**Instant governance**

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Every government that comes to power quite naturally wishes to obtain a lot very quickly. In a democracy, this is rarely possible. The requirement of the constitution is that a bill make its way through parliament, step by step and stage by stage.

The current PTI government, like others before it, has chosen to bypass this requirement by acting through ordinances. An ordinance, which the constitution states is to be used to legislate only in “exceptional circumstances”, is obviously much easier to put in place. All it requires is the signature of the president.

The constitution also discourages the use of ordinances, except as a stopgap arrangement. The reason parliament exists is so that new legislation can be carefully debated, the varying opinions on it put forward and a decision reached by those who have been elected by the people to represent them. When this does not happen, the people are in effect cheated. The current government has already put through a volume of ordinances. There is every indication that, like the Musharraf era government of 2002 to 2007, the country will be run primarily through ordinances.

These ordinances by the PTI have been used when the National Assembly or Senate have declined to pass a bill or when it is simply thought an ordinance would make things easier than engaging in the more difficult task of persuading assemblies. The government’s lack of experience in parliament also means it has little desire to engage in the delicate practice of dealing with the opposition in parliament, convincing it of its reasons for a particular piece of legislation, accepting its proposals and then passing the law with the required amendments. The use of ordinances also demonstrates a lack of respect for parliament and the people.

For some time, the government had attempted to put a new law on medical institutions through parliament. It failed. It has now issued an ordinance called the Medical Teaching Institute Ordinance, which is being protested angrily by young doctors, nurses, paramedics and others in Lahore. The protest has lasted nearly three weeks as the alliance of medical workers paralyses hospitals and of course puts patients through turmoil. But the Grand Health Alliance says that the ordinance, previously rejected by the Senate, is designed to privatize the health sector, allow private medical colleges to charge fees of their choice, thereby locking middle-class citizens out of medical education, and affiliate themselves with universities of their choice.

There are also allegations that the powerful lobby running private medical institutions is behind this piece of legislation, under which the Pakistan Medical and Dental Council, founded in 1962, disappears. Till now, the PMDC was the sole regulatory body for medical teaching and hospital services and had placed a cap on the fees that private institutions could charge. There have in the past been complaints that some of these institutions lack even the most basic facilities. Certainly it would appear they need more regulation rather than less.

Regardless of the precise details, it would obviously have been wise to consult doctors and others engaged in the health sector before making a major change in practices which aim to regulate it. The government has also used ordinances to amend a clause in the NAB law under which separate classes for prisoners would vanish and those accused of corruption of over Rs50,000,000 would be give a C class sentence. Under existing conditions, C-class means sleeping on the floor and performing a variety of menial tasks.

While we naturally want to curb corruption, it is uncertain whether humiliating politicians, businessmen and others is the best way to go about this task. Other laws passed by ordinance include those on taxation and a variety of other measures. Clearly, the government has found a way around democracy itself by opting to hurdle over it and using a presidential ordinance to bulldoze its agenda without any debate or discussion. This cannot be of benefit to anyone.

There are also other signs of haste. We understand this since the PTI had made extravagant promises during its election campaign and naturally wishes to fulfill at least some of these. It has struggled on this count so far, which must add to the pressures on it. But instead of acting unwisely, it would be well advised to slow down and carefully reconsider the current situation.

Last week, teachers of Basic Education Community Schools were arrested in Islamabad on charges of violating Section 144. The teachers, most of them women, some accompanied by their children, were sent to Adiala Jail. The protesters had been demanding that salaries pending for over six months be paid and also requesting the government to regularize their jobs, giving them security. The accounts of the number arrested vary from between 40 and 200, but regardless of the number, the action itself is disturbing. The teachers threatened no one, had engaged in no violence and were simply demanding a basic right.

It is understood that the administration is eager to keep the government happy by ensuring there is a semblance of calm everywhere in the country. But the right to protest, as the prime minister himself has said, belongs to every citizen. Rather than arresting them, a representative of government would have done well to visit the protesters, discuss their demands and do what was possible to address their grievances. Naturally, going without salary for month after month places a huge hardship on households.

Democracy is not just a word. A true democracy is indeed difficult to run. But it is this difficulty which makes it a superior form of government from the perspective of people. Putting facts and planned legislation out before people by tabling it in parliament also builds a much-required link between the government and the people of the country. When this link is broken, communication diminishes and lines break down. This can only lead to a lack of trust and a feeling among citizens that they are in some way being deceived or cheated.

This is an unfortunate place to end up in. Without trust and without transparency, governments generally run into bigger hurdles. Ministers and MNAs sitting on government benches need to be able to answer questions put by the opposition as a means of explaining their position and letting us know why certain legislation is required. When this does not happen, the task of governance is in fact taking part in isolation, without participation from other parties or from citizens. This is not a good omen. Participation in determining laws and other actions needs to be as wide as possible and using parliament as required by the constitution is the best way to achieve this.

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