. Effective regulation is essential for achieving the limited objectives behind its design and become part of the overall policy aim. The DC's output, enhanced through emphasis on performance evaluation, can achieve effective regulation and contribute to effective policy implementation in this area.

With these functions of the DC's office and their importance in securing an institutional arrangement instrumental in delivering development objectives, it becomes imperative that the DC deliver the required outputs, which can be translated into ingredients of effective policy implementation for development. To achieve the desired performance, evaluation of the DC's output based on objective and tangible indicators requires incorporation in the institutional design. This mechanism can be used for task evaluation and putting emphasis on task execution. Furthermore, institutional responsiveness can be generated by transferring weight to corresponding indicators in accordance with the priorities of development policy.

Utilising the office of the DC in districts thus serves the objectives of development in numerous ways. It is one of the means for attaining improved performance of state in enhancing the well-being of the citizens and thus furthering the objectives of development.

ANNEX A

FUNCTIONS OF THE DEPUTY COMMISSIONER (adapted partially from Aslam, 1993 & Malik, 1998)

1. District magistrate—head of executive magistracy, prosecution and police.
2. Co-ordinator nation building departments
3. Project director rural works program
4. District revenue collector
5. Regulatory functions like licensing, price control etc.
6. Protocol
7. Grievance alleviation
8. Controlling functions of agriculture department, social welfare department etc.
9. Conduct of elections with returning officers
10. Inspection of jails
11. District registrar of immovable property
12. Deputy rehabilitation & flood commissioner
13. Deputy land commissioner for land reforms
14. Superintendent court of ward
15. District motor pool controller
16. Additional cane commissioner
17. Chairman red crescent society
18. Delegate chief settlement commissioner
19. Vice chairman darul atfal (children homes)
20. Controller civil defence
21. Chairman evacuee trust property
22. Secretary district board of management benevolent fund
23. Chairman district population welfare committee
24. Specific policy implementation tasks
25. Administrator district council (occasionally)
26. General administration including residuary functions.

ANNEX B

FUNCTIONS OF THE LOCAL COUNCILS (adapted from Malik, 1998):

District Councils:

1. Public works
2. Public health
3. Education
4. Agriculture, livestock, dairy development and economic welfare
5. Drainage
6. Public ferries
7. Promotion of culture
8. Relief assistance in emergency for public safety
9. Development functions like which it can in its budget and taking into account federal and provincial planning.
10. Miscellaneous functions like maintenance of libraries, etc.
11. Preparation and implementation of schemes for addressing environmental pollution

Municipal Committees:

1. Sanitation and public health
2. Water supply
3. Drainage
4. Provision of markets
5. Provision of slaughter houses
6. Education

7. Provision of public transport stations
8. Street lighting
9. Provision of libraries
10. Promotion of cultural and sports activities
11. Miscellaneous functions.

ANNEX C

Government departments in the district: (This is not an exhaustive list)

Federal departments

1. Electricity
2. Gas
3. Population welfare
4. Election commission

Provincial departments

1. Executive magistracy
2. Land Revenue
3. Police
4. Information
5. Primary education
6. Secondary education
7. Degree colleges
8. Health
9. Food department
10. Civil defence
11. Excise & taxation
12. Agriculture department
13. Livestock department
14. Co-operatives
15. Wildlife department
16. Fisheries
17. Forest department
18. Forest development corporation district office
19. Buildings' department
20. Roads and highways department
21. Irrigation department
22. Industries & minerals department
23. Jail
24. Social welfare department
25. Agriculture research
26. Fruit & vegetable
27. Labour department
28. Public health & engineering department
29. Local government & rural development
30. District accounts office

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