

FEDERALISM AND DEVOLUTION OF POWER IN PAKISTAN: ASSESSING THE MERITS AND DEMERITS

Muhammad Awais Khan,

Ph.D. Scholar, Department of Political Science, The Islamia University of Bahawalpur. (Author Email aavishkhan123@gmail.com)

Abstract.

Federalism is a system of government in which power is divided between a central authority and constituent political units, such as states or provinces. Under federalism, both levels of government possess significant autonomy and authority within their respective spheres of influence, with each retaining sovereignty over certain matters. This research article aims to conduct a comprehensive examination of federalism and the devolution of power in Pakistan, with a particular focus on assessing their merits and demerits. Against the backdrop of Pakistan's unique political and socio-economic landscape, the study seeks to analyze the effectiveness of the federal structure and the devolution of power in promoting governance, democracy, and socio-economic development. Methodologically, the research employs a multidisciplinary approach, integrating historical analysis, policy evaluation, and stakeholder perspectives to provide a nuanced understanding of the dynamics of federalism and devolution in Pakistan. Through a relevant literature, the study seeks to identify the strengths and weaknesses of Pakistan's federal system and the devolution process initiated through constitutional amendments such as the 18th Amendment. By synthesizing insights from these diverse sources, the research aims to offer practical recommendations for enhancing the effectiveness, accountability, and inclusivity of federalism and devolution in Pakistan, while mitigating potential challenges and drawbacks. Ultimately, the findings of this study aim to contribute to scholarly discourse, policy formulation, and institutional reform efforts aimed at optimizing the governance framework in Pakistan to better serve the needs and aspirations of its diverse population.

Keywords: Federalism, Province, Devolution, Local Self Government, Pakistan, Services etc.

Introduction

Federalism is the governance system at global level. it allows a governance system that offers a framework to balance main authority with specific political context and maintain autonomy in the region. The roots of federalism are genuinely associated with the ancient civilizations from Greece and Rome, where there was a central governing authority and provinces enjoyed different various degrees of self-rule under a central governing authority. Modern federalism as it is known today is developed over time with the significant event in the history that cause changes in socio-political conditions.

In the late 18th century, federalism has development with the financial support of United States. The U.S. has balanced distribution of powers between National government and individual states, according to the constitution. This set a base for the decentralized governing system. The law makers and framers of the Constitution kept a well balance between keeping national unity and Sovereign individual states. All these arrangements caused a balance to set and continue the revolution of federalism in America Rozell, M. J., & Wilcox, C. (2020)

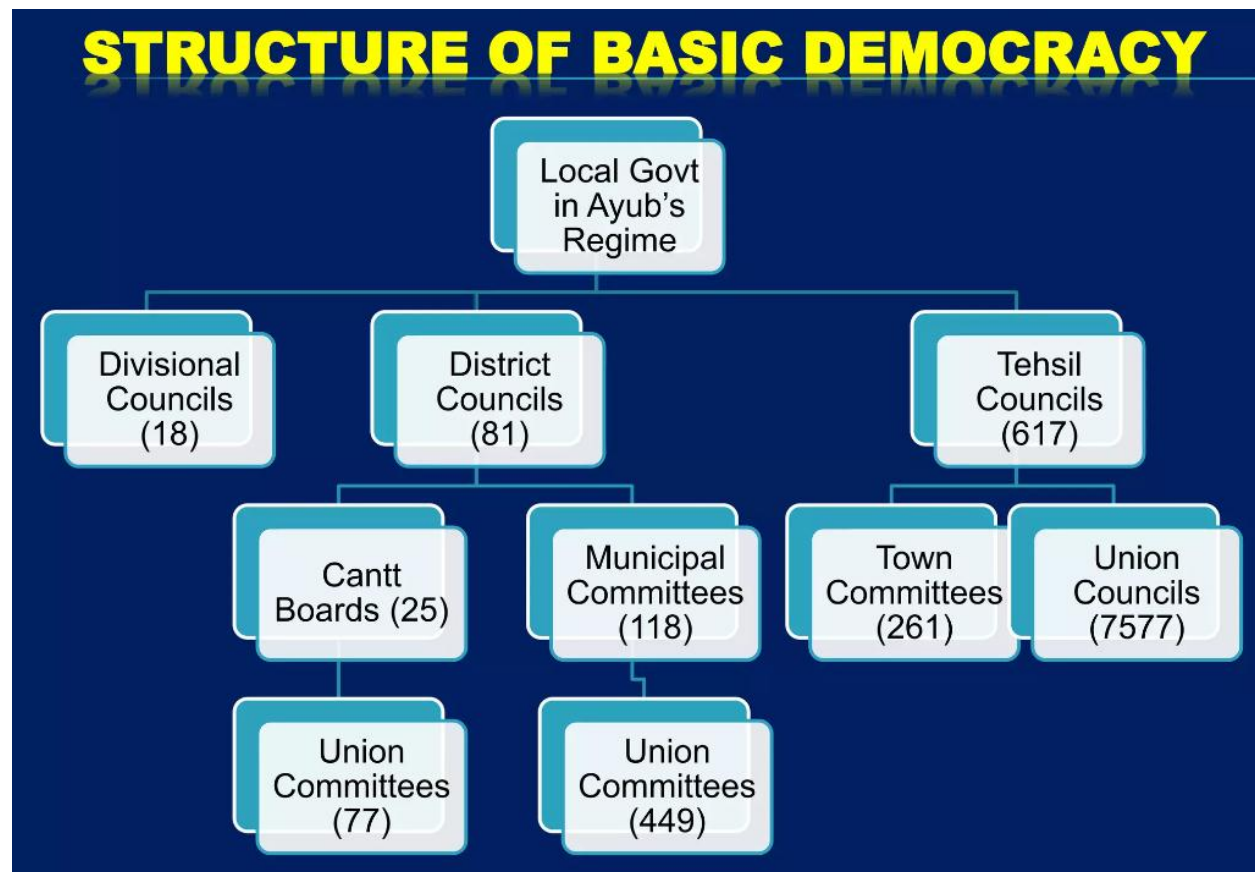
In the 19th and 20th centuries, federalism gained fame by proving as a successful model for managing multiple societies and accepting regional differences. In Canada, Australia and Germany, government adopted structures that was a source to preserve local languages and learn new languages, value cultures and historical disparities among their constituent regions. In this example, federalism was proved as a mechanism to promote national unity and regional autonomy of region is maintained with self-determination. Eckersley et al, (2023)

The post-colonial era has shown a boom in the adoption of federalism in the countries which were newly independent and were struggling to manage their ethnic, religious, and linguistic diversity. These countries include India, Nigeria and Brazil who put strong efforts to strengthen inclusion and accept diversity of different ethnic and linguistic groups. These groups gave power, acceptance, and identity to each other to form a nation and promote subnational entities. Federalism in said contexts also gave ways to mitigate tensions among ethnic groups, provision of resources and accommodating competing political aspirations. Steytler, N. (2022)

Federalism in Pakistan

Devolution of power and Federalism in Pakistan is representative of critical aspects of the Pakistan's governing structure. It also has practical implications for political stability, socio-economic sustainable development, and democratic consolidation. Federalism in Pakistan was adopted as a governance system as its independence in 1947. It reflects the diversification in ethnic, linguistic, and cultural composition of its population. In central government and four provinces of Pakistan, the Constitution of Pakistan delineates powers and aimed to strike a balance between national unity and regional autonomy. Adeney, K. (2012)

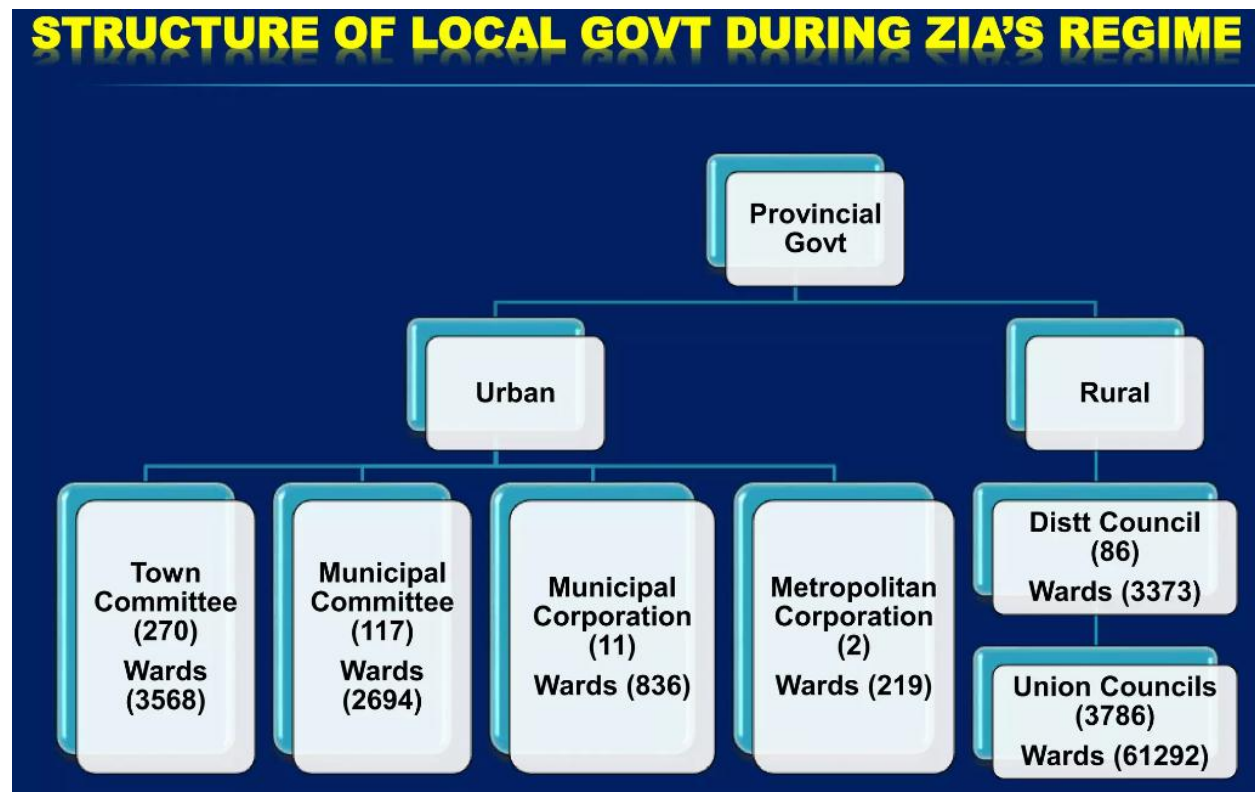
Basic Democracy by Ayoub Khan



<https://www.slideshare.net/slideshow/local-government-system-in-pakistan/60802331>

President Ayub Khan introduced basic democracy in Pakistan during the 1960s. This political system was introduced to decentralize power division and strengthen grass root level politics in the country. Local and community based political system has local councils and these were known as Basic Democracies. These were established at village and neighborhood levels. It provided people and citizens to raise and direct their voices at local level. However, many political critics raised their point of view that Basic Democracy was just a tool to consolidate Ayub Khan's authoritarian rule. It was not aimed to practice genuine democratic participation. Infact this system was tightly controlled by the central government and so called political opposition was restricted. Due to show off democracy, basic democracy met with opposition and criticism and it was dismantled following Ayub Khan's resignation in 1969. It was an unforgettable event in political history of Pakistan. Mukherjee, K. (2016)

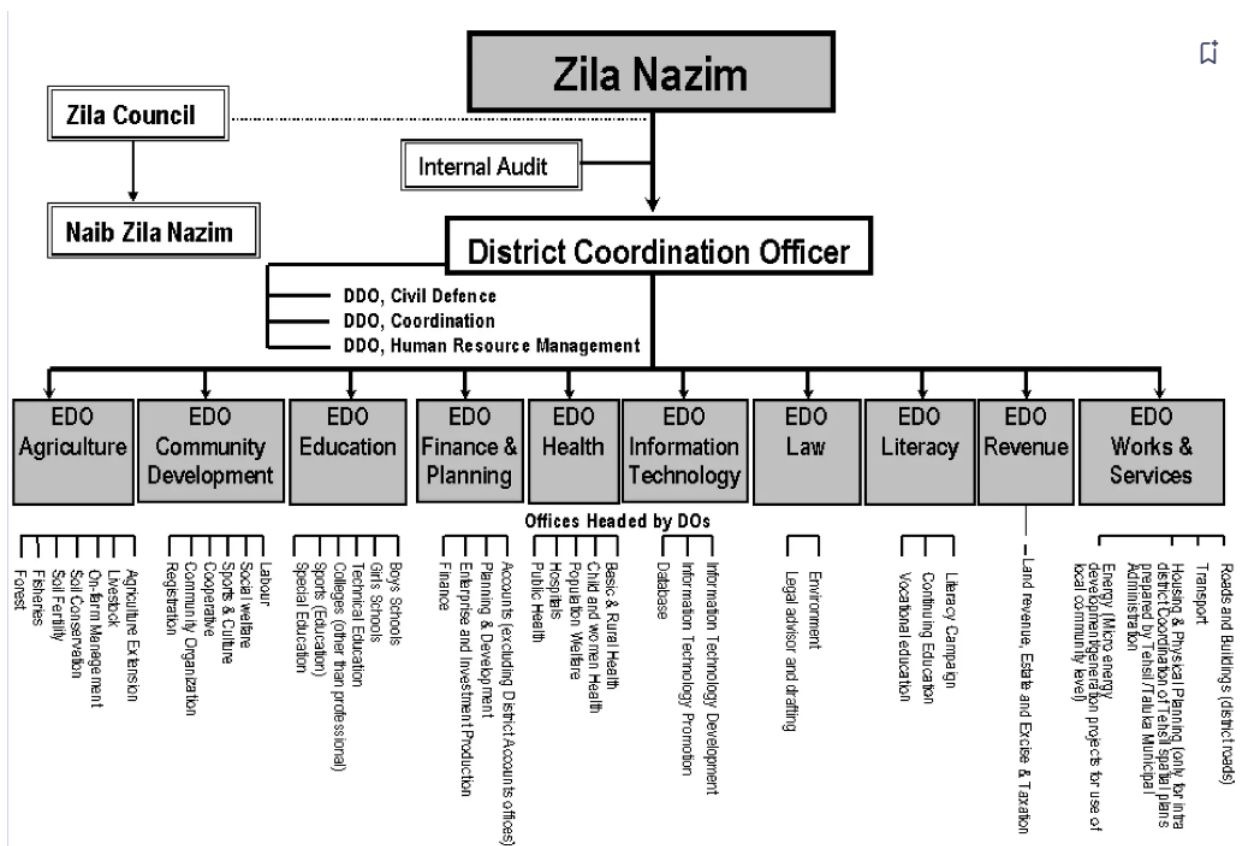
Zia Ul Haq Local Government



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General Zia-ul-Haq had a military regime in Pakistan in (1977-1988). In this time there were significant changes in local government structure and the devolution of power at grass root level. A system of Basic Democracies was introduced by Zia's government and this system was aimed to decentralization of political powers and establishing the local councils at the grassroots level. Citizens were encouraged to participate in the decision making process and promoting accountability in local government system in country. However, critics argue that the system was used by Zia was to consolidate his authoritarian rule. This was not to promote a real democratic engagement. As a tool these local councils were dominated by officials appointed by government and they were loyal to the regime. There was a limited devolution of power during this tenure, but a significant authority was retained by the central government. This system was intended to strengthen the local authorities, power remained at central level, effectiveness remained limited and perpetuating centralization. Zaidi, S. S. Z. (2019).

Devolution of Power by Musharraf 2001



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During regime of General Pervez Musharraf in Pakistan from 2001 to 2008, there were changes made to the structure and devolution of power. There was introduction of the Local Government Ordinance (LGO). This LGO was aimed to decentralize political powers by establishing a three-tiered local government system at district, tehsil (sub-district), and union councils level. These local councils (LC) had intention to be set as elected bodies who will be responsible for governance at grassroot level, service delivery, and development initiatives. This LGO was aimed to penetrate political powers in local communities and encourage the participatory democracy. The method was transferring administrative and financial authority from the provincial and federal governments to the local level. Aziz, A., & Khalid, T. (2017)

There was also criticism at LG system in that era, it was considered as expanded the role of local governments. This local government was also a source of concentrated power in the hands of the executive branch, these executive branches were there to limit the powers and obligations of

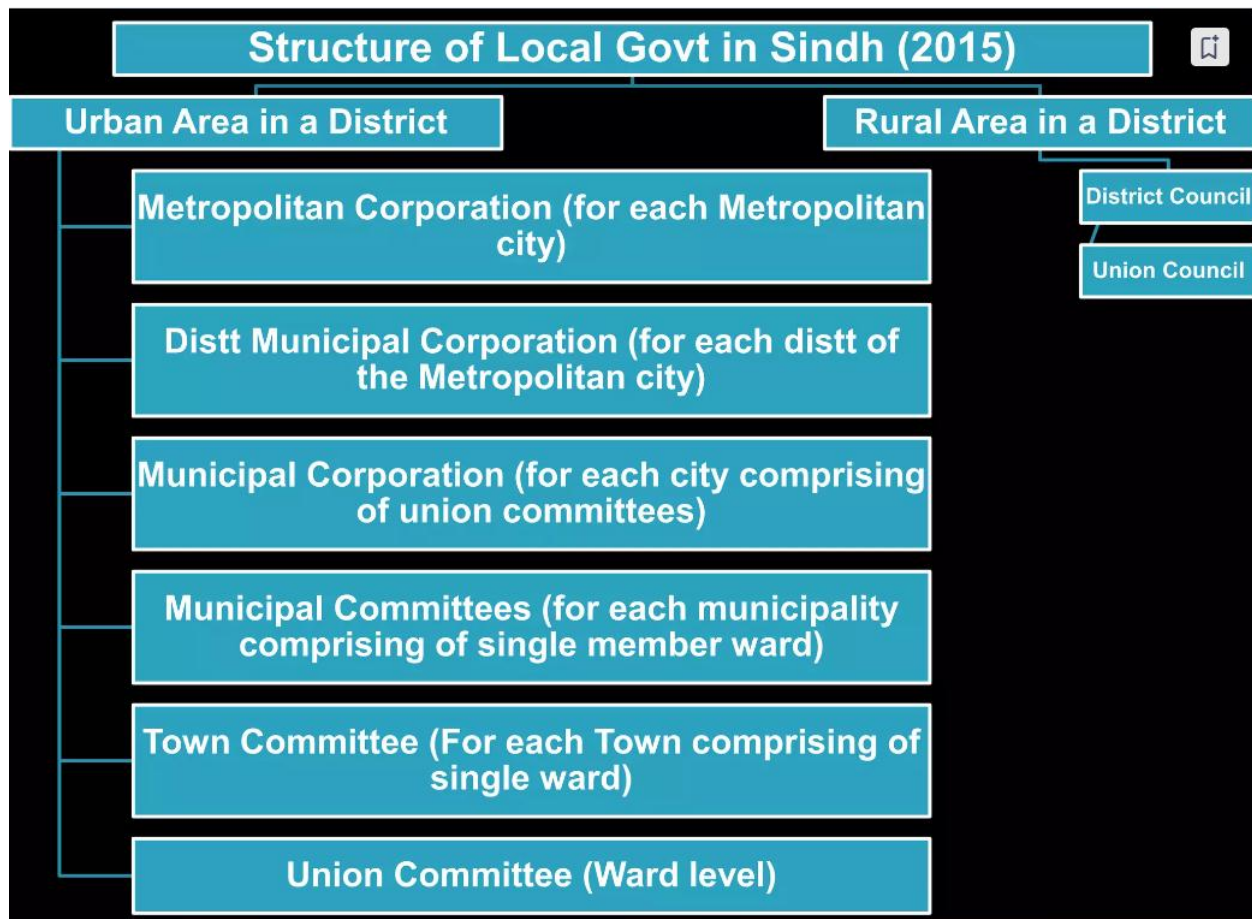
local councils and their ability to act as genuine representatives of the people. Additionally, this system faced criticism due to its top-down approach and lack of enough institutional capacity building at the local level. Despite these criticisms, Musharraf's era was a marvelous attempt to decentralize political powers and strengthen grassroots democracy in Pakistan. This local government in Pakistan reshaped subsequent debates and brought reforms on local governance and devolution of power. Zafar & Qadri (2022).

This Local Government System had devolution of powers in Pakistan with a momentum due to the 18th Amendment to the Constitution in 2010. This was to enhance powers and enhance provincial autonomy and decentralization of authority by transferring administrative, legislative, political and financial powers from the federal to the provincial governments. This political system was there to strengthen the wide range of political and financial policies, including policies of health, education, agriculture production, and empowering provincial authorities to assume greater accountability and responsibility for service delivery and governance at the grassroots level. Khawar et al, (2021)

There were several challenges and limitations for devolution of power in Pakistan. There was less capacity of institutes and local politicians, it was weak provincial government. They were unable to manage these devolution of powers. There were inclusive and equitable distribution of resources and financial autonomy. Some provinces were alleged for unfair treatment or inadequate allocation of resources by the central government. Paracha, S. A. (2003)

Furthermore, there were devolution of powers with corruption, ineffective utilization of resources, and governance outcomes. In some cases, there were questions raised for coherence of national policies, financial and economic planning and forming national policies. Zaidi et al, (2019)

Sindh Local Government 2015



<https://www.slideshare.net/slideshow/local-government-system-in-pakistan/60802331>

Sindh Local Government Act was enacted in 2015. It introduced significant changes to the political structure and devolution of political powers in Sindh, Pakistan. There were three hierarchical levels for local government including district councils, municipal committees, and union councils. These three tiers had elected representatives at each level. The aim was to decentralize political powers and strengthen grassroots level democracy by enabling them to manage their own revenues and resources to develop the community and physical infrastructure. Rid, S. A., & Murtaza, N. (2019).

This SLGA aimed to enhance citizen participation in decision-making processes at the grass root level and improve accountability based on transferring administrative and financial authority from the provincial government to local councils. There were challenges for implementation of this act including the capacity of citizens, capacity building opportunities for representatives of

SLGA and coordination among government departments and private institutions. Despite all the challenges, the 2015 reforms were a significant attempt to promote and strengthen local governance and devolution of powers at grassroots level in Sindh province. It was an effort to enhance democratic governance and socio-economic development in the province. Dino et al, (2021)

Significance of the Study

This study on federalism and the devolution of power in Pakistan holds significant implications for both academic scholarship and practical policymaking. By comprehensively analyzing the merits and demerits of federalism and devolution, the research provides valuable insights into the complexities of Pakistan's governance structure and its impact on political stability, socio-economic development, and democratic governance. Understanding the strengths and weaknesses of federalism and devolution is crucial for informing evidence-based policy decisions aimed at optimizing the effectiveness and efficiency of Pakistan's governance framework. Moreover, by identifying areas of improvement and potential challenges, the study offers practical recommendations for enhancing the accountability, inclusivity, and responsiveness of the federal system and the devolution process. Ultimately, the findings of this study have the potential to contribute to broader debates on governance reform, institutional strengthening, and democratic consolidation in Pakistan, thereby facilitating progress towards a more resilient, equitable, and participatory governance framework.

Objective of the Study

The objective of this study is to conduct a comprehensive examination of federalism and the devolution of power in Pakistan, with a specific focus on assessing both their merits and demerits. By analyzing the strengths and weaknesses of Pakistan's federal system and the devolution process initiated through constitutional amendments such as the 18th Amendment, the research aims to provide insights into the complexities of the country's governance structure. Through empirical analysis and stakeholder perspectives, the study seeks to identify areas of improvement and potential challenges, ultimately contributing to evidence-based policymaking and institutional reform efforts aimed at enhancing the effectiveness, accountability, and inclusivity of Pakistan's governance framework.

Literature Review

Abbasi & Mussarrat, R. (2015) have found that devolution of power in federalism and local government systems may lead to strengthen local autonomy for financial and decision making powers, ensure inclusion and allowing subnational entities to make decisions. Priority for decision making was to know and sort out real problems and present local issues. this was to promote local political representation and empowering citizens at grass root level and include them in political system.

Rahim & Shirazi (2018) research suggests that education, health care, infrastructure and governance in devolution of powers has grown a lot. The financial an administrative responsibilities to local governments, devolution enables more efficient and targeted delivery of public services, leading to better outcomes for citizens and communities.

Rahim & Shirazi (2018) highlighted the importance of financial decentralization in devolution of power processes, focusing the need for local governments to have enough financial resources and revenue-raising powers. These were to effectively carry out the mandates of local bodies. Financial decentralization enable local governments to generate resources, planning and prioritization their spending, and address local development needs, thereby enhancing their capacity to govern effectively.

Ashraf & Shahzad (2020) have explored key challenges related to capacity enhancement of officer bearers and they are a barrier to the successful implementation local government and devolution of power. These were barriers in both federalism and local government systems. There are insufficient human and capital resources and inadequate institutional capacities at the local level.

Wasti (2013) emphasized the importance of poor cooperative inter-governmental relations and with private organizations in devolved governance systems. There is need for effective coordination and collaboration between different levels of government departments and improved policy-making, revenue collection, resource allocation, and service delivery. There are challenges and overlapping the efforts for the grass root level politics.

Kanwel et al, (2020) have highlighted that there is potential in devolution of power and to inclusive development in federalism and local government systems. Empowering local citizens, communities and marginalized community groups to participate in decision-making processes at all levels, devolution of power may be helpful to address disparities, promote social justice, and ensure that governance processes are more representative and responsive to the diverse needs of society.

Conclusion

In conclusion, the literature on the devolution of power in federalism and local government systems highlights both merits and demerits associated with this governance approach. On the one hand, devolution of power has been found to enhance local autonomy, improve service delivery, and promote fiscal decentralization, leading to more responsive and efficient governance. Moreover, devolution has the potential to foster equity, inclusivity, and grassroots democracy by empowering local communities and marginalized groups. However, challenges related to capacity building, inter-governmental relations, and fiscal sustainability pose significant hurdles to the successful implementation of devolution initiatives. Issues such as administrative capacity constraints, interjurisdictional conflicts, and fiscal disparities may undermine the effectiveness of devolved governance systems and limit their ability to address complex socio-economic challenges. Therefore, while devolution holds promise for promoting democratic governance and local empowerment, careful attention must be paid to addressing these challenges and ensuring that devolution processes are inclusive, transparent, and sustainable in order to maximize their benefits and mitigate potential drawbacks.

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