THE K&M EUNOMIA-MODEL FOR GOOD GOVERNANCE

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Abstract - In my Doctoral Dissertation we had developed a Model for Good Governance in relation with the Judiciary. The main aim of this paper is to present "K&M Eunomia-Model for Good Governance" and discuss its issues and practical aspects. The model is a revival of an old term of political science i.e. "Eunomia" with the addition of a layered approach. We see Eunomia (good governance according to good laws) as the term for the main political products towards which all political association appropriately points. We have selected Eunomia as a method for helping the masses to remember vote based system that their valuable elective administration couldn't exist in any structures without the achievement of the rule of law. The model does not intend to highlight or list the factors of achieving good governance; it only tries to PRIORITIZE these factors and how they affect the governance process in the light of Judiciary. It has four (04) layers making a bottom-up shell approach in which each inner shell has been protected by its outer one and so on. In this layered protections to the governance each outer layer will trigger only when its inner one is accomplished. As a launching pad for the model we have developed few research questions and have tried to investiage them through a primary data collected via questionnaire by the purposive/judgemental sampling with in the domain of Pakistan. The initial objective of the research was to evaluate the contribution of the judiciary in quest of good governance. The paper first reconfirm few conclusions, later draw logical grounds for the decision makers to identify and prioritize the areas that should be focused for providing a respectable and reasonable life to the common citizen through the association among judiciary, governance, economic stability, administrative skills, peace and harmony and rule of law. The future intentions are to investigate this model more deeply and then apply the model to other cross-cultural and diversified economic societies.

Keywords - Good Governance, Judiciary, K&M Eunomia-Model

I. INTRODUCTION

According to Ex-UN Secretary-General Kofi Annan, "good governance is perhaps the single most important factor in eradicating poverty and promoting development" (Annan, 1998). Everything needs some energy to keep itself running. Tracks are required for railways to move, fuels are important for industries operation, students are needed for institutes to operate, ATMs need non-empty accounts to work, similarly a country is merely a chaos in absence of good governance.

For the country to prosper and foster in a progressive way, good governance is the dire need of time and work as an agent who provides energy to the system. Good governance makes sure that human rights are not violated, justice gets rightly and timely delivered, ensures prevalence of law and order and provision of fair and just opportunities to the masses. In this way, everyone enjoys the fruits of growth and expansion. Good governance is a must at all levels and all walks of life.

It is something that cannot be compromised for any state if it wants to function properly. Moreover, states with good governance can also employ opportunities worldwide to face the different challenges. This increases the efficiency and effectiveness of the state. Masses of the state this way gets equal rights, minorities enjoy freedom and exercise religion peacefully. Everyone feels accountable and take law into consideration. Roots of corruption also gets eradicated and everyone is aware of their duties. As a result, economy fosters leading to investment opportunities and nations thrive too.

The role of judiciary then comes into play to save the system from inconsequential damages too. Judiciary is integral for an approach of political process that lead to governance.

The stress is not only on the rules, but also on the customs in which they are applied in society. Judiciary, from a governance standpoint, is important not just as arbitrating but also in socialization and enforcement of these rules. The legal ethos that grows in society in consequence of arbitration is important for how people think about judiciary but also the political system at large.

II. GOOD GOVERNANCE AND THE JUDICIARY

"Establish a framework of law and government behavior conduce to development"

Governance is defined as "the management of society by the people" (Albrow M. , 2001), and "the exercise of authority or control to manage a country's affairs and resources" (Schneider H. , 1999) , or "as a complex system of interactions among structures, traditions, functions (responsibilities) and processes (practices) characterized by three key values of accountability, transparency and participation" (Abdellatif, 2003) . "Good governance has also been described as the striving for rule of law, transparency, responsiveness, participation, equity, effectiveness and efficiency, accountability, and strategic vision in the exercise of political, economic and administrative authority" (Egbe, 2016).

John Locke defined good governance as "the right to life, liberty and the pursuit of happiness." (Locke ,

1988, [1689]), later this is also reflected in the United States Declaration of Independence.

"Judiciary is a pillar of state, its meant to dispense justice and resolve conflicts and disputes" (Gangadar, 2016). This objective is attainable if all the stakes involved try to make it independent of the other institutions and authorities. As good governance is "the instrument of political, economic and administrative authorities to manage a nation's affairs", (UN, 2006) it has become essential for sustainable economic, social and political development. The term has gained a prominent issue especially in Pakistan in the last few decades. Today we find human inequality, everywhere in our society, which has resulted in social injustice.

"A strong judiciary, with the power to review acts of Government, can protect the citizenry from unlawful acts of Government and hold government officials accountable for their graft, corruption, and abuse of power; and do so promptly" (Kuroda, 2005). As our religion Islam teaches us, the procedures to access justice for the poor and powerless people should be approachable. The reforms to access this justice should be improved as the just or unjust decision could leave a remarkable impact on them.

This is what makes judiciary an eventual key to the good governance and to the fundamental rights of people and all are based upon the decisions and actions of the judges. But the question to all these understandings are who is administering the supervisors? Is the judicial system performing its duties fairly to guarantee a good display of justice? Since these judges carry responsibilities and have to exercise their obligations autonomously and impartially, the transparency of the administration of justice and the skills they should have remains a crucial component in the expedition for good governance. Certainly, a good law making by the legislators can ensure that judiciary too is obliging the public interests. Because merely independence of courts doesn't mark eradication of injustice. A proper scrutiny is necessary to keep the function of judiciary intact. The research is based towards investigating the role of judiciary in the process of good governance in Pakistan. Judiciary being the strong pillar of state has an important role in protecting the rights of people which is not possible without good governance. Thus, one can clearly establish the direct relations between judiciary and good governance. In our discussions, survey, hypothesis and findings reflect the positive relations between good governance and the judiciary very similarly the way stated by the philosophers, by the makers of law and modern democratic governments. Of course, we have to regulate their verdicts to the specific challenges of our current times causing the constant political, social, economic and technological changes in the situations.

"The true administration of justice is the firmest pillar of good government"

Inscription on the Supreme Court building of New York.

III. PROPOSED RESEARCH QUESTIONS

It is generally presumed that Judiciary and Good Governance has a strong relationship but the direction and degree of this relationship to which the Judiciary has an impact on the Good Governance of the country should be measured based on certain criteria. Following questions were developed in the light of the research issue and objective in order to reach scientific conclusion.

A. First Question: Does the attainment of good governance require administrative skills?

B. Second Question: Is a Good governance is a basic requirement for the stability of the political, economic, social and judicial system?

C. Third Question: Whether a Good governance is a pre-requisite for administrative development?

D. Fourth Question: Do Judicial decisions play significant role in contributing towards good governance?

IV. RESEARCH MODEL

Following is the summary of the perception of different people about the governance and judiciary with in the domain of Pakistan. The analysis is based on data collected by conducting primary survey of the students and individuals which are studying public administration and law in their respective departments few practitioners of law were also questioned. The survey data on the issue is collected by 308 individuals.

In following section, we will have a look at the responses of the respondents of the survey about the judicial system and governance only to the queries involved in making of the proposed model.

V. COMPARATIVE ANALYSES OF ALL QUESTIONS

Following is the result of questionnaire containing the cumulative percentages of the questions which covers our hypothesis.

TABLE I. Outcome of the research questionnaire

	H1	H2	H3	H4
Strongly Agree	31.4	50.5	33.9	28
Agree	71.3	81	78.9	67.2
Undecided	88.4	88.8	86.2	82.4
Disagree	96.2	94.9	96.3	92.2
Strongly Disagree	100	100	100	100
Cumulative percentages				

As the response is taken over the perception groups who know about the administration and the law, so that the point of view could be analyzed in a broader perspective.

The overall results of survey confirm the research questions of the study and suggest that the good governance not only requires good administrative skills but it is also a pre-requisite of administrative development. Moreover, it also confirms that judicial decisions also play an important role in delivering good governance.
From the analysis of above data, it is statistically proved that relationship exist between the variables, all the variables have statistical significance. By analyzing the above tables, we can figure out which one in view of the respondents is more significant and can be prioritized. The acceptance in terms of priority.

Question 2(H2): Good governance is a basic requirement for the stability of the political, economic, social and judicial system.
Analyses: Political, social and judicial system stability is the most important factor around 81% of the respondent believe that system's stability is the backbone of good governance.

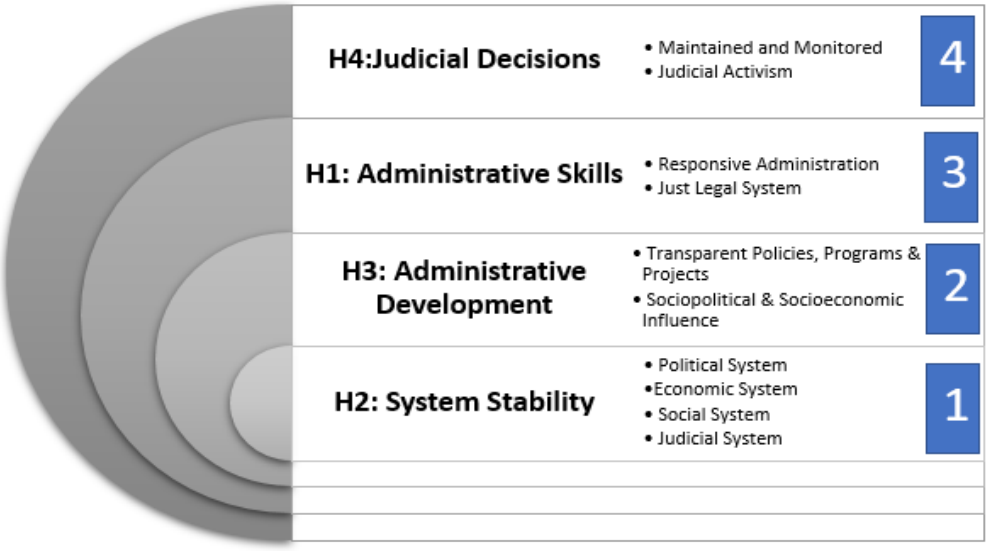
Question 3(H3): Good governance is pre-requisite for administrative development.
Analyses: 78.9% of the sample believes that without good governance it is difficult to have a proper administrative efficiency. A transparent system should prevail to administer policies, programs and projects that contributing to the expansion of a nation and having substantial socio-political and socio-economic influence. This transparency can be viewed by seasoned and artistic bureaucrats and legislative oversight.

Question 1(H1): The attainment of good governance requires administrative skills.
Analyses: Administrative skills are the pivotal characteristics for the government to carry out good governance. One cannot implement good governance if he lacks administrative skills. Around 71% of the respondent think administrative skills are the key factor in achieving the goals of good governance.

Question 4(H4): Judicial decisions played a significant role in contributing towards good governance.
Analyses: Good governance has to be maintained and monitored by Judiciary with the support of executives. According to 68% of the respondent believes in Judicial activism and its decisions.

VI. GOOD GOVERNANCE: A LAYERED APPROACH

From the above sequence of alternate hypothesis and theoretical study, we suggest the following layered model following bottom-up approach for achieving good governance.



K&M (Khalid & Mustafa) Model-Eunomia* for Good Governance

**Eunomia; a political condition of good law, well administered*

A territory is in the condition of EUNOMIA if its political government system has just rule of law with equality along with proper administrative infrastructure, as Eunomia is "the principle of good order". It is an image of an extremely antiquated origination of what constitutes good government, in particular authority, peace, stability and the administration of justice. The above proposed model gives the outline in what order and how one can achieve that state. Each layer has been established is explained in the following table,

TABLE II. Priority vise hypothesis

Layer 1	System Stability: is the inner most layer, the dimensions covered in this layer are the base to do governance.	Question 2 (H2)
Layer 2	Administrative Development: a continued process in administration to maintain the pace of this dynamic world is at second layer from inside and a penultimate level to attain the better governance.	Question 3 (H3)
Layer 3	Administrative Skills: the third layer from inner side and is one of the most important ability one should have to run government.	Question 1 (H1)
Layer 4	Judicial Decisions: above all judiciary protects all the inner activities by virtue of its standings at the top and this will be the key to have good governance in a state.	Question 4 (H4)

The K&M model relations

The standard of living of the members of society can be increased if the methods of good governance implemented, by which an administration advances, making available the elementary desires and creating better quality of life, providing the people the opportunity to foster and security. Instilling hope in people for their future, empowering them to participate and influence effectively in the society, influencing decisions in public concerns, supporting an active judicial system which disseminates justice fairly and impartially and maintain accountability and uprightness in each section of the Government are the main manifesto of good governance. Although judiciary is one of the major factors but there are other more influential factors which should be considered along with the judicial activism like stability of the political system, social framework etc. Also, the administrative skills are the key to attain good governance which is pre-requisite for administrative development. Judicial decisions are an important contributor towards good governance. Good governance implies the way government progresses and creates opportunities for the society to improve its living standards by making basic facilities of life easily accessible, providing its masses sanctuary and the prospects to improved life, impart anticipation for an imminent and promising future, giving better healthy environment, where personal progress can be conferred, empowering them to influence in the decision-making of public affairs; nourishing a receptive judicial system which bestows justice on facts in a fair way, impartial and evocative way; and upholding accountability and honesty in all functionaries of the Government.

VII. RATIONALE TO THE PROPOSED MODEL

The research is concluded with the introduction "K&M Eunomia-Model for Good Governance." It is a revival of an old term "Eunomia" with the addition of a layered approach.

The K&M Eunomia-Model of Good Governance should be further analyzed, explained and implemented at border domain to achieve a Good and Just Governance not only with in the domain of Pakistan but in different regimes having different social, economic and cross-cultural dynamics.

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