

Local Self-Governance in Pakistan: Electoral Systems and Their Impact on Representation



By

Irfan Kausar

MPHIL Public Policy

PIDE2019FMPHILPP31

Supervised By:

Dr. Iftikhar Ahmad

PIDE School of Public Policy

**Pakistan Institute of Development Economics,
Islamabad**

2021



Pakistan Institute of Development Economics, Islamabad
PIDE School of Public Policy

CERTIFICATE

This is to certify that this thesis entitled: “Local Self-Governance in Pakistan: Electoral Systems and Their Impact on Representation” submitted by Irfan Kausar is accepted in its present form by the School of Public Policy, Pakistan Institute of Development Economics (PIDE), Islamabad as satisfying the requirements for partial fulfillment of the degree in Master of Philosophy in Public Policy.

Supervisor:

Dr. Iftikhar Ahmad

Signature:

External Examiner:

Dr. Jehanzeb Khalil

Signature:

Head,

PIDE School of Public Policy: Dr. Hafsa Hina

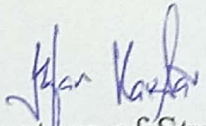
Signature:

Author's Declaration

I **Irfan Kausar** hereby state that my MPhil thesis titled "**Local Self-Governance in Pakistan; Electoral systems and its Impact on Representation**" is my own work and has not been submitted previously by me for taking any degree from Pakistan Institute of Development Economics or anywhere else in the country/world.

At any time if my statement is found to be incorrect even after my graduation the university has the right to withdraw my MPhil degree.

Date: 06-08-2021


Signature of Student

Irfan Kausar

**I dedicate this dissertation to
all those who
contributed in my material and mental upbringing.**

ACKNOWLEDGEMENTS

At the outset, I would pay my veneration and gratitude to my supervisor Dr. Iftikhar Ahmad who not only encouraged me to take this topic but his guidance and support remained phenomenal in the course of this thesis. Had there not been Dr. Iftikhar Ahmad, I would not be able to accomplish this tedious job in a swift manner. If this thesis manages to be clear and comprehensible, my supervisor has done justice with his job.

Faculty at Pakistan Institute of Development Economics (PIDE) has remained helpful for me to reorganize my thoughts relating to public policy arena. Let me candidly express that PIDE provides an opportunity for the most valuable academic debate apropos of public policy in a public sector university.

Words fail me to thank my family for their unending support. My mother inculcated in me the thirst for reading that still enthral me more than anything else whereas, I inherited ardent pursuit of knowledge from my father. It is because of encouragement and cooperation of my family that I could pursue further for enhancing my academic credentials.

Had there not been continuous help and support of Musaddiq Minas Khadim, Babar Ali, Khubaib Azam and of course Waseem Abbas (my strength and my inspiration), this thesis would not be in a compact form. This exhaustive and exhausting exercise owes a great thank to Babar Ali for his elbow grease from typing to composing the script.

Irfan Kausar

ABSTRACT

Debate over electoral system designs is gaining momentum in Pakistan gradually, especially with regard to election to the national legislature. Electoral system helps to increase inclusiveness and contestability hence; it plays an important role in public policy decisions and governance arena. Pakistan has mostly followed colonial legacy of first-past-the-post system. However, voices are raised over the wastage of vote in this system. Some scholars have advocated considering other options for electoral system design but electoral systems available around the world have not been discussed at length.

It is also pertinent to mention that devolution of power largely rests upon functional local self-governance. It is, therefore, imperative to evaluate and consider the importance of electoral system design in assessing governance at grass root level. This thesis is an effort to introduce different electoral systems currently in vogue in the world and to examine the electoral system adapted by the provinces in their local government legislation with special emphasis to descriptive, ideological and geographical representation.

Mixed-method research strategy and descriptive case study research design has been followed for this research and secondary data published by the Election Commission of Pakistan relating to delimitation of Quetta, Zhob, Abbotabad, Bannu, Gujranwala, Rawalpindi, Ghotki and Sukkur has been used in this research.

Findings of this study show that there is a need to rethink for enhancing female participation in political mainstream and the Punjab province has to do more in this regard as far as local self-governance is concerned. Innovative ideas are required for applying electoral system design at grass root level. Balochistan province may reconsider its electoral system design for local government in order to provide better geographical representation to its rural population. Last but not the least; this study might be helpful to examine issues of governance in local governments also with the prism of electoral system design.

LIST OF CONTENTS

ABSTRACT	vi
LIST OF FIGURES	xi
LIST OF TABLES	xii
LIST OF ABBREVIATIONS	xiii
Chapter 1. Introduction.	1
1.1 Introduction.....	1
1.2 Research Problem	7
1.3 Research questions.....	8
1.4 Objectives of the Research	8
1.5 Limitation of research.....	9
Chapter 2. Review of Literature.....	11
2.1 Introduction.	11
2.2 Electoral Systems and Representation.....	11
2.3 Electoral Systems and Pakistan.....	14
2.4 Provincial Local Government Legislation and Electoral Systems.....	16
2.5 Summary	19
Chapter No 3. Research Methodology	21
3.1 Research Design.	21
3.2 Research Approach.....	22
3.3 Conceptual Framework.....	22
3.4 Hypothesis	24
3.5 Units of Data Collection	25
3.6 Variables of interest.....	25
3.7 Organization.....	26
Chapter No 4. Introduction of Electoral System Design and Its Implication in Policy Choices	28
4.1 Introduction.....	28
4.2 Electoral Systems: Definition and Categories.....	29
4.3 Electoral System Families.....	30
4.3.1 Plurality / Majority System	31
4.3.1(1) First Past the Post System (FPTP).....	32
4.3.1(2) Two Round System (TRS)	35
4.3.1(3) Alternative Vote System (AV).....	36

4.3.1(4) Block Vote System (BV).....	37
4.3.1(5) Party Block Vote System (PBV).....	37
4.3.2 Proportional Representation (PR) System	38
4.3.2(1) List Proportional Representation System (List PR).....	39
4.3.2(2) Single transferable Vote System (STV)	41
4.3.3 Mixed Systems	42
4.3.3(1) Parallel systems	42
4.3.3(2) Mixed Member Proportional (MMP) systems.....	43
4.3.4 Other Systems	45
4.3.4(1) Single Non-Transferable Vote (SNTV) systems.....	45
4.3.4(2) The Limited Vote (LV) systems	45
4.3.4(3) Borda Count (BC) system.....	46
4.3.5 Electoral Systems Families: a world view	46
4.4 Significance of choice for Electoral System	49
4.4.1 Electoral Systems Families and representation	51
4.4.1(1) Geographical representation.....	52
4.4.1(2) Ideological representation	52
4.4.1(3) Descriptive representation.....	52
4.5 Electoral System choice and governance.....	53
Chapter No 5. An assessment of descriptive and ideological representation in provincial local government legislation.....	57
5.1 Introduction	57
5.2 Legal framework relating to representation in local governments.....	58
5.2.1 The Constitution.....	58
5.2.2 Legal Frameworks for Local Government in Balochistan	59
5.2.2.1 The Balochistan Local Government Act, 2010	59
5.2.2.2 The Balochistan Local Government (Amendment) Act, 2019	62
5.2.2 Legal Frameworks for Local Government in Khyber Pakhtunkhwa	64
5.2.2.1 The Khyber Pakhtunkhwa Local Government Act, 2013	64
5.2.2.2 The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019	67
5.2.3 Legal Frameworks for Local Government in the Punjab.....	70
5.2.3.1 The Punjab Local Government Act, 2013	70
5.2.3.2 The Punjab Local Government Act, 2019	73
5.2.3.3 The Punjab Local Government (Amendment) Ordinance, 2021.....	76
5.2.4 Legal Frameworks for Local Government in Sindh	78

5.2.4.1	The Sindh Local Government Act, 2013.....	78
5.3	Comparative Analysis of Ideological and Descriptive Representations in Provincial Local Government Elections.	81
Chapter No 6. Assessment of Ballot Paper structure provided in local government legal framework of provinces.....		89
6.1	Introduction.....	89
6.2	Assessment of Ballot Paper Design of Balochistan.....	90
6.3	Assessment of Ballot Paper Design of Khyber Pakhtunkhwa.....	92
6.4	Assessment of Ballot Paper Design of the Punjab.....	100
6.5	Assessment of Ballot Paper Design of Sindh.....	103
6.6	An evaluation of Ballot Paper Design provided in provincial local government legislation.....	104
Chapter No 7. Assessment of Geographical Representation provided in Provincial local government legislation.....		107
7.1	Introduction.....	107
7.2	Balochistan.....	108
7.2.1	The Balochistan Local Government (Amendment) Act, 2019.....	112
7.3	Khyber Pakhtunkhwa.....	113
7.3.1	The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019.....	116
7.4	Punjab.....	117
7.4.1	The Punjab Local Government Act, 2013.....	117
7.4.2	The Punjab Local Government Act, 2019.....	121
7.4.3	The Punjab Local Government (Amendment) Ordinance, 2021.....	123
7.5	Sindh.....	123
7.6	Framework for Geographical Representation in Pakistan and an Assessment of Weightage of Vote in Provincial Local Governments.....	127
Chapter No 8. Conclusion and Recommendations.....		131
8.1	Introduction.....	131
8.2	Electoral formula provided by the Provinces.....	132
8.3	Scheme of Descriptive and Ideological Representation provided by the Provinces.....	133
8.4	Ballot paper structure and its impact on political system.....	134
8.5	Geographical representation in Provincial Local Governments and its impact on weightage of vote	135
8.6	Potential voter participation in elections through electoral system.....	136
8.7	Issues of public policy governance and electoral system design.....	136
8.8	Policy recommendations.....	136
8.8.1	Choice of electoral system.....	137
8.8.2	Mode of Descriptive and Ideological Representation.....	137

8.8.3	Geographical Representation	137
8.8.4	Governance and policy choices for Local Governments	138
	References	139

LIST OF FIGURES

Figure 1: Conceptual framework.....	23
Figure 2: Twelve Electoral Frameworks in the World	31
Figure 3: Worldwide Electoral System	47
Figure 4: Electoral systems in the World.....	48
Figure 5: Policy Effectiveness Cycle by World Bank	54
Figure 6: Comparison of Representation of Women in Upper Tier.....	82
Figure 7: Comparison of Representation of Women in Lower Tier.....	83
Figure 8: Percentage representation of Women against total Seats	83
Figure 9: Representation of Women against total Population.....	84
Figure 10: Representation of Women against total Votes	85
Figure 11: Representation of Non-Muslims in Upper Tier	86
Figure 12: Representation of Non-Muslims in Lower Tier.....	86
Figure 13: Representation of Non-Muslims against total population	87
Figure 14: Representation of Non-Muslims against total Votes	87
Figure 15: Representation of Non-Muslims against total Number of Seats.....	88
Figure 16: Ballot Paper Form XII.....	90
Figure 17: Ballot Paper Form XXIV.....	91
Figure 18: Ballot Paper for general seats in district council	93
Figure 19: Ballot Paper for general seats in village council	93
Figure 20: Ballot Paper for reserved seats for Women in village council.....	94
Figure 21: Ballot Paper for peasants/workers seats in village council	94
Figure 22: Ballot Paper for non-Muslim seats in village council.....	95
Figure 23: Ballot Paper for youth seats in village council.....	95
Figure 24: Ballot Paper for general seats in Tehsil Council.....	96
Figure 25: Ballot Paper for Chairman Tehsil Council	97
Figure 26: Ballot Paper for general seat village council	98
Figure 27: Ballot Paper for Women Seat Village	98
Figure 28: Ballot Paper for Workers seat village council	99
Figure 29: Ballot Paper for youth seat in village council	99
Figure 30: Ballot Paper for minority seat village council.....	100
Figure 31: Ballot Paper-Form XVI	102
Figure 32: Ballot Paper form-VI	103
Figure 33: Weightage of Votes in Rural Areas on the Basis of Population	128
Figure 34: Weightage of Votes in Rural Areas on the Basis of Voters	128
Figure 35: Weightage of Votes in Urban Areas on the Basis of Population	129
Figure 36: Weightage of Votes in Urban Areas on the Basis of Voters	129

LIST OF TABLES

Table 1: Structure of Rural and Urban Areas.....	4
Table 2: Variables	26
Table 3: FPTP Disparity; Pakistan1990	33
Table 4: FPTP Disparity; India 2014	34
Table 5: Parallel systems in World	43
Table 6: MMP Systems in World	44
Table 7: Electoral Systems in the World.....	48
Table 8: Electoral Systems Ranking by Experts	49
Table 9: Electoral Systems Advantages & Disadvantages	50
Table 10: Electoral Systems Evaluation on Administrative Grounds.....	51
Table 11: Categories of Seats in Local Government of Balochistan	63
Table 12: Categories of Seats in Local Government of Khyber Pakhtunkhwa.....	69
Table 13: Categories of Seats in Local Government of Punjab.....	77
Table 14: Categories of Seats in Local Government of Sindh.....	80
Table 15: Lower Tier Legislation.....	105
Table 16: Upper Tier legislation	105
Table 17: Quetta Urban areas	110
Table 18: Quetta Rural areas.....	110
Table 19: Zhob Urban areas	111
Table 20: Zhob Rural areas	111
Table 21: Bannu Urban areas	114
Table 22: Bannu Rural areas.....	114
Table 23: Abbottabad Urban areas	115
Table 24: Abbottabad Rural areas	116
Table 25: Rawalpindi Urban areas-I	118
Table 26: Rawalpindi Urban areas-II	118
Table 27: Rawalpindi Rural areas	118
Table 28: Gujranwala Urban areas-I.....	119
Table 29: Gujranwala Urban areas-II.....	120
Table 30: Gujranwala Rural areas.....	120
Table 31: District Layyah Phenomenon.....	122
Table 32: Sukkar Urban areas.....	125
Table 33: Sukkar Rural areas	125
Table 34: Ghotki Urban areas.....	126
Table 35: Ghotki Rural areas	126

LIST OF ABBREVIATIONS

ACE	Administration and Cost of Elections
AV	Alternative Vote System
BC	Borda Count
BRIDGE	Building Resources In Democracy, Governance and Elections
BV	Block Vote System
Constitution	Constitution of Islamic Republic of Pakistan promulgated in 1973
DRI	Democracy Reporting International
ECP	Election Commission of Pakistan
EMB	Election Management Body
EUEOM	European Union Election Observation Mission
FAFEN	Free & Fair Election Network
FPTP	First Past the Post System
GEM	Gender Empowerment Measure
ICCPR	International Covenant on Civil and Political Rights
IDEA	Institute for Democracy and Electoral Assistance
KP Act, 2013	The Khyber Pakhtunkhwa Local Government Act, 2013
KP LG (Amendment) Act, 2019	The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019
List PR	List Proportional Representation System
LV	Limited Vote
MMP	Mixed member proportional
PBV	Party Block Vote System
P/M	Plurality/Majority
PR	Proportional Representation
Punjab LG Act, 2013	The Punjab Local Government Act,2013

Punjab LG Act, 2019	The Punjab Local Government Act,2019
Punjab LG Ordinance, 2021	The Punjab Local Government (Amendment) Ordinance, 2021
Punjab VP & NC Act, 2019	Punjab Village Panchayat and Neighbourhood Council Act,2019
Sindh LG Act, 2013	The Sindh Local Government Act, 2013
SNTV	Single Non-Transferable Vote
STV	Single Transferable Vote
The Balochistan Act	The Balochistan Local Government Act, 2010
The Balochistan LG (Amendment) Act	The Balochistan Local Government (Amendment) Act, 2019
TRS	Two Round System
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN	United Nations

Chapter 1. Introduction.

1.1 Introduction.

Electoral system may simply be described as translation of votes into seats. It defines and determines the role and relationship of the electors and the elected. It may be explained with an example that in a country where elections are held on the basis of the closed party list¹, elected members usually consider their first responsibility to obey party discipline than to appease voters. Whereas, in a country where elections are held on the basis of seats or districts (term used for constituency in many countries), party system remains weaker as political parties have to woo electable to their folds.

Electoral system helps determining the scope of Political arena and role of stakeholders thereat. Efforts are being made to find out relationship between electoral system and governance, conflict management, accountability and public policy choices in developing countries. Political systems theory covertly admits importance of electoral system in public policy (Birkland, 2016) whereas; World Bank report (2017) overtly appreciates electoral system as the best intervention mechanism in the domain of governance and public policy.

Main characteristics of an electoral system consist of, inter alia, the following:

- i) Electoral formula (broad distinction like PR system, plurality majority system)
- ii) Ballot paper structure (voter choice for candidate or party or, for one or more preferences)

¹ Where Candidates are elected from party lists as per votes obtained by the political party.

- iii) District magnitude (number of candidates that a particular constituency elects).

Electoral system has strong reliance upon institutional structure like the country is presidential or parliamentary, unitary or federal, democratic or hybrid. Besides, impact of geographic, religious, lingual, cultural and ethnic dynamics in a country strongly reflects in its electoral system. It must also be kept in mind that choice of adaption of electoral system is too tough or tricky as it has far reaching institutional consequences and is based upon the concept of trade off in economics. Moreover, electoral system might help to provide impetus to different arenas of development like inclusiveness in political participation.

Most of the research in the domain of electoral systems has been based upon developed countries and developing countries are required to be explored yet to a great deal. It is pertinent to cite that even in the developed countries, by now, more emphasis has been given to examine and study electoral system for national legislature. Hence, studying the impact of electoral system upon local government institutions is quite novel and enthralling idea.

In Pakistan, electoral system design has not been given due heed by the researchers and there is relatively less literature available on the subject. Most of the research in the country has remained focused on the concept of devolution of powers through devolving administrative, economic and social powers at grass root level. So, it is needless to mention that literature relating to the choice of electoral system for local government institutions, and consequences of such choices in the past is hardly available in the country.

Since its inception, Pakistan has witnessed many electoral systems for electing office bearers to the local government institutions who virtually were holding the cudgel of local self-governance in the provinces. Some of such systems were enforced uniformly upon all provinces². Article 140 A of the Constitution makes it obligatory for all provinces to establish their own system of local self-governance so that political, administrative and financial responsibilities could be devolved at local level (Constitution of Pakistan, 2010). Elections to the local governments used to be held by the provinces through respective election authorities appointed by the governments but 18th amendment to the Constitution has authorized Election Commission of Pakistan to conduct elections for the Local Governments for ensuring credible and periodic elections (Constitution of Pakistan, 2010). Notwithstanding the fact that local governments elections of 2001-02 and 2005 were also conducted by the Election Commission but those elections were not held under a permanent Constitutional dispensation. Rather, such elections were conducted under the promulgated Ordinances in 2001 for respective provinces that had identical structural provisions (Punjab, Sindh et al Local Government Ordinance, 2001). Elections were held in accordance with plurality majority system through Single Non-transferable Vote (SNTV)³. Hence, multimember constituencies used to be filled under that system through one ballot paper for the tier of Union Councils. Whereas, for the posts of District and Tehsil Nazims, a candidate had to secure absolute majority from the Electoral College and in case no Candidate used to get absolute majority in the first round, runoff elections were held between the top two candidates.

² Elections held under Local Government Ordinances promulgated in 2001 had identical electoral system.

³ Multiple Candidates are elected through a single Ballot Paper where each voter may only mark one choice.

After 18th amendment to the Constitution, Balochistan was the first province to promulgate its Local Government Act in 2010 (Balochistan Local Government Act, 2010). Local areas have been divided into Rural and Urban areas and the following councils are constituted for such areas:

Table 1: Structure of Rural and Urban Areas

Sr. No.	Rural Areas	Urban Areas
1	District Council	Metropolitan Corporation
2	Union Council	Municipal Corporation
3	Wards	Municipal Committee
4		Wards

Wards are the lowest tier where elections are held as per First Past the Post System (FPTP)⁴. Notwithstanding the fact that same system is applicable for the upper tier elections but the Electoral College for such elections is based upon directly elected Councillors and members elected against the reserved seats. The system provides representation to women, peasants, workers and Non-Muslims. This research work is an effort to examine if the system provides fair and equitable representation to the electors, in general, and to the marginalized segments, in particular. In the course of research, more reliance has been made on data relating to delimitation of Quetta and Ziariat districts for examining system of representation under the Act.

Province of the Punjab promulgated its Local Government Act in 2013 (Punjab Local Government Act, 2013). Local areas were divided into Rural and Urban areas and

⁴ A Candidate securing the one more vote than all other Candidates is declared as winner.

creation of the Councils were somewhat identical to Balochistan Province, at least to the extent of names of the local areas. Wards were the lowest tier where elections were held as per First Past the Post System (FPTP). Albeit the same system was applicable for the upper tier elections but the Electoral College for such elections was based upon directly elected Councillors and members elected against the reserved seats. The system provided representation to women, peasants, workers, youth and Non-Muslims. Delimitation exercise was initially carried out by the provincial government itself however, upon judgement of Hon'ble Lahore High Court dated December 26, 2013⁵, Election Commission of Pakistan carried out that exercise. Once elections were held under the said Act but in 2019, The Government introduced two Acts namely, The Punjab Local Government Act, 2019 & The Punjab Village and Panchayat Council Act, 2019 for conduct of local government elections. Thereafter, the Punjab Government promulgated an ordinance on February 3, 2021 and made substantial changes in the electoral system earlier provided in the Acts. Though elections under the new legal dispensation are yet to be held but study of the Electoral System provided in it might be useful to examine strengths and weaknesses of the new system apropos of providing representation to different segments through the choice of electoral systems. In this research, delimitation data of Rawalpindi and Gujranwala districts has been examined for studying system of representation under the Act.

System for local government elections provided in The Sindh Local Government Act, 2013 is somewhat identical to the provinces of Punjab and Balochistan with the difference that Sindh Province also introduced an additional Local Council of 'Town

⁵ The Hon'ble Lahore High Court struck down delimitation made by the Provincial Government and held that delimitation exercise falls within the ambit and responsibility of ECP.

Committee' in its urban areas. The original Act envisaged party block vote system however; the same could not be sustained due to procedural hiccups. Delimitation carried out by Sindh Government was struck down by the Hon'ble Sindh High Court vide its judgement dated December 31, 2013. Thereafter, exercise of delimitation was carried out by the Election Commission in compliance of the referred judgement. Although there has been debate about administrative functions and powers in the Sindh Local Government Act, 2013 however, electoral system provided in the act has received relatively little attention by the critics. This research has focused more on delimitation data from Sukkur and Ghotki districts for examining system of representation under the Act.

Khyber Pakhtunkhwa Province promulgated its Local Government Act in 2013 (KPK Local Government Act, 2013) and the Act was substantially different from other provinces. Notwithstanding the fact that rural urban division was also intact in this Act but mode of elections was quite different to such tiers. Rural areas were divided into village Councils and urban areas were divided into neighbourhood councils. Tiers of Town Council, Tehsil Council and District Council were introduced in the Act. Mode of elections to general seats was direct and to the reserved seats, that was based on PR system⁶. Delimitation exercise was carried out by the Provincial government. Elections to the lower tier were held on non-party basis whereas, elections to the upper tier were held on party basis. It is pertinent to mention that Khyber Pakhtunkhwa was the only province that held elections to the lower tier on non-party basis. Provincial legislature has made substantial amendments in the Act in 2019 (KPK Local Government Act,

⁶ On the basis of direct seats won by a political party.

2019). In this research, more reliance has been made on delimitation data of Peshawar and Abbottabad districts for examining system of representation under the Act.

This research work aims at examining the Electoral systems provided in the Acts for conduct of Local Government Elections in the Provinces. It is needless to mention that Electoral formula, ballot structure and district magnitude (delimitation) have been examined in order to ascertain if they are in accordance with the best world practices, appreciated under the aegis of United Nations or European Union, or otherwise. Moreover, this research work may also be helpful in examining if local government system provided by the provinces encourages different segments, especially the marginalized ones, to participate in political process or not. Similarly, relative role of the electors and of the elected with reference to district magnitude has also been studied. Last but not the least; this research work may be helpful to examine if electoral systems in vogue in provinces for local governments in Pakistan promote political culture or otherwise.

1.2 Research Problem

Choice for the electoral system design relating to Local Governments in Pakistan falls within the ambit of provincial legislature as per article 140A of the Constitution. This choice is supposed to be well thought out for achieving some desired objectives relating to issues of inclusion or exclusion, capture of resources and weightage of the vote of a voter etc. However, no such comprehensive literature is available to examine and evaluate the choices made by the provinces relating to electoral system design for local governments.

In Pakistan, there remains a debate if youth, women and other marginalized segments get fair chances to be elected or present in local government institutions. Moreover, it has often been argued that the electoral system in country provides lesser chances to an ordinary person, without much financial resources, to get elected. Middle class usually gets more chances to be elected in countries where political parties' culture is stronger and this aspect apropos of local governments also requires to be studied.

1.3 Research questions

- i) What is the electoral formula provided in the Provincial Local Government Acts and how does it affect descriptive⁷ and ideological⁸ representation?
- ii) What is the ballot structure provided in the Provincial Local Government Acts and how does it affect political party representation⁹?
- iii) What is the district magnitude¹⁰ provided in the Provincial Local Government Acts and how does it affect geographical representation¹¹ and weightage of vote¹²?

1.4 Objectives of the Research

In light of the previous discussion, Objectives of the study are as following:

1. To evaluate electoral systems in vogue by the four provinces for local self-governance.

⁷ It relates to representation on the basis of gender, ethnicity and age group etc. in local government institutions.

⁸ It relates to representation on the basis of religious or political ideology in local government institutions.

⁹ It deals with the concept of shape of ballot paper as to whether it shows political parties or contesting candidates.

¹⁰ It deals with the number of voters in a constituency.

¹¹ As to whether there is equal no. of votes in rural and urban constituencies.

¹² It means relative weightage of a vote in a constituency. If all constituencies are almost of equal population, then weightage is equal otherwise, the same is unequal.

2. To evaluate the impact of electoral system on representation of different areas and segments especially, women and non-Muslims, pursuant to Article 32 of the Constitution and international covenants, in local government institutions.
3. To find out if the electoral system for local government strengthens political culture or otherwise in order to assess the probability of an ordinary worker to get elected.

1.5 Limitation of research

In Pakistan, few researchers have paid their attention to the aspect of electoral systems design for enhancing service delivery at local level. Hence, there is little literature available on the subject for getting help in research. Moreover, availability of little information and data relating to representation of different segments and their relation with electoral system might also be a reason for less research work in this field. Constitution of Pakistan seems to be cognizant of importance of representation for local self-governance. Article 32 is a case in point in this regard but it has not been studied at length before as if reflection of contours of electoral systems design in the Constitution is a blessing or a curse.

Local Government Acts in vogue by the provincial governments have remained in limelight in order to study and assess their service delivery through concept of devolution. However, inclusiveness in the system and electoral systems design, notwithstanding the fact that meagre efforts had been made to make innovations in that, has by and large remained influenced with the First Past the Post System introduced by the colonial rulers in this area. This research shifts its horizon from devolution of powers at gross root levels to inclusiveness of different segments into the

electoral system by means of their representation in decision makers for shaping up a stronger political environment or otherwise. Besides, this research strives to bring into fore aspects like conflict resolution and service delivery that may be touched upon through electoral system design but such aspects are not the area of study of this research.

In a nutshell, it may be said that this research is limited to study and examine contours of electoral system design provided by different provincial governments in their Local Government Acts and their impact on inclusiveness with regard to representation in decision making institutions.

Chapter 2. Review of Literature

2.1 Introduction.

Manner of casting votes in an election and their translation into seats of assemblies is called Electoral System (Menocal, n.d). Electoral System is pivotal in a country apropos of issues relating to governance and service delivery (Bowler, David, Farrell et al, 2005). Choice of a particular Electoral System has a profound effect on the future political life of that country however; such choices are usually made under the concept of political advantage than technical strength of the system. Hence, it is considered as the most influential political institution to address gamut of issues relating to governance (IDEA, 2005) as character of politics and public policy depends a lot on the Electoral System (ACE, 2012). World Bank Report, (2017) also implies importance of Electoral System in governance and Public Policy. In order to deter exclusion and promote equity in policy arena, power sharing institutions through Electoral System, might be helpful. Besides, Policy Effectiveness Cycle also appreciates Electoral System as higher level of the best intervention mechanism. Last but not the least; Political Systems Theory covertly concedes to the importance of Electoral System in its phenomenon of environment (Birkland, 2016).

2.2 Electoral Systems and Representation.

In 1980's, conduct of elections got unprecedented attention for democratic transition from authoritarianism and conflicts. Electoral reforms became the household name in many developing countries. Hence, electoral administration around the world had to be cognizant about changing political and social environment and to rethink about electoral dispensation. In addition to this, popular focus on electoral systems also

enhanced representativeness and inclusiveness in the system (IDEA, 2006). It is said that:

The seed of democracy lies in the principle that the legitimacy of the power to make decisions about peoples' lives, their society and their country should derive from a choice by those who will be affected (IDEA, 2005).

Though electoral system is multi-dimensional as per Bowler, David & Farrell et al. (2005) yet they might be broadly categorized into four forms of representation: geographical, ideological, party-political and descriptive. A country has to decide as to whether it gives more important to geographical representation or ideology rules the roost in polity. Similarly, individual preferences should be accounted for more or collective political voice should be given preference. Last but not the least; representation of different segments of society remains another concern of the electoral system relating to representation (IDEA, 2005).

There is no denying fact that institutions relating to governance developed under patriarchal influence giving uneven representation on the basis of gender and same has been the case with electoral systems. Hence, gender-based representation became a fashionable slogan of the modern world. United Nations has played pivotal role for promotion of gender parity in political arena as its Universal Declaration of Human Rights UDHR, (1948) adopted at its third session at the Palais de Chaillot in Paris, France calls for ensuring the right of everyone in decision making process. Universal Declaration of Human Rights adopted in 2015 is another important document for ensuring gender parity through elections (UDHR, 2015).

Inter-Parliamentary Union (2014), Beijing Platform for Action signed unanimously by the delegates of fourth World Conference on Women in 1995, resolved that women participation in decision making institutions shall be enhanced by 30 percent through different measures within twenty years (Fourth World Conference on Women, 1995). Hence, Electoral Systems were considered important to ensure such representation. By mid-2011, only 28 countries could claim that women's parliamentary representation had reached a critical mass of 30 percent or more (UN Women Annual Report, 2010-11). Electoral System plays crucial role with regard to representation and introduction of reserved seats or quota is the one such measure that may be provided through Electoral System (IDEA, 2006).

International covenants and treaties provide a framework of norms against which a country's electoral dispensation may be assessed (IDEA, 2005). European Commission (2007), while explaining Article 25 of the International Covenant on Civil and Political Rights (ICCPR) (1966), has explained that concept of standing for elections requires that national law, or as the case may be system, should have sufficient provisions apropos of registration of Political Parties and Candidates so as to provide all political opinions equal opportunity. Procedures for registration of Political Parties should not be cumbersome and lethargic. Besides, every segment should be provided fair chance to contest elections thus the System should be inclusive and non-discriminatory. Moreover, equal suffrage demands for all but equal weightage for each vote that emphasizes on district boundary size be somewhat equal and free from gerrymandering (European Commission, 2007).

Some electoral systems encourage formation of Political Parties whereas, few other encourage individual Candidates. In south Asia, electoral system on party domain does neither strictly confirm Duverger's law¹³ nor refute it altogether. In these countries, the system led to an unstable multiparty coalition and smaller political parties also survived within this system in the region (IDEA, 2007). Electoral System may also play an important role in aggravating or mitigating conflicts and tensions in society but it must be kept in mind that Electoral System is one square of constitutional legal framework of a country and operates within that political environment so; system alone cannot be a panacea to political ills of a country (IDEA, 2005).

District or Constituency magnitude plays pivotal role regarding weightage of votes. It is considered that every vote should be given almost equal weightage. Importance of boundary delimitation varies in each Electoral system and it is most important in single member districts. Hence, study and choice of Electoral System determines the importance of boundary delimitation. This phenomenon is not only important for choices relating to representation, but it also plays important role in accountability of representatives and inclusion or exclusion of different segments in political mainstream (Building Resources In Democracy Governance and Elections (BRIDGE), 2007)

2.3 Electoral Systems and Pakistan.

Article 32 of the Constitution of Islamic Republic of Pakistan ensures promotion of local government institutions and emphasizes the need for special representation of peasants, workers and women in such institutions. Articles 34 & 36 of the Constitution further safeguard rights and representation of women and minorities in the country.

¹³ It believes that FPTP promotes two party systems and decimates smaller parties.

Similarly, Article 17 of the Constitution permits political activity and formation of political parties. Article 140A is the pivot relating to local self-Governance in Pakistan that states:

Local Government

140A. (1) Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.

(2) Elections to the local governments shall be held by the Election Commission of Pakistan. (Constitution of Islamic Republic of Pakistan, 2010).

Sequel to the above, it may be deduced that the Constitution, while appreciating its federal structure, has mandated provinces to design their electoral systems for conduct of Local Government elections. Hence, provinces may come up with novel ideas relating to Electoral System Design and may remove apparent shortcomings prevalent in the Political System relating to Local Governments.

European Union Election Observation Mission Report (EUEOM) Report, (2008) inter alia, recommended for enhancing legal framework, boundary delimitation, women and non-Muslim participation in electoral arena whereas; International Crisis Group (2012) also highlighted the need for transparent boundary delimitation in its report. European Union Election Observation Mission Report, in 2013, not only reiterated its previous recommendation but further suggested for electoral reforms and strengthening of legal framework (EUEOM Report, 2013). Election Commission of Pakistan, in its Post-Election Review Report (2013), also acknowledged the need for electoral reforms varying from ballot structure to women and Non-Muslim participation. European

Union Election Observation Mission Report, in 2018, recommended for priority reconsideration of Electoral Legal Framework for ensuring inclusiveness and improving Electoral System (EUEOM Report, 2018). Election Commission of Pakistan's Post Election Review Report (2018), Annual Report (2019), Strategic Plan (2019-2023) and FAFEN's Election Day Observation and Analysis Report (2018) also highlight the need and importance for reforms in the electoral dispensation in vogue. Hence, it may be said that reforms in the electoral system relating to local governments are equally required to strengthen democracy, devolution and governance at gross-root level.

2.4 Provincial Local Government Legislation and Electoral Systems.

The Balochistan Local Government Act, (2010) was promulgated vide Notification dated May 13, 2010. The Act consists of XVI Chapters, 158 Sections and 5 Schedules. Section 7 of the Act provided detail and criteria for constitution of Local Councils. Chapter III of the Act provided composition of Local councils and Section 12 provided the detail of segments who received security of representation in the councils¹⁴. Chapter IV of the Act deals with elections and their conduct at length. Local Government elections under this Act were held on December 10, 2013 and in phases. Democracy Reporting International (DRI) published a comprehensive assessment report relating to Local Government Elections held in Balochistan in 2013 and it found serious structural and procedural shortcomings in the electoral system (DRI Report, 2011). The organization also pointed out apparent flaws in the provisions relating to delimitation of Constituencies.

¹⁴ A category of professionals and social workers was introduced vide amendment dated 27-1-2014 however, the same was struck down by Hon'ble Balochistan High Court before the conduct of elections.

The Sindh Local Government Act (2013) was promulgated vide Notification dated August 19, 2013. The Act consists of XVII Chapter, 161 Sections and 8 Schedules. Chapter II & III of the Act deal with Councils and their composition whereas, Chapter V deals with conduct of elections and the allied matters. Elections were held on October 31, 2015 in phases under the Act. Democracy Reporting International, in its report published about Local Government Elections held in Sindh Province, highlighted inequality of votes in delimitation and shortcomings relation to the electoral system as far as conduct of elections to the reserved seats are concerned (DRI Report, 2016).

The Khyber Pakhtunkhwa Local Government Act, (2013) was published vide Notification dated November 7, 2013 and it consists of XVI Chapters, 123 Sections and 7 Schedules. Chapter II of the Act deals with Local Areas and constitution of Local Governments. Similarly, Chapter XIV deals with the conduct of Local Government Elections. A novel aspect of this Act is that concept of Village Council and Neighborhood Councils were introduced for the first time in the history of the Country through this Act. Elections under this Act were held on May 30, 2015. Democracy Reporting International, about conduct of Local Government Elections in KPK Province, pointed out systemic weaknesses in the electoral process. The organization not only pointed out weaknesses in the electoral system but also highlighted flaws in delimitation as the same had been carried out under the authority of provincial government (DRI Report, 2015).

Khyber Pakhtunkhwa Province has made substantial changes in its Local Government Act through an amendment dated May 3, 2019 (KPK Local Government Amendment

Act, 2019). Through the referred amendment, electoral system has been changed substantially and mode of elections has also been changed. Moreover, delimitation exercise has to be carried out now by the Election Commission.

The Punjab Local Government Act, (2013) was promulgated on August 23, 2013. The Act consisted of 20 Chapters, 156 Sections and 9 Schedules. Chapter II & III of the Act dealt with Local Areas whereas, Chapter V of the Act provided provisions for the conduct of elections. Elections under the Act were held on October 31, 2015 in phases. Democracy Reporting International published its assessment report relating to Local Government elections in the Punjab wherein, the organization pointed out follies in the electoral system in comparison with the best practices prevalent in the world (DRI Report, 2016). FAFEN has published a report about Local Government elections in Provinces wherein improvements in Electoral Systems have been suggested (FAFEN Report, 2015).

By repealing its Local Government Act, 2013, Punjab Province promulgated The Punjab Local Government Act, (2019) on May 4, 2019. The Act consists of 8 parts, XXXIX Chapters, 320 Sections and 16 Schedules. Chapters III to V of the Act deal with Local Areas and Local Governments whereas, Part 3 of the Act containing Chapters XIII to XVI deal with the conduct of elections. It is worth mentioning that this Act provides innovation in local governments and their elections.

Punjab Province promulgated The Punjab Village Panchayats and Neighborhood Councils Act, (2019) on May 4, 2019 that provides the mechanism to administer the lowest tier of Local Governments in the Province. It is noteworthy that the Province is witnessing the two Acts for the first time to run the affairs of Local Governments. This

Act consists of 9 Chapters, 94 Sections and 13 Schedules. Chapters III and IV of the Act exclusively deal with constitution of Councils and process to conduct elections there against. Elections for Local Governments under the new legal dispensation have yet to be conducted to assess their practical complications however; the thematic strength may be assessed by critically reviewing these laws.

2.5 Summary

Electoral system design is among the best intervention mechanism in policy effectiveness cycle.

This research is a quest to study higher level rules (R3) for finding best intervention mechanism in policy effectiveness cycle as enunciated by the World Bank in its report published in 2017 (World Bank Report, 2017). Moreover, it might also unlock avenues for scrutiny of Local Government systems through the prism of electoral system that may further initiate debate if electoral system design should be given more heed to strengthen public policy and governance for strengthening political culture, democracy, service delivery and accountability in the country. It would be pertinent to cite examples of Bolivia, India (West Bengal & Tamil Nadu) and Kenya where power sharing institutions (electoral systems) helped mitigating the problems of mestizos and indigenous people of Bolivia, representation of gender and water issues in India and education sector problems in Kenya. However, Brazil is considered as the best example of improvement through change in electoral system where it is regarded that introduction of electronic voting has contributed to improve healthcare in the country (World Bank Report, 2017). Like many other descriptive researches, this research too

may provide an impetus for others to follow suit in examining if there are other options available with the country at national and provincial level; keeping in view its large population, federal structure, complicated regional, lingual, ethnic and religious dynamics for suggesting innovations in electoral systems design.

Chapter No 3. Research Methodology

Research Strategy.

3.1 Research Design.

This research has relied upon mixed method in order to examine representation embodied in Electoral System Design for Local Governments in Pakistan (Creswell, 2009). *“The state is the source of a great deal of textual material of potential interest, such as Acts of Parliament and official reports”* (Bryman, 2012). Hence, Electoral Formula and Ballot Structure have been exclusively examined from relevant legislation (primary data) whereas, district magnitude has been examined from the primary source of legislation and, as well as, from secondary data published by the Election Commission.

The Researcher has selected descriptive research design for this research because of thematic scrutiny required for this research is based on officially published Local Government Acts by the provincial governments that are yet in vogue. Moreover, in this research, relevant provisions of the Constitution, The Elections Act, 2017 and literature relating to electoral systems design have been examined in an objective manner. It would be pertinent to cite that descriptive research is restricted to register the facts and is yonder from searching the explanation for why such facts do exist. This research may be dubbed as if making the inventory for further research (Lans, & Voordt, 2002).

3.2 Research Approach.

Descriptive comparative approach and document analysis has mostly ruled the roost in this course of research. Officially published Acts have been extensively examined to the extent of electoral system provided therein. Moreover, aspects of the electoral system provided by the provinces, in their acts, have been compared in order to develop an insight if a particular system promotes representation in comparison with the other or it is otherwise. Introspection of a research problem remains perilous to be subjective (Lans, & Voordt, 2002) so; pragmatic paradigm has been followed in order to thwart the risk of being subjective. Last but not the least; sequential mixed method seems to be apt in describing the problem of district magnitude provided as a result of provincial legislation.

3.3 Conceptual Framework.

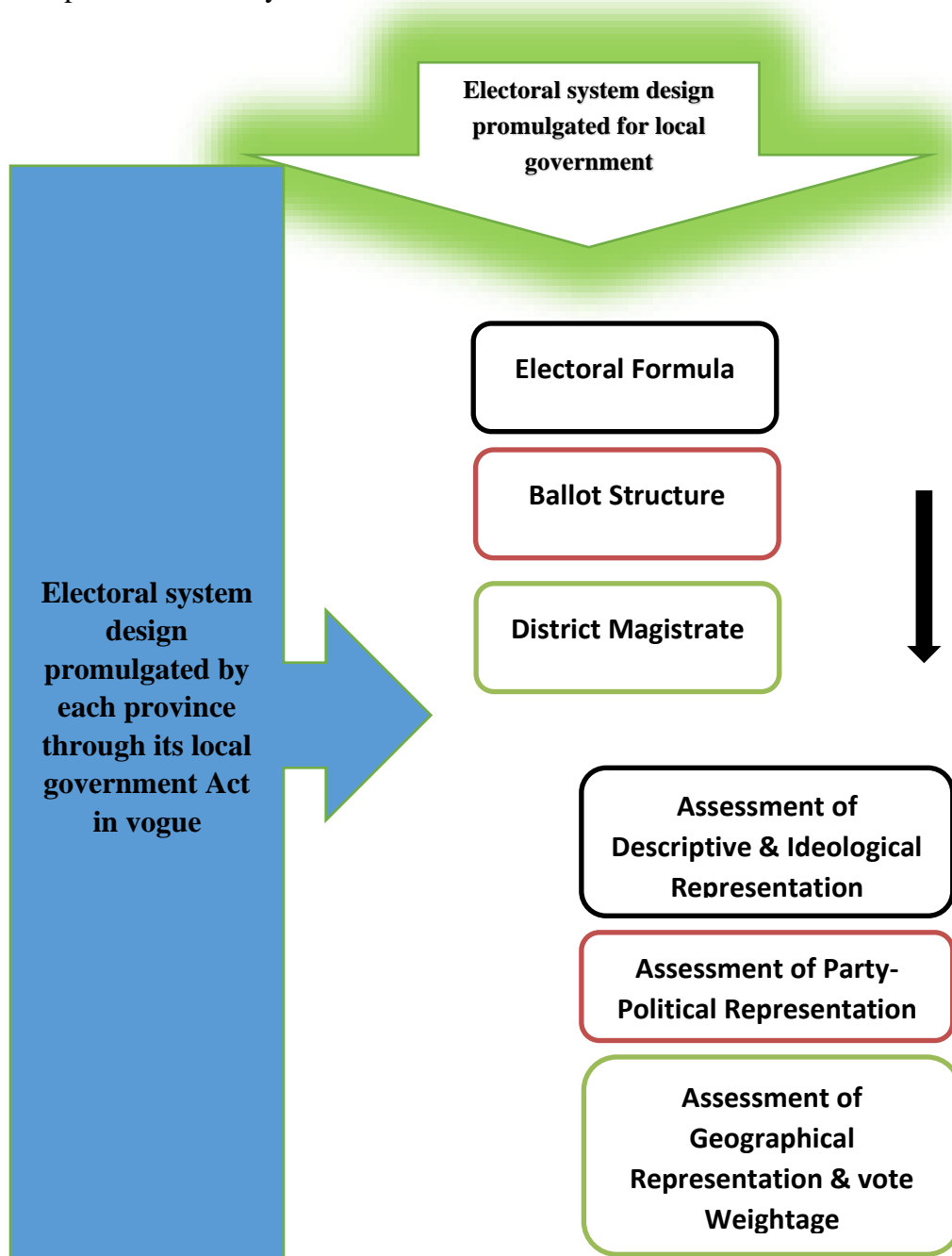
Three aspects of an electoral system; electoral formula, ballot structure and district magnitude provided in the local government acts of all the provinces have been studied in this research. Electoral formula provided in the provincial acts has been helpful in assessment of descriptive and ideological representation provided by each province, like seats reserved for women, non-Muslims and youth. Ballot structure, or otherwise, provided by the provinces has remained helpful in assessment of the role of contesting candidates as party or independent candidates. Moreover, it has also been helpful to assess if one or more candidates are supposed to be elected against a ballot paper.

District magnitude or size and shape of the constituency provided in the acts promulgated by the provinces have remained helpful in assessment of the following:

- i) Constituencies or local councils provided for rural and urban areas;
- ii) Size of rural and urban constituencies;
- iii) Population in rural and urban constituencies; and
- iv) Potential voters in constituencies.

Figure 1: Conceptual framework

The phenomenon may be illustrated as under:



The above figure shows that electoral formula provided in the provincial local government acts would help to assess descriptive and ideological representation envisaged by the province concerned. Electoral formula is simply described as system of elections. Every electoral system, be that FPTP or PR system, provides number of seats to different categories and segments in society. Hence, electoral formula provided for local government institutions is helpful to know level of representation of different segments. Similarly, ballot structure in provincial legislature has remained helpful in examining political party representation. If more than one candidate is elected as a result of one vote by the voters, such ballot structure favours candidates at the cast of political parties. However, if panels are elected by the voters instead of individual candidates, such ballot paper structure favours political parties.

District magnitude, as a result of delimitation, provides an assessment of representation to geographical areas and weightage of a vote in a council. It simply means how many voters or population in a constituency elect their representative and as to whether population or voters in different constituencies of an administrative unit or roughly equal or unequal. Moreover, representation has been provided on a uniform scale or some segregation is further made. In local government system of provinces, urban rural divide is a case in point.

3.4 Hypothesis

Electoral Systems provided by the provincial governments may help:

- a) Politically empowering women pursuant to Article 32 of the Constitution;
- b) Providing foundation for stronger political system;
- c) Enhancing participation of population/ voters in political process.

3.5 Units of Data Collection

UDC's for this research are the following:

UDC1: The relevant provisions of The Election Act and Election Rules 2017 for understanding of the electoral system relating to local governments provided thereat.

UDC2: Chapter 8 and other relevant provisions of the constitution of Islamic Republic of Pakistan.

UDC3: The relevant provisions of local government Acts of the four provinces.

UDC 4: Data officially published by provisional governments, election-based NGOs and Election Commission of Pakistan relating to delimitation and electoral system.

UDC 5: Provisional population data officially published by Pakistan Bureau of Statistics in 2017, wherever the same has been used for delimitation of local governments in a province.

3.6 Variables of interest.

As this research is based on comparative descriptive research design for which facts officially published in the Local Government Acts and delimitation published by the Election Commission, pursuant to provisional population census-2017, have been examined. Primarily, three variables have been used in order to find out and examine the text and to reach at the conclusion that has been mentioned in the objectives of this research.

The variables can be explained as below:

Table 2: Variables

Variables	System provided in the concerned Local Government Act	Impact on target areas of research
Electoral formula	PR system or plurality majority system and seats provided	How does the system impact representation of different segments?
Ballot structure	Single vote or multi-votes	Role of political parties or individual candidature.
District magnitude	Type of constituency	Mode & strength of participation of electors and the elected.

3.7 Organization.

The thesis consists of eight chapters:

First chapter of this research is introduction that includes research questions, objectives of the research, hypothesis and significance of the research.

Second chapter is based upon literature review which includes different themes of literature.

Third chapter explains methodology of the research in which theoretical framework, sampling and units of data collection have been explained.

Fourth Chapter deals with introduction of electoral system design and its implication in policy choices.

Fifth Chapter dilates upon electoral formula provided in the Provincial Local Government Acts for assessment of descriptive and ideological representation.

Sixth Chapter examines Ballot structure provided in the Provincial Local Government Acts and Rules for assessment of political party representation.

Seventh chapter covers examination of the provisions relating to electoral districts provided in the Provincial Local Government Acts for assessment of geographical representation and weightage of vote besides, examination of delimitation of the two districts from each province.

Eighth chapter deals with conclusion of this research and policy recommendations.

Chapter No 4. Introduction of Electoral System Design and Its Implication in Policy Choices

4.1 Introduction

Notwithstanding the fact that choice for an electoral system is the pivot for institutional strength of democracy. However, such choices by most of the countries have usually remained accidental either due to the historical growth or the impact of colonialism, if any. Political crisis in a country or strength of voices for political reforms may also accelerate or impede innovations in the electoral system design adopted by the country. The electoral system in vogue may have seen or unforeseen pitfalls too. Hence, choice of the electoral system is a political decision to be made with due consideration and exhaustive deliberations.

Contours of the electoral system are usually provided in constitution of a country but changes in the electoral system design may be made through ordinary legislation. Moreover, after 1990s electoral system is also seen as a barometer to access if a country considers geographical representation or proportional representation more important to its political growth. Similarly, electoral system choice does also have significant impact on participation of women and minorities in the electoral mainstream. The questions arise:

- i. What do we mean from the term 'electoral system'?
- ii. What are the broad electoral systems?
- iii. Why is the choice for electoral system significant for a political system?
- iv. How does the electoral system choice impact the governance in a country?

4.2 Electoral Systems: Definition and Categories

Encyclopaedia Britannica defines ‘electoral system’ as the rules and method used for counting of votes to determine the outcome of elections (Nolen, 2009). In another definition, manner of casting votes in an election and their translation into seats of assemblies is called Electoral System (Menocal, n.d). ACE project dubs the electoral system as an integral component of a legal framework as it describes the relationship of political parties and elected public office holders in the country (ACE, 201).

International IDEA explains electoral system as a system that translates the vote casting in elections into the seats won by the candidates or the political parties. An electoral system may be examined as per the following key variables:

- i. Electoral formula: it explains the type of elections used in a country and mathematical formula for calculating and translating votes cast into seats won.
- ii. Structure of Ballot Paper: It examines as to whether a voter has to cast vote in favour of one or more candidates or the voter has to cast votes in favour of political parties rather than individual candidates.
- iii. District Magnitude: This term may, for the sake of simplicity, be considered as size and weightage of the constituency after delimitation. It is important that all constituencies should almost have equal number of population of voters so that every vote could have roughly the same weightage in the process of electing a representative.

Some other administrative aspects in conduct of elections like establishment of polling station, registration of votes, nomination of candidates, constituencies and their number etc. are highly

dependent upon the choice of electoral system by a country. In designing or selection of an electoral system, the following aspects may, inter alia, be taken into account:

- a) Is the system financially and administratively sustainable?
- b) Will the voters feel powerful?
- c) Is a competitive party system encouraged?
- d) Does the system fit into a holistic constitutional framework?
- e) Will the system help to alleviate conflict rather than exacerbate it?

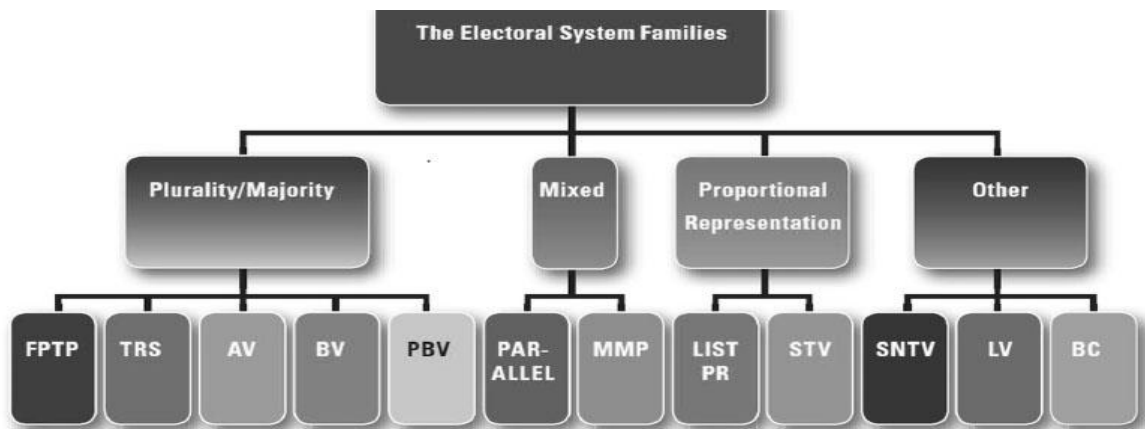
There are three broader categories of electoral system families that are:

- i. Plurality / Majority System;
- ii. Proportional System; and
- iii. Mixed System.

4.3 Electoral System Families

In addition to the three broader categories of electoral system families, there are some other electoral systems too that cannot be included in any of the category so, such systems are covered in the category of others. But how many exact electoral systems are currently in vogue is a difficult question to response with certainty. However, twelve main electoral systems have been recognized by International IDEA those are as follows:

Figure 2: Twelve Electoral Frameworks in the World



4.3.1 Plurality / Majority System

Word ‘plurality’ has come from plural that means more than one hence, this system is regarded as the one where a candidate gets majority by getting more than one vote to all other candidates.

There are two main characteristics of these systems:

- i. The system usually uses single member districts. Moreover, the concept of district (delimitation in the case of Pakistan) is relevant to this system. The examples of single member and multi-member districts are given below:

Single Member Districts

- First Past the Post (*Simple Majority*)
- Two Round (*Absolute Majority*)
- Alternative Vote (*Absolute Majority*)

Multi-member districts

- Block Vote (*Simple Majority*)

- Party Block vote (*Simple majority*)
- ii. This system usually works with majority of votes and absolute majority of the voters is not necessary in most cases. However, majoritarian systems like two round system and alternative vote try to ensure absolute majority.

4.3.1(1) First Past the Post System (FPTP)¹⁵

FPTP is regarded as the simplest system for elections and it is being used in United Kingdom (UK) and most of the former colonies of UK. A number of Caribbean countries and Belize in Latin America use this system for conduct of elections. Similarly, 16 countries in Africa and four countries in South Asia (Bangladesh, India, Maldives and Pakistan) conduct their national elections by using this system.

a) Salient features

- i) Delimitation of constituencies is regarded as the most important feature of FPTP system as this system is based upon Single member constituency meaning thereby, one candidate is elected from a constituency.
- ii) FPTP system ensures representation in legislature from each geographical unit.
- iii) Voters vote for candidates in FPTP system and ballot papers usually bear names of the candidates.
- iv) Candidate securing the highest number of votes in a constituency is declared as winner (returned).
- v) Voters in FPTP choose from amongst the contesting candidates so, it provides fair chances to independent candidates for winning elections.

¹⁵ Electoral system design (2008) by IDEA (page 35)

- vi) FPTP system is considered as a strong link between the electors and the elected.
- vii) FPTP system provides a simple formula for counting of votes and tabulation of results.

b) Critical evaluation

FPTP system does not ensure the support of majority population for winners. Perhaps this is the one among other reasons that women and minorities are elected in lesser number to their proportion in population. There is more wastage of votes in this electoral system as compared to any other system. This phenomenon may be explained by 1990 general election results in Pakistan (Table No. 4.1)¹⁶ and 2014 election results in India (Table No. 4.2)¹⁷ where percentage of vote did not exactly translate into percentage of seats won by the political parties. For Pakistan, the following table may be helpful to understand the scenario:

Table 3: FPTP Disparity; Pakistan1990

Pakistan: General Elections 1990				
Parties	Votes	%age votes	of Seats	%age of seats
Islami Jamhoori Ittehad	7,908,513	37.4	106	51.2%
People's Democratic Alliance	7,795,218	36.8	44	21.2%
Haq Parast	1,172,525	5.5	15	7.2%
Jamiat Ulema-e-Islam	622,214	2.9	6	2.9%
Awami National Party	356,160	1.7	6	2.9%
Jamiat Ulema-e-Pakistan (Noorani)	310,953	1.5	3	1.5%
Pakistan Awami Tehrik	237,492	1.1	0	
Jamhoori Wattan Party	129,431	0.6	2	.96%
Pakistan National Party	127,287	0.6	2	.96%
Pakhtun-khwa Milli Awami Party	73,635	0.3	1	.48%
Sindh National Front	51,990	0.2	0	
Pakistan Democratic Party	51,645	0.2	0	

¹⁶ Election report 1990, published by Election Commission of Pakistan

¹⁷ Official website of Election Commission of India, <https://eci.gov.in/>

Balochistan National Movement	51,297	0.2	0	
Sindh National Alliance (Hamid Jatoi)	31,125	0.1	0	
13 other parties	64,470	0.3	0	
Independents	2,179,956	10.3	22	
Invalid/blank votes	231,568	–	–	
Total	21,395,479	100	207	

The above table shows that in terms of votes, there was less than one percent difference between Islami Jamhoori Ittehad and People’s Democratic Alliance however, there was a gap of thirty percent seats won between the two alliances. Similarly, Pakistan Awami Tehrik(PAT) bagged more votes than three other parties who won seats in National Assembly but PAT could not secure a single seat.

Election held in India in 2014 also show similar disparity between number of votes and seats won by different political parties.

Table 4: FPTP Disparity; India 2014

Name of Party	Percentage of votes bagged	No. of seats won	Percentage of seats won	level
Bhartia Janta Party	31%	282/543	51.9%	National
Indian National Congress	19%	44/543	8.1%	National
Bahujan Samaj Party	19.6%	0	0%	Utter Pardesh
Bhartia Janta Party	42.3%	71/80	88.7%	Utter Pardesh
Dravida Munnetra Kazhagam	23.6%	0	0%	Tamil Nadu
All India Anna Dravida Munnetra Kazhagam	44.3%	37/39	94.8%	Tamil Nadu
Indian National Congress	26%	0	0%	Odisha
Biju Janta Dal	44.1%	20/21	95.2%	Odisha
Communist Party of	22.7%	2	4.7%	West Bengal

India (Marxist)				
All India Trinmool Congress	39.3%	34	80.9%	West Bengal
None Of The Above 1.8% (more than 6 millions) Shivsena 1.8% (18 lok sabha seats)				

The above table explains that BJP bagged 31% votes in 2014 Lok Sabha elections but the party won 51% seats. Similarly, All India Trinmool Congress in West Bengal elections won more than 80% seats with less than 40% votes.

4.3.1(2) Two Round System (TRS)

As the name suggests, in TRS, elections for second round are held in case no candidate secures the number of votes in accordance with the threshold specified for the winner in the law for the first-round elections. First round of elections in this system are usually held in accordance with FPTP. There are 22 countries in the world including France and some countries where the French have ruled in the past, some countries that had been a part of Soviet Union and Iran that use this system for electing their national legislatures.

a) Salient features

- i) A candidate has to cross a threshold to get elected in the first round or qualify in the second round. France is a case in point where a candidate has to secure 12.5 percent votes for contesting second round of elections.
- ii) Two or more than two candidates contest the second round and the one with highest number of votes is elected.
- iii) In most of the countries, the candidate securing majority of votes in second round is declared as elected.

b) Critical evaluation

- i) This system encourages trade off and bargain between contesting candidates and political parties in second round.
- ii) Winner in TRS usually commands the confidence of majority of electors.
- iii) The system is administratively cumbersome and expensive in conduct of elections.
- iv) The system of second round of elections may be perilous for political stability for fragile or emerging democracies. In Congo and Angola, this system resorted to civil war.

4.3.1(3) Alternative Vote System (AV)

This system of elections is quite similar to single transferable vote where voters have to mark preferences between all contesting candidates rather than choosing one candidate on ballot paper. However, balloting in this system is similar to FPTP. AV system is used in Australia and some other countries of Oceania for electing legislature.

a) Salient features

- i) STV is a preferential system in which the voter ranks the candidates in a single member district.
- ii) The candidate that surpasses the specified quota of first preference votes is immediately elected.
- iii) In successive counts, votes are redistributed from least successful candidates who are eliminated and votes surplus to the quota are redistributed from successful candidates, until sufficient candidates are declared elected.
- iv) Voters vote for candidates rather than political parties although political parties have an option to field candidates like FPTP.

b) Critical evaluation

- i) AV system helps in developing broader consensus on issues and it promotes politics of reconciliation as candidates of major political parties have to seek better preferences from voters of smaller political parties.
- ii) The system has helped in promoting ethnic integration in Papua New Guinea
- iii) AV is a complex system for illiterate voters.

4.3.1(4) Block Vote System (BV)

Block vote is a vote of plurality majority system where voters have to elect more than one candidate from a constituency (multi member district). The voter has to mark against as many candidates as are required to be elected from the constituency and the candidates getting the highest votes are declared elected in this system. Block vote system was used in countries where there were either no political parties or fragile political system like Kuwait, Mongolia and Jordan but all those countries abandoned the system later on. Moreover, the system also resulted in few countries for either increasing social fragmentation or oppression of opposition in legislature.

4.3.1(5) Party Block Vote System (PBV)

Party Block Vote system is used to elect more than one member from a constituency but it differs from block vote as in this system, a voter has to cast a single vote for a party. On the basis of simple majority, all candidates of a party are get elected from the constituency. This system was used only in four countries in 2004. This system is regarded as the one that encourages ethnic and minority's representation in political parties. This system has also resulted in decimation of opposition in legislature on the mere basis of a majority of one or two percent of the ruling party.

4.3.2 Proportional Representation (PR) System ¹⁸

Proportional representation system is regarded as the one where voters' choices are translated into seats nearly in accordance with the proportion of their votes polled. Proportional representation system promotes multi member districts. In some countries, entire country is regarded as one constituency whereas, in some other countries, provinces are considered as entire constituency. However, Indonesia is an exception where its EMB has a significant role in determining electoral districts (constituencies). Size of electoral district has significant impact upon the proportional outcome of election results: bigger the size of electoral district is; the more proportional outcome of the result might be. Most of the sovereign countries in the world hold their elections in accordance with proportional representation system. There are two types of Proportional Representation systems:

- i) List PR System
- ii) Single Transferable Vote (STV) system

More than 80 countries around the world use list PR system for conduct of elections whereas; at least two countries use ST system for conduct of elections. Some salient features of PR system are as under:

- i) It ensures all political segments into legislature in accordance of their popular vote.
- ii) It encourages smaller parties to contest elections.
- iii) It facilitates minorities and marginalized segments to register their voices in the legislature somewhat near to their political strength.
- iv) It encourages political parties to work beyond their strong holds for seeking as many votes as possible. Hence, it may promote social integration.

¹⁸ Electoral system design (2008) by IDEA (page 57)

- v) It usually has resulted in stability of policies and coherent decision making in national development.
- vi) It mostly gives rise to coalition governments that has its prospects and perils too.
- vii) This system considers as somewhat weaker for ensuring accountability of the elected by the electors as voters usually vote for parties.
- viii) The system does not ensure representation on geographical basis and usually urban population get more representation in legislature.
- ix) The system requires strong party system and political culture.
- x) Conduct of elections in PR systems is regarded as a complicated activity for voters and election administration in comparison to plurality majority system.

4.3.2(1) List Proportional Representation System (List PR)

According to this system, voters have to choose from amongst the list of candidates fielded by political parties in multi member districts. Counting procedure and formula plays an important role in determination of the elected in this system. There are three types of List PR system that are:

- a) Open list
- b) Closed list
- c) Free list

Most of the countries using PR system prefer closed list systems. However, a significant number of countries do also use open list PR system. Only two countries used free list PR system.

a) Open list PR system

In open list PR system, voters not only have the option to choose from political parties but also candidates within the lists of political parties. Hence, open list does not restrict voters to the decisions of political parties relating to candidates. In some countries like Finland, voters vote for candidates and seats for political parties are determined in accordance with the votes received by the candidates of a political party and candidates from a political party are elected in accordance with the number of votes received by them.

Open list PR system has usually resulted in competition of candidates within a political party and such a situation requires mature political system within political parties. Moreover, in many countries, this system has resulted in relatively less representation of women as compared to other List PR systems.

b) Closed list PR system

Closed list PR system is the most prevalent electoral system of proportional representation in the world. In this system, voters have to choose from political parties and order of candidates in the lists of political parties remains uninfluenced by the voters. A political party gets its candidates elected in accordance with the proportion of votes received by a political party. This system may encourage representation of women and minorities.

c) Free list PR system

In Free list PR system, voters have as many numbers of votes as the number of seats to be filled. In this system, voters may choose candidates from different lists or cast more than one vote for a candidate. Returned candidates in this system are decided in accordance with the number of votes obtained by the candidates.

4.3.2(2) Single transferable Vote System (STV)

This system is based upon the principle invented in the 19th century by Thomas Hare in Britain and Carl Andrae in Denmark. In this system, voters mark preferences among contesting candidates on ballot paper. Hence, STV provides an opportunity to the voters for their informed preferences as 1, 2, and 3 on the ballot paper however; ballot paper in this system is identical to FPTP.

a) Salient features

- i) STV is a preferential system in which the voter ranks the candidates in a member district.
- ii) The candidates have to receive first preferences or preferences in accordance with specified quota.
- iii) In successive counts, votes are redistributed from least successful candidates who are eliminated and votes surplus to the quota are redistributed from successful candidates, until sufficient candidates are declared elected.
- iv) Voters vote for candidates rather than political parties on ballot paper.

b) Critical evaluation

- i) STV is regarded as the most sophisticated electoral system.
- ii) Geographical link between voters and candidates may be maintained in this system in contrast to other PR systems.
- iii) The system may help smaller parties and independent candidates.
- iv) STV is a complex system for voting and counting of votes.
- v) STV is a complicated system for illiterate voters.
- vi) STV may sometimes encourage politics of clientelism.

4.3.3 Mixed Systems

Mixed systems are such systems where more than one method is being used for filling up the seats of legislature. Usually benefits from both plurality and proportionality are taken in mixed electoral systems. There are broadly two types of mixed systems:

- i) Parallel systems
- ii) Mixed member proportional (MMP)

4.3.3(1) Parallel systems

A Parallel System has two different and separate elements for election to the legislature. Both of the elements work relatively independently and do not adjust the issue of proportionality arisen as a result of vote. Under this system, choices expressed by the voters are used to elect representatives through two different systems. The one among the two systems is usually based upon PR system of electoral families and the other one usually is based upon plurality/majority system.

More than twenty countries are using this system for election to their legislatures. In countries using parallel system, only Andorra, Russia and Ukraine hold a balance of 50% between PR seats and plurality/majority seats. This system provides geographical representation and also tries to mitigate disproportionality by provision of some seats through PR system. However, usually this system creates parallel streams in the legislature that usually remains apart from providing equal opportunity to all inside political system and legislature. A chart of some countries using parallel system is given below:

Table 5: Parallel systems in World

Country	No. of P/M Seats	P/M System Used	No. of PR Seats	Total Seats
Andorra	14 (50%)	PBV	14 (50%)	28
Georgia	85 (36%)	TRS	150 (64%)	235
Japan	300 (62.5%)	FPTP	180 (37.5%)	480
Jordan	123 (82%)	SNTV	27 (18%)	150
Republic of Korea	243 (81%)	FPTP	56 (19%)	299
Monaco	16 (67%)	BV	8 (33%)	24
Pakistan	272 (80%)	FPTP	70 (20%)	342
Senegal	65 (54%)	PBV	55 (46%)	120
Sudan	270 (60%)	FPTP	180 (40%)	450
Taiwan	176 (78%)	SNTV	49 (22%)	225
Tajikistan	41 (65%)	TRS	22 (35%)	63
Ukraine	225 (50%)	FPTP	225 (50%)	450

4.3.3(2) Mixed Member Proportional (MMP) systems

A Mixed Member Proportional (MMP) system also has one List PR system and one plurality/majority system but these two systems are linked with the other for compensating disproportionality arisen in the results from the plurality/majority voting system.

In Germany and New Zealand, voters cast two votes; one for plurality majority system and the other for PR system. Some other countries also conduct elections under MMP system but their processes for elections differ from one another.

Salient features

- i) Notwithstanding the fact that MMP system aims at reducing disproportionality but at times, it remains unsuccessful due to vast disparity resulted in plurality majority system.
- ii) Number of seats in legislature of Germany and New Zealand are not fixed in order to address disproportionality fully.
- iii) The system provides geographical representation and party representation both in the legislature.
- iv) The system may encourage strategic voting in case of political alliances as parties may request for votes against party ballot paper and support another party for geographical ballot paper.

The table below shows electoral system in some of the countries that use MMP system:

Table 6: MMP Systems in World

Country	No. of P/M Seats	No. of PR Seats	P/M System Used	Total Seats
Bolivia	68 (52%)	62 (48%)	FPTP	130
Djibouti	52 (80%)	13 (20%)	BV	65
Germany	299 (50%)	299 (50%)	FPTP	598
Hungary	176 (46%)	210 (54%)	FPTP	386
Lesotho	80 (67%)	40 (33%)	FPTP	120
Mexico	300 (60%)	200 (40%)	FPTP	500
New Zealand	65 (54%)	55 (46%)	FPTP	120
Venezuela	100 (61%)	65 (39%)	FPTP	165

4.3.4 Other Systems ¹⁹

Apart from three electoral system families, there are some electoral systems that do not fall in any category. In such system the procedure of vote cast is somewhat near to PR system however, tabulation of result is closer to plurality majority system. The following electoral systems fall under this category:

- i) Single Non-Transferable Vote (SNTV)
- ii) Limited Vote
- iii) Borda Count

4.3.4(1) Single Non-Transferable Vote (SNTV) systems

Under this system voter cast a single vote in multi-member district and candidates with the highest vote are declared as elected. Voters in SNTV system vote for candidates rather than political parties. This system is regarded as unfavourable for political parties as a political party despite having fifty percent voter support may lose seats more than fifty percent. This system is used for legislature in Afghanistan, Jordon and a couple of other countries. Although the system is considered as easy and worked over 45 years in Japan but it weakens party structure by and large.

4.3.4(2) The Limited Vote (LV) systems

Limited vote system is somewhat identical to SNTV but in SNTV, voters have to cast one vote for multi member district but in LV system, a voter has to cast more than one votes but less than the number of seats to be filled. Member to the upper house of Spain is elected through Limited

¹⁹ Electoral system design (2008) by IDEA (page 112)

vote system. This system is also candidate centric and less favourable to attain proportionality or party strength in accordance with the votes of a party.

4.3.4(3) Borda Count (BC) system

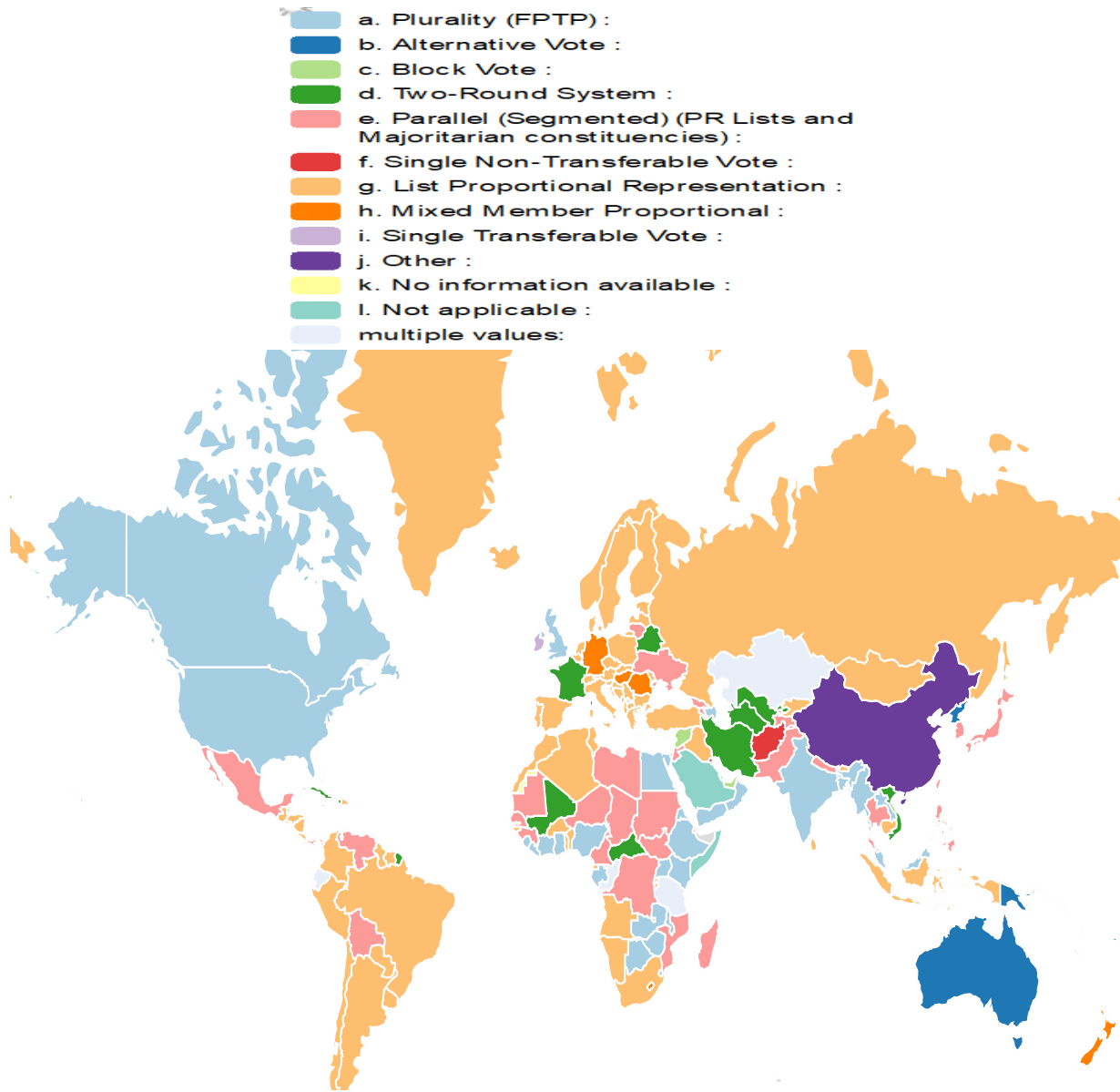
Nauru is a pacific country where election to the legislature is conducted in accordance with this system. This method is similar to Alternate Vote as voters have to mark preferences on ballot paper but there is only one count for counting of vote. Candidate getting the first preference is awarded 1 point, half point for second preference and one third point for third preference and so on.

4.3.5 Electoral Systems Families: a world view

Elections are held through Proportional Representation system in most of the countries of the world however, the most world population elect their representatives through First Past the Post System.

Worldwide distribution of electoral systems is as under:

Figure 3: Worldwide Electoral System



ELECTORAL SYSTEMS: THE WORLDVIEW

Figure 4: Electoral systems in the World

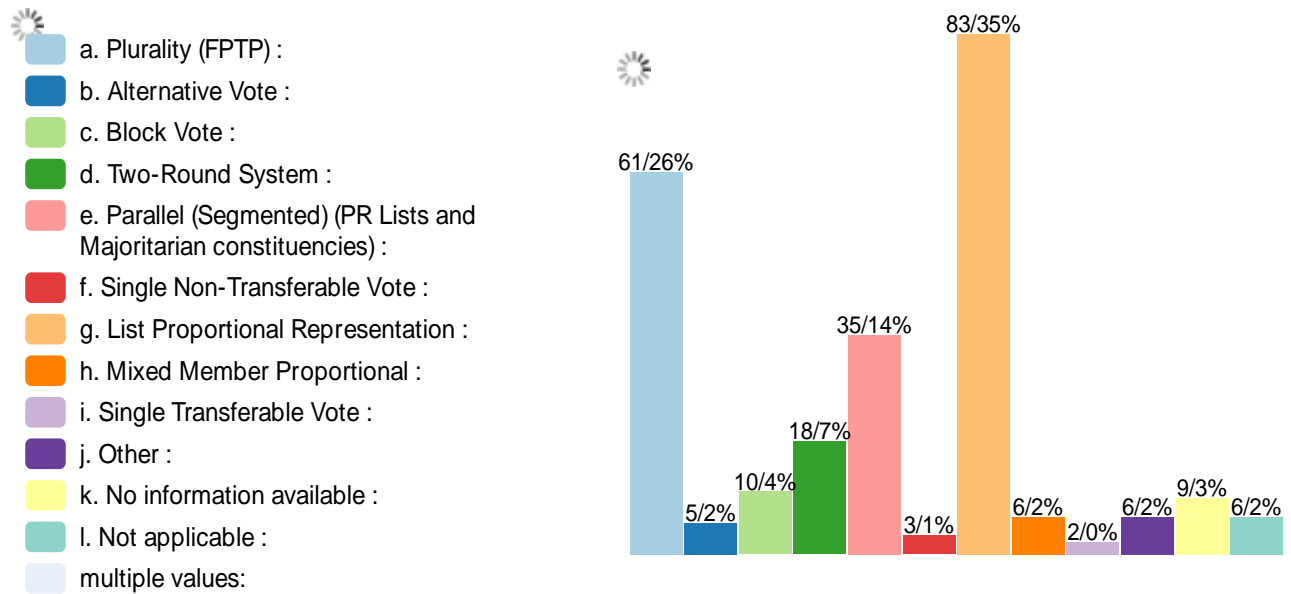


Table 7: Electoral Systems in the World

Electoral system	No. of countries	percentage
FPTP	60	26.0%
Two Round system	18	7.6%
Alternative vote	5	2.1%
Block vote	10	4.2%
Single Non-Transferable Vote	3	1.2%
List PR system	83	35.4%
MMP	6	2.5%
STV	2	0.8%
Parallel system	35	14.9%
Other	7	2.5%
No information available	9	3.8%
Not applicable	6	2.5%

4.4 Significance of choice for Electoral System

Choice for political system by a country is a political question that requires a number of considerations. Legislature makes laws relating to conduct of elections and defines contours for the electoral system however; adjustments in electoral system are relatively easy in accordance with emerging political demands. Same number of votes manifest differently in different electoral systems like they may result in majority government of a party, coalition government or political instability. Notwithstanding the fact that Bowler, Farrell & Pettitt ranked different electoral systems in 2005, as per the experts' opinion (the same may be perused in table below), choice of system revolves around the fact as if the country is unitary or federal; parliamentary or presidential; power symmetry or asymmetry in geographical areas; ethnic or communal divide in society and participation of different segments into political mainstream.

Table 8: Electoral Systems Ranking by Experts

Electoral system	Ranking	Average score	Number of first preferences
Mixed Member Proportional (MMP)	1	2.37	52
Single Transferable Vote (STV)	2	2.60	38
List PR (open list)	3	3.26	18
Alternative vote (AV)	4	4.01	10
List PR (closed list)	5	4.17	9
Single Member Plurality (FPTP)	6	4.67	21
Run off (TRS)	7	4.9	7
Mixed Member Majoritarian(parallel)	8	5.18	3
Single Non-Transferable Vote (SNTV)	9	6.76	3

Effective functioning of the government is another objective that has been achieved by the choice of electoral system. In emerging or fragile democracies, FPTP provides better chances for governments to legislate whereas; literate and developed democracies prefer PR system for

broader consensus and dialogue for legislation. Similarly, administrative arrangements and expenditure upon elections is another aspect that affects choice for electoral system by a country.

Some of the perceived advantages and disadvantages of electoral systems are as under:

Table 9: Electoral Systems Advantages & Disadvantages

Electoral system	Advantages	Disadvantages
Plurality Majority system	<ul style="list-style-type: none"> i) They provide fair geographical representation. ii) It is simple system for elections. iii) It usually allows choosing between candidates. iv) This system is more accountable for the electors. v) It promotes stronger political governments. 	<ul style="list-style-type: none"> i) There is wastage of votes. ii) This system may impact political outcome through gerrymandering. iii) The system is not advantageous for inclusion of minorities in mainstream.
Proportional representation	<ul style="list-style-type: none"> i) Votes are translated into seats in proportion. ii) It promotes women and minorities in political mainstream. iii) Election administration is easy in this system. iv) It promotes the use of technology in elections. v) It strengthens political parties 	<ul style="list-style-type: none"> i) It weakens accountability of the elected. ii) The system does not ensure geographical representation. iii) This system is usually difficult for illiterates. iv) It promotes coalition governments.
Mixed system	<ul style="list-style-type: none"> i) It ensures both proportionality and geographical representation. 	<ul style="list-style-type: none"> i) It is a complicated system.

On administrative level, different electoral systems are viewed as under:

Table 10: Electoral Systems Evaluation on Administrative Grounds

System	Cost	Political Entities	Voter Education	Voter Registration	Counting and Results	Boundary Delimitation
Mixed System	Medium to High	Supports for many parties.	Difficult.	Must register each voter in a district (constituency).	Difficult.	Small Districts.
PR system	Medium.	Supports many parties.	Medium.	Easy	Difficult.	Easy.
FPTP	Medium to High	Leads to a few large parties, unless people vote by ethnicity	Easy.	Must register each voter in a district.	Easy.	Small Districts. Gerry Mandering.

4.4.1 Electoral Systems Families and representation

Choice for electoral system cannot be oblivious of the question of representation. Three broad types of representation may be taken into account while making decision about political system.

These are:

- i) Geographical representation;
- ii) Ideological representation;
- iii) Descriptive representation.

4.4.1(1) Geographical representation

Geographical representation in an electoral system means how geographical regions would be represented in a system. Such representation may be based upon electoral districts, regions, urban and rural representation or any other unit that the system considers important. Boundary delimitation is the method through which geographical representation in a system is ensured. Such representation in Bolivia has helped rural areas to prosper with a reasonable pace.

4.4.1(2) Ideological representation

This representation in a system may be on the basis of ethnic, religious or political basis. Ideological representation tries to take into account political, religious and social asymmetry in the society and their relative strength in the system. Seats have been reserved in many countries in legislature to ensure presence of minorities in political system. In some countries, electoral system is used to protect separate voting procedure for minorities but many countries have now abandoned this system for enhancing social bargain of such communities.

4.4.1(3) Descriptive representation

This representation is based on the principal that legislature should be a mirror of nation. In theoretical terms, descriptive representation takes into account men and women; young and old; rich and poor and ethnic and linguistic cleavages in the nation. Women seats in legislature are ensured by most of the countries through their electoral systems. Some countries have introduced reserved seats for women whereas; some countries have introduced legal restrictions for political parties to allocate tickets to women. Similarly, in Pakistan, seats for youth are reserved in local government institutions for ensuring their due participation in political system.

4.5 Electoral System choice and governance

Electoral system choice plays an important role in political stability and policy making hence, it impacts governance of a country in a great deal. The systems that promote stronger governments provide a great room for changes in the laws and governance pattern whereas; the systems that promote coalition governments require broader consensus for policy changes.

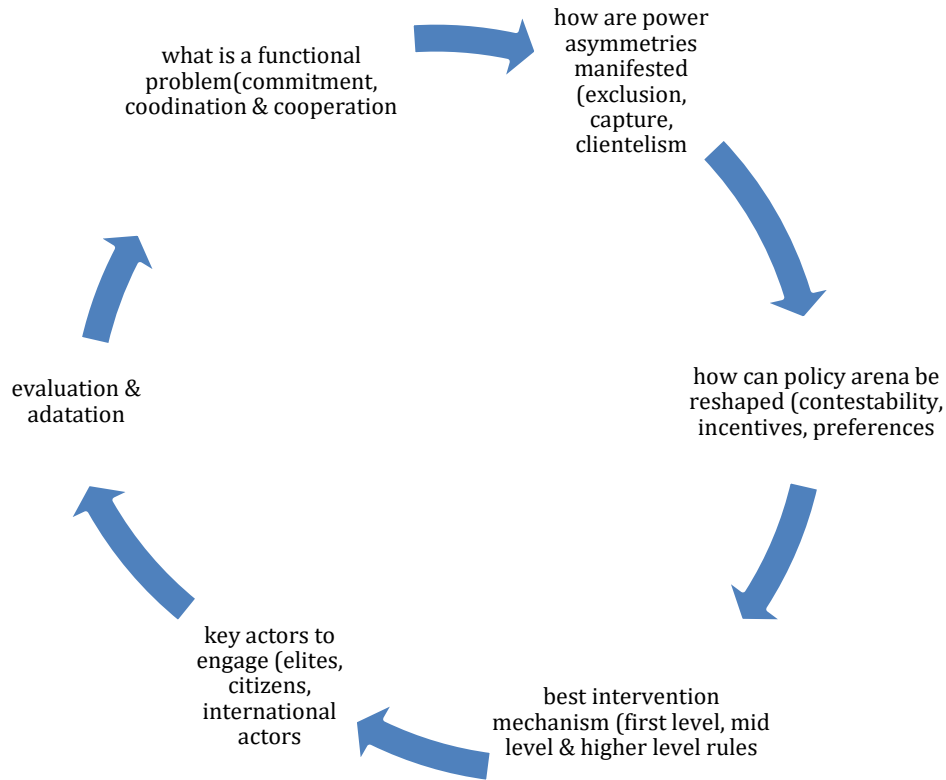
Thomas A. Birkland, in his political systems theory, appreciates the fact that response to environment is the pivot for a system to deliver. Structural, social and political environment, the terms used by Birkland, have their roots in the electoral system. If the electoral system is cognizant of such demands, the nation has more probability for better governance (Birkland, 2016). Literature available in the disciplines of political science and Economics also appreciates the influence of electoral system choice over public policy outcomes however; such literature is either theoretical or empirically tested on the developed countries having strong party culture. Hence, there is a need for rigorous study to know how the choice for electoral system affects developing democracies.

Candidates contesting elections may be considered as rational actors who desire to be re-elected. Their desire depends upon the electoral system. If the system promotes constituency-based politics, candidates would try to establish personal reputation among voters apart from political party profile. In case political system promotes political party politics, candidates would remain within the ambit of party ideology and party discipline. Hence, plurality majority system is regarded as more effective for public policy choices at local level whereas, PR system encourages public policy effectiveness at macro level.

Voter is another rational actor for electoral system design and he has to make choices between public goods and private goods. Voters in plurality majority system, find private goods more easily accessible whereas, in PR system, voters have to focus more on the provision of public goods (Menocal, n.d).

World Development Report on Law and Governance, published by the World Bank in 2017, provides a policy effectiveness cycle that is worth consideration.

Figure 5: Policy Effectiveness Cycle by World Bank



Understanding of policy effectiveness cycle is important to understand role of electoral system in governance. Electoral system helps to mitigate coordination gap among different actors by providing a room for cooperation. Proportional representation system usually helps to address

the problem of cooperation if a country is facing this problem to a larger extent. Similarly, power sharing institutions like legislature or executive might be pivotal in addressing the problem of exclusion in a country and such institutions come into existence by means of an electoral system in most of the countries. Contestability is very important to address for reshaping policy arena and electoral system choice may increase it. Brazil and India are cases in point where contestability has improved service delivery.

Change in higher level rules has been argued as the best intervention mechanism by World Bank for improving governance and these changes relate to change in electoral system. Multi-party system or PR systems both encourage contestability besides, the manner of conducting elections. It has also been observed in the report that mode of elections provided in the electoral system also plays significant role. Introduction of electronic voting in Brazil enhanced voters' participation by almost ten percent and that resulted in better healthcare facilities (World Development Report, 2017).

Pippa Norris has also dilated upon the aspect of electoral systems and governance. She has stated that one of the reasons for contentious elections is the electoral procedures throughout election process²⁰. She also considers electoral system more important aspect for changing a nation among other factors like availability of a charismatic individual leader, economic development, availability of natural resources, controlled ethnic divisions, popular demands for radical movements, international pressures, and regional diffusions. In this regard, she pleads her case with the example of two neighbouring African countries, that are, Togo and Benin²¹.

It may be deduced that choice of electoral system encourages or discourages different segments of society in political mainstream, enhances or limits contestability in society and largely impacts

²⁰ Contentious Elections (From Ballots to Barricades) by Pippa Norris, 2015.

²¹ Driving Democracy (Do Power Sharing Institutions Work?) by Pippa Norris, 2008.

the system of governance for a country. Local self-governance is directly related to people at gross root level and electoral system for elections of such institutions should be inclusive of greater representation and capable of providing better governance through enhanced contestability.

Chapter No 5. An assessment of descriptive and ideological representation in provincial local government legislation

5.1 Introduction

Discussion in the previous chapter has been concluded with the observation that electoral system for local government institutions should at least have the two characteristics and that are, capacity of better representation and capability of better governance. Most of the countries do have two to three tiers of governance and that are; federal government, provincial government and local government and each tier of governance requires a different set of trade-offs between electors and the elected for growth and development. Moreover, enhancing contestability usually enhances governance meaning thereby, electoral system may provide an important trade-off between the electors and the elected.

As to whether set of trade-offs for local government institutions between electors and the elected should be essentially different from national level or otherwise? As to whether electoral system for local government institutions should be more inclusive than national government institutions? These are the questions that albeit are aloof from the ambit of this research but this research might unlock plethora of avenues for ardent researchers in pursuit of the answers to the above questions. This research, nevertheless, shreds ample light on the aspect of representation in local government institutions with threadbare scrutiny of local government legal dispensation in Pakistan.

5.2 Legal framework relating to representation in local governments

5.2.1 The Constitution

Article 140A of Constitution of Islamic Republic of Pakistan commands that each province, by law, is bound to devolve administrative, financial and political authority to elected representatives of local government institutions. Clause (2) of the Article further provides that Election Commission of Pakistan is responsible for holding elections to local governments. Hence, each province is under constitutional obligation to come up with such law for local governments that empowers elected representatives in political, financial and administrative terms. Who and how such representatives should be elected? It has been left at the discretion of each province. It can, therefore, be said that choice for electoral system design for local government by the provinces should cater the broader contours provided by the Constitution.

Constitution also provides guidelines for representation. Article 32 entrusts upon the state obligation to encourage institutions of local governments through elected representatives. Moreover, such institutions shall have representation of women, peasants and workers. Hence, Constitution itself ensures representation of women, workers and peasants. Article 36 ensures protection of rights of minorities and one such right is their representation in local government institutions. It can be said that local government institutions must have representation of women, peasants, workers and Non-Muslims.

Article 33 discourages prejudices on racial, tribal, parochial and sectarian basis. It may be deduced that scope of ideological representation in local government institutions is somewhat limited in laws. It, nevertheless, is pertinent to mention that political association, ideology and

their propagation is protected in Article 17 and 19 of the Constitution. Article 26 ensures non-discrimination in quest for accessing the public offices.

5.2.2 Legal Frameworks for Local Government in Balochistan

5.2.1.1 The Balochistan Local Government Act, 2010

After promulgation of 18th amendment on 19th April, 2010, wherein institutions of local government were constitutionally promoted and protected, Balochistan was the first province that promulgated its local government Act on 11th May, 2010. Notwithstanding the fact that there has been debate regarding substantial transfer of power from province to grass root level; the Act was the first effort by a province to devolve authority at local level that deserves appreciation.

A. Local Councils

Section 7 of the Balochistan Local Government Act, 2010 (herein after called as the Balochistan Act) envisaged rural urban divide and tiers of union councils and district councils were introduced for rural areas and municipal committee, municipal corporation and metropolitan corporation for urban areas were introduced in Section 7 of the Balochistan Act. Hence, apropos of representation, the first two characteristics to be noted are that, rural and urban divide and two tiers governance in each rural and urban area.

B. Ideological Representation

Section 10 of the Balochistan Act provided representation to the non-Muslims in both rural and urban areas. However, their strength in such rural and urban councils, as per Section 11 of the Balochistan Act, remained at the discretion of Provincial government on the basis of population of non-Muslims in a particular area.

Sequel to the above, it may be said that the Balochistan Act introduced ideological representation, however, it fell short of protecting such strength in local councils for being devoid of any percentage for seats or number of seats.

C. Descriptive Representation

The original Balochistan Act, in Section 12, provided the following descriptive representation to all local councils at both lower and upper tier:

- a. General Members;
- b. Women equal to 33% of general members; and
- c. Peasants / Workers equal to 5% of general members.

The important points to note with reference to the above are that women representations provided in the Balochistan Act was up to the international standard of 30% set in Beijing Conference of 1995. However, spirit of the constitution for special representation of peasants and workers in Article 32 of the Constitution seemed compromising in the backdrop of ground realities that rural local councils usually have peasants in its population mostly and urban local councils have worker in its population.

There is another important aspect to be noted and that is vide amendment dated 27th January, 2014, two more categories of professional and social workers were introduced in the Balochistan Act and their number was fixed as 5 percent of general seats. The idea of introduction of descriptive representation on the basis of profession and social work, notwithstanding the fact that was quite novel, was struck down by the Balochistan High Court on the pretext that such categories do not find support from the constitution.

D. Electoral Formula for Representation

In the Balochistan Act, representation against the general seats was through direct vote by the electorates, however, the seat reserved for women, peasant, workers and non-Muslims were elected through indirect vote by the directly elected general members. Similarly, the seats of chairman, vice chairman, mayor and deputy mayor had to be filled in by an indirect vote through elected members of the concerned council.

The lowest tier for conduct of elections in rural areas was ward within a union council. A union council was consisting of 7 to 15 general members to be determined by the provincial government on the basis of population. Women equal to 33 percent of general members, peasant / worker equals to 5 percent of general members and non-Muslims were also notified as equal to 5% percent of general members. Each union council was headed by a chairman and a vice-chairman.

The upper tier in the rural area was district council and each district council had general members equals to the number of union councils in the district council directly elected from the respective union council. The representation of women was 33 percent of general members, peasant / workers and non-Muslims were equals to 5 percent of general members.

The lowest tier for conduct of elections in urban areas was a ward within a municipal committee, municipal corporation or metropolitan corporation whose numbers had to be notified by the provincial government on the basis of population. Councillors elected from respective ward in urban areas had to elect members against the reserve seats and thereafter, members of a house had to elect mayor and deputy mayor for the respective house.

Notwithstanding the fact that the Balochistan LG Act, 2010 does not specifically provide for the electoral system for conduct of elections however, the system for elections has been provided as first past the post system (FPTP).

5.2.1.2 The Balochistan Local Government (Amendment) Act, 2019

The Balochistan Local Government (Amendment) Act, 2019 (herein after called as Balochistan LG Amendment Act) was enacted vide notification dated 19th April, 2019. In the Balochistan LG Amendment Act, most of the provisions relating to electoral formula and representation have remained the same as provided in the Balochistan Local Government Act, 2010; however, the salient changes are as under:

- i. Maximum population limit for a union council has been decreased from 15,000 to 10,000.
- ii. A range for number of general members was provided in Balochistan Act, 2010, however, the same range has been omitted but a range of population for a seat in each local council has been provided. It may be said that the new law seems better with regard to representation of populace in local council.
- iii. Direct elections for the seat against member of district council have been abounded and Chairman of union councils falling within the district council have been declared as the de-facto member of the district council.

In view of the above, it may be deduced that Balochistan LG Amendment Act, 2019 has not made any significant change in the electoral formula however, representation against general seats has slightly been amended for improvement but there still remains discretion of the government in determination of the number of seats by the provincial government. The minutes

of the meeting dated 2nd February, 2021 by Election Commission of Pakistan (herein after referred as ECP) reflect that Balochistan government intends to introduce further changes in their local government legislation, however, further details are not available yet.

After passage of 18th amendment to the Constitution, only one local government elections could be held in Balochistan province on 7th December, 2013 and the representation from different segments in different tiers remained as under in those elections:

Table 11: Categories of Seats in Local Government of Balochistan

Category of Seats	Metropolitan Corporations	Municipal Committees	Municipal Corporation	Union Councils	District Councils	Total
Non-Muslims	03	57	08	635	40	743
Peasants	03	57	08	635	40	743
Workers	03	57	08	635	40	743
Women	19	272	55	1,774	212	2332
General Seats	58	820	167	5489	635	7169
Mayor / Chairman	02	106	08	1270	64	1450
Total Seats	28	443	79	3679	332	13180

Total population of the province at the time of conduct of elections: 6565885 (as per 1998 Census)

Registered Voters at the time of elections: 3369104

Women Representation against Reserve Seats

With reference to total number of seats: 17.69%

With reference to population : 1 woman against 2815 population

With reference to voters : 1 woman against 1444 voters

Non-Muslims Representation against Reserve Seats

With reference to total number of seats: 5.63 %

With reference to population : 1 Non-Muslim against 8837 population

With reference to voters : 1 Non-Muslim against 4534 voters

5.2.2 Legal Frameworks for Local Government in Khyber Pakhtunkhwa

5.2.2.1 The Khyber Pakhtunkhwa Local Government Act, 2013

The province of Khyber Pakhtunkhwa promulgated its Local Government Act on 7th November, 2013 by the name of The Khyber Pakhtunkhwa Local Government Act, 2013 (herein after referred as KP Act, 2013). The Provincial government introduced the Act with a slogan that substantial autonomy and decentralization of powers has been made at the grass root level in letter and spirit. Three tiers for governance were introduced in the Khyber Pakhtunkhwa Province with a view to devolve the power from province to district and then to tehsil and village / neighbourhood council.

A. Local Governments

Section 5 of the KP LG Act, 2013 provides that there shall be rural urban divide at primary level of village council and neighbourhood council as well as at tehsil and district level. To this extent, there is a similarity between the local government acts of the provinces for introducing rural urban divide however; three tier government model was only introduced by Khyber Pakhtunkhwa province.

B. Ideological Representation

Section 17 and Section 24 of the KP LG Act, 2013 provide for seats of minorities as notified in part-A & Part-B of second schedule respectively. For representation of minorities in the lower tier of village and neighbourhood council, Section 27 of the KP LG Act, 2013 provides that there shall be one seat reserved for non-Muslims in each village and neighbourhood council. There is an important aspect to be noted in the legislation of Khyber Pakhtunkhwa relating to ideological representation and that is the provisions relating to ideological representation in upper tier used the word non-Muslims whereas, second schedule specifies the seats for minorities. Term 'minority' had not been defined in Section 2 of the Act. Hence the only inference that can be made is that Khyber Pakhtunkhwa province has probably tried tacitly to dig deeper into the domain of ideological representation but the same had ended with no substantial outcome.

C. Descriptive Representation

Descriptive representation in district council had been mentioned in Section 17 and elaborated at length in part-A of schedule II . The following descriptive representation has been provided:

- i. General members;
- ii. Women members;
- iii. Peasant and workers; and
- iv. Youth

It is noteworthy that second schedule fixes the number of seats for women and this number shows that roughly thirty-three percent seats equal to general member have been reserved for women in district council. Composition of city district government had not been provided explicitly in the Act, however, it seems as if Section 17 is applicable for city district government

too in the backdrop of the fact, that second schedule covers the seats for all districts of Khyber Pakhtunkhwa.

Section 24 of the KP LG Act, 2013 provides the category of seats in a tehsil council and their number had been specified in Part-B of second schedule. Here we again have to deduce that Section, 24 also covers the town council in the pattern mentioned above for district councils.

Section 27 of the KP LG Act, 2013 provided for five to ten seats in a village and neighbourhood council that had to be defined by the provincial government on the basis of population. Two seats were reserved for women and one seat each was reserved for peasant / worker, youth and non-Muslims. With reference to reservation of seats in the lowest tier of village and neighbourhood council, it is pertinent to mention here that their percentage in each council was varied from the other and some of the councils had less than 30 percent representation of Women.

With reference to introduction of reserve seat for youth member in each council, it is important to highlight that youth is an important segment of society in Pakistan where their number is significantly high as compared to many other countries. Hence, such representation of numeric strength and potential had been reflected in the legislation of Khyber Pakhtunkhwa province for local councils. The province has tried to expand descriptive representation a bit more than the representation provided in the constitution and in accordance with emergent needs.

D. Electoral Formula for Representation

Electoral formula for election to different tiers is different in Khyber Pakhtunkhwa where elections are held in accordance with the parallel system. The election to the general seats for tehsil and district council was provided in accordance with first past the post system (FPTP) in

accordance with Section 74 of the KP LG Act, 2013 whereas; elections to the reserve seats were envisaged as the election on the basis of closed list PR system.

Elections to all seats of village and neighbourhood councils were held in accordance with Section 27 of the KP LG Act, 2013 wherein the electoral formula was provided in accordance with single non-transferable votes (SNTV). It is also important to note that SNTV is not regarded as a suitable method for party-based elections and the same aspect had been taken into account in the Act wherein election to the lower tier was provided on non-party basis. Elections to the upper tier were held on party basis.

Election to the seat of chairman, vice chairman and mayor, deputy mayor in tehsil and district councils had to be held by open division and all members of the respective councils were the voters for such election however the system envisaged in the Khyber Pakhtunkhwa Local Government (conduct of elections) Rules, 2014 for such elections is near to two round system (TRS).

5.2.2.2 The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019

The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019 (hereinafter referred as KP LG (Amendment) Act, 2019) was enacted vide Notification dated 3rd May, 2019 vide amendment in Section 2 (m), substantial change has been made in the system of local government and tier of district council has been abolished altogether. Moreover, it is also pertinent to mention here that the amendment seems to give an impression as if rural urban divide at the lowest level have been kept intact however, such divide has been dispensed with at the tier of Tehsil council. The assertion may be further reinforced by the amendment in 2 (gg), wherein definition of the Tehsil has also been amended. Amended Section 5 of KP LG

(Amendment) Act, 2019 further gives an impression as if a city local government, probably comprising of Peshawar has also remain intact. However, amendment in Section 8 of the Act gives the impression as if rural urban divide has some significance at the upper tier too.

Election for the Chairman of tehsil local government has been provided as direct elections where entire tehsil shall be considered as single constituency. Section 24 of the Act provides that category of seats and numbers of members to be elected for tehsil council have been provided in part-I of eleventh schedule. However, Part-I of eleventh schedule provides that there shall be seats reserved for women, youth, peasant workers and minorities and number of such seats shall be determined by the government through a notification. It is important to note that KP LG 2013 Act seems better to the extent that number of seats have been made a part of the Act to give them permanence. However, in KP LG (Amendment) Act, 2019 such determination has been left at the discretion of provincial government. It seems a regressive activity with reference to legislation.

Notwithstanding the fact that categories of descriptive representation have remained the same as were provided in the KP LG Act, 2013 but the method of elections or elections formula has been changed from closed list PR to FPTP. Moreover, elections to the seat of general member have been abandoned in the KP LG (amendment) Act, 2019. As far as ideological representation is concerned, the confusion relating to term has been removed by using the word 'minority' in eleventh schedule but definition of minority has not been provided.

Composition and elections to lower tiers that are, village and neighbourhood councils have been provided in Section 27 of KP LG (Amendment) Act, 2019 but section falls short of specifying the category of seats. It refers to part-2 of eleventh schedule for such descriptions. Part-2 of eleventh schedule provides that there shall be three general members, one women member, one

youth member, one peasant or worker member and one minority member in each village and neighbourhood council. Notwithstanding the fact that electoral formula has not been properly elaborated, however, the above referred schedule gives an impression as if election to the general member for lower tier shall be elected in accordance with the previous scheme of SNTV. Election to the reserve seats shall be held in accordance with FPTP.

After passage of 18th amendment to the constitution, one local government elections were conducted in Khyber Pakhtunkhwa province wherein, representations from different segments in different tiers have been provided below. Last but not the least, theoretically the legislative progress for local governments to the extent of representation and electoral formula in Khyber Pakhtunkhwa seems regressive.

Table 12: Categories of Seats in Local Government of Khyber Pakhtunkhwa

Category of Seats	District Council	Tehsil / Town Council	Village Councils	Neighbourhood Councils	Total
Non-Muslims	62	89	2997	504	3652
Peasants & Worker	62	89	2997	504	3652
Women	343	349	5994	1008	7694
Youth	62	89	2997	504	3652
General	1017	1017	20118	3891	26043
Total Seats	1546	1633	35103	6411	44693

Total population of the province at the time of conduct of elections: 17743645 (as per 1998 Census)

Registered Voters at the time of elections: 13134146

Women Representation against Reserve Seats

With reference to total number of seats: 17%

With reference to population : 1 woman against 2306 population

With reference to voters : 1 woman against 3596 voters

Non-Muslims Representation against Reserve Seats

With reference to total number of seats: 8.1 %

With reference to population : 1 Non-Muslim against 4585 population

With reference to voters : 1 Non-Muslim against 3596 voters

5.2.3 Legal Frameworks for Local Government in the Punjab

The Punjab province has made the most experiences with its legislation apropos of local government system in the province after promulgation of 18th amendment to the constitution. The Province first introduced its local government Act in 2013. The province promulgated another act in 2019 along with an enactment relating to village Panchayats and neighbourhood councils. The province has now again introduced legislation through an ordinance in 2021.

5.2.3.1 The Punjab Local Government Act, 2013

The Punjab province promulgated The Punjab Local Government Act, 2013 (hereinafter referred as Punjab LG Act, 2013) on 23rd August, 2013. Local government elections to the Punjab province in 2015 were held under the same legislation.

A. Local Councils

Like rest of the provinces, Punjab LG Act, 2013 also provided for rural urban divide and rural areas comprised of union councils and district councils whereas, urban areas comprised of municipal committee, Municipal Corporation and Metropolitan Corporation. Ward had been declared as smallest unit in union councils or as the case may be in Municipal committee. It is

also noteworthy that Municipal corporations and Metropolitan Corporation also did have Union Council as the smaller local government unit within them.

B. Ideological Representation

Section 13 of Punjab LG Act, 2013 provided that there shall be a seat reserved for non-Muslims in each union council. Section 14 and 15 provided that there shall be not more than 5 non-Muslim members in district councils and municipal corporations and such numbers had to be notified by the government. Section 15 further specified 10 seats for non-Muslims in Metropolitan Corporation and seats not exceeding 3 as notified by the government in municipal committees. It is noteworthy that Punjab LG Act, 2013 provided the maximum limit for ideological representation in the councils except union council and Metropolitan Corporation and final numbers in the councils were left at the discretion of government.

C. Descriptive Formula

Representation in Punjab LG Act, 2013 was somewhat identical to Khyber Pakhtunkhwa and Sindh provinces for the tiers of Union Councils and Municipal Committees. Women, peasant / workers and youth were provided representation besides general seats in the above referred local governments. However, an additional representation to technocrats was provided in Municipal Corporations, Metropolitan Corporations and District Councils.

At the tier of union council, representation to women was given thirty-three percent to general seats or wards that is 2. Peasants were not mentioned in section 13 dealing with union councils however, one seats each for workers and youth were reserved in each union council.

At the upper tier for rural areas, chairmen of Union Councils falling within district councils were the members of district councils who had to elect the members against the following reserved seats:

- i) One technocrat
- ii) One youth member
- iii) Women members as notified by the government but not more than fifteen
- iv) Peasant members as notified by the government but not more than three

In urban areas, upper tier consisted of municipal committees, municipal corporations and Metropolitan Corporation. Number of seats was reserved as under:

- i) Women members as notified by the government but not more than fifteen for a municipal corporation and five for a municipal committee. Twenty-five seats were reserved for women in Metropolitan Corporation.
- ii) Worker members as notified by the government but not more than two for a municipal committee. Five seats were reserved for workers in Metropolitan Corporation two seats were reserved in Municipal corporations.
- iii) Two seats for youth members were reserved in Metropolitan Corporation. However, a seat a piece was reserved in municipal corporations and municipal committees.
- iv) Three seats for reserved for technocrats in metropolitan corporation whereas, two seats were reserved in municipal corporations.

Electoral Formula for Representation

For elections to the general seats against the wards, FPTP was the system envisaged for conduct of elections. However, for elections to the reserved seats in a council, the electoral formula

remained a matter of opinion. The original enactment provided the concept of elections through SNTV method, however, neither Section 13 nor Section 18 of the Act was elaborated enough to enable Election Commission for conduct of such elections. Vide an amendment dated 6th February, 2016; a new Section 18A was inserted that provided the concept of election against reserve seats through closed list PR system.

Elections to the reserve seats were conducted through close list PR system. Thereafter, through another amendment dated 29th October, 2016, Section 18A was again omitted, however, this time the method for elections provided in Section 13 and 18 read with Rule 40 was clear for conduct of elections and such elections had to be conducted through SNTV electoral system.

5.2.3.2 The Punjab Local Government Act, 2019

Government of the Punjab province proposed for repealing the previously existing local government Act and new legislation for local government. Resultantly, the Punjab Local Government Act, 2019 (hereinafter referred as Punjab LG Act, 2019) was promulgated on 4th May, 2019. Punjab province also made another significant legislative development by promulgating two different acts; the one dealing with village panchayats and neighbourhood councils and the other was called as local government act.

A. Local Government

The legislation made in 2019 also kept rural urban divides intact in its Section 8. Section 9 provided for nine metropolitan corporations in the province. Metropolitan Corporation, Municipal Corporation, municipal committee, town committee and tehsil councils were provided in Section 15 of the Punjab LG Act, 2019. It is pertinent to highlight that tier of district government was abolished in this Act. Moreover, Section 19, read with the First Schedule

provides the concept of head's cabinet for running administrative affairs of local governments and such cabinet does have fifty percent or less elected members and rest of the professionals as mentioned in section 18 of the act.

B. Ideological Representation

Section 20 provided for representation and the same had to be read with second schedule. It is important to highlight that term non-Muslim or minority previously used in different legislations relating to local government was not used in the Punjab LG Act, 2019. Term religious minority was used for the first time in any local government legislation since the passage of 18th amendment to the Constitution. One to two seats for religious minorities were reserved in each local government in accordance with the population falling in that local government.

It is interesting to note that ideological representation in the Punjab LG Act, 2019 was clearly made in accordance with the population and this phenomenon might be quite interesting to observe if the population criteria for allocation of seats was in accordance with overall representation of religious minorities in the province. Method of elections for ideological representation was provided through SNTV and presumably through separate electorate lists for lower tier in the respective electoral unit. For upper tiers, members from religious minorities had to be elected through closed list PR system. It is noteworthy that filling up of reserved seats of religious minorities was for the first time linked with the vote casts by the voters than the number of elected members of a party in any election in Pakistan.

C. Descriptive Representation

Section 20 read with second schedule of Punjab LG Act, 2019 provided descriptive representation wherein the seats were reserved for peasant / worker and women. It is noteworthy

that number of seats reserved for women had been substantially decreased from the previous Act of 2013 and in comparison, with local government Acts of other provinces. Twenty percent or fewer seats have been reserved for women in this Act. However, representation for peasant / workers was roughly five percent. All such seats were envisaged to fill through closed PR list but through the direct vote.

Another Act namely Punjab Village Panchayat & Neighbourhood Councils Act, 2019 (hereinafter referred as Punjab VP&NC Act, 2019) provided only the reserved seats for women from descriptive representation and religious minority from ideological representation at the lowest tier. However, representation of women in a council varied from 25 to 50 percent keeping in view population provided in second schedule of that Act.

Electoral Formula for Representation

Electoral formula provided in the Punjab LG Act, 2019 may be said to be clearer than previous examples in Pakistan wherein closed list PR system was linked with the number of seats won by a political party. However, this Act linked filling up of reserved seats by the direct vote of the voters that is nearer to the spirit of closed list PR system. It is also noteworthy that electoral formula seemed to be favouring gradual strength of political party and political structure as Section 85 of the Act provided the concept of electoral group for contesting elections. For Elections to the Convener, TRS system of elections was provided in Chapter VI of the Punjab Local Government (Election) rules, 2020. Elections to the head of a local government were direct through FPTP.

In the Punjab VP&NC Act, 2019, Section 30 provided method of elections; however, sub section (1) stated that the elections had to be held on the basis of open list. However, the remaining sub-sections did not support the usage of term open list in theoretical sense as open list provides an

opportunity to voters to choose among different candidate of an or a few parties. In the instant case, the procedure for elections for general seats, seats reserved for religious minorities and women seemed to fill up through SNTV.

It is noteworthy that local government dispensation provided in the Punjab province was theoretically diverse in term of electoral system design where systems from all four electoral system families were proposed to be applied. FPTP, TRS, Closed List PR system, parallel system and SNTV systems were envisaged for elections to local governments.

5.2.3.3 The Punjab Local Government (Amendment) Ordinance, 2021

The Punjab Government, before conducting any election under Punjab LG Act, 2019 and Punjab VP&NC Act, 2019 changed its mind and promulgated an Ordinance on February 3, 2021 named as Punjab Local Government (Amendment) Ordinance, 2021 (hereinafter referred as Punjab LG Ordinance, 2021). The most important feature of the ordinance is that it merges both the previous legislations mentioned above into one. Another important point to mention here is that, this Ordinance does not repeal the Punjab LG Act, 2019. Local Governments in the amendment ordinance have remained the same as of the previous Acts and no substantial change has been made in this regard.

A. Ideological Representation

Section 20 has provided one seat for religious minorities in a village council or neighbourhood council however, representation for other tiers has remained the same as was provided in the Punjab LG Act, 2019.

B. Descriptive Representation

Number of seats for women in village councils or neighbourhood councils have been further decreased than the Punjab VP&NC Act, 2019 and now that has barely remained up to fifteen percent that is way short of international standards. Method of elections provided in Section 83A for village council and neighbourhood councils seems quite clear as elections to all categories of seats shall be held in accordance with SNTV if there is more than one seat that is required to be filled. In case of one vacancy, elections are envisaged to be held in accordance with FPTP system.

It is important to note that a seat for youth member has also been reserved in village and neighbourhood councils vide Section 20 of the Punjab LG Ordinance, 2021. It is also important to point out that this legislation has made a distinction between village council and panchayat and the same may be dilated at length in Chapter 7.

The representation in the previously held elections in the Punjab, especially against Women and Non-Muslim seats is as under:

Table 13: Categories of Seats in Local Government of Punjab

Category of Seats	Union Councils	District Councils	Municipal Corporation	Metropolitan Corporations	Municipal Committee	Total
Non-Muslims	3281	3281	460	274	222	7518
Peasants & Worker	3281	3281	460	274	215	7511
Women	6562	6562	920	1644	657	16345
Youth	3281	3281	460	460	182	7664
General	-	19686	2764	1644	3587	27681
Chairman / Vice Chairman	-	3281	460	274	-	4015
Total Seats	16405	39372	5520	3288	4863	70734

Total population of the province at the time of conduct of elections: 73621290 (as per 1998 Census)

Registered Voters at the time of elections: 52274014

Women Representation against Reserve Seats

With reference to total number of seats: 23.10%

With reference to population : 1 woman against 4504 population

With reference to voters : 1 woman against 3198 voters

Non-Muslims Representation against Reserve Seats

With reference to total number of seats: 10.62 %

With reference to population : 1 Non-Muslim against 9792 population

With reference to voters : 1 Non-Muslim against 6953 voters

5.2.4 Legal Frameworks for Local Government in Sindh

5.2.4.1 The Sindh Local Government Act, 2013

Province of Sindh promulgated its Sindh Local Government Act, 2013 (hereinafter referred as Sindh LG Act, 2013) on 16th September, 2013. Sindh LG Act, 2013 is the Act of local government legislation that has witnessed the least changes among the provincial legislation on the subject after passage of 18th amendment to the Constitution.

A. Local Councils

As of Balochistan and Khyber Pakhtunkhwa, Sindh province also provided for rural urban divide in their local government legislation. Rural areas comprised of union councils and district councils whereas, urban areas comprised of union committee, town committee, municipal committee, Municipal Corporation, City Municipal Corporation and Metropolitan Corporation. Ward had been declared as smallest unit in union councils or as the case may be union committee.

B. Ideological Representation

Section 18 of Sindh LG Act, 2013 provides that there shall be a seat reserved for non-Muslims in each union council and union committee, whereas, there shall be 5 percent seats for non-Muslims in district municipal corporation, district council, town committee, municipal committee and metropolitan corporation.

C. Descriptive Formula

Sindh province, like that of Khyber Pakhtunkhwa and Punjab, has provided representation to women, peasant / workers and youth besides allocating some general seats in each council. At the lowest tier of union council and union committee, four seats for general members have been allocated whereas, two seats for women members one for labourer or peasant and one for youth have been reserved in each union council and union committee. It is worth mentioning that Sindh province has provided the highest percentage of female representation in a council in comparison to general seats and that is 50 percent. Moreover, election to women seats in union councils and union committee was initially proposed through block vote (BV) whereas all other elections had to be held through FPTP as per law. However, SNTV and Closed List PR system have been

introduced later for such elections. Representation of Women in all other councils in Sindh province is 33 percent to general seats that is also beyond the minimum criteria of 30 percent. Representation for peasant / labourers and youth members has been reserved five percent of the general seats in each council.

D. Electoral Formula for Representation

For elections to the general seats against the wards, FPTP has been observed as the electoral system for conduct of elections. However, elections shall be held through closed list PR system for the purpose of reserved seats in council. It is important to highlight that Sindh is the only province in Pakistan that had ever introduced the idea of block vote for conduct of elections although the same could not be materialized. SNTV, STV, FPTP and closed PR list have earlier been used in Pakistan for conduct of different tier of elections. Representation for different tiers during last elections held in Sindh is given below:

Table 14: Categories of Seats in Local Government of Sindh

Category of Seats	Union Councils	District Councils	Municipal Corporations	Metropolitan Corporations	Municipal Committees	Union Committees	Town Committee	Total
Non-Muslims	1175	58	19	10	40	351	148	1801
Peasants & Worker	1175	58	19	10	40	351	148	1801
Women	2350	389	116	69	201	702	332	4159
Youth	1175	58	19	10	40	351	148	1801
General	4700	1175	351	209	605	1404	984	9428
Chairman / Vice Chairman	2350	48	18	2	72	702	296	3488

Total Seats	12925	1786	542	310	998	3861	2056	22478
-------------	-------	------	-----	-----	-----	------	------	-------

Total population of the province at the time of conduct of elections: 30439893 (as per 1998 Census)

Registered Voters at the time of elections:

19685940

Women Representation against Reserve Seats

With reference to total number of seats: 18.5%

With reference to population : 1 woman against 7319 population

With reference to voters : 1 woman against 4733 voters

Non-Muslims Representation against Reserve Seats

With reference to total number of seats: 8.01 %

With reference to population : 1 Non-Muslim against 16901 population

With reference to voters : 1 Non-Muslim against 10930 voters

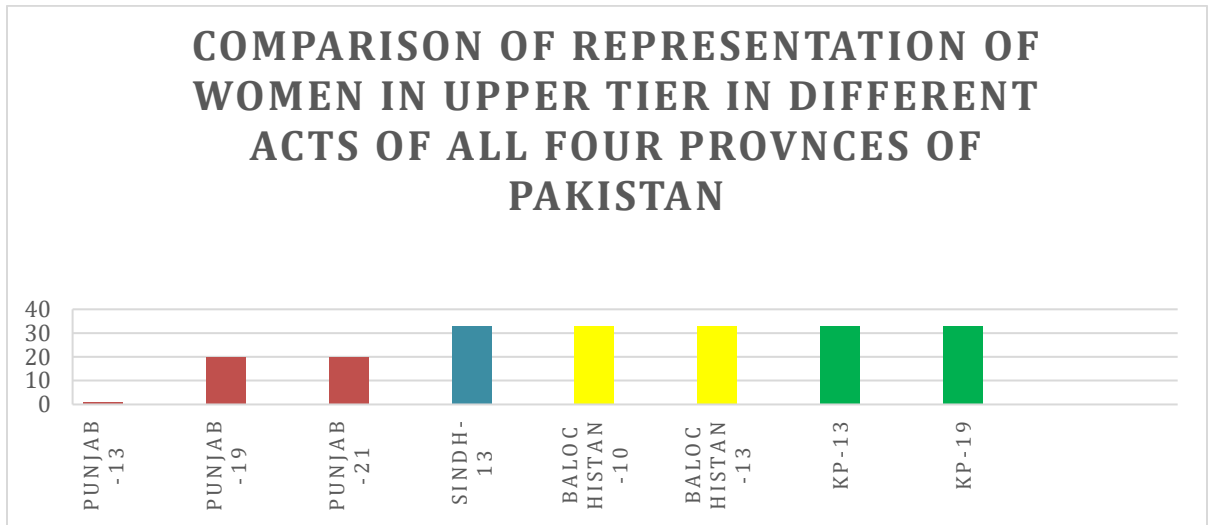
5.3 Comparative Analysis of Ideological and Descriptive Representations in Provincial Local Government Elections.

I) Descriptive representation relating to women

This analysis might be helpful to draw comparisons among legislation of local governments apropos of representation. The graph below explains position of women in upper tier.

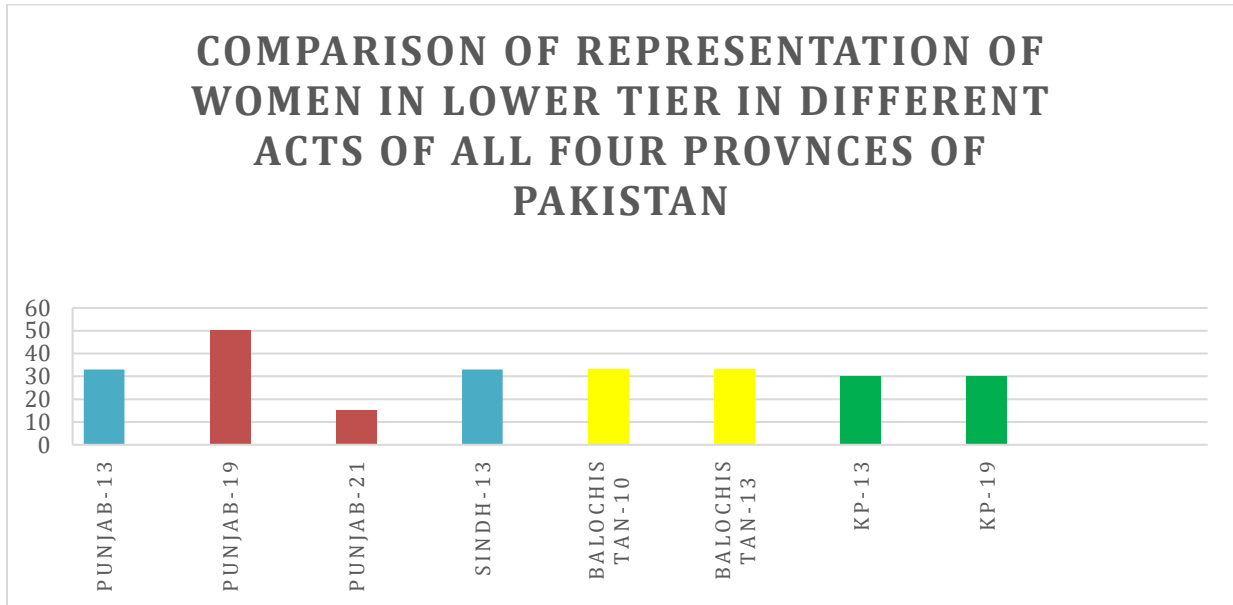
- a) The graph shows that women representation in local government institutions for the upper tier in three provinces is more than thirty percent, international standard threshold, but the Punjab province should consider about its legislation for enhancing women representation in upper tier.

Figure 6: Comparison of Representation of Women in Upper Tier



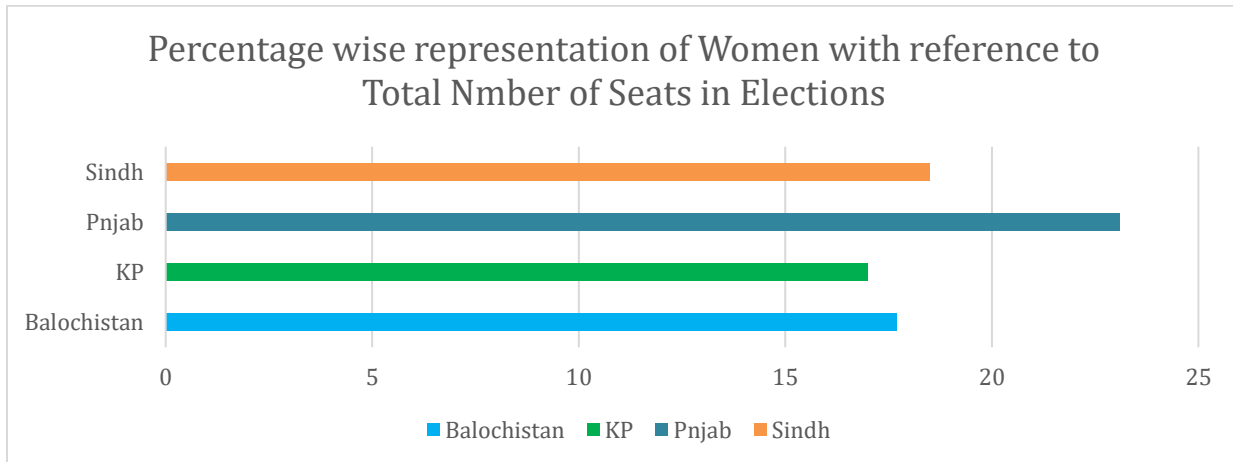
- b) The graph below shows that women representation in local government institutions for the lower tier in three provinces is thirty percent or more. The Punjab village panchayats and neighbourhood councils Acts, 2019 provided almost fifty percent representation to women that has been drastically reduced to less than twenty percent that is too less in comparison with other provinces.

Figure 7: Comparison of Representation of Women in Lower Tier



c) Women seats percentage to total seats is the most in the Punjab province and the least in Khyber Pakhtunkhwa province.

Figure 8: Percentage representation of Women against total Seats



d) Representation of women against population and votes

The graphs below show that Balochistan province has provided maximum representation to women in comparison to total population and voters whereas; Sindh province has provided least representation to women in this regard.

Figure 9: Representation of Women against total Population

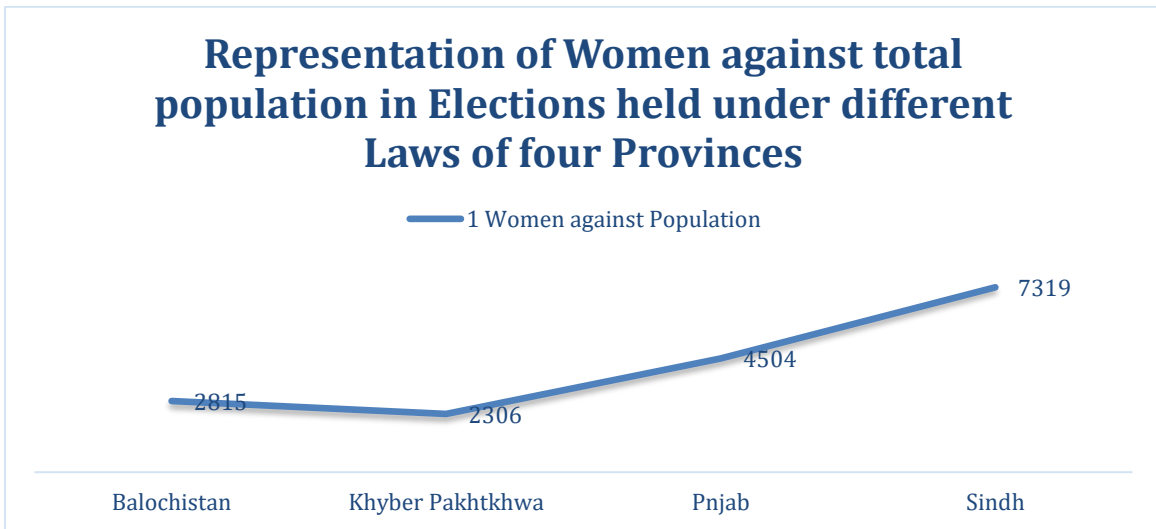
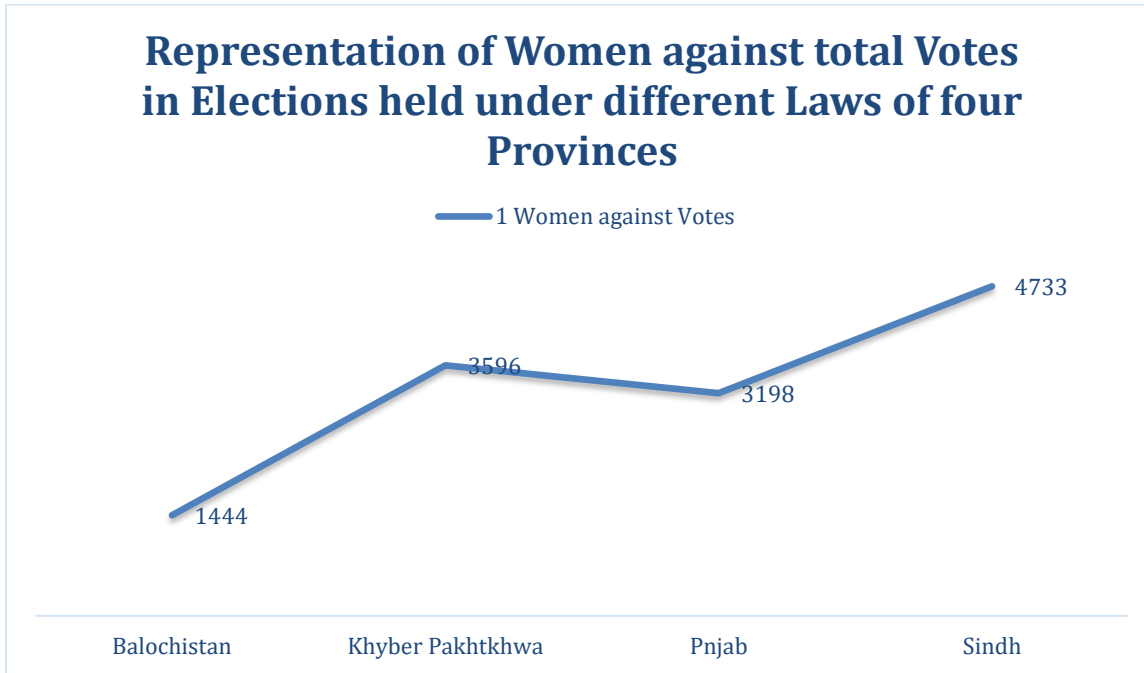


Figure 10: Representation of Women against total Votes



II) Ideological Representation (Non- Muslim seats)

Ideological representation in both the tiers of local governments in all provinces is almost equal. Moreover, five percent reserved seats for non-Muslims correspond to non-Muslim population in the country as per census figures of 2017 census where non- Muslim population has been shown less than four percent. Apart from religious representation, no other ideological representation is provided in provincial local governments.

Figure 11: Representation of Non-Muslims in Upper Tier

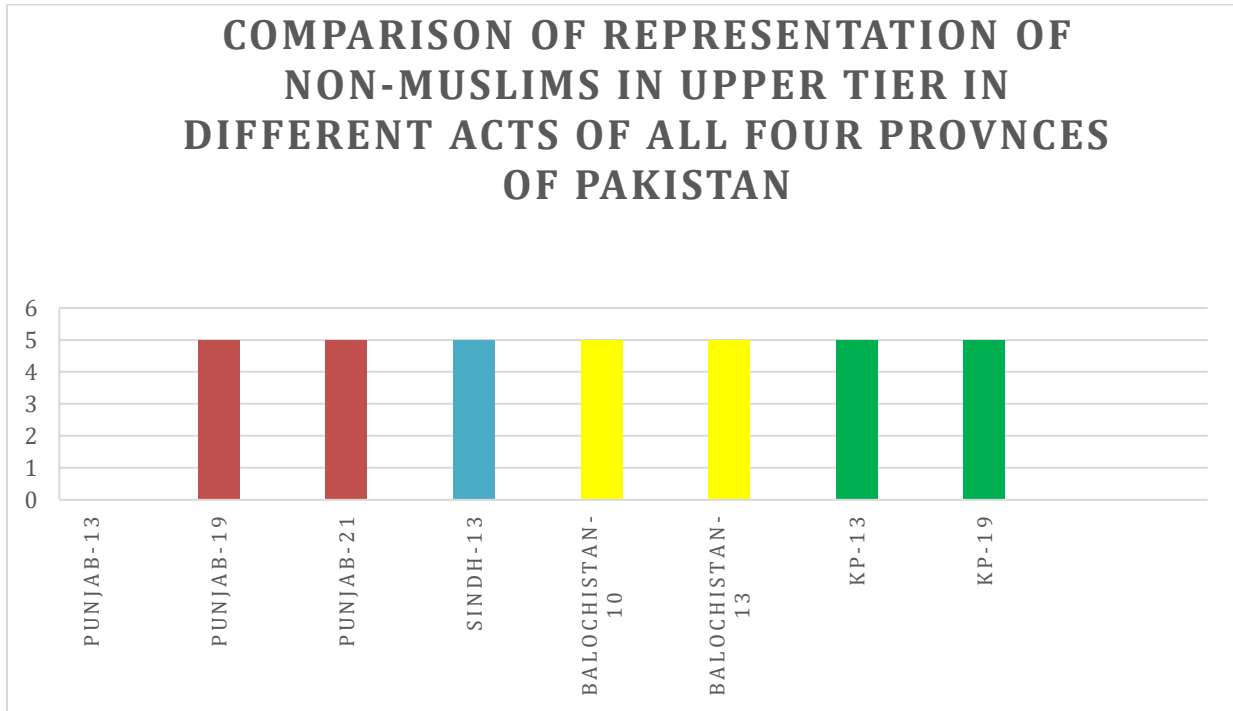


Figure 12: Representation of Non-Muslims in Lower Tier

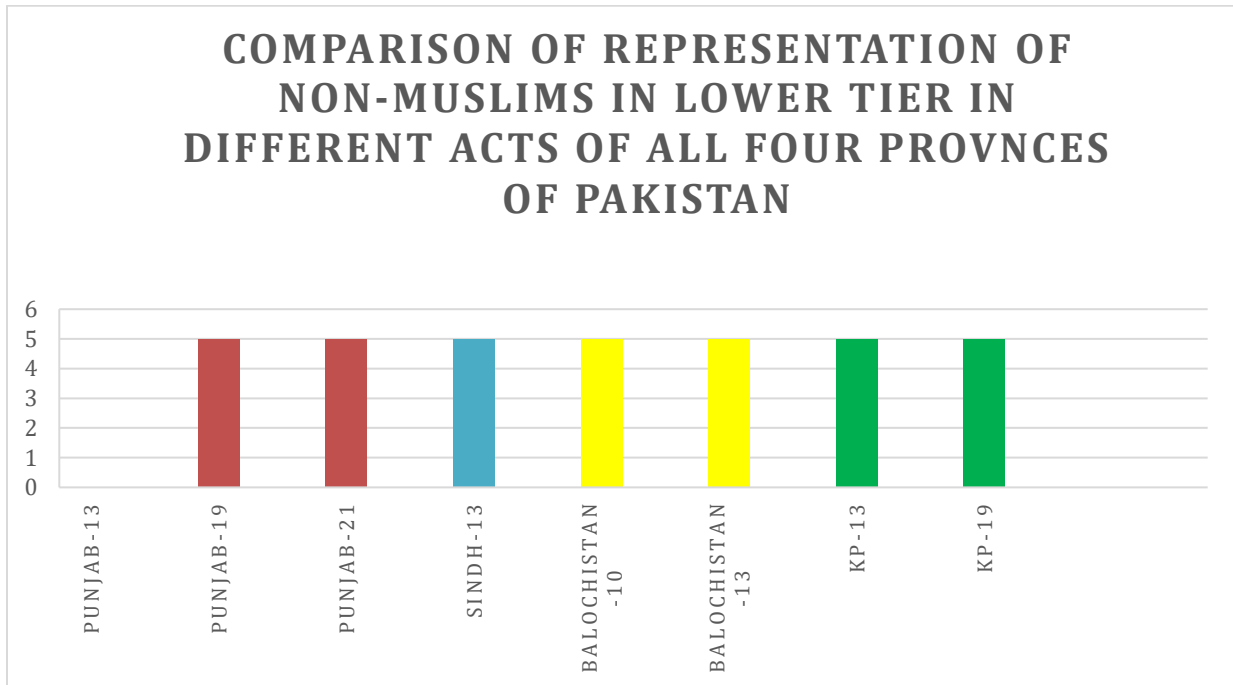


Figure 13: Representation of Non-Muslims against total population

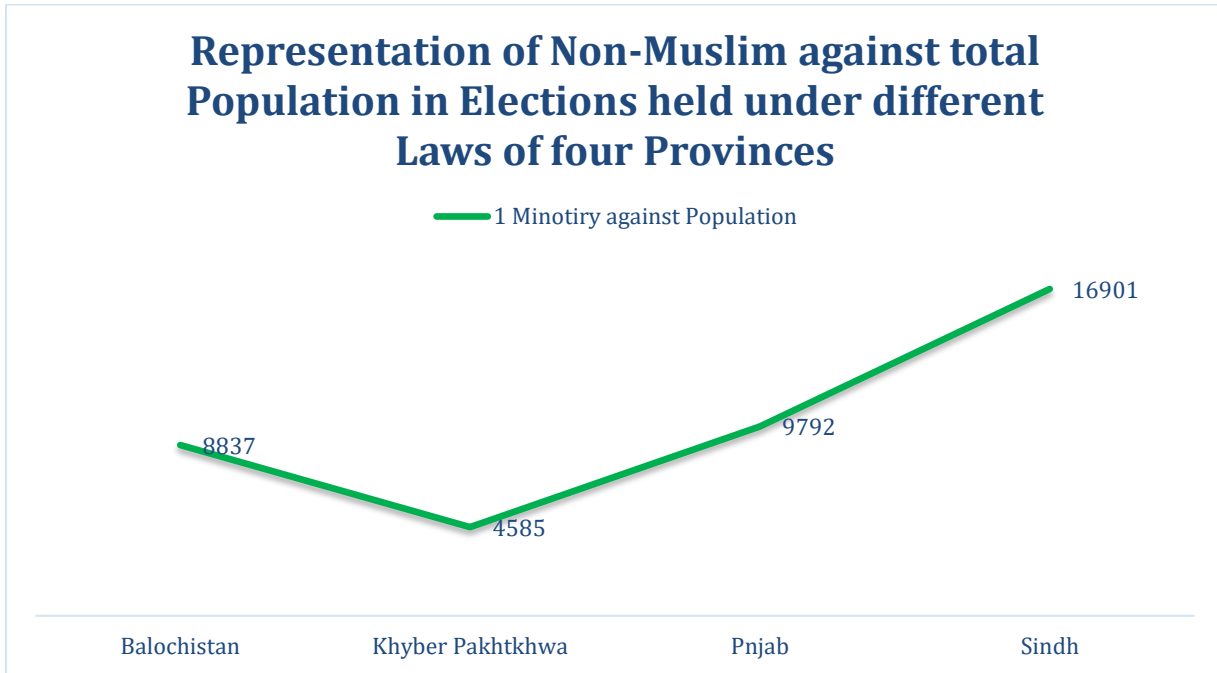


Figure 14: Representation of Non-Muslims against total Votes

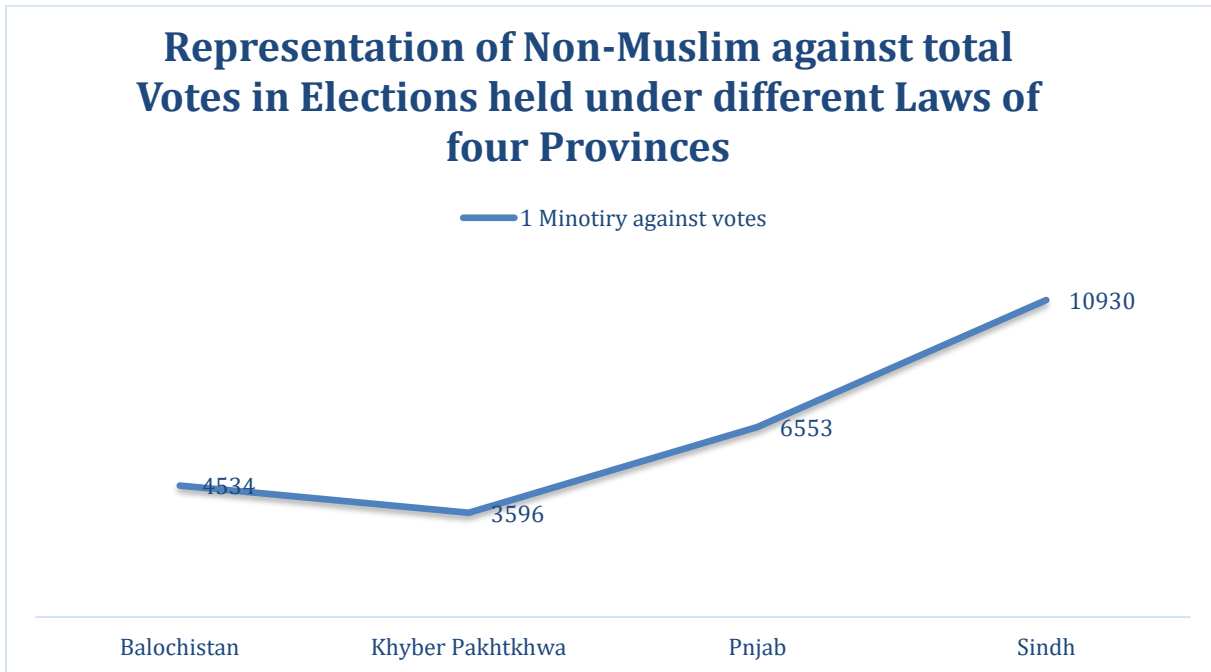
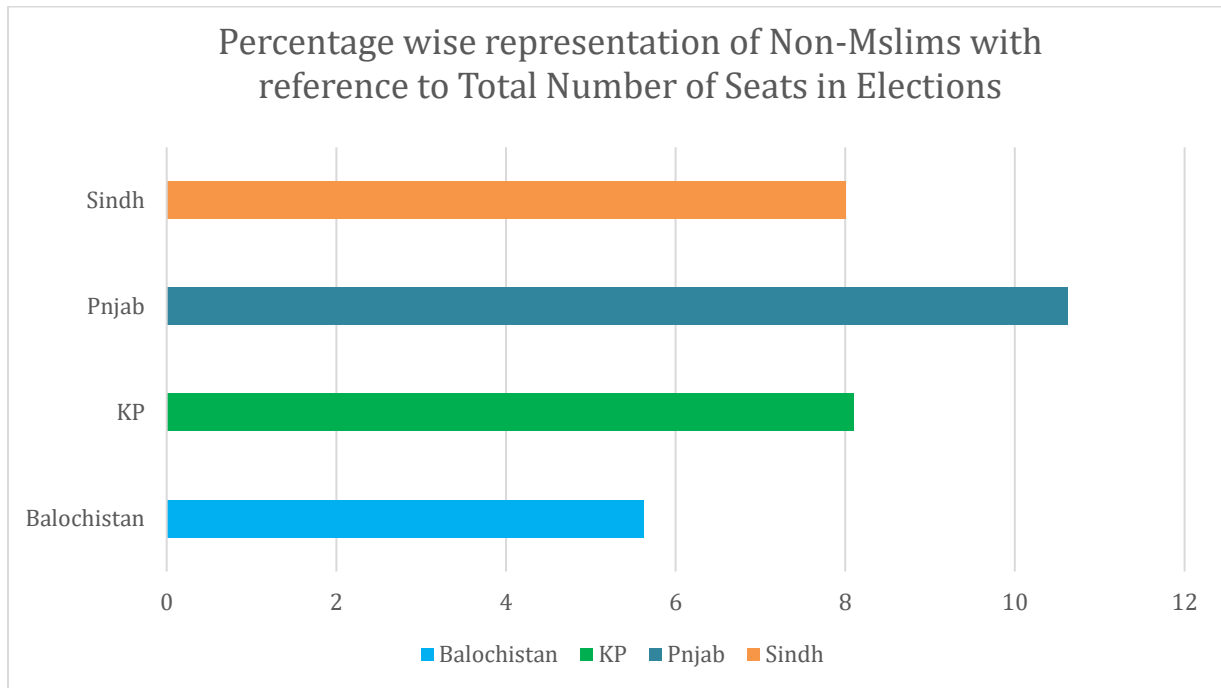


Figure 15: Representation of Non-Muslims against total Number of Seats



A comparison of provincial local government legislation shows that women representation in the upper tier of local government in the Punjab has increased substantially in the current legislation from local government legislation of 2013. However, that representation is yet less than all other provinces and international standard of thirty percent. However, women representation in lower tier of the Punjab was the highest among provinces in legislation of 2019 that has been decreased to all other provinces in the ordinance promulgated in 2021. Balochistan province has reserved the least number of seats for women whereas; Sindh province has reserved the highest number of seats in comparison with total number of seats. Punjab province should consider of increasing women representation in local government institutions.

All provinces have reserved almost identical percentage of seats for non-Muslims in upper, as well as, lower tier of local government. However, Sindh province needs to reconsider their policy in comparison to non-Muslim population residing in the province.

Chapter No 6. Assessment of Ballot Paper structure provided in local government legal framework of provinces

6.1 Introduction

At the outset, it would be appropriate to cite importance of assessment of ballot paper structure in examination of electoral system design. Voter is the protagonist in the electoral activity who decides for polity and governance through political elites by way of his vote. There are two pertinent questions to address in this regard and that are:

- i) What choices are available with the voter on ballot paper while casting his vote?
- ii) As to whether ballot paper structure is easy for voter to comprehend and mark his choice or choices?

The above questions unlock a plethora of avenues as response to those questions is not limited to structural adjustment in design. Rather, it more relates to the electoral choices and indigenous political realities that a nation is grappling with. In a country where individual get a definite position for contesting elections would essentially be different from a country where political party get better chances to be elected and all such choices are reflected in the ballot paper.

Literacy and information about electoral system also play important role in deciding the ballot paper structure and electoral system design. It may also be said that structure of the ballot paper should be finalized in the backdrop of local adaptations, requirements and adjustments. Last but not the least; historical political growth of a country may also be traced through its selection of ballot paper design to some extent. In Pakistan, provinces, while promulgating their local government legislation might have considered their electoral needs, administrative agility and desired outcome while proposing or finalizing their ballot paper structure.

6.2 Assessment of Ballot Paper Design of Balochistan

Both the Balochistan Local Government Acts, 2013 and 2019 provide the concept of electoral system and method of elections for different seats and contour of the ballot paper design has been provided in Chapter No. 2, 3 and 4 of the Act, albeit the fact that even the term ‘ballot paper’ has not been defined in definition section.

Balochistan Local Government (Election Rules), 2013 deal with ballot paper structure. Its Rule, 23 provides a list of symbols that may be allocated to the contesting candidate by the Returning Officers in the direct elections. Rule 33 has provided the shape of ballot paper and that shape has been reflected in Form-12 of the Rules. Shape of ballot paper seems quite simple and a voter has to mark against the election symbol of a contesting candidate. It is worth mentioning that Form-12 does not seem to be exactly in accordance with Rule 34 (5) (b) that gives the concept of providing the name of contesting candidate as well as his election symbol.

Figure 16: Ballot Paper Form XII

FORM-XII
(see rule 33)
BALLOT PAPER

COUNTERFOIL	BALLOT PAPER
<u>Name of Local Council</u> <u>No. and Name of Ward</u> Serial No. of Voter in electoral roll _____ Thumb impression of voter Signature of Presiding Officer	Name of Local Council Symbols of Candidates

From the above, it may be deduced that for the purpose of direct elections in Balochistan province, individual candidature is more important than party nomination. Voters have to choose

from amongst the candidates and not from amongst the political parties notwithstanding the fact that political parties may allocate their election symbols to contesting candidates in a constituency.

For elections to the reserved seats, Rule 55 guides about the ballot paper and it states that shape of ballot paper for elections shall be as provided in Form-XXI. It is noteworthy that Form- XXI falls short of providing complete picture. The portion of ballot paper shows name of local council and type of special interest but it does not provide if names or election symbols of the candidates would be printed on that space or the space shall be left blank for writing preference by the voters. Another important aspect is to be noted that Rule 53 provides for referring to clause (a) to (e) of sub-rule (1) and sub-rule (2) of Rule 23 with reference to an election against the reserved seats. Rules 23 (2) provides a list of election symbols meaning thereby ballot paper for the reserved seats should have symbol on it.

Figure 17: Ballot Paper Form XXIV

FORM-XXIV
{ see rule 63(3) }
BALLOT PAPER

COUNTERFOIL	S. No.	Name of Candidate	Cross mark
Serial No.	1		
Election of Chairman/ Vice Chairman	2		
Local Council	3		
Name of the Member	4		
Signature or thumb impression of the member	Initial of the Presiding Officer		

The third ballot paper that is provided in the rules relates to the elections of chairman/ vice chairman, mayor / deputy mayor and Rule 63 (4) provides that such shape of ballot paper may be perused at Form-XXIV. Voting procedure here is neither through a stamp nor writing the name or preference on ballot paper but by marking a cross against the name to which the voter wants or intends to vote.

Regardless of procedural issues with regard to ballot papers, it can for sure be said that assessment of ballot paper structure provided in the legal dispensation of Balochistan apropos of local governments favours contesting candidates even at the cost of political parties. Another important aspect is to be noted here that political parties are in the electoral fray but with no exceptional advantage in polling through the structure of electoral system. Lastly, structure of ballot paper seems fairly easy for voters.

6.3 Assessment of Ballot Paper Design of Khyber Pakhtunkhwa

Chapter II, Section 24 and Section 27 of the Khyber Pakhtunkhwa LG Acts, 2013 and 2019 may be helpful to develop some concept relating to structure of ballot paper along with chapter XIV of the Acts. However, the Acts fall short of providing any concrete concept relating to ballot paper's structure.

Term ballot paper was defined in section (2) of the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2014 as Form X had been provided in the rules. It is important to highlight that Form X had not only provided shape but also the colour of ballot paper for each category. Voters had to mark just against the symbols and non-availability of names of the candidates on ballot paper made the process a bit complicated. Moreover, ballot papers shown below clearly illustrate that a voter had to cast a lot many votes and much of them were just

bearing symbols that made the process a bit cumbersome for voters. Last but not the least; Form X decreased the discretion of Electoral Management Body (EMB) that was Election Commission of Pakistan (ECP) in the case in ballot paper design.

Figure 18: Ballot Paper for general seats in district council

Form –X
BALLOT PAPER FOR GENERAL SEATS IN DISTRICT COUNCIL

Number and Name of Ward in Tehsil/Town Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 200px; height: 30px; margin: auto;"></div>	Number & Name of Ward <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">انتخابی نشان</th> <th style="width: 50%;">نام</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	انتخابی نشان	نام																		
انتخابی نشان	نام																				

Orange

Figure 19: Ballot Paper for general seats in village council

Form - X
[See rule 33]
BALLOT PAPER FOR GENERAL SEATS IN VILLAGE COUNCIL/ NEIGHBOURHOOD COUNCIL

Name of Village Council/ Neighbourhood Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 200px; height: 30px; margin: auto;"></div>	Name of Village Council/ Neighbourhood Council <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">انتخابی نشان</th> <th style="width: 50%;">نام</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	انتخابی نشان	نام																		
انتخابی نشان	نام																				

White

Figure 20: Ballot Paper for reserved seats for Women in village council

BALLOT PAPER FOR RESERVED SEATS (WOMEN) IN VILLAGE COUNCIL/ NEIGHBOURHOOD COUNCIL

Name of Village Council/ Neighbourhood Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	Name of Village Council/ Neighbourhood Council <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">انتخابی نشان</td> <td style="width: 50%; text-align: center;">نام</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	انتخابی نشان	نام																				
انتخابی نشان	نام																						

Figure 21: Ballot Paper for peasants/workers seats in village council

BALLOT PAPER FOR RESERVED SEATS (PEASANTS & WORKERS) IN VILLAGE COUNCIL/ NEIGHBOURHOOD COUNCIL

Name of Village Council/ Neighbourhood Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	Name of Village Council/ Neighbourhood Council <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">انتخابی نشان</td> <td style="width: 50%; text-align: center;">نام</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	انتخابی نشان	نام																				
انتخابی نشان	نام																						

Figure 22: Ballot Paper for non-Muslim seats in village council

FORM-X
**BALLOT PAPER FOR RESERVED SEATS (NON-MUSLIMS) IN VILLAGE COUNCIL/
NEIGHBOURHOOD COUNCIL**

Name of Village Council/ Neighbourhood Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	Name of Village Council/ Neighbourhood Council <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">انتخابی نشان</td> <td style="width: 50%; text-align: center;">نام</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	انتخابی نشان	نام																				
انتخابی نشان	نام																						

Figure 23: Ballot Paper for youth seats in village council

**BALLOT PAPER FOR RESERVED SEATS (YOUTH) IN VILLAGE COUNCIL/ NEIGHBOURHOOD
COUNCIL**

Name of Village Council/ Neighbourhood Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <p style="text-align: center;">THUMB IMPRESSION OF THE ELECTOR</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	Name of Village Council/ Neighbourhood Council <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">انتخابی نشان</td> <td style="width: 50%; text-align: center;">نام</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	انتخابی نشان	نام																				
انتخابی نشان	نام																						

Figure 24: Ballot Paper for general seats in Tehsil Council

BALLOT PAPER FOR GENERAL SEATS IN TEHSIL/ TOWN COUNCIL

Number and Name of Ward in Tehsil/Town Council Serial Number Number of NIC of the elector Serial number of elector on electoral roll Part of electoral roll Name of electoral area <div style="text-align: center; margin-top: 20px;"> THUMB IMPRESSION OF THE ELECTOR <input style="width: 150px; height: 40px;" type="text"/> </div>	Number & Name of Ward <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">انتخابی نشان</td> <td style="width: 50%; text-align: center;">نام</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	انتخابی نشان	نام																				
انتخابی نشان	نام																						

It is important to note that ballot papers for the tiers of village and neighbourhood encouraged individual candidates as albeit political parties could provide tacit support to candidates, the scheme of such elections was based on non-party elections. Elections to the upper tiers were party based where system of voting was FPTP and closed list PR system that supported party-based elections at the upper tier.

The Province of Khyber Pakhtunkhwa promulgated the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2021 on 2nd April, 2021. Rule 3 of the rules has provided discretion to ECP in finalization the design of ballot paper however; rule 34 takes away that discretion by specifying shape of ballot papers. Rule 39(8) has suggested that the ballot paper shall either have name or symbol allocated to the candidate. There seem to be some confusion about the procedure of election to the reserved seats for the upper tier of tehsil or town due to the reason that such reserved seats have to been filled in by the proportion of seats taken by a

political party from the village/neighbourhood councils falling within tehsil or town. However, it has not been explicitly illustrated if elections to village and neighbourhood councils shall be party based or non-party based.

A voter has to cast five votes for lower tier and one vote for upper tier. Ballot paper for lower tier, as provided in Form XIIA, shows only symbols. For upper tier, name and symbol are printed on ballot paper, Form XII. It is noteworthy that the same too creates a confusion when read with Rule 39(8). Structure of ballot papers is given below:

Figure 25: Ballot Paper for Chairman Tehsil Council

FORM-XII
[see rule 34(1)]
BALLOT PAPER
(Chairman Tehsil Council/Mayor City Council)

<p>(Number and name of Council)</p> <p>Serial No.....</p> <table border="1" style="width: 100%; height: 15px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> <p>National Identity Card No. of the voter</p> <p>Serial no. of voter on electoral roll</p> <p>Part of electoral roll.....</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Male</td> <td style="width: 50%; text-align: center;">Female</td> </tr> </table> <p>Name of electoral area.....</p> <p>Census Block Code.....</p> <p>Thumb impression of the voter</p> <p>Signature of Presiding Officer</p> <p>Official Stamp.....</p>																	Male	Female	<p>(Number and name of Council)</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Name</td> <td style="width: 40%;">Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> <tr> <td>Name</td> <td>Symbol</td> </tr> </table>	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol	Name	Symbol
Male	Female																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				
Name	Symbol																																				

WHITE

Figure 26: Ballot Paper for general seat village council

FORM-XII(A)
[see rule 34(1)]
BALLOT PAPER
(General Seat Village/Neighbourhood Council)

(Number and name of Council)	(Number and name of Council)																
.....																	
Serial No.....																	
<table border="1" style="width: 100%; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table>																Symbol	Symbol
National Identity Card No. of the voter																	
Serial no. of voter on electoral roll	Symbol	Symbol															
.....																	
Part of electoral roll.....	Symbol	Symbol															
	Symbol	Symbol															
<table border="1" style="width: 100%;"><tr><td style="width: 50%; text-align: center;">Male</td><td style="width: 50%; text-align: center;">Female</td></tr></table>	Male	Female															
Male	Female																
Name of electoral area.....																	
Census Block Code.....	Symbol	Symbol															
Thumb impression of the voter	<i>Light grey</i>																
.....																	
Signature of Presiding Officer	Symbol	Symbol															
.....																	
Official Stamp.....	Symbol	Symbol															

Figure 27: Ballot Paper for Women Seat Village

FORM-XII(B)
[see rule 34(1)]
BALLOT PAPER
(Women Seat Village/Neighbourhood Council)

(Number and name of Council)	(Number and name of Council)																
.....																	
Serial No.....																	
<table border="1" style="width: 100%; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table>																Symbol	Symbol
National Identity Card No. of the voter																	
Serial no. of voter on electoral roll	Symbol	Symbol															
.....																	
Part of electoral roll.....	Symbol	Symbol															
	Symbol	Symbol															
<table border="1" style="width: 100%;"><tr><td style="width: 50%; text-align: center;">Male</td><td style="width: 50%; text-align: center;">Female</td></tr></table>	Male	Female															
Male	Female																
Name of electoral area.....																	
Census Block Code.....	Symbol	Symbol															
Thumb impression of the voter	<i>Pink</i>																
.....																	
Signature of Presiding Officer	Symbol	Symbol															
.....																	
Official Stamp.....	Symbol	Symbol															

Figure 28: Ballot Paper for Workers seat village council

FORM-XII(C)
[see rule 34(1)]
BALLOT PAPER
(Peasant/Worker Seat Village Council/Neighbourhood Council)

(Number and name of Council) (Number and name of Council)

.....
Serial No.....

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Symbol Symbol

National Identity Card No. of the voter
Serial no. of voter on electoral roll
..... Symbol Symbol

Part of electoral roll..... Symbol Symbol

Male	Female
------	--------

Name of electoral area..... Symbol Symbol

Census Block Code..... Symbol Symbol

Thumb impression of the voter Light Green

.....

Signature of Presiding Officer Symbol Symbol

.....

Official Stamp..... Symbol Symbol

Figure 29: Ballot Paper for youth seat in village council

FORM-XII(D)
[see rule 34(1)]
BALLOT PAPER
(Youth Seat Village Council/Neighbourhood Council)

(Number and name of Council) (Number and name of Council)

.....
Serial No.....

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Symbol Symbol

National Identity Card No. of the voter
Serial no. of voter on electoral roll
..... Symbol Symbol

Part of electoral roll..... Symbol Symbol

Male	Female
------	--------

Name of electoral area..... Symbol Symbol

Census Block Code..... Symbol Symbol

Thumb impression of the voter Yellow

.....

Signature of Presiding Officer Symbol Symbol

.....

Official Stamp..... Symbol Symbol

Figure 30: Ballot Paper for minority seat village council

FORM-XII(E)
[see rule 34(1)]
BALLOT PAPER

(Minority Seat Village Council/Neighbourhood Council)

(Number and name of Council)	(Number and name of Council)																					
.....																						
Serial No.....																						
<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>																					Symbol	Symbol
National Identity Card No. of the voter																						
Serial no. of voter on electoral roll																						
.....																						
Part of electoral roll.....	Symbol	Symbol																				
.....																						
Male <input type="checkbox"/> Female <input type="checkbox"/>																						
Name of electoral area.....																						
Census Block Code.....																						
Thumb impression of the voter	Symbol	Symbol																				
<i>Brown</i>																						
.....																						
Signature of Presiding Officer																						
.....																						
Official Stamp.....																						
	Symbol	Symbol																				

It may be said that although structure of ballot paper for local government elections is fairly easy but voting process for a voter is somewhat difficult. A voter has to cast a good few votes at a time. They may remain unable to know the name of candidates. However, by and large, the system supports individual candidates at lower tier and party candidates at upper tier of local governments in Khyber Pakhtunkhwa province.

6.4 Assessment of Ballot Paper Design of the Punjab

Chapter II to V of the Punjab Local Government Act, 2013 provided some sketch of ballot paper on the basis of electoral system provided thereat. However, term ballot paper was neither used nor provided in its true sense in the act. Rule (2) of the Punjab Local Government (Conduct of Elections) Rules, 2013 defined ballot paper as something left at the discretion of ECP. Rule 29

had provided that ballot paper for direct elections to the lower tier of local governments did have both name and symbol but as per Rule 30(5) the voter had to mark his choice against the symbol. Rule 44 & 51 further provided that for elections to the reserved seats and Mayor/Deputy Mayor, Chairman/Vice Chairman structure of ballot paper had to be decided by ECP but each did have to bear names and symbols of candidates.

Local government dispensation introduced in 2013 left the shape of ballot paper at the discretion of ECP but ECP had to ensure both name and symbol of the contesting candidates meaning thereby, such ballot paper were more voter friendly than KPK province. Voters had marked his choice once on a ballot paper that is also regarded as a simple method of voting for voters.

Chapter IV, V, XIV and XV of the Punjab Local Government Act, 2019 provided contours of the electoral system and it was clearly elaborated that FPTP and Closed list PR systems had to be used for conduct of elections to the general and reserved seats except for non-Muslim seats that had to be filled through non-Muslim voters. Term ballot paper was left for the rules framed under the act. Section 2 of the Punjab Local Government (Election) Rules, 2020 left the shape of ballot paper at the discretion of ECP. However, rule 27 stated that form of ballot paper had to be as provided in Form XVI. Rule 36(6) informed that a voter had to mark election symbol on ballot paper of the electoral group to whom he/she intended to vote. Chapter VI of the Rules provided that elections to the post of convener were to be held through secret ballot as designed by ECP. TRS electoral system had to be followed in order to ascertain absolute majority. Form XVI provided that ballot paper would have to bear names of electoral groups and elections symbols as given below:

Figure 31: Ballot Paper-Form XVI

FORM-XVI
[see rule 27]
BALLOT PAPER

CATEGORY OF SEAT _____	(No. and Name of Local Government	
(No. and Name of Local Government	
.....	Tehsil..... District.....	
Tehsil..... District.....		
Serial No.	Name of Political Party/	Symbol
National Identity Card No. of the voter	Electoral Group	
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	Name of Political Party/	Symbol
Serial No. of voter on electoral roll.....	Electoral Group	
Part of electoral roll.....	Name of Political Party/	Symbol
<input type="text"/> Male <input type="text"/> Female <input type="text"/>		
Name of electoral area.....	Electoral Group	
Thumb impression of the voter.....	Name of Political Party/	Symbol
Signature of Presiding Officer.....	Electoral Group	
Official Stamp.....		

The Punjab Local Government (amendment) Ordinance, 2021 has not made significant changes with regard to ballot paper structure. The important aspects to note are that rules under the ordinance have yet to be promulgated by the province. Moreover, two more ballot papers for a voter in village and neighbourhood council (chairman/vice chairman, youth) have been introduced making process of voting a bit lengthy.

It is important to note that ballot structure at lower tier promotes individual candidature whereas, for upper tier for party candidature. Hence, the system seems fairly balanced for individual candidature and party candidature. Ballot paper structure is relatively simple and comprehensible with an exception of more ballots are required to be cast at lower tier. Last but not the least; legal dispensation in vogue in the Punjab Province is an excellent case to study how a simple ballot paper may manifest different electoral systems and election results. FPTP, SNTV, Closed List

PR and parallel systems are operative in this dispensation though a voter has to cast a simple ballot bearing name and symbol of the candidates.

6.5 Assessment of Ballot Paper Design of Sindh

Chapter III and V provide contours of the electoral system in the Sindh province however like other provinces, definition or structure of ballot paper has not been provided in the act and the same is available in the rules framed thereunder. Sindh Local Councils (Election) Rules, 2015 also deals the issue of ballot paper structure in succinct. Rule 24 (2) informs that format of ballot paper would be as per form VI provided in Rule 11 of Representation of the people (conduct of election) Rules, 1977. Notwithstanding the fact the referred rules have been repealed but the structure envisaged for conduct of local government elections in Sindh is given below that provides name and symbol of the candidate contesting direct elections.

Figure 32: Ballot Paper form-VI

FORM-VI
[see rule 11(1)]
BALLOT PAPER

No. and name of Constituency	No. and name of Constituency
Serial No. Number of NIC of the elector	Name Symbol.
Serial number of elector on electoral roll.....	Name Symbol.
Part of electoral roll..... Name of electoral area.....	Name Symbol. Name Symbol.
Thumb impression of the elector.....	

Rule 34(5) further provides the concept that ballot paper must have the column of symbol where a voter has to mark his choice. For conduct of indirect elections to the reserved seats and mayor/deputy mayor and chairman/vice chairman, rule 54 and 55A provide concept of secret ballot but structure of ballot paper has not been elaborated. However, it is pertinent to mention that that section 18 of the Sindh Local Government Act,2013 (as amended) provides for Closed List PR system for elections to the reserved seats and the act prevails the rules in case of any confusion.

It may be said that ballot paper structure in Sindh Local Government dispensation is sketchy and falls short of providing complete structure however, the proposed shape of ballot paper carries both the name and symbol for facility of voters. The process of voting is relatively easy. Votes usually translate into FPTP, Closed List PR and SNTV in Sindh local governments and structure of ballot paper has been left at complete discretion of the Election Commission.

6.6 An evaluation of Ballot Paper Design provided in provincial local government

legislation

Evaluation of ballot paper design provided in the legislation of provinces relating to local governments may be made on the following parameters in tabulated form:

- i) Shape of ballot paper (name or symbol, both name and symbol)
- ii) Voting process (simple, fair or complicated)
- iii) Voting process promotes (individual candidature, party candidature)
- iv) Translation of votes into seats through (name(s) of electoral systems)
- v) Discretion of EMB in ballot paper structure and format (little, fair, much)

Lower tier (legislation in vogue)

Table 15: Lower Tier Legislation

Province	Shape of ballot paper	Voting process	Voting process promotes candidature	Translation of votes into seats through	Discretion of EMB in structure and format
Balochistan	symbol	simple	Individual	FPTP, SNTV	little
KPK	symbol	complicated	Individual	FPTP, SNTV	little
Punjab	Not clear	complicated	Individual	FPTP, SNTV	much
Sindh	Name & symbol	simple	Individual	FPTP, Closed List PR (parallel)	Fair

Upper tier (legislation in vogue)

Table 16: Upper Tier legislation

Province	Shape of ballot paper	Voting process	Voting process promotes candidature	Translation of votes into seats through	Discretion of EMB in ballot paper structure and format
Balochistan	Mark against the name	simple	Individual	FPTP, SNTV	little
KPK	Name & symbol	simple	Party	FPTP, Closed list PR (parallel)	little

Punjab	Name & symbol	simple	Party	FPTP, Closed list PR (parallel), TRS	little
Sindh	Not clear	Simple	Party	FPTP, Closed list PR (parallel)	Fair

The table given above show that ballot paper structure in the Punjab and Khyber Pakhtunkhwa provinces is somewhat complicated for voters to other provinces. All provinces have provided the shape of ballot paper in their lower tier legislation that promotes individual candidature in elections. However, except Balochistan province, rest of the provinces promote party candidature through their ballot paper structure. Last but not the least, Sindh province envisages a fair role of the Election Commission of Pakistan in finalizing the shape of ballot paper.

Chapter No 7. Assessment of Geographical Representation provided in Provincial local government legislation

7.1 Introduction

Hitherto concept of representation has been dilated at length apropos of population or votes resulting into seats besides, allocation of seats for ensuring representation of different segments. Hence, it can be said that apportionment or synchronization of people in electoral system design has been discussed independently. In this chapter, an effort has been made to study the phenomenon of representation in the backdrop of geographical realities.

Proportional representation system ensures representation of elected members in proportion to their popular vote. The system, therefore, prima facie seems to be tilted toward urbanization where there is more population consideration, literacy, financial and social resources. This system does not seem to be supportive for backward rural areas, treacherous hilly terrains with sporadic population, concentration of a tribe in a particular area and geographical limitation for the population density.

First past the post system (FPTP) takes into account geographical consideration. Delimitation, apportionment of land and people, is the characteristic feature of this system. Regardless of the fact that what electoral system a country adopts; federal states usually take into account geographical representation in national legislation.

Pakistan, since its inception, has implemented the electoral system for general elections and local government elections mostly based upon FPTP. The country might have some reasons to follow this system like:

- i. Colonial legacy of the British Empire.
- ii. Federal structure of the country with a number of ethnic tribes and lingual diversities.
- iii. Local concepts about governance and social delivery.
- iv. Conventional approach and little research relating to pros and cons of application of electoral systems.

Electoral systems currently in vogue in the provinces seem to be an effort for departure from conventional love for FPTP in Pakistan and this effort find its roots in the local government ordinances promulgated in 2001. However, be that local government system, legislature at all level in Pakistan seems to be reluctant in altogether shunning FPTP. Geographical representation provided in the local government Acts of the provinces might be helpful to understand weightage of vote and rural urban representation in different councils.

7.2 Balochistan

Section 7 of the Balochistan LG Act, 2010 has provided five tiers of local governments. Union Councils and district councils are relating to rural areas, whereas, municipal committee, Municipal Corporation and Metropolitan Corporation relate to urban areas. Lowest unit in both rural and urban area is a ward. Population threshold has also been provided in same section. Section 10 further elaborates that there shall be seven to fifteen general members (from wards) determined on the basis of population from 1000 to 1500 in union councils. The same section fixes the criteria for a ward from 2000 to 2500 in municipal committee, 3500 to 10,000 in municipal committee, 10,000 to 20,000 in Metropolitan Corporation.

In view of the above, it is evident that weightage of vote in rural areas is more than that of urban areas and within urban area there is disparity in weightage of vote depending upon the size of

urban area. The original Balochistan LG Act, 2010 provided for delimitation by the Provincial government and first local government elections under the Act were also held in accordance with that delimitation. However, after judgment of the Hon'ble Supreme Court of Pakistan dated 19th March, 2014 in Civil Appeal No. 297 of 2014, next delimitation exercise has to be carried out by Election Commission of Pakistan in accordance with the Elections Act, 2017, Election Rules, 2017 and the relevant local government Rules for all the provinces.

Vide Notification dated 1st April, 2014 the Provincial government notified number of seats in each local council, one metropolitan corporation, 4 municipal corporations, 53 municipal committees, 635 district councils, 5498 wards in rural areas and 1057 wards in urban areas were established.

It has already been mentioned that apparently there is difference in weightage of vote in urban and rural areas. However, in order to substantiate further there is a need to examine delimitation figures received from Election Commission of Pakistan relating to Quetta and Zhob districts.

As per the delimitation for Quetta district against which the elections were held there was rural urban divide in the district. There are 58 urban wards in Quetta district and 67 rural wards. Urban population against which delimitation was carried out was 510137 and rural population was 189804. The statistics below might be helpful to understand weightage of vote in Quetta district.

Quetta District:

Population of 1998 Census;

Calculation of weightage of Vote on the basis of Population;

Quetta Urban Areas

Table 17: Quetta Urban areas

No of General Seats	Total Population at the time of Delimitation	Total No of Voters at the time of Delimitation	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
58	510,137	364,142	8795	6278

Quetta Rural Areas

Table 18: Quetta Rural areas

No of General Seats	Total Population at the time of Delimitation	Total No of Voters at the time of Delimitation	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
67	189,804	166,232	2832	2481

The table amply shows that weightage of vote in rural area has been four times more than in urban area in Quetta district alone. However, for union council Sara Ghurgai, weightage of vote per ward was 821 that are in extreme contrast to a ward in urban area. Moreover, even in rural areas weightage of vote in a ward of Union Council Kechi Baig, weightage of vote was 8517.

The above statistics show a vast disparity note only between urban and rural areas but also within urban and rural areas. In rural areas, the smallest weightage was 821 and largest weightage was 8517 which is 10 times more than the smallest unit.

Let us take the example of district Zhob, wherein there are 24 union councils with a total number of general seats as 231. In urban area, there are 33 wards in municipal committee Zhob.

Delimitation of the district carried out just a couple of year before the population census, 2017 may be examined in light of population census, 2017. In order to have an idea as to how much probable disparity in weightage of vote had there been at the time of conduct of elections, the table below explains the weightage of votes in Zhob district in this regard:

Zhob District:

Population of 2017 Provisional Population Census;

Calculation of weightage of Vote on the basis of Voters;

Zhob Urban Areas

Table 19: Zhob Urban areas

No of General Seats	Total Population as per Provisional Population Census, 2017	Total No of Voters at the time of Delimitation	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
33	46,248	24,760	1401	750

Zhob Rural Areas

Table 20: Zhob Rural areas

No of General Seats	Total Population as per Provisional Population Census, 2017	Total No of Voters at the time of Delimitation	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
231	264,296	95,035	1,144	411

In case of Quetta district, weightage of vote was calculated on the basis of population. In case of Zhob district, weightage of vote has been examined on the basis of registered voters.

There is highest number of votes in union council Shahabzai that are 5407 and the lowest number of registered voters are in union council Hassanzai that is 921. There are 16 general seats in Shahabzai and 8 general seats in Hasanzai. Average weightage of vote for ward for Shahabzai union is 338 whereas; it is 115 for Hassanzai union council. Average weightage of a vote on the basis of voters varies between the ranges of 300 percent within the wards of district council Zhob that is very high.

There are 33 wards in Municipal committee Zhob that comprises of 24,760 voters. The average voters weightage in a ward is 750. However, ward 24 consists of 238 voters that are lowest with regard to voters whereas, ward 17 has 1731 voters. Hence, the difference between the lowest and highest voters in wards is almost 7 times higher. Average weightage of vote in urban areas of district Zhob is almost 75 percent higher than that of rural areas.

The examples given above show substantial difference and disparity in Balochistan province relating to weightage of votes among local councils notwithstanding the fact that geographical representation for almost all local units have been envisaged in the scheme of elections. However, there is significant disparity as some local areas get more seats and representation in comparison to some other areas.

7.2.1 The Balochistan Local Government (Amendment) Act, 2019

In the captioned Act, some substantial changes effecting geographical representation were made by the Provincial government. Section 7 has been amended to reduce the population range of a union council from 7000 to 15,000, to 7,000 to 10,000. The mentioned amendment is quite significant in improving the disparity relating to weightage of vote in a union council. Vide amendment in Section 10; election to the direct seats of member district council has been

abolished. Section 10 has further been improved with regard to geographical representation by omitting limit of members in a local council provided thereat. Such amendment might be helpful in reducing population disparity in the geographical units. Moreover, population range for a municipal corporation and metropolitan corporation has also been amended by reducing them to 3000 and 5000 respectively.

In view of the above-mentioned facts, it might be presumed that next delimitation process carried out under the Amendment Act, 2019 in Balochistan province might be somewhat better the delimitation exercise conducted previously.

7.3 Khyber Pakhtunkhwa

Chapter II of the KP LG, Act, 2013 provides rural urban divide. Village council is the lowest tier for rural area and neighbourhood council for urban area. Tehsil and district council seem to represent rural area at bigger case like that of towns and city district government for urban areas. Section 6 provided a population range from 2,000 to 10,000 for a Village and neighbourhood council notwithstanding the fact that there is a gap between 500 percent from lower to upper limit that is exorbitantly high. However, another important feature to note that rural and urban limit was kept the same in theoretical sense.

The Act itself notified the number of seats for district and tehsil councils in its second schedule so prima facie it is difficult to ascertain how much consideration was given to weightage of vote while determination of number of seats. Section 27 of the KP LG Act, 2013 provided for composition of village and neighbourhood councils and 5 to 10 seats for general members in a council at the lowest tier were notified by the Provincial government on the basis of population.

Population statistics relating to districts Bannu and Abbottabad have been examined in order to find out percentage of votes.

Bannu District:

Population of 1998 Census;

Calculation of weightage of Vote on the basis of Population;

Bannu Urban Areas

Table 21: Bannu Urban areas

No. of Neighbourhoods	Total Population at the time of Delimitation	Total No of General Seats in Neighbourhoods	Weightage of Vote per Neighbourhoods as per population	Weightage of Vote per General Member as per population
05	36,798	42	7360	876

Bannu Rural Areas

Table 22: Bannu Rural areas

No. of Village Councils	Total Population at the time of Delimitation	Total No of General Seats in Village Council	Weightage of Vote per Village Council as per population	Weightage of Vote per General Member as per population
111	631,066	773	5685	816

Average population per neighbourhood is 7360. Whereas, neighbourhood with lowest population is number 1 with 6418 populations and neighbourhood with highest population is number 2 with

7864 populations. The lowest population is approximately 900 less whereas; the highest population is 600 more. This variation in weightage of vote seems reasonable in comparison with other provinces like Balochistan. Number of seats allocated to general members in urban areas of Bannu also seem proportionate to the population.

The table above relating to rural areas shows that average difference of population in a council in rural and urban area is about 1700. However, average difference of population per general member is just 60. Hence, it might be said that weightage of vote in rural and urban area of Bannu for general seats is almost equal.

Abbottabad District

Population of 2017 Provisional Population Census;

Calculation of weightage of Vote on the basis of Voters;

Abbottabad Urban Areas

Table 23: Abbottabad Urban areas

No. of Neighbourhoods	Total Population as per Provisional Population Census, 2017	Total No of General Seats in Neighbourhoods	Weightage of Vote per Neighbourhoods as per population	Weightage of Vote per General Member as per population
14	293,137	104	20938	2818

Abbottabad Rural Areas

Table 24: Abbottabad Rural areas

No. of Village Councils	Total Population as per Provisional Population Census, 2017	Total No of General Seats in Village Council	Weightage of Vote per Village Council as per population	Weightage of Vote per General Member as per population
195	1,039,775	1177	5332	883

In comparison with the latest population figure, delimitation of district Abbottabad does not seem to be consistent on the account that urban councils average is 20938 that is four time higher than rural councils. The difference in weightage of vote per general member is also more than three hundred times in urban area than in rural area.

7.3.1 The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019

The above captioned amendment act, 2019, in its section 6, has provided the number of village and neighbourhood councils in its ninth schedule. Notwithstanding the fact that lower tier has now been provided legal cover in terms of number however, in technical terms, fixing the number enhances the chances of population disparity in geographical representation. Delimitation for local councils is responsibility of ECP hence, section 10 relating to delimitation has been replaced with coordination unit for coordination among different entities relating to census.

Tier of district council provided in Chapter IV has been abolished in the amendment act, 2019 for Khyber Pakhtunkhwa. Moreover, number of seats for different categories in tehsil council

was previously fixed in Part B of second schedule as per section 24. In the amendment act, section 24 has been amended and part I of eleventh schedule just provides the categories of reserved seats without mentioning exact number of seats for each category. Similarly, vide amendment in section 27, categories of seats in the lower tier have been provided in part-II of eleventh schedule in the amendment act, 2019.

Amendment act, 2019 relating to Khyber Pakhtunkhwa does not make substantial changes relating to geographical representation. However, by and large, the amendments seem regressive regarding weightage of vote.

7.4 Punjab

7.4.1 The Punjab Local Government Act, 2013

After promulgation of 18th amendment, the Punjab province made enactment captioned above in 2013. Chapter-II of the Punjab LG Act, 2013 dealt with delimitation related issues. Section 8 of the Act provided that government had to notify number of seats in local governments and ECP had to delimit the constituencies for such local governments. Section 9 and 10 further provided details relating to delimitation. Section 13 originally provide for 6 general members each elected directly from the respective ward and 2 women members directly elected from a cluster of three wards. Similarly, 1 peasant / worker, youth and non-Muslim had to be elected. However, later on, only elections to the general seats could be held through direct vote.

Rawalpindi District

Population of 1998 Census;

Calculation of weightage of Vote on the basis of Population;

Rawalpindi Urban Areas-I (Municipal Committees)

Table 25: Rawalpindi Urban areas-I

No of General Seats / Wards	Total Population at the time of Delimitation	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
92	177,509	162,703	1929	1,768

Rawalpindi Urban Areas-II (Municipal Corporation)

Table 26: Rawalpindi Urban areas-II

No of Union Councils	Total Population at the time of Delimitation	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
54	892670	715,890	16530	13257

Rawalpindi Rural Areas

Table 27: Rawalpindi Rural areas

No of Union Councils	Total Population at the time of Delimitation	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
120	1,443,194	1,443,702	12,026	12,030

Union Council No 105 of District Council, Rawalpindi has the population of 7397, whereas, Union Council No. 17 comprises of population of 17,096. Hence the difference between union council of lowest population and highest population is more than 100 percent.

In municipal committees of district Rawalpindi, Ward No 10 of Kotli Sattian MC comprises of population of 360, the lowest, whereas, Ward No. 10 of Gujjar Khan MC comprises of the population of 5053 which is highest. Hence, the difference between lowest and highest ward is more than 10 times in term of weightage of votes.

Union Council Rawat of Municipal Corporation Rawalpindi, comprised of population of 9172, whereas, Union Council 45, Chamanzar Colony comprises of population of 22,041. Hence, the weightage of vote difference between the highest and lowest population in Union Council is more than 200 times.

Gujranwala District

Population of 2017 Provisional Population Census;

Calculation of weightage of Vote on the basis of Voters;

Gujranwala Urban Areas-I (Municipal Committee)

Table 28: Gujranwala Urban areas-I

No of General Seats / Wards	Total Population as per Provisional Population Census, 2017	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
155	712058	346,392	4593	2234

Gujranwala Urban Areas-II (Municipal Corporation)

Table 29: Gujranwala Urban areas-II

No of Union Councils	Total Population as per Provisional Population Census, 2017	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
73	2099576	984,367	28761	13484

Gujranwala Rural Areas

Table 30: Gujranwala Rural areas

No of Union Councils	Total Population as per Provisional Population Census, 2017	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
93	2,065,260	1,090,713	22207	11728

Union Council No. 82 of District Council, Gujranwala comprises of 8321 voters, whereas, Union Council No. 54 has 16364 voters. Hence, there is almost 100 percent increase in voters between the lowest and highest voters in Union Council.

Among 155 municipal committees, Ward No. 6 of Municipal Committee Nowshera Virkan has the population of 895, whereas, Ward No 24 of MC Kamoki has the voters of 4579, hence the difference between highest and lowest is more than 400 percent.

For Municipal Corporation in Gujranwala district, Union Council No 24 has 10279 voters, whereas, Union Council No 27 has 21207 voters. Hence, the difference between highest and lowest voter in union councils is more than 100 percent.

7.4.2 The Punjab Local Government Act, 2019

The Punjab Local Government Act, 2019 provides for rural urban divide for upper tier in chapter-III of the act. Metropolitan Corporation, Municipal Corporation, Municipal committee, Town committee for urban area and tehsil council for rural areas are provided in section 15 of the act. However, there is no further concept of delimitation as elections to such local governments are envisaged to be held by direct vote for the seat of head and reserved seats are to be filled in through Closed List PR system.

For elections to the lower tier, a separate legislation, that is, **the Punjab Village Panchayats and Neighbourhood Councils Act, 2019** was promulgated. Chapter-II of the act has provided for demarcation between rural and urban areas and delimitation therein afterwards. Section 3(A) provides that delimitation exercise shall be carried out by the Election Commission. Whereas, Section 3 has provided that a rural revenue state having a population of 200 or more shall be declared as a village council and in case the population is less than 200, contiguous states shall be combined to cross the population threshold. It is also important to highlight that regardless of population each revenue unit has to be declared as a village & panchayat council. Hence if a revenue unit has a population of 300, in this legislation it would have one village panchayat and if a revenue unit has population of 30,000, it would also have only one village panchayat council.

With regard to neighbourhood councils, the Section has referred first schedule that provides the population criteria for declaring neighbourhood and maximum number of neighbourhoods to be

created in a local government. It is noteworthy that for rural areas, criterion of population was provided whereas for urban areas, number of seats has been fixed. It is needless to mention that prima facie village Panchayats and Neighbourhood Councils Act either creates a substantial difference between urban and rural councils regarding weightage of vote or it does not altogether appreciate the concept in holistic picture of a Tehsil. Let us take the example of a district to explain the phenomenon.

District Layyah

Table 31: District Layyah Phenomenon

Name of Local Area (Rural / Urban)	Total Population	Notified No of Neighbourhood Councils	Notified No of Village Councils	Average Population per Village / Neighbourhood Council
Tehsil Council Layyah (R)	725,209	-	290	2,500
Tehsil Councils Karor Lal Esan	515,269	-	218	2,363
Tehsil Councils Choubara	203,925	-	125	1,631
MC Layyah (U)	126,361	12	-	10,530
MC Chowk Azam (U)	67,499	10	-	6,749
MC Karor Lal Esan	35,267	06	-	5,877
MC Choubara	48,275	06	-	8,045
Town Committee Kot Sultan (U)	58,322	05	-	11,664
Town Committee Fatehpur	44,103	06	-	7,350

The table above amply explains that a council at the lower tier in rural area has a population of 5 to 10 times, or even more, lower to that of an urban neighbourhood council in most of the cases. Hence, geographical representation provided in the Village Panchayat and Neighbourhood Act, 2019 is heavily tilted towards rural areas in comparison with urban areas as far as the concept of weightage of vote is concern.

7.4.3 The Punjab Local Government (Amendment) Ordinance, 2021

The captioned Ordinance has virtually diminished the importance of Village Panchayat and Neighbourhood Councils Act, 2019 as village councils and neighbourhood councils have been provided in the ordinance. Town Committees having a population of less than 50,000 have been merged into respective Tehsil Councils. However, the concept of Town councils has been provided comprising of continuous neighbourhoods. Section 15A of the Ordinance has altogether changed the concept of Village Councils from geographical area of revenue unit to somewhat proportionate population within the village councils. The government have to notify the number of village and neighbourhood councils within respective local governments. Thereafter exercise of delimitation has to be carried out by the Election Commission. It seems as if the Ordinance, 2021 is an effort to decrease exorbitant population disparity within village panchayats and from neighbourhood councils.

7.5 Sindh

The Sindh LG Act, 2013 like other Provincial Acts also provides for rural / urban divide. Chapter 2 of the Sindh LG Act, 2013 deals with local councils and their delimitation. Section 10 provides that delimitation shall be carried out by the Government in accordance with schedule-I. However, 1st Schedule just provides population range for wards, union councils, union

committees and other local councils. It is noteworthy that maximum permissible variation in population for a ward in municipal committee was up to 25%, however, for a town committee this variation was up to 50%. Similarly, variation of population in union councils and union committee was also up to 50%. Urban areas have to be classified by the Government as union committees, town committees, municipal committees, Municipal Corporation, or as the case may be, Metropolitan corporations on the basis of population. Likewise, rural areas have to be classified by the government as union councils and district councils.

Ward is the smallest unit for delimitation in a local council. Initially, delimitation exercise was carried out by the Provincial government under the Act. However, Hon'ble Sindh High Court vide judgment dated 26th December, 2013 struck down that exercise. Thereafter, the Hon'ble Supreme Court held that delimitation for local councils is constitutional obligation of Election Commission of Pakistan; hence the exercise was carried out by ECP as per the number of councils provided by the Provincial government of Sindh.

Data relating to Sukkur and Ghotki district has been examined in regard to delimitation so as to access the weightage of vote in a constituency.

Sukkur District

Population of 1998 Census;

Calculation of weightage of Vote on the basis of Population;

Sukkur Urban Areas

Table 32: Sukkar Urban areas

No of General Seats / Wards	Total Population at the time of Delimitation	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
144	464,850	295,547	3,228	2,052

Sukkur Rural Areas

Table 33: Sukkar Rural areas

No of General Seats / Wards	Total Population at the time of Delimitation	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
148	449,239	277,753	3035	1876

The above table shows that average weightage of votes in proportion to population and voters is somewhat closer to international standards as there is marginal difference. However, it is noteworthy that ward No. 1 of union committee No. 25 of Municipal Corporation Sukkur comprises of 1244 population, whereas, ward No. 4 of union committee No. 17 is consisting of 4980 populations. Hence, the most populous ward in a municipal corporation has a weightage of vote more than four times less than the least populous ward.

In rural areas, ward No. 1 of union council 16 comprises of 757 populations, whereas, ward No 4 of same union council comprises of 6346 populations. Hence, there is almost 7 times difference in weightage of vote between two wards of the same union council.

Ghotki District

Population of 2017 Provisional Population Census;

Calculation of weightage of Vote on the basis of Voters;

Ghotki Urban Areas

Table 34: Ghotki Urban areas

No of General Seats / Wards	Total Population as per Provisional Population Census, 2017	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
56	403,538	136,980	7206	2446

Ghotki Rural Areas

Table 35: Ghotki Rural areas

No of Union Councils	Total Population as per Provisional Population Census, 2017	Total No of Voters	Weightage of Vote per Seat as per population	Weightage of Vote per Seat as per voters
66	1,243,701	477402	18843	7233

Voters of union council No. 32 as per delimitation have been 4471 whereas the voters for union council No. 64 have been 11854. The difference between the two union councils is almost 250 times hence, it may be said that rural areas of district Ghotki should have been closer in voter figure than the present state in order to ensure almost equal weightage of votes.

7.6 Framework for Geographical Representation in Pakistan and an Assessment of Weightage of Vote in Provincial Local Governments

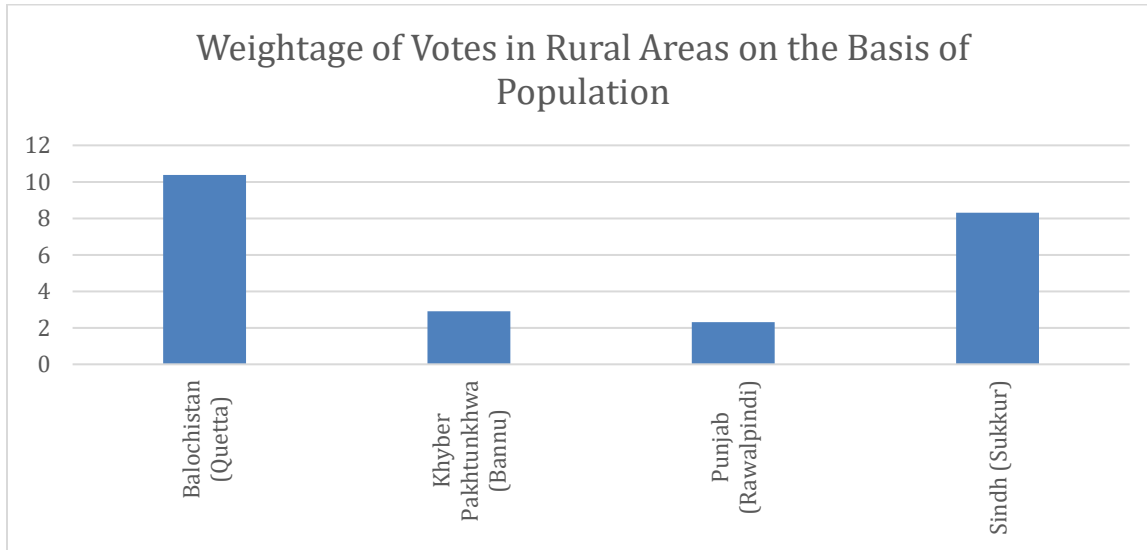
Chapter-III of the Elections Act, 2017 provides concept and principle of delimitation. The following aspects require due consideration for any delimitation in Pakistan:

- i. Geographical Compactness;
- ii. Physical features;
- iii. Boundaries of Administrative Units;
- iv. Communication facilities and public convenience;
- v. Other cognate factors; and
- vi. Population not ordinarily exceeding 10 percent variance within the electoral units.

Part-B of Chapter-III of the Elections Rules, 2017 further provides manner of delimitation for local governments. It can therefore, be said that broad principles for carrying out delimitation to any elections are somewhat identical but electoral formula and electoral system provided in the Provincial local government Acts make the difference with regard to weightage of vote and geographical representation.

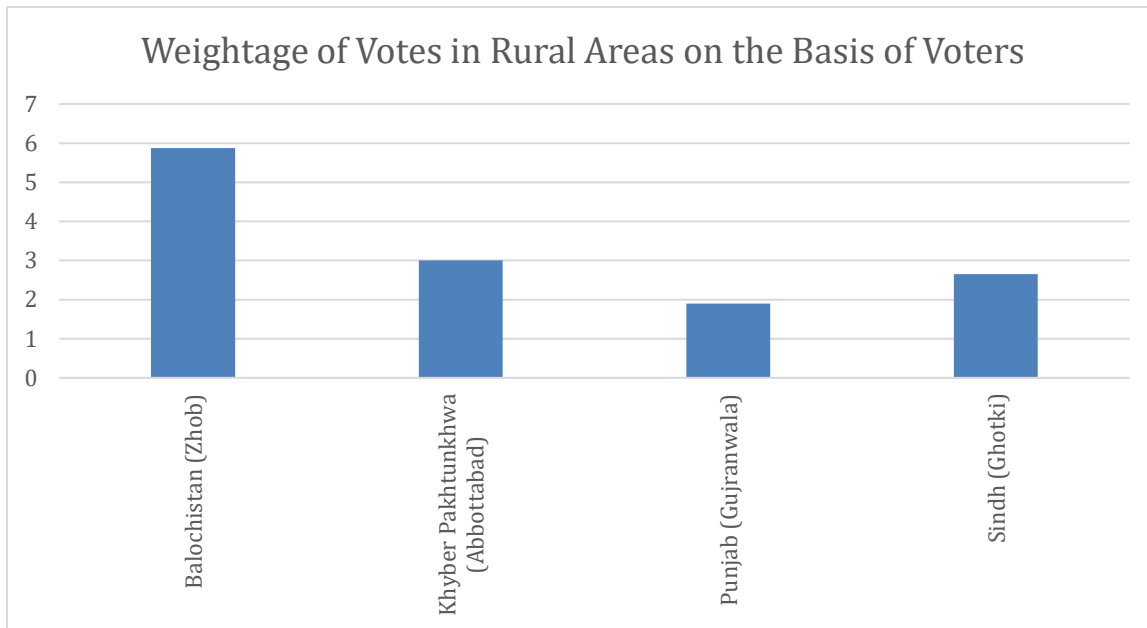
On the basis of examples given above relating to weightage of votes in comparison with population and registered voters, a rough sketch may be drawn to compare the weightage of vote as a result of scheme of geographical representation provided by the provinces.

Figure 33: Weightage of Votes in Rural Areas on the Basis of Population



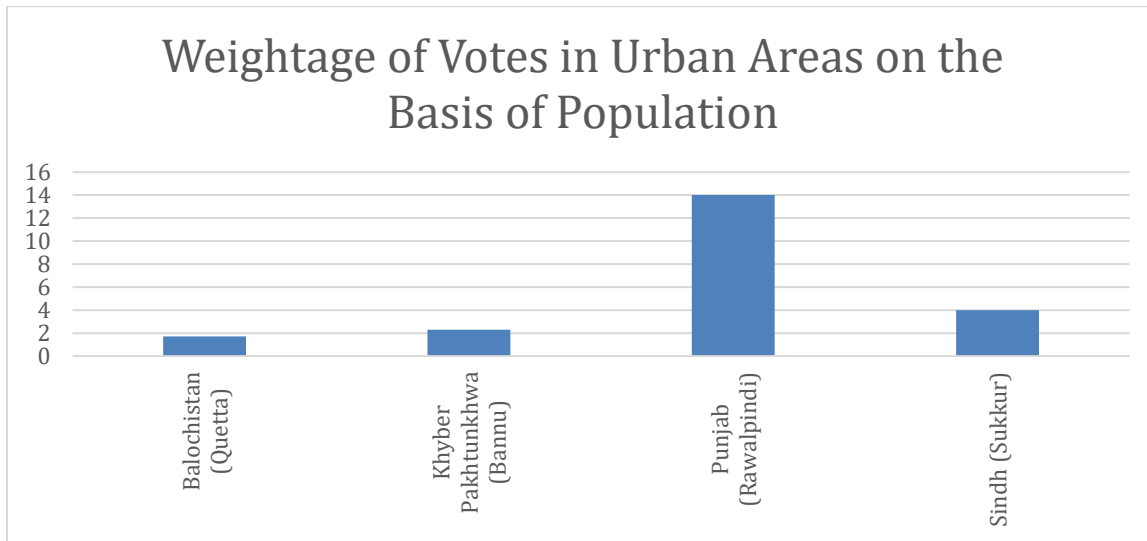
The above graph shows that weightage of vote in rural areas of Pakistan is substantially different and there is great disparity in the local councils of Balochistan and Sindh in this regard.

Figure 34: Weightage of Votes in Rural Areas on the Basis of Voters



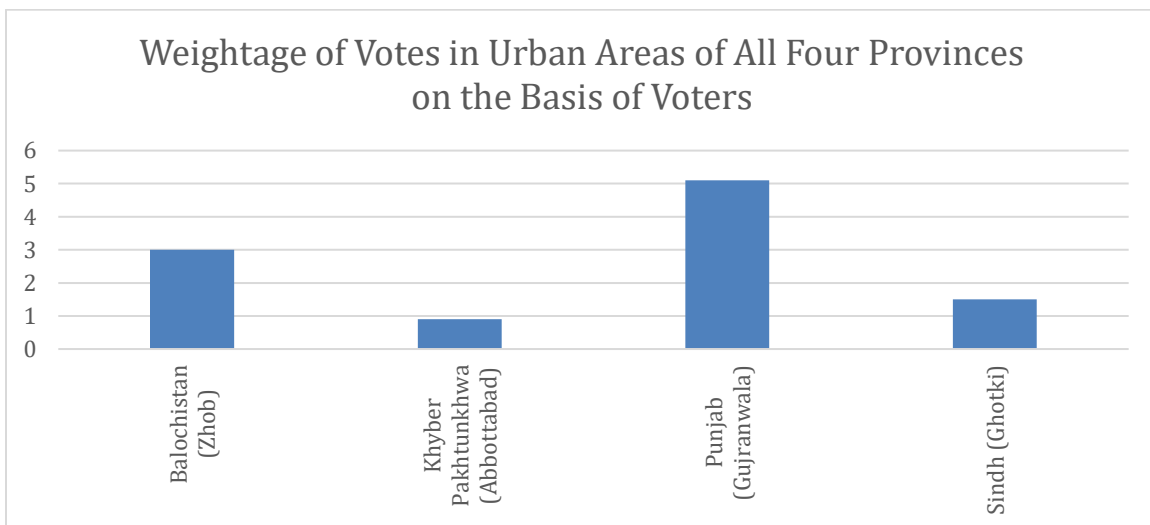
The above graph shows that notwithstanding the fact that weightage of vote is least in Balochistan province on the basis of voters too. However, performance of Sindh is better on this parameter from Khyber Pakhtunkhwa.

Figure 35: Weightage of Votes in Urban Areas on the Basis of Population



In urban areas, there is highest disparity in weightage of vote in the Punjab province. However, such disparity is lowest in Balochistan province.

Figure 36: Weightage of Votes in Urban Areas on the Basis of Voters



Like least weightage of vote on the basis of population, the same is overall situation on the basis of voters too. However, such disparity is also quite high in Balochistan province as compared to the population-based disparity.

From the above discussion it may be deduced that provincial local government legislation in Balochistan province seems to give an unfair advantage to urban population as compared to the rural population. In the Punjab province, legislation for local government seems to provide unfair advantage to the rural population as compared to the urban population. It is also pertinent to mention that usually rural population is given advantage over urban population in many countries with a view to enhance chances of such population for inclusion into political mainstream. Hence, there seems a need for Balochistan province to reconsider the provincial local government legislation

Chapter No 8. Conclusion and Recommendations

8.1 Introduction

This study reveals that electoral legal dispensation relating to local governments currently in vogue in Pakistan is a product of rational political requirements of a province. In providing electoral system design for local governments, provinces have either consciously or sub-consciously have taken into account the issues of representations as per international best practices and electoral formulae. Roots of democracy, cultural, lingual and geographical realities, viability of finances for conduct of elections and literacy of voters seem to have laid a role in determination of electoral system design by the province.

Notwithstanding the fact that there is less literature available about the choices of electoral system design in Pakistan. However, Pakistan might be a befitting example for study of electoral system design for local governments due to the fact that there is provincial discretion in designing the system and Federal EMB conducts elections. The process of election for local governments has to be carried out with the same vigilance as that of national elections albeit the fact that provinces have room for innovations in electoral system designing. Such a dispensation may not only be helpful for enhancing capacity and deterring intellectual inertia for an EMB but also tacitly provides a greater room for debate over what sort of electoral system is warranted for a particular tier of election.

The local government system introduced by the provinces does appreciate the importance of descriptive and ideological representation. However, ideological representation is somewhat limited, perhaps, keeping in view chequered history of the country and political volatility on

account of different factors. Descriptive representation in local governments is an area that seems to be evolving in Pakistan and category of youth has been introduced whereas; role for the professionals are being pondered upon. In this regard, representation of women is also noteworthy that is more or less in accordance with international standards. Reserved seats for women remain helpful for a country to improve its gender empowerment measure (GEM) indicator of development. The evaluations of the study are elaborated below:

8.2 Electoral formula provided by the Provinces.

Province of the Punjab has, since the promulgation of 18th amendment, made the most experiments with regard to electoral formula for conduct of local governments. In 2013, FPTP was the only electoral formula introduced for conduct of elections. Through legislation in 2019 and 2021, closed list PR system, FPTP, SNTV and TRS have been introduced for conduct of elections in the province. Hence, it may be said that the system seems to encourage both geographical representation and proportionality. Similarly, the system provides room for individual candidate as well as for political parties. Last but not the least; electoral formula provided by the Punjab province seems to be more innovative in comparison with other provinces.

Electoral formula introduced by Balochistan province seems to be most orthodox in the backdrop of colonial history of the country. Reliance has been made on FPTP and electoral formula seems better for providing descriptive representation as percentage in this regard has been fixed.

Electoral formula provided by Khyber Pakhtunkhwa province is somewhat identical to the Punjab province. However, parallel system has been introduced for conduct of elections to the

upper tier. SNTV has been provided for lower tier elections whereas, for elections to the chairpersons of upper tier, TRS system has been provided in legislation.

Province of Sindh also seems to be in search of innovations with regard to electoral formula as it endeavoured to introduce block vote unsuccessfully however, the province seems to be diverting from FPTP to parallel system.

8.3 Scheme of Descriptive and Ideological Representation provided by the Provinces

Constitution of Pakistan does not provide a great room for ideological representation in the electoral system. However, provinces have not only kept this representation but the representation is also in accordance with the overall population of non-Muslims in the country. It is also interesting to note that all the provinces have provided almost similar percentage of ideological representation both in upper and lower tier. However, such representation against total population is highest in Balochistan province and lowest in Sindh province.

Descriptive representation for women, peasants and workers has been provided in constitution of Pakistan. Moreover, Pakistan has almost half of its population comprising upon youth therefore, youth has also been provided representation. It is also pertinent to mention that Balochistan province made an abortive attempt to introduce the category of professional and social workers however, the Punjab province has introduced a concept of cabinet at the tier of local government having professional in that too.

A study conducted in India relating to local governments of West Bengal province revealed the fact that the local governments that were headed by women had their different priorities for governance than the governments run by men. Women headed local governments paid more attention to infrastructure development whereas, men headed local governments paid more heed

to education and health. This example shows that it is highly important to include both men and women in policy making institution at all levels.

Representation of women has been ensured in the local governments by all the provinces through the reserved seats. However, it is a matter of opinion as to whether such representation remains fruitful for encouraging women in political mainstream or otherwise. Punjab province has provided the most representation to women for lower tier whereas; Sindh province and Balochistan province seem to be at par for the upper tier. Another important aspect to note is that recent legislation for local governments in Punjab is the first such legislation after promulgation of 18th amendment that does not ensure representation of at least 30 percent women in the institutions of local government. Hence to this extent, this legislation seems regressive.

8.4 Ballot paper structure and its impact on political system

Structure of ballot paper provided by different provinces highlights that Sindh province seems better with regard to the shape of ballot paper whereas; for Khyber Pakhtunkhwa and Punjab such shape seems complicated in the backdrop of the fact that a voter has to cast multiple votes. Ballot paper has to be printed and provided by the EMB hence, there should be fair level of flexibility regarding ballot paper structure. Sindh is the only province whose ballot paper structure may be regarded as somewhat fair for EMB to have its innovative inputs.

Another important feature with regard to ballot paper structure is that regardless of the formula for calculation of results, a voter has to mark against his preference in a manner somewhat identical to FPTP.

8.5 Geographical representation in Provincial Local Governments and its impact on weightage of vote

Geographical representation is very important in the system of local government. It has been observed that Punjab and Khyber Pakhtunkhwa provinces are providing a concept of geographical representation linked with individual candidature at their lower tiers. For upper tiers, concept of geographical representation is vague and party candidature has been encouraged.

While providing geographical representation, all provinces have introduced separate representation for rural and urban areas. It has been grossly ignored that for urban areas, weightage of vote should be somewhat nearer to rural areas. Two separate streams seem to be flowing apropos of weightage of vote in political system in urban and rural areas. Such distinctiveness at times has the peril to create exclusions. Even within rural and urban areas, there is a great disparity in weightage of vote.

Examination of geographical representation provided in Balochistan province give an impression that in vogue superiority to population in delimitation legal framework of Pakistan has been somewhat challenged for broader geographical representation. It should be kept in mind that at times, population disparities may result in appeasements or class struggle.

Taking broader principle from Article 51 and 106, delimitation legal framework provided by federal legislature also seems to be reviewed in order to address the issue of weightage of vote within constituencies. The constitution gives an impression of the fact that it caters the requirement of such weightage but the laws and rules seem to be blind in this regard.

8.6 Potential voter participation in elections through electoral system

Local government systems are more important for enhancing voter participation. Individual candidature has been promoted by all the provinces at the lower tier of local governments. It encourages individuals to motivate more people for personal voting in a fairly smaller unit of elections. At times, such policy seems unfavourable in comparison to party candidature; hence, Punjab and Khyber Pakhtunkhwa provinces have introduced PR system meaning thereby the two provinces seem to be more cognizant for making efforts for voter participation in local governments.

8.7 Issues of public policy governance and electoral system design

Concept of head's cabinet in the local governments of Punjab is a subtle realization of the fact that policy making and governance at the level of local government is as important as the upper tiers. In order to ensure better governance for enhancing rule-based mechanisms and for increasing contestability, role of electoral system design is pivotal. It is through this electoral systems design that citizens and elite bargain in the policy arena. It is the electoral system that provides trade-off between the ruler and the ruled.

8.8 Policy recommendations

On the basis of the findings elaborated above, the following recommendations merit consideration:

8.8.1 Choice of electoral system

Choice of electoral system for local governments should cater the need for political mainstreaming of different segments. Hence, a consideration to **limited vote** system may also be given for local governments in Pakistan.

There is a need to consider as to whether electoral system should be same for national, provincial and local government tiers or they should be different keeping in view different expected outcomes at each level.

8.8.2 Mode of Descriptive and Ideological Representation

Descriptive and ideological representation in all fora of local governments has been provided through the reserved seats in Pakistan. It is proposed that the '**concept of highest loser**' may be introduced for filling up the reserved seats. This concept might be helpful for political mainstreaming of the deprived and the marginalised.

8.8.3 Geographical Representation

There is a need to further scrutinize if legal framework relating to delimitation in Pakistan is in harmony or not. It is pertinent in the backdrop of the fact that words in the constitution differ from the words in federal legislation. Moreover, apart from providing six principles for delimitation, in Section 20 of the Elections Act, 2017, geographical representation in Pakistan seems to be highly obsessed by the idea of population apportionment. This obsession of population apportionment has not practically been translated into reduction of disparities in weightage of votes. This aspect is more worrisome.

8.8.4 Governance and policy choices for Local Governments

Technical skills and accountability are important ingredients of policy choices relating to governance. Such ingredients may be addressed in local self-governance but with a caution that objective of governance through elected representatives should not be faded away. Training and counselling relating to governance at local level is essential hence, it might be considered if the electoral system design could indirectly promote or ameliorate such aspects.

References

- Birkland, A.T. (2016). *An Introduction to the Policy Process* (4th edition). Routledge.
- Bowler, S. M, David and et al. (2005). *Expert opinion on electoral systems*. Journal of Elections, Public Opinion and Parties. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/13689880500064544?src=recsys&journalCode=fbep20>
- Bridge Project. (2007). *The System And Their Consequences: BRIDGE Project* (IDEA, AEC, IFES, UNEAD, UNDP). Sweden: International IDEA
- Bryman Alan. (2012). *Social Research Methods* (4th edition). Oxford University Press.
- Creswell W. John. (2009). *Research Design* (3rd edition). SAGE Publications.Inc.
- Democracy Reporting International. (2011). *Baluchistan Local Election Framework Assessment*. Islamabad: DRI.
- Democracy Reporting International. (2015). *Khyber Pakhtunkhwa Local Government Election Assessment*. Islamabad: DRI.
- Democracy Reporting International. (2016). *Sindh Local Government Election Assessment*. Islamabad: DRI.
- Democracy Reporting International. (2016). *Punjab Local Government Election Assessment*. Islamabad: DRI.
- Election Rules. (2015). *THE SINDH LOCAL GOVT: ELECTION RULES:2015*
- Election commission of India. (n.d). Retrieved from <https://eci.gov.in/>
- Electoral system. (n.d). Retrieved from <https://aceproject.org/ace-en/topics/lf/lfb/lfb01>
- Election Commission of Pakistan. (2013). *2013 Post-Election Review Report*. Islamabad: ECP.
- Election Commission of Pakistan. (2015). *2015 Report on Local Government Elections*. Islamabad: ECP.
- Election Commission of Pakistan. (2018). *2018 Annual Report*. Islamabad: ECP.

- Election Commission of Pakistan. (2019). *2019 Annual Report*. Islamabad: ECP.
- Election Commission of Pakistan. (2019). *3rd Strategic Plan 2019-2023*. Islamabad: ECP.
- European Commission. (2007). *Compendium of International Standards for Elections*. Brussels: European Commission.
- European Parliamentary Research Service. (2012, October 4). *Women in Parliament, A Historical view* [Blog Post]. Retrieved from <https://epthinktank.eu/2012/10/04/women-in-parliament-a-historical-view/>
- European Union Election Observation Mission. (2008). *European Union Election Observation Mission Report*. Brussels: EU
- European Union Election Observation Mission. (2013). *European Union Election Observation Mission Report*. Brussels: EU.
- European Union Election Observation Mission. (2018). *European Union Election Observation Mission Report*. Brussels: EU.
- Free and Fair Election Network. (2016). *Local Government Elections 2015 Observations Findings & Recommendations*. Islamabad: FAFEN.
- Free and Fair Election Network. (2018). *2018 Election report*. Islamabad: FAFEN.
- General Election. (1990). *General Election Report 1990*: ECP: Islamabad
- Government of Balochistan. (2001). *The Balochistan Local Government Ordinance,2001*. Law Department Quetta.
- Government of Balochistan. (2019). *The Balochistan Local Government Amendment Act,2019*. Law Department Quetta.
- Government of North-West Frontier Province. (2001). *The North-West Frontier Province Local Government Ordinance,2001*. Law Department Peshawar.
- Government of The Punjab. (2001). *The Punjab Local Government Ordinance,2001*. Law Department Lahore.
- Government of Sindh. (2001). *The Sindh Local Government Ordinance,2001*. Law Department Karachi.

- Government of Balochistan. (2010). *The Balochistan Local Government Act,2010*. Provincial Assembly Secretariat Quetta.
- Government of The Punjab. (2013). *The Punjab Local Government Act,2013*. Provincial Assembly Secretariat Lahore.
- Government of Sindh. (2013). *The Sindh Local Government Act,2013*. Provincial Assembly Secretariat Karachi.
- Government of Khyber Pakhtunkhwa. (2013). *The Khyber Pakhtunkhwa Local Government Act,2013*. Provincial Assembly Secretariat Peshawar.
- Government of Khyber Pakhtunkhwa. (2019). *The Khyber Pakhtunkhwa Local Government (Amendment)Act,2019*. Provincial Assembly Secretariat Peshawar.
- Government of The Punjab. (2019). *The Punjab Local Government Act,2019*. Provincial Assembly Secretariat Lahore.
- Government of The Punjab. (2021). *The Punjab Local Government Amendments Ordinancet,2021*. Provincial Assembly Secretariat Lahore.
- Government of The Punjab. (2013). *The Punjab Village Panchayats and Neighbourhood Councils Act,2019*. Provincial Assembly Secretariat Lahore.
- Information Bulletin. (2014). *Lok Saba Secretariate Research and Information Division: General Elections; June, 2014: No. LARDIS (E & S) 2014/IB-4*
- International Crisis Group. (2012). *Election Reform in Pakistan*. Brussels: International Crisis Group.
- International Institute for Democracy and Electoral Assistance. (2005). *Electoral System Design: The International IDEA Handbook*. Sweden: International IDEA
- International Institute for Democracy and Electoral Assistance. (2005). *Women in Parliament: Beyond Numbers: The International IDEA Handbook*. Sweden: International IDEA
- International Institute for Democracy and Electoral Assistance. (2006). *Electoral Management Design: The International IDEA Handbook*. Sweden: International IDEA
- International Institute for Democracy and Electoral Assistance. (2007). *Political Parties in South Asia: The Challenge of Change: The International IDEA Handbook*. Sweden: International IDEA
- Lans, W., & van der Voordt, DJM. (2002). Descriptive research. In T. M. de Jong, & D. J. M. van der Voordt (Eds.), *Ways to study and research urban, architectural and technical design*. Delft: DUP Science.

- Legal framework, (2012). *Administration and Cost of Elections*: Retrieved from <https://aceproject.org/ace-en/topics/lf/lfb/lfb01>
- Menocal, R. A. (n.d) *Why Electoral Systems matter?* Overseas Development Institute. Retrieved from <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7367.pdf>
- Norris, P. (2008). DO POWER-SHARING REGIMES WORK? *In Driving Democracy: Do Power-Sharing Institutions Work?* (1-2). Cambridge University Press.
- Norris, Pippa & Frank, R.W. & Coma, Ferran. (2015). Contentious Elections: From Ballots to Barricades. *Contentious Elections: From Ballots to Barricades*. 1-176
- National Domestic Institute. (1991). *Pakistan: Report on the October 1990 Elections*: Retrieved from <https://www.ndi.org/publications/pakistan-report-october-1990-elections>
- National Assembly of Pakistan. (2018). *Article No. 17,32,34,36 and 140A: The Constitution of Islamic republic of Pakistan*. Islamabad.
- Supreme Court of Pakistan. (2014). *Order of Supreme Court in Civil Appeal: 2014, Appeal No. 297*: Islamabad
- The Representation of The People (Conduct of Election) Rules. (1977). *Ministry of Law*: Islamabad
- The Electoral Knowledge Network. (2012). *The ACE Encyclopaedia*. ACE.
- The Punjab Government (Election) Rules. (2020). *Ministry of Law Govt. of Punjab*: Lahore
- The Punjab Local Government (conduct of Elections) Rules. (2013). *Ministry of Law*: Govt. of Punjab: Lahore
- The Balochistan Local Government (Election) Rules. (2013). *Ministry of Law*: Govt. of Balochistan: Quetta
- The Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules. (2014). *Ministry of Law*: Govt. of Khyber Pakhtunkhwa: Peshawar
- The Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules. (2021). *Ministry of Law*: Govt. of Khyber Pakhtunkhwa: Peshawar
- United Nation. (1948). *Universal declaration Of Human Rights*. Retrieved from https://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf
- United Nation. (2015). *Act No.21: Universal declaration Of Human Rights*. Retrieved from <http://www.un.org/en/universal-declaration-human-rights/>
- United Nation. (2000). *Act No.7: Convention on the elimination of all form of discrimination against women*. Retrieved from <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article21>

UN Women. (2012). *Annual Report 2010-2011*. New York: UN Women.

Pakistan Bureau of Statistics. (2017). *Provisional Population Census Data*: PBS: Islamabad.

Pakistan Bureau of Statistics. (1998). *Official Population Census Data*: PBS: Islamabad

World Bank Group. (2017). *Governance and The Law: The World Development Report*.
Washington: The World Bank