

How not to control corruption, Pakistani style

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2016-5-31

*Pakistan has struggled with high levels of corruption since independence and efforts by consecutive governments have done little to curb it. **Feisal Khan** writes that although tackling the problem is not an impossible task, no Pakistani government has ever had the political will to enforce long-lasting solutions.*

This post forms part of our cross-blog Anti-Corruption series, hosted in partnership with [The IGC](#). Catch up on previous posts [here](#).

In 1996 the international anti-corruption NGO [Transparency International](#) (TI) rated Pakistan as the second most corrupt country out of the 54 they had surveyed. The joke making the rounds in Pakistan at the time was that Pakistan was actually in first place but the government had bribed TI to put Nigeria ahead of Pakistan! Pakistan's [current](#) corruption score is a 31 on a scale of 0 (completely corrupt) to 100 (completely clean), which puts it at 117th position out of the 134 countries ranked. So Pakistan's corruption level has improved over the past two decades – albeit very slowly and with considerable hiccups along the way.

Petty corruption was [endemic](#) in the lower ranks of the British Indian Empire's bureaucracy but was [relatively rare](#) in the highest, or gazetted, ranks of the Empire's elite [Indian Civil Service](#) – which by the time the British left in 1947 was about a third native. The bloody chaos that accompanied the [Partition](#) of the Indian Empire into its two successor states of India and Pakistan was accompanied by one of the world's largest mutual transfer of populations as some [14-18 million people fled](#), Hindus and Sikhs for India and Muslims for Pakistan. In Pakistan the valuable property left behind by the emigrants was put under the control of the [Evacuee Trust Property Board](#) and was soon the cause of much graft and corruption as many in positions of power and influence scrambled to get their hands on it. The new Pakistani government, alarmed at the hitherto unheard of levels of corruption at all levels of the government, [passed several laws aimed at curbing it](#): one of the first laws it passed was the *Prevention of Corruption Act* of 1947, followed by the creation of the Special Anti-Corruption Establishment in 1948 and then the draconian *Civil Service (Prevention of Corruption) Rules* of 1953 that declared a civil servant was guilty of corruption simply if he had “a general or persistent reputation of being corrupt.”

In 1958 the corrupt and incompetent civilian administration was replaced by General Ayub Khan (ruled to 1969) who in turn passed his own, even more severe, anti-corruption legislation. However, after a brief period of clean rule it too relapsed into 'business as usual.' Zulfikar Ali Bhutto's 'Islamic Socialist' Pakistan Peoples' Party government (ruled end-1971 to 1977) created the Federal Investigation Agency (FIA) as Pakistan's version of the US's Federal Bureau of Investigation with specific remit to handle economic crimes and corruption. Unfortunately it proved as ineffective as its predecessors.

Bhutto was overthrown in a coup by General Zia ul Haq (ruled 1977 to 1988) and the FIA continued as Pakistan's major anti-corruption agency (ACA) under him and well into the 1990s. While corruption flourished under Gen. Zia, it really reached its zenith under his two democratic successors: Benazir Bhutto and Nawaz Sharif, who were each elected prime minister twice between 1988 to 1999. Shahid Javed Burki, former World Bank vice-president and later Pakistan's interim finance minister (1996-1997), estimated that rampant corruption under the second Benazir Bhutto administration (1993-96) had cost the Pakistani economy between 20-25% (US\$ 15 billion) of its 1996-97 GDP and that the level of '[leakage](#)' of government tax revenue from a highly corrupt tax administration doubled between 1988-1998: from 1.5% of GDP to 3%.

In 1997 Nawaz Sharif, then and now again prime minister of Pakistan, set up the Ehtesab (Accountability) Bureau to handle high-level corruption cases given the FIA's complete failure in this regard. However, given Sharif's own soiled reputation where corruption was concerned and the fact that the [only cases it pursued](#) were against Sharif's arch-rivals ex-Prime Minister Benazir Bhutto and her husband and former Minister of Investments Asif Ali Zardari,

this was widely viewed in Pakistan as nothing but political victimisation—Zardari’s proverbial corruption and moniker of ‘Mr Ten Percent’ notwithstanding. Zardari has spent several years in prison while awaiting trial but he has not actually been convicted by anything resembling an impartial legal proceeding.

Yet another military coup brought the (initially at least) reformer Gen. Pervez Musharraf (ruled 1999 to 2008) to power in Pakistan and he immediately created a new ACA, the [National Accountability Bureau](#) (with the perhaps not entirely fortuitous initials NAB) to go after the biggest of the most corrupt fish. In its first three years of operation, NAB convicted a veritable Who’s Who of Pakistani politicians (senators, members of parliament, senior civil servants, and so on) of corruption and transferred some three billion rupees (about \$54 million) in fines to the national treasury. The very limited extent of NAB’s mandate was quickly made apparent when its first Director General, Lt. Gen. Syed Amjad, was removed for wanting to extend ‘[accountability](#)’ to senior military officers. Furthermore, Musharraf’s desire to legitimise his rule by becoming Pakistan’s ‘elected’ president in 2002 meant that many of the discredited politicians convicted by NAB were allowed to buy their way out by paying token fines and supporting Musharraf’s 2002 successful ‘election.’

NAB’s conviction and restitution rates quickly plummeted and Musharraf’s rule rapidly sank into the usual morass of Pakistani corruption. It reached its nadir in 2007 when he issued the infamous [National Reconciliation Ordinance](#) that gave Benazir Bhutto, her husband Asif Ali Zardari, a few other politicians and some 8,000 civil servants full immunity for all acts committed between 1986 and 1999. The quid pro quo for this was apparently Bhutto agreeing to keep Musharraf on as president after she was elected prime minister for the third time. [Bhutto’s assassination](#) in 2007 following her return from self-imposed exile and Musharraf’s removal of the [Chief Justice](#) of the Supreme Court of Pakistan—who had annulled some privatisation of state-owned firms and otherwise infuriated Musharraf by his actions—led to the [lawyer-led street agitation](#) that resulted in Musharraf’s resignation in 2008.

The victory of Bhutto’s Pakistan Peoples’ Party on a massive sympathy vote and Zardari’s election as President (ruled 2008 to 2013) led to NAB’s virtual demise. Zardari slashed NAB’s budget by almost half and its personnel by three quarters; he eventually appointed a new director general of NAB with the [apparent understanding](#) that NAB was not to pursue corrupt politicians but only go after relatively low-ranking bureaucrats. Under the Zardari-PPP government corruption continued unabated and NAB’s conviction rates remained uniformly low. Following the return Nawaz Sharif as prime minister in late 2013, NAB’s enforcement activity appears to have picked up somewhat but there has been no significant increase in NAB’s conviction rate or reduction in Pakistan’s corruption level. For example, on the orders of the Supreme Court in 2015, NAB compiled a [list of 179 of its most serious cases](#) (some dating back to the early 2000s) and their current status. Only one case had resulted in a conviction and three had been plea-bargained down to much lesser offenses; the rest were in various stages of being investigated or under trial. For the rich and powerful in Pakistan, ‘under trial’ is tantamount to being released on permanent bail as the cases take many years to wend their way through court and are often eventually just dismissed if one is rich or influential enough, or if the government changes. The situation is further worsened by [corruption in the Pakistani judiciary](#) and the fact that often the government just [does not appoint judges to anti-corruption courts](#).

To put it simply, no Pakistani government has ever had the political will or intestinal fortitude to truly tackle corruption in Pakistan. Far from it being an impossible task, equal to Hercules cleaning King Augeas’ stables, the early history of NAB shows that it had the expertise and determination to pursue high-profile corruption cases involving those hitherto untouchable in their power if it had the necessary political backing. As Prof. Jonathan Quah’s decades of [work](#) on anti-corruption efforts in Asia has shown, no anti-corruption policy can be successful if it is not fully supported by the country’s political leadership in the strongest and most visible manner possible. While there have been two very recent and highly publicised anti-corruption events—the arrest of a senior civil servant with literally millions of dollars’ worth of currency in his house and the dismissal from service of [several senior army officers](#) — it remains far too soon to say if these mark an actual turning point or merely the usual flash in the pan. In the absence of strong political determination by a clean leadership, and indeed with the [rot actually beginning at the very top](#), Pakistan is fated to remain near the bottom of Transparency International’s corruption ratings.

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About the Author

***Feisal Khan** is chair of the Economics department at [Hobart and William Smith Colleges](#) in Geneva, New York. His most recent publication was on [combatting corruption in Pakistan](#) and his book on the [Pakistani experience with Islamic banking](#) was published by Routledge in 2015.*

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