
**EMPOWERING SOCIETY IN PAKISTAN THROUGH THE DEVOLUTION
PLAN – 2001: A CRITICAL ASSESSMENT ON ITS IMPACT, ISSUES AND
CHALLENGES IN BALOCHISTAN**

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ABSTRACT

Pakistan is one the most important country in the developing world, but it has been volatile for various reasons, such as inconsistent democracy, internal conflicts and instability, deprivation of the masses, poor governance, corruption, and lack of accountability. A lot of efforts are being done and a great number of reforms, structural changes have been introduced on different institutional and administrative level to bring the country on the track to progress and prosperity, but so far none worked as desired. However, it is, indeed, a positive sign that the government has shown considerable flexibility in changing its traditional role of having a monopoly over every sector by engaging civil society, private organization, and encouraging community participation in different areas to deepen the democracy. It will certainly help in bringing improvement in the performance, efficiency, and responsiveness of different government departments so that the public could be better facilitated. This paper proposes the Devolution Plan – 2001 as a mean of deepening democracy in Pakistan, and explains the some of the salient features of the plan. Further, it presents an analysis of the major issues and challenges of the plan, and its impact on Balochistan particularly.

Keywords: Pakistan, Balochistan, Empowerment, and Devolution Plan-2001,

INTRODUCTION

The distribution of power between central and regional governments is not a new phenomenon in Pakistan, and it has a very long history which starts from the continuation of local government system of the British colonial era after Independence in 1947. With the passage of time various reforms were introduced but all major reforms were mainly connected with the military regimes. As after every coup there was an attempt to devolve some of the powers to the local level in order to legitimize the takeover of the government. “Unlike attempts at decentralization in some other countries, which appear to have been

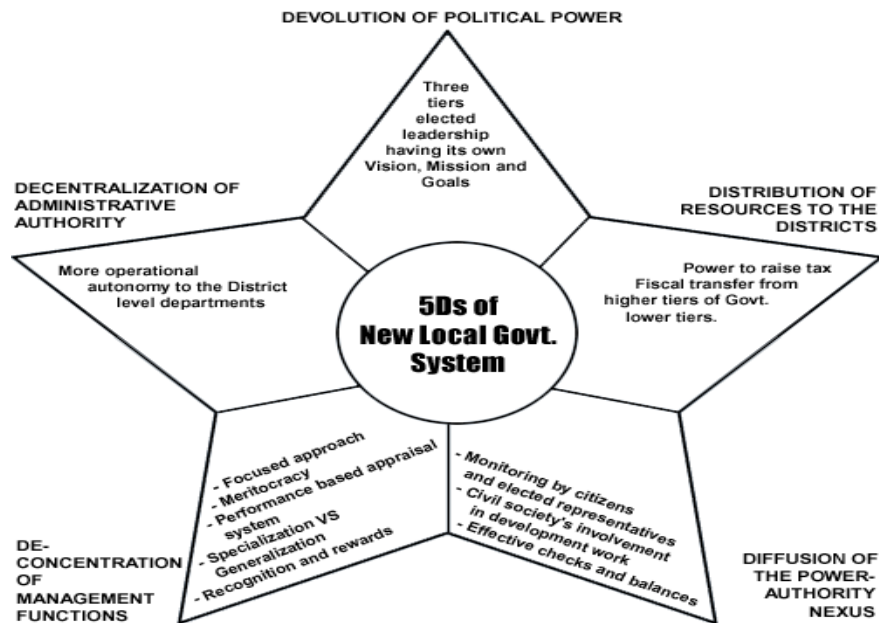
motivated more by changes in state ideology or multilateral pressure, in Pakistan, the military's need for legitimization of state control appears to be a prime reason behind the recurring attempts at local government reforms" (Cheema *et.al.*, 2005:408). Thus, this paper is not about the idea and history of decentralization in Pakistan due to its scope and space constraints; however, it focuses on the Devolution Plan – 2001; issues and challenges in regard to Balochistan Province in Pakistan.

BACKGROUND OF THE STUDY

A military ruler General Mohammed Ayub Khan (known as Ayub Khan) introduced Basic Democracies in 1962, while General Zia-ul-Haq (another military ruler) came up with Local government Reforms in 1979, followed by General Pervez Musharraf for his famous Local government Ordinance in 2000 that is famously known as Devolution Plan-2001. Surprisingly the civilian governments paid very little attention to the distribution of the powers process until recently when the 18th Amendment was made in the Constitution of Pakistan in 2010 (Faiz, 2015). The Local government was made a provincial subject with devolution of some other Federal subjects like Health and Education to the provinces. Again after lapse of almost four years no local government elections took place in the provinces under civilian governments.

Soon after the coup in 1999, General Pervez Musharraf, Military Ruler cum Chief Executive of Pakistan, constituted a National Reconstruction Bureau (NRB) to look into the current working setup of the Government Machinery that came-up with recommendations for restructuring of the Political and Administrative Services. The objectives were mainly focused on citizen empowerment and devolving certain powers including i.e. Administrative and Financial to the sub-provincial level. The recommendations of the National Reconstruction Bureau for local government system are summed up as 5Ds (Figure-1) in the following Diagram.

FIGURE-1



Source: National Reconstruction Bureau (NRB), Government of Pakistan (2000) in Paracha, (2014:14)

It is important to note here that the Bureau was headed by a retired general and no elected governments were in power either in the centre or the provinces to approve the model presented by the Bureau. All this process was rapidly done and the plan was implemented at once.

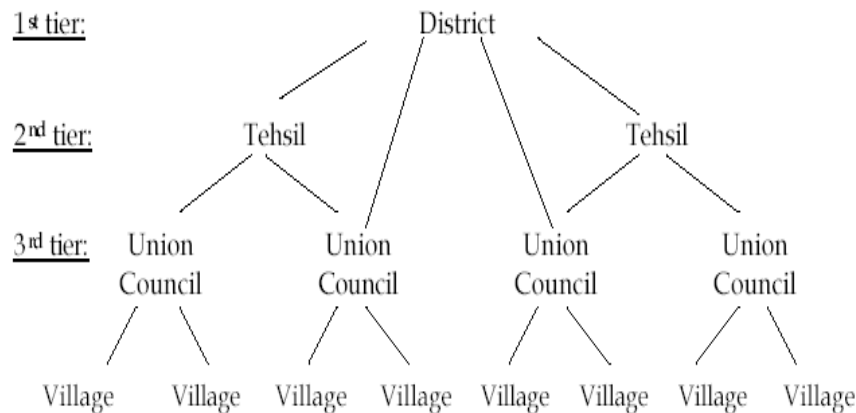
DEVOLUTION PLAN 2001 – SALIENT FEATURES

Whatever the apparent reasons behind introducing this plan were but it was a very bold step towards community representation and deepening democracy at the grass-roots level in Pakistan. It has created a joint responsibility between the government sector, and locally elected representatives to oversee the governance of various public offices at the local level to ensure efficient service delivery. In this system, the locally elected representatives have more authority over the government officers working in different line departments of district administration.

Subsequent to the implementation of the Devolution Plan in 2001 considerable changes were made in the government working structure at the District, Tehsil and Union Council Level (see figure 2 below). In the

plan a new Administrative Structure was created with Zila Nazim (District Mayor) as the new head and the sub-provincial tier of the Bureaucracy was made accountable to elected representatives. The Deputy Commissioner was no longer Magistrate and Collector in the new system and nomenclature was also changed as District Coordination Officer (DCO). Furthermore three tiers of local government were introduced at District, Tehsil and Union Council level respectively as shown in the following figure.

FIGURE-2



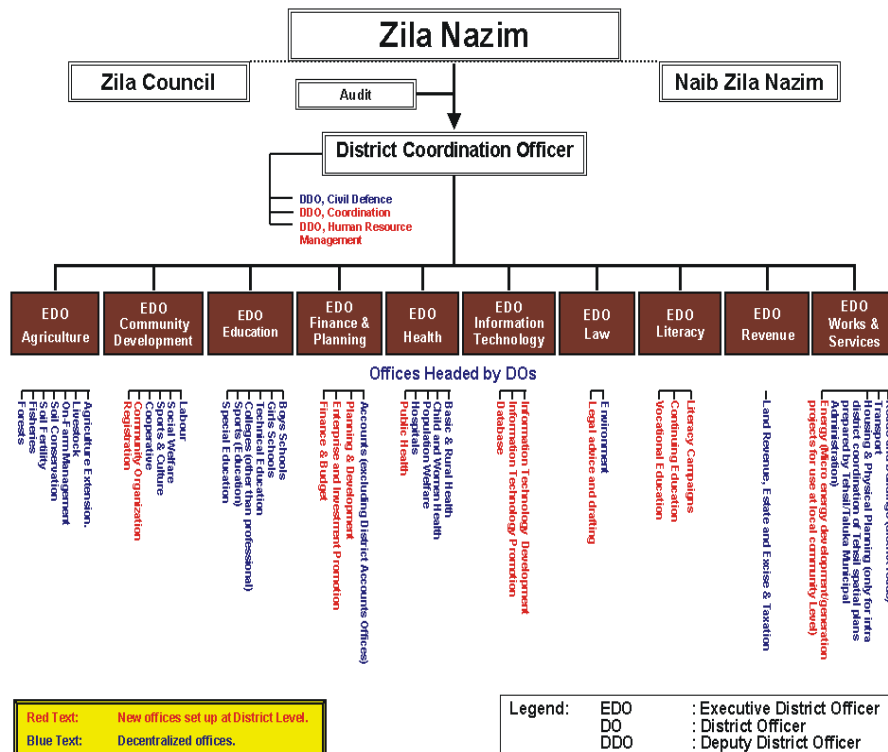
Source: National Reconstruction Bureau (NRB), Government of Pakistan (2000) in Paracha, (2014:16)

Bottom-Up Approach: The election of the local representative from the union council level was an encouraging part of the Devolution Plan for people living in the small units. This arrangement provided them a chance to elect their representative from that particular area to raise their issues and concern on the decision making forums. This bottom-up approach gave them a greater voice and participation opportunity. The Union Council members were involved in electing the members for Tehsil Municipal Administration (TMA) and District Council as indirect electoral.

Increased Authority and Financial Resources: In the old local government systems the local elected representatives had very limited authority over the front-line bureaucrats posted in sub-provincial units like Districts and Tehsils. Mohmand and Cheema note that “The LGO 2001 sought to redesign political, electoral and administrative structures at the local level to increase the accountability of service providers to

local citizens” (Mohmand and Cheema, 2007:46). The Plan increased the authority of the locally elected representatives and Zila Nazim (District Mayor) was made head of a district government. This was first time in the history of Pakistan that Bureaucracy at District level came under the control of local representatives. The following figure-3 explains the hierarchy of the new Administrative Structure under the Devolution Plan. Figure 3 (see below), shows the overall structure of the Devolution Plan which include Zila Nazims, Naib Zila Nazims, District Coordinator Officers and others.

FIGURE-3



Source: National Reconstruction Bureau (NRB), Government of Pakistan (2000) in Paracha, (2014:24)

The availability of the financial resources at the disposal of the District Council was a great step forward. The financial transfers were fairly limited from the provincial government based on a fiscal transfer

award called Provincial Finance Commission (PFC). In addition the local governments were also authorized to levy certain types of taxes within District, Tehsil or Union Council level but their authority to debt finance their expenditures was restricted.

Representation of the Smaller Ethno-national Groups: It has been observed from above discussion that the Plan was introduced to improve the marginalized and least privileged people belonging from smaller ethno-national groups. Women and other segments of the societies are often inadequately represented in politics either local or national level. Patnaik says that “the historical failure of liberal representative democracy to ensure adequate representation of women speaks for itself that few more alternatives are available than to reserve seats for them to ensure their presence” (Patnaik, 2014:135). Special provisions were incorporated in the laws for the representation of women, ethnic minorities, farm labours and working class by reserve seats for them in the District, Tehsil and Union Council level elections of the councilors. Women, ethnic minorities, peasants and workers were allocated reserved seats at 33%, 5% and 5% respectively in the District, Tehsil and Union Councils (Government of Sindh, Finance and Cooperation Department, 2001; The Sindh Local Government Ordinance, 2001).

Provisions of Community Participation: Community participation has always been promoted by the advocates of the deepening democracy. It helps in improving the quality of governance by keeping a proper check and balance to make the government departments more responsive to the public demands. It was a positive step that the Devolution Plan has provisions of creating voluntary forums like Citizen Community Boards and Community Monitoring Committees etc. Anjum explains that: “The new system enables proactive citizens to participate in community development/service through creating voluntary organizations called Citizen Community Boards (CCBs). Creation of Village and Neighbourhood Councils will provide direct interface between the people at the grass-root level and the local governments for changing attitudes and promoting community drives (Anjum, 2001:853).

Despite being voluntary organizations, these Citizen Community Boards (CCBs) are to be registered with the Local government and they can identify small scale public / community projects to secure partial funding from the district governments. Moreover they also acted as watchdogs to counter corruption and ensuring that public offices were working properly along with other forums like Community Monitoring

Committees and Zila Mohtasib (District Ombudsman) office which was also established in this Plan. It has been mentioned above, this paper is not only the description of Devolution Plan, but also it critically reviews the issues and challenges related to the plan with regards to the marginalized and least represented people. Therefore, the impacts of the plan on Balochistan context are being highlighted here, which is one of the scholarly arguments of the paper.

THE BALOCHISTAN CONTEXT: ISSUES AND CHALLENGES

Devolution Plan was certainly a way forward toward deepening democracy in Pakistan. The country as a whole had to face numerous challenges, such as religious polarization, economic hardship and political instability. Similarly when it comes to Balochistan the Devolution Plan could not flourish due to severity of issues and challenges. Those issues including lack of government will, political maneuvering, less attention from central government, red-tapism, and structural flaws in the plan itself. At the same time it had some serious implications which hinder its progress and it did not last long. Mark Robinson observes that “[t]he problem is that decentralization policy initiatives are often premised on strengthening local democracy without considering fully the conditions under which service delivery improvements can be achieved” (Robinson, 2007: p.1). In the following line we are going to briefly elaborate some of the issues and challenges which ultimately caused the system to fail and collapse after few years.

Hasty Planning and Implementation: In Balochistan this system was developed in a very hasty manner and widely perceived as without due consultation with all the stakeholders as argued by various political commentators and writers. It needed to be involved in the planning and implementation phase of this system. There might be some reasons behind this as political parties were not in power due to a military coup and Bureaucracy was deliberately kept out of this, because they were considered as a part of the problem.

This hasty take-off of the plan generated problems for the years to come such as federal and provincial governments were to deal with massive changes at the local level. “To its political critics, the remarkably ambitious attempt to reassign power from the centre to local authorities also looks, at least in part, like an exercise in shifting crucial responsibilities without providing resources fully adequate to the tasks” (DFID, 2004:1). This often led to misunderstanding, confusion and conflicts among the elected local representatives and government officials at district and provincial level.

Ownership Dilemma: The issue of ownership in Balochistan is not a new phenomenon. When it comes to distribution of powers, there has always been a misconception between central government and its provinces (Khan, 2014). This plan has curtailed the powers of political parties in power at federal and provincial level; and the elections of the local government were also conducted on non-party basis. The political parties controlling provincial governments had no or less representation in most of the districts at local level. Local governments were viewed as competitors in the long run that could weaken the provincial government authority in the sub-provincial level. These measures have severed the relationship of the local government with the political elites at provincial level. The politicians in power at provincial level were not ready to own this new system. The system was discontinued in 2009 by each provincial government in general at national level as soon as the short term cover under the 17th Amendment Constitutional ended.

It is also important to note here that the Bureaucracy was also deprived of its traditional supremacy by placing its sub-provincial officers under the control of locally elected representatives of District Government. This was similar to the other provinces in the country. The administrative structure was changed as Divisional tiers of the Bureaucracy were abolished altogether and many departments like Health and Education were put under the direct control of the Zila Nazim (Mayor). Despite the fact that the Bureaucracy was weakened at local level, but they still enjoyed enormous power at provincial secretariat from where the executive machinery of the province was being run. They countered local government powers in different ways from the provincial secretariat.

It was very hard for such a system to run in the long-run without the proper ownership from the Bureaucracy and political parties; and this lack of ownership in Balochistan was one of the main root causes that the system could not last long.

Financial Implications: In Pakistan financial powers are concentrated in the central government and tax collection is a federal subject. Provinces get their share from the National Finance Commission (NFC) through some set distribution criteria keeping in view multiple factors like population, land area, poverty and others.

According to Faiz (2015), Khan (2014), Dashti (2012), Balochistan is one of the provinces, which is more poor, least privileged, and most neglected region in terms of all human development indicators (also see Ahmed, 2013, Breseeg, 2004). Further they mention that due to unequal

distribution of financial matters including other issues there has been a chaotic relation between the province and the central government (see Harrison, 1981).

In the province, there were claims of financial decentralization in the new system but still the local governments were dependent on the provincial government for transfer of finances for development budget and recurrent expenditures through Provincial Finance Commission (PFC). Transfer of the resources was smooth between provincial and local governments throughout this period but this arrangement did not bring any significant financial distribution in the long run. The salary account of the government employees at the district level was retained as a provincial power and local authorities cannot make any adjustments under this head. Mark Robinson points out that “[i]nadequate resourcing of services through restricted fiscal transfers to local authorities from central governments and commensurate local tax-raising power limits the scope and capacity to generate sufficient funds for adequate levels of service provision” (Robinson, 2007: 6). However, in this case the district governments and tehsil municipal administration were given very limited taxation powers and allowed to levy certain types of taxes but they failed to generate enough finances. Moreover, levying high taxes at grass roots level could increase the financial burden on the masses which could risk the local government to become unfavourable for the people.

Uses and Abuses of Participatory Approach: A Critical View: In Balochistan Politics (similar case with Pakistani polity as a whole) is the business of the wealthy, influential, and powerful class at all levels be it federal, provincial or local. Balochistan is a tribal society with less population, directly or indirectly controlled by the tribal chiefs (known as *Sardar*) as well regional, local powers (see Breseeg, 2004, Khan, 2014). John Gaventa quotes Cooke and Kothari as arguing that “participation is subject to abuse, is easily captured by elites, and can itself become a ‘new tyranny’” (Gaventa, 2006:16). The plans to build a participatory approach by including poor and marginalized groups with a greater voice faded away with the passage of time when the elites started taking the major decision on their behalf without due consultation.

In Balochistan, though the elections for the local bodies were non-party based but soon after election in 2001 local elites backed by vested interest groups took over the positions of the Mayor in majority of the Districts. As mentioned above the core idea of the decentralization was misused by the ruling elite which were backed by the corrupt Bureaucracy of the province.

CONCLUSION

Despite having many shortcomings in structural, administrative, financial and other aspects, we still think that the Devolution Plan - 2001 was a positive step towards deepening democracy in Pakistan. In the above paragraphs, this paper aimed to sum up the salient features of the Plan and also acted as a critique in the analysis of some of the major issues and challenges of the Plan to point out the failing points in Balochistan. No one can claim that restoration of the Devolution Plan will act as a panacea for empowering citizens and deepen the democracy in Balochistan or in Pakistan, but a practical system can be generated keeping in view the positive aspects of this system as it has been tried in the country. It opines that the civilian governments should stop derailing the progress of local government systems. They may take the lead in introducing a viable and transparent system by learning from past experiences to ensure that the new system is free from the shortcomings of the previous less and wholly non-transparent systems.

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