

Decentralising Democracy: Federalism, Devolution and the Quest for Good Governance in Pakistan

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Haider Abbas

Civil Servant in the Government of Pakistan

Email: haiderabbasgg@gmail.com

ABSTRACT

This study examines the development and conceptualization of decentralization—tracing its evolution and classifying the key determinants behind its global prominence in Pakistan. The analysis emphasizes the theoretical relationship between federalism and decentralization—distinguishing their conceptual boundaries highlighting devolution as the significant link between the two. In the case of Pakistan's this study critically assesses the country's experience with decentralization and explored the link between decentralization and good governance, emphasizing, how effective decentralization—strengthen institutional performance, transparency, and citizen engagement. Despite this Pakistan operates as a federation and history reflects a pattern of weak and political constrained decentralization. Prior decentralization reforms were largely introduced under military regimes, frequently lacking democratic endurance and legitimacy. The 18th Constitutional Amendment of 2010 embodied a major democratic step toward meaningful decentralization—however, the robust establishment of decentralized governance culture remains an ongoing and gradual process.

Keywords: Decentralization; Federalism; Good Governance; Political Regime; Governance

Introduction

This study examines a comprehensive evaluation of decentralization in Pakistan. Although the discrepancy between federalism and decentralization is often nuanced and largely conceptual—offering limited practical divergence, it remains important to describe the two for analytical clarity. The concept of decentralization represents the practical realization of governance principles through the transfer of responsibilities and authority from higher levels of government to local or subordinate (Treisman, 2002; Schneider 2003; Rabbani, 2011; Faguet, 2014). Where the term federalism refers to a procedure of governance based on foundational principles that harmonize and organize the distribution of power and responsibilities between the central governments and its constituent authorities, such as state or provincial governments

(Musgrave, 1971; Walsh, 1992; Super, 2004; Oates, 2008; Shahab, 2018). After the Second World War, decolonization process resulted in creation of newly independent states (Strang, 1990; Christopher, 2002). These states undertook varying degree of decentralisation reforms. Some state adopted federal form of decentralized governance in which power was constitutionally divided between centre and federating unites (Sarnoff, 1997; Bagchi, 2003). Other states adopted the system of governance of colonial powers, i.e., decentralization and devolution of powers within unitary state systems. The UN and donor agencies strongly supported decentralization reforms during this period. These reforms aimed at responding to ethnic, religious, or nationalist demands for autonomous regional self-government; supporting the development of democratic institutions; and for efficient and effective public service delivery (Romeo, 2003; Daughters, & Harper, 2007; Olowu, & Olowu, 2001).

Decentralization reforms gained momentum after the fall of the Berlin Wall. Since then, there have been strong worldwide movements for democratic self-rule; decentralization of political, administrative and fiscal powers; and devolution for enhanced local-level participation (Ahmed, 2012; Obaoye, 2016; Blank, 2017). This trend of a 'bottom-up approach' to development owes its inspiration to the failure of the highly centralized governance system of the Communist states that were unable to provide equitable and sustainable development (Rose, 2009; Kaiser, 2020; Onwudiegwu, 2024). Due to the failure of the USSR, centralized political systems were no longer seen as a model of good governance. The governance system of liberal democracies which is based on the principle of decentralisation of powers was seen as triumphant. Decentralised political systems were increasingly regarded as a natural condition for democracy, freedom and thus sustainable growth and development. Scholarly works like *The End of History and the Last Man* by Francis Fukuyama heralded the strength and efficiency of the triumphant liberal democratic governance. Western donor agencies and non-governmental organizations started supporting decentralisation reforms for development in third-world countries and newly independent Eastern European states.

(Wolff, 2009; Weller, & Wolff, 2005) acknowledged the disintegration of the USSR in 1991 also led to the emergence of complex problems of ethno-religious conflicts in Eastern European countries. Since decentralisation of power leads to the provision of greater autonomy and self-governance of ethnic and religious identities, decentralisation was viewed as an effective means of conflict resolution in such countries. The intervention of decentralization was seen as important since it lessened the struggle for power by empowering every group within its own sphere and helping the diverse communities unite in a nation-state (Loh, 2017; Ahmed, 2012).

In the 1990s, development experts also increasingly defined the concept of human development in terms of decentralisation. Decentralized governance was seen as a harbinger of human development (Klugman, 1994; Work, 2002; Bardhan, 2006). Thus, decentralisation became an important pillar of governance due to its ability to resolve conflicts between diverse ethnic/religious groups, address nationalist demands for autonomous regional self-government, ensure effective public services delivery, and guarantee human development (Crook, 2003; Yusoff et al. 2016; Keil, & Anderson, 2018).

In the twenty-first century, decentralization has appeared as a significant pillar of

good governance, reflecting a robust and interdependent relationship between the two. Although decentralisation has become a prerequisite for good governance (Rosenau, 2009; Grindle, 2009). Governance in developing countries grapple with the concept of decentralising and deconcentrating powers at sub-state levels (Nadeem, 2016; Kgosinyane, 2024; Bosire, 2013). In the global North, the tradition of decentralisation and self-rule is rooted quite strongly. It is ironic to note that the unitary government of the UK has decentralised so much authority to its constituent units that the regional government of Scotland has even held a referendum to decide upon the question of secession from the union but in developing countries, even federal states still remain highly centralized, and voices for a high degree of decentralisation tantamount to treason. The developing countries have undertaken varying degrees of decentralisation reforms, often reluctantly and at the behest of the donor agencies. Overcoming the fear of fully empowering people and ensuring their participation in governance through decentralization is a major challenge for the developing world. Decentralisation, federalism and devolution lead to the transfer or sharing of authority and responsibility among institutions of governance at various levels. The relationship between these three interrelated concepts and their importance for good governance and conflict resolution between diverse ethno-religious identities will be critically evaluated in this research. This study systematically examines the interaction among decentralization, federalism, and devolution—within the framework of Pakistan democratic governance—analysing how these interlinked concepts impact the distribution of authorities and responsibility, institutional accountability, and inter-ethnic cohesion.

Review of Literature

In recent years, there has been an extensive global emphasis on decentralization. Majority of developed countries are restructuring their intergovernmental fiscal structures to better align with the growing dynamics and challenges of the post-welfare state era (Bennett, 1990; Wildasin, 1997). Bird et al. (1995) and Oates, (1999) revealed that emerging economies in Eastern and Central Europe are actively remodeling new frameworks for local governance—intergovernmental fiscal relations, and the robust distribution of resources and administrative powers. A growing number of less developed nations are developing extensive models of fiscal decentralization as potential strategy of escaping from the traps of persistent challenges such as inefficient governance—macroeconomic instability and slow economic growth that hindered their progress in recent years (Bird & Vaillancourt, 1998; Smoke, 2001; Shah, 2004). The progress of decentralization is frequently perceived in extreme terms in developing countries—either as a universal remedy for systemic challenges or addition to their already burdened systems (Litvack et al. 1998; Bardhan, & Mookherjee, 2006). Beside this decentralization supported for various reasons—improved economic efficiency, strengthened accountability and enhancing resource mobilization.

Mainstream economists generally drawn the fitting role of local governments in industrialized countries through the lens of decentralization—commonly referred to as fiscal federalism (Gadenne, & Singhal, 2014; Martinez-Vazquez, & Vaillancourt, 2011). Musgrave, & Musgrave, (1959) foundational model for decentralization, which

assigns the public sector three core functions—stabilization, distribution, and allocation—fiscal decentralization theory offers a framework for determining how these responsibilities should be divided across various tiers of government. Traditionally, the stabilization function has been entrusted to central governments—largely to prevent the difficulties that could arise if subnational governments were allowed to autonomously manage their own revenue systems (Gramlich, 1987; Tanzi, 1995).

Fiscal federalism theory assigns the central government the primary role in managing distributional responsibilities and authorities. First, only the central governments possess—the capacity to transfer resources effectively from wealthy regions to those with fewer means. Second, allowing distinct local governments to implement separate redistribution policies could lead to economic distortions, especially when factors of production are mobile across region (Musgrave, 1961; Shah, 2007). Finally, the decentralized government play an important role in the allocation function—as the demand for public goods and services often varies across regions. A robust decentralization system boosts inclusive well-being by allowing society to select the combination of public goods and taxation that best reflects their local preferences. In the absence of market mechanisms or competitive pricing for public services, collective decision-making—primarily through voting—serves as the means of expressing community-wide demand. Within this framework, decentralization is valuable not only because it accommodates diverse local preferences but also because it aligns expenditure choices more closely with the actual resource costs in smaller jurisdictions.

The scholarly work of Boeckenoerde and Dann, *Max Planck Manual on Different Forms of Decentralisation*” provides an analysis of decentralisation and various systems of governance, like confederation, federalism and unitary system.

The book of Cohen and Peterson *Administrative Decentralization: Strategies for Developing Countries*, provides a critical appraisal of decentralisation, its types, and hierarchal and functional distribution of powers between centre and constituent units. The three types of the administrative decentralisation, i.e., de-concentration, devolution, and delegation have also been discussed.

Mao’s *Federalism* is the highest Form of Decentralisation was studied to understand the similarities between decentralisation and federalism and their importance for governance. Kauzya’s work, *Decentralization: Prospects for Peace, Democracy and Development*, evaluates the relation between decentralization, democracy and development.

To understand the constitutional framework of Pakistan and the division of powers, Khan’s *Constitutional and Political History of Pakistan* was studied. Some primary sources of data like legal documents consulted were, *The Constitution of Islamic Republic of Pakistan, 1973*, *The Government of India Act, 1935*; the *Local Government Ordinance, 2002 (Punjab)*, the *Balochistan Local Government Bill of 2010*; the *Sindh Local Government Act of 2013*; the *Punjab Local Government Act of 2013, 2019 and 2022*; and the *Khyber Pakhtunkhwa Local Government Act of 2013*.

Theoretical Framework

To examine the development and conceptualization of decentralization—tracing its evolution and classifying the key determinants behind its global prominence in Pakistan—specifically to differentiate between decentralization and federalism. This study constructed two theoretical frameworks namely— Riker’s theory of federalism and Ostrom’s polycentric framework.

Riker’s Theory of Federalism

Sixty years since its publication William Riker’s *Federalism: Origin, Operation, Significance* (1964) remains one of the most influential volumes on the politics of federalism. According to Riker the term—Federalism denotes to an organization of political system in which governmental authority and responsibility shared and distributed between a central (national) government and regional or subnational governments. Each level of government holds independent controls within its own jurisdiction and retains the final decision-making authority over certain matters, ensuring a balance between unity at the center and diversity across regions (Riker, 1964; Volden, 2004; Riker, 2012).

Based on this definition—Riker further seeks to elaborate how federal systems emerge. He identifies two crucial but not enough prerequisites for what he calls the “federal bargain”—the expansion condition and the military condition—each outlining the strategic settings that persuade the foundation of federal unions.

1. The political leaders recommending the federal bargain—driven by a desire to extend their territorial influence, often in response to an external military or diplomatic threat, or as preparation for future strategic expansion. However, their ambitions cannot be realized through direct conquest, either due to limited military capability or a prevailing ideological opposition to coercive expansion.
2. The political actors who agree to the federal bargain and surrender part of their autonomy in favor of forming a union do so primarily in response to external military or diplomatic pressures or opportunities. Their motivation often stems from a desire for collective security and protection against potential external threats (Deutsch, 1951).

Ostrom’s polycentric framework of governance

The Ostrom’s polycentric governance system refers to a procedure covering several self-governing centers of authority and decision making—each functioning autonomously yet harmonized through a shared network of formal institutions and informal norms that guide their interactions and collective outcomes (Ostrom et al. 1961; Ostrom et al. 1988; Ostrom & Ostrom, 2019). According to Ostrom overarching system of rules is essential because the actions of one decision-making centre frequently produce negative or positive spillover effects on others—despite these interdependencies, that various authorities remain distinct and autonomous—rather than merging into a single centralized authority—owing to institutional and strategic considerations that Favor decentralization (Aligica & Tarko, 2012; McGinnis et al. 2012).

Data and Methodology

The research methodology adopted in this study is fundamentally descriptive and qualitative in nature, designed to provide a comprehensive understanding of the subject through a critical synthesis of existing literature and documentary evidence. The study relies predominantly on secondary data sources, complemented by selected primary materials, to ensure both analytical depth and contextual accuracy.

To achieve this, an extensive literature review was undertaken, drawing upon books, peer-reviewed journal articles, scholarly reports, academic magazines, e-books, and credible web-based publications. Each source was critically examined to identify prevailing theoretical perspectives, methodological trends, and empirical findings relevant to the research objectives. This process allowed for the systematic comparison of arguments and interpretations, highlighting both consensus and divergence within the scholarly discourse. In addition to secondary data, primary sources—including official documents, legislative statutes, and institutional reports—were analyzed to establish an authentic legal and policy foundation for the study. These materials provided first-hand insights into the formal structures, regulatory mechanisms, and administrative practices underpinning the research context.

Findings and Discussion

Defining Decentralization

There are several definitions of decentralisation. The degree and extent to which decentralisation has been adopted by various countries across the world varies greatly. There is no universally accepted definition or agreed-upon index of decentralisation. Sharma emphasizes on the importance of a comparative approach to decentralisation rather than a single definition or index. According to him, there is no consensus in the empirical literature over the degree of decentralization because it is measured differently, and hence, this concept can be understood only through a comprehensive approach (Sharma, 2004).

Rondinelli and Cheema define decentralisation as transfer of authority from central government to the field units of its ministries, subordinate levels of government and semi-autonomous public authorities for planning, management, and resource-raising/allocation (Matovu, 2005).

Ndegwa refers to decentralisation broadly as “...a process of transferring of public authority, resources, and personnel from the national level to sub-national jurisdictions and results into the formation of local governments” (Matovu, 2005). Rodden (2004) says that “Decentralisation is often viewed as a shift of authority towards local governments and away from central governments...”. Kauzya (2005) defines decentralisation as “a process through which powers, functions, responsibilities and resources are transferred from central to local governments and/or to other decentralized entities howsoever defined”.

According to Paracha (2003) decentralized governance “increases the overall quality and effectiveness of the system of governance, while increasing the authority and capacities of sub-national levels. The UNDP (2007) approaches decentralisation as “restructuring of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels according to the principle of subsidiarity”.

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An analysis of these definitions of decentralisation can be made through the following points:

Decentralised governance is based on the principle of shared responsibility among institutions of governance at various levels;

Decentralization is the transfer of power/authority from national/central/federal government to sub-national government/state government or local government;

The entity to which such authority is transferred is often closer to the public and represents the local/regional aspirations better and thus can serve them well;

Authority is transferred from higher authority to the lower so that the latter can perform some public service, which was previously being performed by the former. This is often done on the principle of subsidiarity, i.e., centre/higher authority should only have authority over public services that cannot be dealt with effectively on a lower level; while authority over execution of those public services, which can efficiently be managed by state or local authorities, should be devolved from the centre. Authority is usually transferred to a lower-level unit or an agency that is functionally more specialised and is well-suited to the service as compared to the higher-level unit;

Decentralisation may also involve the transfer of authority to a private organization or agency;

Decentralisation is not limited to transfer of political authority, but it also involves transfer of economic or fiscal authority;

Decentralisation results in increasing efficiency of the governance system and the quality of services provided.

Decentralisation is referred to as “transfer”, “shift”, “the restructuring or reorganization” of authority and “a process of transferring” authority; it can be inferred that decentralization is regarded as a ‘movement for change’ and a ‘comprehensive reforms programme’.

Paracha (2003) provides a sampling of international experiences in decentralization. According to him, the pre-requisites for success of decentralisation are provisions of adequate administrative powers, financial resources, administrative capacity and reliable accountability mechanism to the decentralised bodies. Other conditions for success of decentralisation include: democratic system at central level of government before making decentralisation reforms, transfer of meaningful administrative and fiscal authority to local governments for improved service delivery, devolution based on the principle of subsidiarity, empowerment of citizens and their inclusion in the local-level decision making, and reforms in the structure of civil service.

Perspectives on Decentralisation

Advantages of decentralisation:

The potential of decentralisation to shift the locus of power from centre to state-level/local level results in inclusive and participatory decision-making. Decentralisation brings authority of decision-making and resources closer to public through local-level institutions and enables them to make informed choices for their betterment. When authority is devolved to the local level, responsiveness and accountability of governance improve. The spirit of self-governance, which is the

bedrock of democracy and freedom, is deeply imbibed in the process of decentralisation. When people are empowered to lead their lives according to their own choices, only then can they be free. Decentralisation is the institutionalisation of freedom and democracy, since it discourages personalised governance, deconcentrates power among multiple layers, ensures enhanced accountability and empowers people to formulate and implement policies at various levels. Decentralisation reforms are pro-poor since they result in redistribution of resources equitably; reduce the costs of service delivery and make services provide not only accessible but also responsive and efficient.

Decentralisation establishes a link between the votes of people and the quality of service they are provided. Trust in governance is established only if people perceive a link between the taxes they pay and the benefits they derive. Decentralisation makes public services speedier, more efficient and responsive to the needs of citizens; improves economy by de-layering of the bureaucracy; and makes politicians more responsive and accountable to their electorate (Alam, 2004).

Disadvantages of Decentralisation:

Critics of decentralisation point towards the possible pitfalls of decentralisation. They argue that every scheme of decentralisation is not aimed at empowering people. Sometimes the decentralisation reforms are aimed at discrediting certain political actors while empowering another set of actors. Such alteration in the balance of power may not always be in the favour of citizens but might have ulterior motives, as is the case with many third-world countries where decentralisation reforms have been imposed by the centre for its own advantage and without demand or liking for it from the local levels.

In some cases, decentralization reforms are introduced by the centre instead of demand from the lower tiers. The possible motives for such top-down approach that compel the centre to carry out decentralisation reform may include mustering local support to further political power at grassroots level, discrediting political parties by conducting non-party based elections at local levels, creating a political/electoral base for support in case such a base is missing previously, expecting aid from donor organisations or foreign governments for such reforms, appeasing foreign actors who favour decentralisation and/or attempting to obtain legitimacy at international and domestic fronts by adopting a rigorous programme of ambitious decentralisation reforms.

Another serious issue is the factor of corruption involved in decentralisation programmes. A report of European Commission (2007, p. 8) notes, "Decentralisation is too costly a process (including a risk of fiscal indiscipline), so most countries (especially small ones) cannot afford it". Since a lot of money is involved in the decentralisation schemes, therefore one of the motives behind carrying out decentralisation reforms might be financial embezzlement and corruption. Developing countries are poor and cannot afford such costly and ambitious programmes, but the monetary considerations involved in the scheme may serve as a lucrative incentive for the ruling elite which launches the programme.

Moreover, funds might be misappropriated at the grassroots level by local elites, who are closer to the power brokers at the centre and who capture authority as a result of

decentralisation reforms at local levels. In some developing countries, it becomes a programme of decentralising corruption at the grassroots level. Noting the negative consequences of decentralisation on governance, Alam point towards the decisions that only benefit a minority of the population and wastage of resources on projects which are technically not feasible He also adds that decentralisation may ignore the fact that the capacity of the local government to plan and manage resources is inferior to the centre where specialised bodies for implementation of policies exist.

Critical appraisal:

For decentralisation to be successful, sincerity of the purpose is the prime condition. Without sincerity, any decentralisation reform is bound to produce negative results. The adverse effects, mentioned above, will occur only if the decentralisation process is triggered by ulterior motives and factors that have dishonesty at their root. Well-planned and genuine decentralisation, which is carried out with honesty and after keeping in view the intricacies of the system within which it has to operate, will result in positive effects i.e., good governance and human development.

Decentralisation, Federalism and Devolution

Forms of Decentralization

The concept of decentralisation describes political structures that distribute power territorially within a country. Decentralized states distribute governance in at least two levels (Boeckenfoerde et al., 2005). In confederations, federations and decentralised unitary states, for example, authority is divided in more than one tier of governance.

Classification of decentralisation is very difficult, since the literature available about forms and types of decentralisations divide decentralisation into diverse categories. However, the frequently used classification is administrative, political, spatial, fiscal and market decentralization. There are four forms of decentralization: political, spatial, market, and administrative (Cohen et al., 1999). Political decentralization, according to them is transfer of authority to citizens, while administrative decentralization refers to functional division of authority between central and regional government tiers and can be further divided into three types:

Decentralization: transfer of authority to lower levels, which implement policy (e.g. ministerial field officers) under the jurisdictional authority of the centre that retains control over key tasks (e.g. ministries).

Delegation: transfer of authority for carrying out clearly defined responsibilities from central government to semi-autonomous or autonomous organisations, e.g., state-owned industry.

Devolution: refers to transfer of authority from central, federal or provincial governments to local-level governments.

Decentralisation and Federalism

The most important and highest form of decentralisation is considered to be federalism (Mao, 2010). Political Scientists often deal with the subjects of federalism and decentralisation separately. Federalism is not always classified as a type of decentralisation; instead, it is regarded as a philosophy in its own right. Whether federalism is believed to be a form of decentralisation or not, often a link is

established between the two, because both have the same spirit – sharing of power and authority.

Some political analysts differentiate federalism from decentralisation by limiting the concept of decentralisation to unitary states. In unitary states all powers are owned by the centre and are devolved to constituent units. In federal states, however, ownership of powers is divided between federal government and federating units. Cohen and Peterson state that “federal states are, by definition, decentralized.”¹

Though the concepts of federalism and decentralisation have evolved separately, they cannot be strictly separated from each other. In 1990s and in the twenty-first century the movement for decentralisation gained a greater momentum and decentralisation reforms were carried out both in unitary and federal states. Both the concepts have some differences, but are linked together by a number of similarities. The following tables highlight the similarities between the Federalism and Decentralisation:

Table 1 Similarities between the Federalism and Decentralisation

Similarities	
Federalism	Decentralisation
Federalism constitutionally divides power between federal government and federating units.	Decentralisation also aims at shared authority between a higher level of government and a lower-level unit.
Federalism aims at accommodation and empowerment of sub-national/regional/ethnic aspirations by provision of self-governance to such identities/groups, albeit through a constitutional scheme.	Decentralisation results in transfer of authority to regional/local groups so that they are empowered to govern their lives according to their wishes.
Federalism is not limited to sharing only political powers between the federal government and the federating units; it also includes sharing of fiscal authority.	Decentralisation is also not limited to transfer of political authority, but it also involves transfer of fiscal authority
Federalism is ideal for a nation of diverse ethnic and religious identities and through division of powers, such identities are included in governance. Thus, federal governance results in the smooth running of the administration and better service delivery.	Decentralisation also results in increased efficiency of the system of governance and the quality of services provision by lessening the burden on the central/federal government and empowering functionally specialised lower-level units.

The differences between federalism and decentralisation are as follows:

¹ John M. Cohen and Stephen B. Peterson, *Op. Cit.*, p. 19

Table 2 Differences between the Federalism and Decentralisation

Differences	
Federalism	Decentralisation
Federalism, as is evident by the term, pertains to governance of states that have adopted a federal constitution.	Decentralised governance is a broader concept and is not just limited to federal republics; it also encompasses unitary governments and states with other systems of governance.
Federalism involves constitutional division/separation of powers among the branches/pillars of government or between the federal government and the federating units. Federal government cannot unilaterally repossess/curtail the authority of federating units; it requires a constitutional amendment.	Decentralisation does not necessarily involve constitutional divisions of powers between higher level units and lower-level units, e.g. in unitary states, the central government can decentralise (and repossess) powers to its administrative units without any amendment in the constitution.
Federalism involves sharing of powers strictly between federal government and federating units; the federal government does not transfer authority to any private organization.	Decentralisation may also involve transfer of authority to a private organization or agency.

Based on the observations made in both the tables above, it can be concluded that federalism can be called a special type of decentralisation but not vice-versa. Division/separation of powers in a federal system might be called decentralisation but every sort of decentralisation of powers cannot be called federalism.

Moreover, most of the definitions of decentralisation mentions the concepts of “transfer” or “shift” of authority and terms decentralization “a process” and even “a movement that results is transfer of authority”. Thus decentralisation, a concept relatively modern in nature, is usually instituted into a political system through reforms that might be gradual or radical. Federalism on the other hand is not introduced in states as a reforms agenda that includes “shift” or “transfer” of authority; states are either federal or unitary, since their creation and federal ones are based on the concept of “sharing” of authority. Nonetheless, the federal structure of a state can be modified and even improved by decentralisation reforms. Hence, federalism is a form of governance system that may or may not be complemented by decentralisation, whereas decentralisation is a movement, a programme or a reform agenda that complements the federal or unitary governance system. The increasingly popular concept of decentralised governance is thus decentralised federal or unitary governance. Decentralisation is a process that gives a new dimension to federal or unitary governance. Decentralisation reforms are not an end in themselves but more of a capacity-building procedure or a complementary tool through which federal, unitary or local governance can be made more effective, productive and services oriented.

Decentralisation and Devolution

Devolved governance, or local governance, is an important form of decentralised governance. The United Nations (2018) define local governments as institutional bodies whose executive, legislative and financial authority extends across a specific geographical area for administrative and political reasons. Devolution is an intriguing concept in the study of relationship between federalism and decentralisation. Devolution of powers is as much prevalent in federal states as it is in decentralised unitary states. Devolution, or creation of local governments, is mostly a result of decentralisation reforms both in federal and decentralised unitary states, but not always. Some federal states constitutionally devolve powers to local governments and hence devolution in such states is entrenched in the federal structure. Federalism is primarily constitutional division of powers between the federal government and the federating units, but such a division might also include transferring of some responsibilities to local governments, albeit control over such local governments, created by the federal constitution, may be given to the federating units.

Any brand of devolved governance, or local governance, is a form of decentralised governance. However, devolved governance may not necessarily be an extension of the federal principle of division of powers and may be independent of it. Transferring of fiscal powers to local governments by the state/provincial governments is very essential. Without financial powers, the institution of local governments would become very weak. Therefore, local governments are allowed to raise money by imposing some form of local taxation, apart from other fiscal transfers from the state government to meet the expenditure of such local bodies. It is easier for the local populace to relate to the taxation imposed by local authorities because they reap immediate benefits from the services provided by the local governments, e.g. in the form of better roads, cleaner streets and improved health facilities, etc.

There is no universally accepted system of local governments. There is a variety of Local government systems around the world and their creation, powers, structure and functions vary from state to state. The world-wide practice of creation of local government varies to a considerable extent. Local governments might be created as a result of decentralisation reforms, by constitutional division of powers on the national level, by the state/provincial constitutions, by ordinary legislation of the national government, by the state/provincial legislation or by an executive order. Local governments, in a federal state, are usually a state/provincial matter and are controlled by state/provincial law. The following table summarizes world-wide practice of creation of local government (Shah, 2006).

Table 3 Method of Creation of Local Government around the World

Method of creation of local governments	Countries
National constitution	Brazil, Denmark, France, India, Italy, Japan, Sweden
State constitution	Australia, the United States
Ordinary legislation of a higher level of central government	New Zealand, the United Kingdom, most countries

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Provincial or state legislation	Canada, Pakistan
Executive order	China

Decentralization as a driver of good governance

It is now increasingly argued that the phenomenon of decentralisation positively affects human development. If adequate authority and firm financial base are devolved to local-level government units, there is likely to be more investment in the basic priority areas of human development, such as education, health, access to safe drinking water, sanitation, and related community amenities (Cohen et al., 1999).

Apart from human development, decentralisation is strongly linked with the concept of good governance. Decentralisation complements good governance. The universally accepted principles of good governance are sovereignty of the people, free and fair elections, separation of powers, independence of the judiciary, respect for the rule of law, respect for individual and civic rights as well as freedoms, civil society participation in decision making, transparency, accountability and integrity in public life, efficiency and effectiveness of public service operations and justice, fairness, and equity (Musoni, 2005).

Hence, decentralisation complements good governance in the following ways:

Decentralisation ensures sovereignty of people by empowering them at grassroots level;

Decentralisation, in the form of federalism, calls for separation of powers among the executive, the legislative, and the judicial branches of government and division of powers at national, state/provincial and local level;

Decentralised governance as against personalised governance ensures respect for the rule of law;

Decentralised governance also guarantees respect for individual and civic rights as well as basic freedoms and liberties, since it not only accommodates the demands of diverse ethnic and religious cultures but also provides them with self-governance;

Independence of the judiciary is also ensured by decentralised governance, because decentralisation in the form of federalism ensures that judiciary be independent, powerful and have a check on other two branches of the state;

Decentralised governance is closer to people/members of civil society because they are allowed to participate in decision making process at various levels. Thus, decentralised governance is more participatory, inclusive, egalitarian, predictable, transparent and accountable;

Regarding free and fair elections, decentralisation also contributes towards them, but in an indirect way. In a political system characterised by decentralised governance, there are frequent elections at multiple levels. Elections at various levels of the state help in political socialisation of the citizens and deepening of the democratic culture in the society. The more is the experience of a society with democracy and elections, the more will its democratic and electoral culture become democratic. Decentralised governance is characterised by frequent and more accountable electoral experience, which is necessary for a culture of free and fair elections;

Decentralisation in the form of devolved governance ensures efficiency and effectiveness of public service delivery.

Decentralization and Conflict Resolution

A well-crafted decentralisation policy is an instrument of peace-building; it sustains peace due to its ability to balance the centripetal forces of unity and centrifugal forces of local autonomy and reconciles the tension between requirements of the centre and claims of the periphery (Kauzya, 2005). In federal systems, the activities of governments in the centre and in the federating units often overlap. There is a possibility of a conflict in such cases. Conflicts over division of powers, resources, and other socio-cultural or political issues between the centre and constituent units can even lead to a civil war and even disintegration of states, for instance, the Federation of Rhodesia and Nyasaland, the United Provinces of Central America and the West Indies Federation have disintegrated due to failure to resolve such conflicts. Such internal disputes and conflicts can be prevented through conflict resolution mechanisms, for instance, states often constitute internal intergovernmental commissions and legislative committees for such purposes. Other such conflict resolution mechanisms are judicial adjudication, dialogue and mutual accommodation, and institutional arrangements for dealing with contentious issues and situations (Rizvi, 2006).

Decentralisation provides for structural arrangements for resolution of conflicts between centre and constituent parts in both federations and unitary states. By providing local autonomy and division of authority, it empowers the periphery and ensures self-governance, participation and inclusion of every constituent unit of the country. It also holds the central government more accountable by minimizing the arbitrary authority and the unpredictability associated with it. The centre can never shift the balance of powers due to the principle of subsidiarity and separation of powers and, hence, is more transparent and predictable in its conduct of relations with the regional or federal units.

Dynamics of Decentralization in Pakistan

After independence, it took 9 years for the country to make its first constitution, which was abrogated within two years after declaration of Martial Law in 1958. The first general elections which were scheduled to take place in 1959, almost 12 years of after independence, could not take place due to Martial Law. The country was run by unelected representatives under a constitutional framework that was a modification of the colonial-era Government of India Act of 1935. In the absence of a viable constitutional framework and unelected government, the country moved towards a highly centralized system of governance. This centralisation of powers left the federating units with insufficient authority and resources at their disposal to effectively deal with their responsibilities. Participation of people in decision-making remained nominal due to a strong tendency to keep a powerful centre and an inability to decentralise powers through provincial autonomy and devolution.

Decentralisation is the natural dispensation of governance in federations, but in Pakistan it is not the case. Since the early years of Pakistan's creation, the federal government has gradually centralized powers of the provinces, and kept a strict bureaucratic control of governance. Moreover, military regimes have further centralised the political system. From 1950 to 1958, "Pakistan had seven prime minister and one Commander-in-Chief, whereas India had one Prime Minister and

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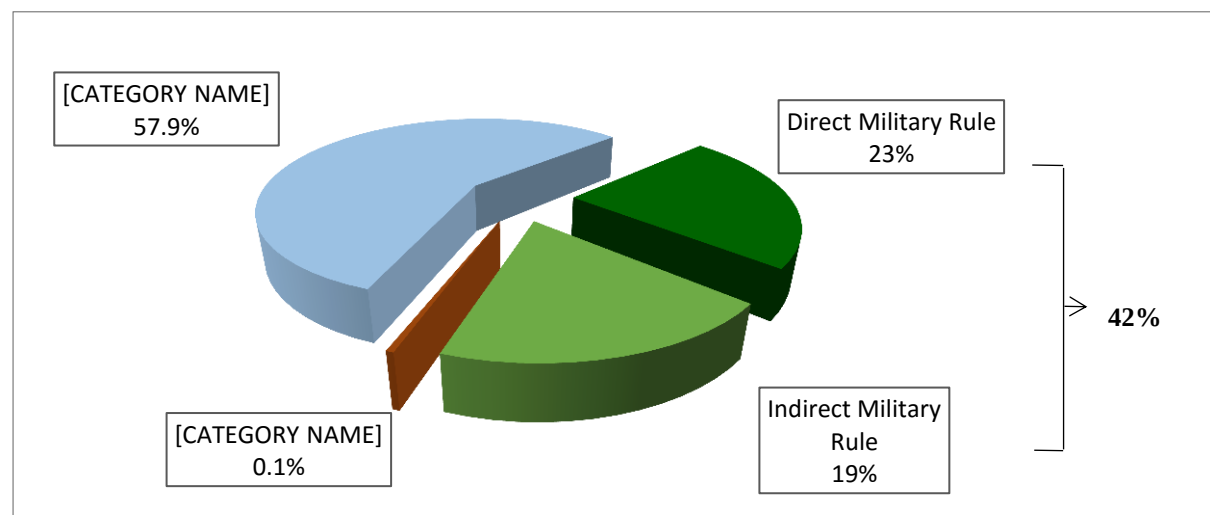
several Commanders-in-Chief” and “for the next 13 years, from 1958 to 1971, the country had no Prime Minister at all – just two military rulers” (Khan, 2005).

The Martial Law in 1958 and centralisation of governance had far-reaching implications for the country. The tension between a powerful centre and the province of East Pakistan resulted in a civil war, which ended in disintegration of the country in 1971 and secession of East Pakistan, which became Bangladesh.

The Constitution of Pakistan, 1973 was the first democratic legislation that was passed by the country’s elected representatives to set up the federation and define the powers of the federal government and provincial governments. However, in 1977, in another military coup, the constitution was suspended and elected assemblies were dissolved. General Zia remained in power till 1988. In the democratic interregnum from 1988 to 1999, military continued to play a dominant role in the affairs of the government. Albeit, the democratic governments of the nineties introduced various reforms including economic deregulation and privatization. However, democracy came to a standstill once again after the military coup, which lasted for yet another decade, from 1999 to 2008.

Since 2008, democracy has returned to Pakistan, but it continues to be tumultuous and highly polarised. The civil-military relations remain difficult. The military coups and prolonged rule have invariably disrupted democratic dispensation, prevented strengthening of democratic institutions and led to high level of centralisation in the country. The following figure shows that Pakistan has remained under military rule for a little less than half of its history:

Figure 1 Nature of Governance in Pakistan



Due to frequent disruption of democratic order, decentralization has not taken roots in Pakistan’s political culture. Public service delivery, policing, judicial services, planning and financial decision-making have remained highly centralized. Decentralization has traditionally remained in a very weak form and local governments have always remained local branches of the federal government.

It is ironic to note that the most radical decentralisation reforms in Pakistan have

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always come to forth during military regimes. The military rulers have introduced these reforms to win the support of the masses and substitute the power of national-level politicians with local-level leadership. Unfortunately, as a result, the political parties have inherited a deep mistrust of the local government system which they see as a remnant of the military regimes and a rival political set-up to weaken their governance. Thus, the local governments exist in a legal and political vacuum despite national and provincial legislation. Due to this mistrust and the deeply embedded culture of centralisation of powers, the provincial governments have traditionally arm-twisted elected representatives through civil servants.

Decentralisation reforms in Pakistan have not been undertaken as a result of public demand but is triggered by international donors. The decentralization reforms in military regimes are criticized because they have led to further centralization. Devolution without provincial autonomy is not an effective decentralization strategy. During military regimes, powers of the provinces were devolved, while the federal government did not transfer any additional powers to the provinces, thus further hampering the authority of the provinces. For instance, in the decentralisation reforms introduced by President Musharraf in 2001, the provinces could not control the local government legislation because Local Governments Ordinances, 2001 were given constitutional protection*. The five Ds under the decentralisation reforms of 2001 were: devolution of powers, decentralization of administrative authority, de-concentration of management functions, diffusion of power authority nexus and distribution of resources at different levels. In the decentralisation reforms of 2001, devolution took place just from the provincial governments to the local government, not from the federal government to provincial governments, which curtailed provincial autonomy. Such decentralisation reforms at the cost of the provincial autonomy and the federal-local government nexus in the form of constitutional protection led to centralization of the political system.

After the 18th Amendment to the Constitution in 2010, provinces were empowered to establish local governments. Subsequently, 17 ministries were abolished at the federal level and devolved to provincial governments. The provinces carried out the following local government legislations: The Balochistan Local Government Bill of 2010; the Sindh Local Government Act of 2013; the Punjab Local Government Act of 2013, 2019 and 2022; and the Khyber Pakhtunkhwa Local Government Act of 2013. Currently, all provinces have local governments with two or three tiers. The Election Commission of Pakistan conducts local bodies elections in Pakistan. Although the 18th amendment bill empowered provinces to establish local governments in 2010, elections did not take place for 4 years. Elections were finally held after the intervention of the Supreme Court.

Table 4 Local Governments Under Civilian and Military Governments (1947-2022)

Period	Political Situation	Remarks/Distinguishing feature
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* The Local Governments Ordinances 2001 were placed in Schedule Six and no item in Schedule Six can be amended without the prior approval of the President of Pakistan for Six years.

1947 – 1958	Interim Constitution, First Constituent Assembly Elected Before Partition, second one indirectly elected, no national elections, no attention to local governments	Urban Councils and District Boards in rural areas continued according to the pre-independence colonial era British law.
1958 – 1969	Basic Democracy	BD system substituted universal suffrage as it served as local bodies served as an electoral college for the election of the President.
1971 – 1976	First elected national / provincial government	Despite promulgation of LG law, no elections held for LGs throughout this period and local bodies were managed through official administrators.
1977 – 1988	-	LGs revived under provincial laws. 3- 4 successful terms completed under this system.
1988 – 1999	Several elected political governments remained in power	All elected LGs dismissed. New LG elections never held though announced and scheduled several times elections held in certain provinces in 1998, but representatives never assumed office.
1999 – 2009	Devolution of Power in 2001	Based on the principle of subsidiarity. Radical departure from all previous systems. Launched in pursuance of Structural Adjustment Programme of donors and to resuscitate collapsing service delivery system. Devolution accompanied by taxation, civil services and police reforms.
2010– Present	Decentralisation under the 18 th Amendment in 2010. Provincial autonomy and devolution of powers at local levels.	17 ministries were abolished at the federal level and devolved to provincial governments. The provinces carried out the following local government legislations: The Balochistan Local Government Bill of 2010; the Sindh Local Government Act of 2013; the Punjab Local Government Act of 2013, 2019 and 2022; and the Khyber Pakhtunkhwa Local Government Act of 2013. Balochistan held elections from 2013-15 and Khyber Pakhtunkhwa, Punjab and Sindh held elections in 2015. The latest elections under ECP in all the provinces, except Punjab, were held in 2021-2022. In Sindh, only the first phase of elections has been held.

Decentralisation of political system is essential for Pakistan because it is home to numerous ethnicities. Only an effectively decentralised system of governance can ensure inclusion, empowerment and representation of this ethnic diversity. The best governance practices around the world shows that decentralise system of governance is best suited for countries with large population and area. Out of the ten largest

countries in the world (area-wise), eight are federations. It is important to note that the freedom movement for Pakistan was spearheaded by the provinces and regions that make up Pakistan today. It won't be an exaggeration to state that Pakistan was created by provinces and states that voted to make a separate country. The federal government of Pakistan was created in 1947, but the provinces of Pakistan were established long before that. Hence, the provinces deserve adequate autonomy according to the best practices worldwide. The provinces have a distinct history, culture and identity which must be respected and preserved. Relegating them to mere weak administrative units, with nominal finances and autonomy is highly problematic and can create fissures that may turn into conflict in the long run. A strong and healthy state must have political, administrative and fiscal decentralisation and authority may be divided into multiple layers of government, each answerable to the electorate. Only in such a political system, diverse ethnic and religious groups can coexist peacefully. Failing to ensure decentralisation results in conflict and even the disintegration of a country.

Conclusion

The nature of polity around the world has seen transformational changes throughout the ages, especially in the 20th and 21st centuries. Democracy is now widely recognized as the best political system, which empowers people, evenly distribute powers within a country, resolves conflict between various identities and is a vehicle of growth and prosperity. Decentralization is the cornerstone of a democratic order. A highly centralised country with no vertical or horizontal division of powers cannot qualify as a democracy. Decentralization is in essence a strategy to move a country from autocratic tendencies towards democratic dispensation. It distributes power systematically among different levels of governance in a manner in which all these levels are empowered to cater to the demands of their people. Federalism is akin to the highest possible manifestation of decentralization, while devolution is decentralisation at the lowest possible level of governance. Federalism decentralises powers between the national or federal government and its constituent units. Devolution transfers powers to the lowest possible tier of government in a country. Whether a country has a federal constitution or not, it needs decentralisation and devolution of authority to ensure good governance by empowering people. Apart from improving governance, decentralisation also results in human development and minimizes conflicts among diverse identities within a country.

Policy Recommendations

On the basis on the research findings, the following recommendations are put forth: Through a constitutional amendment, provinces may be allowed to have a role in amending the Constitution, so that in future the Constitution cannot be amended by the federal government to the disadvantage of provinces and the 18th amendment cannot be reversed.

In order to ensure decentralisation in true spirit, the federal government and provinces need to hold timely elections for local governments in the federal capital and provinces respectively.

Inter-governmental dispute resolution mechanisms in the federation should be strengthened by implementing their decisions in letter and spirit.

The resource allocation to decentralised local governments may be increased along with fiscal decentralization so that the local government institutions can become self-sufficient in the long run and not be dependent on grants from higher levels of government.

It is important that there is a clear allocation of revenue streams for local level institutions that is commensurate with their responsibilities for service delivery.

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