

NATIONAL ACCOUNTABILITY BUREAU AND THE PERCEPTION OF POLITICAL VICTIMIZATION: IMPLICATIONS FOR DEMOCRACY IN PAKISTAN

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ABSTRACT

This study examines the National Accountability Bureau (NAB) in Pakistan, focusing on allegations of political victimization despite its mandate to combat corruption. Through qualitative methods like literature review, media analysis, and interviews, it assesses how NAB's actions shape public perception and political discourse. Additionally, it explores the impact of perceived political victimization on Pakistani democracy, highlighting the broader challenges of governance and accountability in the country's history. The findings emphasize the necessity of impartiality and transparency in strengthening democratic stability, underscoring the importance of effective accountability mechanisms.

Keywords: National accountability bureau, victimization, accountability, anti- corruption, democracy, Pakistan

INTRODUCTION

The article discusses Pakistan's struggle to establish genuine democracy since its partition in 1947, despite the founder's vision of a democratic state where people of all backgrounds coexist harmoniously (Altaf, 2019). Over the decades, military rule has frequently interrupted democratic governance, with elected governments often unable to complete their terms (Jalal, 2018). Democracy, lauded for accountability and economic growth, faces significant hurdles in developing nations like Pakistan due to undemocratic interference (Afzal, 2019). Corruption, a major obstacle, has permeated governance institutions, eroding ethical standards and normalizing unethical behavior (Amjad, 2022).

Various anti-corruption agencies have been established in Pakistan's history, but they have often been misused for political purposes, undermining their credibility (Ali, 2019). The National Accountability Bureau (NAB), tasked with accountability, faces challenges due to perceptions of political manipulation, raising concerns about its fairness and effectiveness (Ahmad, 2021). Accountability, crucial for democratic stability, must be impartial and strong to uphold transparency and the rule of law. However, Pakistan struggles with politicization and controversy surrounding accountability institutions, hindering the realization of fair and strict accountability (Khan, 2019).

This study adopts a post-positivist perspective, which is seen to be the most suitable philosophical stance since it acknowledges the subjective nature of issues. Furthermore, primary and secondary sources were employed to collect data. The primary data came from in-depth interviews with respondents from various relevant fields, including lawyers, judges, academicians, politicians, journalists, and public officers. Secondary data sources included books, reports, research publications, newspaper articles, and research theses.

Thematic analysis was used to examine the collected data, allowing for the discovery of underlying themes, meanings, and patterns in the qualitative data. This strategy facilitated the collection of perceptive ideas and points of view from many sources, therefore advancing a comprehensive understanding of the research problem.

NATIONAL ACCOUNTABILITY BUREAU (NAB)

Since Pakistan's inception, the country has established various accountability-related laws and organizations, aiming to combat corruption and misuse of power (Ali, 2018). The Prevention of Corruption Act (PAC) of 1947 was an early effort, albeit indirect in addressing corruption (Nazir, 2022). Subsequently, the National Accountability Ordinance (NAO) of 1999 was enacted to address corruption firmly, leading to the establishment of the National Accountability Bureau (NAB) as a key legal agency (Kirsanli, 2023). Empowered to investigate and prosecute individuals involved in corrupt practices, NAB's mandate also includes recovering misused state assets and debts. The NAO serves as the legal framework for NAB's operations, reflecting Pakistan's commitment to combating corruption and promoting accountability (Niazi, 2020).

ACCOUNTABILITY

The concept of accountability is crucial in governing bodies; ensures control and monitoring of authority to prevent its abuse, impacting all governmental and organizational sectors (Ahmed, 2021). In democracies, accountability is vital for political legitimacy, as it holds representatives responsible for their actions and decisions, enhancing transparency and citizen trust (Habib, 2023). Various mechanisms, including parliamentary committees and media scrutiny, are employed to enforce accountability, especially in developing nations where power dynamics pose challenges (Shah *et al*, 2022).

Social accountability, facilitated by civil society organizations and media, empowers citizens to demand responsibility from authorities, fostering good governance and public trust (Khan, 2014). Ultimately, accountability serves as the cornerstone of responsible democratic governance, allowing citizens to assess government efficiency and adherence to laws, thereby restoring public faith in governance (Dawn, 2022).

ACCOUNTABILITY AND DEMOCRACY

Accountability stands as the bedrock of democracy, ensuring efficient governance and public confidence in governmental institutions. Its absence can lead to political instability and economic setbacks, highlighting its crucial role in sustaining genuine democracy (Shah, 2016). With a focus on transparency and responsibility, accountability fosters openness and strengthens democratic norms, promoting development and societal well-being (Ali, 2018). Elected officials bear the responsibility of upholding democratic principles and anti-corruption measures, reinforcing accountability mechanisms for the betterment of democratic societies (Habib, 2023). Through accountability, citizens evaluate government performance, demand corrective actions, and hold representatives accountable for their actions, thereby safeguarding democratic values and promoting public trust. Ultimately, accountability serves as a fundamental principle that upholds democratic governance, fostering development, justice, and peace in society (Mechkova, 2018).

THE EVOLUTION OF NAB INTO A POLITICAL ENTITY

Historical evidence supports the perception of the National Accountability Bureau (NAB) as a tool for political victimization, lacking impartiality in its operations (Niazi, 2020). Ahmed Bilal Mehboob, director of the Pakistan Institute of Legislative Development and Transparency (PILDAT), emphasizes the absence of genuine commitment to impartial accountability in Pakistan's history (Razzaq, 2017).

NAB, purportedly an accountability agency, has often been exploited to settle political scores rather than uphold true accountability. Political interference and power struggles have compromised NAB's independence, with successive administrations influencing its operations to serve political agendas (Saleem, 2022). The organization's evolution into a political tool is evident, with instances of targeting political opponents and influencing electoral outcomes. Despite legislative efforts to establish accountability, the system remains plagued by biases and political manipulations, hindering the development of a robust democratic framework (Dawn, 2022).

ALLEGATIONS ON NAB

Critics argue that the National Accountability Bureau (NAB) fails in its primary duty of combating corruption, instead being exploited for political purposes (Sajid, 2021). Lengthy legal proceedings and accusations of targeting opposition figures while shielding those in power raise doubts about NAB's impartiality (Khan, 2019). Concerns about its alleged interference in political affairs are compounded by claims that its actions are strategically timed to influence events. Criticism extends to NAB's struggles in recovering stolen assets, fostering skepticism from various sectors including the judiciary, politicians, and the media. Furthermore, widespread belief in NAB's lack of transparency and political bias perpetuates a cycle of power abuse and victimization, with accusations of favoritism towards ruling party members (Niazi, 2020). The selective accountability exemplified in cases like the Panama Papers further undermines public trust, highlighting NAB's biased approach and lack of transparency, intensifying concerns about political manipulation and compromising anti-corruption efforts in Pakistan (Rehman, 2021).

ALLEGATION OF POLITICAL VICTIMIZATION

Political victimization, disguised as accountability, is increasingly recognized in Pakistan, particularly concerning NAB. The historical trend of targeting opposition figures through accountability mechanisms has led to condemnation and a breakdown in governmental accountability (Bukhari, 2022). The focus should shift towards universal accountability rather than selective targeting to promote democracy and impartiality. However, the prevalent use of accountability for political agendas continues to hinder progress towards a fair and corruption-free Pakistan (Hatchard, 2003).

Opposition leaders accuse the government of using NAB to target political rivals, compromising democracy. NAB's selective approach, targeting non-ruling party members while sparing ruling party affiliates, raises questions about its independence and impartiality (Mahboob, 2018). The cabinet and opposition alike criticize NAB for victimization and breaching human rights, calling for reform or replacement with a more transparent and collaborative accountability mechanism. A fair and genuine approach to accountability is essential for preserving democracy and fostering public trust in political institutions (Dawn, 2022).

ALLEGATIONS OF BIAS AND SELECTIVE ACCOUNTABILITY BY NAB:

In Pakistan, skepticism surrounds the National Accountability Bureau's (NAB) integrity and transparency, with politicians often accusing it of operating secretly and prioritizing political goals over national welfare. Critics contend that NAB has become a political instrument, allowing some individuals to evade punishment for serious misconduct by making minimal concessions (Gillani, 2021). Opposition parties claim that NAB's procedures are biased and politicized, selectively pursuing cases while delaying others. Concerns about selective accountability arose after the Panama Papers leak implicated members of the Sharif family, leading to questions about why only Nawaz Sharif faced legal action (Sadiq, 2020). Many believe that NAB lacks independence and is influenced by politics, targeting opposition parties and shielding government allies. This perceived bias undermines public trust in accountability processes, with fears that it could erode democracy if left unchecked (Nazir, 2022). Political figures, including former Chief Justice Asif Saeed Khosa, have criticized NAB's credibility, labeling it a tool for political engineering. Cabinet members have also condemned NAB's practices, accusing it of politically victimizing individuals and hindering democracy. Higher

courts have echoed concerns about political victimization, raising doubts about the impartiality of the accountability process (Abbasi, 2021).

POLITICIANS' PERCEPTION OF NAB PERFORMANCE

Lawmakers overwhelmingly hold negative views of NAB, viewing it as a biased entity that exploits its targets. Opposition parties, including PML(N), PPP, and PTI, accuse the ruling party of using NAB to target political opponents (Rehman, 2020). Examples such as the Hudibia mill case and the Rana Sanaullah drug case highlight allegations of NAB's prejudice and political motives. Opposition leaders accuse the government of using NAB to suppress dissent and consolidate power, eroding public trust in the accountability system (Jan. 2020). Established under Musharraf, NAB has been criticized by opposition figures as a tool for political repression. Raja Pervez Ashraf of the PPP accuses the government of engaging in character assassination and political harassment through NAB (Sheikh, 2020). The highest court has also weighed in, describing the current accountability system as a tool for political sabotage, further fueling concerns about NAB's impartiality and integrity (Ali, 2018).

POLITICAL VICTIMIZATION OCCURS WHEN ACCOUNTABILITY IS ABUSED

The challenge of achieving free and fair elections and establishing a reliable system of accountability in Pakistan is compounded by political prejudice, ineffective anti-corruption measures, and a disregard for genuine accountability procedures (Raza, 2019). Despite numerous attempts to implement trustworthy accountability systems, they have failed to gain consistency and public trust due to political pressures and failures. Doubts about the neutrality of accountability frameworks persist as they often appear to align closely with influential political figures, hindering the development of a stable democratic environment (Mehboob, 2018). The National Accountability Bureau (NAB), established under the National Accountability Ordinance (NAO), has faced accusations of being used as a tool by ruling parties to target political rivals, undermining true accountability and eroding the basis of democracy (Gillani, 2021). Allegations of the NAB targeting politicians raise concerns about its potential misuse for political gain, necessitating a thorough and impartial inquiry into its practices (Iftikhar, 2021). Despite criticism, there remains a need for an independent organization to combat corruption and

maintain integrity, highlighting the importance of addressing concerns about political influence. Justice Baqar and Sadiq Sanjrani have publicly criticized the NAB's selective accountability practices, emphasizing the need for a fairer approach. Former Chief Justice Asif Saeed Khosa has expressed concern about the perceived bias in the accountability process, urging swift action to maintain the institution's reputation and prevent its abuse for political vendettas (Dawn, 2020).

MECHANISMS FOR ACCOUNTABILITY MUST BE JUST, FAIR, AND REASONABLE

The concept of fairness, justice, and reasonableness in accountability, as outlined in the Constitution, emphasizes adherence to the law, protection of human dignity, and avoidance of discrimination (Khan, 2023). However, recent Supreme Court decisions have highlighted violations of these principles by the National Accountability Bureau (NAB). Concerns about NAB's procedures and selective targeting of political rivals have raised doubts about its legitimacy and impartiality. Critics argue that NAB's actions sometimes coincide with political events, suggesting political motivations rather than genuine accountability (Niazi, 2020). This selective approach has damaged NAB's credibility and raised questions about the integrity of the accountability process. Political leaders have called for reforms to ensure transparency, impartiality, and adherence to the rule of law in accountability mechanisms, emphasizing the need to strengthen institutions and protect democracy (Nair, 2015).

The research findings reveal some successes of Pakistan's National Accountability Bureau (NAB) in combating corruption and ensuring accountability, including the prosecution of high-profile individuals like former Prime Minister Nawaz Sharif and the recovery of illicit wealth. These actions are seen as contributing positively to the fight against corruption. NAB's efforts have also acted as a deterrent to corruption, with provisions in place to protect whistleblowers and promote transparency. Additionally, collaboration with international anti-corruption organizations and judicial oversight are recognized as further strengthening accountability processes.

However, the research also exposes several shortcomings within NAB. These include a lack of transparency, accusations of selectively targeting individuals, prolonged legal proceedings, and allegations of political interference. These negative aspects highlight the importance of a

transparent, accountable, and impartial NAB to uphold democracy and the rule of law in Pakistan. It emphasizes the need to avoid political manipulation in accountability mechanisms.

CONCLUSION

The study concludes that Pakistan's National Accountability Bureau (NAB) has made significant progress in combating corruption and promoting accountability over the past two decades. Despite concerns about political victimization, NAB's efforts have led to successful investigations, prosecutions, and the recovery of substantial ill-gotten wealth, contributing to transparency in both public and private sectors. However, challenges remain, including political interference and resource constraints. To address these, the study emphasizes the importance of civic engagement, public oversight, and an impartial judiciary. It asserts that upholding democratic principles, protecting individual rights, and ensuring fairness in accountability processes are crucial for the future of democracy in Pakistan. The research highlights both the challenges and opportunities in achieving a more inclusive and robust democratic system in the country.

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