# WHAT IS POLICY?
## (Topic 001-005)

## Topic 001: What is a Policy?

**Policy:**

A principle or a system of principles that can guide action or lower level (day-to-day) decision-making system (usually more than a few rules) usually not a short term higher level than commands experienced by individuals & families. They do not take part in making of policies

What are 'policies'? In one way they can be seen as aims or goals, or statements of what ought to happen. As goals, intentions and ideas, policies can be found in the form of official government policy (legislation, or the guidelines that govern how laws should be put into operation). The ideas and proposals put forward in manifestos and glossy leaflets by the Conservative, Labour, Liberal Democrat and other political parties are examples of policies as broad ideas and stirring goals. Outside government, a company's or an organization's statement of policy on something – for instance, an equal opportunity policy – is also an example of policy expressing ideas about what ought to happen.
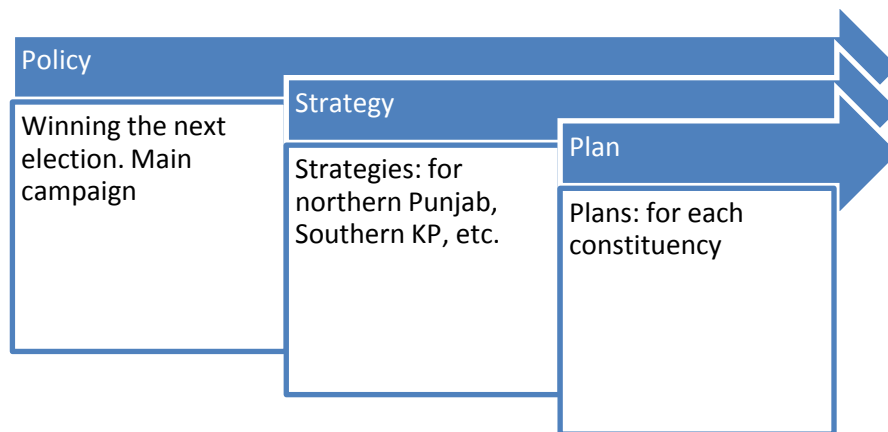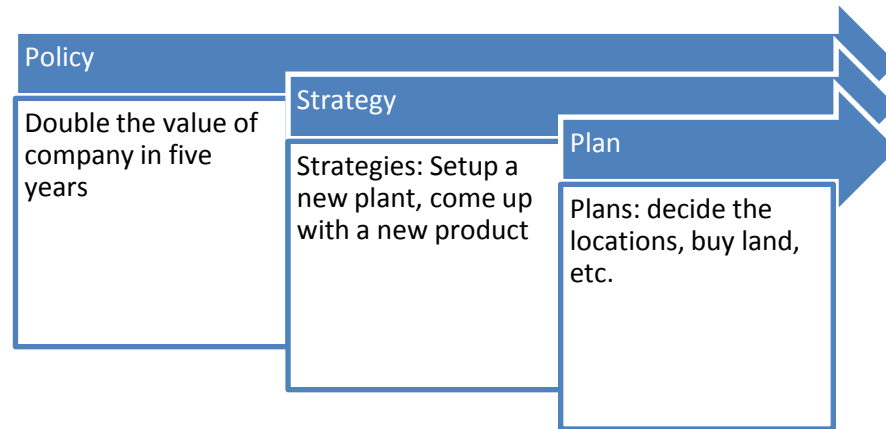
*Policies are everywhere, here are few examples:*

- IMF or government economic policies
- Government's new policies: Urdu medium of instruction
- Walmart's policy:  lower profit margins,  diversity
- Karachi Electric (KE)'s policy of no electricity to areas where payments are low
- Institute of Chartered Accountant of Pakistan: CA policies/regulations
- College of Physicians and Surgeons: MCPS & FCPS

## Topic 002: Why We Need Plans And Policies?

Plans, strategies & policies

- Not interchangeable but different
- A policy which frames the principles
- A strategy devised according to the policy
- A detailed plan to achieve the strategy

| Policy | | |
|---|---|---|
| Double the value of company in five years | | |
| | Strategy | |
| | Strategies: Setup a new plant, come up with a new product | |
| | | Plan |
| | | Plans: decide the locations, buy land, etc. |

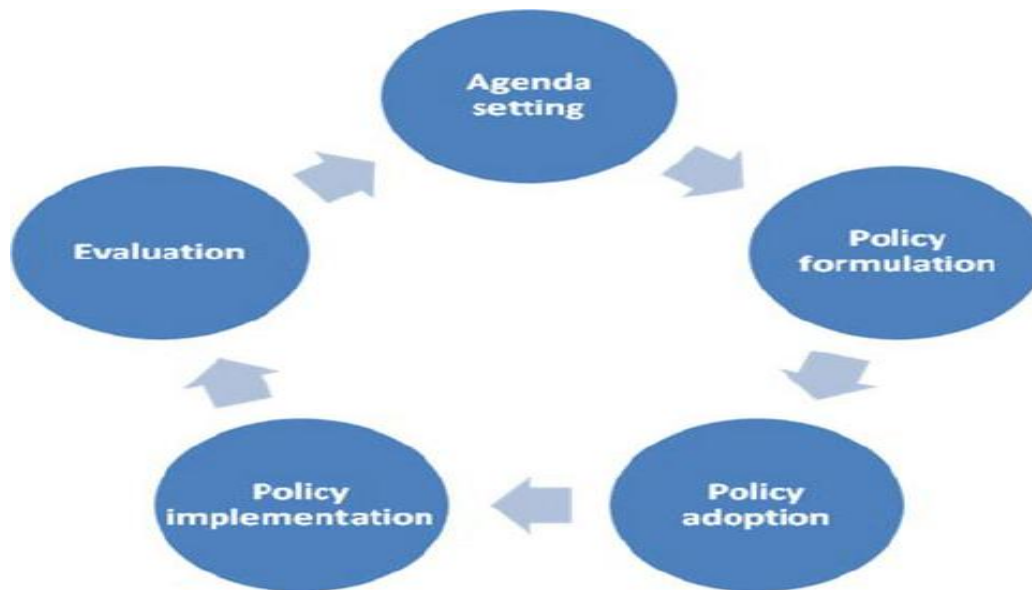| Policy | | |
|---|---|---|
| Winning the next election. Main campaign | | |
| | Strategy | |
| | Strategies: for northern Punjab, Southern KP, etc. | |
| | | Plan |
| | | Plans: for each constituency |

### *Why we need policies*

- Long term objectives
- To achieve them, thousands of people have to work for years
- Leadership cannot make all decisions
- Leadership may change, objectives and policies may not
- Example: Pakistan's foreign policy
- Kashmir, India, China, CPEC, US, etc.

## Topic 003: Policy Cycle

- Process through which an issue becomes a policy and is implemented and Evaluated

**Source:** Based on Figure 20.1 in Knill and Tolsun (2008)

*Agenda setting*
- Emerging issues
- Foresight
- Based on your policies

*Policy formulation*
- Data sources and collection
- Debates and discussion
- Coming up with options

*Policy adoption*
- Pros and cons of options
- Selection of one or two options

*Policy implementation*
- Making of strategies
- Making plans
- Actions

*Evaluation*
- Results: outputs and outcomes
- Feedback
- Evaluating efficiency & effectiveness

**Topic 004: Public Policies, Business Policies and Individual Plans**

*Public policies*
- Not all polices are public policies
- Public policies are made by governments
- Local, provincial and federal

*Business policies*
- Growth policy
- HR policy
- Accounting policy (cash/accrual)
- Tax policy (how to minimize?) Panama
- Market segmentation policy
- Location policy
- Safety policy
- Consumer/customer policy

*Individual plans*
- What do want to be
- What type of education and experience
- What type of partner you like?
- What are your plans about your health/appearance?
- Fit, fat or just healthy
- Exercise daily?
- Avoid junk food?

## Topic 005: Diverse Public Policies: Examples

*Foreign policy*

- Relations with the great powers
- Relations with India
- Relations with the Muslim world
- Relations with our benefactors

*Fiscal policy*
- Healthy balance between revenues & expenditures
- Increase our revenues
- Decrease our expenditures
- Get loans to fund the deficit, if any

*Monetary policy*

- Control of the money supply
- Interest rate or inflation rate
- SBP's monetary policy committee

*Water policy*
- Balancing demand and supply of water
- Pakistan water scarce country
- Decrease wastage & new additions

*Agriculture policy*

- What type of crops?

- Imports, exports, taxes, etc.
- Inputs to agriculture: water, fertilizer, electricity, seeds
- Research

<div align="right">**Lesson 02**</div>

## WHAT IS SOCIAL POLICY? IMPORTANCE OF STUDYING SOCIAL POLICY
### (Topic 006-011)

### Topic 006: What is Social Policy?

Social policy is the study of the social services and the welfare state. The field of study has grown over time, and it stretches rather more widely than at might first appear, but the social services are where the subject began, and they are still at the core of what the subject is about. The social services are mainly understood to include social security, housing, health, social work and education – the 'Big Five' – along with others which are like social services, including employment, prisons, legal services or drains. (Spicker, 1995) The term social policy is not only used to refer to an academic discipline and its study, however, it is also used to refer to social action in the real world. Social policy is the term used to describe actions aimed at promoting well being; it is also the term used to denote the academic study of such actions. (Alcock, 1997).

- Social policy is a set of public policies that are related to the provision of social services
- It is the study of the social services and the welfare state
- Every policy of the government can be linked to social needs/ services
- Fiscal policy
- Monetary policy
- Foreign policy

**Primary social policies**
- Education policy
- Health policy
- Housing policy
- Employment policy
- Gender policy
- Criminal Justice policy
- Family policy
- Social security policy
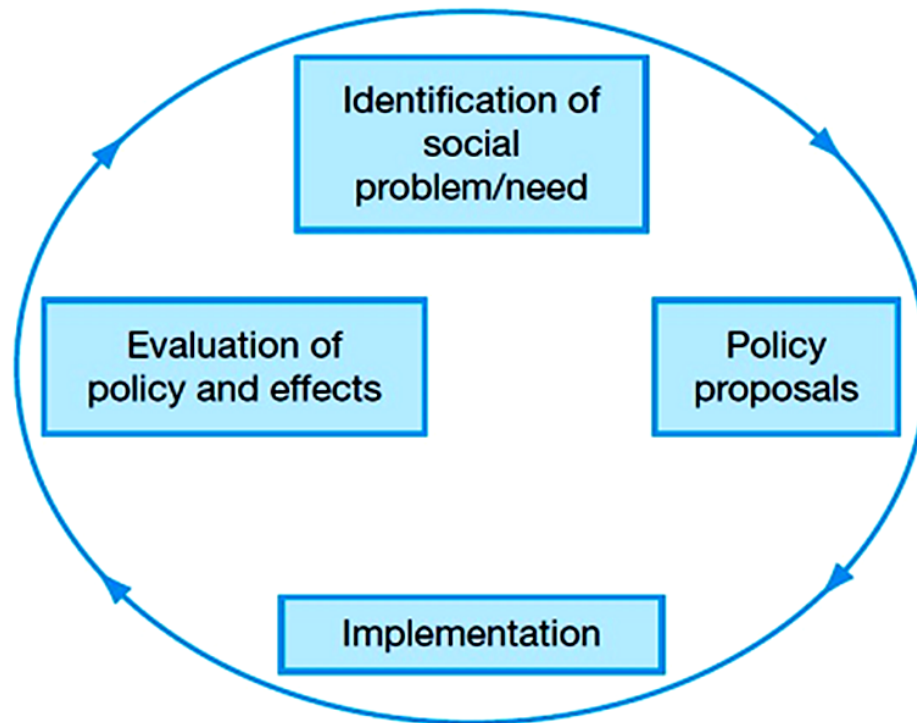
**Source: Introducing Social Policy by Alcock et. al (2008)**

**Social policy discipline**

- Interdisciplinary
- Late arrival
- Primarily based on sociology but
- Theories, techniques and skills of others

## Topic 007: Scope of Social Policy

*"Magpie" subject*

- Like a magpie bird, it "steals" other disciplines research and theories
- Many economists, political scientists, etc. are actually studying social policy

*Other disciplines*

- Anthropology: Study of kinship, family and household composition
- Geography: Insights into the spatial patterns of the distribution of services e.g. medicine, crime
- Philosophy: ethical questions, justification for choosing one kind of policy rather than another
- Psychology: studying individual needs, personal perceptions towards welfare services
- Statistics: statistical methods and techniques e.g. regression analysis
- Biology: defining family, living conditions, gender concerns

- History: the social policies through time, comparisons
- Political economy: nexus of politics and economy that helps/hinders social policies

*Vast scope*

- Expertise in all social policies not possible
- Experts and scholars choose one area to specialize
- Health or education or housing policy specialists

It is a 'magpie' subject – a discipline that has taken bright and sparkling treasures from other disciplines such as economics, philosophy, politics and sociology. For this reason social policy is sometimes seen as an interdisciplinary subject rather than an academic discipline in its own right. As argued later, however, there is a strong case for viewing social policy as a discipline. Like the magpie's nest, social policy's base contains others' pearls of wisdom, but social policy has also developed insights, theories and empirical research of its own. Like any other discipline, social policy employs a distinctive body of theory that individual scholars and researchers have used to test hypotheses about the impact of social policies on people's lives. Through the study of social policy as a discipline, therefore, you will gain a view of the world that is distinctly different from, but related to, the perspectives of sociology, politics and the other social sciences.

## Topic 008-009: Development of Social Policy as a Subject-I&II

Concern about questions of social policy grew throughout the nineteenth century. For instance, there was mounting concern about poverty and the squalid conditions that many people had to live in at that time, concern about child labour in mills, factories and mines, and concern about lack of literacy and the threatening power of the uneducated masses. As the end of the nineteenth century neared, it became increasingly clear to a growing number of reformers that government would have to play a much larger role than before in dealing with the social problems of the day. Although some of this concern was motivated by genuine and progressive aims to improve social conditions for ordinary people, it was mixed with other more controlling and reactionary motivations.

The work of those who led the Charity Organisation Society (COS) is a good example of this mix of motivations and aims. The COS, set up to coordinate charitable efforts and to eliminate problems of charities duplicating one another's work, became a highly influential advisory body in late Victorian and early twentieth-century Britain. In general, the COS and those who shared similar opinions were looking for a more efficient way of managing the existing system of poverty relief, rather than a radical overhaul of social policy and the introduction of universal state benefits. The COS had pioneered the development of a new kind of occupation – the social caseworker – who was often a volunteer and often a (middle- or upper-class) woman. 'Social workers', as they gradually came to be known, were responsible for investigating the needs of poor families and for finding out whether they were 'deserving' cases. There was great concern among those who ran charities at the time that no one who was 'undeserving' should receive any help, because undeserved help would compound the character faults that were then thought to cause poverty and unemployment: laziness, ignorance, immoral behavior and dependence.

Social work in its early days was arguably more concerned with social control and with trying to make the poor 'respectable' than with helping them on their own terms. But the very fact that

social casework was thought necessary did succeed in bringing the problems of poverty and social inequality to the attention of middle-class volunteers and opinion-formers on a scale that had never been seen before.

At the same time, journalists, radical politicians and other commentators were writing about the appalling conditions in which many British people lived. They gave first-hand accounts and vivid descriptions of slum life that were as shocking to 'respectable' society as reports of other cultures and ways of life among the 'savages' in newly conquered parts of the Empire.

As a result of both social casework investigation and journalistic reports, philanthropists began to provide funds for research on poverty and social problems as well as for schemes to help the poor directly. One famous example of this was Seebohm Rowntree's survey of poverty in York in 1901, Poverty: A Study of Town Life (discussed by Fraser 1984: 136–7). It showed that an alarmingly high proportion of York's population (28 per cent) was then living below subsistence level. Rowntree's survey, which was followed by other  Rowntree investigations after the First World War, is a prime example of the way in which the social conscience of leading manufacturing firms (in this case, the well-known chocolate and cocoa-processing firm) was translated into social research.

It is about this time – the beginning of the twentieth century – that the term 'sociology' began to gain currency as a way of summing up this scientific, statistical approach to understanding social problems. Early sociology, reflecting as it did the passion for collecting facts and statistics, came to be known as 'blue book sociology', because it was based so heavily on official reports and population censuses (published in blue covers).

All this rapidly accumulating knowledge about social conditions and social problems fostered the development of new kinds of training courses and university degrees in social work. In the relatively new municipal 'redbrick' universities of the time, such as Birmingham, and in the newly-established London School of Economics and Political Science (LSE), three important strands of learning and training were fused together. These were social work, sociology and social administration, the last being the study of local and central government institutions, and of the framework in which services to the poor and needy were to be delivered.

The early roots of the subject of social policy (or its forerunner, social administration) were therefore entwined inextricably with practical action (social work) and research (sociology). Later, as sociology developed a more independent identity, sociologists began to deplore the idea of their subject being a problem-focused or policy-oriented discipline. Sociology became more theoretical in its concerns, though some sociologists retain an interest in 'real world' and policy issues.

The main aim of sociology, however, is to discover knowledge about society for its own sake. The main aim in social policy is to research the impact of social policies on people and society. Thus a key question for social policy is, 'what difference does a policy make?' At the same time, the subject of social policy raises other questions, focusing upon how policies develop, why certain policies are chosen over others and what the economic, political and social implications of policies are.

It was this latter question that provoked much interest in the 1970s, when 'social policy' began to replace 'social administration' as the heading or title of university courses in the subject. Students of social policy were increasingly exposed to a range of critiques of the welfare state and of the traditional welfare values that had been contained in the old subject of social administration.

## Topic 010: Structure of the Course: Theoretical Foundations

### Three parts of the course

1. Theoretical foundations: 1st part: understand the basis of social policy
2. Social Policy development and implementation in Pakistan: 2nd part: understand the environment & implementation of policies in Pakistan
3. Individual social policies: 3rd part: Detailed look some social policies

### Theoretical foundations
### Ethical principles
- Equality
- Equity
- Freedom
- Justice
- Needs
- Wants
- Satisfaction
- Opportunities & capabilities
- Liberalism
- Utilitarianism
- Intersection of these principles
- Not always possible to achieve all

### Historical development of welfare state in England
- Why England and where is England?
- Poor law reform
- Education policy reform
- Health policy reform
- Development of welfare state before 1945 and after

## Topic 011: Social Policy Development and Implementation in Pakistan

### Social policy making in Pakistan
- Focus on Pakistan
- Focus not on individual policies but on overall environment
- Who makes Social Policy in Pakistan?
- Social policy governance and the 18th Amendment

### Who makes social policy in Pakistan?
- Models of policy making and power

- Definitions of governance and good governance
- Models of governance

*1973 Constitution and social policy*
- Fundamental rights
- Principles of policy
- Social policy before the 18th Amendment
- In federal, provincial & local governments
- Judiciary's role
- Bureaucracy's role
- Federal and provincial bureaucracies

*Social policy governance and the 18th Amendment*
- 18th amendment: A major transformation
- Federalism
- Social policy in developing countries

*Changes under the 18th Amendment*
- Issues in implementing the 18th amendment?

*Who pays for Social Policy? Budgetary implications of Social Policies*

- Budget, philanthropy
- User charges
- Growth in welfare spending

**IDEAS AND CONCEPTS IN SOCIAL POLICY-I**
**(Topic 012-016)**

**Topic 012: Diverse Social Policies**

- Education policy
- How it started?
- Education policy through history
- Technical education policy
- Special education policy
- Gender issues
- State of education now
- Main controversies & reform
- Health policy
- Health policy through history
- Models of health (medicinal/social)
- Policymakers: professionals & bureaucrats
- Policymakers: politicians and external actors
- Devolution
- Privatization
- State of health in Pakistan now

**Topic 013: Principles of Social Policy And Moral Standards**

The principles of social policy are the guiding ideas that underlie policies for social welfare, education, health services and the like. For instance, one policy might make the principle of equality a priority, while another might stress choice or freedom. This includes about such principles – equality, equity, need, freedom and rights – and how these words can be interpreted in different ways. While the term 'principle' is both useful and widely used, it has a very general meaning and is potentially rather confusing. In fact it has several different but interconnected meanings.

*First, a principle might be said to have a moral or ethical meaning*. If someone takes a 'principled stand', they will be standing up for certain beliefs in what is right and wrong and upholding certain moral standards. A moral standard in social policy could be represented, for instance, by the principle that no individual in need, no matter how poor or for whatever reasons, should be left without access to health care. Another more contentious example might be the principle, advocated by some, that housing and social benefits should either be reduced for lone parents or be withheld unless they fulfill certain conditions, such as finding work or employment training. As can be seen from these examples, the moralistic side of a welfare principle contains a vision of how things ought or ought not to be. Social policy reflects the norms and values of society. Many social policies have a normative element, and are drafted with the intent of influencing society or the behavior of individuals in line with deeply-held convictions and values. Thus there are left-wing normative principles which would include, among other things,

the idea of equalizing outcomes for people. Conservative normative views tend to stress the idea that social policies should uphold 'traditional family values', or wherever possible make greater use of the voluntary sector in providing welfare services rather than expanding the role of government.

## Topic 014: Principles of Social Policy and Rules

*A second way of defining principles is to see them as rules.* To take an example from the physical world, the human body – or any part of it, such as the heart – operates according to certain principles: for instance, the physical laws governing blood pressure and muscle tension. However, the principles of social policy are not the same as the principles of human biology or the laws of nature. When New Labour formed a government in 1997, much was made of the idea of making policy 'evidence-based': the intention was to use social scientific evidence and hard evidence from public enquiry to decide 'what works', rather than basing policy on ideology or values. However, while efforts to use objective evidence undoubtedly increased, there remain many examples of recent policy change that seem to be based more on the government's determination to push through certain reforms irrespective of the evidence for or against them. Government proposals to greatly increase the number of city academies are just one example of this, in education policy. But even if policies are based on evidence, we could not expect to scientifically predict what the effects of social policies will be in the way that a scientist or doctor can predict what will happen if a certain medical operation or treatment is carried out (though even here we must be careful not to expect too much certainty).

On the other hand, there is an important sense in which principles do convey an idea of the rules of social policy. Each welfare system creates a welfare bureaucracy: government departments with thousands of staff and a framework of laws and rules to regulate the work. Users of services will be affected by the rules: for example, in relation to eligibility for a service or a grant.

## Topic 015: Principles of Social Policy and Ideas

*Third, 'principles of social policy' refer to the ideas and theories that underpin social policy.* This definition very much overlaps with the first: principles as morals, norms or value judgments. However, there is a valid and useful distinction between a principle as a moral statement and a principle as an idea or a theory. It is possible, to have theories about social policy that are not based primarily on morals or value judgments, even though such ideas might be colored partly by political opinions or other biases.

For example, we may seek to define, in as objective a way as possible, what such ideas as 'freedom', 'liberty', 'justice' and 'equality' mean in social policy terms.

## Topic 016: An Early Principle Still Relevant? Bentham and Utilitarianism

A leading idea in social policy, which was developed in the early nineteenth century, is utilitarianism: a set of principles outlined by Jeremy Bentham (1748–1832) to offer what he saw as a rational alternative to governing on the basis of values or religious morals. His influences on policy were especially noticeable in the field of poverty and 'poor relief', though he also put forward an ambitious scheme to reform and redesign prisons, as well as many other constitutional and administrative proposals. In 1788, he published his An Introduction to the

Principles of Morals and Legislation (see Bentham 1982), which contains all the main elements of what became known as 'utilitarianism' or 'Benthamism'. Though not a socialist (socialism was in its infancy), Jeremy Bentham did advocate changes that were revolutionary in their time: the vote for all adult men and women, annual parliaments, open and accountable government based on rational or scientific principles. Above all, he firmly believed that the value of any policy should be decided on its objective merits, not whether it fitted with custom and practice or with any particular religious viewpoint. The basic question, according to Bentham, is whether any government policy or institution serves any valuable purpose or has any utility (use) – hence 'utilitarianism'.

How does utilitarianism apply to modern dilemmas of rationing services or calculating who should benefit from welfare? The utilitarian approach to these dilemmas is to apply 'the greatest happiness of the greatest number' principle. It therefore questions whether all human life is of equal value, and whether it is immoral to weigh some people's happiness or continued life against that of others. These questions are still very much with us, as illustrated by moral dilemmas in the provision of scarce health care resources (see Chapter 9). When health service professionals make judgments about patients on other than medical criteria, they may stray into making utilitarian judgments: for example, whether a patient is young or old, is married or has dependants. Consciously or not, they may be asking themselves, 'What use does saving or prolonging this life have, and how far would medical help in this case add to the sum of human happiness?'

## IDEAS AND CONCEPTS IN SOCIAL POLICY-II
### (Topic 017-021)
**Topic 017: Social Policy and Equality**

The principle of equality occupies a central place in debates about social policy. For those on the left of the political spectrum, social policies are ideally the tools or mechanisms with which to create a fairer society by equalizing benefits from health, education and other services. But from the perspectives of the political right and centre, social policies that attempt to equalize outcomes for people do so at considerable cost. Not only do they impose a burden of high taxation on people with average and higher incomes, with the suggested effect of dampening incentives and economic growth, but also they require a highly interventionist state and an army of bureaucrats and professionals.

Robert Nozick, a philosopher who published an influential book, Anarchy, State and Utopia, in 1974, powerfully attacked the goal of using social policies and other forms of government intervention (such as taxation) to increase equality. He based his argument on a distinction between 'patterned' and 'non-patterned' forms of justice. To summarize Nozick's complex and interesting argument, his fundamental point is that patterned justice involves the idea of continual interference in people's lives in order to bring about a particular distribution (pattern) of property, goods and other things of value (for instance, employment opportunities). The pattern would be based upon a particular goal. For instance, in one society there might be a particularly strong attachment to the idea of rewarding merit and of distributing resources and rewards on that basis. Conversely, another society might stress the goal of equality between individuals irrespective of merit or performance.

However, according to Nozick, any attempt to enforce patterns of justice will tend to undermine the supremely important value of liberty – hence Nozick's philosophy is an example of 'libertarian' principles. It is wrong and unjust, according to these principles, for any government to take away the individual's property or income in order to redistribute it in the attempt to create patterned justice: for instance, by taxing individuals to fund social welfare. Nozick's approach therefore emphasizes the idea that there is justice in wealth and property being owned in 'non-patterned' ways (for instance, according to historical factors and chance). For him, the only moral form of government is one that is minimal in its interventions and actions; any 'more extensive state would (will) violate the rights of individuals' (Nozick 1974: 333).

Note how perspectives of the 'right', including libertarian principles such as Nozick's, often suggest that the principle of freedom is threatened if social policies are too concerned with equality, while 'left' perspectives often defend equality by reference to people's needs. Thus, arguments about the value of equality, and whether promoting it is a good idea, cannot be fully understood in isolation from either of these other concepts.

However, it is misleading to package all ideas about equality and policy neatly into either a left-wing or right-wing perspective. To begin with, and despite the popularity of the terms, there is little consensus on what being 'left wing' or 'right wing' actually means. The distinction between left and right in politics is thought to originate from the days of the French Revolution

in the late eighteenth century, when the more liberal and radical representatives in the newly-formed National Assembly were seated to the left of the presiding officer, while the more conservative members of the legislature sat on the right. As democracy developed in Europe, a similar seating arrangement became common practice in a number of parliaments. Thus a tradition grew up, associating 'left' with principles that favored equality, radical reform and 'bigger government', and 'right' with principles that favor individual freedom and liberty over equality of outcome, a more cautious approach to change and reform, and an emphasis on reducing the role of 'big government' in people's lives.

A liberal thinker on equality, John Rawls (1972), argues that a basic goal of every policy should be one of equality. As far as possible, the 'good things' of life should be shared equally: education and career opportunities, welfare services, leisure and so on. Further, Rawls regards the right to liberty as fundamental in a just society. Everyone should be treated equally in this respect. However, Rawls also argues that a certain amount of inequality – just enough to create rewards and incentives for the better-off people in society – will benefit not only the advantaged but also the least advantaged. With the right amount of incentive, the better-off groups in society will work at an optimum level of efficiency. This will mean that everyone will benefit from well-run public services and private businesses. But if rewards for the better-off exceed the optimum level, the poorer groups begin to lose out. The better-off contribute less than they should in the form of taxes (wealth and income that can be redistributed) and have fewer incentives to be efficient, because their incomes are high irrespective of their work efforts. Rawls termed the idea of achieving just about the right amount of inequality the 'difference principle'

## Topic 018: Justifying Policies for Equality: Egalitarianism

This is an ideal, an expression of equality in its 'purest' or most utopian form (Drabble 1988). It is about finding ways of ensuring that people enjoy the same results or outcomes in life: the same incomes, the same life span, similar levels of education and health and so on. What would be the justification for policies to bring about a state of near-equality? Again, much would depend on the egalitarian's values or morality. The example of communism has already been mentioned. There has also been a thread of ethical or Christian socialism in British egalitarianism, and this has been a recurrent influence on thinking about social policy (see, for example, Tawney 1964). In communism or Marxism, the ultimate objective was a society in which no one unfairly exploited the labour of anyone else. Ethical socialists, however, stressed the moral dimension: gross inequalities are morally wrong, whereas a society of near-equals is one in which community, brotherhood and sisterhood will flourish. Note the normative ideas underlying this principle of equality.

Tawney was a Christian socialist and a leading figure in debates about equality in a welfare society. For him, equality amounted to much more than 'distributive justice' or making sure that income and the benefits of the welfare system were distributed equally among individuals and classes. Julian Le Grand's study, Strategy of Equality (1982) is an example of how the concept of distributive justice can be applied to research on 'who gets what' from the welfare system. Tawney held to a wider socialistic vision of equality. His goal and his vision of social policy was to help create a society in which people felt that they belonged to a common community – a society in which they would feel free to participate in making political decisions about their own future, and in which everyone was valued equally.

In a similar vein, Marshall – another founder of the principles of an egalitarian welfare society – argued that: 'The extension of the social services is not primarily a means of equalizing incomes What matters is that there is a general enrichment of the concrete substance of civilized life, a general reduction of risk and insecurity, an equalization between the more and less fortunate at all levels Equality of status is more important than equality of income' (1963: 107).

However, inequality of income is important to egalitarians in one important respect. Large inequalities, it is argued, lead to social division and are, in themselves, morally wrong. For instance, public concern has been expressed about the enormous annual pay increases (of over 30 per cent and totaling thousands of pounds) awarded to the heads of government agencies. This has been at a time when the great majority of public sector employees, working in the same agencies, have been expected to accept much lower annual pay increases.

Thus, the egalitarian's argument against inequality is relatively easy to invoke, as did Charles Dickens in his scathing attacks on the greed and selfishness of Victorian business people and corrupt public servants. However, a critique of gross inequality is not the same as making a case for near-equality. Here the egalitarians' arguments are harder to sustain, for a number of reasons.

First, individuals differ. Whether as a result of nature or nurture, every individual has a unique combination of talents, abilities, temperament and motivation. Policies trying to bring about absolute or near-equality would work against these differences, rewarding the lazy, the incompetent and the dishonest as well as the innovative, intelligent or honest. There is a lack of justice in policies that try to ensure equal outcomes for all. Would it be just, for example, to ensure that all 16-year-olds 'achieved' the same number of GCSE passes at the same grades, even though everyone knew that a proportion of the 'successful' candidates were being rewarded for either mediocre efforts or none at all? Such a policy would immediately devalue the GCSE qualification but, more importantly, would be unjust to those who had worked hard or had the ability to achieve the better results.

The second factor is coercion and lack of freedom. In order for a state of near-equality to be maintained, very strong regulatory authorities would be needed to survey constantly individuals' incomes, redistribute wealth and monitor who was being appointed to each and every job. Not only would this cost a great deal to implement, but it would also bring about a very invasive state. Everyone's private life would have to be scrutinized regularly and closely to make sure that no one was becoming better off than anyone else. So while inequality spells lack of freedom for some because better-off individuals and groups may gain at the expense of the poor, a state of imposed equality would severely reduce everyone's freedom. However, these criticisms of equality are valid only where policies are taken to extremes. It is relatively easy to put up a 'straw man' of absolute equality and then knock it down.

## Topic 019: Justifying Policies for Equality: Equity

This is a useful idea that extends the concept of equality. The notion of equality tends to make us focus on sameness or similarity. Thus, if neighbors X and Y are equal, we tend to think of them having similar incomes, houses, type of car, number of children and so on. But if such an end-state were to be brought about by social and taxation policies, what would be required? This is

where the concept of equity is useful because, to reach a similar end-state or outcome, it is usually necessary to treat individuals, families and groups equitably rather than equally. An equitable approach means treating people fairly, but differently, to ensure that there is some equality between them at the end.
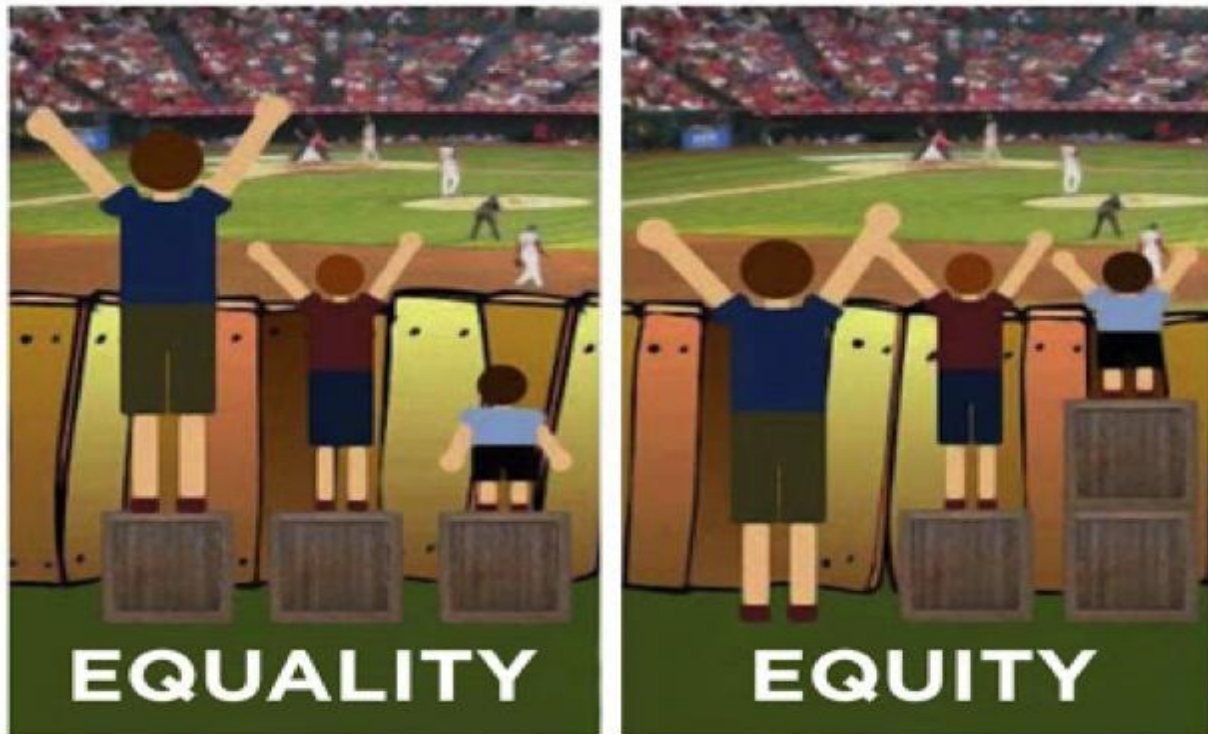


Source: Everydayfeminism.com

Dividing a cake gives a homely example to illustrate equity. Assuming that one guest feels full, two are not very hungry and a fourth is ravenous, equitable slicing would mean no cake for the first, two thin slices and one large wedge. After this, all guests should be in an equal state – full – but they have been treated unequally to achieve this. Treating them all equally, on the other hand, would have resulted in unequal or undesirable outcomes.

In social policy terms, and returning to our neighboring families X and Y, equitable social policies would treat each household differently depending on its needs and circumstances. For example, if X's son is disabled or has special educational needs, there might be targeted grants, benefits or school facilities that would have the object of compensating the X family for additional expenditure and bringing them back to a state of near-equality with the Y family. The problem with equitable social policies is that sometimes they do not look fair. Treating everyone in the same way is seen as fair, whereas treating them differently seems to smack of injustice or special favors. For example, equitable cake slicing might work with adults but try it with small children, who expect equal slices of a birthday cake. In this situation equity will almost certainly end in tears.

Applying the equity principle can also raise problems because fairness demands an accurate and accepted definition of people's needs. Suppose that you are again faced with a table of

squabbling children at mealtime and that you have decided to distribute food in unequal, equitable portions. If you are both a parent and a student of social policy, perhaps the children will already have grudgingly learned to put up with the principle of equity. However, this does not solve the problem of deciding whose definitions of need to take into account – yours or theirs? There might be vociferous objections from the children to the grounds on which the size of each child's portion has been decided: 'That's not fair, he had a big slice yesterday', 'she said she's going to be sick if you give her any vegetables' and so on. You may yourself be unsure of each child's 'real' needs: is Matthew clamoring for more simply because he is showing off; is Alison hungrier than she is prepared to say, and should she be encouraged to eat more? Faced with all this, it is not surprising that parents, like welfare systems, resort to giving equal, but inequitable, benefits.

**Topic 020: Justifying Policies for Equality: Equality of Opportunity**

This is another useful refinement of the meaning of equality. The equal opportunity concept might be applied first to employment, through policies to remove barriers of discrimination, improving access to jobs, education and training. In an age of temporary work contracts and part-time jobs, this is important. Work, despite its drawbacks, raises incomes, usually provides social contact and reduces social exclusion.

Second, equal opportunity principles can be applied to improving access to, and use of, health and social services. However, as with other equality principles, equal opportunity means different things to different people. Conservatives, as well as those on the left, subscribe to 'equality of opportunity'. Views from the political right stress opportunity, while those from the left stress the equality side of the equation. These differences of emphasis can result in substantial practical differences in the ways that equal opportunity policies are applied. Distinctions can be made between (a) relatively limited and modest definitions of equal opportunity, and (b) more ambitious and 'tougher' approaches.

Under British law – for example, the anti-discrimination laws planned for 2007 that will combine legislation against discrimination on the basis of gender, race, disability, age and other categories for the first time – policy and practice are much closer to (a) than to (b). But it is better to think of equal opportunity policies on a spectrum from 'modest' to 'tough'. Particular examples do not necessarily fit neatly into either category. In the UK, for example, not all equal opportunity policies can be pigeonholed as weak. A certain amount of 'positive action' to correct gender and 'race' discrimination is allowed under British law, and in Northern Ireland a Fair Employment Act and other government action has endorsed the principle of 'proportionality' mentioned above. In the Northern Ireland case proportionality means a more equal sharing of job opportunities between the Protestant and Catholic communities than before. Although a strict policy of reserving jobs for the under-represented Catholic minority has not been introduced, it is in Northern Ireland that the UK has moved closest to the principle of a 'tougher' approach to equal opportunities.

**Topic 021: Equal Opportunity Strategies**

Positive action refers to policies that stop short of positive discrimination. Under Britain's Race Relations Act 1976, for example, it was permissible to take positive steps to encourage members

of under-represented groups to apply for work in an organization (for instance, in the way that job advertisements were worded). Other forms of positive action include additional training courses to meet the needs of under-represented groups, career breaks for women, and improvements in facilities in the workplace that enhance disabled people's opportunities.

All these measures were designed to develop a workforce that was more representative of the population, but that did not rely on a quota system of reserving jobs for each under-represented group. Similar principles apply to the distribution of benefits or access to social and health services. Positive action here would entail taking steps to encourage access and to enable under-represented or disadvantaged groups to make fuller use of the services available.

However, positive action does not mean that people will automatically qualify for a service or a benefit because they are members of a minority or a disadvantaged group. Need remains the basic criterion. The object of positive action is therefore to equalize access and to ensure that everyone with needs is heard: for instance, by providing translation services to hospital patients whose first language is other than English.

*Equal opportunity strategies:*

- Fairness vs. equality
- History vs. present
- Democracy vs. socialism
- Past discrimination vs. culture

<table>
<tr><td>Don't spread my **wealth**</td><td>Spread my **work ethic**</td></tr>
</table>

- No discrimination
- Constitution vs. laws
- 22 (2) No discrimination against any religious institution in matters of taxation
- 25 (2) No discrimination on the basis of sex
- 26 (1) No discrimination wrt access to public places on the basis of race, religion, caste, sex, residence or place of birth
- 25 (3) Nothing in this Article shall prevent the State from making any special provision for the protection of women and children
- 26 (2) Nothing in clause (1) shall prevent the State from making any special provision for women and children

- 27 (1) No discrimination in services on the basis of race, religion, caste, sex, residence or place of birth
- Provided for a period posts may be reserved for persons belonging to a class or area to secure their adequate representation
- Laws and regulations tend to give positive discrimination as they are for a limited period
- But does a quota ever end?
- India's caste quotas: 72 years, still increasing

**IDEAS AND CONCEPTS IN SOCIAL POLICY-III**
**(Topic 022-027)**

**Topic 022: Need**

This brings us to the important concept of need. We have already seen that 'need' is a problematic concept (by 'problematic', we mean a term that is not easy to define and where there is a lack of consensus about what it means). This causes difficulties when, for example, we try to decide whether one person's or one group's needs are greater than another's.
Before you read any further, it might help at this point to spend five minutes writing a short list of what you think are the most important human needs. Try to list at least ten.

Now ask yourself these questions. Is there any pattern or logic in the list you have drawn up? For example, do some needs come before others and if so, why? Are some more basic or fundamental? (If you do not see a pattern, add some more needs and then try to prioritize the needs in some way.)

Are your definitions of need culture-free, or do they relate only to a particular country or social group? To test this, think about whether your list would be as applicable in India or Mali, say, as in Britain or another economically developed country. Try constructing a list as if you were living in a village in the African Sahel, or on the streets of an Indian city. How does your list compare with that of Doyal and Gough (1991), presented a little further on? Writing your own list of human needs and the questions this poses in your mind should help to identify two fundamental points about need. These points have been at the centre of social policy ever since the state began to take on certain basic responsibilities for people's welfare. The first is a central question about objectivity. Is it possible to establish a commonly accepted or objective definition of need and to distinguish clearly between those who are in need and those who are not? The second point relates to questions of responsibility and duty. How far is the state responsible for meeting certain needs? Should every citizen have rights to have their needs met, and does the community have a duty to meet them?

*Take 5 minutes and write a short list of the most important human needs*

Try to list at least ten needs; is there logic in your list?

*Needs*

- Health
- Water
- Food
- Sleep
- Safety
- Education
- Shelter
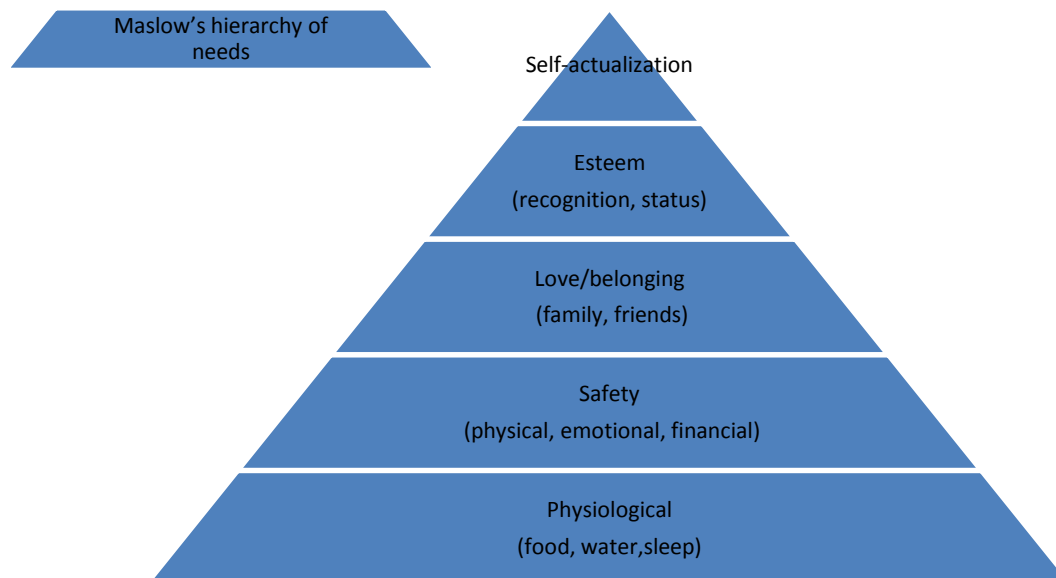- Family
- Friendship
- ✓ Are some more important than others?

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- ✓ Are some linked to your culture/religion?
- ✓ Two fundamental points: objectivity & responsibility

**Need and social policy**
- Is it possible to establish a commonly accepted or objective definition of need?
- How far is the state responsible for meeting certain needs?
- Vexed governments since at least 19th century
- From nothing to only basic survival to health to education to shelter to water to sanitation to psychological well being to air to environment
- Recently, in 2010, education was included as a fundamental right
- Previously, parents were included in family given free health, now only spouse and children

**Topic 023: Universal Human Needs?**

- Scholars have been trying to come up
- Universal vs. local
- Abraham Maslow (1943) was one of the first

Maslow's hierarchy of needs

Self-actualization

Esteem
(recognition, status)

Love/belonging
(family, friends)

Safety
(physical, emotional, financial)

Physiological
(food, water,sleep)

Doyal and Gough (1991) argue that it is relatively easy to make up a list of needs – social policy research abounds with them. However, it is more difficult to decide which needs are universal and which definitions would permit us to compare need satisfaction in different countries or cultures.
Their list (below) has been drawn up according to one main criterion. To be included, each item must contribute towards satisfying the two most basic needs (physical health and autonomy).

For example, they suggest that sexual relationships need not be included 'because some people manage to live healthy and autonomous lives without sex with others' (1991: 158). Do you agree with this, and in general what do you think of their list of needs?

- nutritional food and clean water
- protective housing
- a non-hazardous work environment
- a non-hazardous physical environment
- appropriate health care
- security in childhood
- significant primary relationships
- physical security
- economic security
- appropriate education
- safe birth control and childbearing.

To sum up, physical health and autonomy can be seen as basic needs that, if denied, will result in people being unable to meet other, secondary needs. Putting it another way, needs could be defined as basic if being deprived of them will lead to serious harm. Once basic needs have been discussed, however, there remains the question of how secondary or intermediate needs are to be identified. This is the point at which to compare your own list with that of Doyal and Gough.

## Topic 024: Needs, Wants and Satisfaction

So far, our discussion of need has highlighted some of the problems encountered in trying objectively to define 'real' needs. But while difficult, this is not an impossible task as long as we remember that there has to be some argument. In fact, debate about needs is a healthy phenomenon. For instance, it might be prompted by attempts to improve standards of welfare or to expose the hidden needs of disadvantaged groups.

Bradshaw (1972), in a pioneering discussion, suggested that there are four main ways in which people define needs.

- Felt need, according to Bradshaw, occurs when individuals are conscious of their needs. This, however, leaves open the question of whether they decide to express their felt needs or whether they are able to do so. Not all felt needs are expressed, either because those in need choose not to express them or because inequalities of power and status prevent oppressed and less powerful groups from voicing their needs. For example, older Asian women's needs have been neglected in the provision of community services because of the subordinate position of many of these women (see Blakemore and Boneham 1994).

- Expressed needs are publicized and known about. They become demands, as opposed to the hidden needs of those who are unwilling or too powerless or otherwise unable to express what they need, as just mentioned.

- Normative needs are those defined according to professional norms or standards; they are needs defined by outside observers or experts. For example, a professional counselor

might identify a need in a client that the client might accept, or on the other hand reject or fail to comprehend. Or, to give another example, social workers responsible for finding foster homes will judge whether a particular home is adequate to meet the needs of a child, as defined by their professional view and the standards laid down by their employer.

- Comparative need introduces the concept of relative judgment – that is, the needs of a group are defined relative to what other groups have or do not have. There is an element of justice here. If there are two similar groups, but only one is receiving a benefit or a service, the group not receiving welfare could be unjustly deprived and in comparative need.

The first definition – felt need – introduces a subjective element into the discussion. On the one hand, there are some needs that can be defined objectively (albeit with some disagreement among observers) and, on the other, wants that are apparently more to do with subjective or personal states of mind or desires. For example, a person might need a certain medical treatment that is invasive or painful, but not want it. Or a hypochondriac will be obsessed with medical treatments even though objectively these are not needed.

Remember that one way of defining a need is that being deprived of it causes serious harm, whereas this is not the case with things that are purely wants. A child might desperately want the latest computer game but arguably being deprived of it will not cause harm and might even do some good.

This distinction between wants and needs is not a clear-cut one, however. The very idea of 'felt needs' suggests that a strongly subjective element can enter into definitions of need. For example, pensioners on a low income might decide that keeping in touch with their grandchildren is a basic requirement (and a need to sustain important family relationships). They might decide that it is vitally important to spend a lot of their money on cards and gifts, especially on the grandchildren's birthdays or at seasonal holidays such as Christmas. But in refusing to compromise on this, they might well have to economize on heating or food costs. In this case, what appear to be unnecessary wants (cards, gifts) take the place of things that safeguard a basic need, such as physical health.

For instance, they might decide that their heating must be switched off to save money, possibly risking death from hypothermia for the sake of being able to afford Christmas cards and presents. Therefore, although being deprived of needs can be said to cause serious harm, so in some ways could being deprived of wants. The teenager who is deprived of the latest fashion item might take this want so seriously that they become depressed, feel that they are a social outcast and that their whole life has been blighted. If this happens, then we might have to take the consequences seriously: for example, shoplifting or other forms of offending.

The value of bringing the subjective element into any discussion of needs and wants is that it helps to answer the question of why satisfaction levels are not rising markedly in industrialized countries when, according to many objective economic criteria, needs are being met more fully than ever before.

## Topic 025-026: Sen's Theory: Commodities, Capabilities and Functioning-I,II

The eminent Indian economist Amartya Sen has developed a view of poverty, and more generally of well-being and the standard of living, which has attracted a great deal of attention in the 20 years or so since he first put them forward. Sen's theory may be regarded as a critique and revision of economic views about well-being and at the same time his approach can be viewed as a variant of, or an application of, a 'needs' approach.

Sen criticizes what he calls the economist's and utilitarian's definitions of welfare or of value in terms of 'happiness' or utility. These, he argues, neglect a range of moral and economic issues that are important, such as exploitation (Sen 1980). He points to the urgency of basic wants and needs and the objectivity of such facts as whether a person is 'hungry, cold or oppressed' (1980: 154). Utility information (pleasure, desire–satisfaction) must be supplemented by such objective assessments. Sen therefore suggests that it is more appropriate to see demands for freedom from exploitation as a moral claim for just rewards ('equality of desert') than as 'lack of well-being' (1980: 155). Similarly, the demand for 'equal pay for equal work' is not a purely instrumental claim, which in welfarist/ utilitarian terms it would be.

In developing his theory, Sen has identified, and distinguishes between, **three concepts: 'commodities', 'capabilities' and 'functioning'**. *Commodities* (which can be defined as resources, including income, health care and education) have tended to be the focus in most research on needs, poverty and social policy. The notion of a poverty line or subsistence, minimum income level is based on the idea of such commodities, or the lack of them. But Sen suggests that focusing only on commodities is an inadequate basis for poverty research and for defining needs. This is because people vary in their capacities to transform commodities into 'capabilities' and 'functioning' (Sen 1980: 161).

*'Capabilities'* can be defined objectively, according to Sen, and they describe the necessary conditions human beings need to enable them to function fully. Examples of basic capabilities would include the following: the ability to move about; the ability to meet our nutritional requirements; the wherewithal to be clothed and sheltered; and the ability to participate in the social life of the community.

The object of public policy, according to Sen, is therefore to try to ensure as fair a distribution as possible of both commodities and capabilities. *Functioning,* which can be at the social or the individual level, involves the idea of activity, or of 'being and doing'.

So, in sum, capabilities are necessary conditions to achieve functioning. They relate directly to the kinds of lives that people are able to lead – the kinds of activities they can pursue, or 'being and doing' (which, he argues, is what our concern with the standard of living and poverty is all about). Commodities by themselves are described as 'opaque' by Sen; it is what people are able to do with them that matters.

A useful feature of the capabilities concept is its connection with the idea of positive freedom – freedom as 'empowerment' or as opportunity (see the next section for further discussion of 'positive' and 'negative' definitions of freedom). Capabilities seem to involve choice and the range of choice that individuals have: 'Capabilities . . . are notions of freedom, in the positive

sense: what real opportunities you may have regarding the life you may lead' (Sen 1987: 36). So, in contrasting a capability and a functioning, the latter is an achievement and the former is 'the ability to achieve' (1987: 36) (italics added).

Sen's theory is valuable for a number of reasons. It provides a systematic attempt to explore and develop a more precise characterization of well-being for social science and policy purposes than that provided by some of the standard theories on offer. It provides a corrective to some established views. Sen has drawn attention to what commodities are for. His theory attempts to integrate economic and sociological ideas about inequality, poverty and need – that is, economic theory based on the idea of utility or subjective preference, and social science and policy ideas based on objective notions such as need.

Finally, Sen's contribution has the great merit of internationalizing the debate about issues such as poverty and need, and the political questions and moral principles these issues provoke. His discussion is as applicable to economically developed countries such as the UK as it is to developing countries such as India.

## Topic 027: Concept of Freedom

If we are coerced or told what to do throughout our lives and are deprived of rights, we cannot realize our potential to become fully human beings. However, as with equality, 'freedom' and rights' can easily become slogans. Difficulties begin when policy-makers or those who deliver welfare services have to decide what 'freedom' and 'rights' mean in practical terms, and on what grounds some people's freedoms might have to be removed or curtailed.

For instance, there might be a need to suspend the driving license of a driver who's seriously failing vision and hearing pose grave dangers to other road users and pedestrians. However, difficulties arise in defining safety limits for the majority of older drivers, most of who are safe drivers and enjoy lower insurance premiums as a result. What if a driver's vision is poor but just about adequate to drive a car along familiar routes? Or what if the driver and their partner live in a rural area, where without the use of a car it would be very difficult to visit a chemist's shop or buy groceries? Should such drivers have the freedom to take moderate risks with their own and others' safety?

## Topic 028: Concept of Rrights

Disability throws up a range of even deeper questions about freedoms and rights. The right to vote, for example, signifies an individual's full membership of society as a citizen. But should people with significant learning difficulties have the right to vote and, if not, how can their voices be heard and rights as citizens be respected?

Those who champion the rights of disabled people (for instance, Oliver 1990) argue that most, if not all, of the problems they face have been created by the society around them rather than directly by their disabilities. This is a 'social' model of disability, as opposed to a 'charity' or 'victim' model. It suggests that rather than pitying disabled people as victims of their own physical or mental states, society is responsible for improving their freedoms and guaranteeing their rights. Considerable investment in redesigning housing, work environments and transport facilities is needed in order to remove the barriers to freedom experienced by disabled people.

How far and in what ways society should be expected to make such a full commitment to the rights of disabled people is an open question, and is likely to cause continuing arguments about how to balance the rights and freedoms of disabled and non-disabled people. However, any discussion of freedom and rights will be unproductive unless these principles are broken down into different elements.

One way of doing this is to follow *Marshall's (1950) classic distinction between civil, political and social rights.* It is possible for individuals and groups to enjoy one or more of these types of right and the freedoms that are associated with them.

- **Civil rights** include basic freedoms under the law: for instance, freedom from discrimination, arbitrary arrest and detention, freedom to meet in groups and to have open discussion, freedom of the press and of expression.
- **Political rights** extend these freedoms to include the right to vote, to join and participate in political parties and to hold government accountable to democratic opinion.
- **Social rights** according to Marshall are of a rather different order. They involve a greater commitment of resources and are represented by rights to education, social welfare and social security; in short, rights to the benefits of a welfare system.

Viewed historically, in Britain, the three categories of rights can be seen to have developed gradually, with civil rights being established first, then political rights (for men first, and for women substantially later) and finally social rights. However, Marshall stressed that there is not necessarily an inevitable process of evolution at work here, involving automatic or continued progress towards social rights.

Some countries, such as present-day Singapore, combine substantial social rights and a well-organized welfare system with rather limited political rights. Thus one kind of freedom and one set of rights do not necessarily lead to another. In fact, social welfare can bolster paternalistic governments by making them appear fair and reasonable, thus reducing basic political freedoms.

To return to particular groups in society, such as disabled people, older people or children, we may apply Marshall's distinctions to questions about the rights of each. For example, with regard to children, electoral democracies have nowhere extended them political rights – they cannot vote or send their own representatives to parliament.

However, this does not mean that they cannot have their civil rights improved and, under the Children Act 1989 and many other pieces of legislation, children have legal rights to education and welfare services: social rights.

If we consider people with learning difficulties, it may well be that they enjoy social protection and certain social rights, but they may never be granted civil and political rights even though, in some cases, they are capable of exercising political preferences or participating in decisions made about their welfare. Another way of looking at both rights and freedoms is to think of them either as negative principles ('freedom from' certain things that endanger liberty) or as positive principles ('freedom to' do certain things).

A negative definition of freedom would give every citizen the right to be protected from harm from others – for example, from physical assault, burglary or discrimination. Negative

definitions of freedom are very much part of a classical liberal or laissez-faire philosophy. In this view, people should be allowed as many freedoms as possible. However, complete freedom, or free-for-all anarchy, would not bring genuine liberty. Laissez-faire must be coupled with strong laws to restrain those who would intentionally seek to harm or reduce the freedoms of others. Thus a liberal society such as the USA has always had relatively strong laws to limit the power of both the state and of private monopolies (which form to fix prices unfairly and exploit consumers).

To those on the political right, freedom can be fully guaranteed only in a society organized by the market, in which people are free to own as much property as they can amass and in which there is competition between individuals and businesses. Markets are seen as vital in ensuring not only freedom but also efficiency. But by their very nature, markets lead to differences and they expose inequalities. People are bound to have different amounts of talent and ability, luck and spending power. In a 'free' market, there cannot be equal freedom for everyone to be able to afford tea at the Ritz.

# HISTORICAL DEVELOPMENT OF WELFARE STATE-I
## (Topic 029-033)

## Topic029: Poor Law Reform

Poor Law legislation can be dated back as far as 1388 when attempts were made both to fix wages and to limit the mobility of labour which may cause wages to rise. But the more systematic operation of a system of poor relief came in two Acts passed under Elizabeth I in 1598 and 1601. These Acts created three classifications of the poor together with appropriate treatment for each: the impotent poor (old, sick, and lunatic) would be accommodated in poor houses or almshouses; the able-bodied poor would be set to work in the parish, and their children apprenticed to a trade; and finally the able-bodied poor who absconded would be punished in the 'house of correction'. The Poor Law would be administered by each parish, which would appoint overseers of the poor who were empowered to raise a poor rate to pay for poor relief (Fraser, 2003: 33–36).

Over time the Poor Law came to be dominated by various means of 'outdoor relief' rather than the systematic use of workhouses to alternatively employ or punish the different categories of pauper. In many parts of the country outdoor relief took the form of wage subsidy, perhaps most prevalent in rural areas and in times of food shortages caused by poor harvests. The system of wage subsidy received much attention especially towards the end of the eighteenth century, after several years of poor harvests and the impact of war with France saw the costs of the Poor Law rising.

Critics suggested that the system of wage subsidy induced laborers to idleness, as they would sooner allow the parish to supplement their wages than work hard to improve their situation. Thomas Malthus went further and suggested that the Poor Law encouraged the poor to have more children in order to receive extra relief, and that this system would have catastrophic consequences since the country was able to supply only a limited amount of food. Population, on the other hand, would carry on increasing until the country could simply no longer feed itself (Harris, 2004). For critics of the Poor Law this provided ample evidence of the folly of allowing the state to interfere in the welfare of its people and the damage that state-sponsored charity could cause. The working poor would lose any motivation to improve their position while 'generous' relief was provided and might even adjust their behavior to take advantage of poor relief.

The pressure to reform the Elizabethan Poor Law was founded on the many concerns and worries in the minds of officials and reformers. First was the often random nature and application of the existing Poor Law, which was administered by local parishes. The often cited, we may say famous, systems of parish relief, such as that of Speenhamland, were by no means universal and there remained great diversity and variation in the administration, availability and generosity of parish relief, so that it may be incorrect to refer to the 'Old Poor Law' as though it were a single entity.
Secondly, there was the concern outlined above that parish relief undermined principles of thrift and hard work that people and the economy depended upon. Parish relief was felt to be an

expensive luxury which, instead of simply relieving the poor, was encouraging them to remain idle and burden the parish and its ratepayers. That burden fell disproportionately; they felt, on aristocratic landowners and new groups of middle-class entrepreneurs. We can go further to suggest that the existence of parish relief was itself a cause of poverty, not because it encouraged indolence in the poor but because it encouraged employers to reduce wages.

Employers were able to maintain wages at low levels in the knowledge that the parish would 'top-up' the wages of their labourers. This was most keenly felt in rural areas as employers artificially reduced local levels of pay in the knowledge that the parish would supplement incomes. Those same employers, this time as ratepayers, also pressed for a reduction in the burden of their poor rates and thereby a reduction in payments of relief. This they regarded as a tax on employment which itself damaged the successful working of the economy. Such factors were themselves cited in the Swing riots of 1830 which witnessed in Hampshire the breaking of agricultural machinery and the destruction of local workhouses in some parishes (Hobsbawm and Rudé, 1969: 119–120).

Finally, there was the fear that the Poor Law of the previous two and a half centuries was no longer able to meet the demands of nineteenth-century Britain. The dual processes of industrialization and urban development were attracting new populations to towns in search of work. In times of unemployment, existing residency qualifications, embodied in the various Acts of Settlement, would disqualify individuals from turning to the parish for help; indeed we may argue that the parish boundaries themselves had become outdated and meaningless as new towns and cities had grown. A Poor Law designed to meet the needs of a medieval, largely rural and agricultural population was self-evidently outdated by the early decades of the nineteenth century.

## Topic030: Public Health Reform

One of the leading policy issues today is about the balance of resources to be devoted, on the one hand, to public health and preventive strategies, and on the other to individual care and curative strategies in medicine.

Everyone agrees that it is much better to prevent illness in the first place than to have to deal with its consequences. However, a certain amount of illness cannot be prevented. This means that there will always be a demand for individual solutions and treatments for illnesses. The history of public health in Britain illustrates both the connection between environment and health and the conflict of interests between public needs (public health, preventive strategies) and individual needs (for curative medicine).

The nineteenth century was the age of public health and environmental improvement. This is not to say that progress in health was smoothly achieved or always centrally planned. Public health reforms were brought about after protracted struggles between progressives and reactionaries, between central government and local authorities, and between the mean-spirited and those who championed public spending on unglamorous sewer-building, better water supplies and health inspectors. However, by the end of the century, Britain had developed a comprehensive system of laws governing health standards.

*Nineteenth-century health reforms:*

- A Central Board of Health was set up in 1831 by government to deal with a major outbreak of cholera.
- Report on the Sanitary Condition of the Labouring Population of Great Britain, 1842: a pioneering and scathing report on the environmental causes of disease led by Edwin Chadwick.
- Liverpool Sanitary Act 1846: this was an example of how all the major cities required specific parliamentary legislation to permit them to bring about public health improvements. Liverpool's was a model for the times: a local medical officer and staff were appointed to oversee water supply and sewerage improvements.
- The Public Health Act 1848 set up a national General Health Board. Local authorities were permitted, but not obliged, to set up local boards to improve sanitation, build waterworks and so on.
- The Medical Act 1858 established a General Medical Council to control a register of qualified doctors and to regulate training.
- The Sewage Utilization Act 1865 laid down national standards for safe sewage disposal.
- The Sanitary Act 1866 for the first time obliged local authorities to comply with previous legislation, as under the 1848 Act.
- The Public Health Acts 1872 and 1875 were two pieces of legislation that consolidated and clarified all earlier regulations. Together, they laid down the duties of local authorities with regard to environmental health (for example, duties to inspect housing and maintain sanitary standards) up to 1936.

## Topic031: Responsibility of Employment Regulation

Looking back to the nineteenth century, it often appears that the pioneering spirit of laissez-faire capitalism, the industrial revolution and the creation of an empire were foremost in the minds of the government of the day. Yet within that century of revolution we can discern the seeds of latter-day social policy developments, tempered though they were by considerations of the moral virtue of the working classes and a strongly held principle that the state should only become involved when absolutely necessary. That meant a clear understanding that the free market had failed to provide and that any intervention should not itself be the cause of harm – sentiments clearly resonant of many debates today.

Employment regulation was, however, possibly one of the most sacrosanct areas of welfare, and as in the Poor Law and sanitation, change was slow to come. Government involvement in the control of employment and conditions in the workplace at a time when supply and demand determined the price and conditions of labour was, to say the least, a tentative venture. Many employers and politicians of the time continued to believe in the value of free trade, and thereby regular employment, as the most effective way of providing for the welfare of the working classes.

At a time when trades unions, though legal, were effectively emasculated by the law, legislation to regulate hours and safety in the workplace was patchy and slow to develop. Many employers

were able to do little more than comply with the minimum standards in the full knowledge that enforcement was lax and punishment light.

Child labor itself was, of course, nothing new and children would be put to work in agricultural regions or cottage industries as soon as they were able. But the conditions in which children worked and lived in industrializing Britain proved an offence to the humanitarian sentiments of a country that came to regard itself as the most civilized in the world. The conditions endured by children, the long hours and the physical hazards they faced when operating machinery, were likened to slavery, since children in contrast to adults often had little choice over their labor. They could not trade their labor in the free market as laissez-faire economics predicted and gradually, though by no means easily, the case for government regulation was accepted. Employers constantly stressed the damage to their industry if child labor were banned and often sought to place the blame at the doors of parents who insisted that their children work as soon as they were able. Similarly they stressed the likely increase in poverty amongst the laboring classes, and therefore the increased Poor Law burden, if children were prevented from working. Restrictions on the hours that either children or women were able to work, or the industries in which they were able to work, were also beset with problems. An overall reduction in the income available to a family placed that family under greater pressure and strain and might lead them to the doors of the workhouse. Such proposals also raised in the minds of Victorians the prospect of social unrest as children, out of gainful employment and in families under increased social pressure, might turn to crime.
But reformers too were concerned with the moral and educational welfare of children, and accounts of long hours, beatings, sexual promiscuity, drunken and indolent parents and the physical injuries suffered by many children meant that the intervention of the state could be put off no longer.

As we might expect, however, the introduction of legislation to regulate the conditions and hours worked by children, and later by women and men too, was slow and hard fought. Credit for the ending of child labour is often given to Lord Shaftesbury and his parliamentary campaigning but, as Fraser notes, his work was the climax to that started by others before the passage of the 1844 Factory Act (Fraser, 2003). Indeed, the previous decade and a half had heralded vigorous efforts in the pursuit of a legally enforceable 10-hour day. Incremental legislative change throughout the middle decades of the nineteenth century gradually introduced protection first for children, for instance prohibiting their employment in textile mills at ages younger than nine years and limiting their daily hours of work to eight, rising to 12 hours at age 13. Legislation also introduced the factory inspectors who had powers to enforce rules governing the employment of children.

The legislation, however, remained weak and difficult to enforce – only one mines inspector was appointed by the 1842 Mines Act – and this itself indicated the difficulty of and opposition to something as fundamental as control of the 'free market'.

Indeed, the 10-hour day was not achieved until the 1874 Factory Act by which time pressure from workers themselves was growing, as indicated by the growth of the 'new unionism' (the TUC had been formed in 1868) and gradual reforms in the franchise giving more working men the right to vote.

## Topic032: Education Reform

Education and its provision during the nineteenth century remained very much a minority undertaking. Formal and structured education remained, as it had done for previous centuries, largely a privilege for the aristocracy and the emerging middle classes who could afford the costs of private tuition, fee-paying grammar schools and eventually perhaps Oxford or Cambridge. But, for the mass of the population, education, where it existed at all, remained basic, often little more than basic literacy and numeracy. There was, of course, much between these two extremes, for example church-run schools, industrial schools, dame schools or those provided by Indeed there remained for much of the century deep-seated opposition to mass educational provision, with those arguing variously that anything more than a basic education would upset the given social order. Similarly, the state had no business in deciding the education of individuals, and compulsion in education would pauperize the laboring classes whose children would no longer be able to work and learn their trade. Much of the opposition had its roots in the religious divisions of the time and successive governments had to tread very carefully between the various churches and their dogmas. These factors in their turn guaranteed that formal state involvement in the provision of learning was delayed until the final quarter of the nineteenth century. So difficult did it prove for governments to agree on the nature and extent of their role in education that early interventions were confined to the regulation of teacher training, which was felt could help overcome often bitter conflict over the teaching of religion.

**Most significant education reforms:**

- Education Act of 1870 which established local school boards where there is a need
- The Elementary Education Act 1880 required school boards to enforce compulsory attendance for 5 to 10 year olds
- Opposition to state intervention
- Threat to social order, increase poverty as children couldn't work, religious divisions, industrialists' opposition
- The 1891 Elementary Education Act made education free
- Elementary Education Act 1893 raised the school leaving age to 11, 1899 – 12 and later 13
- The Voluntary Schools Act 1897 and Balfour Act 1902 provided grants to public elementary schools not funded by local school boards
- The Fisher Education Act 1918 made secondary education compulsory up to age 14 and made it state responsibility
- The 1944 Act resolved the issue of religious schools to a large extent by absorbing most of the Anglican schools
- Those which did not get absorbed (Catholics) retained their schools but state only financed half of their capital costs

## Topic033: Reaction to Welfare State

*Reactions to Welfare State (Before 1940s)*

Whilst it has been popular to view the development of a welfare state as necessary, desirable and inevitable, a view reflected in the writings upon which we have relied in the preceding section, other writers point out the level of discord which greeted successive attempts to secure state involvement in the provision of welfare services. It is by no means certain that such changes, which preceded the more comprehensive pattern of state welfare that developed in the first half of the twentieth century, received universal or even popular acclaim.

- Strong ethos of self-help and self-reliance among the working poor
- Often a deep and bitter distrust of the state
- Relatives and charities were preferred to the state-administered workhouse
- Brutal experience and memories of state workhouse
- Other avenues available during hard times were informal insurance and savings clubs at local level
- Formal insurance schemes provided by friendly societies and trades unions.
- Another form of support: Building societies for the purchase or construction of homes
- Such support was according to Victorian values and principle of laissez-faire
- However, this self help was limited
- Supported workers with steady jobs
- Unskilled worker didn't get much support
- Late 19th century values/ideas changed
- First came the concern about children and old
- Who could not be blamed for their poverty
- Then it expanded to women and then men too
- Government very cautious, small steps of social policy

## Topic034: Watershed in Welfare Provision

The final decades of the nineteenth century proved to be something of a political watershed in the development of the role of the British state in welfare provision. The economic doctrine of laissez-faire was gradually giving way to a collective ideal embodied in what was termed 'New Liberalism' which envisaged 'a positive role for the state in the amelioration of social problems' (Pearson and Williams, 1984). The legislative development of New Liberalism is something to which we turn in the next chapter; however, it is useful here to review the political and social environment within which New Liberalism developed.

There were also concerns expressed that conditions of poverty and illness at home might threaten the dominance of Britain over her global empire. Military defeats in the Boer war led some to suggest that Britain's young men may not be up to the physical challenges of fighting for and defending their country and that social condition at home might be in part to blame for this state of affairs, particularly in regard to the health of children. Similarly there was a change in attitudes towards social issues. The studies by Booth in London and Rowntree in York indicated that poverty might not be simply down to laziness within the labouring classes. Instead the economic operation of society, the unfettered free market might, it was suggested, be the cause of some poverty, which in turn 'could be the cause of people being unable to live freely'.

The studies by Booth and Rowntree contributed to a debate about how society might attempt to measure poverty objectively and how minimum social standards might be defined and achieved. Rowntree's study talked of a minimum necessary to maintain physical efficiency, whilst Booth spoke of a 'line of poverty' below which were grouped classes of people who had only casual, intermittent or small but regular earnings. 'By the word "poor" I mean to describe those who have a sufficiently regular though bare income, such as 18s to 21s per week for a moderate family, and by "very poor" those who from any cause fall much below this standard' (Booth, 1892). Rowntree refined this in his attempt to define conditions of primary and secondary poverty wherein those suffering primary poverty were 'families whose total earnings were insufficient for the maintenance of merely physical efficiency' (Rowntree, 1901). The conclusions reached by these two surveys, though not universally accepted, were that around 30% of the population were living in poverty (Booth suggested 30% and Rowntree 28%). Rowntree went further in his analysis by suggesting that there existed a cycle of poverty throughout the lives of the labouring poor. The years of childhood, early marriage and old age were those in which poverty was highly likely, often for reasons that were beyond the control of the individual concerned, but as a result of 'complex economic and social factors' (Fraser, 2003).

# HISTORICAL DEVELOPMENT OF WELFARE STATE-II
## (Topic 035-040)

### Topic 035: Liberal Social Policy

In January 1906 the Liberals under Campbell-Bannerman won a landslide general election victory, ending almost 20 years of Conservative rule, and, though social reform was not high on their list of priorities, it did benefit from the victory. The presence of 53 Labour MPs was more than anything else a symbolic and powerful symbol of the aspirations of working-class men and women and of the failure of the two-party system (Sullivan, 1992; Thane, 1996). Britain had also undergone something of a demographic transformation, witnessing the relative decline of agriculture and rural depopulation and a corresponding rise in industrial manufacturing and a concentration of population in the developing towns and cities (Harris, 2004). The twin processes of urbanization and industrialization had political consequences in the growth of the 'new unionism' and the development of workers' political representation in the form of the Labour Representation Committee. There had been a Labour presence in the Commons for five years, though small, and many of those Labour MPs elected had taken the Liberal whip in Parliament. But their presence in Parliament was growing and as one contemporary report put it: The emergence of a strong Labour element in the House of Commons has been generally welcomed as the most significant outcome of the present election. It lifts the occasion out of the ordinary groove of domestic politics and will have far wider influence than any mere turnover of party voters. (The Times, 30 January 1906) The General Election of 1906, which saw a landslide Liberal victory, returned 53 Labour MPs, 29 of whom were sponsored by the Labour Representation Committee (Fraser, 2003). In some ways this Labour presence in the House acted as a social conscience for the Liberal majority and prompted the first stirrings of 'welfarism'.

### Topic 036: The Embryonic Welfare State

An embryonic welfare state was being formed in early 20th century
- More reforms during 1908 and 1914
- From classical liberalism to social liberalism
- From laissez-faire to welfare
- Fear of Labor Party or change of mind
- Licensing and closing pubs . Heavy tax
- Schools: open to all, more grants, standards, scholarships for poor, land for new schools, meals compulsory in 1914
- Medical inspection in 1907, medical treatment of children 1912
- Education (Choice of Employment) Bill 1910 enabled local authorities to provide vocational guidance
- Old-Age Pensions Act 1908 introduced pensions for those over 70
- Compare it with today's Pakistan, 120 years later nothing
- Labour Exchanges Act 1909 labor exchanges were set up in order to help unemployed people find work
- Pakistan introduced labor exchanges in the 1970s but they gradually vanished
- 1909 Development Fund was an attempt to provide work in times of Depression

- Public works, later on adopted by the New Deal by the US
- Street improvements, waterworks, and sewerage
- With war looming on the horizon, ship building in 1908
- The Trade Boards Act 1909 created boards to set minimum wage for various trades
- Mines Accidents Act 1910 provided for first aid treatment, rescue work, and fire precautions
- National Insurance Act 1911, compulsory health insurance was provided for workers earning less than £160 per year
- Reforms need money and economy was growing but
- Taxes on alcohol, tobacco, petrol and the use of motor vehicles
- Rest of the expenditure was paid by us, the empire
- Wealthy didn't give way easily
- Constitutional crisis: Decrease in the power of House of Lords

## Topic 037: The Impact of War and Inter-War Years

The years of the First World War and the decades up to the outbreak of the Second World War witnessed profound social change that in turn had its impact on the political and welfare landscapes. Economically Britain, which had been and still regarded itself as the powerhouse of the industrial revolution, was in a much weaker position. Although the economy did continue to grow, Britain had entered a period of economic decline relative to other economies and was overtaken by the new American powerhouse. The growth was underlined by the development of new industries in new industrial areas, such as the chemical industry, electronics and the automotive industry, but areas of 'traditional' industry were weak and declining. Thus for some parts of the country the inter-war years were characterized by high and persistent unemployment, continued industrial unrest and the highly emotive hunger marches, all of which were exacerbated by the advent of the 'Depression' of the early 1930s. Average incomes in the period did rise, in part due to the development of the new industries and in part due to the development of what might be considered more 'middle-class' (white collar) occupations, but the enduring picture of those decades is one of economic uncertainty and increasing militancy.

However, despite the image of economic depression, the picture varied considerably. Overall poverty levels continued to fall and there were general improvements in housing conditions and the provision of social security benefits and pensions. Significantly there were dramatic improvements in Britain's health as mortality rates fell, life expectancy rose by an average of 15 years, to 66 for men and 71 for women, and infant mortality fell equally dramatically, halving to 50 infant deaths per 1,000 live births. Gone now were the days of mass epidemics of infectious diseases such as typhus, cholera and smallpox that had characterized the nineteenth century and, though some infections did dominate with persistent outbreaks of diseases such as meningitis and tuberculosis, they too were coming under the control of the health professionals. Despite the public spending cutbacks of the 1920s, overall levels of spending continued to rise from 12% of GDP up to 25% and the period witnessed a large-scale expansion in public sector employment (Harris, 2004). In part, of course, the rise in public sector spending is explained by the increasing cost of benefits to cover the large-scale and persistent unemployment of the period which, despite cutbacks in the 'doles' of the early 1930s, was more than countered by the extension of entitlements to other industries and the widening of the allowances net to provide cover to family

members rather than simply the 'breadwinner'. Local government was given greater power to construct housing of good quality for working people to be able to rent. The building industry too was encouraged, by way of subsidy, to engage in a building programme of homes for sale. Between both local government and private industry around one million homes were built between 1919 and 1930 of which some 200,000 were subsidized by government and built by local authorities in the years 1919–22, though this programme was curtailed by reductions in public spending under the Geddes Axe of 1923.

During the 1930s the programme of house building continued with greater urgency as local authorities acquired powers to designate areas for slum clearance and re-housing under the Housing Act of 1930 and later powers to address overcrowding in the Housing Act of 1935. In this decade some 3 million houses were built, most of which were for private sale, but the two decades together saw a significant increase in the state provision of housing with over one million council houses built.

## Topic 038: The Foundations of Social Administration

The reason for the gradual acceptance of welfarism within the Labour movement and the wider working classes has much to do with the development of the ideas of Fabianism. The Fabian Society, led by the indomitable Sidney and Beatrice Webb who themselves played a crucial role in the production of the Minority Royal Commission Report into the Poor Law, held that socialism in Britain was entirely compatible with the institutions of the state and could, and should, be realized through a parliamentary route. The state itself, they held, could be harnessed to promote the collective good and act as a neutral umpire between the demands of different interests. This view of the state, and its role in the promotion of welfare and the collective good, was to form the backbone of 'social administration', the forefather of today's 'social policy'. Put simply, the election of a Labour government would give the working class control of the state machinery of Westminster and Whitehall.

Social democracy in Fabian eyes, then, required not the 'withering away' of the state, but that it be fashioned into an instrument of social change and that the expert administrator, the civil servant, under the guiding hand of the elected parliament, become the tool for the implementation of (gradual) social change. Inherent in the notion of gradual social change was the concept of ethical socialism apparent in the writings of theorists such as Tawney and Marshall. Within their writings was a notion of equality which emphasized self-esteem and dignity. Unevenness was acceptable but not the grotesque and blatant exploitation that they said characterised British capitalism; equality was to be a concept consistent with both individual difference and economic growth – ideas resonant of modern Labour thinking. Social policy within this ethical socialism would be used to diminish artificially created differences (Tawney, 1952).

## Topic 039: Social Welfare during War

It is of course also right to view the collective experience of the Second World War as a seed bed for the post-war welfare state. The nationalisation of hospital services and the development of an education policy that would make secondary education a right for all children played their part in

creating a political climate in which postwar welfare measures would flourish. Several factors came together to create the climate of collective suffering; personal income was taxed at a high level, wage rates overtook inflation and unemployment was virtually abolished as both men and women joined either the armed forces or the home front services working in munitions or the Land Army (Jones, 1991; Addison, 1992). The social and economic planning of the war years led to a real and apparent redistribution of resources and may then be viewed as a 'dry-run' or prototype of post-war welfare state planning (Titmuss, 1950).

Thus it might be claimed that these factors, together with the shared danger of wartime, created a greater sense of social solidarity in British society than had hitherto been the case. Conscripts from different walks of life and social classes were thrown together and formed close bonds of comradeship. Dockers and doctors shared the security of air-raid shelters in the major cities, and rural, often middleclass, families provided homes for evacuees, which for one commentator was the nearest British society came to socialism (Foot, 1983).

By 1945 and the landslide general election, the hostility of the labour movement to state social welfare appears to have evaporated. The experience of crushing poverty and privation in the depressions of the 1920s and 1930s left many with the feeling that something had to be done and that the state may, after all, be the obvious solution. The experience of the war years, of collective deprivation and a collective, state, response, reinforced that feeling. The calls by Keynes and Beveridge for a twin pillar approach of full employment and a welfare state looked increasingly attractive and the Labour Party became identified with the crucial social issues of the day. All of these factors then, we might say, set the seal on the post-war orthodoxy of social reform and welfare statism.

## Topic 040: Welfare Consensus

The phrase 'welfare consensus' is frequently used to describe the developing welfare state between the end of the Second World War and the early 1970s:

• a political consensus between Labour and Conservative governments
• a shared belief that the state could and should provide welfare
• a social contract between labour and capital or welfare-capitalism
• all citizens having social rights, that is rights to state welfare support
• the neo-liberals, not least in relation to individual freedoms and responsibilities

One important outcome of the collectivism of the war years was the creation of what was to become described as the 'post-war consensuses on welfare and the welfare state. Much of the post-war period is said to have been characterized by broad agreement in political debate about the role of the state in civil society. There was, it seemed, continuity between the domestic politics of the Labour and Conservative parties and a substantial degree of agreement, in principle, about the need for government intervention to ensure economic growth, full employment and the provision of more or less comprehensive welfare services (Middlemass, 1979, 1986; Greenleaf, 1983).

The roots of this apparent consensus can be traced back to the inter-war years. The privations, at least for working people, of the 1920s and 1930s and the clearly polarised, along class lines, response of the government to that period of economic crisis, which sought to protect the owners of finance capital, were still clear in the post-war memory. In addition, the minority Labour governments of 1923 and 1929 appeared powerless to break free from the drive for profit of British capitalism. It was in this environment that the idea of a negotiated settlement between labour and capital, which would ensure steady economic growth but also alleviate the suffering of many, gained currency (Addison, 1975; Sked and Cook, 1979; Briggs, 1983).

The range of policies which made up the post-war consensus are those stemming from the economic philosophy of John Maynard Keynes and the social philosophy of Sir William Beveridge in what has come to be called the Keynesian Welfare State (KWS) (Burrows and Loader, 1994). Keynesian policies were ones which assumed, or were consistent with, the intervention of government through fiscal and monetary techniques to regulate demand and encourage full employment. Beveridgian social policies were intended to contribute to the development of comprehensive welfare services, access to which would confer a sort of social citizenship.

Accordingly, Keynes plus Beveridge were seen to equal Keynesian social democracy, or welfare capitalism or consensus.  The elements of that consensus can be conceptualised in the following way. In the first place the settlement represented a political turnabout. The inter-war years had been dominated by one political party at the helm of government. Although Labour formed two short-lived administrations, the Conservative Party, on its own or in coalition with the rump of the other parties, monopolized the politics of policy making in government. The formation of a genuine coalition government, a political expedient for Churchill as wartime Prime Minister, was the first step in this turnaround. The landslide of the 1945 general election completed the transformation. A new two-party system emerged in which both parties, now Conservative and Labour rather than Liberal, enjoyed relatively stable and relatively equal support (see Butler and Stokes, 1974, for an analysis of post-war 'consensus' voting patterns).

The second element of the new political consensus was that the policies said to characterize the years of consensus could be clearly distinguished from those of the inter-war years. The post-war settlement which included the social security plans of the Beveridge Report, the establishment of the National Health Service, the introduction of compulsory free secondary education and the pursuit of full employment as a policy goal, represented to many the creation of new 'rights' of citizenship (Parker, 1972; Gamble, 1987; Sullivan, 1989), indeed as a 'sustained attempt to reduce inequality through public action' (Gamble, 1987).

The third element of the post-war settlement is often seen as foreshadowing what was to happen in later years in both the politics of industrial relations and the politics of social policy making. That is, in accepting the trades unions, which had fought through the inter-war years for their right to be consulted and even incorporated into the decision-making processes of government, powerful state and private interests, were embarking on a momentous change in direction from inter-war practices and principles.

There are, of course, as we indicate above, differences in emphasis between the parties, but much of the evidence seems to attest to the existence, over almost 30 post-war years, of a de facto political consensus on a mixed economy, full employment and a welfare state. The notion of consensus appears stronger when contrasted to the politics of conflict which characterized the inter-war years, rather than agreement at the level of individual policy in the post-war years. Whether or not we accept the existence of a consensus in British post-war politics, what does seem clear is that the ideas embodied in Keynesianism about economic management and in Beveridge's social philosophy acted as midwives to a relatively durable form of welfare capitalism.

The welfare consensus, or so it is believed, was the creation of misguided, though possibly genuine, political reformers. They legitimated wide-ranging interventionist activities for the state in areas of the economy, in industry and in issues of personal welfare. As a result they distorted the true and historic independent status of the individual and the role of the 'natural' operation of the market in the allocation of resources. Instead of engaging in unregulated exchange relationships with employers, sellers of goods and other individuals, citizens were made the servants of the state. Instead of promoting social rights, consensus politics conferred the status of serfdom on citizens whose actions were circumscribed by the all-pervasive regulatory actions of the state. One of the consequences was to place the state in the role of family head or pater familias.

## WHO MAKES SOCIAL POLICY IN PAKISTAN?
### (Topic 041-044)

### Topic 041: Policy-making: The Easton Model

At its most basic level the policy process has been described as a 'black box' into which are entered 'inputs' and from which emerge 'outcomes'. Thus a typical input would be represented by the policies of an elected government and outcomes would be those policies as received by a population. Diagrammatically this might appear as depicted by David Easton (Easton, 1965; see Ham and Hill, 1993) some 40 years ago and shown in Figure 5.1 on page 68. This is the policy process at both its most simple and its most uninformative. Such a description merely tells us that there are demands made upon governments who respond with policies and tells us nothing of what is going on inside the 'black box'. In such a model the policy process is assumed to be a neutral and impartial arbiter of policies devised by a government, whatever the political shade of the party in power. Such a model therefore tells us little or nothing of the values and ideas which help to shape and form policies and the direction they take once implemented (see Ham and Hill, 1993). Within the parameters of the British state, the central state may be considered to be crucial, since it is within the centrally based 'corridors of power' that many decisions are made.

Constitutionally, Britain operates a tripartite division of powers:

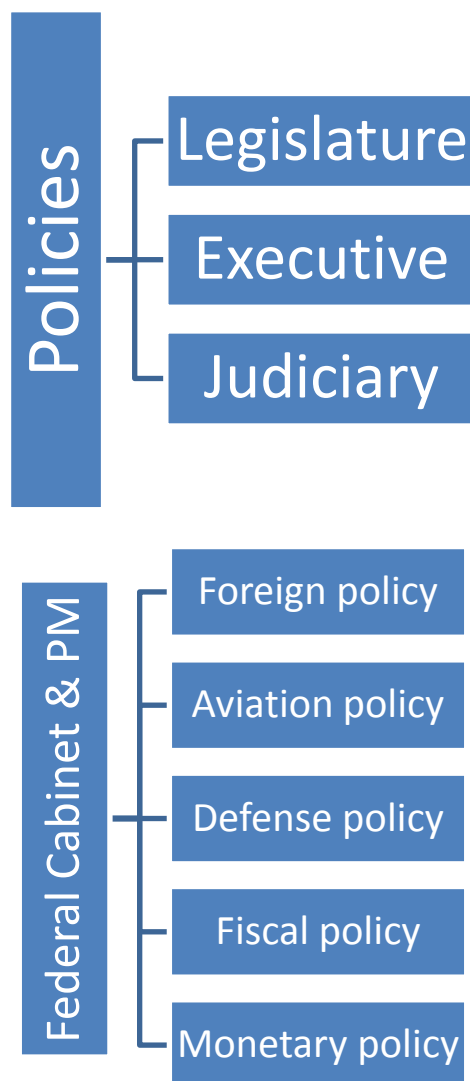| Inputs: Needs, demands, promises | Black Box: Policy Process | Outputs: Policies |
|---|---|---|
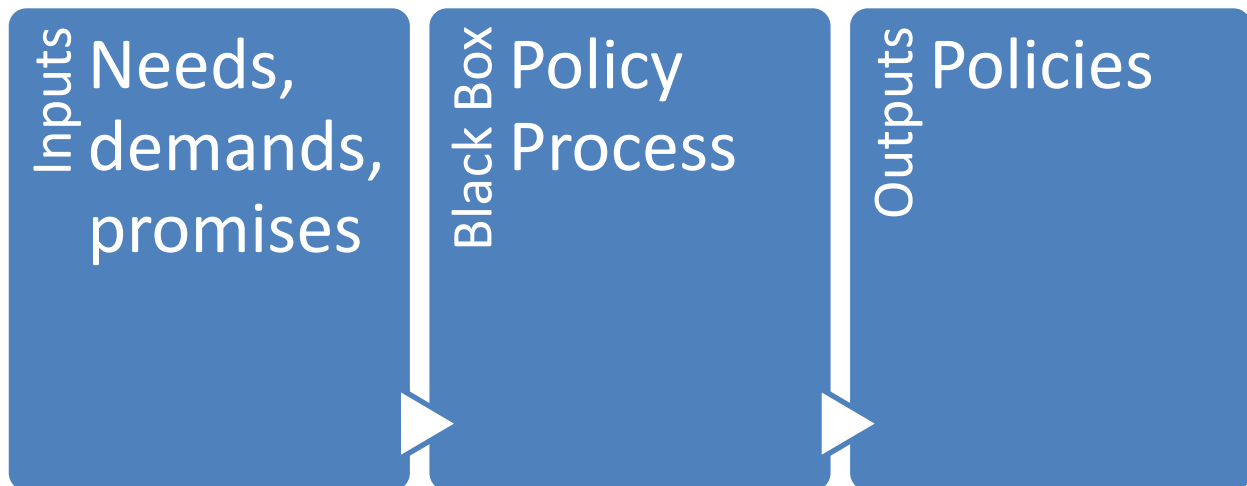
**Easton Model**
**Strengths:**
- Simple, easily understood
- Dynamic model
- Acknowledges different types of influences

**Deficiencies:**

- Overly simplistic
- Nothing about levels of government
- No differentiation between outputs and outcomes
- Nothing about implementation

The legislature (Parliament), the judiciary (judges, courts and tribunals) and the executive (the Civil Service and departments wherein they work). This remains something of a constitutional fiction, however, since there is a great deal of interplay between the three arms of the constitution. Crucial to this interplay is the role of the Prime Minister and the Cabinet which has developed over the past two centuries and is today pivotal in the making of policy. On re-election to government in 1997, Labour under Tony Blair's prime minister ship signalled the importance of the Cabinet, for example by establishing within it the Social Exclusion Unit and with it the central planks of that government's programme.

**Policies**

- Legislature
- Executive
- Judiciary

**Federal Cabinet & PM**

- Foreign policy
- Aviation policy
- Defense policy
- Fiscal policy
- Monetary policy

**Topic 042: Who Makes Policy: Models of Power**

In order to make sense of what has been happening in education, or in any area of social policy, it is helpful to compare different views or models of how policies develop. No single model or theory will perfectly account for every policy and its outcome. To understand the policy process satisfactorily we need to combine a number of models.

Top-down and bottom up policies

- Is there a concern about the needs of the people?
- Is there a concern about the needs of all/majority of the people?
- Who determines the needs?

**Democratic governments are usually more concerned about people's needs because**
- They are elected
- They are closer to the people
- They need to be re-elected

**Why specific policies are made?**
- Official reasons: To increase welfare
- Unofficial (sometimes actual) reasons: To benefit the political party/leader
- Usually a combination of the two

**Devolution Plan 2001**
- Official reasons: To bring government closer to people
- Unofficial reasons: To create a new political leadership and to undercut established democratic parties

**Policies and power**
- Public interest
- Public participation

**Policies and Executive branch**
- Only Cabinet
- Senior civil servants (Ministries, Departments and Autonomous bodies)
- Specialists (Regulatory bodies, SBP, HEC, etc.)

**Models of power – how decisions are made: No single model is perfect**
- Democratic pluralist model
- Elite control model
- Political economy model

## Topic 043: The Democratic Pluralist Model

The democratic pluralist model is probably the closest to popular and 'common sense' views of how government should act and how policies should be made in a democratic society. However, partly as a result of widespread publicity about leading politicians' alleged manipulation of

evidence put before Parliament (for instance, before and after the second war in Iraq), and about abuses of power and privilege by politicians, many people's trust in the idea that decisions are made democratically, or that politicians are accountable to the people, has been eroded. This loss of belief in democracy has been demonstrated by decreasing turnout at general elections. For instance in the election of 2005 the lowest turnout since 1919 was registered, and less than half of young voters (aged 18–25) bothered to vote. While public disillusion with politics and politicians is growing in the UK, however, this does not mean that the democratic model, or view of how politics works, is completely worthless or outdated. Arguably, there is at least some democratic input into the policy-making process in Britain, and politicians are held accountable to the democratic will to some degree.

However, it is impossible to resolve the argument about 'how much' democracy we have, or how democratic policy-making is, without defining democracy itself. For instance, if we were to define a democracy as a community in which everyone had an exactly equal say, and in which power was shared absolutely equally between all individuals, then no large-scale societies or political groups would qualify as 'democratic'. This ideal does not, and cannot, exist in its purest form. Thus a realistic definition of democracy does not necessarily entail complete equality of power or an equal say in policy-making. This point was made by Dahl (1961) in a classic study of how politicians and other power-holders operated in an American city.

He concluded that there are clear inequalities in democratic politics – certain business interests and pressure groups are much more powerful than others, for instance. However, a political system can be regarded as sufficiently democratic as long as electors and democratic parties have the final say. Similarly, in British politics, some individuals and groups are clearly more articulate and better resourced than others, and for a variety of reasons will have more say over policy than poorer and marginalized groups. In a parliamentary democracy the people's representatives (MPs) are supposed to be able to speak from their own point of view and according to their own consciences. MPs are not supposed to be delegates who simply report or mirror the opinions of their constituents. In any case, constituents' views are often difficult to summarize, as opinion on many key issues is sharply divided.

In practice, MPs are often more constrained by party discipline than by their own consciences or views. Their behaviour in the House of Commons usually reflects the instructions of party leaders and 'party whips' (MPs who act as organizers to make sure that their fellow members follow the 'party line' and vote accordingly). However, when a governing party is divided over certain key issues these constraints might be loosened. At these times it is possible for opposition and dissent to grow within the governing party's own ranks. This will lead to a fuller, more democratic debate about the contentious policies being fought over. Also, the democratic model holds that general elections guarantee the accountability of governments to the public. A government that persistently ignores the wishes of the people can expect to be thrown out of office when the next general election is held.

Finally, the democratic pluralist model suggests that governments are held in check because power is widely diffused in society beyond government and Parliament. For instance, decisions about education will not be made by government acting alone. According to the democratic model, a plurality of groups or a number of voices will have their say. These may include bodies

such as business leaders and associations (the Institute of Directors and the Confederation of British Industry are two leading examples), teachers' associations and unions, parents' lobby groups, and religious organizations. A government that ignores powerful vested interests and pressure groups will, according to this model of power, quickly lose its authority and be forced to back down on policy decisions. This suggests a picture of policy-making as a constant contest between government and major social institutions and groups. Government might initially set the agenda, but must constantly respond to demands from the social groups and economic influences that surround it.

## Topic 044: The Elite Control Model

The elite control model suggests that elite groups of various kinds combine to run all the major government institutions, with relatively little accountability to anyone outside their own exclusive ranks. 'Democratic' institutions exist: for example, relatively unfettered mass media, elections, parliaments and individual rights to express oneself. However, as a result of a combination of skill, experience and monopolizing key leadership positions, it is always members of elites who have the decisive influence or the authoritative voice in these supposedly democratic institutions.

Elites are rather different from each other in terms of what they do and what their first priorities will be. There may be some conflicts of interest among civil service, political, military, business and professional elites. However, a theory of elite control suggests that top-ranking members of leading professional, governmental and business organizations will tend to be drawn from the same social backgrounds, to have gone to the same elite schools and universities, and to share a similar culture. Bonds of family and kinship will also tend to tie them together. Even if some have risen into the elite from non-elite backgrounds, they will have been safely incorporated into the exclusive club. Thus, despite their differences, members of elites will tend to pull together to make sure that they retain overall control of policy decisions.

This model would suggest that the blueprint of the 1940s welfare state was the work of government elite. A tiny influential group worked out what would be in the best interests of the masses and proceeded, in the postwar period, to implement their wartime plans. Barnett (1986) contends that this civil service elite of 'Whitehall mandarins' was both high-minded and left-leaning in its aims and political values. Whether or not Barnett is right about the way in which the welfare state was created (for further comment, see Deakin 1994: 36), this example raises the interesting point that elite control need not necessarily result in policies that are fashioned according to the narrow self-interest of the elite itself. The NHS, for instance, is largely the product of conflict and power struggles between political and medical elite (see Klein 1995). There was relatively little input from Parliament, which endorsed the NHS Bill with little amendment, or from any other broad-based democratic institutions. Yet the NHS remains one of the most popular institutions: a socialist-inspired health service brought into being by elites.

## Topic 045: The Political Economy Model

The political economy model rests on rather different assumptions from the first two. Basically, both the democratic pluralist and elite control models pose the question, 'which groups are in

control?' Are policies shaped primarily by democratic institutions and groups or are they determined by elites? A political economy perspective, on the other hand, draws more attention to the underlying economic system and how the political system interacts with it. The economic systems that prevail in almost every country in the world are now openly capitalist market economies of one kind or another. Even China, though retaining a one-party communist political structure, has become the fastest-growing capitalist or market economy in the world.

Thus the basic idea of a political economy perspective is that social policy will tend to be shaped by the needs or demands of a market economy. This includes education policy. The political economy view of power asks in what ways government spending on education is influenced by the needs and demands of business and industry. For instance, the drive to cut employers' costs by reducing the burden of taxation might influence government to restrain public spending on all public services, including education. But this factor could be balanced by some employers' pressure on government to increase education spending, especially in areas such as improving literacy and numeracy or the use of new technologies, in order to lift the levels of skills and productivity of the school leavers or university graduates they wish to recruit.

Although a political economy perspective emphasizes the needs of the capitalist system as a whole, it also has implications, like the first two models, for the question of who controls or dominates policy-making. In many respects, the political economy model comes close to the theory of elite control. As it suggests that most major policy decisions are subject to the backing of 'big business' or capitalist interests, it is a short step to saying that government and civil service elites interlock with business elites (leaders of City and financial institutions, and of manufacturing, retail and other commercial organizations). Evidence of this is provided partly by recent governments' reliance on business leaders to head new developments in education policy, such as their increasingly important role in funding and running the city academy program.

The political economy model can be equated with Marxist views of a class-structured society in which a ruling class controls policy and makes most, if not all, the big decisions. The way in which this control is actually exercised is a matter of debate among Marxists, who disagree with each other about how directly or openly government and state are manipulated by ruling class interests (Ham and Hill 1993: 35). Despite these differences, however, Marxist perspectives share a common view that it is the underlying political–economic system that shapes policy, rather than the particular elite groups, political parties or leaders that happen to be in power at a given time. There may be shifts of power within the ruling class, they argue, but the system as a whole will tend to perpetuate gross inequalities of wealth and power. These inequalities will have an increasingly international dimension as the globalization of trade and capitalism concentrates wealth in fewer and fewer hands, and in huge international business corporations. This in turn creates the potential for growing conflict between the haves and have-nots – between those who control policy and the mass of people who have to deal with the consequences of government decisions that tend to favour the rich and powerful.

# WHAT IS GOVERNANCE & GOOD GOVERNANCE?
## (Topic 046-049)

**Topic 046-049: What Is Governance & Good Governance?- I-IV**

**Governance**

The concept of "governance" is not new. It is as old as human civilization. Simply put "governance" means: the process of decision-making and the process by which decisions are implemented (or not implemented). Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance. Since governance is the process of decision making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision. Government is one of the actors in governance. Other actors involved in governance vary depending on the level of government that is under discussion. In rural areas, for example, other actors may include influential land lords, associations of peasant farmers, cooperatives, NGOs, research institutes, religious leaders, finance institutions political parties, the military etc. The situation in urban areas is much more complex. Figure 1 provides the interconnections between actors involved in urban governance. At the national level, in addition to the above actors, media, lobbyists, international donors, multi-national corporations, etc. may play a role in decision making or in influencing the decision-making process. All actors other than government and the military are grouped together as part of the "civil society." In some countries in addition to the civil society, organized crime syndicates also influence decision-making, particularly in urban areas and at the national level. Similarly formal government structures are one means by which decisions are arrived at and implemented. At the national level, informal decision-making structures, such as "kitchen cabinets" or informal advisors may exist. In urban areas, organized crime syndicates such as the "land Mafia" may influence decision-making. In some rural areas locally powerful families may make or influence decision-making. Such, informal decision-making is often the result of corrupt practices or leads to corrupt practices.

**Good Governance**
*Good governance has 8 major characteristics*. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society. Following are the characteristics:
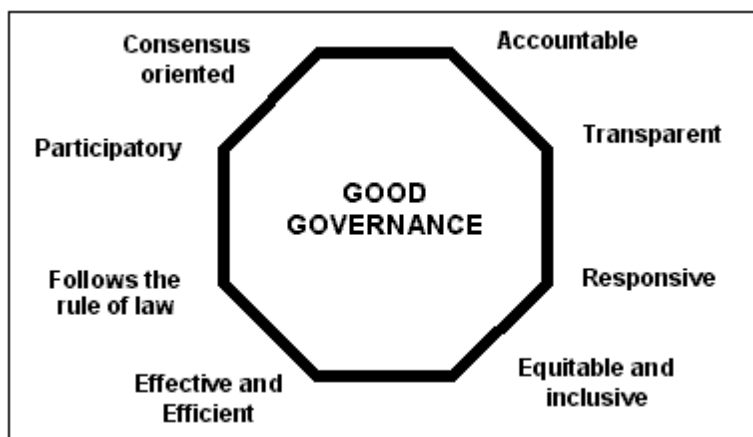
Characteristics of good governance

### 1. Participation:

Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision making. Participation needs to be informed and organized. This means freedom of association and expression on the one hand and an organized civil society on the other hand.

### 2. Rule of law:

Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.

### 3. Transparency:

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

### 4. Responsiveness:

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.

### 5. Consensus oriented:

There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

### 6. Equity and inclusiveness:

A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being.

### 7.  Effectiveness and efficiency:

Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

### 8.Accountability:

Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

**Council of Europe (CoE)'s 12 Principles of Good Governance**

The 12 Principles are enshrined in the Strategy on Innovation and Good Governance at local level, endorsed by a decision of the Committee of Ministers of the Council of Europe in 2008. They cover issues such as ethical conduct, rule of law, efficiency and effectiveness, transparency, sound financial management and accountability.

**PRINCIPLE 1 – Participation, Representation, Fair Conduct of Elections**
► Local elections are conducted freely and fairly, according to international standards and national legislation, and without any fraud.
► Citizens are at the centre of public activity and they are involved in clearly defined ways in public life at local level.
► All men and women can have a voice in decision-making, either directly or through legitimate intermediate bodies that represent their interests. Such broad participation is built on the freedoms of expression, assembly and association.
► All voices, including those of the less privileged and most vulnerable, are heard and taken into account in decision-making, including over the allocation of resources.
► There is always an honest attempt to mediate between various legitimate interests and to reach a broad consensus on what is in the best interest of the whole community and on how this can be achieved
► Decisions are taken according to the will of the many, while the rights and legitimate interests of the few are respected.

**PRINCIPLE 2 – Responsiveness**
► Objectives, rules, structures, and procedures are adapted to the legitimate expectations and needs of citizens.
► Public services are delivered, and requests and complaints are responded to within a reasonable timeframe.

**PRINCIPLE 3 – Efficiency and Effectiveness**
► Results meet the agreed objectives.
► Best possible use is made of the resources available.
► Performance management systems make it possible to evaluate and enhance the efficiency and effectiveness of services.
► Audits are carried out at regular intervals to assess and improve performance.

**PRINCIPLE 4 – Openness and Transparency**
► Decisions are taken and enforced in accordance with rules and regulations.
► There is public access to all information which is not classified for well-specified reasons as provided for by law (such as the protection of privacy or ensuring the fairness of procurement procedures).
► Information on decisions, implementation of policies and results is made available to the public in such a way as to enable it to effectively follow and contribute to the work of the local authority.

**PRINCIPLE 5 – Rule of Law**
► The local authorities abide by the law and judicial decisions.
► Rules and regulations are adopted in accordance with procedures provided for by law and are enforced impartially.

**PRINCIPLE 6 – Ethical Conduct**
► The public good is placed before individual interests.
► There are effective measures to prevent and combat all forms of corruption.
► Conflicts of interest are declared in a timely manner and persons involved must abstain from taking part in relevant decisions.

**PRINCIPLE 7 – Competence and Capacity**
► The professional skills of those who deliver governance are continuously maintained and strengthened in order to improve their output and impact.
► Public officials are motivated to continuously improve their performance.
► Practical methods and procedures are created and used in order to transform skills into capacity and to produce better results.

**PRINCIPLE 8 – Innovation and Openness to Change**
► New and efficient solutions to problems are sought and advantage is taken of modern methods of service provision.
► There is readiness to pilot and experiment new programmes and to learn from the experience of others.
► A climate favourable to change is created in the interest of achieving better results.

**PRINCIPLE 9 – Sustainability and Long-Term Orientation**
► The needs of future generations are taken into account in current policies.
► The sustainability of the community is constantly taken into account.

► Decisions strive to internalise all costs and not to transfer problems and tensions, be they environmental, structural, financial, economic or social, to future generations.
► There is a broad and long-term perspective on the future of the local community along with a sense of what is needed for such development.
► There is an understanding of the historical, cultural and social complexities in which this perspective is grounded.

## PRINCIPLE 10 – Sound Financial Management
► Charges do not exceed the cost of services provided and do not reduce demand excessively, particularly in the case of important public services.
► Prudence is observed in financial management, including in the contracting and use of loans, in the estimation of resources, revenues and reserves, and in the use of exceptional revenue.
► Multi-annual budget plans are prepared, with consultation of the public.
► Risks are properly estimated and managed, including by the publication of consolidated accounts and, in the case of public-private partnerships, by sharing the risks realistically.
► The local authority takes part in arrangements for inter-municipal solidarity, fair sharing of burdens and benefits and reduction of risks (equalization systems, inter- municipal co-operation, mutualisation of risks…).

## PRINCIPLE 11 – Human Rights, Cultural Diversity and Social Cohesion
► Within the local authority's sphere of influence, human rights are respected, protected and implemented, and discrimination on any grounds is combated.
► Cultural diversity is treated as an asset, and continuous efforts are made to ensure that all have a stake in the local community, identify with it and do not feel excluded.
► Social cohesion and the integration of disadvantaged areas are promoted.
► Access to essential services is preserved, in particular for the most disadvantaged sections of the population.

## PRINCIPLE 12 – Accountability
► All decision-makers, collective and individual, take responsibility for their decisions.
► Decisions are reported on, explained and can be sanctioned.
► There are effective remedies against maladministration and against actions of local authorities which infringe civil rights.

## World Bank's evolving concept of good governance (GG)

The concept of good governance emerged at the end of the 1980s, at a time of unprecedented political changes. The collapse of the Berlin wall on 9thNovember 1989set off the disintegration of the Soviet Union which as a consequence thereof also led to the decay of the political and economic alliances of the Eastern bloc. These political changes created the breeding ground and gave way for a serious discussion on how a state has to be designed in order to achieve (economic) development, i.e. a discussion on good governance. The 1989 World Bank Study "Sub-Saharan Africa – from Crisis to Sustainable Growth" analyzed the development problems in Sub-Saharan Africa. In the 1980s the economic performance of the countries in the region had worsened despite the implementation of the Bank's structural adjustment programs. In the study the term "governance" was first used to describe the need for institutional reform and a better

and more efficient public sector in Sub-Saharan countries. The former president of Senegal, Abdou Diouf summarised these findings: "Africa requires not just less government but better government". Governance first used to describe a better and more efficient public sector. The study defined governance as "The exercise of political power to manage a nation's affairs". 1992 publication "Governance and Development" "The manner in which power is exercised in the management of a country's economic and social resources for development". In 1994 Governance is epitomized by Predictable, open, and enlightened policymaking; A bureaucracy imbued with a professional ethos;  An executive arm of government accountable for its actions; A strong civil society participating in public affairs; and All behaving under the rule of law" Expanding public sector management reform Internal & external accountability Vertical & horizontal accountability, exit & voice Public participation, Rule of law initially, better laws, latter rights & judicial reform, transparency and information, a competitive market economy requires that economic actors have access to relevant, timely, and reliable information". Beneficial in 3 areas: Economic efficiency, Prevention of corruption, Analysis & acceptance of governmental policy choices. WB: From economic to political areas, State crucial, unlike under SAP, without human rights, sustainable development not possible.

## Governance Theory

The English word governance derives from Latin and ancient Greek and originally meant control, guidance and manipulation. Its meaning had long overlapped with the word government and was mainly used to refer to administrative and political activities related to national public affairs. However, in the 1990s, it was given a new meaning by western political scientists and economists. Since then, the word has implied much more than it did traditionally and is starkly different from what the word government means. Instead of an exclusively English word, it is in common use among people speaking other major European languages; instead of an exclusively political term, it is widely used in social and economic spheres. When trying to sum up what was happening in Africa in 1989, the World Bank used the term ''crisis in governance'' for the first time. Since then, governance as a word has been widely used in political development studies, especially for describing the political status of post-colonial and developing countries.

By now, scholars from various countries have come up with five major propositions on governance as theory. They are as follows:

 1. Governance refers to a set of institutions and actors that are drawn from but also beyond the Government. It challenges the authority of the State or the Government in the traditional sense and maintains that the Government is not the only power center of a state. As long as the power exercised by a public or private institution is recognized by the public, it is possible to become a power center at a specific level.

2. Governance identifies the blurring of boundaries and responsibilities for tackling social and economic issues. It indicates that, in modern society, the State is transferring its once exclusive responsibilities to civil society (i.e., private sector organizations and voluntary groups, which are undertaking more and more responsibilities that were formerly in the hands of the State). As a result, the boundaries between the State and society and between public and private sectors are becoming increasingly blurred, as are definitions of their responsibilities.

3. Governance identifies the power dependence involved in relationships between institutions involved in collective action. To be specific, every organization devoted to collective action has to depend on other organizations; to achieve its purpose, it has to exchange resources and negotiate a common goal with others, and the outcome of the exchange depends not only on the resources of each actor, but also on the rules of the game and the environment in which the exchange takes place.

4. Governance emphasizes the importance of autonomous self-governing networks of actors. A self-governing network as such has the authority to issue orders in a certain sphere and work with the Government in this sphere and share its responsibilities for public administration.

5. Governance recognizes the capacity to get things done without relying on the power of the Government to command or use its authority. In public affairs management, there are other management tools and techniques and the Government has the responsibility to use them to steer and guide public affairs (Stoker 1999).

**Four features: governance**

- Governance is not a set of rules or an activity, but a process

- The process of governance is not based on control, but on coordination

- It involves both public and private sectors

- It is not a formal institution, but continuing interaction

Good governance is the active and productive cooperation between the State and citizens, and the key to its success lies in the powers participating in political administration. Only when citizens have sufficient political power to participate in elections, policy-making, administration and supervision can they prompt the State and join hands with it to build public authority and order. Apparently, democracy is the only practical mechanism that can safeguard the fully free and equal political power owned by citizens. Hence, good governance is organically combined with democracy. In an autocratic system, it is possible to have good government when the system is at its best, but it is impossible to have good governance. Good governance can only be achieved in a free and democratic political system, as it cannot emerge without freedom and democracy. In fact, there were more profound causes why the theory and practice of good governance sprang up in the 1990s. First of all, good governance is more widely applicable than good government in the traditional sense. Good government has the same scope of coverage as the State. In modern society, the State cannot interfere in many areas, from civil organizations like companies, communities, clubs and professional associations to the international community. In contrast, good governance is not subject to the scope of coverage of the State as it is also indispensable to companies, communities, regions, states and the international community. Second, globalization is becoming the dominant feature of our time, which, in fact, has been referred to by many as the ''Global Age.'' One important feature of globalization is the growing influence of transnational organizations and supranational organizations and the diminishing sovereignty of nation-states and diminishing power of their governments. As the government authority of nation states in the traditional sense is eroded, good governance is playing an increasingly important role. It is because the international community and the society within a state are still in want of public authority and order, a new kind of public authority and

order that can only be achieved through good governance, rather than created by the State in the traditional sense. Finally, good governance is an inevitable consequence of democratization. Democratization is a political feature of our time, as well as an irresistible historical trend. One of its essential significances is that political power is returning from political states to civil societies. Limited government power and the shrinking functions and powers of the State do not necessarily mean vanishing social and public authority, but rather that public authority will be based more on cooperation between the State and citizens.

Immature and essentially ambiguous as it is, governance theory is a breakaway from the traditional dichotomous thinking that has long been dominant in social sciences, i.e., market versus planning, public sector versus private sector, political State versus civil society and nation-state versus international community. It regards effective administration as cooperation between the two; it tries to develop completely new techniques for public affairs management; it emphasizes that administration is cooperation; it argues that legitimate power comes not only from the State, but also from the civil society. The theory also deems governance to be a new practical form of modern democracy. Those are all its contributions of positive significance to political studies. However, there is also a dangerous tendency in Western countries to use the theory to justify some transnational' and superpowers' interference with the internal affairs of other countries and pursuit of international hegemony. Based on the premise that the role of the State and state sovereignty are insignificant and the boundaries of nation-states are blurred, governance theory, especially global governance theory, emphasizes the nature of governance as a transnational and global activity. The danger here is that undermining the important roles of state sovereignty and sovereign government in domestic and international governance might be regarded as a theoretical basis for the superpowers and multinationals to interfere with the internal affairs of other countries and promote their international hegemonic policies. Therefore, we must keep a wary eye on the dangerous tendency of governance theory, especially global governance theory.

# MODELS OF GOVERNANCE- I
## (Topic 050-056)

## Topic 050: Models of Governance of Welfare State

Newman (2001) has suggested that there have historically been four types of governance arrangements – hierarchies, markets, networks and partnerships:

- Traditional public administration – the hierarchical model.
- Markets – the rational goal model.
- Networks – the open systems model.
- Partnerships – the self-governance model.

Newman suggested that these four models can be distinguished by reference to two 'dimensions of difference':
- Power – centralized or decentralized.
- Disposition to change – stability or innovation.

She mapped the four models of governance against these two axes (Figure 6.1). The following sections of the chapter will examine these different governance models. However, before doing that, it is important to note that it would be too simple to depict or overlay particular epochs, ideologies or governments with particular governance models. As Richards and Smith (2003: 9) have observed:

In reality there is no distinct temporal breach between each [model of governance]. The reality is there is a great deal of fuzziness and overlap. However, for the purposes of simplification, we will use Newman's four models of governance to structure the developments in the governance of welfare: 'from hierarchies to markets to networks to partnerships'.
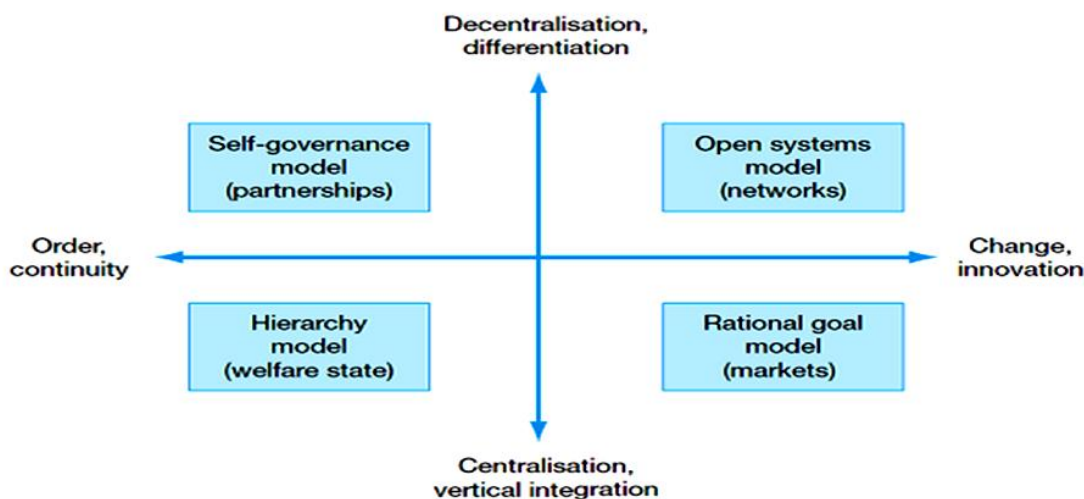


**Figure 6.1    Newman's models of governance**
*Source: J. Newman (2001) Modernising Governance: New Labour, Policy and Society, Figure 2.1, p. 34, London: Sage. Reprinted with permission.*

## Topic 051: Traditional Governance Structures – Hierarchies

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The period of the last 20 to 30 years has seen a shift away from the traditional, centralized (at either national or local government level), hierarchical structures of government. It was said of Aneurin Bevan after the inception of the National Health Service in 1948 that, as the Minister for Health, he expected to be able 'to hear the sound of a bedpan dropping in a hospital ward in South Wales' and be involved in the subsequent action. Certainly with the advent of the post-war welfare state, there was a belief in state planning and delivery of a uniform and universal social welfare provision. The British people had come through the experience of the Second World War in which the state had taken on the responsibility for managing both the supply and demand of many goods. State responsibility had not simply extended to the control of the production of many goods and services, such as health services, housing, child care and food production. In addition, government had taken on the responsibility for managing demand, for example for food and fuel. In many respects, the Warfare State had become the Welfare State.

| Box 6.2 | The hierarchical state – Weber's bureaucratic organisation |
| --- | --- |

- A hierarchy of relationships
- Rule-bound decision making
- Clear lines of responsibility
- Hierarchical discipline
- Responsibility gravitates upwards
- A culture of control and procedure/process
- Organisational structures are linear, rigid and impermeable
- Organisational structures are relatively stable
- Predictability and uniformity
- Stable and enduring with only gradual changes over time
- Underpinned by a strong set of public service values or ethos
- Public servants are impartial, incorruptible, permanent, anonymous, professional/expert
- Elected representatives are temporary, amateur/non-expert, ultimately responsible

## Topic 052: The Westminster Model

In the 'era of government' (Richards and Smith, 2003) the state (directly) controlled the production of a variety of goods:
- Welfare services – education, health care, housing, welfare benefits, and social services. Utilities – electricity, gas, water, coal, transport, telephone and postal communications, broadcasting.
- Manufacturing – steel, shipbuilding, motor vehicle manufacturing.

The state managed supply and demand more generally. There was a general belief, informed by Keynesian economic theory, that the state could control both demand and supply rather than leave it to the market to balance supply to individual demand. At the core of hierarchical government was the sovereignty of government at Westminster. Government governed its citizens in a hierarchical, top-down manner.

- Parliamentary sovereignty
- Accountability through fair and free elections
- The party with the majority of seats has control
- Government is via a strong Cabinet (the Executive)
- Doctrine of ministerial responsibility
- Central government dominance
- Non-political civil servants

## Topic 053: Hierarchical Government and Public Accountability

In 'the era of government' the bureaucratic modern state was organized such that the citizen was able to apportion responsibility and hold to account those responsible. For the citizen, it was their elected representatives who were ultimately responsible and held to account (with the Executive responsible to the elected representatives as a whole); they, in turn, held accountable their senior bureaucrats who then held to account their junior colleagues and so forth down the lines of the bureaucratic modern state. Therefore, in the traditional, hierarchical, bureaucratic state:

Governing was basically regarded as one-way traffic from those governing to those governed. (Kooiman, 2000: 142) Therefore, government in the modern state during 'the era of government' had the following features:
- an elected representative set of institutions whose ultimate responsibility it is to govern;
- a set of administrative bureaucratic institutions that are there to support the political representatives in the development of policy and its implementation;
- a territorial locale within which these institutions of the state operate;
- levels of government and administration with that at the national level being supreme or primary;
- the state developing social policies that aim to improve the lot of its citizens,
- promote the development of the nation or polity, and secure social inclusion and
- therefore legitimacy;
- control of the national and local economy, not least through influencing the supply and demand of goods;
- the promotion of the involvement of citizens in terms of both their rights and duties. (After Richards and Smith, 2003: 46)

Governance in the epoch of hierarchical government meant that:
In the UK the post-war welfare settlement was based on the conception of the state as a direct service provider, with large, bureaucratic state organizations forming a public sector predominantly based on governing through hierarchy. (Newman, 2001: 13) However, by the mid-1970s these arrangements were seen to be no longer appropriate, and were criticized for promulgating monolithic, inefficient, unresponsive, supplier-dominant welfare services. A period

of reform under the governments of the New Right and New Labour has since ensued with the intention of tackling these perceived problems.

## Topic 054: Breakdown of the Hierarchical Government

Part of the drive for change in social policy over the last 25 years has been related to how services are delivered, the aim being to provide more effective social and public services, including arrangements to allow the citizen to shape and influence the nature of those services. The drive for change in the governance and management of public services from both the New Right governments of Margaret Thatcher and John Mayor and, latterly, New Labour has been in part to ensure that social and other public services cease to be: monolithic, inefficient, unresponsive and supplier dominant.
First, public services were regarded as monolithic or uniform. That is, there was a notion that the state would provide the same type and level of service to each user, patient, tenant, pupil or student without acknowledging the diversity of needs. This was characterized by the criticism that state provision meant 'one size fits all'. Irrespective of whom you were or what your particular needs were, you would get the same service as your neighbor and fellow citizens throughout the United Kingdom.

Second, public services were depicted, perhaps unfairly, as inefficient. Local government in particular was generally thought to be wasteful of public money, whilst the NHS was believed to be over-managed by inefficient 'state bureaucrats'. Indeed, it was argued by some that public services tended to expand their budgets to maximize their own interests rather than to improve or increase services.
Bureaucrats benefited in direct proportion to the size of the budget they held Claims for improved spending on public services [were seen] as a reflection of public servants' and professionals' desire to earn more and run larger organisations. (Glennerster, 2003: 27)

When budgets were tight, rather than becoming more efficient it was argued that professionals simply reduced their workload or output. Perhaps unsurprisingly, both local government and the NHS have been subjected to virtually continuous reorganisation over the last 25 to 30 years. And yet, if one explores the use of resources in the NHS, for example, one sees first that the UK has traditionally spent less of its GDP than comparable OECD countries on health care and, second, when it comes to expenditure on administrative costs, the UK is relatively efficient.

Related to the perceptions of inefficiency was the belief that public welfare services were also unresponsive. Hospital waiting lists and council housing queues are two examples of state provision perceived to be slow in responding to the needs of citizens. Part of the argument here is that, unlike in a pure market where supply responds to demand by an increase in supply and/or an increase in price, with public services an increase in demand was often managed by extending the waiting time or the length of the queue.

The tendency of firms in a non-competitive situation [is] to be less than wholly efficient in the way they produce their product. Working practices may be slack, responses to consumers slow. The 'monopoly profit' may not be reaped by the shareholders but by the workers and managers not being as responsive and effective as they could be. (Glennerster, 2003: 28, emphasis added)

The final criticism made against public services was that, again unlike in a pure market where the customer is depicted as sovereign, with public services it was argued that it was the suppliers of services, not least the public service professionals, who were dominant. The user, whether he or she was a patient, a housing tenant, a pupil or a student, remained subservient to the provider or supplier: hospital consultants and family GPs, local authority housing officers, school teachers and university lecturers. William Waldegrave, a Conservative Secretary of State in the 1990s, articulated the perceived problem thus: [We have] designed public services where the interests of the providers systematically outweighed those of the users. (Waldegrave, 1993: 9– 10) Overall, there was a view that welfare users were unable to exercise either voice or choice. Hirschman (1970) had argued that consumers can influence providers in two ways, by exercising 'exit' and/or voice. However, by the late 1970s it was felt that the consumers of the welfare state could neither exit from existing providers by taking their custom elsewhere nor voice their dissatisfaction satisfactorily.

These criticisms were leveled at the set of arrangements that epitomized the British post-war welfare state from its inception in 1945 up until the break-up of the post-war consensus encapsulated in the election of the Thatcher Conservative government in 1979. However, it should be remembered that the New Right governments of Margaret Thatcher and John Major were not the first post-war governments to 'attack' state welfare and public expenditure. It was, after all, Anthony Crosland, a Labour government minister, who advocated that 'the party was over' and it was his Labour government which oversaw, in 1977–78, the 'largest' post-war cuts to public expenditure (see Sullivan, 1992; Clarke et al., 2000). Even so, the New Right was overtly anti-welfarist and anti-statist (Clarke and Newman, 1997; Hughes and Lewis, 1998; Jones and Novak, 1999; Clarke et al., 2000).

Having set the context for governance arrangements, this chapter now explores the changing nature of the governance and management of social welfare in which it has been argued that we have moved from hierarchies to markets, to networks and, latterly, to partnerships. We will start by examining the nature of the New Right's reforms, where attempts were made to incorporate the values of the market in the provision of social welfare, and hence the move to market governance.

**Topic 055: Governance through Markets Model**

In the 1980s, both in UK and Pakistan hierarchical model was in retreat, public was not happy and services were not available. In Pakistan, bureaucratic corruption, privatization First to go were manufacturing industries that could easily work in private sector. In Pakistan, rice, floor and ghee mills, etc.  Then, financial sector like banks, insurance companies, etc. Then, fertilizer factories, energy sector, etc. Finally, even public services, like garbage collection and water provision. Why? Efficient because private sector want to increase profits, accountable because private sector people can easily respond to bad service, Responsive because has to retain and increase market share, customer is the king, services cannot be monolithic as customer has choice.

Those welfare services that remained the direct responsibility of central or local government were reconfigured through the creation of 'quasi-markets' (Le Grand and Bartlett, 1993). Quasi-markets are markets in which there is a split between the supplier and the purchaser. However,

unlike in a pure market, the purchaser is not the direct consumer or user. Quasi-markets were introduced in the delivery of a number of services. For example, the NHS and Community Care Act 1990 created in the NHS a 'purchaser-provider' split between GP fund holders and NHS Hospital Trust providers, whilst in social care Social Services departments increasingly became enablers rather than direct providers of community care. This was all done with the aim of reconstructing ('re-imagining') welfare users as welfare customers. Second, the New Right sought to privatise welfare in terms of repositioning parts of it back in the private realm that is back with individuals, families and communities. Therefore, responsibility was privatized, by making individuals, families and communities responsible for meeting their own welfare needs. This can be seen particularly in the changes that were made in the provision of health and social care. In the fields of health and social care the family or the community has been expected to take on a greater role in the provision of care. In these changes it is now well established that the community-as-carer has primarily meant the family, and within the family the gendered division of labour has meant that caring work has primarily fallen on women as mothers, daughters and wives. (Clarke and Newman, 1997: 28)

However, the marketisation of welfare and other public services led to greater fragmentation of control mechanisms. The state and government more specifically, could not control or command the provision of social welfare in the way that it had in the past. As Newman observed, the introduction of market mechanisms led to a more fragmented and dispersed pattern of service delivery and regulation . . . that required new forms of coordination. Privatization, contracting out, quasi-markets, the removal of functions from local authorities and the proliferation of quangos, the separation between policy and delivery functions in the civil service with the setting up of Executive Agencies all meant that governments had to develop new forms of control. (Newman, 2001: 13)

## Topic 056: New Public Management and Managerialism

In addition to the privatization of welfare, the New Right wished to exert greater control on social welfare and other public service providers by bringing in stronger management. New managerialism was an approach that imported the dominant ideology of management from the private sector to run public services. Welfare and other public services were to be reconstructed via this 'managerialist' paradigm (Clarke et al., 1994; Clarke and Newman, 1997). Managerialisation is 'the process of subjecting the control of public services to the principles, powers and practices of managerial co-ordination' (Clarke et al., 2000: 5). As such, the new managerialism (Pollitt, 1993; Dunleavy and Hood, 1994; Flynn, 1997; Clarke et al., 2000) reoriented the way that welfare and public services were to be administered and provided, away from hierarchical governance, explored earlier in this chapter, into a new managerialist one which contained: a new set of practices and values, based upon a new language of welfare delivery which emphasizes efficiency and value for money, competition and markets, consumerism and customer care. (Butcher, 1995: 161) The new mangerialism typically featured 'attention to outputs and performance rather than inputs and personal authority to line managers' (Clarke et al., 2000: 6).
In reality, the New Right's emphasis was to be on controlling all **three of economy, efficiency and effectiveness – the** three 'Es' (see Carter, 1989; Carter et al., 1992; Power, 1993, 1997; Flynn, 1997):

• inputs such as costs (economy);
• outputs (efficiency);
• outcomes (effectiveness).

Therefore, throughout the 1980s and up to 1997 there was a great emphasis on reducing budgets, 'getting more for less', and freeing up managers to manage and deliver outputs and outcomes (to 'get results'), almost irrespective of how this was to be achieved. Some have suggested that this was at least a two-stage process. The first stage was a 'neo-Taylorist' (after Frederick Taylor) form of managerialism (see Clarke et al., 1994; Newman and Clarke, 1994; Clarke and Newman, 1997), focusing on importing a culture of strong management, and controlling costs and the behaviour of service providers: The central thrust, endlessly reiterated in official documents, is to set clear targets, to develop performance indicators to measure the achievement of those targets, and to single out, by means of merit awards, those individuals who get 'results'. The strengthening of and incentivising of line management is a constant theme. In official terms, what seems to be required is a culture shift of a kind that will facilitate a more thoroughgoing functional/neo-Taylorist management process. (Pollitt, 1993: 56) The second stage built on this by introducing quasi-markets, decentralisation, a concentration on quality, and a customer focus (see Clarke and Newman, 1997). Therefore, by the mid-1990s, the new public management paradigm had replaced that of the old public administration and was epitomised by the changes listed in Box 6.4 (after Dunleavy and Hood, 1994: 9; Clarke and Newman, 1997: 21). In so doing, new managerialism sought to manage the welfare professionals and public administrators and did this partly by promoting a greater customer focus (Clarke and Newman, 1997; Newman and Clarke, 1994; Stoker and Mossberger, 1995).

**Box 6.4 — New public management**

- Transparent budgets
- Devolved budgets and services
- Costs attributed to outputs, not inputs
- Greater emphasis on quality
- Outputs measured by quantitative performance indicators
- Introduction of quasi-markets through separating purchasers from providers
- Encouragement of other agencies to take on the provider roles (public, private and voluntary/not-for-profit)
- Facilitation of users to 'exit' from one provider and switch to another instead of having to rely on 'voice' options in order to make changes

**MODELS OF GOVERNANCE- II**
**(Topic 057-062)**

**Topic 057: Empowering the Citizen-Consumer**

The third dimension to the New Right's 'market governance' was their advocacy of consumerism. There had been a growing critique of welfare statism from both left and right leading up to the mid-1970s. The left and new social movements of the 1960s and 1970s (disability, mental health, 'race', gender movements) had all begun to challenge the monolithic, top-down state welfare provision that had become established in the post-war welfare state settlement. These movements had started to question the principles underpinning the post-war welfare state with its presumptions of:

• full male employment;
• a particular notion of family centered on women providing the majority of care and welfare;
• a particular notion of British citizenship based on the predominant ethnic group;
• able-bodiedness and age.

This, it was argued, had led to a welfare state that supported a particular set of social arrangements in relation to 'race', gender, age, able-bodiedness and sexuality. The 'universalism' of citizenship is . . . deeply circumscribed – a highly conditional universalism which presumes a family-based social and economic structure. It addresses an indigenous population at whose heart are wage earning males supported by families surrounded by a set of dependent populations positioned by age (both young and old), by gender (the 'anomaly of the married woman'), by infirmity and by 'race' (the 'alien' non-citizen). (Langan and Clarke, 1993: 28, in Clarke and Newman, 1997: 4)

It certain ways the New Right was able to seize on these criticisms and incorporate them alongside their own arguments when presenting their case for a greater focus on users as customers. For the New Right, state welfare was an unproductive drain on the 'real economy' (Nozick, 1974; Hayek, 1976) and socially damaging through creating a 'dependency culture' (see Joseph, 1977; Mead, 1986). The New Right's remedy was to seek to decrease the powers of the state, reduce the individual citizen's tax burden, and thus return power and responsibility to the individual.

The New Right duly implemented changes in social policy, with the avowed intention of empowering individuals – for example, as parents, school governors, tenants, patients and clients. The 1980s and early 1990s saw, for example, the creation of the local management of schools and the option of grant-maintained status free from local authority control, the purchaser/provider split in the health service, and the advent of GP fund holders, compulsory competitive tendering of local authority services and the creation of housing action trusts. The political right's argument was that these moves empowered citizens as sovereign consumers, for example through the self-government of schools and hospitals, coupled with the emphasis on consumer choice (as opposed to supplier control) and a mixed economy of welfare provision, consequently leading to increased responsiveness from welfare providers (Hill, 1994). The New

Right's attempts to privatize welfare and public services more generally, to bring in a new managerialist approach, and to empower users as customers, can be seen as part of the process of shifting governance arrangements from hierarchies to markets. They certainly went some way to break up the post-war welfare state settlement and its governance structures based on hierarchy. No longer were public administrators necessarily directly responsible, whilst welfare professionals were being increasingly directed and managed rather than allowed to use their professional discretion, markets and quasi-markets were being brought in, and users reconstructed as customers.

## Topic 058: Problems of Market Model

Market model is not the panacea for solving hierarchical models problems. Market failure is a well-documented idea and economic term. Market failure is a situation in which the allocation of goods and services by a free market is inefficient, leading to a net social welfare loss. So, not so much different as far as outcome is concerned.

### *Four reasons of market failure*

- **Public goods:** Public goods are non-rival and non-excludable goods, Non-rival: usage by one does not affect usage by others, national defense, Non-excludable: people cannot be excluded from using the good, air. The best way to provide public goods is at zero price, with the costs paid from public taxation.

- **Externalities:** Externalities mean benefits/costs not included in the demand or supply price. Best example is pollution.

- **Market control:** Market control means power to set the demand or supply price, best example is monopoly, Another example is oligopoly

- **Imperfect information:** Imperfect information means buyer or seller do not have perfect information so the price is not correct, usually seller has better information than buyer. Doctors, lawyers or any other professional usually have better information and they use it to their advantage. Because of these points as well as corruption, private sector in Pakistan is also inefficient and unresponsive. Later on, disasters in privatized industries showed that an unregulated private sector is also inefficient and unaccountable.

## Topic 059: Governance through Networks Model

As stated nearer the beginning of the chapter, it would be too simple to overlay particular epochs, ideologies or governments with particular governance models. Similarly, the development of governance arrangements is not a straightforward linear development, from hierarchies to markets and from markets to networks. Even so, a consequence of the New Right's changes to the nature of welfare provision was that the hierarchical bureaucratic post-war welfare state had indeed been refashioned or distorted, if not totally replaced. Various forces, some internal to Britain and others exerted from outside the British state, had led to the reduction of hierarchical government. Government could no longer adequately respond by itself to the challenges of

globalization, internationalization and supra-state organizations, decentralization, fragmentation, dynamism, diversity and complexity. Yet this had not led straightforwardly to the rise of governance through markets. Rather, the New Right's changes had arguably resulted not in market governance but instead in a fragmented or 'differentiated polity'.

Power is dispersed: the once unified state is fragmented and networks have replaced hierarchy. The policy process has become much more complex: rather than being a linear process with decisions being made in the centre, it has become one where a range of actors are involved. Policy decisions now involve public and private sector actors, agencies, privatized industries, regulators, officials, and ministers. The process of policy-making and policy delivery has become more complex. (Richards and Smith, 2003: 276)

The authority, autonomy and power of the nation state's government was being 'hollowed out' or dispersed outwards (via privatisation and quasi-markets), downwards (via the creation of quangos and government agencies) and upwards (to the supranational level, for example the EU). Therefore, whilst in many respects the attempts of the New Right to refashion governance arrangements along market lines provide a coherent explanation, some commentators (notably Rhodes) argued that the New Right's reforms had resulted in a fragmenting of the hierarchical welfare state, the 'hollowing out of the state', in which the traditional hierarchical governance arrangements were replaced not so much or solely by market governance as by governance through networks (see Box 6.5): The phrase 'the hollowing out of the state' summarises many of the changes which have taken place, and are taking place, in British government. (Rhodes, 1997: 17)

As such, the 'hollowed out state' had led to a 'differentiated polity'. The main features of this were:
• an emphasis on governance, rather than government;
• power dependence, and thus exchange relationships;
• policy networks;
• a segmented executive;
• intergovernmental relationships;
• a hollowed out state. (Richards and Smith, 2003: 276)

Government could no longer 'govern from the centre', controlling both demand and supply. Paradoxically, sovereignty had not been simply or solely passed to the sovereign consumer in the marketplace. Instead, government was 'managing from a distance' through:

• performance indicators and performance management regimes;
• targets;
• contracts;
• charters;
• external scrutiny, via audit and inspection;
• self-regulation, for example through internal quality assurance regimes;
• sanctions and threats.

At the same time as exercising such command and control from a distance, government was becoming increasingly reliant on a range of actors and organizations from the independent as

well as the public sector. These agents were difficult to control. Increasingly such agents became self-controlling and governing, through networking and linking with each other.

Governance through networks was epitomized by the thinking of Osbourne and Gaebler. For them, government could no longer 'row and steer' and was now able only to control or steer. They argued that government needed to withdraw from government (!) and concentrate on governance. Osbourne and Gaebler's (1992) influential text, *Reinventing Government*, argued that governments were living with outdated public systems that needed replacing with decentralised, entrepreneurial, responsive public organizations. Their key themes for government were to:

• empower communities instead of delivering services;
• decentralize authority;
• fund outcomes, not inputs;
• encourage competition rather than monopoly;
• meet the needs of the customer, not the bureaucracy;
• invest in prevention instead of cure;
• put the *polis* back into urban policy.

Government had to relinquish command over service delivery, steer through policy networks and act as an enabler within networks. As Rhodes said: Interorganisational linkages are a defining characteristic of service delivery and I use the term to describe the several interdependent actors involved in delivering services. These networks are made up of organizations which need to exchange resources (for example, money, information, expertise) to achieve their objectives. As British government creates agencies, bypasses local government, uses special purpose bodies to deliver services, and encourages public–private partnerships, so networks become increasingly prominent among British governing structures. (Rhodes, 1996: 658)

## Box 6.5 — Governance through networks

- The body politic is fragmented and complex rather than hierarchical.
- The state steers rather than exerts direct control.
- Policy is formulated via policy networks.
- Service providers are brought in.
- Users are brought in.
- There is a multiplicity of providers.
- Relationships are neither hierarchical nor contractual but are based on trust.
- Quality in service delivery is key.
- Long-term relational contracting rather than short-term gains.

## Topic 060: Governance through Partnerships Model

Similarly to the overlap between markets and networks, the shift from networks to partnership is not a clearly defined one. Even so, as Driver (2005: 265) has observed:

Labour entered government in 1997 not simply to defend key public services such as health and education but to reform them. Indeed, it promised forms of governance that would offer a 'third way' between traditional forms of public and social administration *and* the reliance on markets as mechanisms to reform the delivery of public services. (Emphasis in the original) This *third way*, neither hierarchical nor market-based, was to be governance through partnerships. As Newman has said:

a more distinctive feature of Labour's approach was a more explicit focus on partnership as a way of governing. This focus was evident in the strengthening of the partnership rhetoric and in the [Labour] government's approach to the delivery of public policy. (Newman, 2001: 105)

Richards and Smith (2003) have encapsulated New Labour's approach as being one focused on 'joined up-ness' whereby New Labour attempted to resolve one of the key challenges presented by governance, that is the inability of elected governments to control and coordinate policy. In New Labour's view, neither the state (hierarchies) nor markets nor networks had adequately tackled the social, political or economic challenges of governance. Therefore, the response of New Labour has been to try to 'wire the system back up' (see Newman, 2001). This section now looks at New Labour's approach to governance in the provision of
welfare.
The reform of welfare and public services has been part of New Labour's 'modernisation agenda' since its election in 1997. This agenda included reform to the National Health Service (see Chapter 12), whereby the purchaser–provider split has been retained but reformed and the greater use of the private health sector encouraged.

Education has seen the promotion of specialist schools and city academies. Education and social services have been reformed with the strengthening of performance management, the dismantling of separate LEAs and education and social services departments and their replacement by distinct Adult Services and Children's Services Directorates, and encouragement more generally for education and particularly social services to work more closely with primary health care trusts. Social housing has witnessed the continued encouragement of local authorities to transfer their council housing stock to housing associations or 'self managed tenant organisations'. The involvement of the private sector has been encouraged, whether through the continuation of the Private Finance Initiative for capital projects or by bringing in external (that is, private sector) expertise to the public sector, for example in education management.

There are arguably three aspects to New Labour's approach to governance. First, New Labour has pursued the agenda of new managerialism with added vigour. Accordingly, New Labour has continued to challenge the perceived 'supplier dominance' in public service provision. As the White Paper Modernizing Government (Cabinet Office, 1999: para. 20) stated, public services

'need to meet the needs of citizens, not the convenience of service providers'. Related to this, the emphasis on quasi-markets remains in place under New Labour. Second, New Labour has placed an even greater emphasis on choice. The third and, arguably, the overriding aspect of New Labour's approach to governance has been its espousal of partnership (Glendinning et al., 2002). In examining New Labour's approach to governance, this section will examine these three facets of new managerialism, choice and partnership.

## Topic 061: Problems of Network and Partnership Models

New Labour's third and, some might say, overarching strand within its approach to governance is partnership. New Labour's *Third Way* espoused attempts to distance itself from the neo-liberalist market governance of the New Right and also the traditional hierarchical governance arrangements that preceded the New Right. Therefore, whilst New Labour has continued with various aspects of the New Right's new managerialism and has promoted choice, it has also sought to articulate a model of governance based on partnership. One month after its election to government in 1997, Labour was seen to be articulating its emphasis on partnership:

We are not just a new Government, we are a new type of Government. Our decisions will not be handed down from on high . . . we do not have a monopoly of wisdom and ideas. We want to hear your ideas and want you to tell us what you think of ours. (Armstrong, 1997: 18–19)
As such, New Labour proposed to work in partnership:

• horizontally – for example, across government departments;
• vertically – for example between central and local government;
• with all stakeholders – users, citizens, business, communities.

The election of a Labour government in May 1997 saw some evidence of a shift from market competition towards a reassertion of (new) public services values. Public agencies are being enjoined . . . to develop partnerships . . . . (Barnes, 1999: 87). Only by working in partnership did New Labour believe it would be possible to tackle the problems and complexities within modern society. Newman (2001) has identified a number of objectives that partnership working may meet in the governance and delivery of social welfare:

• Synergetic solutions – to develop new, innovative approaches to policy development or service provision by bringing together the contributions and expertise of different partners.
• Joined-up solutions – to ensure integrated and coordinated approaches to policy making as well as in welfare provision.
• Breaking down 'silos' – to ensure government departments work together rather than against each other.
• Greater and more widespread involvement – to ensure that the best solutions are pursued; therefore, all stakeholders need to be involved, at an individual and a community level as well as those operating at local, regional and national levels of governance.
• Funding/resourcing – to increase the financial resources available for investment by developing partnerships and joint ventures between the public, private and not-for-profit sectors. New Labour has therefore promoted partnership working across a variety of social welfare areas:
• Education – for example, Education Action Zones, Education Business Partnerships.

• Health – for example, Health Action Zones, Health Improvement Partnerships.
• Between local government and other agencies and sectors – for example, Local Strategic Partnerships, New Deal for Communities.
• Criminal justice – for example, with the establishment of Youth Offending Teams.
• Financing – Private Finance Initiative, Public–Private Partnerships.

According to the Audit Commission (1998: 5–7) in A Fruitful Partnership, partnership working is difficult to do well and making partnerships work effectively is one of the toughest challenges facing public sector managers.

The report identified a number of difficulties, including:
• getting partners to agree on priorities for action;
• keeping partners actively involved;
• preventing the partnership from becoming simply a talking shop;
• making decisions that all partners endorse;
• deciding who will provide the resources needed to achieve the partnership's objectives;
• linking the partnership's work with partners' mainstream activities and budgets;
• monitoring the partnership's effectiveness;
• working out whether what is achieved justifies the costs involved;
• avoiding 'partnership overload', particularly where agencies are involved in large numbers of partnerships. (See Ling, 2000)

Critics of New Labour's promotion of governance through partnerships have argued that its achievements are over-stated and that there are a number of concerns.

Such criticisms include the following:

• The promotion of partnership working has not led to real partnerships, as government still plays a centralising and controlling role.
• Partnership working is not egalitarian or democratic in that some partners are more equal than others.
• Partnership working makes demands only on some (poorer) citizens to participate.
• There are difficulties if and when certain partners choose not to get involved or choose to withdraw their support.

These misgivings will be touched on briefly below and then more fully later in this chapter in the discussion of whether the new models of governance have really led to a new set of arrangements.

## Topic 062: Comparing Hierarchies, Markets, Networks & Partnerships

Have we really moved away from hierarchical governance? As you will see from Box 6.6, the four models of governance explored in this chapter make particular claims in terms of the basis of the relationship, degree of dependence, medium of exchange, economic model, means of conflict resolution, culture and accountability mechanisms. And yet the question remains as to

whether any of the alternative models (markets, networks, partnerships) have really superseded hierarchical governance.

| Box 6.6 | Comparing hierarchies, markets, networks and partnerships | | | |
|---|---|---|---|---|
| | **Hierarchies** | **Markets** | **Networks** | **Partnerships** |
| **Basis of relationships** | Employment relationship | Contract and property rights | Resource exchange | Sum greater than the individual parts |
| **Degree of dependence** | Dependent | Independent | Interdependent | Co-dependent |
| **Medium of exchange** | Authority | Prices | Trust | Negotiation |
| **Economic model** | Markets are inefficient and prone to failure. Need public control of public/merit goods | Individuals are utility maximisers, to which the market responds | Enable service development locally, backroom steering | Mixed economy, 'what works is what counts' |
| **Means of conflict resolution and coordination** | Rules and commands | Haggling and the courts | Diplomacy | Deliberation |
| **Culture** | Subordination | Competition | Reciprocity | Synergetic enlightened self-interest |
| **Accountability** | To the centre via the ballot box | Via the market and contracts | Self-referring | Upwards, downwards, outwards to all its constituent parts |

*Source:* Adapted and amended from Rhodes (1999) and Kjaer (2004).

**Lesson 12**
## IS GOVERNANCE USEFUL FOR SOCIAL POLICY?-I
### (Topic 063-069)

### Topic 063: Is Governance Useful For Social Policy?

While governance is a quite recent phenomenon within social policy writing, it has managed to attract some analysis regarding its usefulness. Daly (2003) and Fitzpatrick (2005), for example, have expressed concerns with the governance paradigm. Their three main concerns are:
• 'the literature is replete with wishful thinking in which a particular version of governance is proposed as the only version in order to advance the very changes the proposer wishes to see' (Fitzpatrick),
• 'governance shies away from identifying the main origins of change' (Fitzpatrick);
• 'governance is situated in the political rather than the social' (Daly).
Even so, both Daly and Fitzpatrick acknowledge that the focus on governance has provided insights into the developments in the administration of social welfare. Daly (2003) has provided a thorough account of the strengths of the governance paradigm, including the following:
• It provides an overarching framework within which to describe New Labour's approach to social/public policy making and provision.
• It concentrates specifically on policy making.
• It is useful in analysing the impact of policy changes in terms of the power of government at the centre as against that devolved. Governance helps to explain how the state now exercises loose-tight control – or more control over less (Rhodes, 2000).
• It helps to identify and explain the different levels at which policy is made and implemented – supra-national, national, regional, local, and community-based.
• It helps us understand how social policy develops and how welfare is reformed, along with an explanation of the reasons why.
• It concentrates on the role of the state in policy making and delivery.

### Topic 064: Social Policy Objectives as Given In the Chapter on the Fundamental Rights

How is social policy made and who are the decision-makers? Most important document: Constitution, the supreme law.

**Art. 9: Security of person:**
No person shall be deprived of life or liberty saves in accordance with law.

**Art. 10: Safeguards as to arrest and detention:**
(1)      No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

**Art. 10-A: Right to fair trial:**
For the determination of his civil rights and obligations or in any criminal charge against him a person shall be entitled to a fair trial and due process.

**Art. 11: Slavery, forced labour, etc. prohibited:**

(1)      Slavery is non-existent and forbidden and no law shall permit or facilitate its introduction into Pakistan in any form.

(2)      All forms of forced labour and traffic in human beings are prohibited.

(3)      <mark>No child below the age of fourteen years shall be engaged in any factory or mine or any other hazardous employment</mark>.

(4)      Nothing in this Article shall be deemed to affect compulsory service:-
(a)      by any person undergoing punishment for an offence against any law; or
(b)      required by any law for public purpose provided that no compulsory service shall be of a cruel nature or incompatible with human dignity.

**Art.12:         Protection against retrospective punishment:**

(1)      No law shall authorize the punishment of a person:-
(a)      for an act or omission that was not punishable by law at the time of the act or omission; or
(b)      for an offence by a penalty greater than, or of a kind different from, the penalty prescribed by law for that offence at the time the offence was committed.

(2)      <mark>Nothing in clause (1) or in Article 270 shall apply to any law making acts of abrogation or subversion of a Constitution in force in Pakistan at any time since the twenty-third day of March, one thousand nine hundred and fifty-six, an offence.</mark>

**Art.13:         Protection against double punishment and self incrimination:**

No person:-
(a)      shall be prosecuted or punished for the same offence more than once; or
(b)      shall, when accused of an offence, be compelled to be a witness against himself.

**Art. 14:         Inviolability of dignity of man, etc:**

(1)      The dignity of man and, subject to law, the privacy of home, shall be inviolable.

(2)      No person shall be subjected to torture for the purpose of extracting evidence.

**Art. 15:         Freedom of movement, etc.**

Every citizen shall have the right to remain in, and, subject to any reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof.

**Art.16:         Freedom of assembly:**

Every citizen shall have the right to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order.

**Art.17: Freedom of association:**
(1)      Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality.

(2)      Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan and such law shall provide that where the Federal Government declares that any political party has been formed or is operating in a manner prejudicial to the soverignty or integrity of Pakistan, the Federal Government shall, within fifeen days of such declaration, refer the matter to the Supreme Court whose decision on such reference shall be final.

(3)      Every political party shall account for the source of its funds in accordance with law.

 **Art.18: Freedom of trade, business or profession:**
Subject to such qualifications, if any, as may be prescribed by law, every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business:
Provided that nothing in this Article shall prevent:-
(a)      the regulation of any trade or profession by a licensing system; or
(b)      the regulation of trade, commerce or industry in the interest of free competition therein; or
(c)      the carrying on, by the Federal Government or a Provincial Government, or by a corporation controlled by any such Government, of any trade, business, industry or service, to the exclusion, complete or partial, of other persons.

**Art.19: Freedom of speech, etc:**

Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court,  [commission of] or incitement to an offence.

**19A.    Right to information:**
Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

**Art. 20: Freedom to profess religion and to manage religious institutions:**
Subject to law, public order and morality:-
(a)      every citizen shall have the right to profess, practice and propagate his religion; and
(b)      every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

**Art.21:          Safeguard against taxation for purposes of any particular religion:**

No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own.

**Art.22:        Safeguards as to educational institutions in respect of religion, etc:**
(1)      No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own.

(2)      In respect of any religious institution, there shall be no discrimination against any community in the granting of exemption or concession in relation to taxation.

(3)      Subject to law:
(a)      no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and
(b)      no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

(4)      Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens.

**Art.23:        Provision as to property:**
Every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest.

**Art.24:        Protection of property rights:**
(1)      No person shall be compulsorily deprived of his property save in accordance with law.

(2)      No property shall be compulsorily acquired or taken possession of save for a public purpose, and save by the authority of law which provides for compensation therefore and either fixes the amount of compensation or specifies the principles on and the manner in which compensation is to be determined and given.

(3)      Nothing in this Article shall affect the validity of :-
(a)      any law permitting the compulsory acquisition or taking possession of any property for preventing danger to life, property or public health; or
(b)      any law permitting the taking over of any property which has been acquired by, or come into the possession of, any person by any unfair means, or in any manner, contrary to law; or
(c)      any law relating to the acquisition, administration or disposal of any property which is or is deemed to be enemy property or evacuee property under any law (not being property which has ceased to be evacuee property under any law); or
(d)      any law providing for the taking over of the management of any property by the State for a limited period, either in the public interest or in order to secure the proper management of the property, or for the benefit of its owner; or
(e)      any law providing for the acquisition of any class of property for the purpose of
(i)      providing education and medical aid to all or any specified class of citizens or

(ii)     providing housing and public facilities and services such as roads, water supply, sewerage, gas and electric power to all or any specified class of citizens; or

(iii)    providing maintenance to those who, on account of unemployment, sickness, infirmity or old age, are unable to maintain themselves ; or

(f)      any existing law or any law made in pursuance of Article 253.

(4)     The adequacy or otherwise of any compensation provided for by any such law as is referred to in this Article, or determined in pursuance thereof, shall not be called in question in any court.

## Art.25:          Equality of citizens:
(1)     All citizens are equal before law and are entitled to equal protection of law.

(2)     There shall be no discrimination on the basis of sex
(3)     Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

## 25A.   Right to education:
The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.

## Art.26.Non-discrimination in respect of access to public places:
(1)     In respect of access to places of public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth.
(2)     Nothing in clause (1) shall prevent the State from making any special provision for women and children.

## Art.27.Safeguard against discrimination in services:
(1)     No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth:
Provided that, for a period not exceeding  [forty] years from the commencing day, posts may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan:
Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex
 [Provided also that under-representation of any class or area in the service of Pakistan may be redressed in such manner as may be determined by an Act of Majlis-e-Shoora (Parliament).]
(2)      Nothing in clause (1) shall prevent any Provincial Government, or any local or other authority in a Province, from prescribing, in relation to any post or class of service under that Government or authority, conditions as to residence in the Province. for a period not exceeding three years, prior to appointment under that Government or authority.

## Art. 28Preservation of language, script and culture:

Subject to Article 251 any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and subject to law, establish institutions for that purpose.

## Topic 065: Social Policy Objectives as Given in the Chapter on the Principles of Policy

The Principles set out shall be known as the Principles of Policy, and it is the responsibility of each organ and authority of the State, and of each person performing functions on behalf of an organ or authority of the State, to act in accordance with those Principles in so far as they relate to the functions of the organ or authority.

In so far as the observance of any particular Principle of Policy may be dependent upon resources being available for the purpose, the Principle shall be regarded as being subject to the availability of resources.

**Art 31: Islamic way of life:**

(1)      Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah.

(2)      The state shall endeavour, as respects the Muslims of Pakistan:-

(a)      to make the teaching of the Holy Quran and Islamite compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran;
(b)      to promote unity and the observance of the Islamic moral standards; and
(c)      to secure the proper organization of zakat,  [ushr, ] auqaf and mosques.

**Art 32: Promotion of local Government institutions:**

The State shall encourage local Government institutions composed of elected representatives of the areas concerned and in such institutions special representation will be given to peasants, workers and women.

**Art 33&34: Full participation of women in national life:**

Steps shall be taken to ensure full participation of women in all spheres of national life.

**Art 35&36: Protection of family, etc.**
The State shall protect the marriage, the family, the mother and the child.

**Protection of minorities:**

The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.

## Art 37: Promotion of social justice and eradication of social evils:

The State shall:
(a)      promote, with special care, the educational and economic interests of backward classes or areas;
(b)      remove illiteracy and provide free and compulsory secondary education within minimum possible period;
(c)      make technical and professional education generally available and higher education equally accessible to all on the basis of merit;
(d)      ensure inexpensive and expeditious justice;
(e)      make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;
(f)      enable the people of different areas, through education, training, agricultural and industrial development and other methods, to participate fully in all forms of national activities, including employment in the service of Pakistan;
(g)      prevent prostitution, gambling and taking of injurious drugs, printing, publication, circulation and display of obscene literature and advertisements;
(h)      prevent the consumption of alcoholic liquor otherwise than for medicinal and, in the case of non-Muslims, religious purposes; and
(i)      decentralize the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public.

## Art 38: Promotion of social and economic well-being of the people:

The State shall :
(a)      secure the well-being of the people, irrespective of sex, caste, creed or race, by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants;
(b)      provide for all citizens, within the available resources of the country, facilities for work and adequate livelihood with reasonable rest and leisure;
(c)      provide for all persons employed in the service of Pakistan or otherwise, social security by compulsory social insurance or other means;
(d)      provide basic necessities of life, such as food, clothing. housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment;
(e)      reduce disparity in the income and earnings of individuals, including persons in the various classes of the service of Pakistan;
(f)      eliminate riba as early as possible
(g)      the shares of the Provinces in all federal services, including autonomous bodies and corporations established by, or under the control of, the Federal Government, shall be secured and any omission in the allocation of the shares of the Provinces in the past shall be rectified.

**Art 39: Participation of people in Armed Forces:**

The State shall enable people from all parts of Pakistan to participate in the Armed Forces of Pakistan.

**Art 40: Strengthening bonds with Muslim world and promoting international peace:**

The State shall endeavour to preserve and strengthen fraternal relations among Muslim countries based on Islamic unity, support the common interests of the peoples of Asia, Africa and Latin America, promote international peace and security, foster goodwill and friendly relations among all nations and encourage the settlement of international disputes by peaceful means. (*Source: http://www.pakistani.org/pakistan/constitution/*)

**Topic 066-067: Federal Government and Social Policy Before 18th Amendment-I,II**

Pakistan, a federation like India, the US and Canada unlike Bangladesh, France or Maldives
Three governments: Federal, provincial and local. Federations need constitutions to divide the domains of influence. Legislative lists divide the domain:
1956 Constitution: 3 lists
- 30 areas in federal list,
- 94 provincial list and
- 19 in concurrent list

Residuary powers to provinces, two and half years but federal government was dominant. President Sikander Mirza making and breaking federal and provincial governments.
1962 Constitution: Only federal list with 49 subjects:
No provincial list
- Residuary powers left to the provinces
- Immaterial as federal government controlled everything
- President appointed governors and provincial legislature was toothless
- One of the key reasons of 1971 debacle
- Economic development under Ayub heavy cost
1973 Constitution: 3 lists
- Federal, provincial and concurrent
- Again federal government dominated
Even those areas that were in provincial list were controlled by the federal government, education, health, law and order, local government, etc.
- More than 12 education policies by federal government
- Local government legislation (all 3 by the federal government)
- Health policies by federal government
- Under martial law, everything
- Even under democratic governments
After illegally gaining power, Ayub appointed 33 commissions, Education, administration, agriculture, industry, law, police, constitution, finance, etc.
Under Musharraf, National Reconstruction Bureau (NRB) was formed
- Police, local government, health, education, laws, etc.

- Who are part of these commissions and bureaus? Mostly retired generals and bureaucrats Federal bias. Not much link with the people
- Mostly men, Muslim, educated, and from Punjab
- Smaller provinces do not have much representation

Under democratic governments too, federal government controls, parliament makes policies and bureaucrats implement them. Social policies start from Islamabad, change from Islamabad

## Topic 068-069: Provincial Governments and Social Policy before 18th Amendment- I-II

Army wants single set of laws and players, Similar to their own structure; International donors want single set of laws and players, Negotiations implementations easy. Makes decision-making comparatively easy and efficient. If the federal minister and secretary approves, it is done. Makes implementation comparatively easy and efficient. Federal secretary will call the provincial chief secretary or secretary and it will be implemented. Provinces are incompetent and inefficient, Most of the times, true but not always, Less power, slow promotions, low prestige, so the best people will never remain in provincial services. More power and better service prospects will result in better provincial services. Break the hold of federal bureaucracy on top positions in provinces. Same argument can be made in 1920s and 1930s about British and Indian civil servants. Give them the training and tools (power) and the provincial services will perform. More power and better service prospects will result in better provincial services. Break the hold of federal bureaucracy on top positions in provinces. At this point, there are 30+ departments and almost all of them are CSS/federal services officers.

Educational policies:

Let's take the example of education; Education has always been a provincial subject. 1956 Constitution, Provincial list: 20. Education, including Universities, technical education and professional training. 23. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions. 14. Agriculture, including agricultural education and research. National Education Conference: 1947 National Plan for Educational Development (1951-57), First Five Year Plan: 1955-60. Report of the Commission on National Education: 1959. Report of the Commission on National Education: 1959.1962 Constitution, Some specific areas of education

- Second Five Year Plan: 1960-65
- Third Five Year Plan: 1965-70
- The New Education Policy: 1970
- The Education Policy: 1972-80
- 1973 Constitution Concurrent list
- 38. Curriculum, syllabus, planning, policy, centres of excellence and standards of education
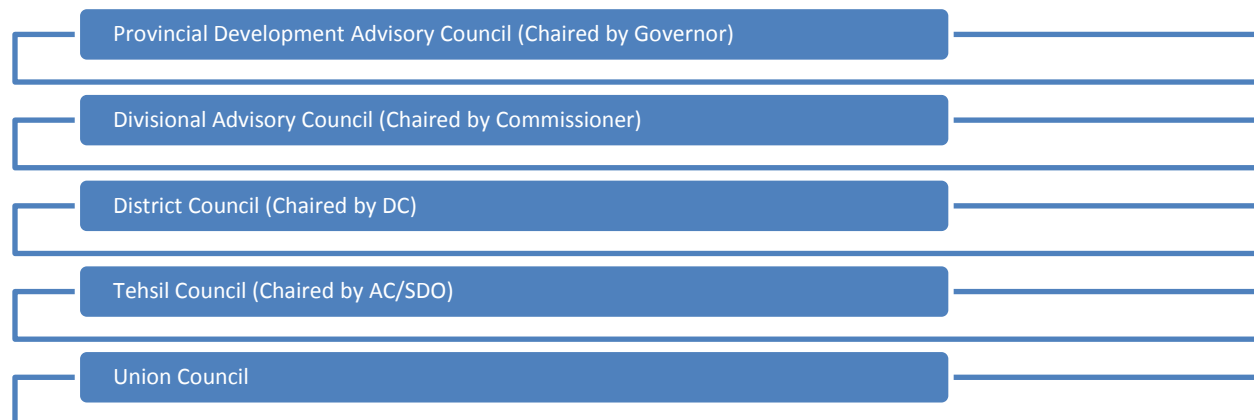- 39. Islamic education

Fifth Five Year Plan: 1978-83
- National Education Policy and Implementation Programme: 1979
- Literacy and Mass Education Commission: 1981
- The 10-point Programme: 1983
- National Literacy Plan: 1984-86

- Evaluation of Iqra Pilot Project
- Drop-in Schools: 1986-89
- Nationwide Literacy Programme: 1986-90
- Nai Roshni Schools: 1986-90
- Seventh Five Year Plan: 1988-93
- National Education Policy: 1992
- Eight Five Year Plan: 1993-98
- National Education Policy: 1998-2010

**IS GOVERNANCE USEFUL FOR SOCIAL POLICY?-II**
**(Topic 070-075)**

**Topic 070: Local Governments and Social Policy under Bd System**

Local bodies are remarkable due to public participation in local governance. Democratically designated, piloted by local publics; answerable to their local populations. National and sub-national governments have no control over them. Local ruling classes are local establishment that symbolize the democratic idyllic at local level. Local representatives solve the problems of their communities on their behalf. Local governments are integral part of any political system, which constitute local institutions governed by local populace. Local governments are very important in terms of service delivery, public participation, policy designing, domestic law-making and good governance at local level. They are also crucial to depoliticize the local governance mechanisms and to approach the central and provincial institutions. Bureaucracy is hierarchical organization managing and monitoring the state business. A vibrant hierarchical pattern, specialism, division of work force and formal set of rules and regulations are important specifications of bureaucracy functioning in any part of the world. Bureaucracy establishes the administrative mechanism of local governments to deliver social services, design local policies and form rules and regulations. Apart from enactment and implementation of laws and conveyance of social services, bureaucracy also administers the developmental projects planned by elected representatives of autonomous local governments. During ancient times of Indian history, Delhi Sultanate, Mughal period and British regime, central governments used to nominate and appoint officers to administer local governance.

Provincial Development Advisory Council (Chaired by Governor)

Divisional Advisory Council (Chaired by Commissioner)

District Council (Chaired by DC)

Tehsil Council (Chaired by AC/SDO)

Union Council

System of local governments is not deep rooted in Pakistan. Initially, no democratic government upheld the system of local governments in Pakistan. Military regimes always promoted local autonomy based on divide and rule strategy. General Ayub Khan designed local institutions answerable to bureaucratic chiefs under Basic Democracies System (BD) 1959.Democratic governments allegedly failed in setting-up a pure representative structure of local governments, which are almost engineered by military governments. Local representatives and institutions remained always subservient to bureaucracy, which secured its powers while using the

institutions of local governments. Policy designers used to debate bureaucratic authority and local self-rule while structuring the local governments and always prioritized the former. Ayub Khan changed the definition of democracy as "government for the people by the bureaucracy" from "government of the people, for the people and by the people". Prof. Dr. Razia Mussarat says that, under this system, district administration and elected bodies were given under district bureaucrats to strengthen the Electoral College for future presidential elections. It was an effort to undermine the political competitions by district officials (Musarrat & Azhar, 2012).

Ayub controlled bureaucrats from military and civil services realms counterfeited a durable political association with many middle class urban and rural groups. It helped in increased urbanization and social transformation. But non-participatory and bureaucratic controlled model of governance could not function in the line of political manners and people"s wishes. Bureaucracy depoliticized the institutions and isolated the politicians and political parties from governance mechanism. The system reflected the political philosophy of military and officialdom of bureaucracy. General Yahya Khan toppled whole of the system, which erased also the bureaucratic BD. Mr. Zulfikar Ali Bhutto termed BD system that it was nothing beyond corruption and nepotism".

## Topic 071: Local Governments and Social Policy under Zia

**Local Government Ordinance, 1979**

After the decline of Zulfiqar Ali Bhutto, local government was re-arranged by Zia-ul-haq. Under his military regime, he consolidated the political centralization at federal level. The local government introduced by Zia-ul-haq was different from the system of Ayub khan. He demolished the bureaucratic control and declared 'Elected House' as controlling authority. This is totally different from Ayub Kahn's 'Basic Democracies'. He introduced the Deputy Commissioner as controlling authority and executive head of 'District Council'.
He introduced an autonomous local council for urban areas, and which was the diversion from 'Basic Democracies'. The district council has representatives for both urban (municipal committees) and rural (Tehsil councils) coordination.
Zia-ul-haq introduced the 'Local Government Ordinance 1979', which is also known as Sind Ordinance. Following are the hierarchical division of administrators to arrange the local self-government. (Cheema, 2003)
"In 1979, Zia introduced identical Ordinances for four Provinces on the local government repealing the previous enactments on the subject. These were very elaborate statutes and were generally welcomed as these statutes created a hope amongst the people for resolution of their daily civil problems at local level. The new legislation provided for civics bodies both for rural and urban areas with enhanced fiscal responsibility. The law also provided the concept of metropolitan corporations. The local councils were empowered to levy taxes and duties, cause removal of encroachments and nuisances as well as to initiate prosecution of the delinquents. The new legislation certainly empowered the local government institutions to manage their own affairs, particularly in matters relating to previsions of civics services. It was considered that the new laws undoubtedly had taken positive steps towards devolution of powers to the lower tiers of democratic institutions. Elections were also held in all the Provinces under the new

Ordinances, but these statutes were strongly criticized for having too much official interference in the affairs of the civics bodies." (DTCE, May,2014)
The division of the local governments under Zia regime is based on four tiers.
1. Town Committee
2. Municipal Committee
3. Municipal Corporation
4. Metropolitan Corporation

To deal with rapid and lower level issues, introduced 'Panchayat' system. Panchayat was actively did its duties. Society was represented including women, laborers, farmers and minorities. These were elected by concerned council, while the minorities had their separate electorates. *(Source: Maryam, F. Local Governance in Pakistan; historical review).*
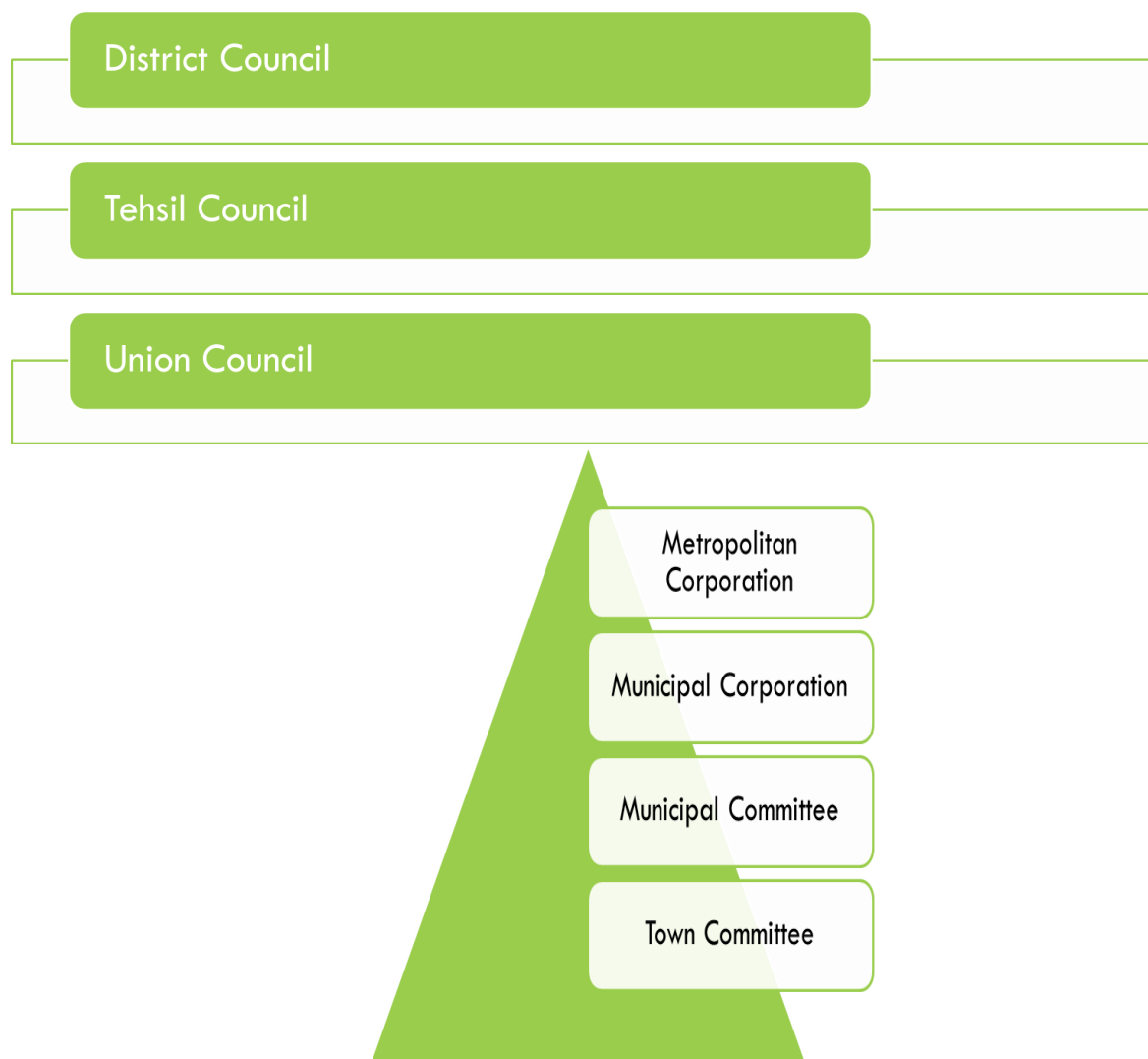
**Topic 072: Local Governments and Social Policy under Musharraf**

In 1999, once again the military regime immediately took over the control in its hand. General Pervez Musharraf came with his 'seven point agenda'. This agenda has the following points:

1. Re-building the national confidence and morale
2. Strengthening the federation, while removing inter-provincial disharmony
3. Reviving and ensuring investor confidence
4. Ensuring law and order and dispensing speedy justice
5. De-politicizing state institutions
6. Devolving power to grass-root level
7. Ensuring swift and across the board accountability

The Devolution of Power Plan had a mixed reception from the public and the political leadership. During the local government system under Musharraf, people had been feeling comfortable to meet with their local issues and demands through their local leaders and could convey their concerns, mostly one-on-one. It was also convenient for the local representatives to allocate the financial resources according to the public demands in the district and tehsil councils, without any interference of the provincial authorities. A system of check and balance was available and the pros and cons of any public expenditure used to be discussed during the meetings of the councils at their certain level. (Abbasi, 2014) The system was helpful to resolve the public problems at their doorsteps with low expenditure without chasing the higher authorities at provincial or federal levels. It was inclined to dissolve the culture of dependency, to accelerate the process of accountability, and to discourage the 'rural-urban migration'. (Khan, et.al, 2007) Though, the bureaucracy had unwillingly accepted the devolution plan but instead of giving functional freedom to the elected representatives at the local levels they entangled them with the rules and regulations. The lack of coordination and confidence was common in many districts and the district bureaucracy had been playing its role as the provincial agent, in opposition of the local authorities instead to be their subordinates. (PILDAT, 2003) Even, the District Coordination Officer (DCO) and District Police Officer (DPO) got more power under the devolution plan through some mall-practices in district recruitment process which was not in exercise before 2001. Critics also blame Musharraf to use local councilors to elect himself as the president in his referendum 2001 and in the general elections to help winning the official party PML (Q). (PILDAT, 2003 & Khan, M. 2005) Devolution of power was a give and take process of authority. When one political entity was empowered the other was disempowered. (Khan, 2007) The devolution of power plan was implemented through an ordinance other than any federal of provincial legislation to make it part of the constitution. (Zaidi, quoted in Oldenburg, 2010)

*"Power has to be devolved from centre if devolution has to have any meaning, and the first step has to be taken by devolving power from the centre to the provinces. When this has been done, only then can the provinces devolve power to the districts." (Khan, M. 2005)*

Surprisingly, in the devolution plan, the provincial powers were dissolved to the district governments while the federal powers and responsibilities were not devolve to the provinces or the districts. (Zaidi, quoted in Oldenburg, 2010) The continued holding of some powers by the

federation was against the provincial autonomy which had made provincial governments weaker than before. ((PILDAT, 2003)

## Topic 073: Judiciary and Social Policy

Does Judiciary have a role in social policy?
- Part VII of the 1973 Constitution: Judiciary's role in Pakistan
- One Supreme Court, five High Courts, one Federal Shariat Court and  one Chief Court

Lower judiciary
- Supreme Court has three type of jurisdictions
- Original
- Appellate

Advisory
- Original
- Dispute between governments
- Question of public importance related to fundamental rights
- Appellate: related to other superior courts
- Advisory
- President (the federal government) requests opinion of the Supreme Court
- Before 2006-07, few changes using appellate jurisdiction
- After 2007, original jurisdiction used
- Suo moto (on its own motion) based on Art. 184(3)
- Operation of government and private schools and hospitals
- Gender discrimination and children rights
- Delay in bridges, roads, etc.

**Issues**
- Everything cannot be decided the Supreme Court
- Supreme Court is not the executive and does not have the time or expertise to issue orders on everything
- Riko Diq case: $6 billion penalty
- Same amount as whole IMF program

## Topic 074: Case Study: Inclusion of Disabled and Transgender in Government Statistics

**Transgender Issue**
- Lack of understanding
- Sex is biological, gender is social construct
- Male and female biological differences and intersex
- Male and female gender and transgender
- Definition of  GoP

Under Transgender Persons (Protection of Rights) Act, 2018
- Intersex, with mixture of male and female genital features; or
- eunuch assigned male at birth, but undergoes genital excision or castration; or
- a transgender man, transgender woman, biological features different from how he/she feels

Dr. Muhammad Aslam Khaki filed a case in SC in 2009

- Recognition as 3ʳᵈ gender
- Taxila police attacked and raped a group of transgender wedding dancers

SC not only ruled in favor of special provision in CNICs but later on issued many other rulings, Jobs, vote, affirmative action, inheritance, warning to police & government officials, not easy

## Differently-abled Issues
- Many types of disabled or differently-abled
- Deaf/Mute, blind, insane, mentally-retarded, crippled, multiple disabilities
- 1981 law providing employment opportunities to the "dis-abled" (DA) : 1% if 100 employees
- Focus on DA as General Zia's daughter was also one of the DA: Schools but not much
- First National Policy for Persons with Disabilities (2002) and National Plan of Action (2006)
- Pakistan ratified it Convention on the Rights of Persons with Disabilities in 2011
- SC forced government to implement the quota (now 3%)
- Forcing government to  get the quota to private sector implemented
- Regular hearings

## Topic 075: Is Provincial Autonomy Good For Social Policy?

What is provincial autonomy? Previously discussed, federal government has exercised most powers. Even illegally and unconstitutionally. Provincial autonomy is giving powers to the provinces. Making them powerful autonomous, The 18th Amendment was a major victory

### Provincial autonomy
- Why it does not help social policy?
- Delay in decision-making
- Fragmentation
- Nationalism: one country, one policy
- Easier for the people

### Why beneficial?
- Pakistan is a multi-ethnic, multi-linguistic and multi-religious country
- Each province is different
- Forcing people to live under one policy will make life difficult
- East Pakistan separation
- Provincial autonomy will increase acceptability
- Social policies will be easier to implement, less cost
- Decrease unrest and litigation
- Principle of subsidiary (policy made at the lowest level possible)

**References:**
Abbasi, M. Z., & Mussarrat, R. (2015). Devolution of Powers to Local Governments in Pakistan During Musharraf Regime. *Pakistan Journal of Social Sciences (PJSS)*, *35*(2).

## IS GOVERNANCE USEFUL FOR SOCIAL POLICY?-III
### (Topic 076-079)

### Topic 076: Bureaucracy and Social Policy: Characteristics of Bureaucracy

A bureaucracy is a system of organization noted for its size and complexity. Everything within a bureaucracy — responsibilities, jobs, and assignments — exists to achieve some goal. Bureaucracies are found at the federal, state, county, and municipal levels of government, and even large private corporations may be bureaucratically organized. People who work for government agencies, from high-level managers and executives to clerical staff, are called **bureaucrats.** The superintendent of a large urban school district is a bureaucrat, as are the teachers, librarians, nurses, and security guards.

The terms *bureaucrat* and *bureaucracy* have negative connotations. They bring to mind long, difficult forms; standing in long lines; and encounters with inflexible and unsympathetic clerks. The simplest requests are tangled in **red tape,** the paperwork that slows down accomplishment of an otherwise simple task. Despite this popular perception, bureaucracy is necessary for big governmental agencies to operate.

All bureaucracies share similar characteristics, including specialization, hierarchical organization, and formal rules. In the best circumstances, these characteristics allow a bureaucracy to function smoothly.

**Specialization**

Workers in a bureaucracy perform specialized tasks that call for training and expertise. Trained personnel can accomplish their jobs efficiently. The downside of specialization is that bureaucrats often cannot (or refuse to) "work out of class" — that is, take on a task that is outside the scope of their job description.

**Hierarchical organization**

The structure of a bureaucracy is called a *hierarchy,* a succession of tiers from the most menial worker in the organization to the highest executive. Each level has clearly defined authority and responsibilities.
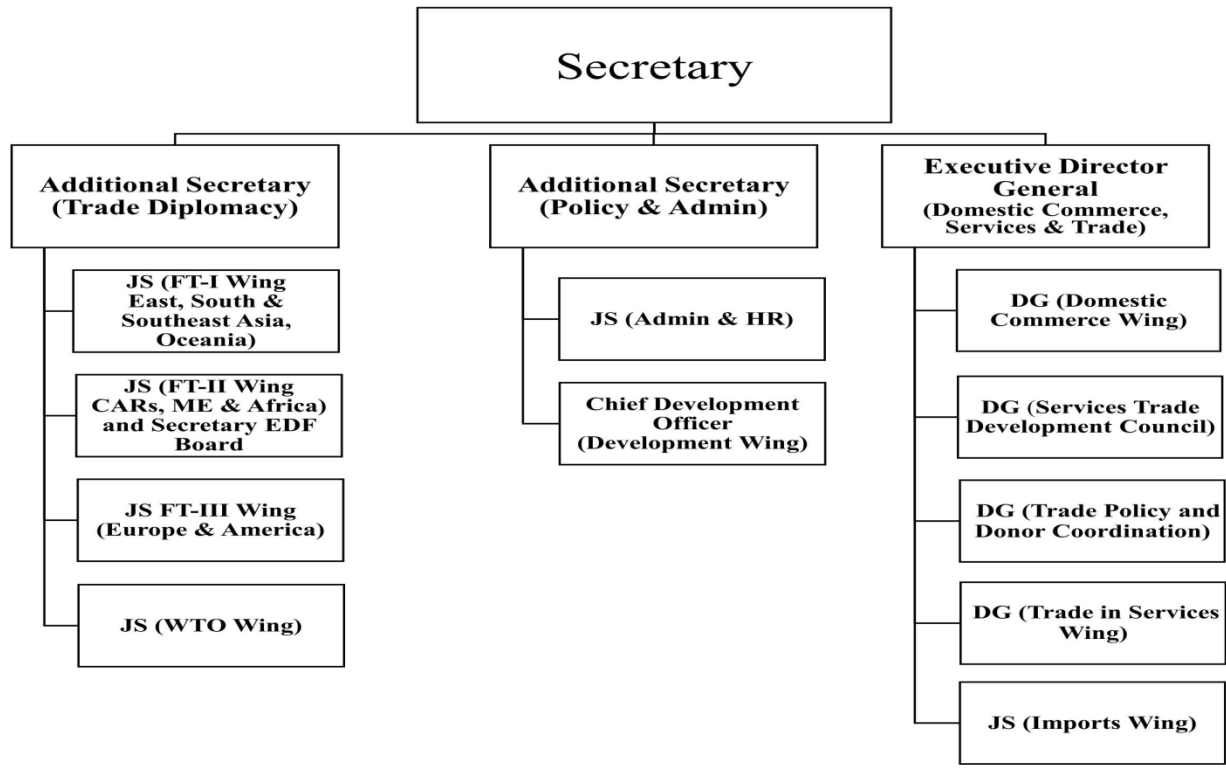
**Formal rules**

Bureaucracies function under formal rules. These instructions state how all tasks in the organization, or in a particular tier of the hierarchy, are to be performed. The rules are often called *standard operating procedures* (SOP) and are formalized in procedures manuals. By following the rules, bureaucrats waste no time in making appropriate decisions.

There are contradictions in the operation of a bureaucracy, however. The narrow focus on special expertise may blind a bureaucrat to a flaw in the performance of a task. Compounding the

problem may be the bureaucrat's inability to recognize the problem if it occurs in an area outside the bureaucrat's expertise. The hierarchical structure also prevents a democratic approach to problem-solving. Lower-level staff find it difficult to question the decisions of supervisors, and executives and managers may be unaware that a problem exists several rungs down the organizational ladder.

**Organogram at Wings Level**



However, in Pakistan, specialization is limited, formal written rules, rules of business, GoP and GoPb, Impersonal relationship, previously, tribe, religion, caste, family, etc. Usually large. Previously only government, now also private sector, efforts to keep the advantages, without the disadvantages. Now, considered inhuman and arrogant, anti-people.

**Topic 077: Bureaucracy and Social Policy: The Organization of Federal Bureaucracy in Pakistan**

**Federal bureaucracy**

- Pakistan is a federation: Three types of bureaucracies
- Federal, provincial, and local
- Difference between bureaucracy and civil service

Federal officers working in provinces are part of provincial bureaucracy, organized in ministries, divisions & autonomous bodies, Ministry of Finance: Finance Division, Economic Affairs, Division and Revenue Division, Ministry of Religious Affairs: Only one division

**Federal Civil Service**

Differences in

- Recruitment
- Rules of conduct
- Power
- Areas of influence
- Most powerful
- All top positions at local, provincial and federal level
- Deputy Commissioner, provincial secretary and federal secretary
- Mostly arranged in occupational groups or services (12)
- Some Islamabad employees also federal servants
- Recruited by Federal Public Services
- Commerce & Trade Group
- Foreign Service of Pakistan
- Information Group
- Inland Revenue Service
- Military Lands & Cantonments Group
- Office Management Group
- Pakistan Administrative Service
- Pakistan Audit and Accounts Service

**Federal bureaucracy**
- Pakistan Customs Service
- Police Service of Pakistan
- Postal Group
- Railways Group

**Federal Civil Service**
- Controlled by the Establishment Division, Cabinet Secretariat
- Establishment Secretary, the most powerful bureaucrat (along with Chief Secretary Punjab)
- Governed by Civil Servants Act, 1973 and the Estacode (Civil Establishment Code)
- Usually much better than provincial and local bureaucracy
- PAS/District Management Group most powerful
- From colonial times: ICS, CSP, DMG, PAS
- Control at the district, provincial and federal level
- Top position-holder opt for PAS
- Police usually second choice
- In early Pakistan, Foreign service and accounts service were also popular

**Federal bureaucracy**
- Women, differently-abled initially not allowed to opt for certain services
- "Both male and female including special persons having at least 2nd Division Bachelor's degree"
- All ministries, all policies, including social policies

**Topic 078: Bureaucracy and Social Policy: The Organization of Provincial Bureaucracy in Pakistan**
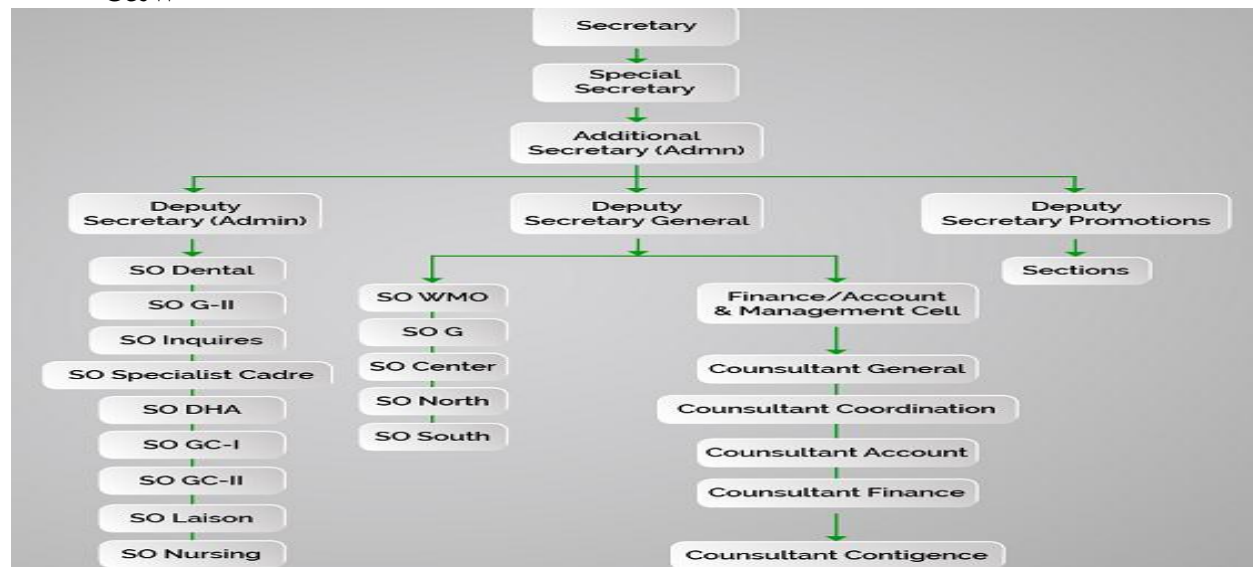
**Provincial bureaucracy**

- Four/five types of bureaucracy
- Governed by provincial laws and rules
- Little different from each other
- Federal, provincial and local officials
- Top federal service, middle usually provincial and local service at the lowest level
- Organized in Departments and autonomous bodies
- Here, we will discuss Punjab but other provinces similar
- 30+ attached departments
- Each department has clear responsibilities under Rules of business
- 35 ministers in Punjab cabinet

**Provincial Civil Service**
- PMS/PCS
- Recruited through PPSC
- Exam held whenever necessary
- Written and interview

**Provincial Services**
- Other parts of Punjab government
- Police
- Social Welfare
- Irrigation
- C&W

**Local Services**

- Usually less than BPS 10
- District level
- 2001 district service experiment

**Topic 079: Bureaucracy and Social Policy: The Tussle between Federal and Provincial Bureaucracies in Pakistan**

**Tussle**

- Federal bureaucracy more powerful
- All major decisions until 2010
- Even now trying to wrest back control

18th amendment broke the power but Power of the CSS/Federal civil service or PAS still intact

- All Chief secretaries
- >80% of Secretaries
- Almost all heads of autonomous bodies
- Companies
- Other Federal services, PCS/PMS and other services trying to topple
- Example: Higher Education Department
- A very bureaucrat, now in trouble, head
- All vice chancellors
- All professors
- Tussle through court cases, Political connections
- Tussle between federal and provincial governments
- Famous case of a DIG who was called back in early 1990s
- Strikes

## SOCIAL POLICY GOVERNANCE AND 18TH AMENDMENT-I
### (Topic 080-086)

### Topic 080: Federalism in Pakistan under 1956 Constitution

However, despite all the politics of representation and language, the constitution which emerged was federal in character but centralized4 in spirit which deliberately undermined the ethnic cleavages and the One Unit formula (creation of one province called "West Pakistan") It had many similarities with the Government of India Act which had been a significant move towards federal system during the Raj (Choudhury, 2005). Linguistic diversity and how to accommodate remain a question and Adeney's analysis is given below at length:

*This created two provinces, one linguistically homogeneous (98% of the population of East Pakistan spoke Bengali) and the other linguistically heterogeneous (63% of the western wing spoke "Punjabi", but there were other significant linguistic groups who spoke Pashtu, Sindhi, Urdu or Balochi). In another example of undermining the importance of ethno-linguistic groups, Urdu was earlier adopted as the national language although it was spoken as a mother tongue by only 3.24% of the total population (Bengali was spoken by 54%) (Adeney, 2009, p. 90).*
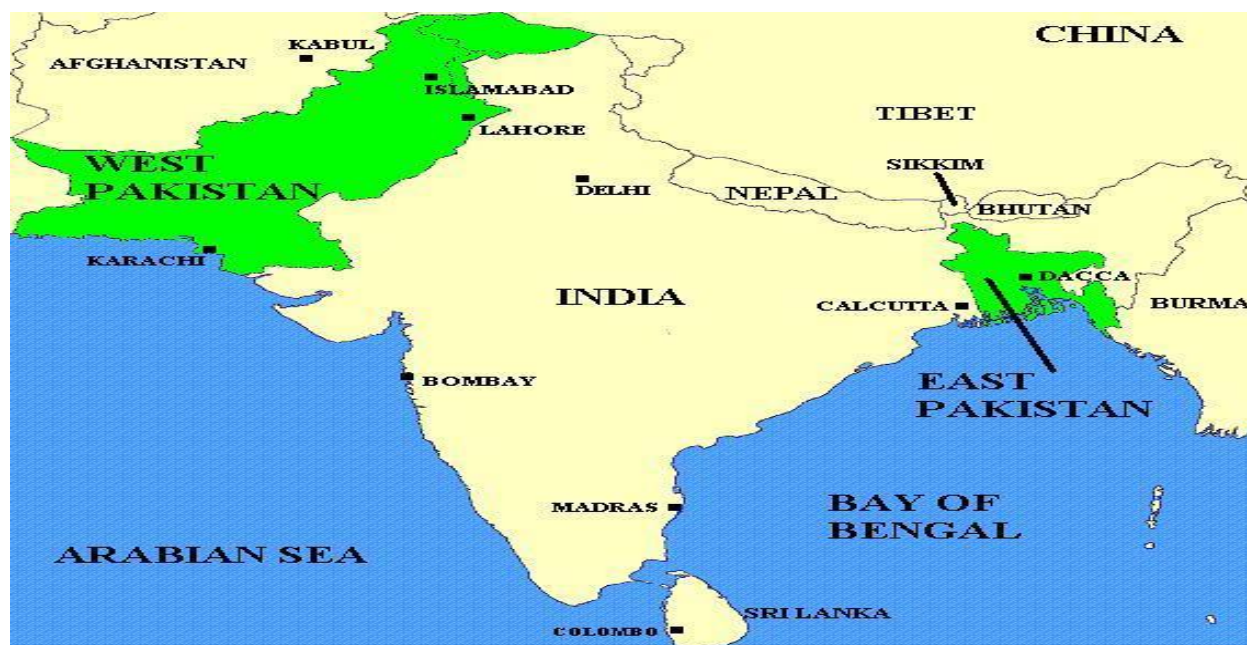


The constitution tried to soften the centralizing impact of the Government of India Act 1935 since under the Article 106 (1), the federal list was shortened with thirty items which were sixty one earlier and provincial list had 94 items. While the concurrent list was also reduced to 19 items there are views that it was still enough to centralize the administrative and economic development system by the central government. The central government had overriding powers in the matters of economic development, national security, and coordination amongst the

provinces (Adeney, 2009; Choudhury, 2005; Kundi and Jahangir, 2002). The National Assembly was supposed to directly elect 310 members in which 150 were elected by popular vote from each unit. However, the seats in the Western part were divided on the basis of population residing in the Punjab, NWFP (now Khyber-Pakhtunkhwa), Balochistan, and Sindh. In addition, ten seats were reserved for women to be elected indirectly. However, the Legislative Assembly was dissolved in 1958 ahead of anticipated national elections and the reins of power later went in the hands of the military, with Commander-in-Chief Ayub Khan who ruled the country under martial law between 1958–1962 without any constitutional apparatus. The dissolution of assembly created serious difficulties in relationships between the Eastern and Western parts of Pakistan and had long term impact on the performance of its federal system. However, in 1962 a new constitution based on "Basic Democracies" while retaining the One Unit was created (Kundi and Jahangir, 2002; Talbot, 2009).

## Topic 081: Federalism in Pakistan under 1962 Constitution

Ayub Khan was able to get support for continuation of his rule from the military and civil bureaucracy. Being over-developed federal institutional designs (Alavi, 1972) under the imperialist British Raj, these two institutions provided the strength of execution. Khalid bin Sayeed has called it a system close to the British viceregal system of 1940s (Sayeed, 1967, p. 101). As in the case of the recommendation of the Basic Principles Committee which was formed for the Constitution of 1956, Ayub Khan ignored the recommendations of constitution commission which was established in 1960. Both of these arrangements had recommended for federal form of government with maximum autonomy given to the federating units (Kundi and Jahangir, 2002; Sayeed, 1980). Ayub Khan was more interested in having a strong central government with appeal to Pakistani nationalism (Choudhury, 2005). Nevertheless the constitution retained the federal structure of 1956 constitution and had three lists i.e., Centre, Provincial and Concurrent. The constitution adopted the One Unit system in which one house called National Assembly was supposed to work for five years term which was manned by equal number of members from the eastern and western wings of Pakistan. Going tangent to the federal system of governance, 49 items were listed as federal while residual powers were given to the federating units so no items were specified. Emerging from the support of military and civil bureaucracy, the Constitution tilted the balance of power towards the central government and federal legislature with provincial legislature having virtually nothing to legislate about (Kundi and Jahangir, 2002). While thinking of being able to get a hung Parliament so that the military junta could have a decisive role to play, Yahya Khan who succeeded Ayub Khan by imposing martial law in 1969, abrogated the One Unit. The results of the free and fair elections were surprising. Awami League5 won all but two seats from East Pakistan but the powers in the West Pakistan central government did not convene the National Assembly. The Central Government decided to launch Operation Searchlight to restore law and order in the Eastern wing. A situation which primarily emerged from Islamabad delaying formation of Awami League's Central Government. It resulted in violent conflicts, the deaths of hundreds of thousands of Bengalis, the creation of ten million refugees and culminating in the secession of East Pakistan to become Bangladesh (Adeney, 2009; Kundi and Jahangir, 2002). The idea of a federal system which was tilted towards a strong unitary kind of arrangement failed to hold together the federating units while in an undemocratic way the verdict of majority was dishonored.

## Topic 082: Federalism in Pakistan in 1973 Constitution

After the dismemberment of Pakistan in 1971, a new constitution was drafted in 1973 which replaced the interim constitution of 1971. However, the 1973 Constitution predominantly followed the previous Constitutions on 1956 and 1962 to the extent that in many instances the language used in many Articles was also retained (Khan, 2010). It retained a federal system, but unlike the previous Constitutions created a bicameral legislature. It had a upper house called Senate having 60 seats and a lower house called National Assembly which had 200 seats. The four units of the federation equally represented in the Senate while the National Assembly seats were divided on population basis. The 1973 Constitution, nevertheless, is distinguishable from the previous ones because it created the Senate having equal representation of all federating units so that smaller provinces like Balochistan6 are represented and the Senate plays a role in the system of checks and balances (Khan, 2010). However, it has been argued that the question of ethnicity and language were addressed without explicit consociationalism. Therefore, the Punjab, possessed absolute majority of the seats in the National Assembly while Urdu became the sole national language though Sindh replaced Urdu with Sindhi (Adeney, 2009). The 1973 constitution created the form of federal structure of the state as mentioned earlier and had two Lists; one federal and the other concurrent. In the upper house or Senate, each federating unit contributed 14 members for four years term while half of them retired after two years. The Federal List having 67 subjects was for the federal government while the Concurrent List provided opportunity for the provincial legislature to draft laws on the subjects. However, in the case of a dispute, according to the Article 143, the rights of the central government must be supreme and prevail (Kundi and Jahangir, 2002). In order to strengthen the spirit of federation, a Council of Common Interest (CCI) was created. It was to be appointed by the President and must have Chief Ministers of the provinces with equal members from the Federal Government. The Council had exclusive jurisdiction over hearing of complaints regarding water supplies from the natural sources such as supply of water from rivers. In addition, the Council was supposed to formulate policies related to railways, electricity, oil and gas, and industrial development (Choudhury, 2005, p. 323; Khan, 2010). While the constitution came into force on August 14, 1973 and the Prime Minister Zulfiqar Ali Bhutto made a momentous speech in which he said that the days of coups were ended and that violence in politics must stop (Khan, 2010). However, in terms of functioning of the constitution, the Bhutto regime which drafted this document showed inkling for a stronger role of the Central Government which created disgruntlement amongst the Baloch and Pashton parts of the federating units. Two days after the enforcement, Former Governor and Chief Minister of Balochistan along with a Member National Aseembly (MNA) were arrested on charges of corruption and seditious activities. Likewise, the National Awami Party's (Ganapati and Liu) government in NWFP was declared incapable of handling the affairs of the state while declaring the NAP an unlawful organization operating 'in a manner prejudicial to the sovereignty and integrity of Pakistan (Khan, 2010). In addition, the federal government also tried to silence the opposition parties within the National Assembly and behaved like a Bonapartist State (Kundi and Jahangir, 2002; Sayeed, 1980). The state of affairs gave a serious blow to federalism and what was left was crowded out by the Martial Law regime of Zia ul-Haq who put the constitution in abeyance for eight years.

## Topic 083: Federalism in Pakistan between 1973 and 2010

### Federalism (1973-2010)

Two martial laws (1977-85 and 1999-2002)

Rule by Troika  (1988-97)

Duopoly (2008-10) which continues

| Year | Martial law |
|---|---|
| 1947-1958 | No |
| 1958-62 | Yes |
| 1962-69 | No but general as president |
| 1969-72 | Yes |
| !972-77 | No |
| !977-85 | Yes |
| 1986-88 | No but general as president |
| 1988-97 | No but trioka |
| 1997-99 | No |
| 1999-2002 | Yes |
| 2002-08 | No but general as president |
| 2008-2019 | No but duopoly |

| Year | Powerful Democratic Government |
|---|---|
| **1947-1954** | **Yes** |
| 1954-71 | No |
| **1972-77** | **Yes** |
| 1977-97 | No |
| **!997-99** | **Yes** |
| !999-2019 | No |
| Total (1947-2019) | 14 out of 72 years (< 20%) |

Blaming democratic governments for the mess is not logical, More than 80% of Pakistan's existence, democratic governments were either not present or not powerful. Despite improved federalism, first assault by Bhutto Baluchistan government dismissed and NWFP government

resigned in 1973. Zia completely changed the nature of the 1973 Constitution, President more powerful, Act own his own behalf not on the advice of the PM Can appoint governors, judges of the superior courts, auditor general, etc. President can dismiss the federal government. Governors can dismiss the provincial governments. Governors similarly not bound by CMs' advice Martial law ended any idea of provincial autonomy. Even democratic leaders not ready to accept provincial autonomy. Provincial governments dismissed, if from the opposite party. Provincial governments were formed undemocratically through use of coercion. Troika usually for centralization and against federalism COAS always and sometimes President too, Ghulam Ishaq, Farooq Leghari and Wasim Sajjad.

## Topic 084: Pressure for the 18th Amendment

**Smaller provinces impatient**

Baluchistan: insurgencies
1947-48: Issues during accession
1948: accession and revolt by Kalat ruler's brother
- Against One-Unit and Ayub's Rule: 1963-69
- Dismissal of elected government: 1973-77
- Against Bugti's killing/murder: 2006-2013
- NWFP/KP: Dismissal of Dr. Khan sahib's ministry (1947)
- One Unit (1955-69)
- Resignation of Mufti Mehmood's government (1973)
- Martial laws
- The first Afghan war and its consequences (1978-late 1990s)
- The second Afghan war and its consequences(2001-?)
- Sindh: Karachi as federal capital and refugees
- CM Ayub Khuro dismissed in April 1948
- One Unit (1955-69)
- Agitation against illegal and unjust hanging of Bhutto
- Military's involvement in 1988 elections to deny BB majority
- Dismissal of BB governments
- Use of money and coercion to cobble together Sindh governments when PPP had majority
- Martial laws
- Agitation against the murder of BB


**Punjab supported**

- Punjabi elite always stood for centralization
- Most of the army and bureaucracy from Punjab
- Even before 1971 powerful. One Unit: Lahore
- After 1999: PML(N) the major party in Punjab supported smaller provinces
- Balochistan got vociferous support
- Charter of Democracy (2006) for maximum provincial autonomy
- The CoD also called for abolishment of concurrent list
- Military weak after the murder of BB

**Topic 085: Passage of the 18th Amendment**

The 18th Amendment passed in April 2010 was billed as the most comprehensive reform package after the passage of the 1973 Constitution. Ever since the return of the civilian rule in 2008, there was a popular demand of the whole spectrum of political leadership to repeal the 17th Amendment passed under Musharraf and reform the Constitution in the light of the Charter of Democracy. The Charter of Democracy The Charter of Democracy provided the work-plan for the Special Parliamentary Committee for Constitutional Reform (SPCCR). The two mainstream parties - PPP and PML-N - along with other parties signed the Charter in London in May 2006. The Charter demanded among other things: end to presidential powers of dissolution of the National Assembly and appointment of governors, armed services chiefs and the Chief Justice; abolishing the concurrent list: issuing a new NFC award; expansion of the Senate to give representation to minorities; integration of FATA with NWFP; empowerment of Gilgit-Baltistan; lifting the ban on assumption of the office of prime minister for the third time; establishing a Truth and Reconciliation Commission and a National Democracy Commission; accountability of the ISI, MI and other security agencies to the elected government; removing indemnities introduced by military governments; appointment of the higher judiciary through a commission chaired by a chief justice who had never taken oath under the Provisional Constitutional Order (PCO); and establishing a Federal Constitutional Court, with equal representation for all the federating units in order to resolve the constitutional issues. The Charter was hailed as a Declaration of Independence.

**Topic 086: Transfer of Powers under the 18th Amendment**

**What 18th amendment could not do?**

- The creation of Constitutional Court
- Non-appointment of PCO judges
- Merging FATA with NWFP
- Art. 62 and 63
- Truth and Reconciliation Commission
- Kargil Commission
- National Democracy Commission for Civic Education
- Commission to review the legitimacy of land allotments to the military

**7th National Finance Commission (NFC) Award (2009)**

- Increased the provincial share
- Introduced for the first time, a multi-sectoral formula for resource distribution
- Gave extra funds to KP and Balochistan
- Decreased the collection charges for taxes from average 5% to 1%
- Services taxed by federal government decreased

**After 18th Amendment**

- 34% of the Constitution changed
- Implementation Commission with a i-year deadline

- Civil-military bureaucracy not happy
- "Provincial autonomy given under the 18th Constitutional Amendment cannot be considered an ideal [situation] but it is the biggest step in history towards provincial autonomy in Pakistan," said Rabbani

Phase 1 (Completed in December 2010) Devolved: Ministries of
- Special Initiatives
- Zakat and Ushr
- Youth Affairs and Population Welfare
- Local Government and Rural Development

Phase 2 (completed in April 2011) Devolved: Ministries of
- Education
- Social Welfare and Special Education
- Livestock and Dairy Development
- Culture and Tourism

Phase 3 (completed in June/July 2011) Devolved Ministries:
- Food and Agriculture
- Health
- Labour & Manpower
- Woman Development, Sports, Environment
- Minorities Affairs

**References:**

Abbasi, Z. F. (2010). Federalism, Provincial Autonomy, and Conflict. *Islamabad: Centre for Peace and Development Initiatives*.

Waseem-LUMS, M. (2010). Federalism in Pakistan.

# SOCIAL POLICY GOVERNANCE AND 18<sup>TH</sup> AMENDMENT-II
## (Topic 087-096)

### Topic 087: Social Policy and the 18th Amendment-I

**Provinces rule**

Despite some attempts by Federal government, such as Ministry of National Food Security and Research, Ministry of National Health Services Regulation and Coordination, Ministry of Housing & Works Ministry of Federal Education and Professional Training, Vertical programs with donors. The following rules were of provincial concerns.

- Constitutional powers
- Finances
- Not ready to accept centre's domination
- Improved infrastructure
- Increased manpower
- Thousands of  teachers, doctors and nurses hired in all provinces
- New initiatives, no approval required e.g. energy projects
- Provincial revenue authorities
- New organizations such as PHEC
- Federal development program (PSDP) growth slowed
- While that of Provincial development programs (ADPs) increased
- More money for social services in provinces
- But many effective social programs at the Federal level scrapped
- Federal revenues/expenditure rigid : Defense and Debt servicing

### Topic 088: Social Policy and the 18th Amendment-II

**Problems in implementation**
- Issues in education
- Issues in health
- Issues in Food & Agriculture
- Labor issues
- Financial issues

**Health**
- Can provinces perform regulatory functions of licensing and registration of drugs? What happens if two provinces differ?
- What about drug pricing?
- Vertical programs

**Education**

- One Curriculum
- HEC budget/PHEC
- Standards of colleges & universities and degree acceptance

**Food**
- How inter-provincial supplies of wheat to deficit provinces be managed? What about imports or procurement price?
- Who will fund agriculture research? Punjab or Balochistan?

**Labor**
- Social security services for labor at federal level: Employees Old-Age Benefits Institution and the Workers' Welfare Fund
- ILO standards and agreements

**Financial issues**
- Rich and poor provinces
- Absorption capacity
- Borrowing from provincial banks
- Taxes on ports

**Natural Resources**
- First right of the province with resource? Should remote areas of Sindh, Balochistan be given Nat Gas first?
- Will concessions be given by a body of both federal and provincial governments?

**Supreme Court**
- As discussed courts also make policies
- Recent experiences showed Supreme Court can interfere in provincial matters
- How will the provinces deal with a populist court?

## Topic 089: Issues with 18th Amendment Implementation

**Problems in implementation**

- Sectoral composition of developmental outlays
- Effect on mobilization of fiscal resources
- Federal government's contention

**Fiscal problems**

- 35-40% budget on debt servicing
- 20% +(military, pensions, rangers, FC, Zarb e Azb etc)
- 20%+ on civil administration (pays and regular current expenditure)
- What about PSDP?
- Does federal government have a role in social welfare?
- Debt servicing, defense, civil administration not going to decrease in future
- Military is also not happy
- Donors also finding it difficult
- Local governments
- 18th amendment was supposed to help
- It did result in the establishment of local govts in 4 provinces

However, now local govt have been dismissed in Punjab without giving much reason. Politics have interfered and 18th amendment cannot help.18th Amendment cannot help LGs that are dismissed. Structure of LGs. Most of these problems can be resolved. It will take time and efforts

nut 18<sup>th</sup> Amendment must stay. Because the principle is to important and we have suffered before.

## Topic 090: Social Policy in Developing Countries-I

**Differences**

- Low baseline
    - Education indicators
    - Health indicators
    - Housing indicators
    - Poverty
    - Inequality and power
    - Corruption
    - Ineffective bureaucracy
    - Inefficient markets
    - Cultural and religious hindrances in social policy implementation
    - Political instability
    - Crime and violence
    - Civil wars and insurgencies
    - Population
    - Ethnic and religious differences
    - Low tax collection
    - Wars with other countries
    - Lack of democratic culture
    - Neighborhood effects
    - Majoritarian nationalism
    - Gender inequality
    - Water scarcity
    - Environmental degradation
    - Impacts of climate change
    - Unjust international economic system
    - High dependency on aid
    - Big powers' interference

## Topic 091: Social Policy in Developing Ccountries-II

**Role of state (3 dimensions)**
1. The state as an outcome of formal political settlements about government rights to tax and redistribute
2. The state as a regulator of the formal labor market in terms of workers' rights to various forms of social insurance.
3. The state as a guarantor and direct provider of essential benefits and services to deliver security at socially acceptable minimal standards
   All three roles contested

**Developmental vs. welfare regime**

- Trickledown economics
- Neo-liberal economics (minimum role of state, keeping deficits and inflation down, austerity)
- Welfare after richness
- Ayub Khan's developmental regime
- Bhutto's attempt at welfare regime
- Since then mixed policies but more neo-liberal developmental regime
- What did East Asia do?
- Political stability, strict control
- Few political and social rights
- Mostly developmental
- Political stability + small populations and/or homogeneity (in most cases)
- US support

**Three 'families' of regimes**
- welfare state regimes
- Informal security regimes and
- Insecurity regimes
- Tables from Social policy in development contexts by Geof Wood and Ian Gough

|  | **Welfare state regime** | **Informal security regime** | **Insecurity regime** |
|---|---|---|---|
| **Dominant mode of production** | Capitalism: technological progress plus exploitation | Peasant economies within peripheral capitalism: uneven development | Predatory capitalism |
| **Dominant social relationship** | Exploitation and market inequalities | Variegated: exploitation, exclusion and domination | Variegated forms of oppression, including destruction |
| **Dominant source of livelihood** | Access to formal labour market | A portfolio of livelihoods | A portfolio of livelihoods with extensive conflict |
| **Dominant form of political mobilisation** | Class coalitions, issue-based political parties and political settlements | Diffuse and particularistic based on ascribed identities: patron–clientelism | Diffuse and fluid, including flight |

| State form | Relatively autonomous state | 'State' weakly differentiated from other power systems | Shadow, collapsed and criminal states with porous, contended borders |
|---|---|---|---|
| Institutional landscape | Welfare mix of market, state and family | Broader institutional responsibility matrix with powerful external influences and extensive negative permeability | Precarious: extreme negative permeability and fluidity |
| Welfare outcomes | Varying degrees of de-commodification plus health and human investment | Insecurity modified by informal rights and adverse incorporation | Insecurity: intermittently extreme |
| Path-dependent development | Liberal, conservative and social democratic regimes | Less autonomous path dependency with some regime breakdown | Political disequilibrium and chaos |
| Nature of social policy | Countervailing power based on institutional differentiation | Less distinct policy mode due to permeability, contamination and foreign actors | Absent |

## Topic 092: Ministry of Social Welfare over the Years

**History**

- Ministry of Health, Social Welfare & Community Development (1957-58)
- M/O Health and Social Welfare (1958-62)
- M/O Health, Labor and Social Welfare (1962-71)
- M/O Health, Social Welfare and Family Planning (1971-72)
- Ministry of Health and Social Welfare (1972-74)
- M/O Labour, Health, Social Welfare and Population Planning (1974-78)
- Ministry of Health, Social Welfare & Special Education in 1982-90
- Ministry of Social Welfare & Special Education 1990-1997
- Ministry of Women Development, Social Welfare & Special Education ( 1997-2008)
- Ministry of Social Welfare & Special Education (2008-10)
- 18th Amendment: Most functions shifted to provincial social welfare departments

**18th Amendment**
- Devolution
- 12 departments to other Federal institutions and the rest to the provinces
- Pakistan Bait-ul-Mal to Cabinet Division
- National Commission for Child Welfare and Development  to CADD and then Ministry of Human Rights
- DG, Special Education became part of CADD

- The National Institute of Special Education
- National Training Centre for Special Persons
- National Braille Press
- The Women Welfare and Development Center
- Social Welfare Training Institution
- Institutions of Special Education in Islamabad
- National Trust for the Disabled
- National Council for Rehabilitation of Disabled Persons
- National Council of Social Welfare
- National Library and Resource Center to National History & Literary Heritage Division under Ministry of Information, National History & Literary Heritage
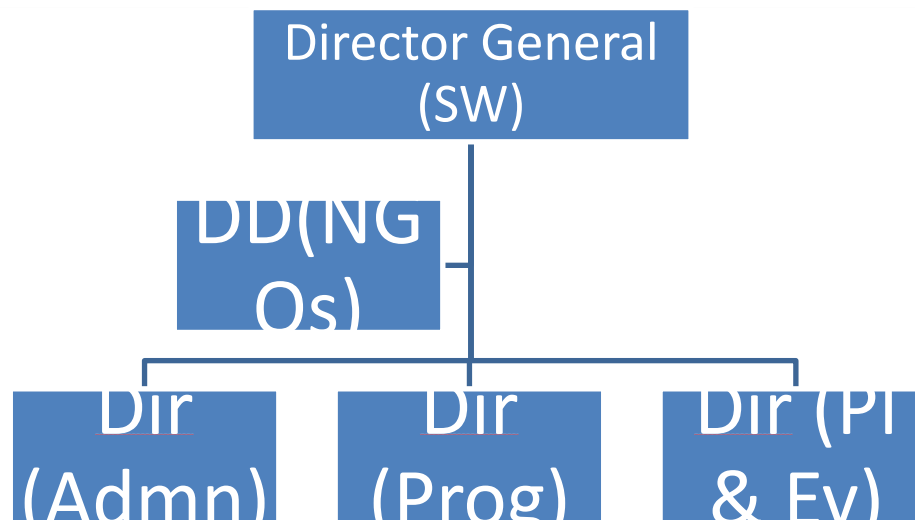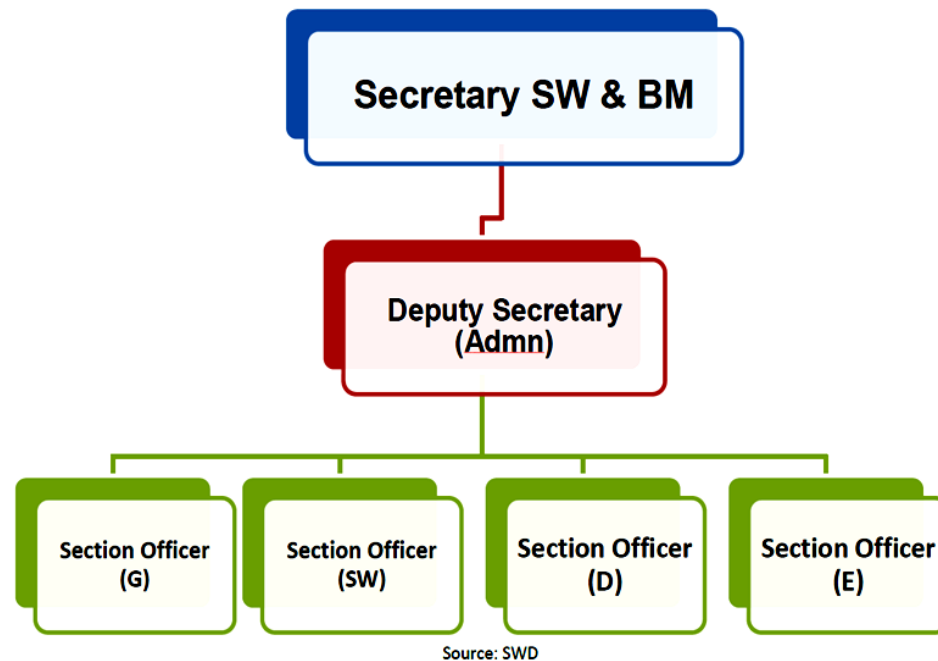
## Topic 093: Department of Social Welfare over the Years

**History**

- Under one-unit, West Pakistan Directorate General of Social Welfare and the West Pakistan Council of Social Welfare
- In 1969, both these were divided into four parts
- Became the Social Welfare Department in 1979
- The incorporation of the 'Women Development' portfolio in 1996
- Incorporation of the Bait-u--Mal portfolio in 1998
- In 2012, Women Development became a separate department
- In 2010, the 18th Amendment was passed which devolved many functions
- Punjab Social Protection Authority Act 2015

**Mandate**
- Mandate according to the Punjab Government Rules of Business 2011
- Registration, technical assistance and monitoring of social welfare agencies
- Social protection including institutional care, skill development and rehabilitation
- Registration, assessment, training, employment, and rehabilitation of disabled persons
- Eradication of social evils
- Coordination with NGOs in the field of narcotics control and rehabilitation of drug addicts
- Relief during calamities and emergencies
- Financial assistance to poor and needy through Punjab Bait-ul-Maal

Secretary SW & BM

Deputy Secretary (Admn)

| Section Officer (G) | Section Officer (SW) | Section Officer (D) | Section Officer (E) |

Source: SWD

Director General (SW)

DD(NGOs)

Dir (Admn)     Dir (Prog)     Dir (PI & Ev)

**Topic 094: <u>Case study: Understanding Policy Making and Implementation</u>**

**Hospital autonomy**

Policy making and implementation are two very vital processes of the governance system of any country and part of policy process (Sutton, 1999). Policy making involves developing policies to address problems being faced by a society. In a democratic polity this is considered to be the domain of the public representatives. Once policy is developed, it is handed over to the executive part of the government i.e. bureaucracy who then carries it out in such a way that the need of the society is met. Policy making is seen as a political process (Birkland, 2010) as different parties, interest groups, pressure groups, media etc. try to influence it such that it eventually suits their

interests. However, Policy implementation has been seen an administrative, rational and apolitical process where implementers are considered to be impartial, rule-bound, selfless, machine-like entities who would just stick to their task and perform the it efficiently. Wilson (1887) alluded to this phenomenon as dichotomy between politics and administration. Hospital autonomy reforms were initiated in Pakistan in 1990 (Abdullah & Shaw, 2007).First they were launched in two hospitals of ICT (Islamabad Capital Territory) and later introduced in thirteen Teaching hospitals of Punjab in 1998. Due to different reasons, the reforms were halted twice; however, since 2003 it is in process. This case study attempts to understand the process of development and implementation of the policy of these reforms. Different stakeholder including politicians, doctors, bureaucrats, and the employees of Services Hospital Lahore were interviewed. Apart from this various documents including the initial USAID report, World Bank project for Punjab, and other related official documents were used for acquiring contextual and secondary data. While going through the data collection process, researcher got exposed to myriad of nuances of governance system of Pakistan. At the final stages, the researcher was able to construct a story of how this policy was developed and how later it was implemented. So in this article, the case study of implementation of hospital autonomy reforms is used as a prism to visualize the type of governance system which prevails in Pakistan and in the process to find out as to what extent the proposition of dichotomy of politics and administration holds true in the case of governance system of Pakistan.

The case study was conducted in the traditions of qualitative research where in depth interviews were conducted with the key stakeholders including administrators of the hospitals, doctors, bureaucrats both federal and provincial. Keeping in view the political nature of the topic, interviews were not audio-recorded, rather they were transcribed. In order to ensure that the meanings of the interviewee were not lost, the transcription was done the same day with the help of the notes of the interviews. The names of the respondents are replaced by codes to ensure their anonymity. This research was an exploratory research where information had to be dug out, so snow ball sampling was used where every respondent provided lead to some other key figures who had been part of the autonomy project at some stage. To understand the implementation process at the local level, Services Hospital was chosen and information was retrieved from various present and past key stakeholders.

## Topic 095-096: Governance Issues in Pakistan-I, II

**Elite-controlled**
- 1947: two groups ascendant: Muhajirs and (civil) bureaucracy
- Supported by military and feudals
- 1960s: Military supported by feudals and bureaucrats + the US
- Bhutto: Middle class, marginalized ethnic groups & feudals
- 1980s: Military supported by religious elite, feudals and business + the US
- 1990s: Military indirectly ruling
- 2000s: Military supported by religious elite, feudals and business + the US
- Present: Tussle between politicians & the military
- Devolution: 18th Amendment

**Low level of Governance**
- Multi-ethnic federation: inter-ethnic conflict

- Poverty & economic distress
- Rapid urbanization: Rural and urban gap
- Religious landscape: variety, violence and sectarianism
- Three decades of Afghan wars (drugs, bombs and Kalashnikovs) Refugees
- Fragmentation of civil society into smaller and smaller groups
- Fiscal space shrinking: Debt servicing and defense (20% to now 50%)
- Allowance to militarized group to train and operate, with impunity, Population bomb

**Good Governance**

There are some solutions of good governance:

- No easy, short-term solutions
- Motivated bureaucracy
- Less rules and regulations, better enforcement
- Better equipped and paid police force
- No to militias
- Proper and impartial accountability for all: bureaucrats, politicians, judges and generals
- Local governance
- Impartial and less corrupt judiciary
- Growth, employment and extreme poverty
- National reconciliation
- Long-term planning
- Charter of democracy and economic development

**Reference:**

Saeed, A. (2013). Understanding Policy Making and Implementation in Pakistan: A Case of Hospital Autonomy Reforms. *Pub Pol Admin Res*, *3*, 23-32.

# WHO PAYS FOR SOCIAL POLICY? BUDGETARY IMPLICATIONS OF SOCIAL POLICIES-I
## (Topic 097-101)

## Topic 097: Public and Private Welfare Spending

Our focus in this chapter is going to be on public, rather than private, spending, but we should recognize that not all welfare spending and provision in the UK is public. It is both public and private. The term 'private' can mean a number of things. It can refer to welfare provided by commercial, 'for-profit', market-based organizations; it can refer to the fees and charges levied by public sector welfare providers for their services; it can refer to welfare provided by voluntary, 'not-for-profit' organizations or agencies; or it can refer to informal welfare provided by family, friends and neighbours. There is no area of public spending on welfare which is not also an area of private spending in some sense. In some cases private spending on a particular good or service is dominant, as in the case of housing. In others, such as health and education, public spending is dominant and the private sector residual. Some areas of income maintenance, such as the provision of income in unemployment, are dominated by public spending. Others, such as pensions, are, in the UK, heavily private. Social care is an area in which the private, informal, sector is dominant.

## Topic 098: Private Spending on Welfare: Commercial Welfare Provision

There is a great amount and variety of private, commercial, market-based welfare provision and financing in the UK, as in other countries. Education, health care, pensions, life assurance and long-term care are all examples. Individuals who choose to 'go private' rarely rely exclusively on the private sector. Private ('independent') schooling, for example, may be chosen by parents for secondary or sixth form education of their children but not for primary or tertiary level (there is as yet only one private university in the UK). For most users of private medical services, private provision supplements but does not displace public, NHS, provision. In some cases the State may subsidize, or partially subsidize, private provision. Independent schools, if able to claim charitable status, can take advantage of tax reliefs. Contributions to private pension schemes are eligible for income tax relief, as well as, in the case of company pension schemes, National Insurance rebates.

## Topic 099: Private Spending on Welfare: Fees and Charges

Something which has been increasing in recent years is the raising of revenue for welfare spending through the imposition of fees or charges on users of public services. The introduction of university tuition fees, charges for eye tests, dentistry and means tested support for long-term care are all examples of this. Charges – 'direct' or 'out-of-pocket' payments – are essentially private spending on welfare, even though the service is provided by a public agency most of whose funding is from public sources, such as taxes, National Insurance or the Council Tax. Fees or charges rarely or never cover the full cost of a service and are only a supplement to public spending. Charges for state-provided welfare are in fact nothing new. The charge for NHS prescriptions, for example, dates back to 1951, although removed for a short period by a Labour government in the 1960s. Charging for social services was widespread before the welfare state

and continued to flourish subsequently, even under post-war Labour governments, despite the alleged incompatibility between universalist welfare state values and cash payment (Judge, 1980; Judge and Matthews, 1980: 1). Even 'model' welfare state countries, such as Sweden, make extensive use of charges for services such as primary health and hospital care (Ham et al., 1990: 22; Rehnberg, 1997: 73).

## Topic 100: Private Spending on Welfare: Charity and the Voluntary Sector

Another area of private welfare spending is that of charitable giving and the voluntary, or 'not-for-profit', sector of service provision. The voluntary impulse has always been, and continues to be, important in welfare (Glennerster, 2003: 32–3). The total amount of charitable giving in the UK at around 1% of GDP – roughly £10 billion per year – is small by comparison with the amount raised by taxation and spent on social services, and also compared with that in other countries such as the USA, where it is around 2% of GDP, and of course not all of this is for what we would call 'welfare' – it includes donations to, for example, animal charities, the arts and religious organizations (Glennerster, 2003: 50–51). The voluntary sector is, nevertheless, valued as a dynamic and innovatory sector of the welfare industry.

## Topic 101: Private Spending on Welfare: Informal Welfare

What we are going to discuss in this chapter is spending that is recorded as part of the formal economy and which will appear in national accounts statistics. We are completely ignoring the vast amount of informal welfare provision by the family in relation to social and health care and education. It must never be forgotten how important this is. Most of the welfare, in the broadest sense, produced in society is that produced by and within the family, not only by the nuclear family but by the extended family too, to some extent. We can also add to this welfare provided by friends and neighbors.

**WHO PAYS FOR SOCIAL POLICY? BUDGETARY IMPLICATIONS OF SOCIAL POLICIES-II**
**(Topic 102-108)**

**Topic 102: Why Public Spending?**

Why do we typically have public spending on welfare? Why not leave it all to private markets and the private sector, commercial ('for-profit') or voluntary ('notfor- profit'), and the family? The argument that we explore in this section suggests that, in terms of the production and distribution of welfare, the market or commercial sector, the voluntary sector and the informal, family, sector 'fail'; that is, they do not ensure an amount and distribution of welfare that is 'ideal', or that we as citizens would like. This does not mean that they do not have a valuable role to play. It means that they must be supplemented, or even, in some areas of welfare, replaced, by the public sector – the state. We will begin by exploring some characteristics of the market.

In thinking about meeting our needs and wants for goods and services in a modern capitalist economy such as the UK, it is natural to begin by thinking of the market as an appropriate device for securing this. Many of our everyday wants are effectively met by private markets (as well as, of course, by the family). The market as a mechanism for supplying wants and allocating goods and services has been much studied by economists since the time of Adam Smith (1723–90) and his famous The Wealth of Nations (published 1776), who have identified many advantages and a number of disadvantages of the market mechanism. A basic feature of markets is the idea of self-interested exchange between individuals for mutual advantage. It is a system that is based on the profit motive, competition and choice, and, according to its defenders, possesses the characteristics of dynamic efficiency, productive efficiency and consumer sovereignty (Glennerster 2003: 17). In their search for profit, individuals will establish businesses to meet consumers' wants; firms and businesses will innovate, creating new products and services; markets are thus said to be dynamically efficient. They will also attempt to organize production at the lowest possible cost – they are said to be productively efficient. At the same time they will be responsive to consumers' wants; in this sense there is said to be consumer sovereignty. Most productive activity in contemporary societies is apparently successfully carried on by markets, especially by comparison with the now virtually extinct 'planned' economies of the former communist states, such as the Soviet Union.

Given these supposed advantages, why can't social welfare be left entirely to the market? (As we have already seen, some welfare goods and services are supplied by the market.) Of course, there are a number of writers, of a liberal, free-market persuasion, who have favoured leaving most welfare to be provided by markets, the voluntary sector and the family (see Chapter 10). Milton Friedman's Capitalism and Freedom (Friedman, 1962) is a famous twentieth-century statement of the case for market provision of a range of social services, but on the whole, arguments of this type have never found general favor, at least in European countries. There are two points to note about the description of the market given above. First, it is an idealized picture of the market and how it works. Few markets work perfectly in practice, and generations of economists have documented these failings in detail. Secondly, the market as depicted in this idealized way can be contrasted with the family, which is another major supplier of our wants and needs. The market

embodies self-interested behavior, whereas the family is supposed to embody altruism; it is about loving, caring, and taking care of others and their needs, rather than profiting from them. This too, of course, is an idealized picture. This is not, however, the place for a detailed examination of the family as a welfare Agency.

## Topic 103: Market Failure

There are a number of explanations for public spending, in terms of economic *efficiency* as well as in terms of fairness or justice. The arguments against relying on private financing of welfare are therefore a mixture of economic arguments and ethical arguments. A basic argument for some kind of public involvement in welfare provision is that, in relation to many aspects of welfare, there is, as we noted above, '*market failure*'. In other words, private markets for these goods sometimes or often do not work efficiently or fairly. (And private *insurance* markets for welfare, such as health insurance, also do not work efficiently or fairly.) Examples of market failure are the existence of what are called *public goods* and *externalities*. Another is that of *information failure*.

## Topic 104: Public Goods

Some welfare services possess some of the characteristics of *public goods*. A public good is a good which people cannot be excluded from consuming. They are not simply individual benefits which an individual can pay for and exclude others from consuming. Clean air is an example of a public good; defence is another. The existence of public goods provides arguments for public spending on some services, such as public or preventive health services. We all benefit from other people being healthy, in the sense of being free from infectious diseases. Disease control by public agencies via vaccination, screening and quarantine can therefore be justified. Not all aspects of health care have this public good character; much individual care and treatment provided by the NHS is presumably of benefit only to the individual and the individual's nearest and dearest (but see the remarks below on externalities and health care). Another example of an at least partial public good would be that of education. Education is not just a benefit to the individual who 'consumes' it, thereby acquiring skills and competences and enhancing their own earning power. We all benefit from other individuals being educated. There are collective or public benefits from living in an educated society, in which most people are literate.

# The Theory of Public Goods

- You produce something, and it is neither rival nor excludible
  - I.e., lighthouses…
- How should you figure out how many in the way of lighthouses you should build and maintain?

## Topic 105: Externalities

There is also a related problem of what are called *externalities*. These are the 'spillover' effects of particular activities. Industrial pollution is a classic example of a 'negative externality'. (A public good might be viewed as a 'positive externality'.) A smoking factory chimney imposes a variety of costs, for example health costs and additional cleaning costs, on the surrounding area and its inhabitants, but from a pure free-market perspective, there is no way of dealing with these. The polluting factory owner imposes costs on others, but does not have to compensate affected people for these costs, nor is there any incentive for the owner to clean up the factory emissions. There is therefore a case for government to intervene to correct the externality, for example by regulation prohibiting smoke emissions. An example of this is the UK Clean Air Act of 1956 which limited smoke pollution in urban areas and is credited with significant improvements in the respiratory health of urban dwellers.

More recently, in the face of global, and not merely national, challenges such as climate change, the policy response to this kind of externality problem has shifted away from regulation and towards either taxation of the dangerous activity, as in 'carbon taxes', or 'carbon trading', which are schemes which effectively allow polluters to purchase the right to do so by buying 'carbon credits' from low- or non-carbon-emitting firms or businesses.

Traffic congestion in urban areas is an externality brought about by unrestricted, unpriced use of private transport. It has been dealt with by taxing or charging for the use of the externality-causing agent, as in the case of London's Congestion Charge, and by publicly subsidizing the provision of public transport. A further application of this approach to social issues is the idea of income redistribution as a way of overcoming the 'psychological' externality – distress to the non-poor who observe it – created by poverty and deprivation. One reaction to this particular externality, an individual one, is charitable giving, important in the nineteenth century. The volume of charitable giving exceeded Poor Law budgets in this period, but much of it was haphazard and unregulated. Voluntary effort is thus inefficient and fails to overcome the externality. There is therefore a case for the state to take over and organize, via public systems of

redistribution, involving taxation and cash benefits, the efficient correction of the externality (Glennerster, 2003: 20–21). It is also possible to view public health and education provision in the same way. We dislike, for example, the spectacle of untreated suffering produced by bad health and want to do something about it.

## Topic 106: Information Failure

Markets depend on information to work properly. As consumers, we need information about products – that they exist in the first place, for example, as well as something about their quality. No information, no market. Consider the vital role of advertising in a market economy. Advertising is information, but so is *Which?* magazine. This serves to remind us that information varies in terms of quality and accuracy. For many market-supplied products our knowledge is adequate, and there is a rough equality between supplier and consumer, a necessary condition for a market to work properly. For others, there may not be. Medical care is a well known product about which consumers (i.e. patients) may be badly informed, relative to the supplier. This is an example of a service or product where the supplier – the doctor – knows more than the consumer about the latter's needs. There is information 'asymmetry'; consumers are vulnerable. It is hard to judge the quality of the 'product', and there is great uncertainty regarding outcomes of treatment (Glennerster, 2003: 22–25).

## Topic 107: State and Welfare and State Failure

If the market 'fails', voluntary action 'fails' and the family 'fails' to provide for welfare needs to the extent that we would like, then we are, by elimination, apparently left with the state as an agency for overcoming these inadequacies. In other words, there is an argument for public spending and/or public provision of welfare services. It is possible to tell a story of the emergence of state welfare in the twentieth century in terms of the dawning recognition of the failure of non-state forms of welfare.

**State 'failure'?**

But the state itself can 'fail' too. 'State failure' has become an important issue in contemporary public policy making since the 1970s. A variety of failings of government have been identified. For example, public officials may be self-interested, rather than driven by concern for citizens' welfare. Professionals such as doctors and social workers may be similarly 'selfish' in their motivations. Voters, too, may be selfishly motivated rather than, as in the argument about externalities cited above, being sympathetically concerned about the welfare of the less well-off. Voting systems and political parties are imperfect means for representing citizen preferences (Glennerster, 2003: 25–30).

The alleged existence of state failure has been used by neo-liberal critics of state welfare as a rationale for privatisation and for the introduction of *quasi-markets* or 'internal' markets into hitherto publicly provided services, by, for example, the Thatcher and Major governments from 1979 to 1997, a policy continued to some extent by the Blair and Brown governments since 1997 (Le Grand and Bartlett, 1993; Glennerster, 2003: 25–32). This has been a highly controversial policy. It has also, on the other hand, led to attempts to manage the public services more

rigorously, through targets, performance indicators, Public Service Agreements and payment and reward systems.

**Topic 108: Types of Public Welfare Spending: 'Cash' and 'Kind'**

It is important to distinguish between benefits in *kind* – services such as health care, education, social care and housing – and benefits in *cash*. The latter are called '*transfer payments*' and include such things as Child Benefit, Income Support, Jobseekers' Allowance, state retirement pensions and the Pension Credit. These social security payments or cash benefits are *income transfers*, involving the transfer of purchasing power to individuals to meet their own needs. They have a variety of purposes including the relief of poverty, assisting individuals and families with the costs of child-rearing and shifting income around over the life-cycles of individuals and families.

A vital distinction that we must introduce here is that between *financing* (or *funding*) of services on the one hand and *provision* or delivery of services on the other. These two things are separable. Governments may do both, or one or the other. (This is the theory – in practice no government anywhere provides a service without also funding that service.) The government may spend money on providing services directly, by employing front-line professionals – doctors, social workers, teachers – working in state-run agencies such as the NHS, local social services or schools. Public health care in Britain, for instance, is an example of a service funded publicly through taxes and National Insurance contributions which is also publicly provided via a public corporation called the National Health Service. Funding and provision are combined. Hospitals and health care producing assets are publicly owned, and health care personnel are public employees. State schooling in Britain is another example of combined funding and provision. Schools are owned by public authorities – local government in this case – and teachers are public employees.

Welfare services need not be directly provided by governments in publicly owned facilities using publicly employed workers. Governments may choose to provide the funding for services without engaging in direct provision. In fact, virtually all welfare states fund social services and programmes in some way or other, but service provision is often left to private providers. Most welfare systems are a mixture of public and private – the terms for this state of affairs are '*mixed economy of welfare*' or '*welfare pluralism*' – and this has long characterized systems such as those of the UK. Services may be provided by non-state organizations, either commercial (for-profit) or voluntary (non-profit). In the Canadian health care system, for example, provincial governments pay for health care for their populations that is purchased from private providers – hospitals and physician practices. Financing of health care is mostly public, via federal and provincial taxes, but provision of hospital and physician services is mostly private. Coverage is universal and health care is available to all free of charge on the basis of need, as in the British NHS (Ham *et al*., 1990: Ch. 6). Similar mixtures are found in many other health care systems, including those of Continental Europe, in which varying amounts of public and private in both funding and provision are combined (Freeman, 2000: Ch. 4).

In fact the public funding–private provision model is not unknown in Britain. Public money may be spent on goods and services purchased from the private sector, commercial or voluntary – for example, medical equipment and drugs bought by the NHS. A variation of this is the purchase of

care services such as residential or nursing home care from private suppliers. Social care is often purchased from private-sector nursing and residential care homes by local authorities. These may be either commercial or voluntary organisations. Routine specialist surgical procedures, such as cataracts and hip replacements, have been purchased in bulk by the NHS from private suppliers – Independent Sector Treatment Centres (ISTCs) – since 2003 (see Chapter 12).

The question of public and private has been a hard-fought one in British social policy in recent years, since Conservative governments in the 1980s and 1990s sought to reform social services along more market-like lines, by means of competitive tendering, contracting-out and the attempt to devolve service provision via the creation of 'quasi' or 'internal' markets and semi-autonomous delivery agencies such as 'foundation' hospital trusts.

**WHO PAYS FOR SOCIAL POLICY? BUDGETARY IMPLICATIONS OF SOCIAL POLICIES-III**
**(Topic 109-116)**

**Topic 109: Growth of Social Welfare Spending**

In this section we look at some aspects of size and the growth of spending on welfare both over time and in comparison with other countries. An important fact about welfare spending is its growth over time. From less than 5% of GDP or national income at the end of the nineteenth century, social welfare spending now accounts for around 25% of GDP. (Public spending as a whole now accounts for around 43% of GDP.) It is evident from these figures that social welfare spending therefore accounts for the greater part of public spending. In fact, the relative importance of welfare spending as a proportion of public spending has grown over time with the decline in such traditional areas of spending as defence and the payment of interest on the National Debt. The picture throughout the twentieth century and into the twenty-first is one of seemingly relentless upward pressure to spend. If we look more closely at trends, however, we discern a pattern. Spending has not increased smoothly and continuously over the period but discontinuously, much faster in some periods than others.

These are associated particularly with wars – the Boer War of 1899–1902, the First World War of 1914–18, and the Second World War of 1939–45. The period of the late 1960s and early 1970s also saw a period of faster than average growth. Since the mid-1970s, the picture has been one of greater stability and slower growth.

**Topic 110: Planning and Controlling Welfare Spending: The Role of the Finance Ministry and Departments**

Government spending
- Three governments
- o National
- o Provincial
- o Local (140-A)

Previously, federal government more in control
- 1955 – One Unit
- 1962 – Centralized power
- 1973-2008: Same party govts everywhere
- 1962 Constitution as we have discussed
- President all powerful: Federal legislature subservient
- Governor appointed by President: Provincial Legislatures subservient
- ZA Bhutto: KP & Balochistan
- BB: Punjab
- MNS: Punjab & Sindh
- AAZ: Punjab
- Change
- 18th amendment

- Opposition provincial governments
- 7<sup>th</sup> National Finance Commission award
- Increase share of provinces in divisible pool
- Less collection charges
- Additional payments

In the Federal government, all other ministries are directed to spend, only one ministry is responsible for restricting spending: MoF. Interior Ministry: how well you have dealt with terrorism, insurgencies, etc. Climate Change Ministry: how well you have reduced $CO_2$ and other emissions? Similar is the role of Provincial FDs, Health Department: How many more hospitals, doctors, nurses, BHUs? Education Department: How many more schools, colleges, teachers?

## Topic 111: Planning and Controlling Welfare Spending: The Role of the Planning Ministry and Departments

Revenue-raising powers in the British system lie with central government, which has sole power to initiate taxing and spending proposals. Unlike the US Congress, the UK Parliament has little independent power to initiate or change taxes and spending, its role being largely confined to examining, approving and voting on Finance Bills and expenditure estimates introduced by the government. It does have, however, an important monitoring role.

Local government, too, is weak in the UK. Unlike state- and provincial-level local governments in federal political systems such as those of the USA, Canada, Australia and Germany, it is subject to central control and has little financial independence. (A partial exception to this is the devolved governments for Scotland, Wales and Northern Ireland set up in the UK since 1998 – see below.)

The key agency in the planning and control of social spending is the *Treasury*, the most important department of British government, headed by the Chancellor of the Exchequer. The planning of individual departmental spending involves bilateral negotiations between the Treasury and departmental officials and politicians. The present system has evolved from the process established in the 1960s known as PESC, which was designed to place spending decisions on a more rational footing (Heclo and Wildavsky, 1981; Pliatzky, 1984; Glennerster, 2003: 183–185). Since 1998 the process has taken the form of two-yearly spending reviews, in which departments are given budgets for a three-year period beginning the year after the review (Glennerster, 2003: 186). The first of these reviews in 1998 was labelled a 'comprehensive' spending review, as is the latest one published, a year late, in October 2007.

Spending reviews have subsequently taken place in 2000, 2002 and 2004. In planning spending, the Treasury adheres to two rules – the so-called 'sustainable investment rule', which is the rule that public sector debt is limited to a maximum of 40% of GDP, and the 'golden rule', which is the rule that government borrowing takes place only to invest, that is, to spend on infrastructure (roads, hospitals, etc.) rather than current spending, as on wages or benefits (Glennerster, 2003: 187–188). The purpose of these rules is to assist in creating a stable climate for economic activity and to promote confidence among business decision-makers and financial markets in the government's commitment to low inflation and economic growth. It should be noted that the

Treasury has lost *direct* control over one key tool of economic management, with the Chancellor's decision to devolve power to set interest rates to the Bank of England and its Monetary Policy Committee in 1997 (Keegan, 2004). There is some flexibility in the interpretation of the two rules, however, and the Chancellor has some room for manoeuvre in determining when the rules have been conformed to. Another important element in the system is Parliament, and particularly the House of Commons. Scrutiny of departmental spending and decision-making is one of its most important functions. Such scrutiny takes place via parliamentary agencies such as the National Audit Office, working especially in conjunction with the Public Accounts Committee of the House of Commons, and via a system of House of Commons Select Committees which shadow particular Departments of State. There is, for example, a Health Select Committee, which shadows the Department of Health in England, conducts inquiries and investigations of departmental policy, and publishes reports.

The basis of public expenditure planning at present is in terms of cash. The present system of cash planning has its origins in the spending control crises of the mid-1970s. Prior to that, spending was planned in 'volume' terms, that is, in specific amounts or levels of service 'inputs' – for example, numbers of teachers, doctors, nurses, social workers, and health and education infrastructure – regardless of the cash cost of these inputs. No regard was had to the effects of inflation on the costs of resources. With the high rates of inflation of the mid-1970s, this system became unworkable. A system of cash limits was established by the then Labour government and the cash planning system has been refined by successive governments. In the 1990s the Treasury came to assume a more active role in relation to spending departments and programmes (Glennerster, 2003: 189) as a result of the Southgate Report on Treasury functions. This argued that the Treasury should have an active role in improving the supply side of the economy. Unemployment, for example, had come to be defined as a micro-economic rather than a macro-economic policy issue. The new view held that the Treasury had a role in encouraging improvements, perhaps through increased spending, or changed spending priorities, for example, relating to taxes and benefits. The Treasury's role in relation to claims.

## Topic 112-113: Pakistan's Budget-I, II

**Budget**
- Constitutional requirement
- One year (3 years)
- MTBF and MTEF
- Ministry of Finance and Departments of Finance

Article 80(1) and Article 120(1)
- Annual Budget Statement - The Federal Govt shall, in respect of every financial year, cause to be laid before the National Assembly a statement of the estimated receipts and expenditure of the Federal Govt for that year, in this Part referred to as the Annual Budget Statement.

**Types of Budgeting**
- Incremental and input-based budgeting
- Zero-based budgeting
- Output-based budgeting
- Performance-based budgeting
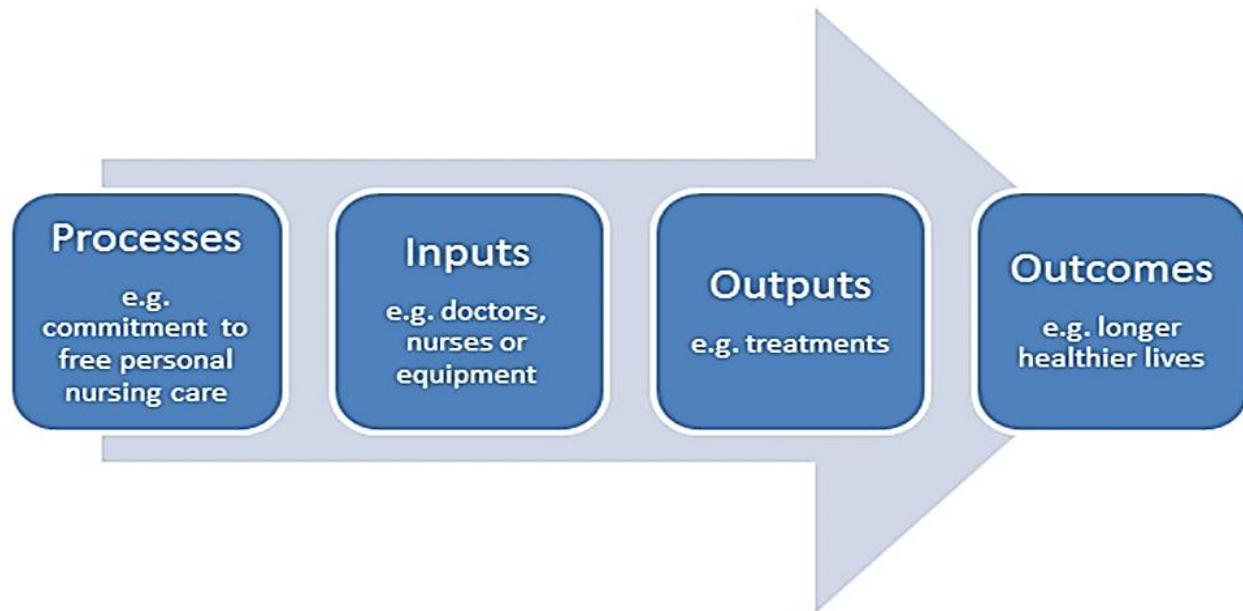
**Budget**
- Current budget
- Development budget
- Supplementary Budget
- Revised Estimates
- Budget Estimates
- Actuals
- Federal Consolidated Fund (All tax and non-tax revenues)
- Public Account (National saving schemes, postal life insurance, court fees, provident funds, etc.)
- Voted and charged expenditure
- Revenues and Expenditures

**Two types of Revenues**
- Tax Revenue
  - Major source
  - Primarily FBR
- Non-tax revenue
  - Primarily interest, profits and dividends

**Tax Revenue**
- Direct Taxes
  - Income tax
  - Worker welfare fund
  - Capital value tax
- Indirect Taxes
  - Sales tax
  - Federal Excise Duty
  - Custom duty

**Direct and Indirect taxes**

- More direct taxes are better
- In Pakistan, indirect taxes are increasing

**Other taxes (not collected by the FBR)**
- Ministry of Petroleum and Natural Resources collects
    - Gas Infrastructure Development Cess (businesses)
    - Natural Gas Development Surcharge (differential between prescribed price and fixed sales price)
    - Petroleum Levy (OMC, dealers, and equalization)
    - Islamabad Capital Territory (ICT) Administration taxes
    - Airport Tax administered by Civil Aviation Authority
    - Mobile Handset Levy, Health Levy, etc.

**Non-tax Revenue**
- Major receipts
- Interest receipts
- Dividends received from public sector entities (SBP, etc.)
- Profits earned by various regulatory authorities (PTA, etc.)

**External Revenue**
- Project loans
- Program loans (improve policies and implement general system reforms)
- Other loans (Budgetary support)
- Grants

**Public Account Receipts**
- National Saving schemes
- Postal insurance fund
- Provident fund
- Security deposits of contractors

**Expenditure**
- Two types
    - Current budget (recurring)
    - Development budget (one-off)
- Lots of grey areas

**Major Expenditure Areas**
- Debt Servicing
- Defense
- Civil administration
- Grants, transfers, subsidies
    - Railways, Bait-ul-Mal, WAPDA, CCP, provinces

**SUMMARY**

(Rs in Million)

| | Classification | Budget 2018-19 | Revised 2018-19 | Budget 2019-20 |
|---|---|---|---|---|
| (i) | **Mark-up Payment** | **1,620,230** | **1,987,319** | **2,891,449** |
| | - Mark-up on Domestic Debt | 1,391,000 | 1,681,564 | 2,531,685 |
| | - Mark-up on Foreign Debt | 229,230 | 305,756 | 359,764 |
| (ii) | **Pension** | **342,000** | **342,000** | **421,000** |
| | - Military | 259,779 | 259,779 | 327,088 |
| | - Civil | 82,221 | 82,221 | 93,912 |
| (iii) | **Defence Affairs and Services** | **1,100,334** | **1,137,710** | **1,152,535** |
| | - Defence Services | 1,097,949 | 1,134,501 | 1,149,665 |
| | - Defence Administration | 2,385 | 3,210 | 2,870 |
| (iv) | **Grants and Transfers** | **477,924** | **478,337** | **831,194** |
| | - Grants to Provinces | 28,000 | 28,098 | 96,482 |
| | - Grants to Others | 449,924 | 450,239 | 734,712 |
| (v) | **Subsidies** | **174,746** | **254,995** | **271,500** |
| (vi) | **Pay and Pension** | - | - | **79,000** |
| Vii) | **Provision for Contingencies** | - | - | **115,000** |
| (viii) | **Running of Civil Government** | **463,371** | **460,252** | **431,246** |
| | - Salary | 242,742 | 242,737 | 241,447 |
| | a) Pay | 128,011 | 127,261 | 121,039 |
| | b) Allowance | 114,731 | 115,476 | 120,408 |
| | - Non-Salary | 218,129 | 217,515 | 187,299 |
| | - Others | 2,500 | - | 2,500 |
| | **CURRENT EXPENDITURE (i to viii)** | **4,178,605** | **4,660,613** | **6,192,924** |
| (xiv) | **Foreign Loans Repayment** | **601,754** | **928,818** | **1,095,254** |
| | **TOTAL CURRENT EXPENDITURE** (includes foreign loans repayment) | **4,780,359** | **5,589,431** | **7,288,179** |

Budget-in-Brief (Ministry of Finance)

## Development Expenditure
- PSDP
- Provincial annual development programs (ADPs)

**SIZE OF PSDP**

(Rs in Million)

| | Classification | Budget 2018-19 | Revised 2018-19 | Budget 2019-20 |
|---|---|---|---|---|
| **A. Federal Ministries/Divisions** | | **420,375** | **243,141** | **348,240** |
| 1 | Aviation Division | 4,677 | 1,592 | 1,267 |
| 2 | Board of Investment | 125 | 77 | 100 |
| 3 | Cabinet Division | 1,116 | 100 | 15,986 |
| 4 | Capital Administration & Development Division | 13,906 | - | - |
| 5 | Climate Change Division | 803 | 71 | 7,579 |
| 6 | Commerce Division | 1,500 | - | 100 |
| 7 | Communications Division (other than NHA) | 14,481 | 151 | 248 |
| 8 | Defence Division | 641 | 171 | 456 |
| 9 | Defence Production Division | 2,810 | 1,630 | 1,700 |
| 10 | Economic Affairs Division | 70 | - | - |
| 11 | Establishment Division | 175 | 1 | 333 |
| 12 | Federal Education & Professional Division | 4,337 | 3,439 | 4,797 |
| 13 | Finance Division | 16,951 | 13,509 | 36,822 |
| 14 | Foreign Affairs Division | 200 | - | 30 |
| 15 | Higher Education Commission | 35,830 | 21,465 | 29,047 |
| 16 | Housing & Works Division | 5,433 | 4,069 | 2,930 |
| 17 | Human Rights Division | 300 | 1 | 143 |
| 18 | Industries and Production Division | 1,775 | 685 | 2,343 |

|  |  | (Rs in Million) | | |
|---|---|---|---|---|
| Classification | | Budget 2018-19 | Revised 2018-19 | Budget 2019-20 |
| 41 | Statistics Division | 200 | - | - |
| 42 | SUPARCO | 4,700 | 6,477 | 6,033 |
| 43 | Textile Division | 280 | 62 | 203 |
| 44 | Water Resources Division | 79,000 | 37,895 | 85,021 |
| B. | Corporations | 246,125 | 211,433 | 197,759 |
| 1 | National Highway Authority (NHA) | 210,000 | 190,150 | 155,967 |
| 2 | NTDC/PEPCO/WAPDA | 36,125 | 21,283 | 41,792 |
| C. | ERRA | 8,500 | 6,500 | 5,000 |
| D. | Relief and Rehabilitation of IDPs | 45,000 | 4,720 | 17,000 |
| E. | Security Enhancement | 45,000 | - | 53,000 |
| F. | Prime Minister's Youth Skill Dev. Initiative | 10,000 | - | 5,000 |
| G. | Clean Green Pakistan Movement/ Tourism | - | - | 2,000 |
| H. | Gas Infrastructure Development Cess | 5,000 | 208 | 1,000 |
| I. | Merged Areas of FATA 10 Years Development Plan | 10,000 | 10,000 | 48,000 |
| J. | Special Provision for CEPEC Projects | 5,000 | - | - |
| K. | Pak SDGs & Community Development Programme | 5,000 | 24,000 | 24,000 |
|  | Total Federal PSDP (A to K): | 800,000 | 500,000 | 701,000 |
| L | Provinces | 850,000 | 700,000 | 912,000 |
|  | TOTAL NATIONAL PSDP (A to L): | 1,650,000 | 1,200,000 | 1,613,000 |

## Topic 114-115: Pakistan's Fiscal Deficit and Social Policy Budget-I, II
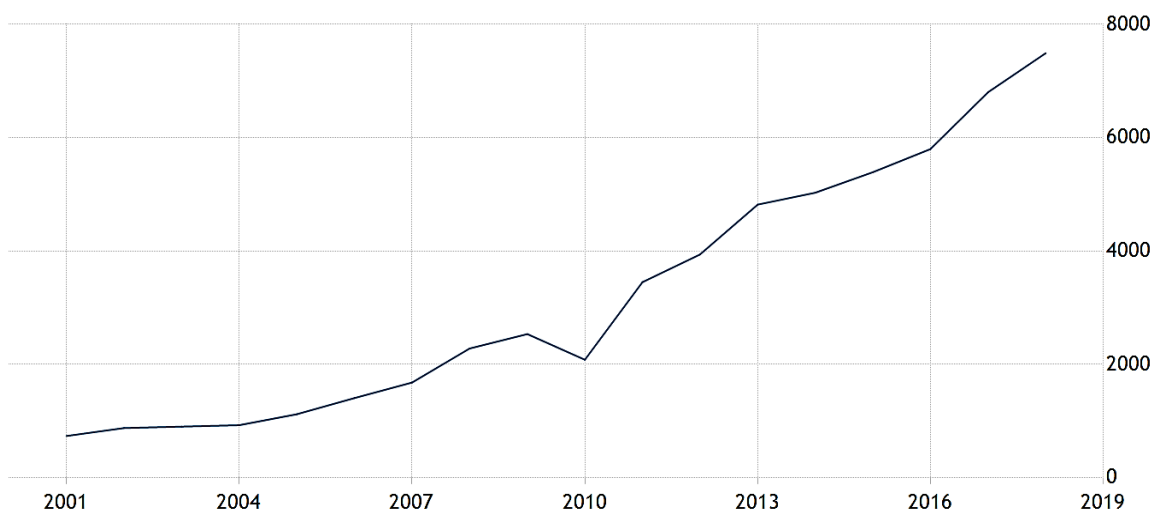
**Fiscal constraints**
- Pakistan plagued by fiscal and current account deficits for most of its history
- Not this govt, not the previous two, not Musharraf

| Table 4.4: Structure of Federal Tax Revenue | | | | | | | (Rs. Billion) |
|---|---|---|---|---|---|---|---|
| Year | Total (FBR) | Tax Rev as % of GDP | Direct Taxes | Indirect Taxes | | | |
| | | | | Customs | Sales | Excise | Total |
| FY2009 | 1,161.1 | 8.8 | 443.5 | 148.4 | 451.7 | 117.5 | 717.6 |
| | | | [38.2] | {20.7} | {62.9} | {16.4} | [61.8] |
| FY2010 | 1,327.4 | 8.9 | 526.0 | 160.3 | 516.3 | 124.8 | 801.4 |
| | | | [39.6] | {20.0} | {64.4} | {15.6} | [60.4] |
| FY2011 | 1,558.2 | 8.5 | 602.5 | 184.9 | 633.4 | 137.4 | 955.7 |
| | | | [38.7] | {19.3} | {66.3} | {14.4} | [61.3] |
| FY2012 | 1,882.7 | 9.4 | 738.4 | 216.9 | 804.9 | 122.5 | 1,144.3 |
| | | | [39.2] | {19.0} | {70.3} | {10.7} | [60.8] |
| FY2013 | 1,946.4 | 8.7 | 743.4 | 239.5 | 842.5 | 121.0 | 1,203.0 |
| | | | [38.2] | {19.9} | {70.0} | {10.1} | [61.8] |
| FY2014 | 2,254.5 | 9.0 | 877.3 | 242.8 | 996.4 | 138.1 | 1,377.3 |
| | | | [38.9] | {17.6} | {72.3} | {10.0} | [61.1] |
| FY2015 | 2,589.9 | 9.4 | 1,033.7 | 306.2 | 1,087.8 | 162.2 | 1,556.2 |
| | | | [39.9] | {19.7} | {69.9} | {10.4} | [60.2] |
| FY2016 | 3,112.7 | 10.7 | 1,217.3 | 404.6 | 1,302.7 | 188.1 | 1,895.4 |
| | | | [39.1] | {21.3} | {68.8} | {9.9} | [60.9] |
| FY2017 | 3,367.9 | 10.6 | 1,344.2 | 496.8 | 1,329.0 | 197.9 | 2,023.7 |
| | | | [39.9] | {24.5} | {65.7} | {9.8} | [60.1] |
| FY2018 | 3,843.8 | 11.1 | 1,536.6 | 608.4 | 1,485.3 | 213.5 | 2,307.172 |
| | | | [40.0] | {26.4} | {64.4} | {9.3} | [60.0] |
| FY2019 B.E | 4,435.0 | 11.6 | 1,735.0 | 735.0 | 1,700.0 | 265.0 | 2,700.0 |
| | | | [39.1] | {27.2} | {63.0} | {9.8} | [60.9] |

Economic Survey 2019

## Fiscal constraints

- Revenue increasing
- Since 2009, 400% increase
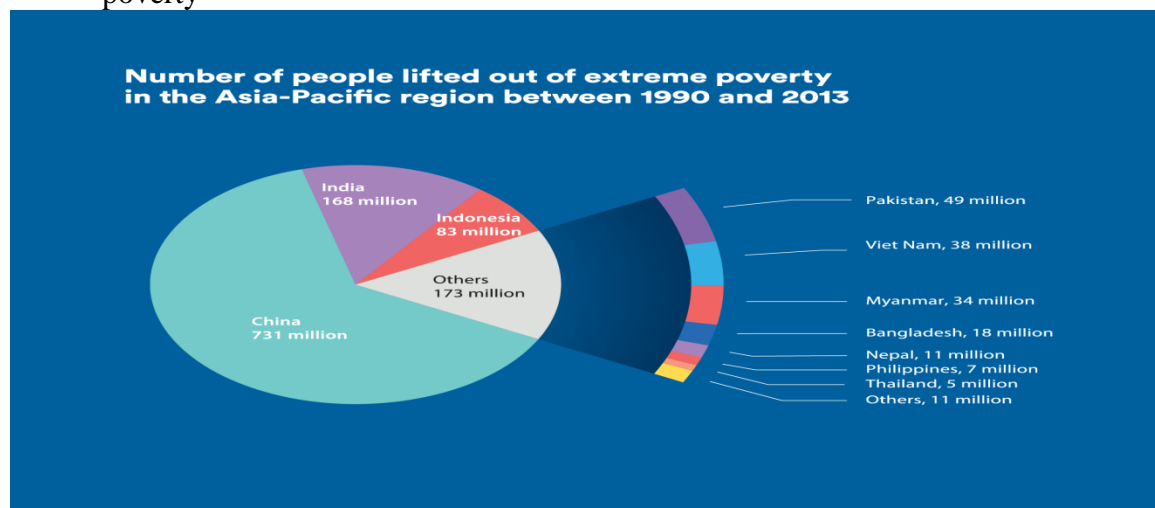- But expenditure also increasing



SOURCE: TRADINGECONOMICS.COM | CENTRAL BANK OF PAKISTAN
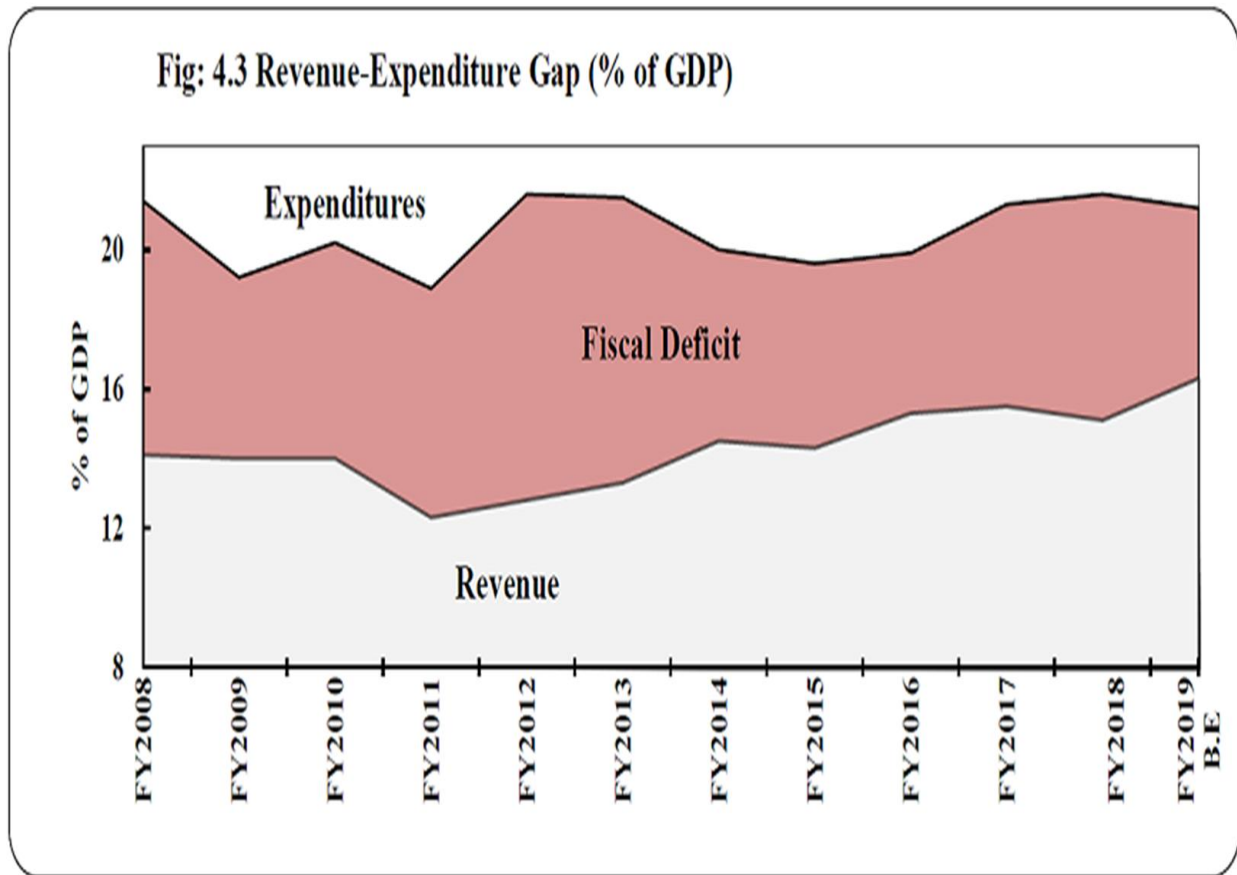
Economic Survey 2019

**Fiscal constraints**
- How can we spend on social services, when we are poor?
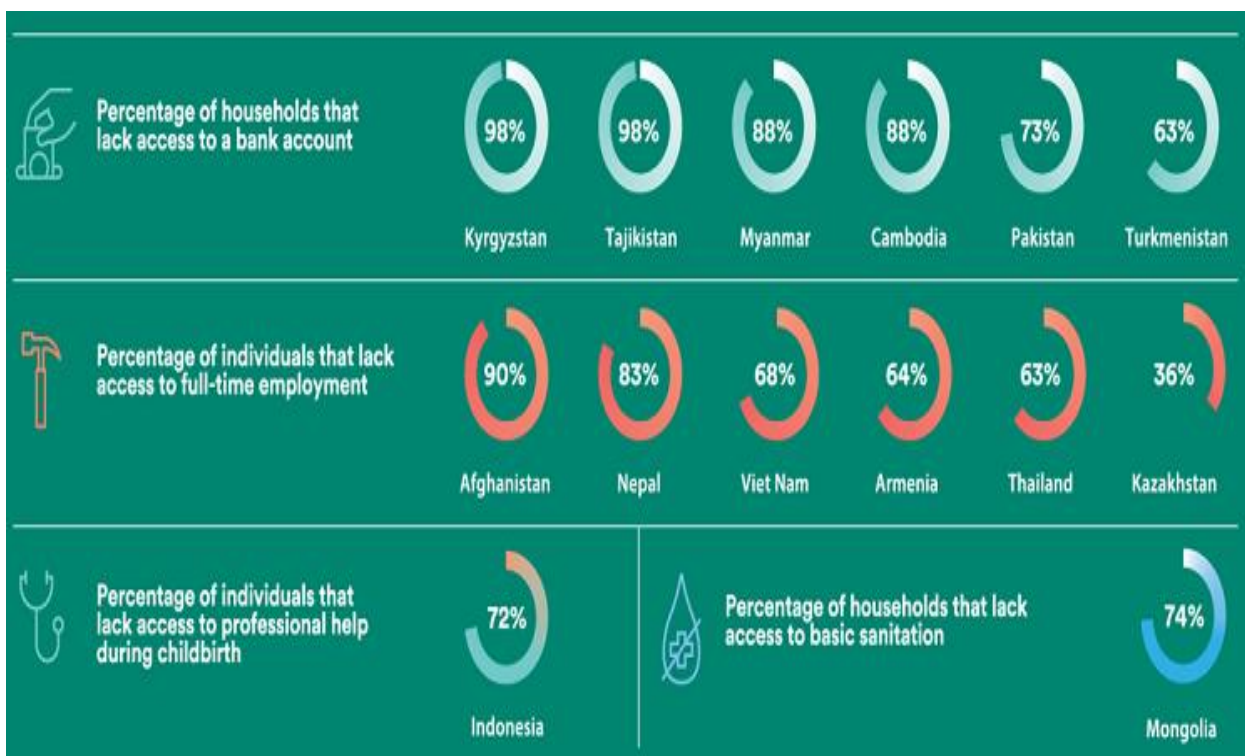- We hope that our economy will improve and then we will spend on poor and reduce poverty



UN ESCAP Report 2018

# Public spending on social protection as share of GDP

**SOUTH AND SOUTH-WEST ASIA**



UN ESCAP Report 2018



UN ESCAP Report 2018

**We can still spend (ESCAP Report)**
- Social investments can help development
- Poor countries should not wait to become rich before stepping up this investment
- Not money, but political commitment
- Politically committed not only spend a higher share but tend to spend more effectively with better results

**Topic 116: Can Private Philanthropy Pay For Social Policy Expenditure?**

**From ESCAP Report, 2018**
- Social spending, here defined as public spending on education, health care and social protection, is instrumental for accelerating poverty reduction
- Poverty reduction means
- More contribution from poor
- Less conflict
- Increased productivity
- More innovation
- More economic growth

Economic growth → Social spending → Poverty reduction

Social spending → Poverty reduction → Economic growth
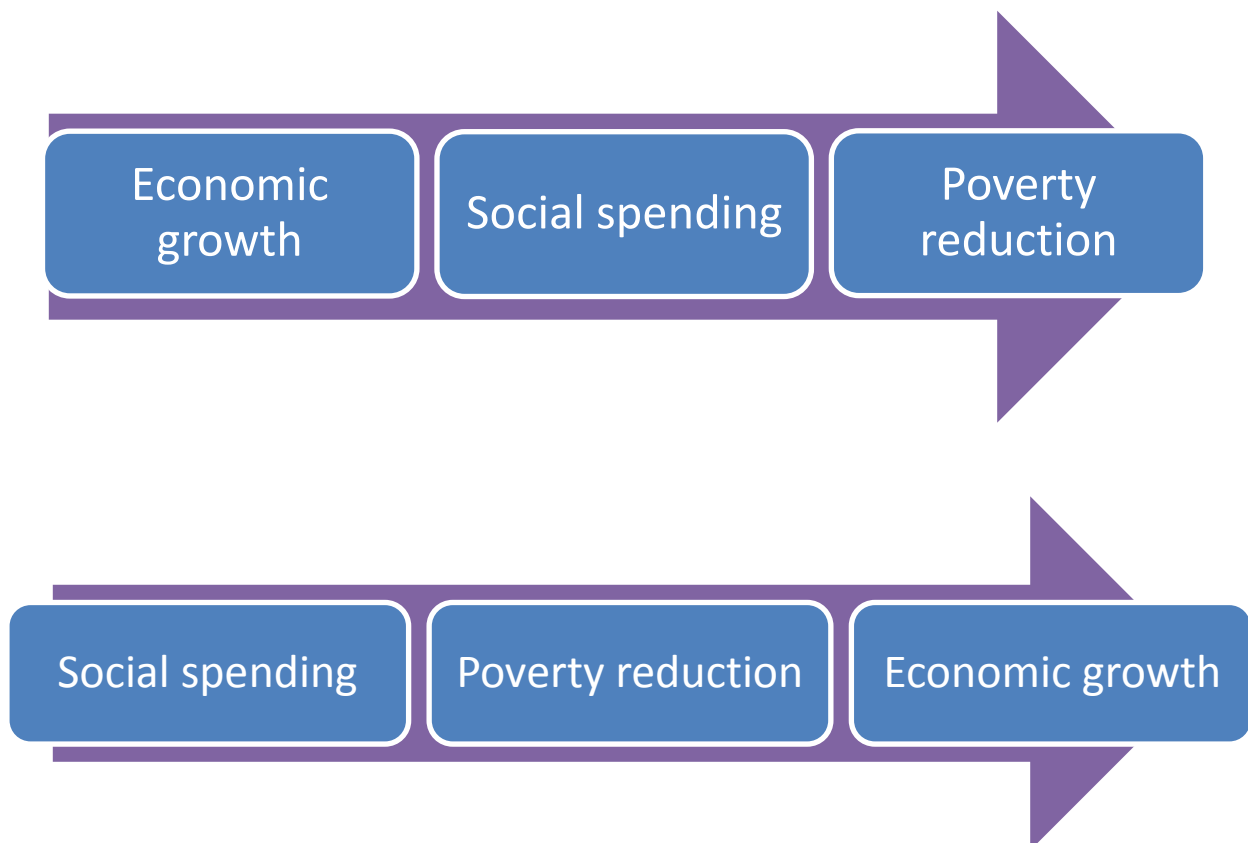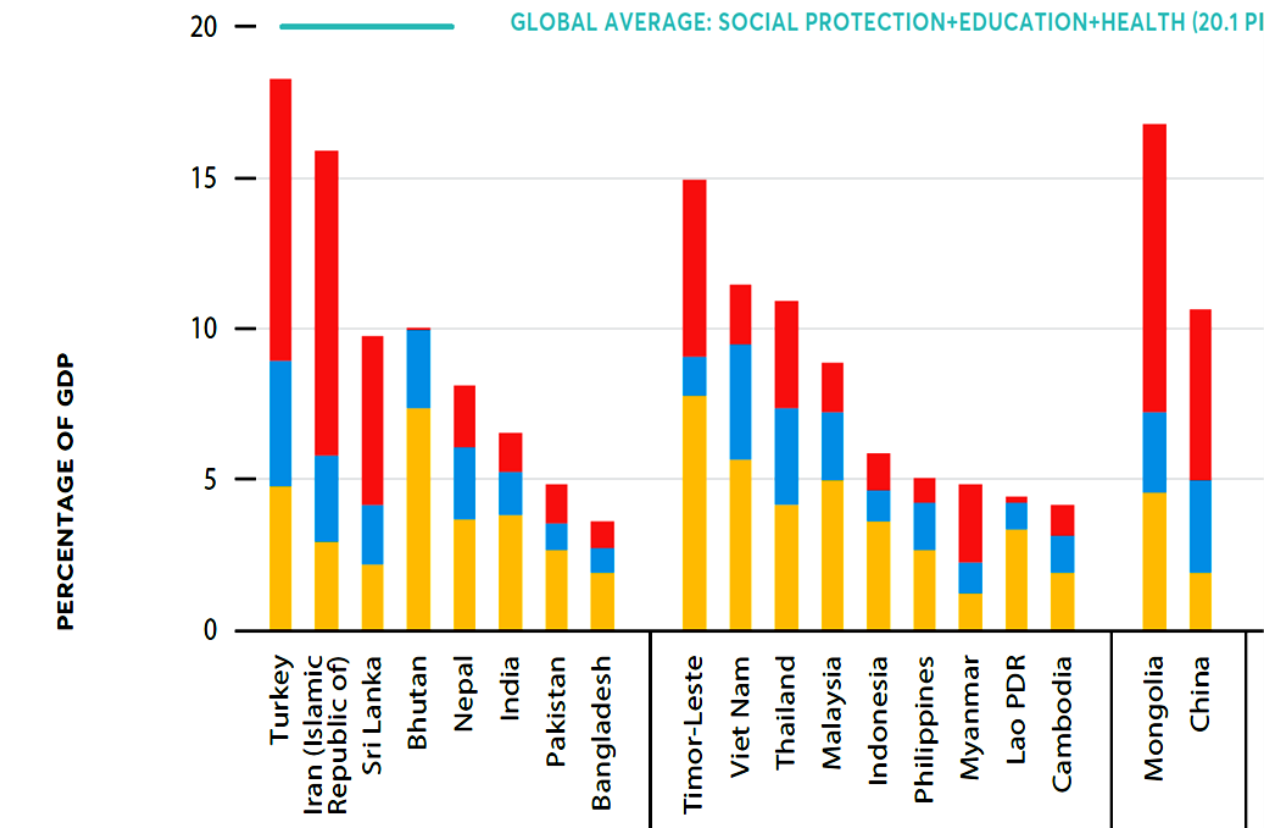
- Developing countries of Asia not spending enough (3.7% of GDP)
- 1/3rd of the global average of 11.2 %
-  OECD countries spend an average of 21% of GDP on social protection, excluding health
- It's not only monetary poverty but also multiple deprivations
- Pakistan, however, scores badly in both

FIGURE 3.4  Relationship between monetary poverty and multiple deprivation
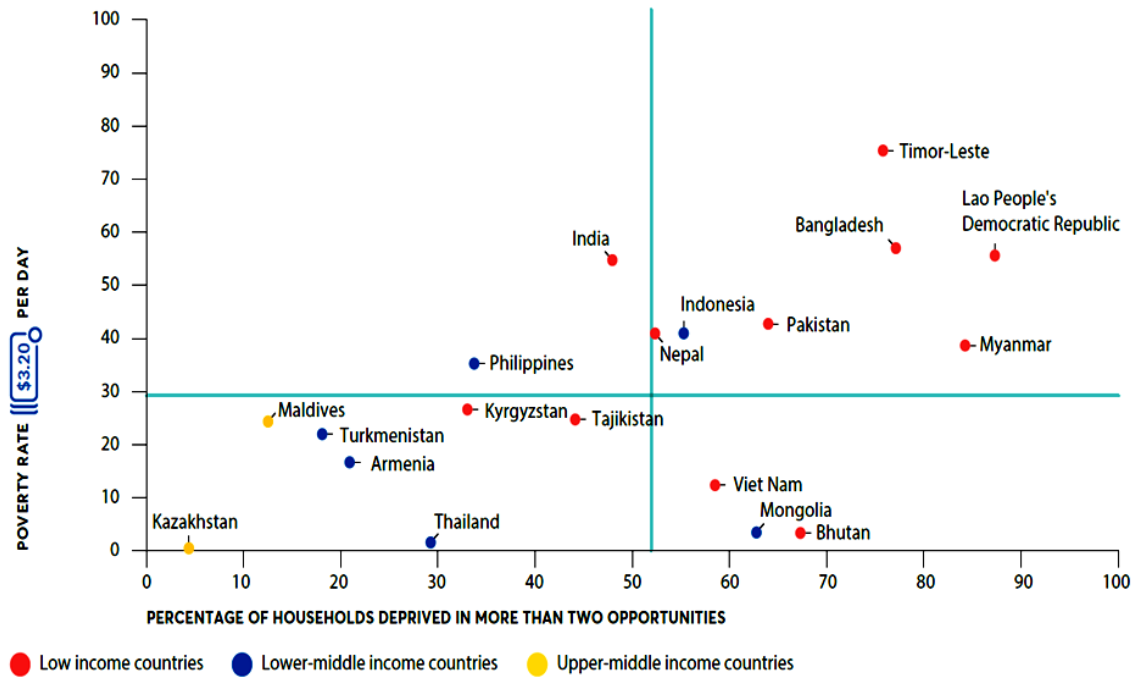
## Human Development Index HDI
- Based on social indicators
- Mahbub-ul-Haq and Amartya Sen
- Health, income and education
- Mean Years of Schooling
- Expected years of schooling
- Life expectancy
- GNI

**Figure 1: Trends in Pakistan's HDI component indices 1990-2017**
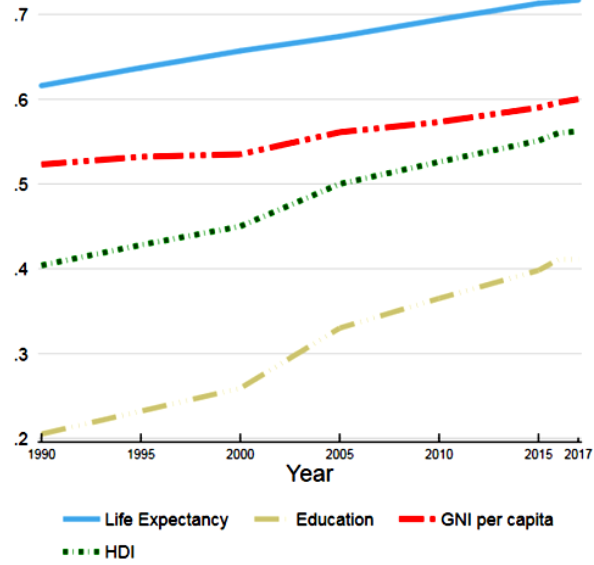


**Figure 2: HDI trends for Pakistan, Bangladesh and India, 1990-2017**
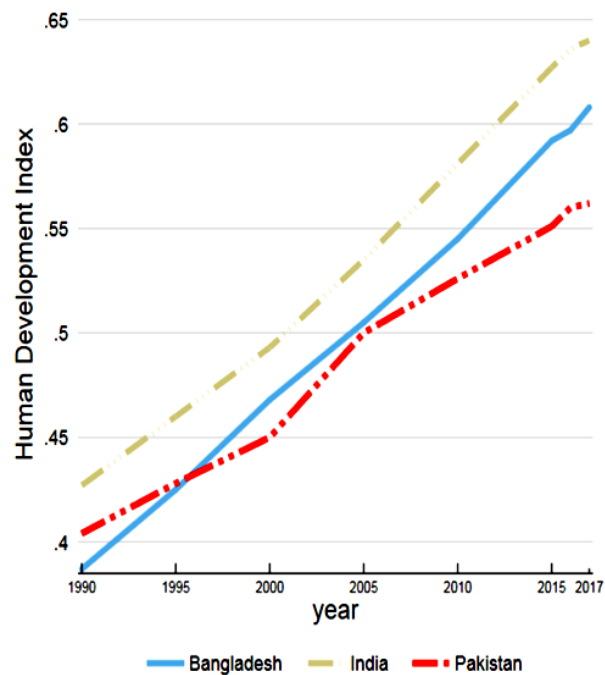
**EDUCATION POLICY-I**
**(Topic 117-120)**

**Topic 117: Arrival of Education Policy**

'. . . if you think education is expensive, try ignorance. . ..' Tony Benn

The aim of this chapter, therefore, is to explain the nature of education policy and how it has developed over the twentieth and into the first part of the twenty-first century.
The news report in Box 15.1 highlights how important and emotive issues about education can be in the UK. Parents, particularly, can become very concerned about the education of their children and some will do all that they can to get their children into what they regard as a good state school.
• Education policy and provision in the nineteenth century and the first half of the twentieth century;
• The nature of the post-war settlement in terms of education policy;
• The development of education policy and provision under the Conservative governments of Margaret Thatcher and John Major;
• More contemporary education policy under New Labour and how this compares with the policies of the New Right.
- Ancient times, on-job vocational training
- Boys & girls: 6-7 years of age or earlier
- It would seem preposterous and foolish: 20-22 years of life "learning" in rooms and buildings
- Scam by universities and professors
- What can you possibly learn about agriculture or social welfare sitting in a room?
- Go out there and experience it
- At some level, our forefathers were right: practical experience is essential for any learning
- However, being totally dependent on practical experience is also absurd
- Basic education and  theoretical education are important
- Many important things cannot be seen or experienced or enacted
- Modern world too complex
- An engineer has to do lots of calculations herself before actually building a bridge
- A cardiologist has to learn a lot before she is handed a patient
- What is education?
- Debate about "deeni" and "dunyavi" education
- Did British destroyed our education system or gave us an education system?

**Topic 118-119: Public vs. Private Provision of Education-I, II**

'Must welfare be provided by the state?' is a leading question in social policy. One way of answering it is to look at what happened in history when the state, or government, did not take on a welfare-providing role. In the times before the era of 'big government' and the twentieth-century expansion of the state, people asked whether it was right for central government to

provide any services at all. Education is a good example of this debate because, in Britain, arguments about the proper role of central government have continued uninterruptedly from the nineteenth to the twenty-first centuries. Compared with other educational systems, Britain's had been relatively decentralized (Rust and Blakemore 1990). For example, only since 1988 have we had a National Curriculum defined by central government. In this and in other ways, British educational policy has been rather different from the French, German and other European systems.

The development of a 'contract state' in education Before 1870, the responsibility for providing, paying for and running schools lay largely in the hands of the voluntary sector (churches and charitable institutions) and the private sector ('public' schools, many of which were then of inferior quality but some of which were to become exclusive, elite institutions). As Best (1979: 173) explains, 'Readers . . . will perhaps be astonished to learn that there were few primary schools . . . for which the state had full responsibility in 1850, very many for which it had no responsibility at all, and that its responsibility for the rest lay with a variety of religious organizations'.

In a slow process of educational reform from about 1850, the state did come to accept growing responsibility. But the idea that government should actually provide education continued to be resisted strongly. Government's first duty, it was thought, was to regulate providers: to ensure that education of a sufficient standard was being provided, but by other providers than government itself.

However, the contract state is a term that implies more than regulation. It also includes the idea of government (central or local) paying for services and entering into contracts with non-governmental organizations (NGOs) to provide services. The authorities laid down standard definitions of quality (for example, mastering the 'three Rs' of reading, writing and arithmetic) and tried to enforce these standards in contracts with providers. For instance, in the nineteenth century, churches agreed to have their schools regulated and inspected in return for religious freedom, grants from government and the right to run the schools.

Why did central government not play a more active role in providing state education? A number of reasons have been advanced. The prevailing ideology of laissez-faire and individualism militated against spending public money on education. The nature and timing of industrialization in Britain also played a part. As the first country to industrialize on a large scale, Britain enjoyed 50 or more years of dominance in world markets with little apparent need for state education. There was disdain among the elite for scientific, technical and applied education. Classics and the arts became by far the more prestigious and valued part of the curriculum in elite public schools, while science was neglected.

However, there were progressive voices in the nineteenth century advocating much greater government commitment to the provision of schools. For instance, John Stuart Mill, a leading writer and liberal, championed the cause of public education. Lord Shaftesbury, an aristocrat who (in modern language) became a 'born again' evangelical Christian, was passionately committed to education as part of the campaign for factory reform, the abolition of child exploitation and the provision of factory schools. And Charles Dickens, a tremendously popular writer, both celebrated the importance of education and highlighted the scandal of child abuse in existing boarding institutions (see, for instance, Nicholas Nickleby).

There was also concern about Britain's international competitors, and the fact that other industrializing nations were demonstrating greater public commitment to education. At the same time, demand for child labour began to decline. Regular schooling would keep troublesome young people off the streets and help to inculcate them with industrial disciplines such as time-keeping and 'knowing your place'.

Despite these pressures for change, government policy continued to be one of delay. In the words of Best, the period up to 1870 can be seen as 'thirty and more years of dithering' in education policy (1979: 177). A review of education policy in 1861 (the Newcastle Commission) advised that the voluntary, largely church-run system should remain, but should be improved in efficiency by a system of payment by results. This policy not only delayed direct state involvement in providing education but also perpetuated rivalries in the voluntary sector of churches.

However, the efficiency drive after 1861 had a dramatic effect on the classroom. Individual schools' grants, and thus teachers' salaries, were dependent upon how many children attended the school regularly, and whether performance in standard tests of numeracy, literacy and basic factual knowledge was satisfactory. Less efficient schools would get less support, while the schools that boosted attendance and successfully drilled children in the three Rs would be rewarded. As might be expected, rote-learning and strict discipline in the classroom overshadowed interest and educational stimulation, while anything like fun or enjoyment would have been very rare indeed. Also, payment by results did nothing to reduce the huge class sizes that were prevalent in urban schools at the time. Sometimes a single teacher would be responsible for over 100 pupils, aided by monitors or pupil-teachers.

At this stage, British education policy illustrates clearly the meaning of a contract state: that is, regulation by central government, a 'purchaser' role for the government department responsible for a particular service such as education, and competition between providers. It is valuable to compare Lowe's payment by results scheme of the nineteenth century with the education reforms of the Conservative government in 1988.

The Education Reform Act 1988 introduced a competitive market into the school system, standard ways of assessing children's school performance and the publication of school results in attainment 'league tables' in England and Wales. As another step towards the reintroduction of a 'contract state' approach, Blair's government has developed a policy of removing 'failing' schools and 'failing' local education authorities from the state sector altogether. A number of schools and local education authorities have been placed under the control of private companies, signaling the return of the state's regulator role, while private or non-governmental agencies manage provision of the service.

In the late nineteenth century, however, the contract state principle of funding and providing education was on the wane. It was supplemented, at first, by another way of organizing education – the direct provision of schools by public bodies known as School Boards. Then, from the early 1900s on, local education authorities increasingly took over and developed a state sector of

education. In the twentieth century, the state (local education authorities and a central Department for Education) became the main provider.

## Topic 120: The Third Tier: Madrassa Education

Madrassa, plural Madrassas, is the Arabic word. In literal terms it means a place for education; school either secular or religious.1 It is an age-old institution, which over time came to be recognised as a place for Islamic religious education. At the time of independence very few prominent Madrassas existed in territories constituting Pakistan but over past few decades, especially after Soviet Invasion of Afghanistan in 1979, this institution gained prominence for the fact that it became main feeder to the mainly US-Saudi Arabia and other Western and regional powers sponsored Afghan Jihad against Soviet occupation of Afghanistan. Approximately 1000 madrassas were established for the purpose with aid from Middle Eastern countries. Many of these Jihadis came from madrasas. Therefore, mushrooming of madrasas was witnessed in Pakistan during 1980s. After abrupt withdrawal of USA sponsored international help and support in 1989/90, Pakistan was left alone. It had to confront the severe fallout consequent to Afghan infighting. In that security vacuum the phenomenon of Taliban was evolved. Taliban, the students of these madrassas, took control of major part of Afghanistan. In Post 9/11, the madrasas became the target of US led, supported by 42 countries, coalition operation duly authorised by UN. Pakistan decided to support this operation, which was named Enduring Freedom (OEF). In a rebound phenomenon to this, Pakistan started facing terrorist attacks by the Taliban. This time again the madrasas came into focus, but a negative one: the Washington Post articles since 9/11 have portrayed the Pakistani madrassas in derogatory manner and addressed them with severe criticism. At the time of independence in 1947, Pakistan inherited just 200 madrassas, which have grown now close to approximately 40000. Majority of them are like nongovernmental organisations (NGOs) feeding and teaching the orphan and poor children.

| Wafaq | Sect/organization | Year |
|---|---|---|
| **Wafaq-ul-Madaris Al-Salafia** | **Hanbali Salafi (Wahhabi)** | **1955** |
| **Wafaq-ul-Madaris Al-Arabia** | **Hanafi Deobandi** | **1959** |
| **Wafaq-ul-Madaris Shia** | **Shiite** | **1959** |
| **Tanzeem-ul-Madaris** | **Hanafi Brelavi** | **1960** |
| **Rabita-ul-Madaris Al Islamia** | **Jamaat—e-Islami** | **1980** |

- Under ZA Bhutto, all educational institutions nationalized (incl. Church administered)

- FC College, Gordon College, Murray College but not madrassas
- Under ZA Bhutto, CII report on reforming Islamic education
- Long standing demand of acceptance of certificates up to graduate degrees
- Zia-ul-Haq also tried mainstreaming
- Funding and assistance (as usual) was offered
- But even Zia was not trusted
- National Committee for Deeni Madaris, 1979
- CCI Chairman Halepota Report, boards, standardization, similar examinations
- Zakat money, problematic but yes
- Other types of funding welcome
- Equivalization up to Masters
- No to the Halepota report
- After 9/11
- Focus on madrassas, 9/11 Report by the US government
- Tussle between government and madrassas
- Foreign (Christian/kafir) agenda vs. inclusiveness, non-violence  and employability
- Different ministries and myriad reforms
- Still continuing

## Topic 121: Educational Policy in Pakistan in the 1950s and 1960s

**The 1950s and 1960s**

- 1947: Literacy rate round 15%
- Numerous areas: in single digits
- Women in Balochistan or FATA: close to ZERO
- Quaid-i-Azam concerned even before independence
- Amidst of all crisis, first national educational conference a few months after independence
- QA message:
- "The importance of education and the type of education cannot be over-emphasized…
- There is no doubt that the future of our State will and must greatly depend upon the type of education we give to our children…"
- Conference promised free and compulsory primary education for all
- Adult education
- Against uniform methods and approaches
- National Plan of Educational Development (1951-57)
- First, deliberate and organized action plan
- 86,000 additional teachers and more trained teachers
- 24,000 new primary schools, with capacity of 3.7 million pupils
- 2.8 million adults literate through V-AID program
- Failure due to lack of financial and administrative support
- First 5-year plan (1955-60) : started 2.5 years late in Dec 1957
- 4000 new schools, more trained teachers
- Literacy rate remained the same around 16% in the 1950s
- Report of the Commission on National Education: 1959

- 8-years compulsory education (functionally literate)
- Adult education
- Universal  enrolment in 15 years (by 1975)
- Nationalism, patriotism and national languages
- "We are well aware that ours is not the first set of proposals for reform of our educational system. Our hope is that it may be the first to be translated into both prompt and long-term action."
- Second (1960-65) and third (1965-70) 5-years plans
- 2400 out of 4000 schools planned
- Other targets also missed
- Female education
- 42,500 new schools during third 5-years plan
- Teaching aids
- Enrolment rate 45% to 70%

## Topic 122: Educational Policy in Pakistan in the 1970s

- Literacy rate: (No. of people in a certain age group who can read and write/ Total no. of people in that age group ) X 100
- Different for different age groups
- Usually talking about adult literacy rate
- Adult literacy rate: (No. of people above 10 or 15 years of age who can read and write/ Total no. of people above 15 years of age) X 100
- Gross enrolment rate or ratio is the total enrolment within a country "in a specific level of education
- Gross primary enrolment rate= (children enrolled in primary school/total number of primary age children) X 100
- Net primary enrolment rate= (primary age children enrolled in primary school/total number of primary age children) X 100
- Gross is usually higher: 14 year olds in primary
- New Education Policy (1970): Not implemented
- Bhutto's Education Policy (1972-80)
- Free and universal education up to class X
- Universal primary education up to Class V for boys by 1979 and for girls by 1984
- Universal elementary (up to class 8$^{th}$) for boys by 1982 and for girls by 1987
- A "massive literacy programme would be undertaken in every town, and village
- 276,000 literacy centres to educate 11 million persons
- Nationalization of education
- Low-cost, universal, and nationalistic
- National Literacy Corps: college & university students

## Topic 123: Educational Policy in Pakistan in the 1980s and 1990s

**The 1980s and 1990s**
- National Education Policy and Implementation Programme (1979)
- Enroll all boys of Class 1 age by 1987

- Achieve universal enrolment for the entire age group (5-9) by 1992
- Reversal of nationalization policy and revival of private education
- Islamization of humanities and social sciences
- Modern but indigenous education
- The (gross?) enrolment ratio:
- 32% in Balochistan,
- 52% in NWFP/KP
- 59% in Sindh
- 56% in Punjab
- Large differences based on gender, density, etc.
- The difference in rural girl and overall (gross?) enrolment ratio:
- 10-32% in Balochistan (22),
- 14-52% in NWFP/KP (38)
- 16-59% in Sindh (33)
- 29-56% in Punjab (27)
- The enrolment ratio of rural girls:
- Stated to be 10 percent in Balochistan, 14 percent in NWFP, 16 percent
- In Sindh, and 29 percent in Punjab
- Reducing drop-outs
- 13000 new primary schools and 5000 mosque and 5000 mohallah schools
- Literacy and Mass Education Commission (1981)
- Ambitious National Literacy Plan (1984-86)
- Nationwide Literacy Programme & Nai Roshni schools (1986-90)
- National Education Policy (1992)
- Lowest literacy rate (34%), 50% drop-out, wide disparities, progress slow, gender gap large, etc.
- No. of illiterates increasing
- Not much different in terms of policy
- National Education Policy (1998-2010)
- 142$^{nd}$ out of 160 countries, 6$^{th}$ in 7 SAARC countries
- Tall claims and promises, depressing results = credibility gap
- Unique feature: Massive involvement of donors
- Not implemented

## EDUCATION POLICY-II
### (Topic 124-129)

### Topic 124: Musharraf's Educational Policy

Musharraf era was not affectionate era in that time due to military rule. But that time national progress was very important problem due to contradict administration of military rule among the people of country. To resolve this problem, a major role of people of country whom were opposed that era but this government took steps to meet the educational needs. In this era education program enhanced widely, particularly 2002-2010, in last few years, the enlighten moderation policy was focused on human development which considered crucial part of national development The poverty (which considered basic cause to out of school children) reduction policy acknowledged that social advancement like developed countries is compulsory, and the government make a priority for improvement in educational sectors and developed the facilities in making access for general population of Pakistan. Primary education was especially focused under this policy. As per as regarding the enrollment in educational institutions is seen too much poor. Medium Term Frame Work (MTDF: 2005-2010), National Plan of Action (NPA 2001-2015) Education for All (EFA) Educational Sector Reforms(ESR: 2002-2006) and moreover National Education Policy(NEO 1998- 2010) were framed and focused to meet these discrepancies and achieving the goals of structurally social development.

Under the policy of ESR, religious institutions and national educational system was reformed. In this regard, more than 11 madaris (religious institutions) and modern schooling system came closer in the content and curriculum of educationi . To renew the curriculum of Islamic extremist institution was tough element. Musharraf covenanted all that seminars which were arranged under the Islamic perspective on the basis of international scrutiny by monitoring their funding. Those institutions,thatpromote Jihad and other such as activities were modified in their curriculumii. At this time US financial aid and other institutions were became the controversial matter. Pakistan received specified more than 100 million dollars for educational reforms in July 2002, for the purpose of five year educational development programiii. After the incident of 9/11, Pakistan cooperation with US government against suspected AlQaida operation through intelligence briefingsiv. Against it, the US government support in the field of education in Pakistan.An essential part of US cooperation against the weak system of education in Pakistan. Under developing economy of Pakistan and rising sectional discord was the intensifying the potential of extremism is the rising problems of Pakistan which needs to control and government took step against these factual matters with the help of US cooperationv . Under the society act of 1860, all the religious institutions were advised to register; this constitution was government and private organizational law. So, under this law, there were not every Madrassa compiled with the registration obligationsvi. US support the Pakistan with 255 million dollars for five years plan for education reforms, and madrassas were expected to 8000 institutions. Since 2001, an ambiguous goal was set to stop the extremism in religious sections in madrassas. After the 9/11 incident, the government of Pakistan's first attempt was took with the promulgation of Pakistan madrassa Education BoardOrdinance (PMEBO) 2001.
- No major policy but reforms oriented towards
- Support for private sector

- Openness towards donors
- Attempt towards less religious education in schools
- Pakistan participated in EFA Conference in 2000 and signed for UPE (again) by 2015
- EFA is a UNESCO program that focuses on improving the lives of children
- 1990 –target 2000
- Expand early childhood care and education
- Provide free and compulsory primary education for all
- Promote learning and life skills for young people and adults
- Increase adult literacy by 50%
- Achieve gender parity by 2005 and gender equality by 2015
- Improve the quality of education
- Large influx of donors after 9/11. Donor objectives:
- Lessen no. of students in madrassas
- Lessen conservative/religious/violent outlook
- Increase employability
- Lessen poverty
- Musharraf government supported the donors
- Millions of dollars spent in Punjab and KP and other provinces
- World Bank, ADB, USAID, DFID, etc.
- More role of information technology
- In delivering, monitoring, and evaluation
- Focus on infrastructure and quantity
- Policies aligned with 2001 decentralization scheme
- It was hoped that district nazims would deliver and monitor better
- Targeting would be better
- However, the scheme was flopped because district nazims were chosen by the Musharraf and his generals rather than by the local people
- Large influx of money meant improvements but not exceptional achievements

## Topic 125: Devolution of Education Policy

### Education, a provincial subject

- Education has been a provincial subject in all three constitutions of Pakistan, 1956, 1962 and 1973 all refrain from putting education in federal list, However, federal governments have controlled education policy as discussed before
- The discussion on educational policies in the last few modules also show the same trend
- Why federal government did not let education go?
- Lack of bureaucratic expertise, Lack of professional expertise, Money controlled by the federal government
- Federal bureaucracy controlling everything
- One man or one party ruling the whole country
- Fear about nation, patriotism, Nationalism very important – one curriculum, one language, Sindh and KP strongly resisted
- Provinces afraid of cost – fight for federal vertical programs, 18th Amendment finally changed the scenario, As discussed before, the 7th NFC Award helped it

- Ministry of education was devolved, Ministry of Federal Education and Professional Training created, Difference?
- New ministry focuses on international & national coordination, non-formal/formal education, education policy, and skill development education. How is this different from before?
- The difference is that provinces are aware of their rights and they have the money. Federal government is short of money so cannot start many vertical programs, except with the help of donors. HEC and provincial HECs

## Topic 126: Criticism of Devolution and Efforts to Nationalize It

Devolution in education has been criticized
- Three criticisms
    - National unity and different curriculums
    - Lack or lowering of education standards
    - Higher education sector
- Curricula
- Each province, its own history. Maybe clash
- Undermine ideology of Pakistan: Ranjit Singh, Raja Dahir, etc.

Standards
- Lack of standards
- Low standards
- Monitoring & evaluation
- Higher Education sector
- Funding
- Rules and regulations
- Acceptance of degrees

National Curriculum Council had been established to introduce a uniform curriculum (Rs. 239 m), It was expected that this council would present a national uniformed primary level curriculum in March 2020.

- "The objective is to create a nation and to put in place a system which is 'fair' and 'produces Pakistanis',"
- Only Pakistan Studies and social studies?
- Sindh missed NCC meeting in September
- Standards
- Unequal standards in different provinces: Regular meeting of provincial bodies in Islamabad or elsewhere
- Support by federation and more developed provinces to others
- Higher Education
- Federal vs. Provincial HECs
- HEC budget slashed
- Universities should be independent
- Efforts to recreate the pre-2010 M/o Education
- Draft National Education Policy, 2017

- Technical and Vocational Education and Training (TVET-2018) Policy
- National Education Policy Framework, 2018
- Last National Curricula 2006-07, in English, never implemented

## Topic 127: Technical and Vocational Education Policy

According to UNESCO, Technical and vocational education and training' (TVET) comprises of education, training and skills development relating to a wide range of occupational fields, production, services and livelihoods. It is the development of skills, trades or crafts. In 2018, the GoP came up with its first TVET policy. Why TVET? Population explosion (210m), most below 30 years Next 35 years, youth population doubled. Formal sector limited. Youth bulge, 15-30 years males, if not provided employment, can be dangerous.

The GoP has known about the importance but not done what was necessary. Remittances: 8 million Overseas Pakistanis top PKR 200 billion 70% trained in informal sector (Ustad-shagird system)

International sector requires formal skills, CPEC requirements, Budget allocations to general education and TVET small, serving less than 10% of 15-24 year olds. Geographical and gender imbalances add to the problem.

Private sector providing training to very few, Third sector (NGOs) is almost non-existent in this sector. After 18th amendment, an integrated system necessary (NEVTTC and TEVTAs).  At present, many different organizations working in this sector. New TVET policy. National qualifications, assessment and certification system is pre-requisite to development. Development of the National Vocational Qualifications Framework has started (> 100 countries). Private sector was involved in making the policy has to work in implementing this policy. This policy is based on National Skills Strategy of 2009 intends to establish the Pakistan Skills Partnership, with all stakeholders to continue and accelerate reforms. Restructuring of government institutions, like TEVTAs Funding a major issue Budget constraints, workers/youth cannot pay and private sector not paying Public funding + donors + philanthropy. In 2014, some 300,000 publicly-funded training opportunities. More required TEVTA Punjab: evening class (double enrolment). Women focused, not ignored.

Design and deliver competence-based education & training Hands-on and tested obtain with international qualifications & skills for export. More responsive to labor market requirements. Greater inclusion of TVET in general school curricula, clarity about roles and responsibilities and accountability NEVTTC and TEVTAs.

## Topic 128: Special Education

Education of children with disabilities an integral part of the international discourse still most excluded. In Pakistan, increased focus but still lot to be done.
Recent policy developments
- International pressure
  - World Programme of Action Concerning Disabled Persons (1983–1992)
  - Asian and Pacific Decade of Disabled Persons (2003–2012)—Biwako Millennium  Framework for Action

- United Nations Convention of the Rights of Persons with Disabilities (2008). Pakistan ratified

''Spill-over effect'' of developments in education
- Focus now is on addressing all out-of-school groups
- After girls, primary group
- Change in poorer communities thinking
- Parents coming forward

Changing discourses around disability at the national level
- NGOs
- Media
- Stigma there, but positive focus too
- Government responsibility
- Visually-impaired person blocking roads for employment
- Implementation of quota

National policies addressing Special Education
- Pakistani government policies rarely mentions children with disabilities

JICA Report 2002: Persons with disabilities are mostly unseen, unheard and uncounted persons in Pakistan. Religious institutions were historically the main providers for services to persons with disabilities. 1959: First time mention of children with disabilities.

1980s: Major change
- Larger budgets for Special Education, the establishment of more than 200 special-education institutions, and the formation of a Federal Directorate General of Special Education
- Not much in recent years

2009 National Education Policy aims to include "handicapped" children
- 2002 National Policy for Persons with Disability: the
- most significant official document
- Aspirational, not in touch with ground realities

Current educational status of children with disabilities
- Efforts to increase their enrolment  but progress very slow
- A UN document (2006) noted that only 4% of such children enrolled, reiterated in 2013
- Still developing inclusive policies
- 2010 survey (Punjab & KP): less likely to be enrolled and girl face double discrimination
- But once in school, same schooling levels
- More likely to be "hafiz": social status, employment
- Most schools are currently unprepared to include these children
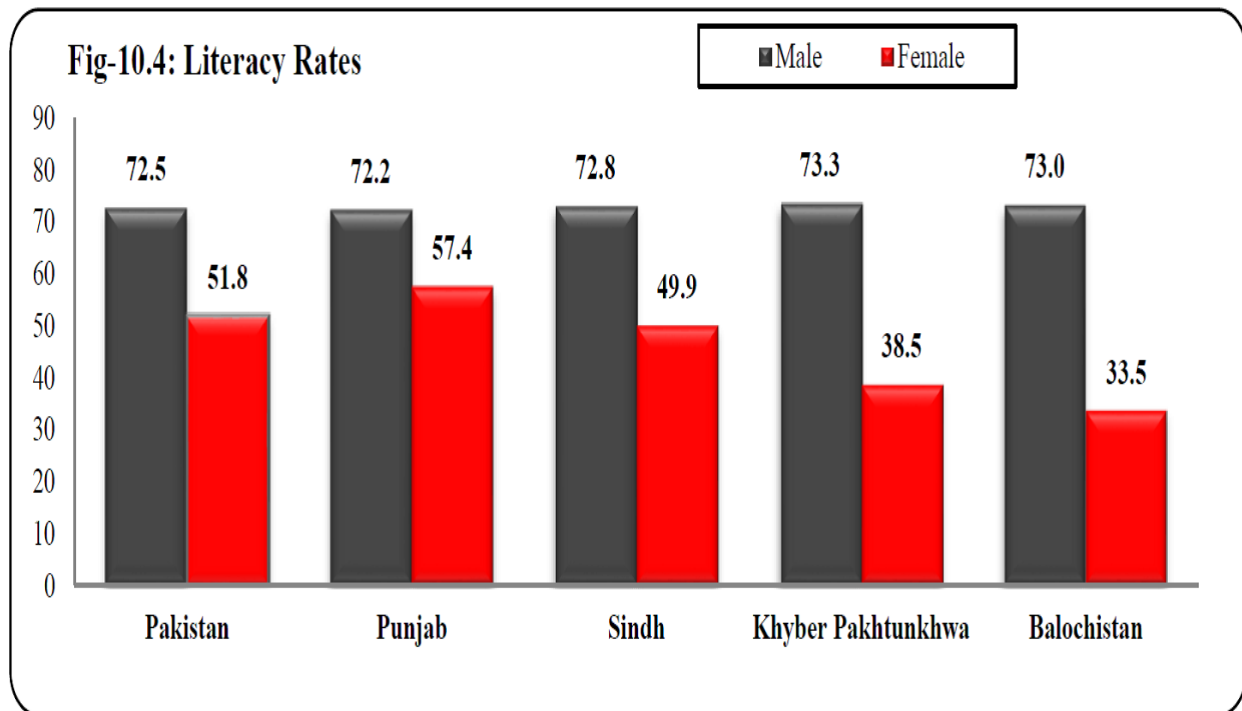- Teacher training, resources

Future: What to do?
- Access but also quality as quality does not follow access
- Employment
- Rights-based approach is good but without resources and research it does not go far

- • very low priority given to disability in budgetary allocations
- • Research almost non-existent
- • How quotas are helping?
- • What is the gender gap within this group?

## Topic 129: Women Empowerment and Women Education Policies

Education and gender
- • Women discrimination rampant, albeit decreasing
- • Cultural issues, illiteracy, and poverty
- • Small allocations, no political will. Otherwise situation would have been better
- • Education is key to economic growth, social progress and political development
- • Women literacy: extremely low
- • 50% but only those who can sign their own name
- • Rural urban gap: 40% and 70%
- • Larger gap at primary and secondary level
- • Women increased representation in universities, medical colleges and government employment
- • CSS: Almost 40% women

**Fig-10.4: Literacy Rates**

| Region | Male | Female |
|---|---|---|
| Pakistan | 72.5 | 51.8 |
| Punjab | 72.2 | 57.4 |
| Sindh | 72.8 | 49.9 |
| Khyber Pakhtunkhwa | 73.3 | 38.5 |
| Balochistan | 73.0 | 33.5 |

There are 194 public and private sector Higher Education Institutes operating in the country having total enrolment of 1.576 million approx.

**Table: 10.5 Enrollment- Region, Sector and Gender-wise for the year 2017-18**

| Province/ Region | Public | | | Private | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| ICT | 274,467 | 282,493 | 556,960 | 20,580 | 13,089 | 33,669 | 295,047 | 295,582 | 590,629 |
| Punjab | 189,821 | 187,218 | 377,039 | 85,705 | 52,411 | 138,116 | 275,526 | 239,629 | 515,155 |
| Sindh | 107,571 | 66,878 | 174,449 | 58,850 | 30,322 | 89,172 | 166,421 | 97,200 | 263,621 |
| Khyber Pakhtunkhwa | 71,418 | 26,201 | 97,619 | 35,574 | 10,082 | 45,656 | 106,992 | 36,283 | 143,275 |
| Balochistan | 21,873 | 9,460 | 31,333 | 484 | 108 | 592 | 22,357 | 9,568 | 31,925 |
| Azad Jammu & Kashmir | 11,368 | 13,392 | 24,760 | 1,021 | 1,357 | 2,378 | 12,389 | 14,749 | 27,138 |
| Gilgit Baltistan | 2,160 | 2,184 | 4,344 | 0 | 0 | 0 | 2,160 | 2,184 | 4,344 |
| **Pakistan** | **678,678** | **587,826** | **1,266,504** | **202,214** | **107,369** | **309,583** | **880,892** | **695,195** | **1,576,087** |

Source: Higher Education Commission

Annual Status of Education Report (ASER), 2018 based on a large survey:
Out of the 17% out-of- primary school children (age 6-16 years), 7% were males and 10% were females. Gender gap has narrowed from 2016. The percentage of mothers' are having completed primary education has gone up 3% to reach 33% as compared to 2016. Pakistan Vision 2025 embedded five components of women's empowerment.
- Right to determine their choices
- Activities that promote women's self-worth
- Access to opportunities and resources
- Right and power to control their lives, both within and outside the home, and
- Ability to influence social change.

**Legislative developments**

- Pakistan's Sexual Harassment Act 2010, The Acid Control and Acid Crime Prevention Act 2011, The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, The Women in Distress and Detention Fund 2011,
- National Commission on the Status of Women Act 2012, Elimination of Custom of Ghag Act 2013, and the first female judge was appointed to the Federal Shariat Court in 2013

- From 2013 to 2015, domestic violence laws were passed by all provinces, except the KP.
- In October 2016, the anti-honor killing and the anti-rape laws were passed

# EDUCATION POLICY-III
## (Topic 130- 136)

### Topic 130-131: State of Education Sector-I-II

**Table: 10.1 Education Indicators**

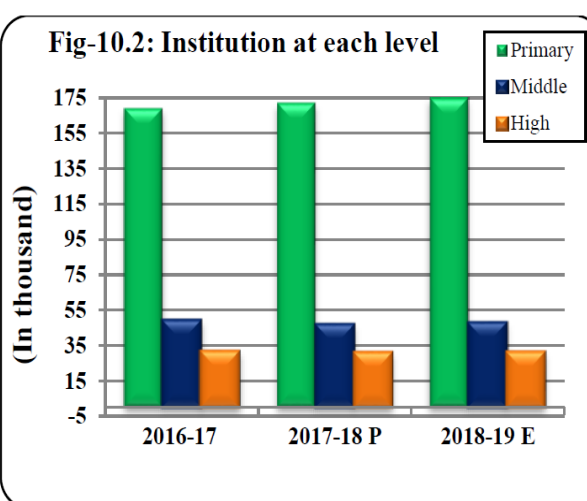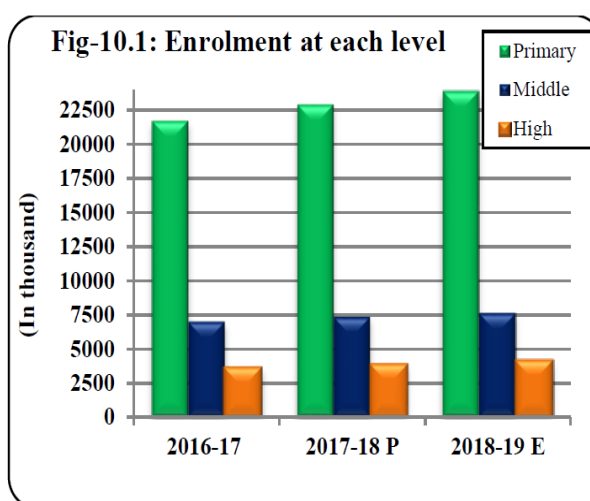| Country | Literacy rate adult %age 15 years and older (2006-16) | Youth %age 15-24 years old Female (2006-16) | Youth %age 15-24 years old Male (2006-16) | Population with some secondary education %ages 25 years & older (2006-17) | Gross enrolment Ratio (GER) 2012-17 Pre-Primary | Gross enrolment Ratio (GER) 2012-17 Primary | Gross enrolment Ratio (GER) 2012-17 Secondary | Gross enrolment Ratio (GER) 2012-17 Tertiary | Primary School Dropout rate (2007-2016) | Public Expenditure on education (%age of GDP) (2012-2017) | Human Development Index (HDI) Rank |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | SDG 4.6 | | | SDG 4.2 | SDG 4.1 | SDG 4.1 | SDG 4.3 | | | |
| Iran | 84.7 | 97.7 | 98.2 | 68.5 | 51 | 109 | 89 | 69 | 2.5 | 3.4 | 60 |
| Sri lanka | 91.2 | 98.6 | 97.7 | 82.8 | 94 | 102 | 98 | 19 | 1.6 | 3.5 | 76 |
| Maldives | 98.6 | 99.4 | 99.1 | 47.1 | 99 | 102 | n/a | 14 | 17.8 | 4.3 | 101 |
| India | 69.3 | 81.8 | 90.0 | 51.6 | 13 | 115 | 75 | 27 | 9.8 | 3.8 | 130 |
| Bhutan | 57.0 | 84.5 | 90.4 | 9.6 | 25 | 95 | 84 | 11 | 21.1 | 7.4 | 134 |
| Bangladesh | 72.8 | 93.5 | 90.9 | 45.5 | 34 | 119 | 69 | 17 | 33.8 | 2.5 | 136 |
| Nepal | 59.6 | 80.2 | 89.9 | 34.6 | 86 | 134 | 71 | 12 | 26.5 | 3.7 | 149 |
| Pakistan | 57.0 | 65.5 | 79.8 | 37.3 | 72 | 98 | 46 | 10 | 22.7 | 2.8 | 150 |
| Afghanistan | 31.7 | 32.1 | 61.9 | 25.1 | n/a | 105 | 55 | 8 | n/a | 3.2 | 168 |

Source: Human Development Indicator and Indices: 2018

| Table 10.3: Literacy Rate (10 Years and Above) | | | | | | (Percent) |
|---|---|---|---|---|---|---|
| Province/Area | 2014-15 | | | 2017-18 | | |
| | Male | Female | Total | Male | Female | Total |
| **Pakistan** | **71.6** | **49.6** | **60.7** | **72.5** | **51.8** | **62.3** |
| Rural | 65.3 | 38.4 | 51.9 | 66.3 | 40.5 | 53.3 |
| Urban | 82.4 | 69.3 | 76.0 | 82.2 | 70.6 | 76.6 |
| **Punjab** | **70.4** | **53.6** | **61.9** | **72.2** | **57.4** | **64.7** |
| Rural | 65.0 | 44.6 | 54.6 | 66.5 | 47.8 | 56.9 |
| Urban | 80.1 | 71.0 | 75.6 | 80.9 | 73.3 | 77.2 |
| **Sindh** | **73.9** | **50.7** | **63.0** | **72.8** | **49.9** | **62.2** |
| Rural | 61.2 | 26.2 | 45.0 | 60.1 | 25.7 | 44.1 |
| Urban | 86.0 | 72.7 | 79.6 | 84.3 | 71.7 | 78.4 |
| **Khyber Pakhtunkhwa** | **72.1** | **36.8** | **54.1** | **73.3** | **38.5** | **55.3** |
| Rural | 70.2 | 33.1 | 51.3 | 71.6 | 35.3 | 52.7 |
| Urban | 80.0 | 52.4 | 66.3 | 80.4 | 53.3 | 66.8 |
| **Balochistan** | **72.0** | **33.0** | **54.3** | **73.0** | **33.5** | **55.5** |
| Rural | 67.7 | 27.7 | 49.5 | 68.9 | 26.8 | 50.5 |
| Urban | 83.4 | 47.1 | 67.0 | 84.2 | 50.1 | 68.5 |

## Pakistan Economic Survey 2018-19



Fig-10.1: Enrolment at each level



Fig-10.2: Institution at each level

Fig-10.3: Teachers at each level
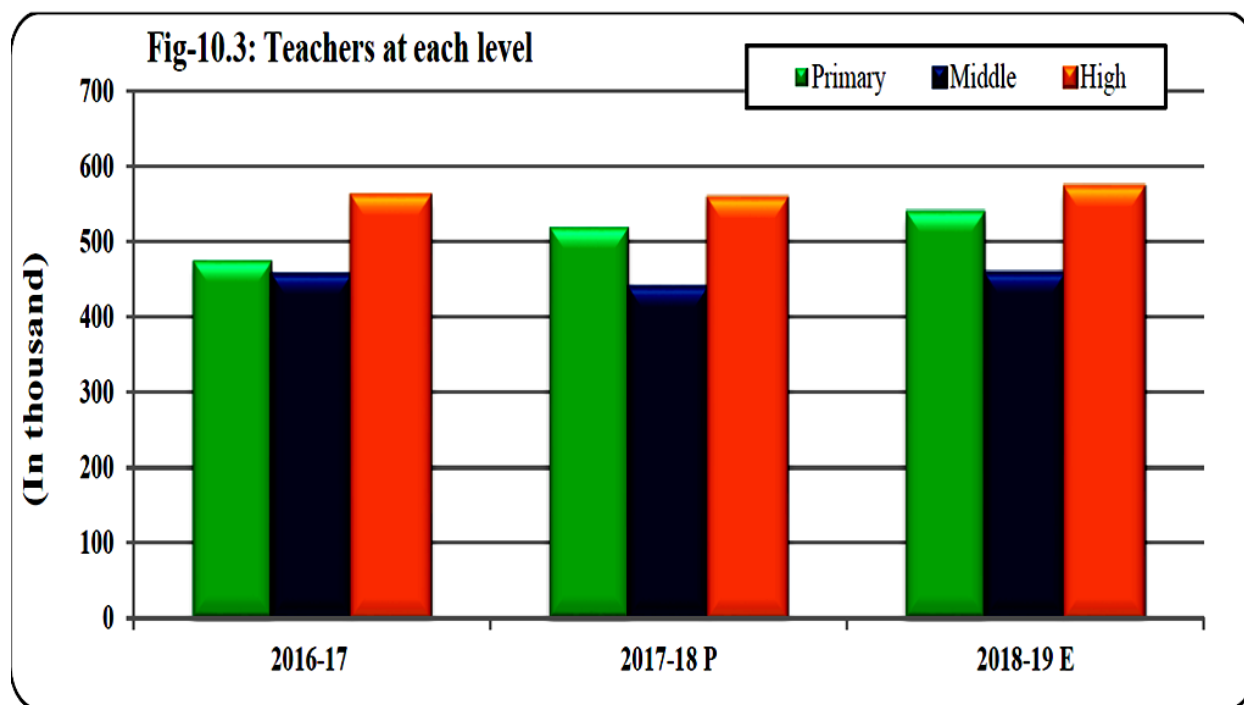
**Table 10.4: Total Expenditure on Education**          (Rs million)

| Years | | Current Expenditure | Development Expenditure | Total Expenditure | As % of GDP |
|---|---|---|---|---|---|
| **2013-14** | Federal | 65,497 | 21,554 | 87,051 | **2.1** |
| | Punjab | 187,556 | 30,485 | 218,038 | |
| | Sindh | 99,756 | 6,157 | 106,093 | |
| | Khyber Pakhtunkhwa | 70,948 | 18,756 | 89,704 | |
| | Balochistan | 29,978 | 6,911 | 36,889 | |
| | **Pakistan** | **453,735** | **83,863** | **537,598** | |
| **2014-15** | Federal | 73,729 | 28,293 | 102,022 | **2.2** |
| | Punjab | 201,882 | 25,208 | 227,090 | |
| | Sindh | 109,275 | 7,847 | 117,122 | |
| | Khyber Pakhtunkhwa | 83,205 | 28,506 | 111,711 | |
| | Balochistan | 32,299 | 8,803 | 41,102 | |
| | **Pakistan** | **500,390** | **98,657** | **599,047** | |
| **2015-16** | Federal | 84,496 | 34,665 | 119,161 | **2.3** |
| | Punjab | 224,608 | 26,863 | 251,471 | |
| | Sindh | 123,855 | 11,153 | 135,008 | |
| | Khyber Pakhtunkhwa | 92,306 | 19,925 | 112,231 | |
| | Balochistan | 36,121 | 9,364 | 45,485 | |
| | **Pakistan** | **561,386** | **101,970** | **663,356** | |

| | | | | | |
|---|---|---|---|---|---|
| **2015-16** | Federal | 84,496 | 34,665 | 119,161 | **2.3** |
| | Punjab | 224,608 | 26,863 | 251,471 | |
| | Sindh | 123,855 | 11,153 | 135,008 | |
| | Khyber Pakhtunkhwa | 92,306 | 19,925 | 112,231 | |
| | Balochistan | 36,121 | 9,364 | 45,485 | |
| | **Pakistan** | **561,386** | **101,970** | **663,356** | |
| **2016-17** | Federal | 91,139 | 16,890 | 108,029 | **2.2** |
| | Punjab | 221,049 | 39,593 | 260,642 | |
| | Sindh | 134,650 | 12,082 | 146,732 | |
| | Khyber Pakhtunkhwa | 109,482 | 26,639 | 136,121 | |
| | Balochistan | 40,571 | 7,127 | 47,698 | |
| | **Pakistan** | **596,891** | **102,331** | **699,222** | |
| **2017-18 (P)** | Federal | 100,428 | 26,495 | 126,923 | **2.4** |
| | Punjab | 295,893 | 44,910 | 340,803 | |
| | Sindh | 152,298 | 13,705 | 166,003 | |
| | Khyber Pakhtunkhwa | 126,149 | 16,494 | 142,643 | |
| | Balochistan | 47,107 | 5,673 | 52,780 | |
| | **Pakistan** | **721,875** | **101,277** | **829,152** | |

P: Provisional
Source: PRSP Budgetary Expenditures, External Finance Policy Wing, Finance Division, Islamabad

ASER 2018-19

- In 2018, 83% of 6-16 year old children in rural Pakistan were enrolled in schools. In 2016, the figure was 81%
- Punjab, Sindh, KP, GB and Balochistan all recorded increases in primary enrolment, ranging
- In 2018, pre-school enrollment (3-5 years) was 37%, compared to 36% in 2016
- Learning levels in all three competencies (Urdu/Sindhi/Pashto writing, English and Arithmetic) have improved since 2016
- In 2018, 56% of Class 5 students were reported as being able to read a story compared to 52% in 2016
- 52% of class 5 students could read Class 2 level English sentences as compared to 46% in 2016
- In 2018, 53% of Class 5 students were able to do 2-digit division sums compared to 48% in 2016
- Top scorer in language, English and Arithmetic was AJK, Sindh and Balochistan being last

**Development Program 2018-19**
- Both Federal and provincial government planned to increase spending on new and ongoing schemes

- PSDP and ADPs
- Federal PSDP
- Rs 3.14 billion was allocated to 6 on-going and 3 new projects of the Ministry of Federal Education
- 2.40 billion was provided for 15 on-going & new education related projects of Islamabad Capital Administration

**Developments in TVET sector**

- Competency Based Training modules were introduced in the country for the first time as part of TVET policy
- National Skills Information System (NSIS) was established to have latest data about domestic & international markets
- National Job Portal, with skill profiles of more than 550,000 youth, now available with employers
- Apprenticeship Act (2018) passed and was piloted in the ICT
- Centres of Excellence to be established in all provinces
- 13 heavy machinery operators' skill development centres are to be established. Funding approved
- In October, PM launched the 'Kamyab Jawan Programme' under which young men and women will be provided with loans and skill-development opportunities

**Table: 10.8 Details of Scholarships under HRD Schemes 2018-19 (July-March)**

| Program Titled | Scholarships July-March 2018-19 |
|---|---|
| Indigenous (PhD) | 371 |
| Post Graduate/Undergraduate Scholarships for students of FATA &Balochistan | 1200 |
| Foreign (PhD) | 684 |
| Prime Minister's Fee Reimbursement Scheme (PMFRS) for less developed areas | 15403 |
| Need Based Graduate/Undergraduate Scholarships | 4100 |
| Other programs | 780 |
| **Grand Total** | **22538** |

Source: Higher Education Commission

**Topic 132-133: Education Policy Reform-I,II**

- Why reforms fail?
- Lack of funding
- Lack of data
- Lack of consensus
- Too many reforms

Contradictory reforms
- Centralizing & decentralizing
- Parents or teachers not involved
- Lack of monitoring & evaluation
- Change of government
- Less time given for reform implementation
- Implementers do not know how to do it
- Lack of coordination between different tiers of governments
- Parents do not see benefits
- Cultural issues
- Insurgencies & violence
- Priorities (Nuclear vs. literacy)
- Middle class hypocrisy
- Over population
- Medium of instruction issues
- Madrassa conundrum
- Non-formal education
- Education as a market, with sellers and buyers
- Even in most villages, there are many sellers
- Private schooling revolution
- Reform is the buzz word
- Public schools being administered by NGOs/CSOs
- Parents active decision-makers
- Low-quality education that has not much positive outcome is and will not be acceptable
- Girls will be working at home, boys in farms or workshops
- "Lets focus on quantity and worry about quality later" will not do
- Private schools outperform public schools significantly, even in the same village
- Teacher in the key and private schools have generally low-cost female better teachers
- Villages that have this resource have private schools, giving parents option(s)
- Poverty leads to "picking winners"
- Supply-side reforms
- Support/credit to private schools
- Support to parents
- Public school monitoring and competitions
- TVET in primary and middle schools
- Teacher's recruitment: higher degrees?
- Recognition at the provincial level
- Continuation of reforms
- Demand side
- Talking to parents, adult illiterates & out of schoolchildren
- Paying mother to help children (BISP)
- Health: mother and child
- Population planning

## Topic 134-136: National Education Policy, 2017

How this policy was different?

- 18<sup>th</sup> Amendment: transfer of education to provinces
- Article 25(a) in the constitution under which free and compulsory education of all the children aged 5-16 became a fundamental right and the state responsibility
- MDGs to SDGs



- Inter-Provincial Education Ministers Conference, a forum created under NEP 2009, in 2015, unanimously decided to revise the National Education Policy
- Federal ministry: coordinator and facilitator
- Ministry constituted a team of policy experts from provinces
- 18 policy chapters
- conceptual framework, goals, constitutional/legal provisions, their importance and significance, situation analysis, issues and challenges, implementation strategy
- The 7th Inter-Provincial Education Ministers' Conference in February 2016 approved unanimously the list of policy chapters and template
- Ministry solicited proposals from education departments, civil society, individuals through media
- Chapters written by selected experts and reviewed by one or two other experts and revised
- Revised 18 chapters were combined and reviewed by another team of experts from provinces and Islamabad

- Complete draft policy was shared with the provincial education departments and CSO representatives for final comments
- Revisions were made in light of comments and policy was approved

**Statement**
- Pakistan has a history of developing detailed and well- designed education policies since 1947 but has fallen short of implementing them.
- We have repeatedly set goals of free, universal basic education, quality higher education to produce innovative knowledge, skills and competencies and scholars committed to doing that in an ethical manner
- We are at a point where good plans have to be implemented through a well- defined monitoring and evaluation system of accountability, both at the provincial and federal levels.
- Without such a system we will continue to postpone rather than achieve our goals to another day and another education policy.
- It is urgent to break the layers of inertia if we want to successfully compete in the comity of nations and create a place of honour for our nation.
- Unfortunately, despite this admission, not much change is visible

**Goals**
- Character building
- Meeting Learning Needs (Knowledge, Skills, & Values)
- Pakistani Nationhood and National Integration
- Right to Education: Expanding Access (universalization by 2020)
- Quality of Education & Institution Building
- Enhancing Education Budget to 4% of GDP
- Promotion of Science and Technology
- Harmonize existing education systems at all levels

**Objectives**
- Promotion of Early Childhood Education
- Achieving Universal Primary Education by 2020
- A Literate Pakistan
- Provision of Free Elementary and Secondary Education
- Non-Formal Education, Online and Distance Learning
- Knowledge Economy through Higher Education (1.4 to 5m by 2022)
- Advancement of Science, Technical and Vocational Education
- Improving Quality and Efficiency in  education system
- Facilitating Private Sector Education
- Promoting use of ICTs
- Achieving Gender Equality
- Reforms for quality
- Selection, Recruitment, and Capacity building of Teachers
- Curriculum and Standards
- Libraries & Instructional Technologies
- Resolve issue of Languages and Medium of Instruction
- Religious Education & Reforms in Deeni Madaris

- Mass Mobilization & Community Involvement
- Physical Education, Sports and Games
- Health and Hygiene
- PPP
- Increasing Education Budget
- Enhancing Coordination for Achieving SDGs
- Reforms in Assessment and Examination System
- Expanding Access to Special and Inclusive Education
- Boy Scouts, Girl Guides, & Counseling
- Research and Database for Effective Educational Planning
- Mechanisms for Implementation and Monitoring of Policy

## Islamic Education

- Objectives Resolution
- Education system in Pakistan should be inspired by Islamic ideology (First education Conference 27/11-1/12 1947)
- Constitutional provisions
- Islamiat already compulsory, integral part, Arabic compulsory within
- Peace, tolerance and human rights

## Early Childhood Education
- Early are critical for the physical growth & mental development
- Neither National Curriculum for ECE (2006) nor provisions of NEP 2009 could be implemented
- Pre-primary GER 74%, NER 36%
- By 2030, all
- "Katchi" class expansion

## Literacy and Non-formal Education
- Encompasses  3 Rs i.e. Reading, Writing, and Arithmetic
- who can read and write a paragraph in any language with understanding & can make simple calculations (2008)
- 60%, v. slow change
- 57 million illiterates 2015
- NEP 2009, 4%, 2-3%

## Literacy and Non-Formal Education
- NFE key
- Working since 1986
- Declining trend

## Gaps
- Commitment gap
- Organization gap
- Coordination gap
- Finance gap
- Technical capacity gap
- 70% by 2020, 90% by 2025, 100% by 2030

**Primary education**
- Most important sub-sector, 25(A)
- NER 77% 2015-6
- Gender Parity Index (GPI) is 0.86. Survival rate until is around 66%
- 35-40% of Education Budget on primary education
- Universal boys 2020, girls by 2025
- Training, facilities, curriculum, etc.

**Secondary Education**
- Middle, high, higher secondary
- NER 38%, GER 42%
- Even lower than GER of Afghanistan (56%) & Bangladesh (58%)
- Spending per student very low
- Huge gap in number of schools
- Increase GER from 62% to 85% and NER from 27 to 50% by 2025
- Upgradation of schools

**References:**

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# SOCIAL WELFARE POLICY-I
## (Topic 137-143)

### Topic 137: What Constitutes Social Welfare?

Social welfare: no agreed definition exist, SW encompasses a number of wide-ranging issues from worker rights, working conditions, government support for vulnerable communities and the provision of protection and basic services to the most marginalized groups.

Dolgoff and Feldstein (1980): tried to narrow it down: SW "includes those nonprofit functions of society, public or voluntary, which are clearly aimed at alleviating distress and poverty or at ameliorating the conditions of the casualties of society". Later (1997), "all social interventions intended to enhance or maintain the social functioning of human beings".

National Association of Social Workers 1971: "the full range of organized activities of voluntary and governmental agencies that seek to prevent, alleviate, or contribute to the solution of recognized social problems, or to improve the well-being of individuals, groups, or communities".

Government of Hong Kong: "social welfare services are required by those who are not capable without help and support of standing on their own feet as fully independent or "self-directing" members of the community".

Most wide-ranging UN (1967): "a body of activities designed to enable individuals, families, groups & communities to cope with the social problems of changing conditions. But in addition to and extending beyond the range of its responsibilities for specific services, social welfare has a further function within the broad area of a country's social development.

Most wide-ranging UN (1967): "In this larger sense, social welfare should play a major role in contributing to the effective mobilization and deployment of human and material resources of the country to deal successfully with the social requirements of change, thereby participating in nation-building."

Draft SW policy, Punjab (2017): A network of services and activities that ensures equality of opportunity, welfare, & access to social justice for all citizens; in particular, provides protection to and promotes the welfare of the most marginalized, vulnerable, dispossessed and discriminated segments of society.

Britannica.com: concise, Social welfare program, any of a variety of governmental programs designed to protect citizens from the economic risks and insecurities of life. The most common types of programs provide benefits to the elderly or retired, the sick or invalid, dependent survivors, mothers, the unemployed, the work-injured, and families. Methods of financing and administration and the scope of coverage and benefits vary widely among countries.

### Topic 138: Social Welfare Policy: Differences and Complexity

- Reality
  - What exists?
  - How do know what exists?
- Context and culture
- Religion
- Is poverty bad? Hadiths
- Riyasat-e-Madina (ReM) model? Which one?
- Holy Prophet (PBUH): partial control
- Holy Prophet (PBUH): partial control
- Hazrat Abu Bakar
- Hazrat Umer Empire
- Hazrat Usman
  - Hazrat Ali
  - Did ReM provide health and education?
- Minimal
  - Holy Prophet (PBUH) model
  - Most fiqh came more than 100 years
  - Which fiqh?
  - Cannot operate without fiqh?
  - New fiqh: Only principles?
  - Capitalist
  - Communist
  - Western European Socialist
  - Neo-liberal
  - Mix and match
  - Contradictions, although contradictions already exist within models
  - Is housing part of social policy?
  - Is higher education part of social policy?
  - Is supporting marriage of girl's part of social policy?
  - Is religious education part of social policy?
  - Should elderly be ignored until government deals with the young?

## Topic 139-141: Social Welfare Policies in Pakistan I-III

*First SW policy in the mid-1950s*, UN advisors: Dr. Jan Jough (advisor on social policy and administration) & Roger Wilson (Advisor to Planning Commission on social sector planning), UN advisors recognized the role of Islam. Zakat, Ushr and Bait-ul-Mal, Dr Jough definition: SW is "to help people to adjust to the social problems in life". So, help people help themselves

 Mr. Wilson also focused on spiritual as well as material needs, SW too broad (such as poverty alleviation, illiteracy, etc.), SW policy focused four elements.

Program for
  - Community development
  - Private agencies development
  - Provincial and local government participation

- Housing
- Labor protection

It was based on
- Reaching the vulnerable
- Government cannot do it
- Federal Government cannot do it
- Refugees, poverty and sanitation
- Industrialization
- Extensive discussions but not implemented

- Health minister, AM Malik as Ambassador to Austria
- Martial law 1958
- No detailed policy in the 1960s and 1970s

## Second Social Welfare Policies in 1988

- Pakistan has developed but problems remain so "SWP may focus on the protection and uplift of destitute & disabled, disadvantaged and underprivileged groups."
- Social awareness, technical guidance
- Importance of human dimensions of development
- Equity and equality
- Focus on children, youth, women, senior citizens
- New social ills: drug addiction, mental ill-health and beggary
- Concept of Islamic welfare state and development while protecting individuals, families and communities
- Riyasat-e-Madina?
- Federal Commission on Child Welfare exists, similar orgn at provincial levels
- Ministry of Social Welfare, Special Education and Zakat Administration to lead
- Better, more coordinated structural arrangements
- Emphasis on social work education and training of social workers
- Again, not implemented
- First comprehensive policy

## Social Welfare Policies1992

- 8th 5-year plan: Guided by "Islamic concept of social welfare"
- Early Islamic society model
- Removing the complications of a lopsided development process

### Policy objectives
- To develop local SW programs with the help of active public participation and utilization & exploration of community resources
- Collaboration between public & private sector
- Extend SW programs to rural areas
- SW, a responsibility of local governments
- Special development projects for revitalization of social services
- To review, monitor, and evaluate the financial & other assistance to NGOs

- To establish a coordinating body to distribute financial assistance to NGOs
- To develop remedial programs for welfare and rehabilitation of disabled
- To decentralize social welfare administration to the district level
- To make provision for SW services to increase efficiency and effectiveness of SW employees

*Recommendations*

- Umbrella Ministry of Social Welfare and Humanitarian Affairs: women welfare, youth welfare, population welfare, and Zakat administration
- Updating legislation to control foreign aid to NGOs
- Decentralization of SW programs to district and local government
- Neither the Ministry of SW and Humanitarian Affairs was established, nor decentralization of SW functions was done

*Fourth Social Welfare Policy, 1994*

Objectives focus on social, instead of on administrative measures
- To draw on the strength of cultural humanism to promote SW
- Raise consciousness & social responsibility towards SW
- To pressure wealthy to decrease consumption
- Eliminate all types of discrimination & exploitation

Objectives achieved by
- Mobilizing media to create awareness
- Identifying renowned social workers
- Creating administrative machinery
- Promoting research & training
- Coordinating Councils at various levels for NGOs
- Volunteerism critical

- Target groups, different from previous policies
  - Along with women, children, elderly & disabled
  - Religious minorities, drug addicts, prisoners, patients, students and residents of slums
- Lofty ideals, but not much implementation
- Political instability and fiscal constraints

## Topic 142: Zakat and Social Welfare

Zakat is one of the five major pillars of Islam. The word Zakat means both 'to purify' and 'to grow', so it purifies and grows one's wealth "Take, [O, Muhammad] from their wealth a charity by which you purify them and cause them increase, and invoke [Allah's blessings] upon them(9:103)

"Zakat is only for the poor and the needy, and for those who are aamils over it, and for those whose hearts are to be reconciled [to the truth], and for the emancipation of the slaves and for those who have been inflicted with losses and for the way of Allah and for the wayfarers." (9:60)

- Efforts were also made to establish a Zakat system in Pakistan initially failed

- In 1950, a Zakat Committee was formed under the Ministry of Finance to propose a Zakat system.
- Its 1952 report called for Ijtihad and the development of a system that increased social welfare
- In 1969, the ACII proposed that a separate ministry be established for the collection & distribution of Zakat
- This proposal was also not implemented
- The MRA was established in 1974
- MRA functions: the administration of pilgrimages, error-free printing of the Quran, ruet-e-hilal, tabligh, the training of ulema, organization of the Zakat
- In November 1977, Zia asked the CII & economists to implement a proper Zakat system
- The committee reported in April 1978 but there were many disagreements
- Eventually, the government decided to deduct Zakat from saving accounts.
- The Zakat and Ushr Ordinance, 1980, formally established the system
- Zakat Committees all over the country distribute it
- Restrictions but Social welfare limited
- Growth limited since Supreme Court decision in 1999

## Topic 143: Philanthropy and Social Welfare-I

- Philanthropy means "love of mankind"

- Action to promote welfare of mankind, usually gift of money

- Is it different from charity?



*Keelo.co*

- Charity is linked with Christianity
- For more than hundred years, charity meant "Christian love of one's fellows"

- It was originally derived  from an old French word Charité, meaning, "love" or "mercy" besides charity
- Charity had existed from times immemorial
- Almost all religions giving alms
- However, with the advent of Christianity and Islam, charity was linked to religion
- If charity was not given to near/dear one, it was given to a religious institution (place of worship, school (monastery or madrassa), hospital, almory (langar khanna), orphanage, rel. orders)
-  Ransoming of captives or freeing the slaves was also religious act as beneficiaries were co-religionists
- In the 18th century as religious fervor declined in Europe, rich and influential thought of charities
- Thomas Coram in 1739 established a "hospital" for the street children of London, financed by the rich
- The Marine Society was established in 1956 to aid the recruitment of men to the navy
- In the US, most charitable organizations were initially religious or ethnic e.g. Quakers and the Charitable Irish Society of Boston
- Alexis de Tocqueville praised the civil society or the culture of collaboration in the US
- In early 19th century, philanthropy gradually became popular
- George Peabody established museums, libraries & housing for poor
- Andrew Carnegie, Rockefeller and Ford in the early 20th century donated billions (in today's money)

# SOCIAL WELFARE POLICY-II
## (Topic 144-149)

## Topic 144: Philanthropy and Social Welfare-II

Philanthropists in Pakistan
- Abdus Sattar Edhi
- Imran Khan
- Ramzan Chhipa

Syed Baber Ali
- LUMS
- Ali Institute of Education
- Worldwide Fund for nature (WWF)

Mushtaq Chhapra
- In 1985, Kidney Centre
- In 1990, Patients' Aid Foundation
- In 1995, Citizens Foundation

Hakeem Saeed
- Hamdard University
- Madinat-ul-Hikmah
- Bait-ul-Hikmah

Agha Hassan Abedi
- Infaq foundation: $30 million
- SIUT
- GIKI,
- Sir Syed University,
- FAST (NUCES))

Ganga Ram (1851-1927)
- Father of modern Lahore
- GPO, Lahore Museum,
- Aitcheson College, National College of Arts,
- Ganga Ram Hospital,  Lady Mclagan College,
- Chemistry department  (Government College),
- Lahore College for Women, the Hailey College of Commerce

Philanthropy is important and necessary but not sufficient. The citizen Foundation, one of the largest philanthropy-based NGOs, working in education sector operates only 15000 schools, with 2.5 lakh children. The total numbers of primary and middle public schools in Pakistan are 219,000 and students are more than 30 million. So, 1500 vs. 219,000 and 250,000 vs. 30 million. Similar is the case of philanthropy in health sector SKMT Lahore : 195 beds, SKMT Peshawar : 30 beds. Only Mayo hospital has 3000 beds. 225 in two cities vs. 3000 in one place.

## Topic 145: Employment and Welfare

A systematic contemporary statement of the case for seeing economic and social policy as closely linked and mutually interdependent was made by the Labour Party's Commission on Social Justice, a semi-official inquiry, in its 1994 Report: '. . . economic and social policy are inextricably linked . . . An economic high road of growth and productivity must also be a social high road of opportunity and security' (Commission on Social Justice, 1994: 97). The integration of employment policy and social policy, always, however, implicit in the post-war Beveridgean welfare 'consensus', was made explicit after 1997 and the election of the 'New' Labour government, which, following the Commission, emphasised work as a source of welfare and as the most appropriate route out of poverty.

This view was reiterated, more starkly, by the then welfare reform minister, Jim Murphy, in a speech in March 2007, when he declared that 'Work is the only way out of poverty . . . the benefit system will never pay of itself [enough to lift people out of poverty] and I don't think it should', a comment which caused consternation in the academic social policy community and poverty lobby (Timmins, 2007d). His remarks about benefits were interpreted by critics as a departure from what had been understood to be traditional Labour Party policy. Whether this is the case or not, Murphy's, and the Labour government's, views about the importance of work are not peculiar to British welfare policy-makers; they are generally accepted in the European Union and more generally amongst members of the OECD group of countries, where the commitment has in recent years shifted decisively in the direction of what are called labour market 'activation' policies – roughly speaking, getting unemployed people off welfare and into work (Finn, 2003: 114; Bailey, 2006: 163).

The argument is not simply about income poverty, material deprivation and the value of work in overcoming these. A large body of evidence suggests that there is a connection between involvement in work and general well-being. 'Worklessness is associated with poorer physical and mental health and well-being. Work can be therapeutic and can reverse the adverse health effects of unemployment . . . Overall, the beneficial effects of work outweigh the risks of work, and are greater than the harmful effects of long term unemployment or prolonged sickness absence. Work is generally good for health and well-being.' (Waddell and Burton, 2006: 32). In this sense, therefore, a policy to enable or encourage people to engage in work is a welfare policy.
We will begin by examining a number of concepts and theories of employment and unemployment, then turn to look at the history of policies for employment and unemployment, drawing attention to their connections with broader welfare objectives.
The focus will be on the period since the 1970s. We will examine recent trends and changes in the labour market, and glance briefly at the role of the European Union in relation to UK policy, before examining the policies of the present Labour government in some detail.

We can distinguish (at least) two dimensions of employment policy. '*Primary*' employment policy is concerned with employment and unemployment, with reducing the latter and creating the conditions which underpin high levels of employment, assisting job search and placement, paying cash benefits to the unemployed and, via links with the education and training sector, ensuring that there is an appropriately skilled workforce.
'*Secondary*' employment policy involves various kinds of labour market *regulation*. Workplace health and safety, limitations on hours of work, the pursuit of equal treatment and equal

opportunities within employment, in relation to, for example, gender, race and disability, legislation for equal pay and minimum wages are all examples of the state's attempt to regulate the labour market in the pursuit of social objectives.

*The quality of working life* is an aspect of 'secondary' policy, which concerns the 'quality' of jobs – whether they are satisfying and fulfilling, or boring, repetitive, and so on – participation and opportunities for employees' 'voice' to be heard in crucial decisions, employees' degree of autonomy and control over work processes and

hours of work, opportunities for training and development, and employees' sense of security and self-worth (Brinkley *et al.*, 2007: 4, 59).

Two concepts used in official statistics and official and academic discussion of employment policy are *'economically active'* and *'economically inactive'*. The 'economically active' are a combination of the employed and the unemployed – all people who are in some sense 'in' the labour market. The 'economically inactive' are

those who, for various reasons, are outside the labour market, and include, for example, all those engaged in full-time education, people who are permanently retired and those who are engaged in unremunerated caring responsibilities for family members.

Concepts like employment and unemployment are open to interpretation, like most concepts in social life and the social sciences (Whiteside, 1991: 11–13, 126–130). A broad definition, now used in the UK, is that of the International Labour Organisation (ILO), a branch of the United Nations, which counts as unemployed 'those aged 16 and over who are without a job, are available to start work in the next two weeks, who have been seeking a job in the last four weeks or are out of work and waiting to start a job already obtained in the next two weeks' (Office for National Statistics, 2006a: 51). This is, however, as a definition, just as artificial as any other. A small child or an old person past retirement age, willing to work and looking for it, but unable to find it, will not be classified as 'unemployed' for official purposes (Glynn, 1991: 14). Another example is the argument over the employment status of women, and the circumstances in which they may be defined officially as 'unemployed' – that is, looking for, and available for, work. Policy-makers for much of the twentieth century were remarkably unwilling to afford women, especially married women, the status of being 'unemployed' (Whiteside, 1991: 11–12).

Counting the numbers of unemployed people has also been something open to political manipulation; governments have sought to reduce the apparent numbers of unemployed by adopting narrower definitions.

## Topic 146: Theories of Employment and Unemployment

Contemporary policies for employment and unemployment should be related to changing theories about the causes of, and factors influencing, employment and unemployment. We can, following Bryson, distinguish between *'economic'*, *'behavioural'* and *'institutional'* theories about the causes of unemployment (Bryson, 2003: 79–81).

*Economic* theories are of two types – *'demand'* theories and *'supply'* theories.

• *'Demand' theories* emphasise changes in the demand for labour as influencing levels of employment and unemployment. The Keynesian approach described below is of the first type. Unemployment is due to a lack of demand for labour brought about by lack of 'effective' demand in the economy. This is the kind of unemployment that occurs in an economic recession. (Another term for this kind of unemployment is 'cyclical' unemployment.) Demand theories have fallen out of fashion since the 1970s. Since then, 'supply' theories have become popular.

• *'Supply' theories* draw attention to the characteristics and quality of the workforce, in terms of skill levels, and emphasise policy instruments such as subsidies, training, 'make work' schemes, or ways of improving the number of job offers individuals receive. Other supply-side factors include economic restructuring, involving the decline of manufacturing and the rise of the service economy, globalization and the accompanying intensified international competition in the traded sector of the economy (Bryson, 2003: 79–80). (Such unemployment is also known as 'structural' unemployment.)

• *'Behavioural' theories* of unemployment emphasise either individual shortcomings – people's unwillingness to look for work or keep it – or, on the other hand, the demoralising effects of long-term unemployment on the unemployed and their motivation to seek work.

• '*Institutional' theories*, finally, stress the impact of institutions such as the welfare state itself, and place emphasis on unconditional entitlement to benefits, rather than making benefits conditional on appropriate job search behaviour – 'rights' without 'responsibilities' (Bryson, 2003: 80–81).
Of course, these theories of unemployment are not mutually exclusive, and policy may be underpinned by more than one view about causal factors and influences. In fact contemporary policy towards unemployment in the UK is probably a mixture of all three.

The economic policy of 'inflation targeting' for example, pursued informally from 1993 to 1997 and formally thereafter, has as one of its objectives the creation of a stable economic environment in which demand for labour is buoyant. Policies of removing barriers to freedom of trade, investment and (in a more limited way) movement of labour, associated with the UK's EU membership and involvement in the World Trade Organisation, are also in part designed to create conditions in which business and enterprise can flourish and employers are willing to hire. Trade union reform, carried out by the Conservatives in the 1980s and largely
accepted and retained by subsequent Labour governments, has been designed to create a more 'flexible' labour market and remove barriers to employers' rights to hire and fire. Changes in the administration of job search and placement services and the administration of benefits for the unemployed, associated for example with Labour's 'New Deals' and the creation of 'Jobcentre Plus', have been designed to ensure that benefit recipients engage with the labour market and that unemployed individuals accept some responsibility for seeking and retaining work, or at least seek to acquire work-relevant skills by engaging in training.

## Topic 147: Social Protection

Social welfare and social protection overlap and that's why used interchangeably Social protection is broader as it focuses on vulnerability as well as disability or disadvantage. Why

interest in social protection now? Globalization and democracy, The disastrous effects of Structural Adjustment Programs of IMF and World Bank, Neo-liberal ascendance and inflation targeting Poverty trenchant.

According to the FAO, social protection includes three types of programs:
- **Social assistance**: Govt  provides (conditional or unconditional) cash or in-kind transfers, or public works programs
- **Social insurance**: Govt provides easy insurance to vulnerable groups;
- **Labor market protection:** Govt. provides skills and unemployment benefits
- ADB claim social protection is critical to poverty reduction
- It defines social protection as:

Social protection (SP)  is defined as the set of policies and programs designed to reduce poverty and vulnerability by
- Promoting efficient labor markets
- Diminishing people's exposure to risks, and
- Enhancing their capacity to protect themselves against hazards and  loss or interruption of income

SP mechanisms are classified into two main categories: (i) Informal SP (ISP) and (ii) Formal SP (FSP)
- ISP is provided to individuals or groups by family, relatives, neighbors, NGOs, etc.
- FSP is provided by the government

SP in Pakistan
- Employees Old Age Benefits Institution
- Zakat
- Bait-ul-Mal
- BISP
- PESSI & health insurance/benefits
- SP Authority 2015
- Consolidation
- Khidmat card
- Transgender persons welfare policy

## Topic 148-149: Senior Citizen Initiatives-I-II

There will be more than one billion people aged 60 and above. It is estimated that by 2050 over one fifth of the world's population will be over 60. For the first time in history, older people will outnumber children under 14 years old. The feminization of ageing is another aspect: women outlive men by an average of 4.7 years. Pakistan is one of only 15 countries worldwide with over ten million older people. The older population in Pakistan has seen a decline from 8.2 per cent in 1950 to 5.3 per cent in 1985 due to a growing young population .It is estimated that currently seven per cent of the population (about 14 million) is over 60 years old. The figure is estimated to reach 44 million by 2050 Which might be 13%-16% of the total population. Age: International 65 years, national 60 years. The SDGs to which Pakistan is committed, advocate for age-inclusive development. Pakistan is a signatory to the Madrid International Plan of Action on Ageing. It links ageing and the wellbeing of older persons to international frameworks for social and economic development and human rights.

Total Fertility Rates in South Asia by Country. Data Source: The World Bank
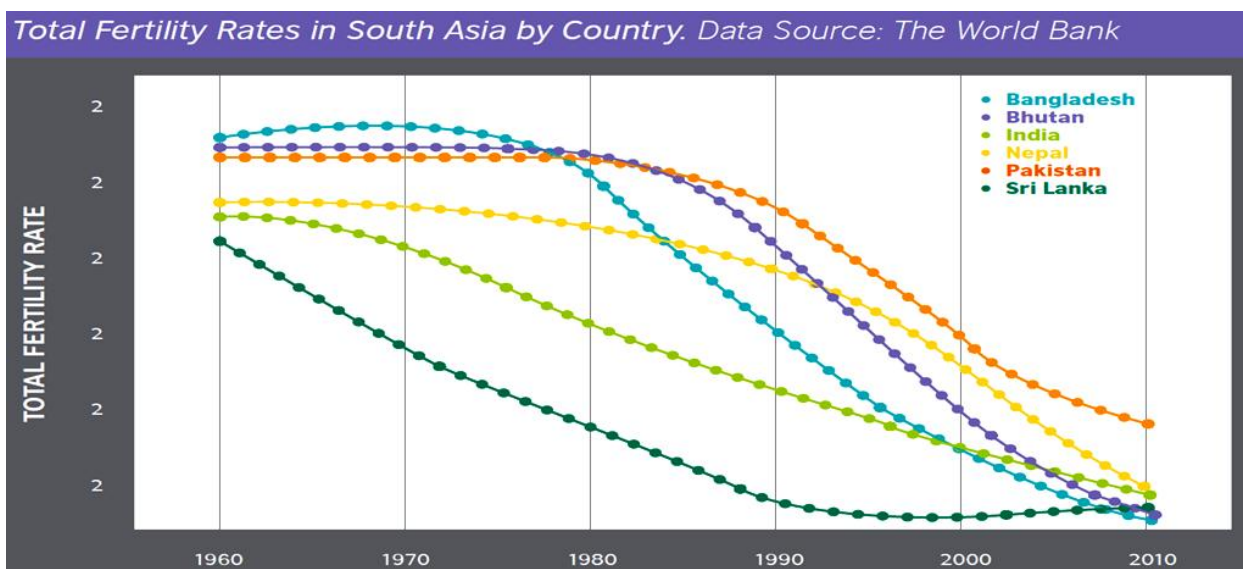
|  | 2015 | 2030 | 2050 |
|---|---|---|---|
| Afghanistan | 4% | 5.1% | 9% |
| Bangladesh | 7% | 11.5% | 21.5% |
| Bhutan | 7.3% | 11.6% | 24.5% |
| India | 8.9% | 12.5% | 18.4% |
| Nepal | 8.6% | 10.8% | 17.9% |
| Pakistan | 6.6% | 8.4% | 12.8% |
| Sri Lanka | 13.9% | 21% | 28.6% |

Khyber Pakhtunkhwa Senior Citizens Act 2014
- Under the act, people who reached 60 years of age can apply and would be issued senior citizens cards that has many benefits
- Cardholders would be extended
- Free access to parks, libraries, other picnic and recreational places
- Financial assistance, concession in medicines
- Setting up separate medical wards for them in public sector hospitals and other incentives
- However, there is no implementation of this act
- Recently, a committee of provincial assembly asked the government to implement the act

**Sindh Senior Citizens Act, 2016**
- A senior citizen council to formulate policies for welfare and improving the well-being of senior citizens
- Issue a Azadi card to all senior citizens
- Provide free or concessional treatment in hospitals
- Provide 50% concession in fares in road transport
- 25% discount on purchase of goods, drugs, medicines and essential commodities for his personal use
- Provide 25% discount at recreation centres, cinemas, theatres, etc.
- Government shall establish and maintain such number of old age homes at accessible places
- Exemption from payment of some taxes
- Again, this act was not implemented
- In an World Elder Abuse Awareness Day event in 2019, people called for implementation
- Now, Federal govt wants to pass a senior citizen act for Islamabad

**SOCIAL WELFARE POLICY-III**
**(Topic 150-156)**

**Topic 150: Child Rights and Welfare in Pakistan**

In Pakistan, children are more than 45% of the total population. They are deprived of their most basic human rights like right to survival, education, health and protection, etc. Given in the Constitution, Pakistan has one of the highest levels of newborn deaths in the world; Polio is still endemic in Pakistan. Estimated 7 million children were not attending primary school in Pakistan There is a huge gender gap, with including 60 percent of not attending children are girls. Child labor is increasing. ILO estimates that child laborers in Pakistan have exceeded 12 million. Child sexual abuse is increasing every year. More than a million children are married each year, mostly girls. Children are at higher risks of hunger and malnutrition, National Nutrition Survey 2011, reveals that 15.1% of under-five children are wasted, 43.6 % are stunted and 31.5% are underweight.

*Challenges*
- Fiscal constraints
- Cultural practices
- Social mores
- Poverty
- Law & order
- Corruption
- Tussle between donors and govt

**Topic 151: Social Safety Net-I**

Social Safety Net Programme (SSNP) is an ongoing activity to reach to the poor and disadvantaged group to maintain social harmony through redistribution of resources with basic objective of reducing poverty. This programme is in the form of direct cash transfers and other services which include both budgetary and non budgetary programmes. Budgeted social safety net programmes include Benazir Income Support programme (BISP), Pakistan Bait-ul-Mal (PBM) and Social Security & Welfare while Zakat, Employees Old-age Benefit Institution (EOBI) and Workers Welfare Fund (WWF). Pakistan Poverty Alleviation Fund (PPAF) is the nonbudgetary part of the programme. Microfinance through specialized financial institutions also provides micro finance services to the needy poor. Realizing the need to devolve social protection policy for education and health sector at grass root level, a National Framework has been devised for localization of Sustainable Development Goals (SDGs) at district level to improve public service delivery and implement the global agenda which in turn will provide an opportunity to local governments to ensure inclusivity and sustainability to achieve the SDGs goals to join upper middle class countries by 2030. These goals includes; alleviation of poverty and hunger in all its forms through ensuring food security, improved nutrition, promote sustainable agriculture, universal access to health services, education, modern energy services, clean water and sanitation. The federal government has decided to enhance working relationship

with the provinces and providing all possible support to ensure successful implementation of the SDGs.

World SP Report 2017-19, ILO

Social protection, or social security, is a human right and is defined as the set of policies and pro-grammes designed to reduce and prevent poverty and vulnerability throughout the life cycle. Social pro-tection includes child and family benefits, maternity protection, unemployment support, employment injury benefits, sickness benefits, health protection, old-age benefits, disability benefits and survivors' benefits. Social protection systems address all these policy areas by a mix of contributory schemes (social insurance) and non-contributory tax-financed benefits, including social assistance.

World leaders adopted the Sustainable Development Goals (SDGs) in 2015. SDG 1.3 commits countries to implement nationally appropriate social protection systems for all, including floors, for reducing and preventing poverty. This commitment reaffirms the global agreement on the extension of social security achieved by the ILO Social Protection Floors Recommendation, 2012 (No. 202), adopted by representatives of workers, employers and governments from all countries.
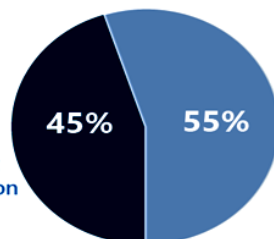
## World Social Protection Report 2017– 2019

Universal social protection to achieve the Sustainable Development Goals

**International Labour Organization**

Only **45%** of the global population is effectively covered by at least one social protection benefit (SDG 1.3)

45%    55%

*"Denying this human right to* **4 billion** *people worldwide is a significant obstacle to economic and social development"*
ILO Director-General Guy Ryder

**Population receiving at least one social protection benefit (SDG 1.3)**

| 84% | 68% | 39% | 18% |
|---|---|---|---|
| Europe & Central Asia | Americas | Asia & the Pacific | Africa |
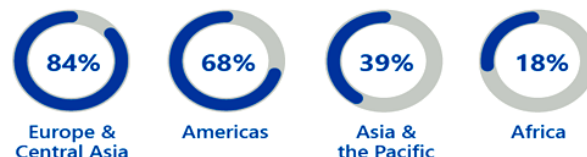
**Only 29% are covered by the full range of social security benefits,** including child benefits, benefits in case of maternity, unemployment, employment injury, sickness, disability, old-age and survivors' benefits, as well as health protection.
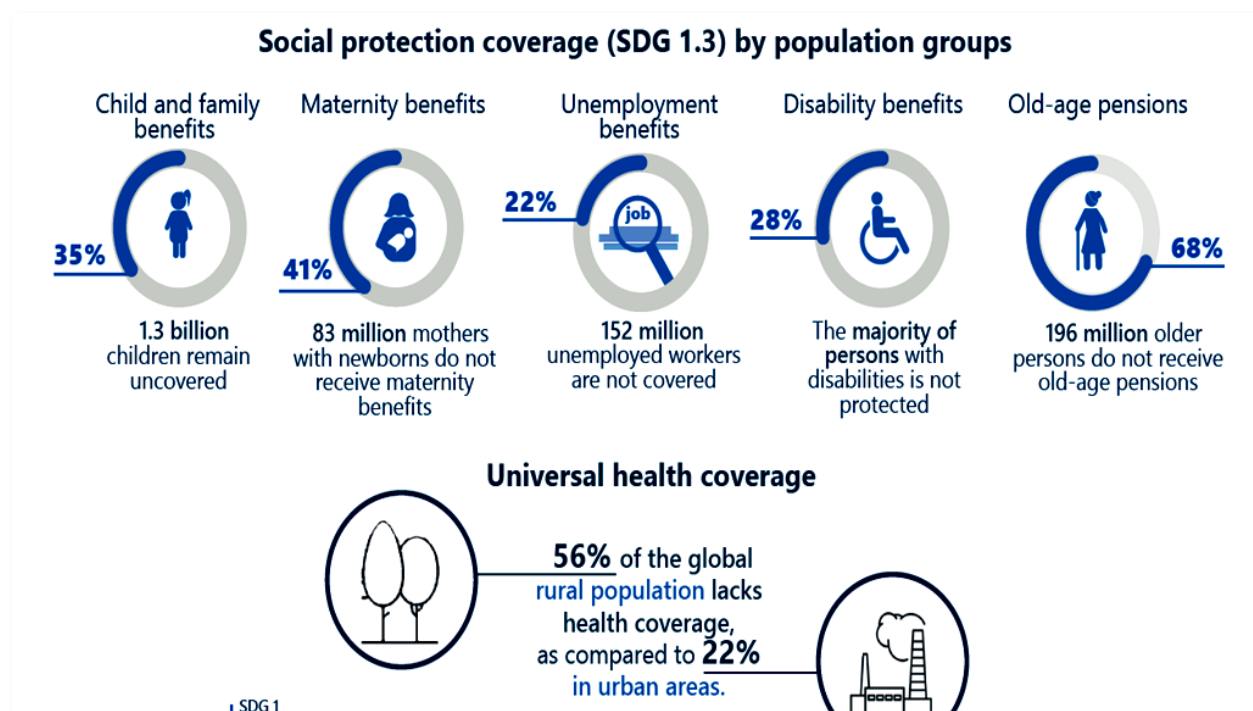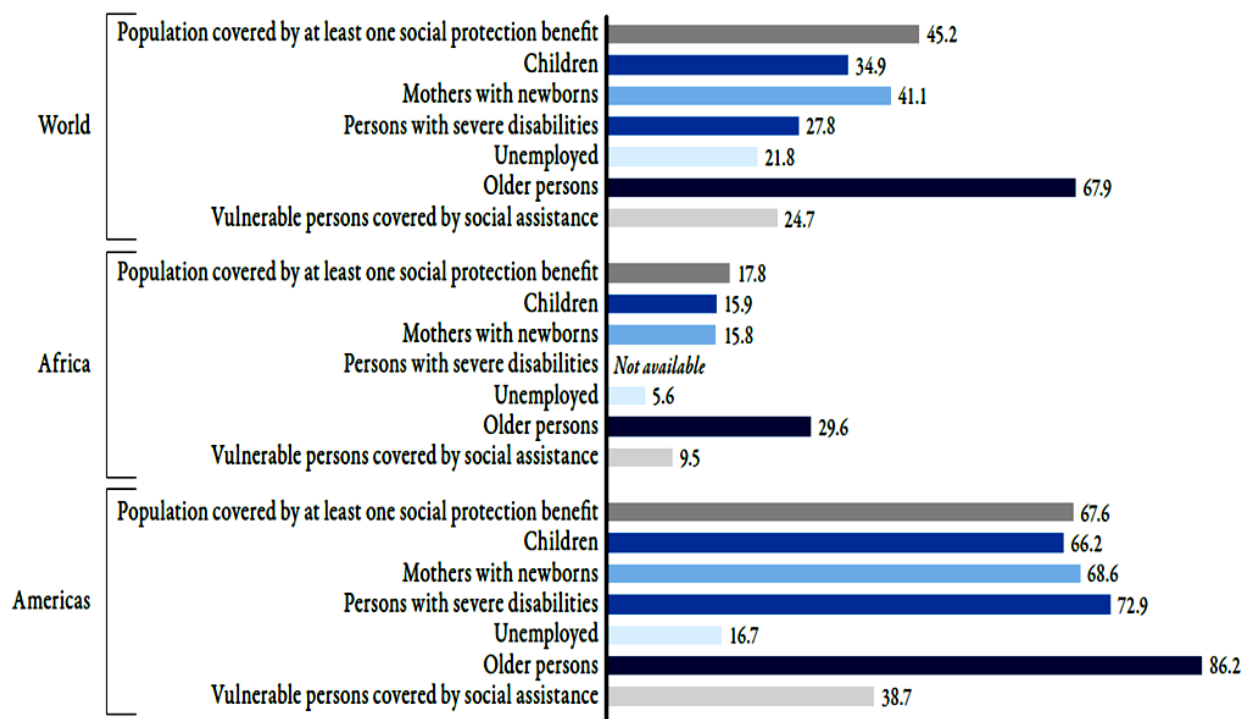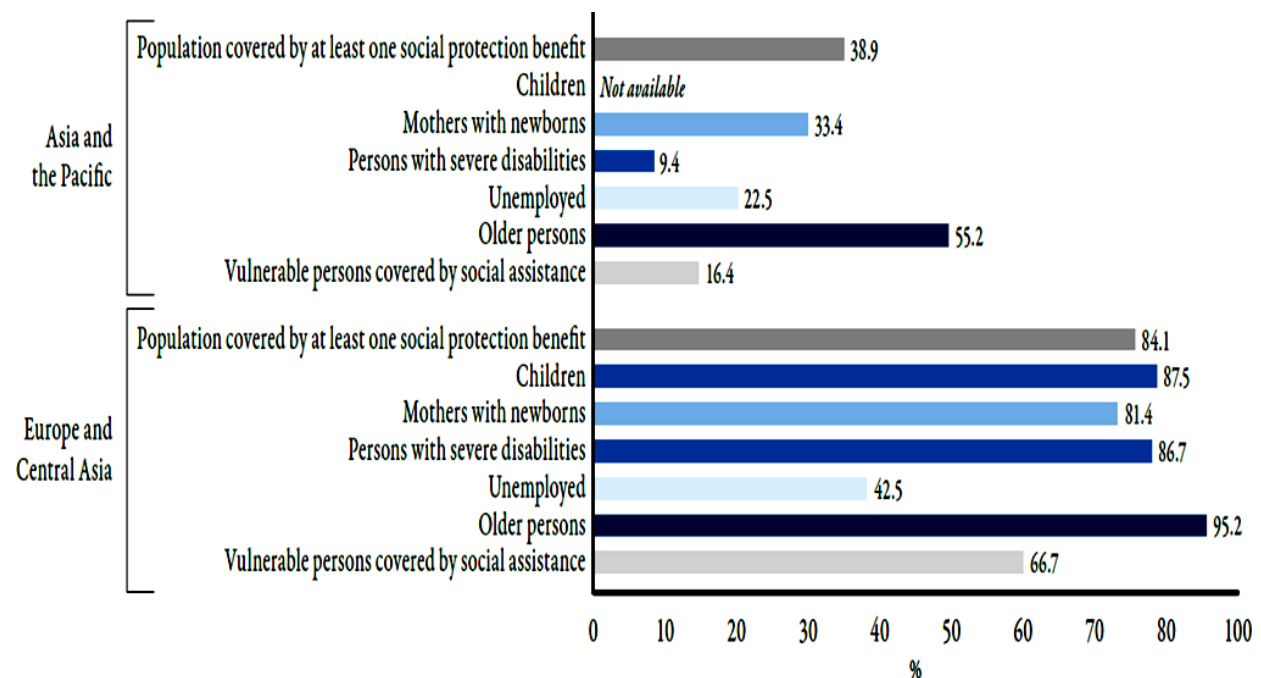
## Social protection coverage (SDG 1.3) by population groups

**Child and family benefits**

35%

1.3 billion children remain uncovered

**Maternity benefits**

41%

83 million mothers with newborns do not receive maternity benefits

**Unemployment benefits**

22%

152 million unemployed workers are not covered

**Disability benefits**

28%

The **majority of persons** with disabilities is not protected

**Old-age pensions**

68%

196 million older persons do not receive old-age pensions

### Universal health coverage

**56%** of the global rural population lacks health coverage, as compared to **22%** in urban areas.

SDG 1

Figure 1. SDG indicator 1.3.1: Effective social protection coverage, global and regional estimates by population group (percentage)

**World**

| | |
|---|---|
| Population covered by at least one social protection benefit | 45.2 |
| Children | 34.9 |
| Mothers with newborns | 41.1 |
| Persons with severe disabilities | 27.8 |
| Unemployed | 21.8 |
| Older persons | 67.9 |
| Vulnerable persons covered by social assistance | 24.7 |

**Africa**

| | |
|---|---|
| Population covered by at least one social protection benefit | 17.8 |
| Children | 15.9 |
| Mothers with newborns | 15.8 |
| Persons with severe disabilities | *Not available* |
| Unemployed | 5.6 |
| Older persons | 29.6 |
| Vulnerable persons covered by social assistance | 9.5 |

**Americas**

| | |
|---|---|
| Population covered by at least one social protection benefit | 67.6 |
| Children | 66.2 |
| Mothers with newborns | 68.6 |
| Persons with severe disabilities | 72.9 |
| Unemployed | 16.7 |
| Older persons | 86.2 |
| Vulnerable persons covered by social assistance | 38.7 |

**Social Protection for children**
- Only 35% of children worldwide
- Regional disparities
- 1.3 billion not covered
- Mostly in Asia & Africa

**Social Protection for elderly**
- 68% worldwide receive benefits, but low..
- Universal pension coverage by many developing countries
- Austerity has negative effect

**Social Protection for working age**
- Unemployment, injury, pregnancy, etc.
- Only 41% new mothers receive benefits
- Around 22% covered by unemployment benefits
- Only 28% of severely disable get benefits
- Only 3.2% of GDP is spent on public social protection
- Moreover, there are coverage and adequacy gaps
- SP changes lives and changes countries
- SP's benefits pay themselves in long term and are scientifically proven
- Waiting for fiscal space will not help

Figure 3.12  Maternal mortality ratio (per 100,000 live births) and percentage of live births
                    attended by skilled health personnel, 2015
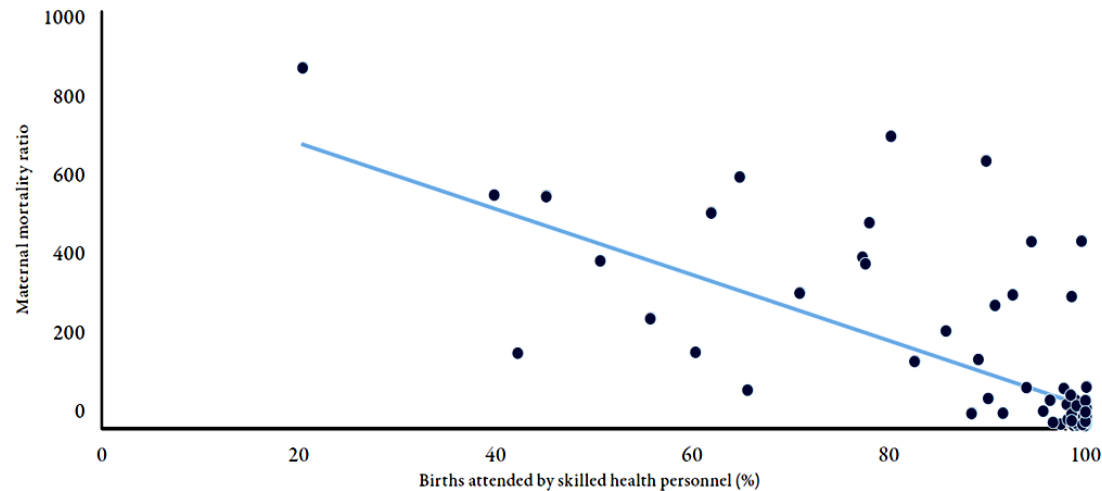


## Topic 152-153: ILO Declaration on Fundamental Principles and Rights at Work-I-II

- Worker and labor is comparatively new addition to human rights
- Rarely, there have been some peasant or slave revolts and these have mostly failed
- Mostly, people have accepted whatever was given

Industrialization led to the start of workers' right movement

- Large number
- One place and one employer
- Rising standards of human rights
- First, children and women rights
- Then, specific industries

International Labor Organization (ILO): 1919

- Part of Treaty of Versailles
- 9 International Labour Conventions and 10 Recommendations were adopted in first two years

These conventions dealt with key issues, such as:

- Hours of work
- Unemployment
- Maternity protection
- Night work for women
- Minimum age
- Night work for young persons

UN Declaration of Human Rights (1948)

- 23 and 24 articles of the UN Declaration of Human Rights (1948)
  - 23: choice, non-discrimination, and reasonable standards
  - 24: rest and leisure

Article 23

(1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.
 (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection
(4) Everyone has the right to form and to join trade unions for the protection of his interests

Article 24

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay

ILO Declaration on Fundamental Principles and Rights at Work adopted in June 1998, revised in 2010. Whereas the ILO was founded in the conviction that social justice is essential to universal and lasting peace.
Whereas economic growth is essential but not sufficient to ensure

- Equity
- Social progress
- And the eradication of poverty
- Confirming the need for the ILO to promote strong social policies, justice and democratic institutions

Whereas the ILO should, now more than ever, draw upon all its

- Standard-setting,
- Technical cooperation,
- Research resources in all its areas of competence, in particular employment, vocational training and working conditions,
- To ensure broad-based sustainable development
- Whereas, in seeking to maintain the link b/w social progress and economic growth,
- The guarantee of fundamental principles and rights at work is of particular significance
- As it enables the persons concerned to claim freely
    - Their fair share of wealth
    - Achieve fully their human potential

Whereas the ILO is the constitutionally mandated international organization. And the competent body to set and deal with international labor standards, and enjoys universal support and acknowledgement in promoting fundamental rights at work as the expression of its constitutional principles. Whereas it is urgent, in a situation of growing economic interdependence, to reaffirm the immutable nature of the fundamental principles and rights embodied in the Constitution of the Organization and to promote their universal application. Second part: Some of the responsibilities of the member states and ILO. All Members have endorsed the principles and rights… and have undertaken to work towards attaining the overall objectives. ILO to assist its Members… to attain these objectives by making full use of its constitutional, operational and budgetary resources. ILO stresses that labour standards should not be used for protectionist trade purposes, and…the comparative advantage of any country should in no way be called into question by this Declaration.


## Topic 154: Worker Rights in Pakistan

- Major trend is reducing protections to workers and downgrading of their rights

- • Neo-liberal economy
- • Desperate for investment
- • Decline of Left
- Data from A Profile of Trade Unionism & Industrial Relations in Pakistan by Zakaullah Khan Khalil, Registrar, National Industrial Relations Commission (NIRC)
- Published by the ILO in 2018

## Workforce Distribution

|  | Millions | % |
|---|---|---|
| Labour Force | 61.04 | 100.00 |
| Unemployed | 3.62 | 5.94 |
| Employed | 57.42 | 94.06 |
| Agriculture | 24.27 | 42.27 |
| Non-Agriculture | 33.15 | 57.73 |
| Formal | 9.092 | 27.43 |
| Informal | 24.06 | 72.57 |

| Sector | Male Employ-ment (Million) | Female Employ-ment (Million) | Total Employ-ment (Million) | Sectoral Share in GDP (%) |
|---|---|---|---|---|
| Agriculture/Forestry & Fishing | 14.58 | 9.70 | 24.28 | 20.88 |
| Mining & Quarrying | 0.09 | 0.00 | 0.09 | 2.92 |
| Manufacturing | 6.93 | 1.88 | 8.81 | 13.27 |
| Electricity & Gas | 0.23 | 0.00 | 0.23 | 1.67 |
| Construction | 4.17 | 0.03 | 4.20 | 2.44 |
| Wholesale & Trade | 8.22 | 0.18 | 8.40 | 18.26 |
| Transport, Storage & Information Communication | 3.09 | 0.01 | 3.10 | 13.36 |
| Financial & Insurance | 0.32 | 0.01 | 0.33 | 3.14 |
| Others | 6.45 | 1.53 | 7.98 | 24.06 |

Source: Labour Force survey (2014 – 2015)

## Provincial Distribution of Population & Workforce
## Source: Labour Force Survey 2014-15

| S.# | Area | Population | Labour Participation | Participation Rate |
|-----|------|-----------|---------------------|--------------------|
| 1 | Pakistan | 193,190,000 | 61,051,613 | 32.27% |
| 2 | Punjab | 104,410,837 | 36,919,671 | 35.36% |
| 3 | Sindh | 46,808,231 | 14,313,957 | 30.58% |
| 4 | Khyber Pukhtunkhwa | 26,367,389 | 6,602,394 | 25.04% |
| 5 | Baluchistan | 11,603,545 | 3,207,219 | 27.64% |

Source: Labour Force survey (2014 – 2015)

| Year | Number of Unions | Membership |
|------|------------------|------------|
| 1951 | 209 | 393,137 |
| 1960 | 708 | 350,604 |
| 1970 | 2,522 | 735,620 |
| 1980 | 6,551 | 869,128 |
| 1990 | 7,080 | 952,488 |
| 2001 | 7,004 | 1,040,303 |
| 2016 (Dec) | 7,096 | 1,414,160 |

Quaid-i-Azam as labor leader
- Elected President of the All India Postal Staff Union in 1925
- Played a key role in the enactment of the Trade Union Act, 1926
- After independence, industrialists had an ally in bureaucrats who were against worker rights
- After long struggle, the Industrial Relations Ordinance, 1969

- The PPP was the first major party in (West) Pakistan to support trade unions

Second Industrial Relations Policy for Pakistan 1959. Not much follow up
- However, some laws:
    - Road Transport Workers Ordinance, 1961
    - Minimum
    - Wages Ordinance, 1961
    - Apprenticeship Ordinance, 1962
- IR/Labor Policy, 1969
- IR/Labor Policy 1972
- IR/Labor Policy 1981 (rejected by workers' representatives)
-  IR/Labor Policy 2002
- IR/Labor Policy 2010

## Topic 155: Case Study: Domestic Worker Rights

One of the least protected
- Women and children a majority
- Informal
- Influential employers
- Labor laws generally do not include them. No registration with the government and no unions until recently. Every 4th household in the country hires domestic worker. 4-10% of total employment in developing countries

Two types
- In-house
- Part-time
- In-house: cooks, maids, nannies, helpers and drivers
- Part-time: same jobs but for some hours
- In-house: more in danger of exploitation
- Child abuse
- Sexual abuse
- Dangerous work
- Dangerous workplace
- No minimum wage
- No specific hours

Gender inequality
- Same work, different pay

No medical help
- Even for on-job injury

No pension or insurance
- Even social security schemes do not recognize

No legal rights
- Presumption of theft and terrorism

The Domestic Workers' Unions was registered by the Department of Labour Punjab on 20th December, 2014. Pakistan Workers' Federation also drafted a model employment contract for domestic workers in consultation with government and employers.
- Senate passed a domestic worker rights bill in 2015 but NA did not

- Punjab Domestic Workers Act 2019: A big achievement
- First law to directly address domestic workers' plight

Issues

- Minimum age: but 15 years. Compulsory schooling age is 16 years according to Article 25-A of 1973 Constitution
- Maternity benefits: 6 weeks, not 12 weeks
- Minimum wage: not clear
- Low penalties
- Hazardous work for a 15 year old
- Unions

## Topic 156: Social Safety Net-II

Article 38 (d) of 1973 Constitution: the state "to provide basic necessities of life such as food, clothing, housing, education and medical relief to the needy irrespective of sex, caste, creed or race"

- "No Poverty" by 2030 first SDG goal

- Pakistan's poverty headcount has witnessed a decline since 2000 both at national and regional levels as well as in urban and rural areas
- % of people living below poverty line has declined from 50 % in 2005-06 to 24.3 % in 2015-16

12th Five year Plan 2018-2023- Roadmap

- Approval of the national framework for developing social protection policies to guide provinces in policy formulation
- Reducing Cost of Basic Needs (CBN) based poverty from 24.3 percent in FY 2016 to 19.0 percent by 2023
- Reducing multidimensional poverty headcount from 38.8 percent in FY 2015 to 30.0 percent by 2023
- Alignment of provincial social protection policies according to the provision in the national framework for developing social protection policies
- Creation of database for vulnerable groups to ensure better targeting of poor
- Enhancing Corporate Social Responsibility (CSR) to reduce poverty in consultation with private sector. A CSR framework would be compiled in collaboration with all stakeholders

- The PM launched a comprehensive Poverty Alleviation Program "Ehsaas" in March, 2019 with its 4 focus areas and 155 policy actions to reduce inequality, invest in people
- Additional Rs. 80 billion to be provided for social safety net

Four pillars of Ehsaas are:

- Addressing elite capture and making the government system work to create equality;
- Safety nets for disadvantaged segments of the population;

- Jobs and livelihoods; and
- Human capital development

- The PM has also announced the establishment of a new Ministry of Social Protection/Poverty Alleviation to address the current fragmentation where 3 different ministries dealt with social safety issues
- The Benazir Income Support Program (BISP), Pakistan Bait-ul-Mal, Zakat, Pakistan Poverty Alleviation Fund (PPAF) are the major programs

# HEALTH POLICY-I
## (Topic 157-163)

### Topic 157: Social Safety Net-III

- BISP is a federal unconditional cash transfer Social Safety Net initiative
- Started in 2008-09 only for women
- Nationwide presence with headquarter in federal capital and 6 regional offices at provincial capitals



Fig-2: Yearly Number of Beneficiaries



Fig-3: Yearly Cash Grants
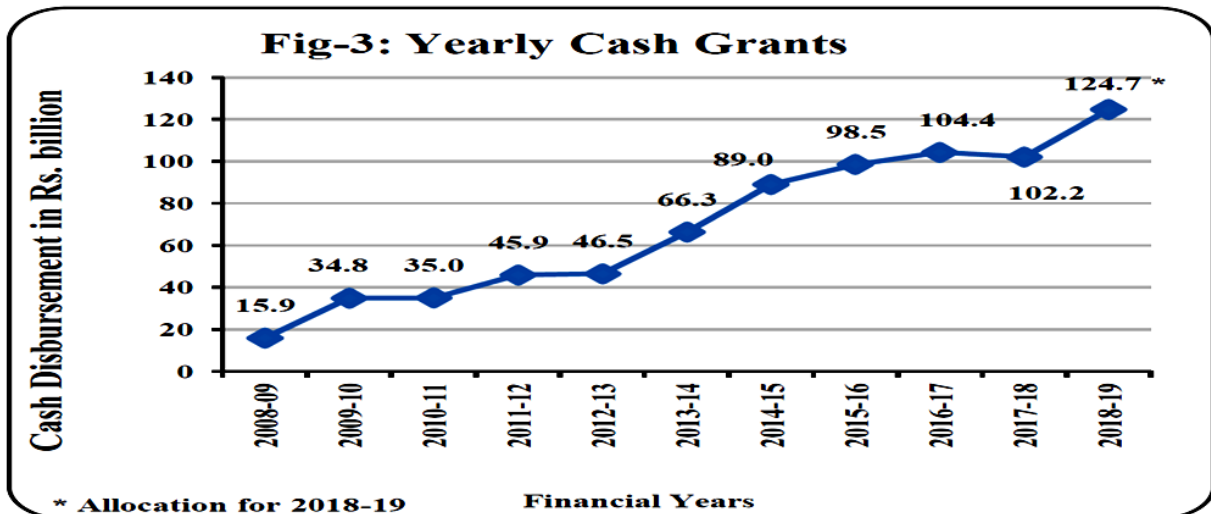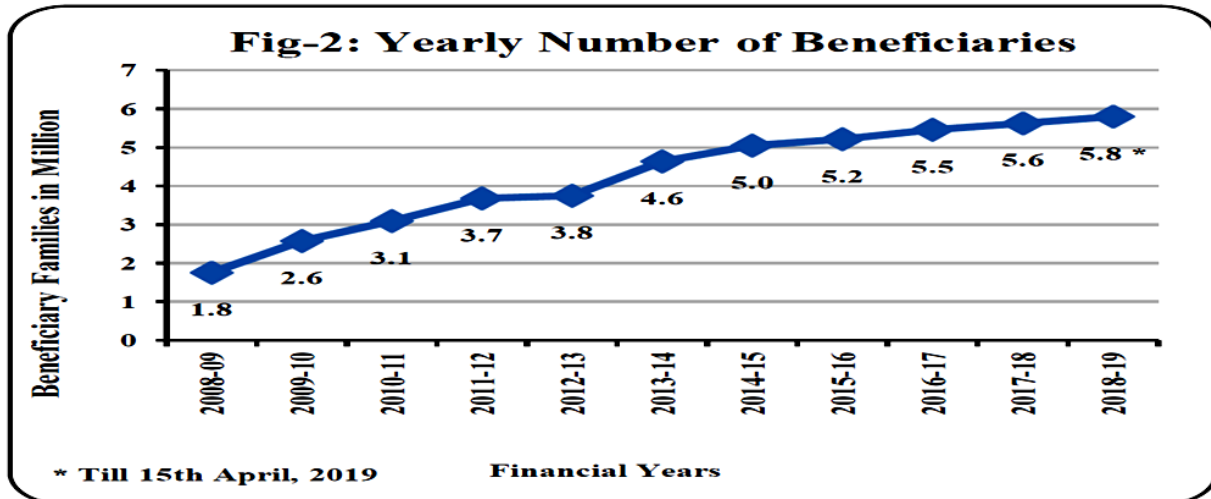
- Conditional Cash Transfer (Waseela-e-Taleem)
  - Schools going children
- BISP Graduation Program
  - Selection
  - Assets

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- • Trainings/skills development
  - • Handholding
- • Better targeting
  - • New surveys
  - • More technology: Biometrics
- • Better monitoring
- • Financial inclusion

The PPAF is the leading institution focused on eliminating poverty in Pakistan

- • PPAF promotes public-private partnerships (PPPs) with private NGOs/CSOs to reduce poverty
- • Until March 2019, PPAF has disbursed more than Rs. 222 billion to its Partner Organizations
- • Until March 2019, 8.4 million microcredit loans were disbursed (60 percent loans to women and 80 percent in rural areas)
- • Established in 2000
- •

During July 2018 to March, 2019, PPAF has disbursed Rs 756 million to its partner organizations (POs) under PPAF core interventions administered under various PPAF supported programs as shown in the Table-15.3 below:

| Table:-15.3: PPAF Disbursement by Operating Units/Special Initiatives | | Rs million |
|---|---|---|
| S. No. | Program Components | Financial Progress |
| 1. | Institutional Development and Social Mobilization (ID/SM) | 245 |
| 2. | Livelihood Enhancement and Protection (LEP) | 153 |
| 3. | Water and Infrastructure (W&I) | 186 |
| 4. | Education, Health and Nutrition (EHN) | 123 |
| 5. | Interest Free Loan (IFL) | 49 |
| | Total | 756 |

- • Pakistan Bait-ul-Mal (PBM) provides assistance to destitute, widows, orphans, invalid, infirm and other needy persons irrespective of their gender, cast, creed and religion
- • Individual financial assistance (IFA), child support, support to NGOs, etc.

| S. # | Category | Amount Disbursed during July to March FY 2019 Rs million |
|---|---|---|
| 1 | IFA-Medical | 1,705.287 |
| 2 | IFA-Education | 60.155 |
| 3 | IFA-General / Special Friends | 28.419 |
| Total | | 1,793.861 |

**Topic 158: What is Health? Models of Health**

Health, like most concepts in the social sciences, is a disputed, contested, fuzzy concept. There is a variety of concepts of health (and its correlate, *illness*). We can distinguish between the so-called '*medical*' (or '*biomedical*') and '*social*' (or '*socio-medical*') models of health.

The *medical model* sees health as the absence of disease. Disease is interpreted as a physical malfunctioning of the organism as a result of invasion or attack by pathogens or by other disease-causing agents or processes, such as smoking, for example (Nettleton, 1995: 3–4). This model is associated with a 'scientific' view of medicine, health, illness and disease and has been the 'privileged', mainstream view of health and illness for much of the post-war period.

The *'social' model* of health embodies the view that health is more than the absence of disease. The range of factors affecting health is wider and includes, for example, material and social circumstances, such as income, working conditions, housing, education, environmental quality and the degree of social cohesion. (Relatively) poor material and social circumstances lead to (relatively) poor health outcomes. Chadwick's famous report of 1842 on public health, with its account of the poorer health of urban working-class populations in Britain's industrializing cities, by comparison with the middle classes, exemplifies the historical importance and influence of the social model (Fraser, 2003: 66–71). Important restatements of the social approach are those of the World Health Organisation in the 1970s, which advanced an ambitious and demanding conception of health as a state of complete physical, mental and social well-being (Nettleton, 1995: 41), and the Black Report on health inequalities in Britain (Townsend and Davidson, 1982).

Dengue was a private problem, not a public issue in early 2000s. Dog bite in Karachi was a private concern until 2 or 3 months ago. Why? Governments are partially responsible for public health. Issues and focus changes, issues are complex and need intervention from diverse areas, Health is "a disputed, contested, fuzzy concept". Models of health are 'conceptual frameworks'.

*Medical vs. social models of health*
Medical model:  health as the absence of disease, illness
- Diagnosis and treating of individuals without thinking about their living conditions
- Scientific & privileged
Social Model: More than absence of disease
- Range of factors, including social and material factors
- E.g. working conditions, housing, education, environment
- The WHO: Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity
- Mental health includes our emotional, psychological, and social well-being
To improve social health
- Prevention
- Access to health care
- Reduce social inequities
- Empower individuals and communities
- E.g. provide employment


## Topic 159: Health Policy and Health Care Policy

It is important to distinguish between *health policy* and *health care policy*. The course of the twentieth century has, in the UK as elsewhere, seen a shift from health policy to health care policy, corresponding to a decline in the acceptance of the social model of health, and a rise in that of the medical model. Health policy is broader, having to do with the whole range of factors that impinge on the health of a population. Health policy is more important, but health care policy is more salient for voters, public opinion and governments. Rudolf Klein drew attention to this paradox with his acute observation some years ago that The NHS has a political constituency: those whose income comes from working in it and those who, as patients, derive some direct benefits from its services. Prevention has no such constituency. Those who will benefit cannot be identified; moreover, the benefit itself is uncertain. For prevention is about the reduction of statistical risk, not about the delivery of certain benefits to specific individuals (Klein, 1989: 173)

In other words, politicians might very well believe that public money would be better spent on public and preventive health measures, but the demands of winning elections require that they spend money on improving health services, for example by shortening waiting lists, increasing the numbers of doctors and nurses, and increasing the availability and uptake of new medical technology.

There is an uncertain relationship between health care and health. Improvements in the health of the British population (measured by reference to improvements in mortality and life expectancy) have taken place continuously since records began 150 years ago, but it is hard to correlate this with improvements in the amount, quality or availability of health care or health services.
- Health policy more important
- Public focus on medical model when talking about health
- Health care policy more important for politicians (and easier to do)

Recent "health" issues
- Dengue
- Dog bite vaccination
- Health care after disaster
- HIV-infected blood transfusion
- Smog effects
- Failure of health reforms in KP & doctor strikes

What could be recent "health" issues
- Unemployment
- Over-population
- Gender inequality
- Education

## Topic 160: Health Policy Making: Administrators and Professionals

Governments do not create and shape health policy on their own. 'Health policy' can involve, in principle, a wide range of issues and participants. Organisations shaping and influencing health policy include, for example, health care professions, local government, trade unions, voluntary organisations, the World Health Organisation, the European Union, pharmaceutical companies, private health insurers, private health service providers, Parliament, and the higher education sector. Most health policymaking is the outcome of a complex process of bargaining and

negotiation between the government and these various interest, pressure and lobby groups that comprise the health policy 'community'.

**Administrators and professionals**

- Governments not alone
- Health care professions, universities, unions of doctors/nurses, NGOs, the WHO, pharmaceutical companies, private health insurers, and private health service providers
- Policy result of a complex process of bargaining and negotiation
- Unilateral PMDC dissolution
- Strikes, unrest and court cases
- Power relations in the Pakistan's health care system: pluralistic or hegemonic?
- Hegemonic: suppliers dominate users
- Patient rights rarely an isssue
- Supplier power
- Bureaucrats and doctors
- Generalists vs. professionals

Core team at health department
- Secretary health
- SS (Development & Finance)
- SS (Administration)
- AS (Development & Finance)
- AS (Staff)
- AS (Technical)
- Pakistan Medical and Dental Council used to be the apex body
- Dissolved in October and replaced by PMC
- Self-governed and regulated profession
- Education, degrees, permission to practice, diagnosis of malpractice, etc.
- Malpractice cases usually do not result in punishments
- Money matters
- From private clinics to private colleges
- More than 150 private medical institutions
- Successful millionaire owners

## Topic 161-162: Health Policies-I-II

Health Policy 2001
- Pakistan had many health policies and commission reports and reforms
- In the 21$^{st}$ century, it started with HP 2001
- Under Musharraf in 2001

## Projected Health Indicators

**Planned Health Sector Outcomes (2001-2004 and 2010)**

| indicators | 2000 | 2004 | 2010 |
|---|---|---|---|
| Infant Mortality Rate (Per 1000 live births) | 90 | 65 | 55 |
| EPI Coverage | 51% | 80% | 100% |
| No. of Polio Cases Reported | 199 | Nil | Nil |
| Prevalence of malnutrition (Pre-School) | 39% | 35% | 20% |
| Low Birth Weight Babies (LBW) | 25% | 20% | 12% |
| Contraceptive Prevalence Rate (CPR) | 28% | 39% | 50% |
| Maternal Mortality Ration (MMR) | 400 | 300 | 180 |
| DOTs Coverage for TB | 25% | 50% | 60% |
| Lady Health Workers Coverage of Target Population | 45% | 100% | 100% |

Source: Ten Year Perspective Plan Development Plan 2001-11 and Three Development Program 2001-04, Government of Pakistan, Planning Commission, September2001.

- IMR: 69 per 1000
- Polio cases: 90+
- MMR: 140
- Key feature of HP
- Health sector investments: Part of Government's Poverty Alleviation Plan
- Priority attention is accorded to primary and secondary sectors, not tertiary care
- Good governance is seen as the basis of health sector reform
- Primary, secondary and tertiary care refer to the severity of health challenges
- Primary care is the first contact (MBBS)
- Secondary is the senior doctor at a DHQ
- Tertiary is specialized hospital and doctors

The **overall national vision** for the health sector is based on "Health-For-All"approach. The new health policy aims to implement the strategy of protecting people against hazardous diseases; of promoting public health; and of upgrading curative care facilities.
- 10 Specific Areas of Reforms
- Reducing widespread prevalence of communicable diseases
- Addressing inadequacies in primary/secondary health care services;
- Removing managerial deficiencies in the District Health System
- Promoting greater gender equity
- Bridging basic nutrition gaps in the target-population
- Introducing required regulation in private medical sector
- Creating Mass Awareness in Public Health matters
- Effecting Improvements in the Drug Sector
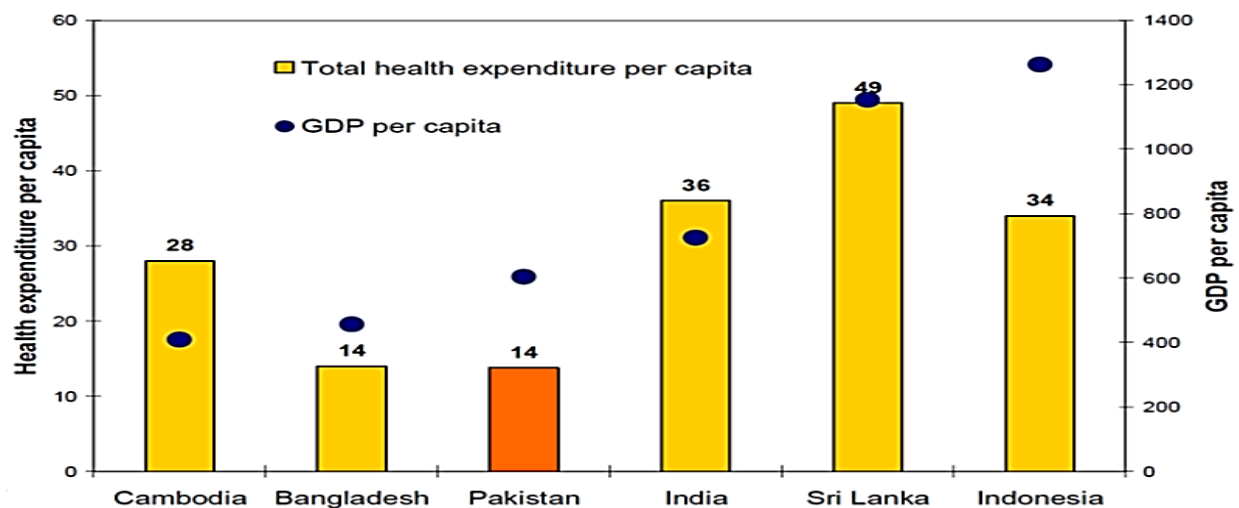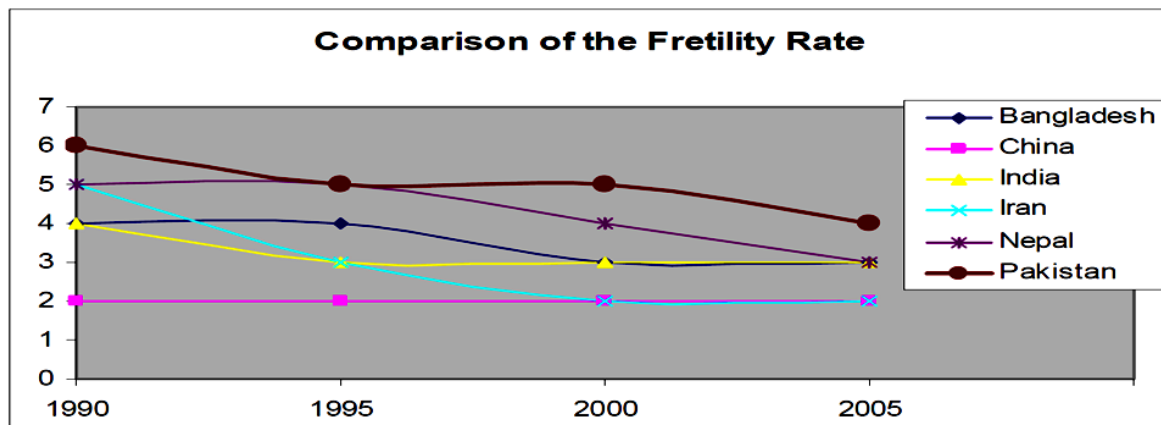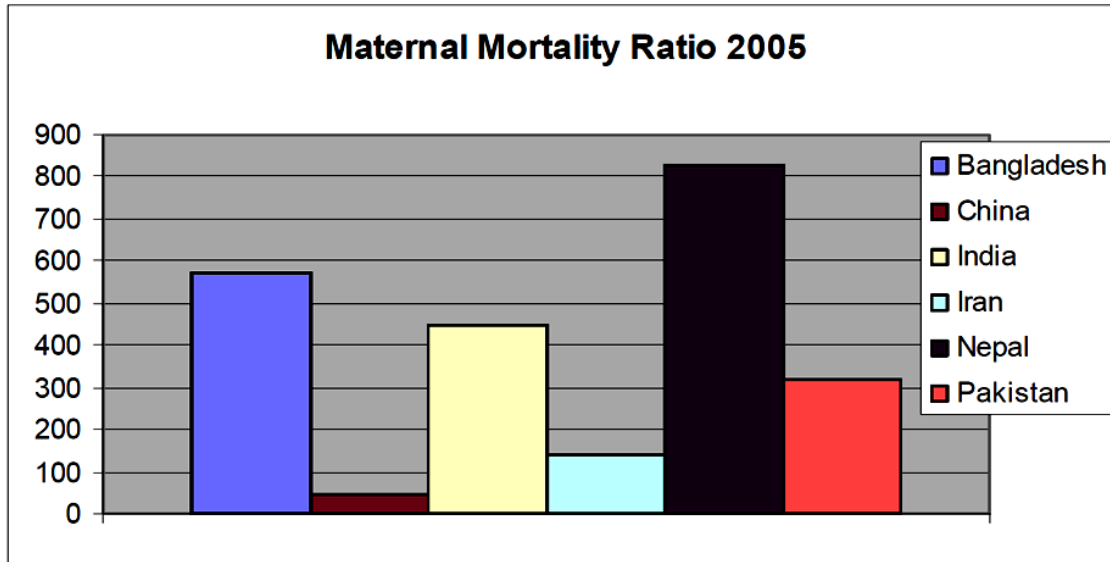- Correcting urban bias in health sector

- Capacity-building for Health Policy Monitoring

**Maternal Mortality Ratio 2005**



**Comparison of the Fretility Rate**
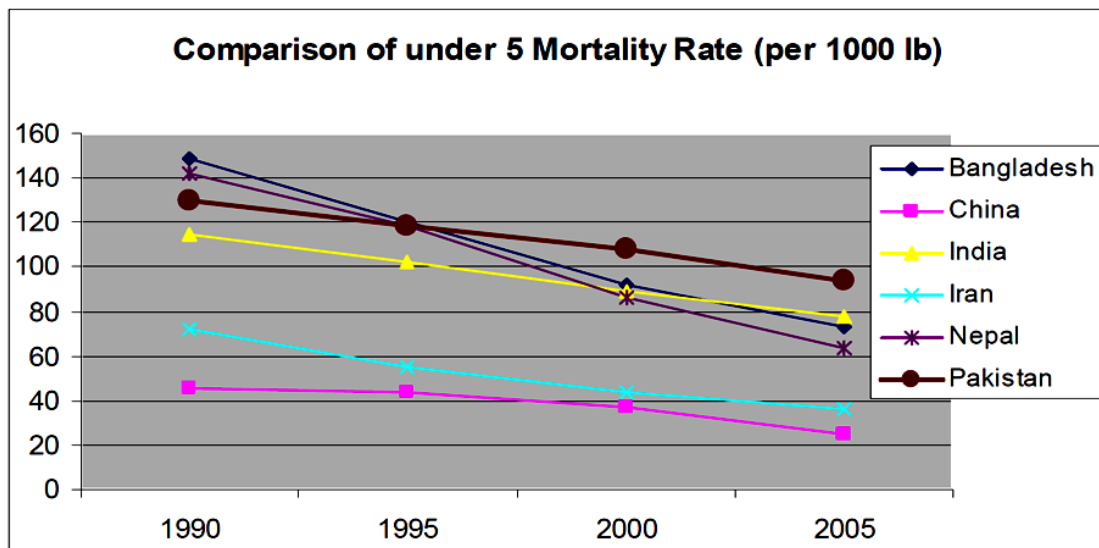


**Why 2001 HP failed?**

- No targeting strategy was envisaged to ensure pro-poor healthcare
- The policy lacked explicit monitoring and evaluation framework
- Little emphasis on advocacy and orientation for the policy makers
- Linkages between different sector not made explicit
- Private sector role not clearly defined

HP 2009
- Objectives
  - Enhancing coverage and access of essential health services esp. for the poor
  - Measurable reduction in the burden of diseases especially among vulnerable population
  - Protecting to the poor and under privileged population subgroups against catastrophic
  - health expenditures and risk factors
  - Strengthening health system with focus on resources
  - Strengthening stewardship functions in the sector to ensure service provision, equitable financing and promoting accountability;
  - Improving evidence based policy making and strategic planning in the health sector.

**Annexure - I**

icators (Baseline, Benchmarks and Targets) for National Health Policy 2009

| Indicators | Baseline 2006-07 | Benchmarks and Targets | | | | | |
|---|---|---|---|---|---|---|---|
| | | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 |
| **HEALTH OUTCOMES** | | | | | | | |
| <5 mortality rate (per 1000 lb) | 94 | 78 | 73 | 68 | 65 | 60 | 55 |
| Infant mortality rate (per 1000 lb) | 78 | 66 | 62 | 58 | 55 | 48 | 43 |
| Maternal mortality ratio (per 100,000 lb) | 276 | 240 | 220 | 200 | 175 | 165 | 150 |
| Total fertility rate | 4.1 | 3.7 | 3.6 | 3.6 | 3.5 | 3.5 | 3.5 |
| **COVERAGE** | | | | | | | |
| % of children (12-23 months) fully immunized (Disagregation by gender and income) | 76 (47) | 78 | 80 | 82 | 84 | 84 | 85 |
| Antenatal care at health facility | 53 | 65 | 68 | 71 | 75 | 78 | 81 |
| Tetanus Toxoid coverage | 56 | 58 | 59 | 60 | 62 | 63 | 64 |
| % of births attended by SBAs | 36 | 46 | 52 | 56 | 60 | 65 | 72 |
| % of institutional deliveries | 32 | 40 | 44 | 48 | 52 | 56 | 60 |

## Topic 163: Devolution of Health Policy

- Constitution does not recognize the right to health (more than 100 countries do)
- Education accepted but not health
- Indirectly, Preamble and Art 38(d): social justice, Art 9: Security of a person, Art 25: Equality of citizens

- Before 18th Amendment (EA), Federal legislative list (FLL) & Concurrent legislative list (CLL)
- Rest (residuary powers) to provinces
- CLL was abolished by the EA: Federal govt powers restricted
- 3 changes under EA
- "Legal, medical and other professions" has been shifted from the CLL to Part II of the FLL
- New entry in Part I of the FLL: "International treaties, conventions and agreements and international arbitration"
- "National planning and economic coordination, including planning and coordination of scientific and technological research" shifted from Part I to Part II of the FLL

**Panel 3: Post-18th Amendment health systems domains-relevant entries in the Federal Legislative List**

| | |
|---|---|
| Governance (regulatory aspects) | All regulatory authorities established under a federal law (P II, E 6) |
| Health Financing | The law of insurance, except as respects insurance undertaken by a province and the regulation of the conduct of the insurance business, except as respects business undertaken by a province; government insurance, except so far as undertaken by a province by virtue of any matter within the legislative competence of the Provincial Assembly (P1, E 29) |
| Human Resource | Legal, medical and other professions (P II, E 11) |
| | Federal agencies and institutes for the following purposes, that is to say, for research, for professional or technical training, or for the promotion of special studies (P I, E 16) |
| | Federal Public Services and Federal Public Service Commission (P 1, E 11) |
| | Education as respects Pakistani students in foreign countries and foreign students in Pakistan (P1, E 17) |

| | |
|---|---|
| Medicines | Opium so far as regards sale for exports (P1, E 26) |
| | Copyrights, inventions, designs, trade-marks and merchandise marks (Part I, E 25) |
| Health Information, disease security | Inquiries and statistics for the purposes of any of the matters in this Part (P I, E 57) |
| | International treaties, conventions and agreements and international arbitration (P 1, E 32) |
| | Port quarantine, seamen's and marine hospitals and hospitals connected with port quarantine (P I, E 19) |
| | Carriages of passengers and goods by sea and or air (P 1, E 24) |
| Trade in health | Import and export across customs frontiers as defined by the federal government, inter-provincial trade and commerce, trade and commerce with foreign countries, standards of quality of goods to be exported out of the country (P 1, E 27) |
| Research | Federal agencies and institutes for the following purposes, that is to say, for research, for professional or technical training, or for the promotion of special studies (P I, E 16) |
| | National planning and national economic coordination including planning and coordination for scientific research (P II, E 7) |

- Article 270AA(6): All laws passed prior to the EA will remain in force
- Article 144 enables a provincial assembly to transfer its power in an area to the Parliament
- Space for federal govt to perform many critical functions in the health sector

**HEALTH POLICY-II**
**(Topic 164-171)**

**Topic 164: Criticism of Devolution and Efforts to Nationalize It**

Pre-EA Ministry of Health (MoH) issues:
- Many important roles but not enough capacity
- Over-extension in some areas, e.g. as autonomous bodies
- Fragmentation of functions

**Panel 4: Pre-18th Amendment functions of the Ministry of Health**

| |
| --- |
| National policy planning and coordination |
| International health and donor coordination |
| Human resource development and medical/allied education |
| Standardization of manufacture of drugs and biologicals/legislation/licensing of drugs and medicines |
| Prevention of infectious and contagious diseases |
| Vital health statistics |
| **Service provision** National Program of Primary Health Care and Family Planning (LHWs Program); Expanded Program on Immunization; National TB Control Program; National Rollback Malaria Program; National Nutrition Program; National Hepatitis Control Program; National Blindness Control Program; Maternal Neonatal and Child Health Programme; National Health Information Resource Centre; National Health Policy Unit ; Tobacco Control Programme; National Programme for Control of Avian Influenza |

**Administrative control of attached departments and subordinate institutions**
*Attached Departments*
Pakistan Institute of Medical Sciences (PIMS), Islamabad; Jinnah Postgraduate Medical Centre (JPMC), Karachi; Federal Government Services Hospital (FGSH), Islamabad; National Institute of Child Health (NICH), Karachi; Federal TB Centre, Rawalpindi; Directorate of Central Health Establishment (CHE), Karachi; Directorate of Malaria Control, Islamabad
*Sub-ordinate Offices*
Central Drugs Laboratory (CDL), Karachi; National Control Laboratory (Bio), Islamabad; National Institute for Rehabilitation Medicines (NIRM), Islamabad; Drugs Control Administration, Lahore/Peshawar/Quetta/Karachi/Hyderabad

## Oversight ofAutonomous Bodies

National Institute of Cardiovascular Diseases (NICVD), Karachi; National Institute of Health (NIH), Islamabad; Health Services Academy (HSA), Islamabad; Pakistan Medical Research Council (PMRC), Islamabad; Pakistan Medical and Dental Council (PMDC), Islamabad; Pharmacy Council of Pakistan (PCP), Islamabad; Pakistan Nursing Council (PNC), Islamabad; National Council for Homoeopathy (NCH); College of Physicians and Surgeons of Pakistan (CPSP), Karachi

- MoH Devolved in June 2011
- Recreated in May 2013 as MoNHS, R&C
- Focuses more on coordination and regulation
- Despite problems, there is advantage in giving MoH considerable role:
    - International examples and commitments
    - Regulation
    - Coordination and policy

1. Health information and research
    a. Disease security
    b. Monitoring health indicators and health systems performance assessment
    c. Evidence for policy
    d. Health research
2. Health regulation
3. International commitments
4. National health policy
    a. Policy in areas that are federal mandates, constitutionally
    b. Overarching norms
    c. Norms of care
    d. Intersectoral coordination
    e. Trade in health
    f. Health technology
    g. Disaster response
    h. National policy coordination to
        i. Establish standards for inter-provincial conformity
        ii. Obviate unnecessary duplication

**Topic 165-166: State of Health Sector-I-II**

Improving health and nutrition of the population is the priority agenda of the present government with increased focus on revamping and strengthening primary and secondary healthcare facilities. Fundamental health indicators to some extent are improving but the pace of progress is slow. The spending on health has been less than one percent of GDP since decades. This is one of the key structural challenges. In terms of HDI, Pakistan' position is 150 out of 189 countries in 2017. Some slight improvement has been witnessed, as in 2012-13, 45 percent of children were stunted which dropped to 38 percent in 2017-18. Childhood wasting declined slightly from 11 percent to 7 percent, while the prevalence of underweight children declined from 30 percent to 23 percent. Childhood mortality rates have declined since 1990. Infant mortality has decreased from 86 deaths per 1,000 live births in 1990 to 61.2 in 2017. During the same time period, under-5 mortality has markedly declined from 112 to 74 deaths per 1,000 live births. Neonatal mortality declined from 55 in 2012 to 42 deaths per 1,000 live births. Socio-economic factors like health, education, environment etc, are closely interlinked with Human Development Indicator. Living standard and life showed improvement but this is not uniform across the regional countries.



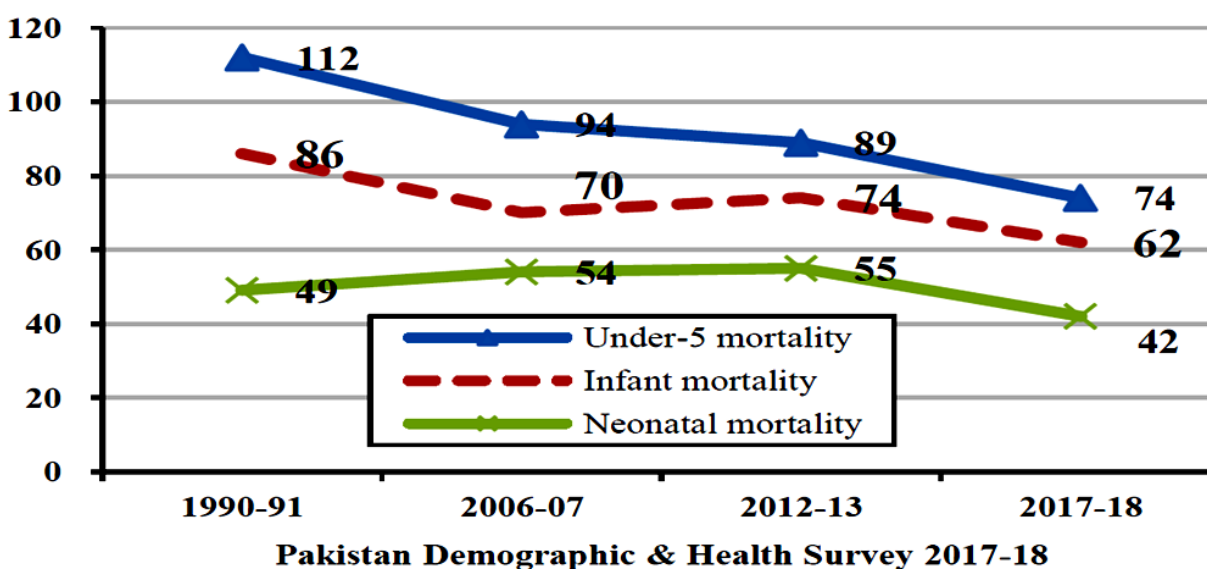Fig 11.1: Trends in Chilhood Mortality Death per 1,000 live births

Pakistan Demographic & Health Survey 2017-18

| Table 11.2: Health & Nutrition Expenditures | | | | | (Rs. billion) |
|---|---|---|---|---|---|
| **Fiscal Years** | **Public Sector Expenditure (Federal and Provincial)** | | | **Percentage Change** | **Health Expenditure as % of GDP** |
| | **Total Health Expenditures** | **Development Expenditure** | **Current Expenditure** | | |
| 2007-08 | 59.90 | 27.23 | 32.67 | 19.80 | 0.56 |
| 2008-09 | 73.80 | 32.70 | 41.10 | 23.21 | 0.56 |
| 2009-10 | 78.86 | 37.86 | 41.00 | 6.86 | 0.53 |
| 2010-11 | 42.09 | 18.71 | 23.38 | -46.63 | 0.23 |
| 2011-12 | 55.12 | 26.25 | 28.87 | 30.96 | 0.27 |
| 2012-13 | 125.96 | 33.47 | 92.49 | 128.51 | 0.56 |
| 2013-14 | 173.42 | 58.74 | 114.68 | 37.68 | 0.69 |
| 2014-15 | 199.32 | 69.13 | 130.19 | 14.94 | 0.73 |
| 2015-16 | 225.33 | 78.07 | 147.26 | 13.05 | 0.77 |
| 2016-17 | 291.90 | 101.73 | 190.17 | 29.54 | 0.91 |
| 2017-18 | 336.29 | 88.27 | 248.02 | 15.21 | 0.97 |
| **Jul-Mar** | | | | | |
| 2017-18* | 197.25 | 47.28 | 149.97 | | 0.49 |
| 2018-19* | 203.74 | 24.03 | 179.72 | 3.29 | 0.53 |

| Country | Life expectancy at birth, total (years) | | | Infant Mortality Rate (per 1,000 live births) | | | Maternal Mortality Rate (Per 100,000) | | | Under 5 Mortality Rate (Per 1,000) | | | Population growth (annual %) | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Country Name** | 2015 | 2016 | 2017 | 2015 | 2016 | 2017 | 2013 | 2014 | 2015 | 2015 | 2016 | 2017 | 2015 | 2016 | 2017 |
| Pakistan | 66.3 | 66.5 | 66.6 | 64.6 | 62.9 | 61.2 | 190.0 | 184.0 | 178.0 | 79.5 | 77.1 | 74.1 | 2.0 | 2.0 | 2.0 |
| India | 68.3 | 68.6 | 68.8 | 35.3 | 33.6 | 32.0 | 189.0 | 181.0 | 174.0 | 44.1 | 41.6 | 39.4 | 1.2 | 1.1 | 1.1 |
| Bangladesh | 72.2 | 72.5 | 72.8 | 29.8 | 28.3 | 26.9 | 201.0 | 188.0 | 176.0 | 36.4 | 34.3 | 32.4 | 1.1 | 1.1 | 1.0 |
| Sri Lanka | 75.1 | 75.3 | 75.5 | 8.2 | 7.8 | 7.5 | 32.0 | 31.0 | 30.0 | 9.5 | 9.1 | 8.8 | 0.9 | 1.1 | 1.1 |
| Nepal | 69.9 | 70.3 | 70.6 | 29.9 | 28.8 | 27.8 | 291.0 | 275.0 | 258.0 | 36.6 | 35.0 | 33.7 | 1.2 | 1.1 | 1.1 |
| Bhutan | 69.8 | 70.2 | 70.6 | 27.6 | 26.5 | 25.6 | 166.0 | 156.0 | 148.0 | 33.4 | 32.0 | 30.8 | 1.4 | 1.3 | 1.2 |
| China | 76.1 | 76.3 | 76.4 | 9.2 | 8.6 | 8.0 | 29.0 | 28.0 | 27.0 | 10.8 | 10.0 | 9.3 | 0.5 | 0.5 | 0.6 |
| Indonesia | 69.0 | 69.2 | 69.4 | 22.9 | 22.2 | 21.4 | 140.0 | 133.0 | 126.0 | 27.2 | 26.3 | 25.4 | 1.2 | 1.1 | 1.1 |
| Malaysia | 75.1 | 75.3 | 75.5 | 6.5 | 6.6 | 6.7 | 43.0 | 41.0 | 40.0 | 7.6 | 7.7 | 7.9 | 1.6 | 1.5 | 1.4 |

| Table 11.4: Healthcare Facilities | | | | | | | | (in Nos.) |
|---|---|---|---|---|---|---|---|---|
| Health Manpower | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
| Registered Doctors | 152,368 | 160,880 | 167,759 | 175,223 | 184,711 | 195,896 | 208,007 | 220,829 |
| Registered Dentists | 11,649 | 12,692 | 13,716 | 15,106 | 16,652 | 18,333 | 20,463 | 22,595 |
| Registered Nurses | 77,683 | 82,119 | 86,183 | 90,276 | 94,766 | 99,228 | 103,777 | 108,474 |
| Population per Doctor | 1,162 | 1,123 | 1,099 | 1,073 | 1,038 | 997 | 957 | 963 |
| Population per Dentist | 15,203 | 14,238 | 13,441 | 12,447 | 11,513 | 10,658 | 9,730 | 9,413 |
| Population per Bed | 1,647 | 1,616 | 1,557 | 1,591 | 1,604 | 1,592 | 1,580 | 1,608 |

National Vision of Health (2016-2025)
- Focus on children and maternal health
- Pakistan's maternal mortality ratio (MMR) has declined from 521 in 1990 to 332 in 2012, still far behind the proposed target of 130 by 2015
- Around 14000 Pakistani women die every year of pregnancy-related causes (38/day, 1 every 37 minutes)
- Cause: early marriage
  - 8% teenagers married
  - 35% of 25-49 married before 18
  - Teenagers use of contraception is 10% and 6.9% use a modern method
- The leading causes of death during the post-neonatal period are diarrhea (27%) and pneumonia (26%)
- Related to poverty, under-nutrition, poor hygiene, sanitation and deprived home environments

# TOGETHER WE MUST;

Strengthen and invest in care during pregnancy, labor, birth, first day, week, year of life along continuum of care approach.

Improve quality of maternal, newborn child and adolescent care.

Reach every mother, newborn and child to reduce in equities.

Harness the power of parents, families and communities

Count every mother, newborn child and adolescent through measurement, programme tracking and accountability

Priority Actions to address the challenges of Reproductive, Maternal, Newborn, Child, Adolescent Health and Nutrition (RMNCAH)

**Ten priority actions**



**1** Improving the access and quality of MNCH community based primary care services ensuring continuum of care including newborn care in rural districts and urban slums

**2** Improved quality of care at primary and secondary level care facilities

**3** Overcoming financial barriers to care seeking and uptake of interventions

**4** Increased Funding and allocation for MNCH

**5** Reproductive health including Family planning

**6** Investing in nutrition of adolescent girls, mothers and children

**7** Investing in addressing social determinants of health

**8** Measurement and action at district level

**9** National Accountability and Oversight

**10** Generation of the political will to support MNCH as a key priority within the Sustainable Development Goals

## Topic 167: External Donors and Health Policy

- External donors influence health policy
- How and what is their impact: depends
- Primarily funding but that's not all
- Key informants from Pakistan and Combodia

Problems arising from donor's dominance in the health policy
- Overshadowing poor countries' existing programs priorities
- Ignoring strengths and absorptive capacities of national health systems
- Sustaining gains once donor funding ends

- Accountability to local populations
- Country ownership over policy

| Stages | Routes of influence | Financial Resources | Technical expertise |
|---|---|---|---|
| Agenda/Priority Setting | • Impact on international reputation and tourism from failure to address donor priorities (Cambodia) <br><br> • Potential trade or travel restrictions (Pakistan) | • Donors select which health areas are provided funding for, thereby setting agenda <br><br> • Donors prioritize which research or surveys they fund to provide the evidence base to inform agenda setting (Cambodia and Pakistan) | |

| Stages | Routes of influence | Financial Resources | Technical expertise |
|---|---|---|---|
| Policy Formulation | • Most of the research done in the West by the Westerners | | • Donors have greater proficiency in using data from surveys/studies to develop policies <br><br> • Donors can commission surveys/studies to fill knowledge gaps <br><br> • Donors have better coordination to collaborate on policy formulation (Cambodia and Pakistan) |

| Stages | Routes of influence | Financial Resources | Technical expertise |
|---|---|---|---|
| Policy Implementation | • Donors set targets and provide money | • Financial resources from donors shape the areas of work of non-governmental organizations (Cambodia and Pakistan) <br><br> • Control timing of availability of resources for programme implementation; sudden stops and starts (Pakistan) | |

## Topic 168: Evidence-Based Policy Making in Health

- Evidence essential for acceptance, efficiency and effectiveness of policies
- Policy development is a slow, torturous and non-linear process
- Politicians, donors, bureaucrats and professionals
- Evidence-based or evidence-informed?
- Evidence-based policymaking is flawed as it suggests technical solutions to what are political problems
- Policy explores 'how or what a society should look like' which evidence alone cannot answer
- Policy prioritizes different social norms and each norm can have different evidence/facts/data
- No evidence-based but evidence-informed
- Pakistan: lower middle income country

*Characteristics of lower middle income countries*
- Better than poor countries but
- Weaker regulations and regulatory capacity
- Lack of purchasing power
- Patronage in the
- Political system and
- More reliance on donor funds
- Most policy-makers do not give much importance to data
- Data is limited and quality is questionable
- Agenda-setting: manifestos and media
- Political leaders are the key decision-makers
- Technical input is partially included in the policy
- Professionals also not forthcoming
- Time is of essence
- Donors help
- Process ad-hoc, stabilizing in provinces
- Some policymakers perceived 'others' as policymakers and not themselves

## Topic 169: Reform Analysis: Contracting-out Management
Basic health unit (BHU): first level of public primary care
- Essential preventive and curative care services
- Serves around 10,000 people
- Union Council, 5 km radius



Tertiary hospital
DHQ
THQ
RHC
BHU
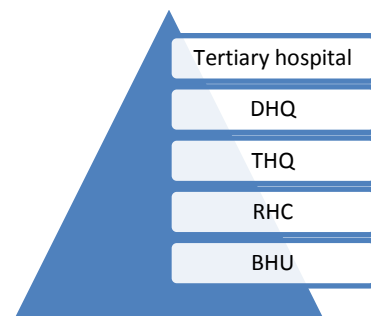
- BHU staff: a medical doctor, a female trained birth attendant, vaccinators and paramedical staff
- Rural Health Centre (RHC) represents the next level of healthcare
- RHCs provide outpatient & inpatient services
- Around 5500 BHUs and 550 RHCs in 2012
- Various strategies by GOP to increase the utilization of BHUs and RHCs
  - Construction of residences
  - Salary increases
  - MIS
  - Budget increases
  - Not much change
- Large no of BHUs
- Contracting-out to NGOs to improve performance since 2004
- 5 nationally representative household surveys conducted between 2001 and 2012
- Large effects of the contracting of primary care not seen
- Public primary health care remains heavily underused in Pakistan and accounts for less than five per cent of the aggregate demand for health care
- Usage of BHU for childhood diarrhea by poor and rural households did increase, leading to less use of self-treatment and private medical help

**Failure?**
  - Modest additional budget
  - Limited management authority of agency
  - Lack of clear performance indicators


**Topic 170: Maternal Health and Health Policy**

- Maternal mortality very high
- Contributes to infant mortality

Caused by
  - Poverty
  - Early marriage
  - Low education
  - Pregnancy care
  - Skilled attendant
  - Social constraints

Pakistan had lower levels of maternal and child mortality than both Nepal and Bangladesh in 1990. Now, both these countries have indicators lower than Pakistan. Health has remained a neglected sector, especially in rural areas. GOP has tried to increase the supply of maternal health services but have not focused on reaching the poorest women or on providing high-quality services. Studies: non-availability of services (obygn) and poverty/patriarchy. World Health Organization standards are not even observed in many tertiary care facilities.

- How women in first quintile different from women in other quintiles?
- 95% illiterate (other quintiles (OQ) 58%)
- 31% are agricultural employees (OQ 8%)
- 64% have husbands with no formal schooling (OQ 28%)

- 71% Husband employed in agriculture or unskilled laborer (OQ 38%)
- 52% not working (OQ 74%)
- 8: Mean number of household members (OQ 9)
- 1.62: Mean number of children < 5 (OQ 1.47)
- 64%: Wife of head of household (OQ 53%)
- 17.3 years on first
- Marriage (OQ 18.7)
- 4.3: Children ever born (OQ 3.8)
- 3.6: Number of living children (OQ 3.4)
- 1.1: Births in the last 5 years (OQ 0.86)
- Rural 95% (OQ 60%)
- 16%: Visited by a LHW in last 12 months (OQ 27%)
- 41%: At least one antenatal care (ANC) visit (OQ 72%)
- 71%: For complication (OQ 41%)
- 15%: Delivered in a health facility (OQ 44%)
- 15%: Current use of a contraceptive method (OQ 31%)
- Needs of the most vulnerable women go beyond simply expanding health services provision
- Targeted community-based interventions
- Social change

## Topic 171: Health Care Reform: A Call for Action

Pakistan's enormous macroeconomic, internal, and human security challenges coexist alongside the opportunity created by a huge desire for change. With democracy taking root and a new constitutionally ushered era in state governance, The Lancet Series about Pakistan and health focuses on health as a nation-building and social-welfare agenda at a time of unprecedented social upheaval and economic hardships in the country. We call for a unified vision for the goal of universal and equitable health access. We provide recommendations for six objectives for policy and action. Higher political priority for health, increased investments, a combination of targeted and universal approaches, action in terms of the social determinants, institutionalization of the right organizational network, and frameworks for accountability are crucial for the attainment of the health goals in Pakistan.

- 18th Amendment provides opportunities but requires sound planning, resourcing, organizational reform, and oversight at federal and provincial levels
- Local government system dismissal and a new model
- Fiscal constraints increasing at the federal and provincial level
- Various free facilities abolished
- Health insurance: a new model
- Reaching poor for universal access
- Stakeholders' consensus on a direction for the health sector
- Interprovincial equity-promoting innovations in the NFC Award (to increase money for health)
- Autonomy of health institutions
- Increase in excise duty on cheaply sold cigarettes
- Cash to poor women (BISP)

- A federal health information hub
- Transparent governance
- Health service at the provincial level?
- Accountability and performance-promoting culture (health authorities)
- A compulsory health insurance?
- Prevention and school education
- Prevention and hygiene
- Population planning plans
- Learning from Iran? Bangladesh? Malaysia

# GENDER POLICY-I
## (Topic 172-176)

### Topic 172: Why Do We Need a Gender Policy?

- Women are part of education, health and social welfare polices
- There is no exclusion in the basis of gender
- Dividing makes policymaking difficult
- Development programs and projects have not benefitted women and men equally
- Education (quality/quantity)
- Health (specific issues)
- Women are not part of policy making or implementation process
- Few MNAs, MPAs, Senators, and bureaucrats
- Even fewer generals and experts
- Development can undermine the role, status and position of women in society
- More money to men can mean support to patriarchal systems
- Non-recognition of women head of households means their exclusion
- Development affects both genders differently, often with a negative impact on women
- Listing of formal or support to formal means more problems for informal
- Abuse at schools, BHUs, dar-ul-amans, etc.
- Gender policies were only adopted after these problems were recognized
- No gender policies in the 19$^{th}$ century and very few in early 20$^{th}$ century

### Topic 173: Women in development, women and development and gender and development

Three eras/theories/policy-orientations:
1. Women in development
2. Women and development and
3. Gender and development

Women in Development
- By the 1970s, it was obvious that women were being excluded from development process
- Solution: integrating women
- Primary task: To improve women's access to resources and their participation in development
- Income-generating projects for improving women position in society
- This theory increased visibility of women

### Topic 174: The Welfare Approach and the Equity Approach to Women Development

Women's needs have been divided into two categories:

Practical needs deal with matters such as health, water and education. Strategic needs are long term and deal with the status of women and include policy and legal measures. Here, different practical approaches to women issues are explained.

**The Welfare approach**

In the 1970s, reproduction major issue or focus. Mother and child health, child-care and nutrition, Population control. Assumption was that broad economic growth oriented. strategies would trickle down and help poor women. Opposite result: men became more educated, more healthy, more wealthy as compared to the women. Women excluded from formal development

Equity approach, women contributions and needs to be addressed. Women will not benefit from general approaches. Reproduction is the responsibility of government. Monetizing women contributions, household work is work.

## Topic 175: The Anti-Poverty Approach and the Efficiency Approach to Women Development

**The Anti-poverty approach**

Perhaps linked with the WB's focus on poverty in the late 1970s and early 1980s.It emphasized on the satisfaction of basic needs and the productivity of women. Basic needs moved away from purely economic to multi-dimensional. Income generation and waged employment became the focus Unless women are part of formal economy, they will remain behind. Limitation: reinforce the basic needs and ignore the strategic needs of women. Focus was not on adding more women to policymaking institutions or changing legislation. The efficiency approach is associated with the 1980s Structural Adjustment Programs of the IMF and the World Bank. Targeted women as workers. Emphasis on full use of human resources. Education and training are therefore key strategies but also introduced user fees. Popularized gender analysis: research based on dis-aggregated data.

*Limitations:*
- Focus was on what women could do for a country's rapid development, rather than on what rapid development could do for women
- Decreased social spending
- Economic reforms undervalue paid work
- Reduced trade union activity and froze wages of workers
- Women spending more time looking after sick

## Topic 176: The empowerment approach to women development

**Empowerment approach**

Closely associated with third world feminist and grassroots organizations. The aim of this approach is to improve women self-reliance and to influence policy, legal, economic change to help women. Empowerment approach prioritizes, acknowledgement of triple roles, awareness raising, building organizational skills and self-esteem.
Triple role of a woman:
- Reproductive role
- Productive role and
- Role of community management

**Reproductive role:** childbearing, rearing and caring
**Productive role:** activities that generate income

**Community management role:** community level activities, marriage, death, maintaining culture, etc.

Also linked with the third wave of feminism

- First wave: primarily voting rights and higher education
- Second wave: personal is political
- Third wave: non- whiteness

Awareness without change, end or mean? Poor women becoming very knowledgeable but no change to their actual situation.

# GENDER POLICY-II
## (Topic 177-182)

## Topic 177: Gender Indicators of Pakistan: Gender Indices

Let's turn to gender situation in Pakistan. Gender inequality and discrimination exists but bad it is Data from Pakistan Country Gender Assessment by ADB in 2016.

- In 2014, the Government of Pakistan approved its medium-term strategic plan, Vision 2025, including goals and initiatives for increasing gender equality and women's empowerment.
- A group of development partners determined that it was a strategic time to prepare a country gender assessment for Pakistan to provide data and analysis useful for developing future cooperation.
- To accomplish this objective, this report includes (i) data and analysis of trends in gender indicators, (ii) information on legal frameworks and institutional contexts supporting women's rights and empowerment, (iii) case studies providing lessons learned from design and implementation of prior development assistance regarding gender, and (iv) identification of potential entry points for future development partner assistance to strengthen gender equality and women's empowerment outcomes in Pakistan.

## Select gender indexes for Pakistan and other countries to compare Pakistan's performance

World Economic Forum's Gender Gap Index (GGI)
4 dimensions
- Economic participation and opportunity
- Educational attainment
- Health and survival
- Political empowerment.
- Higher GGI, smaller gaps
- Comparison from 2007 to 2014 shows that while Bangladesh and India were reducing gender gaps, Pakistan showed little progress
- Pakistan ranked on GGI
  - 134 out of 135 countries in 2012
  - 135 out of 136 in2013
  - 141 out of 142 countries in 2014

In Pakistan, largest gender gap was in the political empowerment subindex: No significant change between 2006 and 2014. The smallest gender gap was in the health and survival subindex: No significant change between 2006 and 2014. The educational attainment subindex
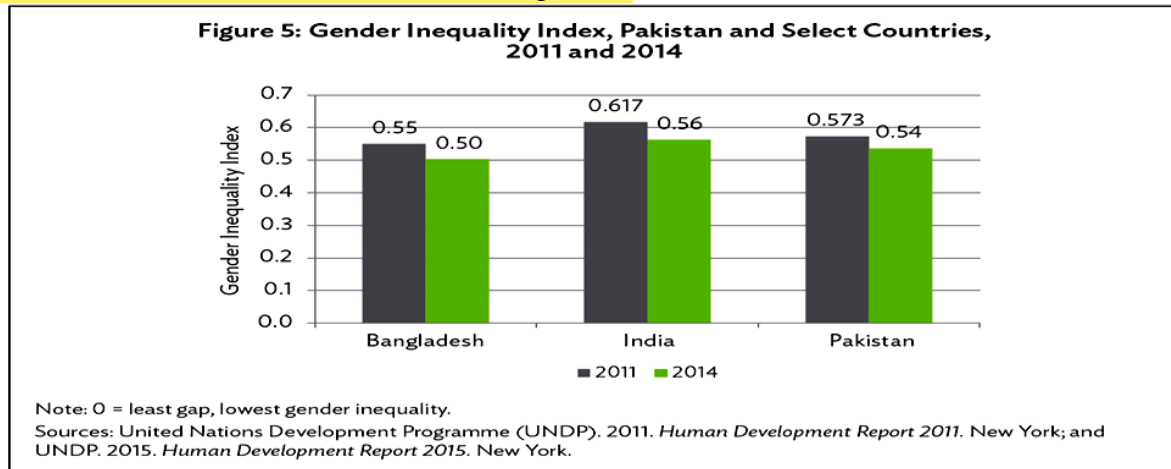
improved over the same period. But the economic participation and opportunity subindex declined after 2008. Gender Inequality Index (GII) is linked with Human Development Index (HDI)

• Measures loss of HDI due to gender inequality
• Scores: 0-1, lower scores, more equality

3 dimensions
• Reproductive health
• Women empowerment
• Labor market participation

Pakistan better than India but worse than Bangladesh



Figure 5: Gender Inequality Index, Pakistan and Select Countries, 2011 and 2014

Note: 0 = least gap, lowest gender inequality.
Sources: United Nations Development Programme (UNDP). 2011. *Human Development Report 2011*. New York; and UNDP. 2015. *Human Development Report 2015*. New York.

Social Institutions and Gender Index (SIGI) from Organization for Economic Co-operation and Development (OECD)

Measures:
• Discriminatory family code
• Restrictions in physical integrity
• Son bias
• Restricted resources and entitlements
• Restricted civil liberties

Lower scores better, Pakistan better than Bangladesh but worse than India

Table 1: Social Institutions and Gender Index and Subindex Values,
Pakistan and Select Countries, 2014

| Country | Overall | | Subindex Values | | | | |
| | Classification | Value | Discriminatory Family Code | Restricted Physical Integrity | Son Bias | Restricted Resources or Entitlements | Restricted Civil Liberties |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Bangladesh | Very High | .390 | .973 | .332 | .583 | .591 | .451 |
| India | High | .265 | .644 | .377 | .542 | .591 | .354 |
| Pakistan | High | .301 | .691 | .413 | .700 | .408 | .451 |

Note: 0 = least gap, lowest gender inequality.
Source: Social Institutions and Gender Index. 2014 Results. http://www.genderindex.org/ranking/all

Conclusions
- Pakistan ranks very low globally in terms of gender equality
- Pakistan's accomplishments in the region are dependent upon the dimensions being measured

## Topic 178: Gender Indicators of Pakistan: Agency, Voice and Participation

Agency is power. It is "the ability of individuals or groups to give voice to or act on preferences and to influence outcomes that affect them and others in society". Agency is affected by (and also affects) individuals' ownership of and control over assets & their access to economic opportunities.
Agency is difficult to measure. But women agency is important:
- Woman's well-being
- Her children's well-being
- Assists in shaping children's future life choices and behavior related to gender relations, and
- Can reconfigure social norms and laws if collectively expressed

National Baseline Survey 2012
Three dimensions
- Agency at the Household Level
- Community Level
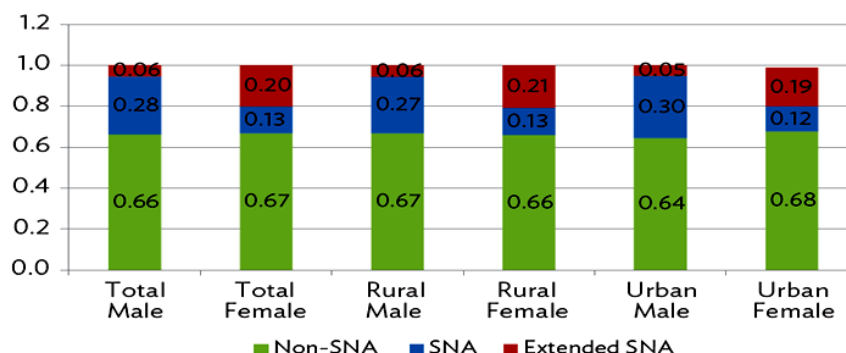- Civic and Political Participation

**Agency at household level**
*A: Family Formation*
- Early marriage
- Choice of spouse not given
- Childbearing decisions, not made by females
- Right of divorce not given

*B: Control over resources*

- Females less time spent on economic activities that are counted

**Figure 6: Time Use by Sex and Location, 2007**
(% of 24 hours)



| | Total Male | Total Female | Rural Male | Rural Female | Urban Male | Urban Female |
|---|---|---|---|---|---|---|
| Extended SNA | 0.06 | 0.20 | 0.06 | 0.21 | 0.05 | 0.19 |
| SNA | 0.28 | 0.13 | 0.27 | 0.13 | 0.30 | 0.12 |
| Non-SNA | 0.66 | 0.67 | 0.67 | 0.66 | 0.64 | 0.68 |

Extended SNA = work not captured in the SNA (system of national accounts, e.g. childcare and housekeeping); non-SNA = nonwork activities (e.g., eating, sleeping, and leisure); SNA = work related to categories in the system of national accounts.
Source: Government of Pakistan, Pakistan Bureau of Statistics. 2009. *Time Use Survey 2007*. Islamabad.

- Only 13.3% of females reported owning productive assets as compared with 68.9% of males
- Men make most financial decision-making
- Regional, educational, and earner differences

*C: Community level*
- Freedom of movement outside of the home or community is restrained
- Over 70% of women are not allowed to leave home to visit a bank, attend an NGO meeting, go to a job, or pursue an education

**Table 4: Women Able to Leave Home by Purpose of Trip, 2011/12**
(%)

| Purpose | Can Go Out from Home | | | | | Needing Permission | Cannot Go Out from Home |
|---|---|---|---|---|---|---|---|
| | Alone | With Child | With Adult Women | With Adult Men | Total | | |
| Meet neighbors | 80.1 | 6.5 | 5.9 | 3.0 | 95.5 | 66.2 | 4.5 |
| Sell or purchase items | 50.4 | 13.1 | 14.3 | 8.2 | 86.2 | 68.2 | 13.8 |
| Visit hospital or doctor | 45.8 | 15.8 | 19.5 | 12.8 | 93.9 | 77.7 | 6.1 |
| Attend wedding | 43.0 | 13.4 | 21.3 | 14.4 | 92.3 | 78.0 | 7.7 |
| Visit a bank | 10.1 | 3.8 | 6.8 | 6.0 | 26.7 | 24.0 | 73.3 |
| Attend NGO meeting | 6.5 | 1.8 | 3.5 | 3.1 | 14.9 | 13.1 | 85.1 |
| For job | 6.8 | 1.8 | 3.8 | 3.5 | 15.9 | 14.5 | 84.1 |
| For education | 8.4 | 2.2 | 4.2 | 3.8 | 18.6 | 17.1 | 84.4 |
| Visit other village or city for any work | 18.2 | 6.8 | 13.7 | 16.6 | 55.3 | 48.0 | 44.7 |

- Most allow but only 12% females and 13% males informed that women were working in their home
- Domestic violence common, not reported in most cases

## Figure 7: Agreement of Ever-Married Women and Men with Justifications for Wife Beating, by Rural or Urban Residence, 2012
### (%)
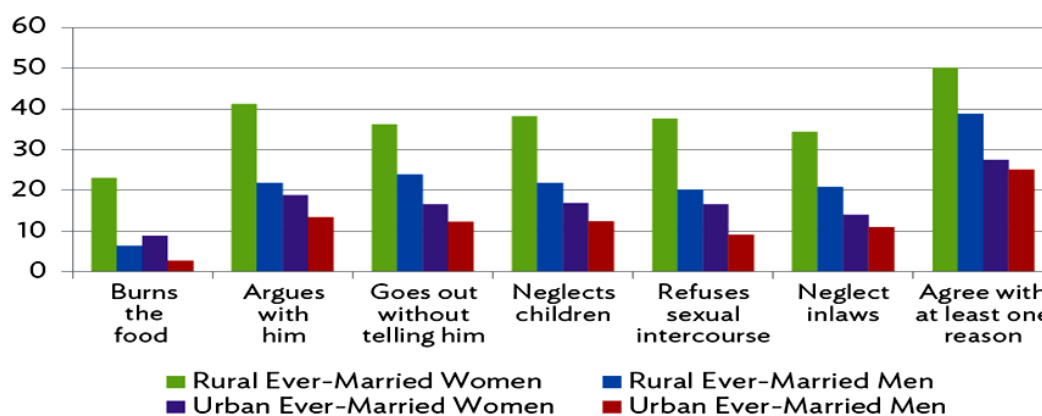


*D: Civic and Political Participation*
- 93% of females and 90% of males agreed that women should vote
- 74% of females and 60% of males agreed that women should participate in political activities  but actual participation dependent on seats

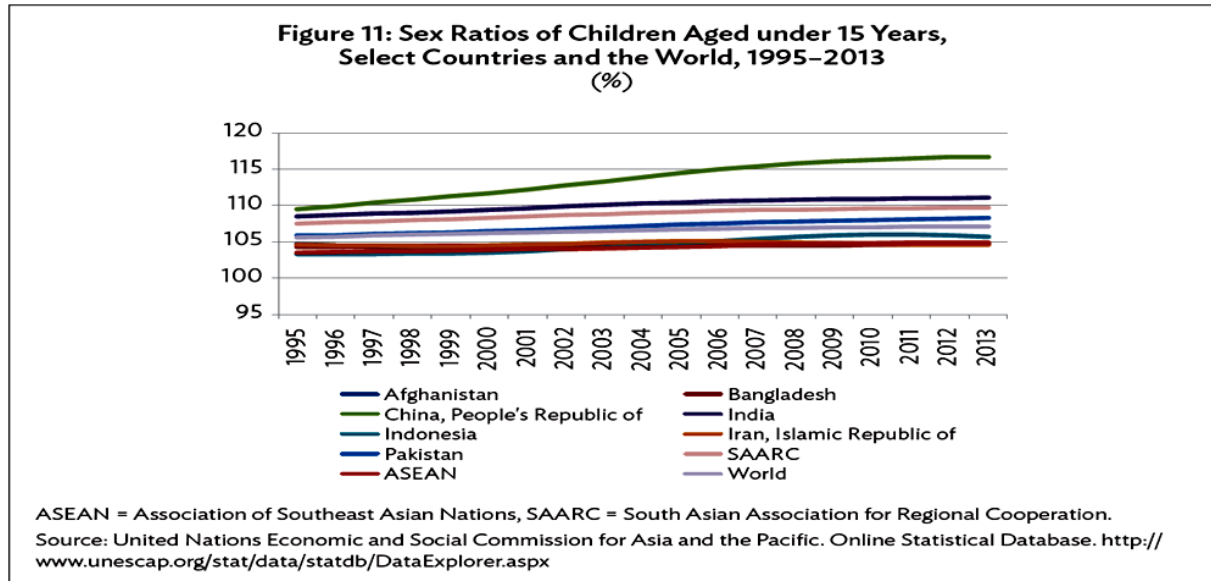### Table 5: Women as a Percentage of Registered Voters, 2006, 2008, and 2013

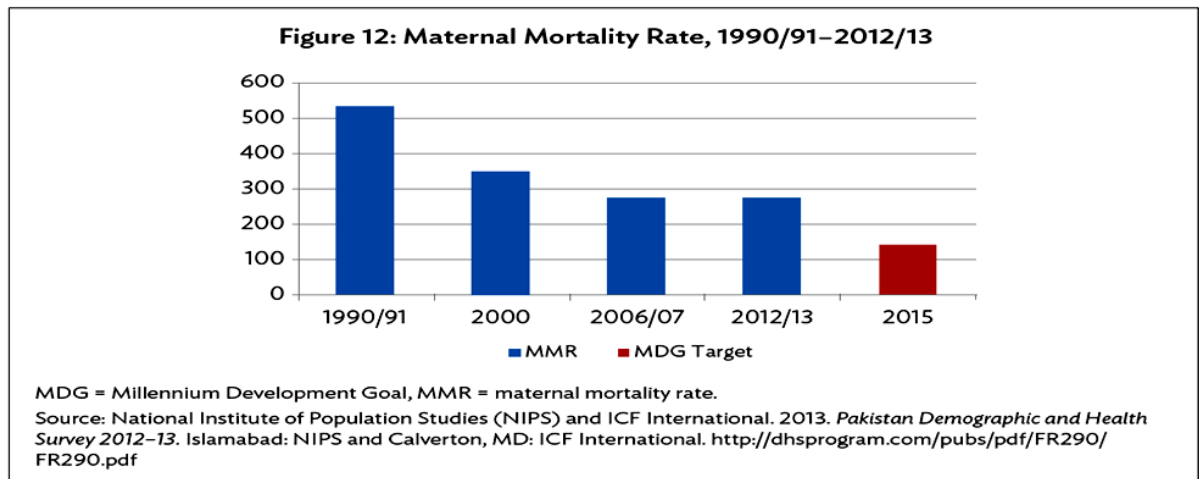|  | 2006 | 2008 | | | 2013 | | |
|---|---|---|---|---|---|---|---|
|  | Women (% of total) | Women | Total | % | Women | Total | % |
| National | 46.1 | 35,603,778 | 80,910,291 | 44.0 | 37,597,415 | 86,189,802 | 43.6 |
| Federal |  | 221,104 | 482,801 | 45.8 | 288,064 | 625,964 | 46.0 |
| Balochistan |  | 2,004,639 | 4,363,610 | 45.9 | 1,421,271 | 3,336,659 | 42.6 |
| Federally Administered Tribal Areas |  | 4,761,362 | 12,071,538 | 39.4 | 596,079 | 1,738,313 | 34.3 |
| Khyber Pakhtunkhwa |  |  |  |  | 5,257,624 | 12,266,157 | 42.9 |
| Punjab |  | 20,004,376 | 44,485,869 | 45.0 | 21,561,633 | 49,259,334 | 43.8 |
| Sindh |  | 8,612,297 | 19,506,473 | 44.2 | 8,472,744 | 18,963,375 | 44.7 |

## Topic 179: Gender Dimensions of Human Capital

## A: Population, Health, and Nutrition
- Pakistan's 2011 census showed a ratio of 108.5 males to 100.0 females which signals son preference
- Son preference is increasing in Asia

Figure 11: Sex Ratios of Children Aged under 15 Years, Select Countries and the World, 1995–2013 (%)

ASEAN = Association of Southeast Asian Nations, SAARC = South Asian Association for Regional Cooperation.
Source: United Nations Economic and Social Commission for Asia and the Pacific. Online Statistical Database. http://www.unescap.org/stat/data/statdb/DataExplorer.aspx

- Pakistan's infant mortality rate and under-5 mortality rate was 79 for girls and 82 for boys and 96 for girls and 98 for boys respectively
- The higher mortality rate for boys is due to male biological weaknesses



Figure 12: Maternal Mortality Rate, 1990/91–2012/13

MDG = Millennium Development Goal, MMR = maternal mortality rate.
Source: National Institute of Population Studies (NIPS) and ICF International. 2013. *Pakistan Demographic and Health Survey 2012–13*. Islamabad: NIPS and Calverton, MD: ICF International. http://dhsprogram.com/pubs/pdf/FR290/FR290.pdf
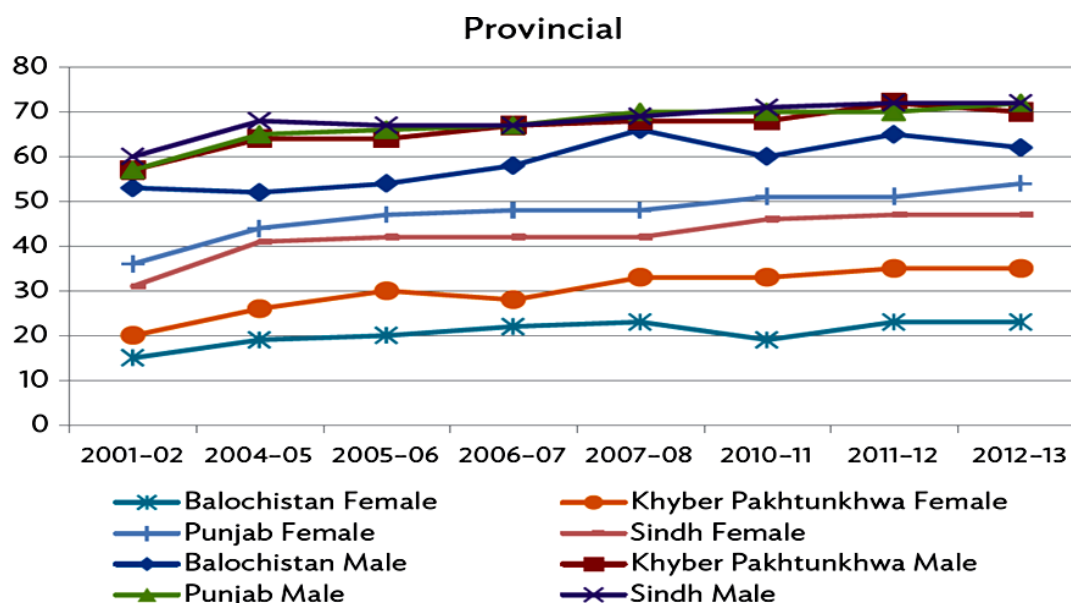
Women are using more health care services but problems remain, such as
- Cannot go alone
- Distance
- Arranging transport
- Money
- Permission
- Poor quality
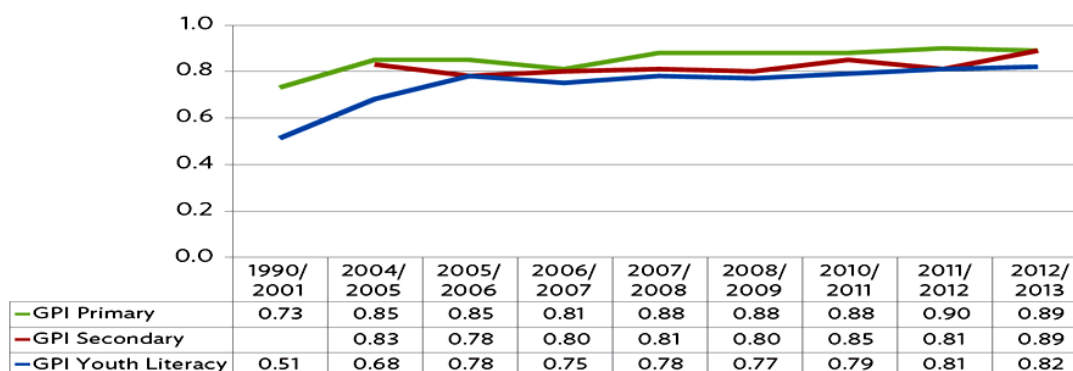- Lack of doctor and drugs

**B: Education**
- Low literacy rates
- Gender gap declining but still substantial
- Large differences across provinces

## Provincial



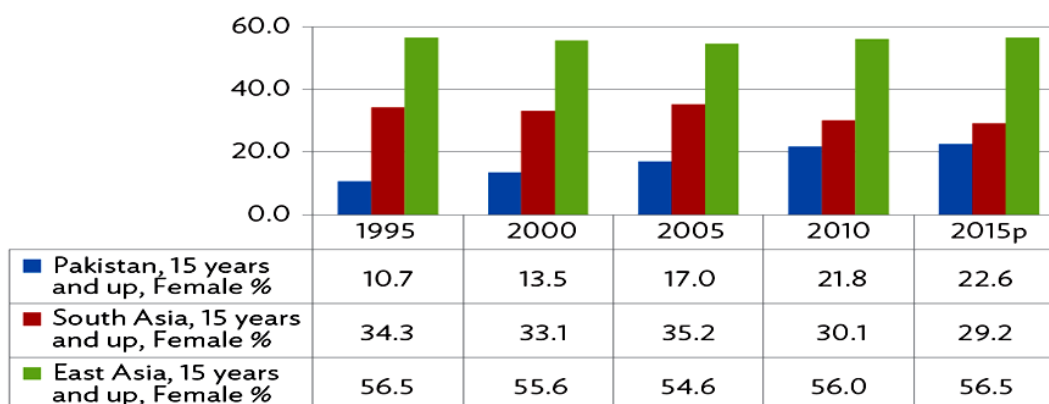Figure 14: Gender Parity Index Trends, 1990/01–2012/13 (%)



| | 1990/ 2001 | 2004/ 2005 | 2005/ 2006 | 2006/ 2007 | 2007/ 2008 | 2008/ 2009 | 2010/ 2011 | 2011/ 2012 | 2012/ 2013 |
|---|---|---|---|---|---|---|---|---|---|
| GPI Primary | 0.73 | 0.85 | 0.85 | 0.81 | 0.88 | 0.88 | 0.88 | 0.90 | 0.89 |
| GPI Secondary | | 0.83 | 0.78 | 0.80 | 0.81 | 0.80 | 0.85 | 0.81 | 0.89 |
| GPI Youth Literacy | 0.51 | 0.68 | 0.78 | 0.75 | 0.78 | 0.77 | 0.79 | 0.81 | 0.82 |

Figure 17: Language and Math Competencies, Females versus Males by Location, 2011–2013
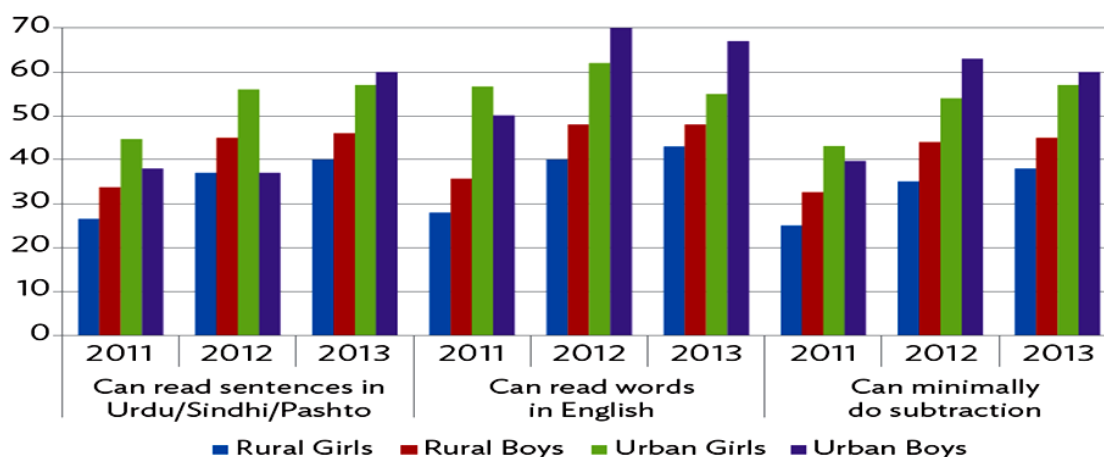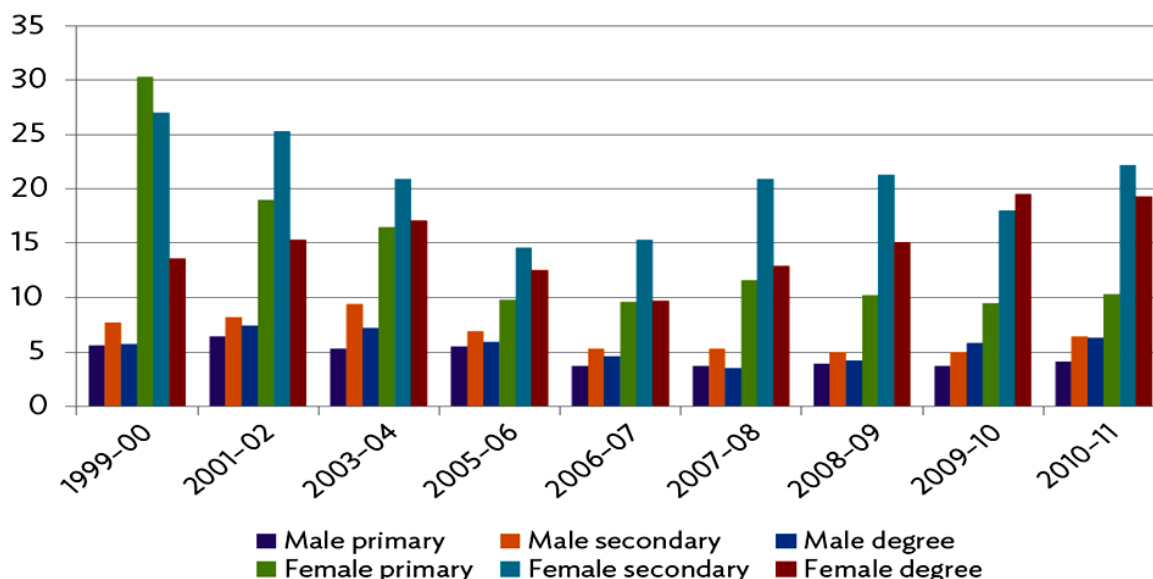
Figure 21: Employed Females–Population Ratios, Pakistan and Regional, 1995–2015 (%)



| | 1995 | 2000 | 2005 | 2010 | 2015p |
|---|---|---|---|---|---|
| Pakistan, 15 years and up, Female % | 10.7 | 13.5 | 17.0 | 21.8 | 22.6 |
| South Asia, 15 years and up, Female % | 34.3 | 33.1 | 35.2 | 30.1 | 29.2 |
| East Asia, 15 years and up, Female % | 56.5 | 55.6 | 54.6 | 56.0 | 56.5 |

## Topic 180: Gender equality in laws

1973 Constitution and women rights
- Article 25: No discrimination based on sex
- Article 32: encourage special representation of women in local government institutions
- Article 34: state will ensure full participation of women in national life
- Article 37: Women not employed in hazardous conditions
- All these article from principles of policy (recommendations, not mandatory)
- Article 51: 60 reserved seats in National Assembly

Similarly, in Senate and provincial assemblies
- Senate 17
- Punjab 66
- Sindh 29
- KP 22
- Balochistan 11

Pakistan has signed over 25 international laws, agreements, and conventions related to the rights of women

Most influential in Pakistan:

- Beijing Platform for Action 1995
- Convention on the elimination of all forms of discrimination against women (CEDAW), 1995
- After late 1990s, several changes such as strengthening of women ministry and departments
- NGOs were included in many discussions and activities
- Laws will be discussed in next three modules
- Despite improvements in terms of legal equality, several problems
- Implementation
- Social attitudes
- State's support for conservative interpretations for political gains

## Topic 181: Personal Laws and State's Modernist Islamic Approach in United Pakistan

Islam has been part of Pakistan's nationalism; Pakistan was carved out of British India to provide a safe place to Muslims. After independence, does Islam has a role in laws and which Islam? The Quran and Sunnah are basic sources of Islam. Other sources are dependent on them. Basic sources can be interpreted in different ways.

Different schools of thought, Pakistani state has adopted three different types of interpretations based on the Quran and Sunnah in three different era:

- Modernist (1947-72)
- Conservative (1973-1999)
- Liberal (2000-present)
- Modernist Islamic approach (1947-72)

In 1947, Pakistan inherited its constitution (Government of India Act, 1935) from the colonial British India. Its laws, rules, and regulations also had the same source. Name changed but laws largely remained the same. Where they were changed, especially related to gender, the approach was modernist .Modernist approach was a re-interpretation of Islam, without the medieval culture. In medieval culture, women were considered on equal to men so interpretations were also influenced by this first major change related to women was in inheritance laws, local culture was given preference. This meant no share in inheritance for girls. Islam gives half a share, women used Islam to force governments to come up with laws guaranteeing their share as given in Islam. All provinces passed laws to this effect. Second, more prominent change was the Pakistan Muslim Family Laws Ordinance, 1961. Several new rights to women which were given by Islam but denied by ulema.

Muslim Family Law Ordinance, 1961

- Promulgated by Ayub Khan, with stiff resistance from the ulema
- Still law in Pakistan and Bangladesh
- Right of divorce
- Special courts
- Rights over children

- Marriage contract: written nikahnama
- Maintenance or alimony
- Mehr is wholly and solely the wife's right and must be paid
- Any other conditions that both parties want to add
- Such as right to work or study, allowance, custody of children, pocket money, house work, divorce conditions, etc.
- Permission from first wife for second marriage or good reason before local government official
- Outside personal laws, there was change as modernist approach deems that unnecessary
- No required by basic sources

## Topic 182: Personal laws and state's conservative Islamic approach in Zia's Pakistan

Defeat and secession of Bangladesh, explained not in terms of denial of political, economic and civil rights under Ayub and Yahya Khan but in terms of Islam. Ironical as Bengalis separated not because of Islamic laws but political oppression. Bhutto: 1973 Constitution, Islamic summit, Islamic socialism, leader of the Muslim world against the West. Second amendment, Zia used Bhutto's rhetoric when he came to power.
- Zina (Enforcement of Hudood) Ordinance, 1979, without rape punishment
- Qanun-e-Shahadat (Law of Evidence) Order, 1984
- Women told to stay at home

Media's message: chadar and chardevari
- Women coming outside their homes, without some essential reason, were not considered moral
- Jamaat Islami and madrassas became the unofficial implementers
- Support by the government in terms of money
- Council of Islamic Ideology: Conservative members and very active
- Shariat Courts and Shariat Bench

Expansion of madrassas in the 1980s and 1990s gave Islamists a kind of veto power over issues of blasphemy, purdah (veil), religious curriculum in public schools, population control, and Pakistani state's linkage with conservative Islam.
- Even after Zia, using conservative approach to define women rights continued
- Biggest example: Qisas and Diyat Ordinance which allowed the immediate relatives of the victim to pardon the killer or to accept blood money
- Women and honor killings

# GENDER POLICY-III
## (Topic 183-189)

### Topic 183: Personal Laws and State's Liberal Islamic Approach in the 21st Century Pakistan

Several factors led Pakistani state elite to change their preference after 2000
- Sectarianism
- Economic collapse (lost decade)
- Taliban rule in Afghanistan
- Musharraf's personality
- 9/11 attacks
- Policy initiatives, 'Pakistan First' and 'Enlightened Moderation'
- National Commission on the Status of Women, July 2000
- Family courts (Amendments) Ordinance of 2002 expanded the jurisdiction
- Quota for females doubled in CSS (5% to 10%) and 33% quota in local governments
- Women Protection Act, 2006
- MMA won with the support of Musharraf but could only bring smaller change
- Return of democracy in 2008 accelerated this trend of liberal approach
- Tehrik-e-Taliban Pakistan indiscriminate killings made people rethink

PPP passed many laws increasing women's rights, such as
- Pakistan's Sexual Harassment Act 2010
- Acid Control and Acid Crime Prevention Act 2011
- Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011
- Women in Distress and Detention Fund 2011
- National Commission on the Status of Women Act 2012

PML(N) continued the trend:
- Domestic violence laws: around 40% of the ever-married women have suffered spousal abuse at some point in their married life
- Anti-honor killing law: mandatory punishment
- Anti-rape law: police officials, who sabotage or disregard investigation of rape crimes, could now be punished

### Topic 184: Gender Equality in Institutions

- Executive branch
- Legislative branch
- Judicial branch
- Independent and quasi-independent institutions

Gender mainstreaming increasing in planning and program implementation. Women allowed in services: police and combat armed forces. Quota increased: almost 40% of the current CSS batch women. Gender budgeting and gender analysis of development schemes. Women ministries and departments, commissions, ombudspersons. Implementation is the key issue. In 2002, Pakistan established quotas for women seats in national (17%), provincial (17%–19%), and local

government (33%) legislatures. Unfortunately, local governments now have much reduced quota in all four provinces. Women's caucuses have been formed within national and provincial legislatures. These caucuses have been successful in passing women-friendly laws, such as Related to child marriage, harassment of women at the workplace, and gender-based violence. Increase in the number of female lawyers and female judges at all levels. Legal equality but legal institutions discriminatory.

Women are disadvantaged in accessing the formal justice system because
  - Unable to leave their house
  - Lack access to money and transport
  - Lack access to female judges and police
  - Lack access to female-friendly and children friendly facilities at courts and police stations

Informal legal systems
  - Jirga or traditional systems of justice common in rural areas
  - Women are disadvantaged as women are not among the elders who decide, most elders sexist, and women often cannot speak or provide evidence
  - National Commission on the Status of Women and provincial commissions on the Status of Women
  - Ombudspersons on sexual harassment

## Topic 185: Challenges, Issues and Objectives of Women Empowerment

11th five year Plan (Gender & Women Development), Planning Commission (2013-18). Women constitute about 51% of the total population but only about 22% of labor force. Political, economic and social status remains low. Education, employment and access to information are key parameters, which reflect an overall status of women in the social context. The empowerment of a woman is dependent on her participation in household decision-making, mobility, ownership of property and freedom to spend and her role as a decision-maker in the society. The female labour participation rate is about 22.7 per cent against male's 83.3. The prevalence of gender inequality in labour force participation leads to economic disempowerment of women in their families and at the national level. In the public sphere, majority of women work as unpaid family labour in agriculture and hold low paid, low skill jobs, at the lowest tier of the industrial labour force in the urban areas. Occupational segregation characterizes that women are concentrated in certain sectors (agriculture, services) and within the sector hold lower positions. Women, who are counted as employed include employees, self-employed, unpaid family helpers and generally engaged in low-skilled and low-wage economic activities. More than half of women earn less than 60 per cent income as compared to men. Bulk of female labor force is engaged in informal sector and still requires legal protection and effective implementation of the labour welfare policies. In the urban informal sector, 67.5 per cent women work in diverse manufacturing sector mostly as home-based or casual workers on exploitative wages or employed as domestic workers on extremely low remuneration. The percentage of the unpaid female family workers rose from 53 per cent in 2003-04 to 59.8 per cent in 2011-12.

**Objectives**
  - Ensuring women right to ownership of movable and immovable assets
  - Provide unimpeded access to legal, religious and social rights and resources to women

- Protect women's mobility and livelihood, especially in conflict-ridden, insecure and backward areas
- Urgent redressal against the unjust and illegal patriarchal customs and traditions, e.g. honor killing and domestic violence
- Redressal of the disproportionate access to health, education, opportunities and other services
- Recognition of women's contribution in the socio-economic & national development

**Major challenges**
- Weak law enforcement impeding realization of equal rights for women
- Weak economy and high population
- Non-recognition of women's work in the rural setup and informal sector in the GDP
- Lack of access to resources, facilities and entitlements – economic, social and political
- Inadequate health and reproductive outcomes
- Early marriages
- Dimensions of gender gap in education, health and restriction on mobility
- Ineffective representation of the women issues and concerns in the policy-formulation
- Conservative interpretations of Islam
- State's support for religious extremists

## Topic 186: Strategy of the Gop of Gender Development

The intersectional approach to gender and security, and the transformative approaches to gender training and mainstreaming are to be formulated and implemented at the national level through a set of policies and affirmative actions. A multidimensional strategy has been envisaged to empower women to have a say in the decision-making. It will comprise capacity building programmes at various levels and institutions, review and assessment of the public programmes and institutions, which are supported with corrective policy measures in the judiciary, politics and executive, affirmative action's, and evolving a pragmatic research agenda for policy decisions.

The overall policy framework comprises:
**Policy framework comprises:**
- Improvement of legislation where required
- Legislation enforcement to improve women's access to family resources and inheritance
- Eradication of anti-women cultural traditions and norms, for example, karokari
- Dismantling of the parallel informal judicial systems
- Speedy justice to survivors of violence

*To achieve the above-mentioned objectives, the following strategic measures will be taken:*
- Adoption of a holistic approach to formulate, implement and disseminate policies, plans and laws to improve lives of women
- Enforcement machinery to be made gender sensitive to improve implementation
- Practices based on illegal cultural, family and customary norms to be analysed visa-a-vis the legislative package and its impact highlighted
- Capacity of organizations and institutions to be enhanced for integrating gender prospects in the development process to ensure women participation in the decision-making

- Conduct research to design future policy-making in identifying barriers, analyzing quota, program evaluation
- Interlinking of the legislative formulation with effective enforcement through strengthening of the state apparatus and capacity-building of women workers through skill training
- Legal empowerment of women to be enhanced through awareness, free legal assistance, monitoring, etc.

## Topic 187: Implementation of Strategy of the Gop of Gender Development

Expected physical achievements and targets the programme-wise physical targets for gender and women development, and expected outcome during the Plan period are given

| Policy/programme intervention | Output/outcome | Indicators | Major institutions responsible | Target 2013-18 |
|---|---|---|---|---|
| Education for all girls | Reduced gender gap in enrolment of boy and girls in primary and secondary education | Number of boys and girls enrolled in primary and secondary schools | Ministry of Education and Training (MoE&T) provincial education, women development departments Ministry of Law, Justice and Human Rights (MoLJ&HR) | Gender Parity Index Primary : 1.00 Secondary : 0.95 |
| Behavioural Change Communication (BCC) and awareness about elimination of discrimination against women | Improved level of awareness and sensitisation at family, community and national level on gender issues Improved number of NGOs and CSOs participated | Number of incidence of violence, abuse and discrimination against women at family, community and institutional level | MoLJ&HR, provincial social welfare, women dev. deptts., education depts. National Commission on Status of Women (NCSW) MoPD&R | More than 70% population (urban and rural) sensitised on gender-based discriminatory and violence issues |
| Education and research on gender studies and issues | Improved manpower and professional available | Number of institutions and research centres established | MoE&T Higher Education Commission MoPD&R provincial education, women development departments universities and institutions | 80 Gender and Women Studies Departments and centres to be established in the public and private sector HEC recognised universities and institutions |
| Centres and institutions for survivors of violence, and women in distress (with 24-hour helpline) | Improved care and rehabilitation of women victims of abuse, violence, etc. | Number of centres and institutions established Number of survivors rehabilitated | MoLJ&HR, Provincial social welfare and women development departments | 225 centres to be established at district and tehsil levels with NGOs and CSOs participation |
| Information Management System on gender-based data on education, health, | Established disaggregated data system | GDI on primary and secondary education, MMR, participation of women in labour | MoLJ&HR Provincial social welfare and women development | MIS to be established and fully functional |

| | | force, national and provincial budget tracking and incidences of violence | Departments NCSW | |
|---|---|---|---|---|
| Gender Impact Assessment (GIA) of all public policies, plans, programmes and projects | Gender sensitised public policies, plans, programmes and projects | Availability of the GIA tools Incorporated GIA in the PC-Is of all development sectors | Planning Commission, Provincial P&D, women development department MoLJ&HR | Gender sensitised public policies, plans, programmes and projects be made available in practice |
| Skill Development Programmes | Improved level of vocational and skill development facilities | Number of women trained in market oriented skills and vocations | MoE&T Provincial social welfare, women development department and TEVTAs | More than 2500 Ladies Industrial Homes-cum-Work Order Centres to be established up to the Union Council level involving about 400 NGOs |

**Topic 188-189: Violence against Women-I-II**

Things we need to understand, sex is biological, gender is social. Biological givens cannot be changed; culturally learned things can be changed.

Sex refers to the biological and physiological differences between men and women.

Sex has two main two categories: male and female.

Sex remains the same regardless of time and culture

Sex is created by the reproduction needs, that is, biological features.

Gender refers to the social and cultural differences between men and women.

Gender has two main categories: masculine and feminine.

Gender roles, expectations may differ across time and culture.

Gender distinctions are created by social norms.

Pediaa.com

Gender violence is the harm that is linked with gender roles in a society, individual or groups physical as well as psychological. Domestic violence is the violence in domestic settings; most common form is abuse by husbands (also by fathers and brothers) of women under their control another form is child abuse. Gender violence & domestic violence are not always done against women by men. But, overwhelmingly done by men against women. Focus on women as victim, notwithstanding that some men and boys also suffer.

## Gender-based violence
### more common than you think

In the European Union, since the age of 15:

**1 in 3** women has experienced **physical** and/or **sexual violence**

**1 in 2** women has experienced **sexual harassment**

**1 in 20** women has been **raped**

**1 in 5** women has experienced **stalking**

**95%** of victims **trafficked** for **sexual exploitation** in the EU are women

**Sources:** European Union Agency for Fundamental Rights, *Violence against women: an EU-wide survey – Results at a glance*, 2014
Eurostat, *Trafficking in human beings*, 2015
**Image:** Margaret Jone Wollman/Shutterstock.com

- Thomson Reuters Foundation conducts a global perception poll of 200+ experts to highlight the most dangerous countries for women
- In your view, what is the most dangerous country in the world for women in terms of..." each of the six categories (risk factors)

**Health** – including maternal mortality, lack of access to healthcare, lack of control over reproductive health and HIV/AIDS as the main causes

**Lack of access to economic resources / discrimination** – including job discrimination; inability to make a livelihood; discriminatory land, property or inheritance rights; lack of access to education and lack of access to adequate nutrition as the main causes

**Cultural/tribal/religious traditions or customary practices** – including acid attacks; female genital mutilation; child marriage; forced marriage; punishment/retribution through stoning or physical abuse or mutilation and female infanticide/foeticide as the main causes

**Sexual violence** – including rape as a weapon of war, domestic rape, rape by a stranger and lack of access to justice in the case of rape as the main causes

**Non-sexual violence** – including conflict-related violence and forms of domestic physical and mental abuse as the main causes

**Human trafficking** – including domestic servitude, forced labour, forced marriage and sexual slavery as the main causes

The five most dangerous countries for women

1) Afghanistan
2) Democratic Republic of Congo
3) Pakistan
4) India
5) Somalia

Highest-ranked countries for each risk factor

| | |
|---|---|
| Health | Afghanistan |
| Economic / Discrimination | Afghanistan |
| Cultural/tribal/religious | Pakistan |
| Sexual violence | Congo |
| Non-sexual violence | Afghanistan |
| Trafficking | India |

Patriarchy is the main reason. From ancient times, most societies patriarchal, few matriarchal. Probably, because men were physically strong, on average.



What is patriarchy?

feministastic.com • feminism 101

The patriarchy is the name for the system that privileges men. In this system, men hold most or all of the power, and it is difficult or impossible for women to reach the same status as men.

The patriarchy does not mean a small group of men are sitting in a room actively making decisions to oppress women. Rather, it's a name for a system that historically has given men more rights than women. These rights can be obvious (not letting women own land or vote, dismissing/ignoring rape reports) or more subtle (devaluing female-dominated jobs, presenting women as sex objects in media/advertisements).

Patriarchy is not men deciding that they will oppress women. Overlords of the family, ruling over women and children. It is a system where men have more privileges, without asking for them. Everyone is socialized into this system (men and women).
    Men and women, both consider this system as normal:
- Who is the head of house, even if women earns equally?
- Who will take a job and who will stay at home, even with no children?

| Masculine Traits | Feminine Traits |
| --- | --- |
| Decisive | Passionate |
| Resilient | Intuitive |
| Analytical | Flexible |
| Aggressiveness | Plans for the Future |
| Proud | Loyal |
| Arrogance | Reasonable |
| Independent | Collaborative |
| Selfish | Selfless |
| Individualistic | Empathetic |

Gerzema, John. The Athena Doctrine. (San Francisco: Jossey-Bass, 2013)

Feminism: Basically equal rights, choice and opportunity for both sexes
Different shades or theories
- Radical,
- Marxist
- Liberal

Radical Feminists
- Men control, exploit & oppress women using patriarchy
- Solution: Separation and independent existence

Marxist Feminists
- Capitalist system is the enemy as it helps men exploit women
- Solution: Marxist revolution, equality of men and women

Liberal Feminists
- Socialization of distinct gender roles is the problem
- Progress has been made, men also suffer
- Solution: education, awareness, less discrimination

Table-1 below compares categories manifest of various forms of overt violence of offences, number of incidents and the percentages recorded during 2008 and 2009 for cases of Violence against women (VAW) (Source: Perveen, 2010)

| Categories of Crime | Number of Cases of VAW in Pakistan during Jan-Dec 2008 to Jan-Dec 2009 | | Percentage Increase/Decrease |
|---|---|---|---|
| | Year 2008 | Year 2009 | |
| Abduction/Kidnapping | 1,784 | 1,987 | 11.38% |
| Murder | 1,422 | 1,384 | -2.67% |
| Domestic violence | 281 | 608 | 116.37% |
| Suicide | 599 | 683 | 14.02% |
| 'Honour' killing | 475 | 604 | 27.15% |
| Rape/Gang rape | 778 | 928 | 19.28% |
| Sexual assault | 172 | 274 | 59.30% |
| Acid throwing | 29 | 53 | 82.75% |
| Burning | 61 | 50 | -18.03% |
| Miscellaneous | 1,970 | 1,977 | 0.35% |
| Total | 7,571 | 8,548 | 1290.00% |

Forced Conversion of Minority's Women in Pakistan

## SOCIAL POLICY AND SOCIAL CONTROL-I
### (Topic 190-194)

### Topic 190: Positive and Negative Freedoms

Social control is the way a group maintains its coherence and focus. Groups, whether forced or formed independently, have beliefs, values, and norms. For a group to survive, they have promoted them. They have to reward and punish members depending on how closely they follow group orders. All groups do that and societies are big groups. They also want their members to behave. Social control is achieved through the norms, rules, laws, and structures of society. Ashley Crossman argues that it is a necessary part of social order as societies (or groups) cannot exist without controlling their populations.

**How is social control achieved?**
- Socialization and internalization
- Social punishments
- Legal punishments

**Informal Social Controls**
- Whenever someone deviates: ridicule, stares, talk, jokes, threats to stop giving group privileges, etc.
- State not involved

**Formal Social Controls**
- Whenever actions violate important social values: law courts, prisons, psychiatric hospitals, fines, exile, etc.
- State enforcement

Isaiah Berlin, a British philosopher, distinguished between two types of freedoms:
The distinction between being
- 'Free to do something'
- Being 'free from something'

*Negative freedom: non-interference*
- Poverty, illiteracy, ill-health

*Positive freedom: support and ability*
- With the above three, there is no real freedom

### Topic191: Social welfare and social control are linked

How far social policies help in maintaining the social order and strengthening government power? Why people don't want to give government powers. Because, with social benefits, it also put restrictions. There was strong resistance initially against social policies. People believed in the idea of negative freedom. Did government- welfare increase the state's control? Did it decrease liberty and personal freedoms? Privacy vs. security. Sometimes the government does become more concerned with controlling than with helping people. Both in the US and Pakistan accused of using terrorism to put political enemies in jails.
Why social welfare?

- Industrialization, efficiency and control

- War effort & control
- Religious, social and human right concerns and control
- Democracy and control

## Topic 192: Too Much Control – or not Enough?

Social control has negative connotations
- Coercion, disempowerment & limitation of individual freedom
- Too narrow a view
- Smoking

Social control (SC) is some kind of collective regulation of individual or group behavior or actions. It is not only necessary but arguably highly desirable. A society is not possible without SC.

Regulation is another term for SC, governance can be another. What kind of SC most people like? Criminal laws, vaccination, child rights, environmental standards.

Taxation and desire to have less inequality, help build community, lessens violence: good results of SC. Difference between an ordered and a disordered society? SC?

A social order is usually rule bound but how much: Singapore? Few political rights, strict penalties for infringing rules regarding personal dress, chewing gum and hairstyles to throwing litter.

## Topic 193: Social Policy and Social Control at the Political Level

The relationship between social policy and SC discussed in three main ways:
- Political level
- Individual level
- Local or urban community level

Best example of using social policy for political purposes: Bismarck's Germany. Bismarck, the German Chancellor in late 19$^{th}$ century, established the first comprehensive national scheme of social insurance in the world in the 1880s. Britain, and later other countries, learned from Germany. Bismarck's compulsory insurance was for sickness, industrial injury and old age pensions during the 1880s. Before democracy, before the vote, labor movement. A top-down set of reforms to get legitimacy? Yes, but also a paternalistic attitude, a form of SC, to save traditional order. Did it work? To some extent
- Labor happy but support for political reform grew
- The conservative supporters of Bismarck not happy
- State socialism

German Emperor dismissed Bismarck in 1890

## Topic 194: Social Policy and Social Control: Example Britain

While governments might try to use social policies for SC, sometimes such policies can lead to more disorder. In Britain, social insurance reforms of 1911, similar to Germany, resulted in more conflict and disorder initially. Employers and private insurance companies, not happy, even workers and unions skeptical. Doctors: regulation of medical profession.

Lloyd George, the PM, persisted, motivated to steal Labor votes but his motives were, at least partially to help low-paid workers. In long term, social polices did appear to help political stability.

Three major welfare development reforms:

- Liberal reforms of 1906–14
- The Labor's welfare state program from 1946 to 1951, and
- The Conservative social reforms that began in 1979 to the early 1990s

Mrs. Thatcher (PM 1979-90) reforms had initially a very mixed reception and seemed to create conflict (strikes, protests, etc.) Labor welfare state reforms again initially resulted in political conflict and tension as stability, consensus came later.
Marxists, in fact, believe that social welfare policy will only delay social conflict
- First two reforms did result in stability
- The third one, in the opposite direction, also resulted in stability
- Labor did slowed some initiatives and put more money into social welfare
- NHS is still there, so is free education at the lower level and state insurance

# SOCIAL POLICY AND SOCIAL CONTROL-II
## (Topic 195-200)

## Topic 195: Social Policy and Social Control: Example New Zealand

Let's compare with another country, the social policies for political order or stability. New Zealand (NZ) was ahead of Britain. By 1938, NZ had established the 'most comprehensive social security system in the world'.

Some of the social security benefits that were introduced and later reformed:
- Child Disability Allowance
- Jobseeker Support
- New Zealand Superannuation
- Orphan's Benefit scheme
- Sole Parent Support
- Supported Living Payment
- Unsupported Child's Benefit
- Veteran's Pension
- Young Parent Payment
- Youth payment

This brought stability but there were drastic cutbacks in the 1990s. Less funding, more means tests, more user-pays charges for state services, less staff, less housing. No large scale disorder or violence. The link between social policies and social order is there but social order is not dependent on social policies only.

Other factors:
- History of conflict
- Level of development
- Level of awareness
- Gradual or drastic imposition/removal
- Type of society: France?
- Other fissures: multi-ethnic, multi-religious, multi-linguistic
- Poverty levels
- Leadership
- Availability of ammunition
- Police effectiveness

All these factors affect the link between social policies and political order and social control.

## Topic 196: Social Policy and Social Control at the Local Level

National level new, state-system product of the 19th and 20th century. Previously, empires and kingdoms and city states. Empires and kingdoms:
- lose control
- Communications
- Resources
- Local feudal, landlord, zamindar, etc. was king in his own realm

- All he had to do: tribute, men and resources (ghori-pal) for war
- Main/only employer, law-enforcer, judge, jailor, executioner, tax collector
- City states: few
- The government in all three forms was local

Was there a link between local social policy and social control? Social policy as policy did not exist. There was some help from the community, later from the church or mosques but not much from the lord or king. But these primitive societies were largely stable, same ruling family continued for hundreds of years except for war & epidemics, large-scale deaths not common.

The role of culture and religion is important. People usually accepted their station in life. And wait for the next life patiently. No awareness of what was possible. Poverty, sickness and madness was glamorized.

**Topic 197-198: Social Policy and Social Control at the Individual Level-I-II**

To fully understand the impact of social policy and SC at the individual level distinguish between two types of SC
- Directly coercive SC

Directly coercive SC is where a person's freedom is deliberately reduced
- Subtly coercive SC

Subtly coercive SC is where people are "encouraged" to fit into accepted social roles, and suppress their own desires and choices
- Coercive SC

The most obvious type of coercive SC through social policies or rules has become rarer. Most clear examples of such SC is in mental asylums, long-stay hospital care and jails.

In mental asylums, "mad", "insane" and "lunatics" were admitted. Before the 19<sup>th</sup> century, families took care of them. Later, states houses where patients were chained, tortured and starved to death, if they did not "behave".

If you have time do see movie "One Flew Over the Cuckoo's Nest" (1975) based on the book by Ken Kesey: It is based on life in a mental asylum under a nurse who wants to break each patient's will. Long-stay hospitals were also problematic. To a lesser level than people in asylums, but long stay patients also had few rights. Total submission was what staff demanded. While those jailed had committed crimes, they do have rights. In our justice system, many are, however, totally innocent. Torture, bad food, extremely dirty environment, no sun, no activity were/are commonplace.

Gradually, things are getting better. In societies, where social welfare system is in place, coercive control is in the form of:
- Restrictions on behavior
- Means-testing

Since the 1980s, there have been trends towards decreasing social welfare costs. Through eliminating fraud, fake beneficiaries and "laziness".
- Not money, but food stamps
- Drugs testing
- Time-bound benefits
- No choice of training or work
- Stringent tests for disability
- Deviant behavior, no benefits

Subtly indirect oppressive SC, oppressive in the sense that it denied person choice and dignity. It "encourages" you to do what you do not want to do, even if it is leisure. Take the example of old age pensions in Britain. When it was introduced, an arbitrary age (70) was chosen, possibly because most people died by that age. It was given as "gift." Beneficiaries should be grateful. Then, age was changed and men and women had different ages (65 and 60) for qualification. Again, arbitrarily. Another restriction: cannot do work, if want pension. Now, means-testing, If you have to answer private questions, then your dignity is gone. Similar is the case of other welfare benefits. It creates divisions and then stereotypes and resentment, refugees & immigrants.

They are lazy, rapists, criminals, not interested in integration, young men on prey. Sometime divisions are there and social policy is used to deny a special group of benefits that are available to other groups. In India, initially SC and ST were at the lowest level, Muslims were above them. Gradually, rights and economic benefits to lower castes, nothing to Muslims. Now, Muslims in many areas at the lowest level but no benefits

### Topic 199-200: Social Policy and Social Control in Pakistan-I-II

Social control (SC) theory argues that values, norms, beliefs and relationships, commitments can assist in reducing crimes or criminal behavior. People will not commit crime if it affects what is important to them or what they believe in. Thus, if social and moral codes are internalized and individuals value society's rejection, they will not commit crime. Crime is the absence of social control.

### Hirschi's 4 control mechanisms



### Attachments

In Pakistan, biggest role is that of family. Family is very powerful because families make lots of sacrifices for the individual. Second, culture promotes family. Religion/Islam promotes family. Mother, father, close relations, etc. Family is a very important institution in Islam Sexual boundaries to preserve family. Friends are significant influences. In most cultures, friends are important. Western societies: old friends more important than family. A person without family

and friends is considered deficient. Even those who do not add to the family are considered inferior. Childless couples are to be pitied. People who are unmarried are also somewhat abnormal. Especially those that do not show their remorse at not being married. Spending 3 hours daily with friends is normal, reading books is not.

Islam is the other important influence. It affects directly as well as through families which encourage following Islamic rituals. Family and religion reinforce each other.

**Belief** is the third mechanism or element of Hirschi's theory of self control. Almost all our beliefs come from Islam. Honesty and truthfulness are good because Islam says so We teach our children not to hurt others because it will lead them to hell, not because hurting others will lead to other hurting them, making Pakistan a violent country. Respect for laws is low and people can succeed without respecting laws. This means **commitment** to one's career/future, the second element of Hirschi's theory, does not stops Pakistanis from criminal behavior. Maybe from violent crime but not from white collar crime.

**Involvement** is different social group, the final element of Hirschi's theory, is again not completely stopping one from criminal behavior. Only some kind of criminal behavior. The social control by family and religion has a strong possibility in Pakistan and they did exert control on individuals previously. But now families and friends have stopped disliking white collar crime and religion's rules have been manipulated to justify criminal activity. Corruption is the case in point. Families encourage corruption and money earned from corrupt means is used to build mosques and to perform hajj and umras.

**Lesson 33**

## CRIMINAL JUSTICE POLICY- I
### (Topic 201-204)

### Topic 201: The Legal and Social Construction of Crime

The Code of Hammurabi (1792–1750 BC) is believed to form the basis of one of the earliest surviving criminal justice systems and was originally developed by the Babylonians in a province of the Middle East that is now known as Iraq (Langer, 1987), ironically, one of the most lawless regions in the world today. The Code still exists and has been preserved on basalt rock columns. Within its scribe the concept of crime is recognized along with methods of trial and a series of punishments, which appear to be based on the Old Testament retaliatory principle of *lex talionis* (an eye for an eye). Our modern system of administering criminal justice is undoubtedly more complex and varied as it attempts to address a myriad of issues which seem to be in a constant state of flux, including the integration of human rights legislation, the influence of European Union policy, the management of cross-border crimes resulting from globalization and terrorism, and the impact of new technologies such as the Internet and DNA profiling on crime investigations and criminal justice management (Davies *et al*., 2005). Yet, in many respects, both systems are essentially the same in the sense that each appears to be organized around four principal elements:
1. A series of substantive laws which define what forms of behavior are to be criminalized and so subject to control.
2. A process for responding to crime in terms of capturing, convicting and punishing offenders.
3. A dominant mode of thinking that helps guide policy makers in terms of how they should interpret notions of justice.
4. An established justification for punishment along with a series of sentences that reflect the leading penal philosophy.

A further issue linking the Code of Hammurabi to modern systems of criminal justice is that despite almost 4,000 years of administrative effort we have still not succeeded in managing and controlling crime. In fact, recent research has shown that the public has lost patience with our current criminal justice system, believing that sentences are 'too lenient', that judges are 'out of touch' with popular views on matters of law and order, and that the prison and probation services were doing a 'poor job' at managing offenders (Home Office, 2000). Many scholars are equally disillusioned, with some asserting that the official response to crime has become such a 'complete failure' that if our own domestic heating systems worked as inefficiently as our criminal justice system we would have all frozen to death by now (Wilson and Ashton, 2001).

The aim of this lesson is to critically introduce a range of issues significant to understanding the nature of criminal justice policy and practice, and why it has proved difficult to resolve the central problem of crime. In particular, our discussion will be organized around four highly divisive questions which emanate from each of the principal criminal justice elements mentioned earlier, namely:
• What is crime?
• Who are the criminals?
• How can we start to make sense of our system of criminal justice?

• Why do we punish offenders?

The legal and social construction of crime An important starting point for any system of criminal justice is to define the forms of behaviour that are to be regulated. This is achieved through the criminal law: 'a body of specific rules regarding human conduct which have been promulgated (written down and distributed) by political authority, which apply uniformly to all members of the classes to which the rules refer (equally to everyone in society), and which are enforced by punishment administered by the state' (Sutherland and Cressey, 1970: 8). The two main sources of criminal law in England and Wales, and countries of the British Commonwealth, are common law (case law) and statutory law (Ormerod, 2005). Scotland, the United States and the countries of Continental Europe operate through a slightly different approach to creating laws, namely, an Established codified constitution.

Thus, one response to the question 'what is crime?' seems self-evident: 'Crime is any intentional act in violation of the criminal law (statutory or common law) committed without defence or excuse and penalized by the state as an indictable or summary offence' (Tappan, 2001: 31). Such a legalistic approach has the advantage of precision as it provides a formal definition of most indictable (serious) criminal acts and judicial guidance on the maximum penalty that can be administered for each offence. For example, S. 1 (2) of the Theft Act 1968 clearly states that a person is guilty of theft if he or she: 'Dishonestly appropriates [takes] property belonging to another with the intention of permanently depriving the other of it'. Moreover, section 7 of the Act goes on to state that a person convicted of theft can be sentenced to prison for up to seven years.

However, it is important to note that there is nothing about the specific nature of an act itself that makes it inherently criminal. In other words, the types of behavior defined as deviant by the criminal law do not represent naturally distinct categories of conduct which possess a series of characteristics that make them identifiable as crimes. Instead, crime should be understood as a socially constructed phenomenon which is shaped and defined by the legal rules that any given society or culture decides to set for itself (Henry and Lanier, 2001).

Once deviance is understood in these terms, it becomes apparent that there exists no objective reality from which to make judgments about what constitutes the right or wrong way to behave. Nor does there appear to be a consensus either within or across societies about which forms of conduct should be criminalized (Sellin, 1938). For example, some people might consider the use of drugs such as cannabis as unhealthy, dangerous and immoral, while others may view them as beneficial and a normal part of their leisure activity. The point is that the activity of cannabis use itself has no natural value status outside the subjective opinions of other people. In other words, what you do is not as important as the social context within which your actions take place and the kind of popular reaction they receive (Becker, 1963). For example, even the meaning attributed to the act of taking the life of another person against their will is dependent on the social circumstances. Thus, although we usually define such conduct as murder, this outcome is not inevitable: during wartime the military may be labeled as *heroes* for killing the enemy; the state provides itself with the legitimate power to execute some offenders in the name of *punishment*; and we explain and legally justify other forms of taking human life by using various labels such as *accidents*, *self-defense*, *infanticide*, *suicide* and in some countries such as Switzerland, *euthanasia*. Once you start to recognize that deviance can only be conceptualized as a social phenomenon, it soon becomes apparent why criminal justice systems throughout the world have never succeeded in resolving the problem of crime.

## Topic 202: Who are Criminals?

Most criminological research attempts to understand the causes of crime by engaging in a game of 'spot the difference' between offenders and non-offenders (Coleman and Norris, 2000). If it can be shown that criminals possess biological, psychological or social characteristics not typically found among the law-abiding population, then criminal justice policy and practice can be formulated in an effort to account for any such differences. For example, because we now know that some offenders commit crime as a result of severe mental health difficulties, a series of initiatives have been developed in order to divert mentally disordered offenders away from the punitive aspects of the criminal justice process and into care by health and social services (Department of Health and Home Office, 1992).

An immediate difficulty for researchers and policy makers, however, is in trying to establish who should be classified as a criminal for the purpose of criminological study. One possible approach might be to state that if crime is any behaviour in violation of the criminal law, then the criminal can be defined as any person who behaves in ways that are prohibited by the criminal law (Tappan, 2001). Unfortunately, while such a definition may seem obvious, it is not sufficiently discerning, as most (if not all) of us have broken the law at some point in our lives even if we would consider our actions to constitute only minor indiscretions, such as driving above the speed limit or not returning items taken from our place of work. In an effort to resolve this problem, Tappan (2001) responded to such claims by asserting that convicted offenders represent the closest possible approximation to those who have violated the criminal law. His argument is that while this population is not representative of all offenders, the fact that they have been formally identified as criminal through the selective processes of detection, prosecution and punishment makes them sufficiently distinct for the purposes of research.

Furthermore, Tappan argues that it would be morally wrong to identify someone as a criminal unless they had been formally convicted of a crime in accordance with the due process of the law. However, such an approach significantly reduces the size of the population that could potentially be defined as criminal. For example, according to the official statistics, it is estimated that around 10,850,000 offences were committed during the year 2004/05, yet only 181,000 offenders were convicted by the courts and received either a custodial or a non-custodial sentence (Home Office, 2005). One reason for such disparity in these figures is because as offenders move through the various stages of the criminal justice process there exist a comprehensive range of sieves and filters which may result in a resolution to their case prior to it being fully adjudicated within the criminal courts.

Thus, criminals are not always caught, convicted and punished for their offences. In this section we discuss the key stages suspected offenders must go through within the criminal justice process, and consider the various ways in which they can be diverted away from experiencing the full force of the criminal law. In fact, control theorists (see next section) would probably liken any discussion concerning these various diversionary sieves and filters as akin to a guide on *how to get out of jail free!* The 'dark figure' of crime You may be interested to learn that in the case of the majority of criminal offences committed each year, the various agencies of the criminal justice system never respond. In fact, it is widely acknowledged that the Official Criminal Statistics, which are reported annually and aggregate crime data obtained from the 43 police forces in England and Wales, tell us about less than half the volume of crime that actually

takes place. The remainder constitutes the 'dark figure' of crime which goes unreported to the police (Coleman and Moynihan, 2000).

Since the 1980s, the British Crime Survey (BCS) has, amongst other things, been used in order to try to gain a clearer understanding of this 'dark figure' by asking people about their experiences as victims of crime. For example, data from the BCS for 2004/05 estimates that around 5,250,000 crimes went unreported in this particular year (Home Office, 2005). It is also interesting to note that respondents provided a range of reasons why offences are not reported, including lack of faith in the police's ability to solve the crime, fear of reprisals from the offender, or because the offence amounted to a victimless event such as substance abuse (Coleman and Moynihan, 2000).

Once a suspected crime has been reported and the police consider the allegation as significant enough to officially record, the formal process of investigation begins. During the annual period 2004/05, the police in England and Wales recorded over 5.5 million offences.

## Topic 203: The Justice System: Courts

Whenever anyone writes anything about the criminal justice system it soon becomes a retrospective. Trying to keep up with the scope, scale, pace and persistence of change, in terms of new legislative reforms, policy initiatives, new agency formations and reformulations, review and report proceedings, etc., is at times overwhelming. For example, at the time of writing the administration of justice in England and Wales is experiencing significant change: a new Ministry of Justice has been established in order to take charge of crime-related matters which have traditionally been the responsibility of the Home Office; the administration of punishment is being streamlined through merging the National Probation Service and the Prison Service into one agency, now known as the National Offender Management Service (NOMS); and the series of wide-ranging reforms introduced by the Criminal Justice Act 2003 continue to have a significant impact on the criminal courts, judiciary, criminal procedures, and the administration of justice.

Many of the reforms consolidated in the 2003 Act originate from the government White Paper, *Justice for All* (Home Office, 2002). At the heart of these reforms is the political intention to create a criminal justice system that on the one hand commands the respect of the public by delivering faster and more effective justice for victims, while on the other follows the principles of due process in order to safeguards the rights of the accused (Home Office, 2002).

For many scholars, however, this approach to the administration of justice is fundamentally flawed because its goals originate from two diametrically opposed perspectives on how the criminal justice system should operate namely the *due process* and the *crime control* models of criminal justice (Packer, 1968; King, 1981).

The court system in Pakistan is complex. The type of crime determines the court. At the Apex of the system is the Supreme Court.

Three types of jurisdictions
- Appellate
  - High courts
  - Federal Shariat Court
- Original

- • Fundamental rights
- • Between federation and provinces and between provinces
- • Advisory
- • Federal Shariat Court
- • Established in 1979
- • Related to Shariat, Hadood Ordinances

Primary jurisdiction: Suo moto or a petitioner can ask whether a certain (part of) law is repugnant to the injunctions of Islam.

- • High Courts: five high courts
- • Appellate jurisdiction over district courts, special courts, etc.
- • Original jurisdiction over fundamental rights
- • Administers lower courts
- • Subordinate judiciary
- • Two types: criminal courts and civil courts established under Civil Courts Ordinance 1962, and the Code of Criminal Procedure 1898
- • Civil courts: district judge and subordinate judges
- • Criminal courts: Sessions judge and subordinate judges
- • Appeals to high courts
- • Territorial or pecuniary jurisdictions
- • Special courts under special laws

Some of the Federal special courts & tribunals

- • Banking Courts
- • Accountability courts
- • Special Courts (Narcotics)
- • Special Courts (Customs, Taxation & Anti-smuggling)
- • Income Tax Appellate
- • Tribunal
- • Environmental Tribunal
- • Insurance Appellate Tribunal
- • Anti-terrorism Courts

Some of the provincial courts and tribunals

- • Labour Courts
- • Consumer Protection
- • Courts
- • Anti–terrorism Courts
- • Anti-corruption Courts
- • Revenue Courts
- • Service Tribunals
- • Federal and provincial
- • Appeal to the Supreme Court

## Topic 204: The Justice System: Police

The police represent the front-line agency within the criminal justice process and spend around 85% of their time patrolling the streets investigating offences and dealing with traffic management issues, all in an effort to protect the public and keep the peace (Bayley, 2005).

Because of their daily contact with the public, the actions of the police are high profile and so tend to have a significant impact on popular perceptions of the criminal justice system in general (Home Office, 2000). As an agency, they are divided into 43 separate forces across England and Wales, which inevitably leads to variations in policing practice as they respond to particular geographic (rural/urban) and socio-cultural needs of the communities they serve.

The police are also afforded a great deal of legitimate discretion in terms of how they do their job, which inadvertently means that their actions can have a significant impact on the execution of justice. For example, the Macpherson report (also referred to as the Stephen Lawrence inquiry) concluded that the police had made a catalogue of errors during the course of investigating the death of Stephen Lawrence, a black victim who was attacked and stabbed to death by a group of youths. A particularly significant conclusion in this report was that because of racist attitudes, believed to be institutional within the police force, they were too slow in responding to the crime, which might have resulted in the loss of important evidence (Macpherson, 1999). As a result, no one has ever been convicted of Stephen Lawrence's murder.

Actually, during the annual period 2004/05, of the 5.5 million crimes recorded by the police, they managed to detect an offence, i.e. identify the person believed to be responsible, in only about 1.4 million cases. In other words, on average, the police 'clear up' only about 26% of crime, or one in four recorded offences. This rate varies for different offences, so for murder the detection rate is around 90%, while it might be as low as 10% for theft. However, in surveys the public consistently overestimates the amount of crime that is actually solved by the police (Home Office, 2000).

Once someone has been detected for an offence, there are a number of legitimate courses of action available other than charging the accused and sending them to court. The police can choose to take no further action (NFA) where, for example, the victim and police do not feel it would be appropriate to continue. Moreover, in cases which involve young offenders or people suffering from drug, alcohol, mental health or other specific problems, there are a number of 'diversionary' measures that can be employed whereby the accused is offered professional help via health and social services.

A traditional form of disposal employed by the police is the formal caution. For an offender to receive a caution there must be sufficient evidence to prove guilt and they must admit to the offence. The caution is then placed on their record. More recently, under the Crime and Disorder Act 1998, the use of cautions has been replaced by introducing a system of pre-court reprimands and final warnings for young offenders. During the annual period 2004/05 only 4% of offenders were given a formal caution, while 9% of cases were filtered in other ways such as through NFAs or diversion to a mental health unit. Thus, out of the 26% of detected offences, only 13% of offenders were actually formally charged with an offence.

## CRIMINAL JUSTICE POLICY- II
### (Topic 205-209 )

**Topic205: The Justice System: Jails**

Prison departments are at the provincial level, secretary Home heads the department, Each province has its own IG Prisons, supported by DIG Prisons. The IG Prisons is (BPS-21) is the head of the prison police in province.

- In Punjab, there are 7 DIG Prisons (BPS-20)
- Punjab Prisons comprises 5 regions namely Lahore, Rawalpindi, Faisalabad, Multan and Sahiwal Region.
- A DIG Prisons oversees each region
- Individual prisons are managed by Senior Superintendent Prisons
- Other provinces have similar set-ups
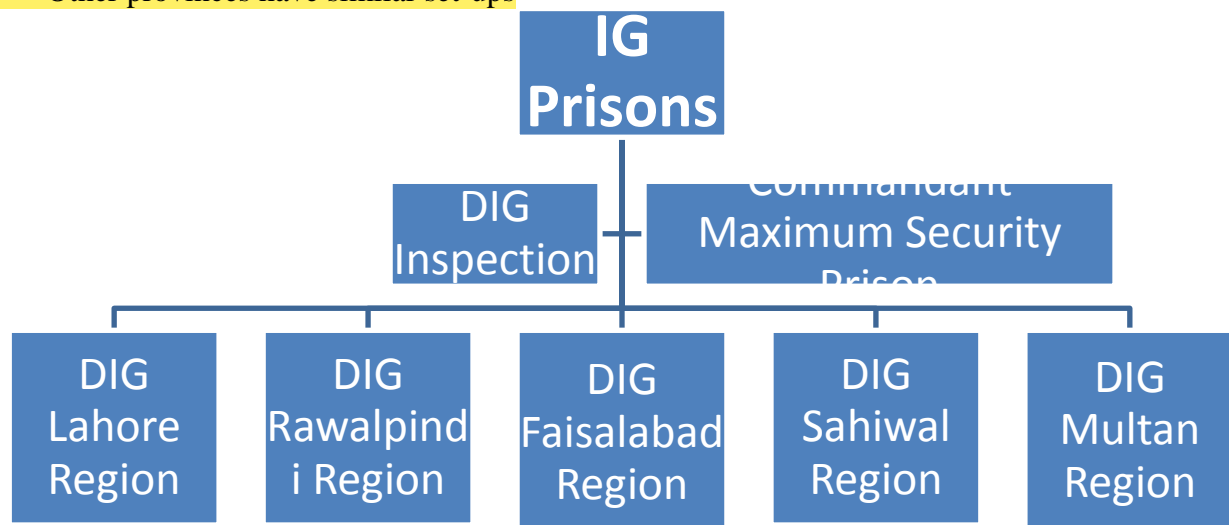


Punjab has 40 prisons:
- One high security prison
- Nine central jails
- Twenty Five district jails
- Two Borstal Institutions & Juvenile Jails
- One Women Jail, Multan
- Two Sub Jails
- Occupancy higher than recommended

## High Security Prison
- Sahiwal

## Central Jails
- Bahawalpur
- Gujranwala
- Multan
- Dera Ghazi Khan
- Lahore
- Sahiwal
- Faisalabad
- Mianwali
- Rawalpindi

## District Jails
- Attock
- Bahawalnagar
- Faisalabad
- Gujrat
- Jhang
- Jhelum
- Kasur
- Narowal
- Layyah
- Lahore
- Mandi Bahaudin
- Muzaffargarh
- Multan
- Rahim Yar Khan
- New District Jail Rajanpur
- Okara
- Pakpattan
- Sargodha
- Shahpur
- Sheikhupura
- Sialkot
- Toba Tek Singh
- Vehari
- Hafizabad
- Bhakkar

## Other Jails
- B.I. & J Jail Bahawalpur
- B.I. & J Jail Faisalabad
- Sub Jail, Chakwal
- Sub Jail, Shujabad
- Women Jail, Multan

**Problems**
- Overcrowded
- Lack of training
- Lack of staff
- Money for maintenance and improvements

## Topic 206: Principles of the Justice System: The Due Process Model

Justitia, the blind goddess of justice, situated outside the 'Old Bailey' Crown Court in London, symbolises the key principles underlying the due process model of criminal justice.



https://ak0.picdn.net/shutterstock/videos/6928480/thumb/1.jpg

The sword in the right hand represents punishment and the scales in the left hand signify the importance of determining who should be punished after making a rational and balanced

consideration of all the evidence. Justitia is blindfolded to denote impartiality under the rule of law; that everyone, regardless of who they are or what crimes they may have committed, should be treated equally, fairly and dispassionately. A principle that should also be exercised in accordance with the due process of law is the accused's right to be tried by a jury of their peers and to the presumption of innocence before the criminal law.

Generally, supporters of this approach, such as the organizations Liberty and the National Council for Civil Liberties, believe that a primary concern of the due process model should be to inject justice into the criminal process through establishing policies and procedures which create impartiality – a fair and equitable balance between the rights of the accused and the power of the state. In other words, due process advocates would argue that in order to safeguard against potential 'miscarriages of justice', the criminal justice system should be likened to an obstacle course in which the procedures governing each successive stage act as a 'formidable impediment' to carrying the accused any further along the process towards conviction (Packer, 1968).

A good example of such a procedural safeguard is the Police and Criminal Evidence Act, 1984 (PACE) which, along with its associated Code of Practice, tries to create a balance between the powers of the police and the rights of the accused. Among other things, the PACE Act 1984 places limits on the length of time a suspect can be held for questioning, requires the police to notify the suspect of their right to legal advice, sets out conditions for the admissibility of evidence, requires that all interviews are recorded, and ensures that the accused is notified of their right to remain silent from which no adverse inferences can be drawn about their level of involvement in the offence. However, some due process advocates argue that this legislation does not go far enough and cite several post-PACE miscarriages of justice to support their case, including revelations concerning the West Midlands Serious Crime Squad whose unlawful practices led to the wrongful conviction and eventual release in 1993 of 14 people.

- Article 10 (1): Safeguards as to arrest and detention. No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.
- Article 10-A: Right to fair trial.—For the determination of his civil rights and obligations or in any criminal charge against him a person shall be entitled to a fair trial and due process
- Included in the 18th Amendment

Due process not followed:
- NAB Ordinance (presumption of guilt, no right of bail, long imprisonment without trial)
- Missing persons and detention centers
- KP law challenged in Supreme Court
- Torture and other unlawfully obtained evidence
- Erstwhile military courts
- Corruption & blasphemy cases

## Topic 207: Principles of the Justice System: The Crime Control Model

In direct contrast to the due process model, a pure crime control perspective views the repression of all criminal conduct, regardless of the consequences to people's civil rights, as the most significant function to be performed by the criminal justice system. Without this degree of control, it is envisaged that disrespect for the criminal law would develop, resulting in the

collapse of public order, creating fear and anxiety among law-abiding citizens. In order to avoid such an infringement of our social freedom, a high rate of detection and conviction of suspects must be upheld and this can only be effectively achieved through minimizing the opportunities for a case to be challenged. Thus, according to the crime control perspective, the criminal justice system should function much like a conveyor belt, where the police are given extensive powers and freedom to act on their own professional assumptions in order to establish the facts necessary to differentiate the innocent from the guilty. This then leaves the remaining stages of the criminal process with the task of swiftly trying and sentencing the offender.

Earlier it was noted that under the PACE Act 1984 a number of due process safeguards were introduced in an attempt to redress the 'balance' between the power of the state and the rights of the individual. However, a closer look at the way the criminal process actually operates in practice reveals the presence of a number of features highly characteristic of the crime control model. Focusing specifically on the PACE Act 1984, the Philips Commission 1981 advocated giving greater powers to the police so that they could be more effective at repressing crime. Thus, many of the operational rules that were once informally used by the police have now been legitimized. For example, before 1984 many suspects were induced to come to the police station without being charged on the basis that they were 'helping the police with their inquiries'. The PACE Act 1984 now formalizes this practice by allowing for pre-charge detention. Hence, popular crime control lines such as 'the police are forced to break the law in order to get results' have in some cases been removed: 'police and court officials need not abuse the law in order to subvert the principles of justice; they need only use it' (McBarnet, 1983: 156).

Advocates of the crime control paradigm would also assert that the judicial 'conveyor- belt' process of dealing with offenders could be made significantly quicker and simpler if those accused of a crime could simply be persuaded to admit their offence at the outset and so enter a guilty plea, thus leap-frogging the trial phase altogether and moving directly on to sentencing. Reading in the area of criminal law and policy for the first time, one might understandably be forgiven for thinking that the adoption of such an approach is more akin to a game of Monopoly – move directly to jail – rather than a fair and equitable system of criminal justice. In reality, however, such an approach is a typical feature of the criminal process. In both England and North America a large majority of defendants plead guilty and forgo their right to an adversarial trial (Baldwin and McConville, 1977), not least because of the operation of 'plea-bargaining' and inducements in terms of reduced sentences for early guilty pleas. Thus, the alleged evidence against them is never heard, the reliability of witness statements is not cross-examined and the all-important 'beyond reasonable doubt' presumption is never tested.

Supporters of the crime control perspective, therefore, clearly envisage a criminal justice system which is primarily managed and controlled by the police. Generally, it is accepted that 'a few' mistakes may possibly be made during the police's efforts to try to differentiate the probably guilty from the probably innocent. However, it is also argued that such mistakes should be tolerated as they are insignificant relative to the larger goal of repressing crime. Ideally, of course, the aim would be to secure as many guilty pleas as possible before the trial stage, thus eliminating the possibility for any potential errors to be uncovered, which might be interpreted as weaknesses in the system and so consequently reduce respect for the law.

If the system did show signs of weakness, perhaps through revealing that guilty defendants were being released or that too many innocent defendants were being convicted, then the introduction of some degree of due process safeguard into the system would be tolerated. However, only

those rules which may make fact finding more reliable, such as preventing coercive interrogation practices, would be acceptable.

However, to suggest, as do due process supporters, that illegally obtained evidence should be deemed inadmissible or that a conviction relying on such evidence should be quashed is viewed by crime control advocates as ridiculous: why should perfectly credible evidence be ruled as inadmissible simply because the methods used to obtain it were improper?

The due process and crime control models create a constant tension within the criminal justice system, essentially between the rights of the accused and those of the victim. This tension is made more complicated by the fact that these two perspectives cannot be separated from one another like oil and water. Instead, the pure form of each tends to be diluted by aspects of the other, ultimately forming a new hybrid paradigm. In the future it is likely that greater emphasis will be placed on formulating an evidence-based system of criminal justice that is organized around a combination of due process and crime control policies which have been shown to 'work' in terms of their ability to manage and reduce the risk of crime (Farrington, 2002).

Many people in Pakistan believe in crime control model
- "Sab ko Latka do"
- We know he is guilty, the whole country knows he is guilty, no need of trial
- We need Khomeini model (summary trials and firing squad)
- Support for military courts
- Every country has a mix system
- The tilt should be towards due process model
- Civilized people believe in due process
- Emotional, brutal savages like "latka do"

## Topic 208-209: Why Do We Punish Offenders?-I-II

Punishment may be broadly defined as 'the deliberate use of public power to inflict pain on offenders' (Andrews, 2003: 128). According to the classical philosophers Cesare Beccaria and Jeremy Bentham, punishment is essentially an evil process which must be justified if societies are to avoid their actions being denounced as primitive and barbaric (Beccaria, 1764, in Bellamy, 1995). In this respect, attempts should be made to link the use of punitive sanctions such as imprisonment with a desired outcome (Cavadino and Dignan, 2002). To date, however, moral philosophers have been unable to agree on precisely what is being achieved by the infliction of pain and hardship on known offenders (Walker, 1991). Our aim in the final section of this chapter is to critically introduce a number of possible justifications for the use of punishment.

*Reductivism*

A traditional moral justification for the use of punishment is based on the philosophical notion of *reductivism*, a utilitarian principle which asserts that the use of punitive methods such as imprisonment will help prevent future incidents of crime (Walker, 1991). Towards this goal, the key reductivist strategies include deterrence, incapacitation and rehabilitation.

*Deterrence*

This approach starts from the assumption that people are rational beings who are able to calculate the costs and benefits associated with committing crime (Cavadino and Dignan, 2002). Thus, it is believed that punishment is justified on the grounds that potential offenders will be

deterred from their actions because they fear the unpleasant consequences that may result if they are caught. Punishment may act as either a specific or a general deterrent to crime. The former seeks to influence the future behaviour of an individual offender, while the latter attempts to control the future conduct of society in general.

Specific deterrence may be delivered in a variety of ways. For example, a severe sanction may be imposed in the hope that the offender finds the experience so unpleasant that they stop offending through fear of having to experience more of the same or worse punishment the next time. Indeterminate imprisonment may also be given in which decisions about release are based on clear evidence that the offender's behaviour has changed. In the case of general deterrence, punishments are designed to send a broad message of discouragement to all would-be offenders. For example, prior to the eighteenth century use of the death penalty and public executions were common even for the most minor of crimes (Emsley, 2005).

The problem with the notion of deterrence, however, is that it is only likely to work effectively when extreme sanctions are imposed, and even then the research evidence is inconclusive. For example, during the 1980s the Conservative government introduced the 'short, sharp shock' treatment for young offenders, though crime continued to rise, suggesting that this approach had failed as a deterrent (Muncie, 1990). West (1982) also showed that after experiencing severe punishment, inmates were actually more likely to reoffend as they developed a grudge against the system and aimed to 'get their own back'. In fact, West concluded that the best way to stop recidivism is not to catch the offender in the first place, as crime naturally stops as offenders get older.

Even if punishment did operate as an individual deterrent, other social factors such as the stigma associated with being labeled an 'ex-offender' may obscure its effect by denying them access to legitimate opportunities such as work, which in turn increases the likelihood that they might return to crime. Moreover, the logic behind the notion of punishment operating as an effective general deterrence suggests that it would only be necessary to lock up a few people who would serve as an example to the rest of society. However, the UK prison population as of June 2007 stands at 80,205 an increase of around 20,000 from just a decade ago (National Offender Management Service, 2007). Moreover, we put more people in prison than any other country in Western Europe (Cavadino and Dignan, 2002). Finally, using deterrence as a moral justification offers no rights to the accused. For example, if punishing one person may be viewed as likely to benefit the majority, then what is wrong with punishing the innocent? As a general deterrence, the fact that you may be innocent is not so important relative to the wider utilitarian objective of controlling future levels of crime.

## *Incapacitation*

The aim of incapacitating offenders is to protect society from the actions of criminals. It can take various forms: imprisonment, which physically removes the offender from society; injunctions, which prevent the offender from entering areas where they are likely to offend, thus a paedophile may be prevented from going near schools or playgrounds; and disqualification such as from driving in order to prevent motoring offences. The logic of incapacitation as a justifiable form of punishment appears to make sense; if you are denied the opportunity for offending, then future levels of crime will be reduced.

Consequently, it has been argued that imprisoning more offenders and for longer periods of time will have a significant impact on levels of crime (Wilson, 1975). However, the evidence supporting such an assertion is inconclusive. For example, Tarling (1993), using official criminal statistics, has noted that a 25% increase in the prison population would only lead to a 1% drop in

crime, which questions the economic viability of such an initiative. Furthermore, he argues that a 40% drop in the prison population would only lead to a 1.6% increase in the overall level of offending (Brody and Tarling, 1980).

Some scholars argue that the recent political willingness to embrace incapacitation as a solution to crime has started to have a fundamental impact on how we understand the nature of punishment itself. In particular, it is argued that a new form of penology is starting to emerge which has little concern for the moral justification of punitive sanctions.

Instead, criminal justice agencies and legislators are starting to place a greater emphasis on managerialism – the ability to identify, manage, contain and control groups of people who are assessed, via risk measures, as a potential danger to society (Feeley and Simon, 1992). These scholars go on to argue that traditionally understood terms such as guilt, recidivism and rehabilitation are becoming less important relative to the specialist language of risk, prediction and management. Ultimately, the underlying logic of incapacitation is that it helps make crime levels more tolerable by locking up those who are deemed by criminal justice experts to constitute a social threat.

## Rehabilitation

This is another approach to reducing future levels of crime. Punishment is inflicted in an attempt to change the personal values and behaviour of offenders. Such an approach wa s particularly popular prior to the 1960s when it was believed that scientific developments in areas such as biology, psychology and social work would be able to resolve many social problems such as crime (Coleman and Norris, 2000).

This line of thinking is also associated with the positivist paradigm which tried to understand crime and criminal behaviour as analogous to an illness in which the underlying disease causing dysfunctional conduct could be treated through various forms of behavioural modification programmes. However, during the 1970s much of this work was discredited on the basis that nothing seemed to work (Martinson, 1974), though the methodological nature of this research was itself later criticized and its results dismissed (Martinson, 1979).

Today, there has been a small revival in the rehabilitative approach. Therapeutic programmes now make the more modest claim that their goal is to 'facilitate change' rather than 'coerce a cure'. The essential aim of such programmes is to try to encourage offenders to understand the consequences (unacceptable nature) of their own behaviour in the hope that they will decide to change. A good example of such an approach is referred to as restorative justice. This focuses on resolving the dispute, conflict or trouble (formally known as crime) between the victims, the offender and the wider community. Within this context crime is viewed not as an abstract violation of the law, but as a form of interpersonal harm (Hughes, 2001).

One such restorative process is referred to as 'reintegrative shaming' (Braithwaite, 1989). It involves the victim and offender meeting in order to discuss the offence that has taken place. In particular, the aim is to provide the victim with an opportunity to explain to the offender how the crime has affected them. In this way, it is hoped that the offender will come to understand and feel remorse for the consequences of their actions, and in turn decide to change their future conduct. Such an approach may well work in cases involving property crime, such as theft or burglary, but it is questionable whether offences against the person such as rape and violence could be effectively managed in this way.

## Retributivism

==Retributivism is backward-looking in the sense that punishment is justified because it penalizes criminal behaviour that has already taken place. In other words, it is not concerned with future conduct as was the case with the reductivist approach.==
Instead, offenders are punished on the basis of what they deserve for their unlawful conduct – their 'just deserts'. Thus, the use of pain and violence by the state is legitimized on the basis that society is perceived as entitled to seek revenge against those who commit crime (Lacey, 2003). An immediate difficulty with such an approach is that the use of state violence legitimizes the use of social violence and as a solution to problematic situations. It also ignores the collateral impact that punitive sanctions may have on the relatives of offenders.

A further retributivist justification for punishment is that it acts as a mechanism for restoring social harmony and balance. The logic here is based on the theoretical idea that we are all bound to one another under an implicit social contract which protects each of us from any harm to ourselves or our property. This social contract is made explicit by the criminal law which applies equally to all members within any given society. Thus, if someone were to break the law then this social contract would be disrupted and the offender is viewed as having gained an unfair advantage over the law-abiding community. In such cases punishment is administered in an attempt to adjust for any advantage gained through crime by taking away the gains from their offending behaviour. For example, the Proceeds of Crime Act 2002 established the Assets Recovery Agency whose job it is to recover the proceeds gained from unlawful acts.

In the broadest of terms the retributivist approach is akin to the biblical principle of *lex talionis*. However, the classical thinker Beccaria was not in favour of extreme punishments such as the death penalty, as he believed this would lead to irrational practices and disrespect for the criminal law. Instead, he argued that punishment should be no harsher than was necessary. This 'softer' approach is more palatable within modern Western societies and has encouraged the emergence of a 'new retributivism' (Hudson, 2003), the key principles of which are that more emphasis be placed on the offence committed rather than the circumstances of the offender; that punishment is administered in proportion to the seriousness of the offence; and that punishment (as opposed to rehabilitation) should be the main aim of the penal system (Von Hirsch, 1976). Furthermore, in order for punishment to be proportionate to the seriousness of the offence, Von Hirsch argues that it is necessary to develop a tariff system that provides a fixed penalty for every type of crime, which is set out in advance so that everyone is clear about what punitive sanctions they could expect to receive for particular forms of unlawful conduct.

## CRIMINAL JUSTICE POLICY- III
### (Topic 210-215)

**Topic 210: Criminal Justice Policy and Its Constituents**

The three primary constituents of the criminal justice policy are:
- Police
- Courts
- Prisons

Discussed the various approaches to punishments such as
- Rehabilitation
- Reductivism
- Retributivism

Is our justice system based on Islamic law or British common law?
- In Pakistan, both have not been accepted
- Common law is based on judgments of the courts
- Britain has no constitution, only conventions
- Pakistan has a constitution. Laws and judgments have to be according to the supreme law i.e. constitution
- Islamic law? Few laws
- Hadood and Zakat and Ushr Ordinances
- Zakat collected is clearly not based on Islamic law as one-year requirement is ignored
- Hadood ordinances were promulgated but not implemented and are limited to a few offences
- Questions have also been raised about whether they are truly based on the Quran
- Implementation of Islamic law leads us to differences between fiqahs and interpretations that prefer men and give more privileges to men
- Pakistan is a federation and it is possible to have separate laws for federation and provinces or different provinces
- However, since independence, colonial penal code and procedures are applicable all over Pakistan
- Pakistan Penal Code, 1860
- Code of Criminal Procedure, 1898
- Still applicable in India, Pakistan and Bangladesh
- Pakistan Penal Code, 1860 was prepared by First Law Commission chaired by Lord Macaulay
- Their brilliance or our laziness?
- They were racist, cruel and autocratic but also brilliant
- However, it can also be argued that PPC is only there because it has become part of our culture
- If Moghal penal system had been allowed to continue, it would also had been developed
- Nepal had a penal code based on old cultural code

**Topic211: Juvenile Crime Policy in Pakistan**

Juvenile crime is a broad term used to denote crimes by children. It could be minor offence like loitering or even murder. The key aspect is the age of the criminal. Juvenile delinquency is the another term used to refer to crime by minors
- Why minors commit crime?
- Lack of education or not attending school
    - Time available
    - No skills
    - Low quality education
- Violence at home
    - Victims
    - Anger
    - Run away from home
    - Learned behavior
- Violence around
    - In school, in community
    - Anger
    - Learned behavior
- Two parent home
    - Poverty
    - Stability
    - Morality
    - Responsibility
- Moral compass
    - Parents cannot provide
    - Religious leader's hypocrisy
    - No role models
- Poverty
    - Stability
    - Suffering violence at work
    - Suffering violence in streets
- The Juvenile Justice System Act (JJSA), 2018
- It replaced the Juvenile Justice System Ordinance 2000 under the military government
- Applicable to children, defined as those under 18

Pakistan is a signatory to the Convention on the Rights of Child (CRC). Article 37 of the CRC asks state parties to ensure the following:
a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment…
b) No child shall be deprived of his or her liberty unlawfully or arbitrarily…
c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age.
d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance

JJSA declares that all offences, whether minor and major, are bailable. It informs that a juvenile interrogation will not be done by a police officer below the rank of a sub-inspector and (s)he will

be assisted by a probation officer or social welfare officer. It asks govt to establish juvenile justice committees in each district to dispose of cases with the consent of the accused by resorting to ways other than imprisonment. It penalizes anyone who discloses the identity of a juvenile. The law declares that no female juvenile shall in any circumstance be apprehended or investigated by a male officer. Female juvenile will be kept in a designated female juvenile rehabilitation centers.  Juvenile courts to be established in each province. Arrested juveniles put in observation homes, not police stations. No juvenile offender to be given death sentence. Juvenile Rehabilitation centers to be established in each province and inspected regularly.

## Topic 212: Gender and Crime

Different aspect of gender violence have been discussed under Gender Policy. Here, women experience with the justice system will be discussed. Police is the first contact with the law. Common observation is that police is highly discriminatory towards women. Women are harassed, abused and even raped in police stations. Women police officers form a very small proportion of the total police force. Until a few years ago, women were not allowed to join Police Service of Pakistan. There are few women police stations. Toxic masculinity is common in Pakistani culture but it is even more common in police. Every few months, we hear new reports of sexual harassment and abuse of women accused at police stations. Courts are also infested with the same illness: rampant sexism. Few women lawyers and judges. Courts, not safe places for women. In May 2014, a young woman was killed by her family in the court premises. In July 2019, a woman was killed when there was shoot out in the court premises. Laws interpreted discriminately. Women do not have money to hire lawyers and society does not allow them to go to courts.  Men are imprisoned more than women. But women are treated differently starting when they were arrested. Jails provide a big opportunity for men incharge to harass women. Everything can be cashed in terms of sexual favors. From family meetings to a glass of water.

## Topic 213: Police Reforms

Roger Myerson, Nobel Prize Laureate:
A state cannot achieve sovereign national authority without an ability to protect its supporters throughout the nation. Basic military control is not sufficient to provide such protection for individual citizens until it is complemented by effective policing and law enforcement.
- Recommendation from a Asia Society, NYC study:
- Police Order 2002 must be implemented, with minor amendments, throughout Pakistan to ensure that the country is governed by a clear and uniform set of rules
-  Modification of the Evidence Act and High Court Rules is essential to convening incognito trials, maintaining the protection of the identity of witnesses
- An overhaul of the  system of promoting and hiring police would help to ensure reasonable and fair opportunities for advancement
- An improvement in working conditions and salaries and changes to organizational culture
- To check police corruption, the federal government should establish an independent police complaint authority under a Supreme/High Court judge
- Training and curriculum throughout the police academies should be revamped to address the needs of vulnerable groups (women, children, minorities, etc.)

- A VIP Secret Service to protect top state functionaries and to lessen the security burden on police
- The National Assembly and Senate should appoint intelligence committees to monitor the performance of the intelligence agencies
- Ensuring tenure security for all federal and provincial police chiefs to minimize political pressures
- A special cadre of terrorism investigators with the expertise and resources that police currently lack must be created
- The country's de-radicalization program must be expanded and strengthened
- Strengthened cooperation between the military and police would better enable Pakistan's civilian law enforcement bodies to take responsibility
- Provision of better custom-built vehicles, equipment, and weapons
- NACTA may take lead in developing an intelligence sharing mechanism between different agencies and police and between provincial police forces
- Greater coordination between international donors and local law enforcement stakeholders
- Role of private sector enhanced, like in case of Citizen-Police Liaison Centre (CPLC) in Karachi
- Bigger budgets and more research

## Topic 214: Reforms in Justice System

Everybody wants to reform the judicial system, even the judges want to do it. With thousands of cases undecided at every level, there is no denying the ineffectiveness of the current system. Reform socially de-contextualized. The narrow perspectives and agendas of what I call the 'legal reform community' monopolize the justice sector reform discourse in Pakistan. This 'legal reform community' includes judges, lawyers, government policymakers and law officials, as well as local and international consultants. Subject and object of reform.

There is group think. The prescriptions given are highly exclusionary of vital stakeholders' views. The largely ignore the various social, economic and political contextual constraints that may inhibit reform's effectiveness. The reforms largely consists of advocacy for greater numbers, better infrastructure, higher remuneration, and greater staff support for the judiciary. Another issue is legally solving complex social problems. Complex development issues are discussed and debated in a legal framework, with legal remedies. This creates burden for police and judiciary, leading to new avenues of corruption and ineffectiveness. Another issue is that justice sector reform discourse is ahistorical. Colonial laws, colonial polices and rules have a large imprint on our society. It needs to be studied before going for judicial reform. There is a need to revisit the design and content of colonial laws and rules in light of contemporary realities and institutional challenges. Furthermore, legal reform should not be about uniformity and formality. The diversity and pluralism of Pakistan must be acknowledged as well as the informal nature of many relationships and transactions. Purely technocratic and legalistic reform approaches may be rejected in favor of culturally-embedded solutions. To transfer the focus from the courtroom to the dispute and contesting parties. Rural areas and alternate dispute mechanisms should be the focus. How only some of the disputes become legal contestations? Whether some of these alternative informal modes of dispute resolution ought to be rejected or bolstered or

reformed. CSOs, academics, labor, consumer groups, human rights groups,  policy experts, media, etc. must be included.

## Topic 215: Honor Killings

Five facts about honor killings:

1. Honor killings are an extreme form of gendered domestic violence. Mostly,  involve young, single female victims and a male killer who is a relative. Can include male victims and women co-killers; most Often done to restore a social reputation. Victim's perceived or actual breach of conduct norms. Sometimes just to deal with property disputes and tribal feuds; honor is just a camouflage. A collective family affair

2. Reliable country-level data not available. Frequency is impossible to ascertain. Estimates 5000 per year in the world. High rates of  honor killings and low score in HDI and the Gender Inequality Index related.

3. It is likely that the majority of perceived transgressions of honor do not provoke a murder. Most premarital sexual relationships and out-of-wedlock pregnancies hushed and/or dealt with nonviolently.

4. Islam plays a prominent role in public debates on honor killings, yet honor killings are a pre-Islamic tribal tradition and an extra-judicial punishment that is not part of Sharia law. Both Muslims and Islamophobes focus on Islamic law, where there is none. They occur among the Arab Christians and the Sikh community. They are non-existent in some Muslim-majority countries, such as Oman, and less frequent in others Muslim-majority countries, such as Algeria and Tunisia.

5. Some Islamic law interpretations justify them. Findings from the World Values Survey highlight a notable split of orientations in many countries with high levels of honor killings.

**FAMILY POLICY-I**
**(Topic 216-220)**


**Topic216: What is a Family or Household?**

The study of the family as a social institution has an extensive history, beginning with the work of nineteenth-century European sociologists such as Le Play and Westermarck, and Marxists such as Friedrich Engels, and continuing with work of twentieth-century writers such as the anthropologist Bronislaw Malinowski and the American sociologist William J. Goode (Therborn, 2004). In recent decades the study of the family and its evolution in past times has been significantly advanced by the work of a number of social historians (Anderson, 1980; Laslett, 1983).

The *household* is an important unit for social policy and demographic purposes, distinct from the family. Means-tested social security benefits, for example, are calculated on a household basis. A household is officially defined as '. . . a person living alone or a group of people who have the address as their only or main residence and who either share one meal a day or share the living accommodation' (Office for National Statistics, 2007: 202).

A *family* is officially defined as 'a married or cohabiting couple, either with or without their never-married child or children (of any age), including couples with no children or a lone parent together with his or her never-married child or children provided they have no children of their own. A family could also consist of a grandparent( s) with their grandchild or grandchildren if the parents of the grandchild or grandchildren are not usually resident in the household' (Office for National Statistics, 2007: 202). The Census definition of a *lone-parent family* is 'a father or mother together with his or her never-married child or children'. In fact, official definitions of households, families and lone-parent families vary slightly between the various official surveys sponsored by the government – the Census, the Labour Force Survey and the General Household Survey (Office for National Statistics, 2007: 202).

Contemporary comment and research on the family emphasises the diversity of family forms, both historically and comparatively, as well as in present-day Western societies, where cohabiting, unmarried parenthood, lone parenthood, step-families and same-sex relationships have become more common (Pahl, 2003: 160–162).

Single-person households have also become much more common. The traditional 'nuclear' family of Western European and North American societies, it is argued, is in decline, if indeed it was ever really dominant as a family form.

**Household size**

Household size varies by ethnic group, with some groups having larger families and being more likely to live in extended families. Indian, Pakistani and Bangladeshi

**Table 18.1** Households[1] in Great Britain by type of household and family

|  | 1971(%) | 2006(%)[2] |
|---|---|---|
| **One person** | | |
| Under state pension age | 6 | 14 |
| Over state pension age | 12 | 14 |
| **One-family households** | | |
| *Couple*[3] | | |
| No children | 27 | 28 |
| 1–2 dependent children[4] | 26 | 18 |
| 3 or more dependent children[4] | 9 | 4 |
| Non-dependent children only | 8 | 7 |
| *Lone parent*[3] | | |
| Dependent children[4] | 3 | 7 |
| Non-dependent children only | 4 | 3 |
| **Two or more unrelated adults** | 4 | 3 |
| **Multi-family households** | 1 | 1 |
| **All households (= 100%) (millions)** | 18.6 | 24.2 |

families contain more members than other ethnic groups. According to the 2001 census, employing official definitions of ethnicity (Office for National Statistics, 2007: 201), Bangladeshi households were largest, with 4.5 people per household, followed by Pakistani (4.1) and Indian (3.3); White British and Black Caribbean had 2.3 persons per household, and White Irish had the smallest households, at 2.2 persons (Office for National Statistics, 2007: 15). To some extent these differences are related to age structure. Smaller households – White British, White Irish and Black Caribbean – have, on average, an older age structure and are more likely to be single-person households (Office for National Statistics, 2007: 14–15).

## Topic 217: Marriages, Divorces and Fertility Rates

Marriage: civil and religious since 1961, Muslim Family Law Ordinance, an overwhelming majority both. Requirement is only legal, registered with a nikah-khwan or at a court. Only nikah-khwan, without registration, is not acceptable .Divorces similarly have to be registered. Non- registration of divorce may lead to imprisonment for up to one year, or with fine up to Rs. 5000, or both. Marriage is part of adulthood in Pakistan. For women, it is part of early adulthood as most are married before the age of twenty. The legal age of marriage is 18 for men and 16 years for women

According to UNICEF report, 21% of Pakistani women are married by the age of 18, and 3% before 15
   • Child marriage Restraint (Amendment) Bill, 2019
       • 18 years for both sexes
       • Passed by the Senate
       • But not by the National Assembly
Results of early marriage

- No secondary school for girls
- Pregnancy problems
- More years of fertility
- Less use of contraceptives
- Increased power differential between husband and wife
- More domestic abuse
- More children and poverty
- Less educated children

Divorces were rare but the trend is increasing

- Reasons of divorce
    - Incompatibility
    - Less stigma
    - Less patience to accept violence or patriarchy
    - Educated women
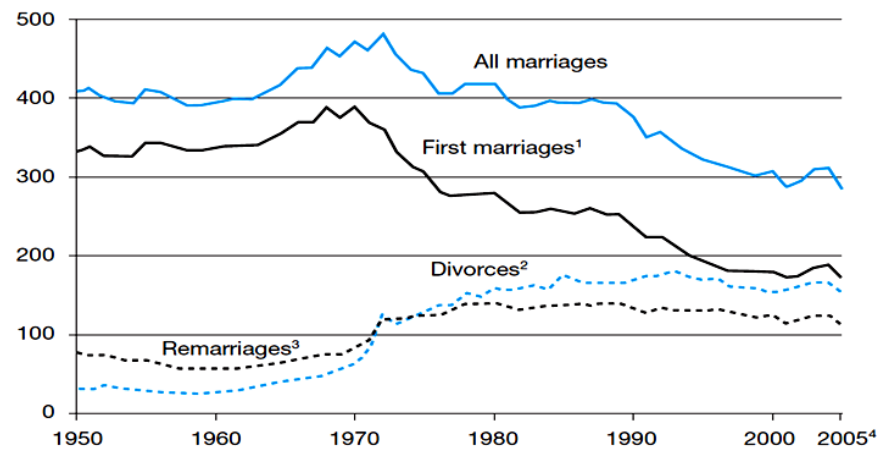


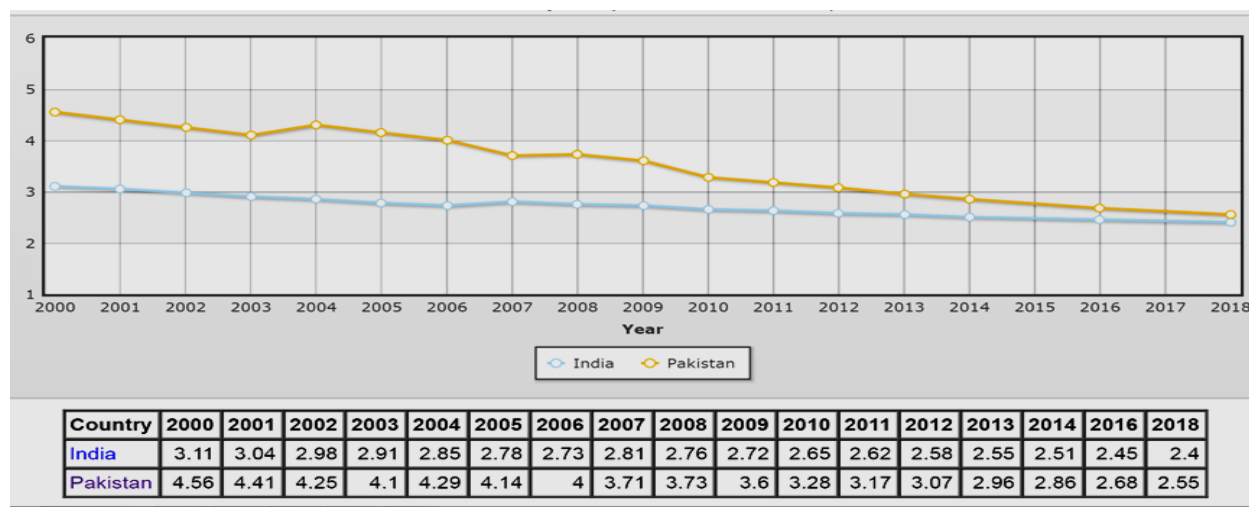**Figure 18.1**    Marriages and divorces in the UK (thousands)
*Source*: Office for National Statistics (2007) *Social Trends 37*, Figure 2.9, p. 18, London: ONS.



**Divorce Rates In Islamic Countries**
(Crude Divorce Rate -- Divorces per 1000 population)
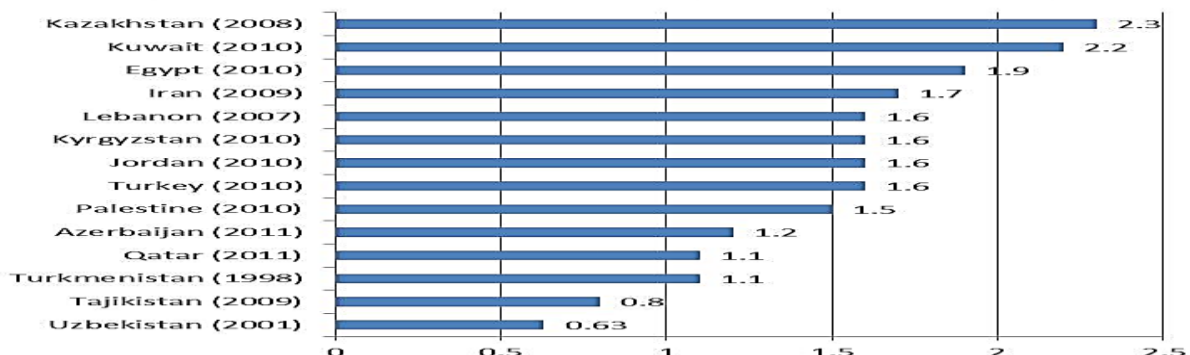
Source: UN Marriage Divorce Data          Created by divorcesience.org Jan 2013

| Country | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2016 | 2018 |
|---------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| India | 3.11 | 3.04 | 2.98 | 2.91 | 2.85 | 2.78 | 2.73 | 2.81 | 2.76 | 2.72 | 2.65 | 2.62 | 2.58 | 2.55 | 2.51 | 2.45 | 2.4 |
| Pakistan | 4.56 | 4.41 | 4.25 | 4.1 | 4.29 | 4.14 | 4 | 3.71 | 3.73 | 3.6 | 3.28 | 3.17 | 3.07 | 2.96 | 2.86 | 2.68 | 2.55 |

**Table 18.4** UK Fertility rates (live births per 1,000 women) by age of mother at childbirth

| Age of mother | 1971 | 2005 |
|---------------|------|------|
| Under 20[1] | 50.0 | 26.2 |
| 20–24 | 154.4 | 70.5 |
| 25–29 | 154.6 | 98.3 |
| 30–34 | 79.4 | 100.7 |
| 35–39 | 34.3 | 50.0 |
| 40 and over | 9.2 | 10.6 |
| Total fertility rate[2] | 2.41 | 1.79 |
| Total births[3] (thousands) | 901.6 | 722.5 |
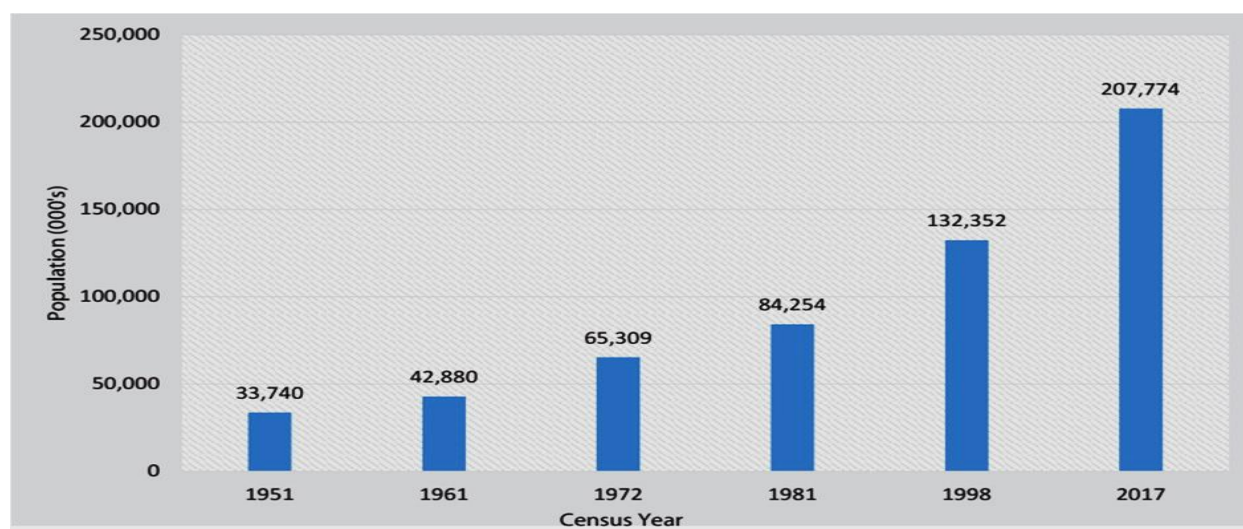
## Population of Pakistan (Census 2017)

### 207,774,520

| | | URBAN 36 % |
| | | RURAL 64 % |

106,449,322   101,314,780  Transgender(10418)
51%            49%

| Area | Population | Percent of Total |
|------|------------|------------------|
| PUNJAB | 110012442 | 53 |
| SINDH | 47886051 | 23 |
| KHYBER PAKHTUNKHWA | 30523371 | 15 |
| BALOCHISTAN | 12344408 | 6 |
| FATA | 5001676 | 2 |
| ISLAMABAD | 2006572 | 1 |

| PROVISIONAL SUMMARY RESULTS OF 6TH POPULATION AND HOUSING CENSUS-2017 | | | |
|---|---|---|---|
| Administrative Unit | Households | Total Population | 1998-2017 Average Annual Growth Rate |
| Pakistan | 32,205,111 | 207,774,520 | 2.40 |
| Khyber Pakhtunkhwa | 3,845,168 | 30,523,371 | 2.89 |
| FATA | 558,379 | 5,001,676 | 2.41 |
| Punjab | 17,103,835 | 110,012,442 | 2.13 |
| Sindh | 8,585,610 | 47,886,051 | 2.41 |
| Balochistan | 1,775,937 | 12,344,408 | 3.37 |
| ICT | 336,182 | 2,006,572 | 4.91 |

**Topic 218: Religion and family**

Family is an important component of Islam. Keeping family intact is very important for Islam. Responsibilities as well as rewards.

- "And among his signs is this. He created for you spouses from yourselves. that you might find rest in them. and He ordained between you love and mercy." (Al-Rum-21)
- "Don't kill your children for fear of poverty. it is We who provide sustenance for them and you; verily killing them is a most heinous crime.!" (Al-Isra': 31)
- "And enjoin prayer upon your family [and people] and be steadfast therein." (TaHa, 20:132)
- "O you who have believed, protect yourselves and your families from a Fire…" (Tahrim, 66:6)
- "When a Muslim spends on his family seeking reward for it from Allah, it counts for him as charity." (Muslim)

- "It is enough sin for a man not to give food to the one whom he is supposed to feed." (Abu Dawud)
- Some desert Arabs came to him one day and asked: 'Do you kiss your children?' He answered: 'Yes.' They said: 'We never kiss them.' The Prophet (saw) said: 'What can I do if your hearts have been stripped of compassion?' (Bukhari)
- "The best of you is the best to his family. and I am the best amongst you to my family." Tirmidhi, IbnMaajah

As mother is most important element in the family, she has been given exalted status in Islam

- "With trouble did his mother bear him and with trouble did she bring him forth; and the bearing of him and the weaning of him was thirty months…" (46:15)

A companion once asked the Prophet, "Who deserves my good treatment most?" "Your mother," said the Prophet. "Who next?" "Your mother," he replied again. "Who next?" "Your mother," he answered yet again. "Who after that?" "Your father." Islam does give an edge to men over omen in family The Quran explain it because husband is the main provider. This verse has been criticized in the Western world . Women groups have come up with a re-interpretation. The argument is that as men have become less and less sole provider, the edge over women has also decreased.

## Topic 219: Human Rights and Family

Article 16(1) of the United Nations' 1948 Universal Declaration of Human Rights explicitly enunciated the right of men and women to marry and found a family as a basic human right (Sieghart, 1985: 120–121, 174).
Article 16(1) also states that 'They are entitled to equal rights as to marriage, during marriage and at its dissolution'.
Article 16(2) goes on to state that 'Marriage shall be entered into only with the free and full consent of the intending spouses'.
Article 16(3) states that 'The family is the natural and fundamental group unit of society and is entitled to protection by society and the state' (Sieghart, 1985: 120–121, 174). These provisions on the family are echoed in all other human rights declarations, and articulated at considerably greater length in some, such as the European Social Charter, adopted in 1961.
Severe restrictions on marriage and family life existed in virtually all societies until the late twentieth century, and still continue in some (Mount, 1982: 32–33). China, for example, imposed a minimum marriage age of 25, and a 'one child' policy, in 1980. In some countries, until comparatively recently, there were prohibitions on interracial marriage, and in many, if not most, countries, women are far from enjoying equal rights in relation to marriage and family life, 'free and full consent' to marriage may not exist and women may be treated as chattels.
More recently, a human rights perspective has been applied to the status and interests of children (Hewitt and Leach, 1993: 1–6). The UK ratified the United Nations Convention on the Rights of the Child in 1991. UK policy is obliged to conform, or appear to conform, to its provisions.
Some radical feminists, not all, consider family as a regressive institution and call for its end.

Family is called
- Tool of oppression
- Source of oppression
- Instrument of oppression
- Cornerstone of women's continuing oppression

Family is where the patriarchy starts
- Family leads to labor and sexual exploitation
- Family results in women giving up the ownership of their minds, bodies and lives
- Even children are abused in the family
- The socialization of primitive gender roles starts in the family

These statements are exaggerated but they have an element of truth. Wife-battering is a universal phenomenon. Wife battering: Violent actions (psychological, sexual and/or physical) by a husband against his wife. Family has existed from ancient times and beating of wife or wives was common across cultures. As discussed earlier, over 70% of women are not allowed to leave home to visit a bank, attend an NGO meeting, go to a job, or pursue an education.

### Table 4: Women Able to Leave Home by Purpose of Trip, 2011/12 (%)

| Purpose | Can Go Out from Home | | | | | Needing Permission | Cannot Go Out from Home |
|---|---|---|---|---|---|---|---|
| | Alone | With Child | With Adult Women | With Adult Men | Total | | |
| Meet neighbors | 80.1 | 6.5 | 5.9 | 3.0 | 95.5 | 66.2 | 4.5 |
| Sell or purchase items | 50.4 | 13.1 | 14.3 | 8.2 | 86.2 | 68.2 | 13.8 |
| Visit hospital or doctor | 45.8 | 15.8 | 19.5 | 12.8 | 93.9 | 77.7 | 6.1 |
| Attend wedding | 43.0 | 13.4 | 21.3 | 14.4 | 92.3 | 78.0 | 7.7 |
| Visit a bank | 10.1 | 3.8 | 6.8 | 6.0 | 26.7 | 24.0 | 73.3 |
| Attend NGO meeting | 6.5 | 1.8 | 3.5 | 3.1 | 14.9 | 13.1 | 85.1 |
| For job | 6.8 | 1.8 | 3.8 | 3.5 | 15.9 | 14.5 | 84.1 |
| For education | 8.4 | 2.2 | 4.2 | 3.8 | 18.6 | 17.1 | 84.4 |
| Visit other village or city for any work | 18.2 | 6.8 | 13.7 | 16.6 | 55.3 | 48.0 | 44.7 |

Even in the 21st century, men and (even) women believe that a husband is justified in beating his wife if she argues with him
- Rural married women 42%
- Rural married men 22%
- Urban married men 13%
- Urban married women 18%

## Figure 7: Agreement of Ever-Married Women and Men with Justifications for Wife Beating, by Rural or Urban Residence, 2012 (%)
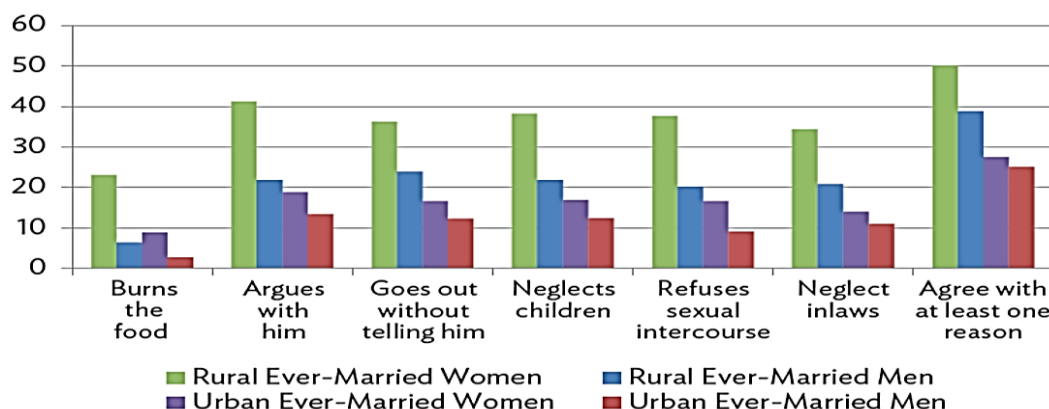


**Assumptions**

- Wife should not work if the husband earns enough
- If she works and there are problems, then she is to blame
- There should be children within the first two years of marriage
- Mothers working are neglecting children
- Working women should do all housework
- Bringing up infants is the responsibility of women
- Parents can do no wrong
- Children are to the honor their families
- Excel academically
- Choice profession as per parents' will
- Choice spouse as per parents' will
- An ideal family tolerates violence and abuse for the sake of children
- Parents are hitting their children, they are doing it for their own good
- Woman who complains to her parents about her husband's violence should be sent back as husbands improve
- Families have to become more loving
- Where there are problems, problems should be resolved rather than ignored or swept under the carpet
- One thing should be clear: Violence is a no-no

## Topic 220: What is Family Policy?

Talking about the family (whatever the family may be) involves aggregating individuals and their interests. Recent and not-so-recent discussion has drawn attention to some of the anomalies and deficiencies involved in this. Feminists from the time of Eleanor Rathbone onwards have drawn attention to the absurdity of assuming that, for example, a male breadwinner's earnings are always shared equally within the family unit on the basis of need.

Broader and narrower definitions of family policy are possible. Family policy could be defined broadly as any policy directly or indirectly affecting the family. On this basis it would be hard to exclude any social policy from the definition. This, however, would be too broad a definition to

be useful. One approach to this might be to focus on what governments actually do when they are doing something which they claim to be 'family policy'. This is more difficult for the UK than for other countries, because British governments have been shy about employing the concept of family policy. Kamerman and Kahn distinguish between what they called 'explicit' and 'implicit' family policy and, employing this distinction, classified a number of countries in terms of their policies for and towards the family (Kamerman and Kahn, 1978: 3).

Some countries, such as France, have 'explicit' family policies; others, such as the UK, have only or mostly 'implicit' family policies. In France, much social policy is deliberately directed at the family; in the UK, policy is usually only indirectly concerned with it.

Family policy is not necessarily 'progressive' social policy. In many countries the pursuit of explicit family policies has been bound up with a 'pro-natalist' and statebuilding view of the family – the need, for example, to boost birth rates and population growth, depleted in some cases by the losses of war, as in France after the First World War, or the pursuit of aggressive foreign policy, in the cases of Nazi Germany and the Soviet Union (Pedersen, 1993). National strength has been seen as depending on high population numbers. The liberal, breadwinner-focused UK state, viewing the family as the private business of its citizens, has never been pro-natalist in this sense, even if pro-natalist sentiments have informed, if not determined, the views of some policy makers, as they did to some extent in the case of Beveridge's views on children's allowances (Beveridge, 1942: 154, para. 413).

For conservatives, the family is an institution under threat
- Easier divorce and less stigma
- Single parenthood becoming normal
- The gradual decline in the popularity of marriage
- More women working
- Decrease in the power of religion
- Longer time in education and changing careers
- Broader and narrower definitions of family
- Broad definition: Family policy is any policy directly or indirectly affects the family
- Nothing can be excluded so not useful
- Narrower: Include whatever the government includes in the "family policy"
- But governments have not been enthusiastic about formally proclaiming a family policy
- Explicit and implicit family policy
- France is a country that gives importance to family and explicitly favors families
- And this has led to good results, according to National institute for demographic studies

Questions related to family policy
- What is a family? Nuclear, extended, etc.?
- What is the ideal family?
- How much focus to produce ideal family?
- How many children in the family?
- Pro-natalist or 'progressive' or autocratic one-child?
- What are the rights of women and children in the family?

- How much government should interfere to preserve these rights?
- What is the role of religion in family matters?
- Should family policy be based on religion?
- Should state support families or individuals or both?
- Should women supported more in the family as they spend more on family? BISP strategy?
- Domestic violence, right to marry, right to cohabitate,
- How many husbands & wives?
- Homosexuality? Same-sex marriage?
- Who is an adult? Who does not need a guardian?

## FAMILY POLICY-II
### (Topic 221-225)

### Topic 221: Historical Background: Development of Family Policy in Developed World

In the UK the family has been regarded as a private institution, into which the state should intrude in only limited ways, although the family has been subject to state regulation in relation to, for example, marriage and divorce (Glennerster, 2007: 153). Welfare policy has been circumscribed by such views, and also by the political salience of social class as a social division. The labour movement in the UK, for example, agitated for much of the twentieth century not for family benefits but for a 'living' or 'family' wage, to be gained through trade union collective bargaining and, failing that, through minimum wages in particular industrial sectors. Some of the first state welfare interventions outside the ambit of the Poor Law, such as school feeding and school medical inspection, introduced by a Liberal government in 1906 and 1907, related to children. Another was the introduction of tax allowances for children for income tax payers in 1909 by the same government. The development of health services in the UK in the twentieth century also exhibits a 'breadwinner' focus; the National Health Insurance scheme introduced in 1911, for example, although not formally exclusionary, assumed that the breadwinner's (effectively, the man's) health was of most importance and insured only the breadwinner, not the breadwinner's family. Children's health was taken care of, if at all, through maternal and infant health services provided by local authorities, as was that of women. Women's health was a matter of public concern largely in relation to their role as mothers until the 1940s. Women's and children's access to GP and hospital-provided health care would depend until then on their ability to pay or on the possibility of obtaining means-tested fee exemptions.

William Beveridge took for granted, in formulating his plans for post-war social security in his famous Report of 1942, the continuance of the 'conventional' nuclear family, based on a separation of male and female roles, the concept of the male breadwinner and the dependent housewife. In this he was merely conforming to prevailing norms about desirable family forms, not least those of the labour movement. Beveridge's assumptions, although in tune with contemporary opinion, turned out to be unsound.

The period of the 1940s, dominated by war and post-war reconstruction, can in some respects be regarded as a major era of family policy, implicit if not explicit, and also of the sanctification of the 'traditional' family, implied in Beveridge's views cited above. Such policies as food subsidies and food rationing, major components of social policy at the time, improved the diets of the mass of British working-class families (it had been estimated that half of British children in the inter-war period were malnourished), while the creation of a universal health service improved women's access to health care. The Family Allowance – a weekly flat-rate cash benefit payable for the second and subsequent children – was legislated by the wartime coalition government in 1945, and introduced the following year. The Labour government's reforms of social security, inspired by Beveridge, introduced new cash benefits for maternity – a cash lump sum together with weekly benefits, payable to the mother. The expansion of educational opportunities initiated in the 1940s was also eventually to have a significant impact on the lives of women, as well as working-class children.

The 1950s was the decade of the classic 'traditional' nuclear family, with a strong division of labour between wage-working male breadwinner on the one hand and home-based housewife and mother on the other. This was, however, to prove a temporary state of affairs. The relatively successful performance of the post-war British economy, generating jobs and strong demand for labour, drew women into paid work in increasing numbers, just as, of course, it drew in increasing numbers of migrants from abroad. This was also an era of increasing educational opportunity, involving developments in particularly secondary schooling and higher education, which was eventually to benefit girls as much as, or more than, boys. From the 1950s onwards, women's contribution to family and household income gradually became indispensable, as a 'reasonable' standard of living became defined in relation to that available to a two-earner household. The single-earner household would be, from now on, subject to an increased risk of poverty, defined in relative deprivation terms. Women's earnings not only boosted family incomes and standards of living, but enabled them to achieve a degree of independence and autonomy, as did other changes in the period, such as improved opportunities to control fertility and limit family size.

Few of the trends and tendencies so far described, policy and other, were promoted or introduced or came about with the intention of liberating or empowering women; they were not the product of feminist ideology or movements, for these as yet hardly existed. Such liberation as was to take place was a largely unintended consequence of policy and broader social and economic changes and changes in technology, as in the case of contraception.

## Topic 222-225: Issues in Family Policy-I-IV

In this section we look at a number of family policy issues which became salient in this period – social security, the tax treatment of the family and domestic violence. Social security policy, like other public policy, makes assumptions about 'appropriate' family structures. These assumptions, of course, no longer hold good. In this model, the male breadwinner was seen as the primary claimant and beneficiary, and other family members as dependents, mirroring the economic dependency of working life. Non-contributory means-tested benefits such as the non-contributory version of Jobseekers' Allowance (there is also a contributory, National Insurance version of this), Income Support and Pension Credit are assessed on a household, rather than an individual, basis, as were their predecessors.

Feminist writers in the 1970s and later were particularly concerned by certain features of the social security system, such as the notorious 'cohabitation' rule, which prevents a lone parent claiming means-tested benefits such as Income Support in her own right if she is 'cohabiting', that is, living with a man (who is self-supporting) (Wilson, 1974: 20). Feminists have criticized the rule for appearing to make a lone female parent dependent for her upkeep and that of her children on a man, thereby upholding and enforcing a particular model of conventional family life (Pateman, 1988: 248). The rule is, however, merely an application of the general principle that means-tested benefits such as Income Support and its predecessors are, and always have been, assessed on a household basis. Couples' needs are aggregated for benefit purposes. The non-working partner of a working man or woman in a 'conventional' family relationship, living in a single household, whether married or not, and caring for children, has never been able to claim Income Support in his or her own right. Contrary, furthermore, to the assertions of some feminists, the cohabitation rule does not discourage women from forming new relationships, although it might require them to be circumspect about doing so, nor does it prevent women

being financially supported by men who remain non-resident (Pascall, 1986). There is also something inconsistent in criticising the rule for apparently upholding a conventional model of the family, and at the same time criticising it for discouraging women from entering into new family relationships. What most people found objectionable about the cohabitation rule was the policing and surveillance of intimate relationships that were involved as part of the fraud-prevention activities of the social security agencies. Of course, media and public opinion was to some extent inconsistent about this, concerned as it was at the same time about the evils of benefit fraud.

Other feminists have recognised that the benefits system is not quite as morally conservative, in relation to lone parents, as some critics have thought. Income Support and its means-tested predecessors supported lone-parent claimants without stigma and without a requirement to work, a position presumably derived from 'traditional' assumptions that children are better off being looked after at home by their mothers, and also to the fact that Income Support was a universal benefit claimed by all – unemployed, disabled, pensioners (until the introduction of similar but separate benefits such as MIG, later Pension Credit, for pensioners – ) who satisfy the income and needs criteria. One feminist commentator observed that 'modern welfare policies have permitted the transformation of traditional family forms and the formation of autonomous households by lone mothers while at the same time attempting to enforce assumptions about men's obligation to maintain – a Janus-faced [policy]' (Lewis, 2000: 82, cited by Glennerster, 2007: 30). There is a range of different cash benefits for people in financial need. Meanstested, non-contributory benefits for families with children – such as Income Support (IS) and Jobseekers' Allowance (JSA) – may include additional payments for carers and children, in the latter case, for claims made before April 2004. Since that date, financial needs of children have been met by the Child Tax Credit, also available for low-earning working parents. Since the mid-1980s it has been possible for either adult in a couple to be the named claimant for IS and JSA. However, in the overwhelming majority of cases it remains the man who is named as the head of household and who receives the benefit (Pascall, 1997).

Religion and family
- How much of the family policy should come from the majority religion of the country?
- Initially, all countries gave importance to religion
- Religions, especially Abrahamic religions, have specific instructions about family
- Buddhism or Hinduism do not prescribe to a specific type of family
- Confucianism, however, does
- All Western countries did give importance to church as most had official churches
- By the 20th century things changes and religion became less and less important
- In developing world religion still important

Gradual decreasing of importance of religion

Experience of Iran
- Policy under Reza Shah
- Policy under Mohammad Raza Shah
- Islamic Revolution and Imam Khomeini
- Decrease or instrumental use of religion after Khomeini

Experience of Turkey
- Rejection of religion under Ataturk

- Gradual return of religion
- But still very secular

Experience of Pakistan
- Personal laws
- MFLO, 1961
- Islamization in the 1980s
- Gradual relaxation after 2000

Rights of women and children in family. From ancient times, patriarchal systems mostly prevailed. Few rights for women and children.  Property of men



As seen earlier, most religions also supported the dominance of men in family. Women secondary inferior position. Accept everything coming from her man. In many cultures and religions, women were presented as bringer of unhappiness and vices. To take the moral men away from the right path. Property, titles even names from men and for men. Emotional, with weak judgment. Some Islamic interpretations, two women equal to one man in terms of giving evidence.  In Rome, women could inherit property but cannot control it. Although Islamic did give women rights that were not common at the time. Things started changing in the 19$^{th}$ century, First in the European countries and in the 20$^{th}$ century in the developing world.

**Women rights**
- Right to inherit and manage property
- Right to do business
- Right to travel alone
- Right to education
- Right to marriage
- Equal rights to child custody
- Right of divorce
- Equal division of property after divorce
- No domestic violence
- Monogamy

**Child rights**
- Right of independent existence (not a property of father)
- Right to be fed and treated when sick

- Human rights as an individual, protected by the state
- Right to be educated
- No sexual or physical abuse
- Right to chose profession and spouse
- Right to separate  laws in case of criminal behavior

Many of these laws are still not acceptable in many cultures and countries

Who is heir (pronounced air)? Who will inherit after a person dies intestate

- Intestate: without a valid will
- Testate: with a valid will or testament
- Different countries have different laws and they are part of family policy. Why?
- Because it is the family that usually inherits
- Initially, like other matters of family policy, this was a religious matter

Like still is the case of Pakistan. In case of intestate succession, there are usually laws. From ancient times, patrilineal inheritance more common than matrilineal inheritance. Patrilineal inheritance means only males inherit, women are excluded. Matrilineal inheritance means only females inherit, men are excluded extreme case.

- Primogeniture: a principle of inheritance, in which the firstborn child receives all or his parents
- Male primogeniture  was the law until 1925 in England
- Other siblings would depend on the generosity of their elder brother
- Jewish religious law calls for patrilineal inheritance
- Daughters only inherit, if there are no sons

Later on, another rule

- Daughters, who inherit must marry someone from their father's tribe
- Later, first-born had double inheritance than other brothers
- Christianity did not have specific law so the Jewish law continued in many cases
- Islam added many new heirs, such as spouses and parents
- Gave double the share to sons as compared to daughters but no importance to first-born
- Illegitimate children and adopted children: no inheritance
- The one who is making will also has to follow certain rules
- Cannot  bequeath to a heir and cannot bequeath more than one-third of the total inheritance
- Murderer of father/mother or non-Muslim cannot inherit
- Most countries in the world now give equal inheritance rights to all children
- In the US, the rights of the spouse are protected
- There are two type of states: community property states and common law states
- Community property: half of whatever was earned during marriage is given to the surviving spouse
- Common law: no right but half or one-third of what was earned during marriage can be claimed by the surviving spouse as (s)he cannot be disinherited
- Rest is then distributed equally among children
- The UK law also favors surviving spouse
- Spouse or civil partner inherits all personal property, the first £250,000 of the estate and half of the remaining estate

**FAMILY POLICY-III**
**(Topic 226-229)**

**Topic 226: Family Policy in Pakistan: Marriage**

As already discussed, the Muslim Family Law Ordinance, 1961 governs the issues of marriage and its dissolution. Marriage is not defined in the ordinance but it is between two adults of the opposite sex. A nikah khwan is not necessary for marriage but for registration of marriage. Even court marriages need registration with a nikah khwan. Nikah nama: The marriage contract.

| |
|---|
| Amount of dower |
| The amount of Mahar Mooajjal ( Prompt Dower); and the amount of Mahar Moajjal (Deferred Dower): |
| Whether any portion of the dower was paid at the time of marriage, if so, how much; |
| Whether any property was given in lieu of the whole or any portion of the dower, with specifications of the same and its valuation agreed to between the parties; |
| Special condition if any |

- Mehr or dower is the right of the women
- Special conditions: can get education, can work, is entitled to maintenance, no of children, will not live with extended family, etc
- With right to divorce, you have only to inform as does the husband

| |
|---|
| Whether the husband has delegated the power of divorce to the wife, if so , under what conditions; |
| Whether the husband's right of divorce is in any way curtailed; |
| Whether any documentation was drawn up a the time of marriage relating to dower maintenance, etc, if so, contents thereof in brief. |
| Whether the bridegroom has any existing wife, and if so, whether he has secured the permission of the Arbitration Council under the Muslim family laws ordinance, 1961, to contract another marriage. |
| Number and date of the communication conveying to the bridegroom the permission of the arbitration council to contract another marriage; |

- With right of divorce, wife also keeps the her mehr, maintenance and alimony which she cannot have in case of khula

- And khula takes time, courts and lawyers
- Wife can also restrict husband's right of divorce
- Four marriages allowed but Arbitration Council (AC) approved which consists of representatives of both husband and wife or wives
- Easy, if you present agreement by the first wife in the AC
- AC has also a role in divorce
- Registered, not effective before 90 days and within this time reconciliation possible
- Encouraged by the AC
- So, official law different from Hanafi law
- Wife can also ask for maintenance allowance and AC can fix the monthly amount, recoverable by law.

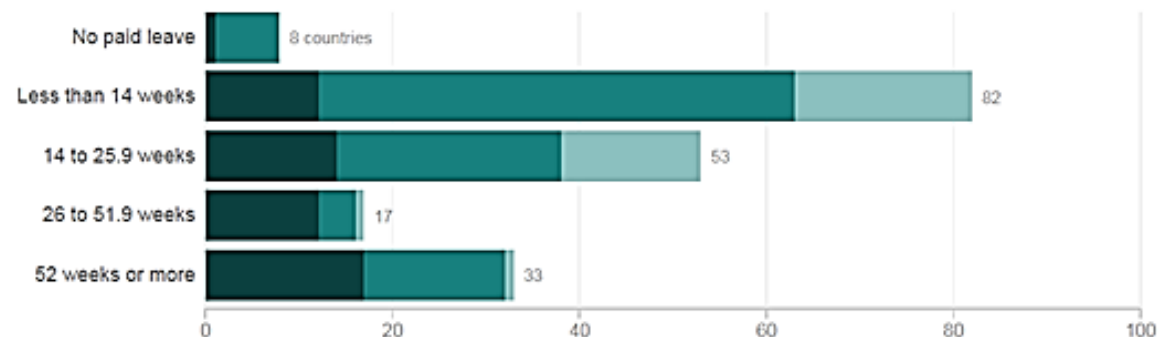## Topic 227: Family Policy in Pakistan: Maternity and Paternity Leaves

- Leave, most of it paid, to a mother before and after birth
- Now, also paternity leave so that fathers share the burden and love of the new arrival
- Maternity leaves became popular as more and more women start working outside home
- Agreed at the UN that maternity leave should be a minimum of 14 weeks of leave, paid at two-thirds of a worker's salary up to a cap
- Most countries now exceed this standard
- At least 50 countries:    6 months or more paid maternity leave

## Family Leave Around The World, By Duration

The United States is one of 8 countries — and the only high-income country, as classified by the World Bank — that do not have paid maternity leave. Far fewer countries have paid paternity leave.

■ High income    ■ Middle income    ■ Low income

**COUNTRIES THAT OFFER MATERNAL LEAVE**

| | |
|---|---|
| No paid leave | 8 countries |
| Less than 14 weeks | 82 |
| 14 to 25.9 weeks | 53 |
| 26 to 51.9 weeks | 17 |
| 52 weeks or more | 33 |

- West Pakistan Maternity Benefits Ordinance, 1958
- All establishments but usually fully implemented only in public sector
- Benefits: 12 weeks (6 weeks prior and 6 weeks after birth)
- At least 4 months of employment necessary before the birth
- Paid leave requires a certificate from the birth attendant or doctor
- May not be possible for all women
- The law prohibits the employment of any women during the six weeks following birth

- This was added to save women but now used to discriminate against women by denying them employment
- Women not to be dismissed during maternity leave
- Women regularly dismissed: strict monitoring required and fine (only Rs. 500) should be increased
- No paternal leave in Pakistan
- Increasingly common
- 90+ countries give some form of paternal leave

COUNTRIES THAT OFFER PATERNAL LEAVE
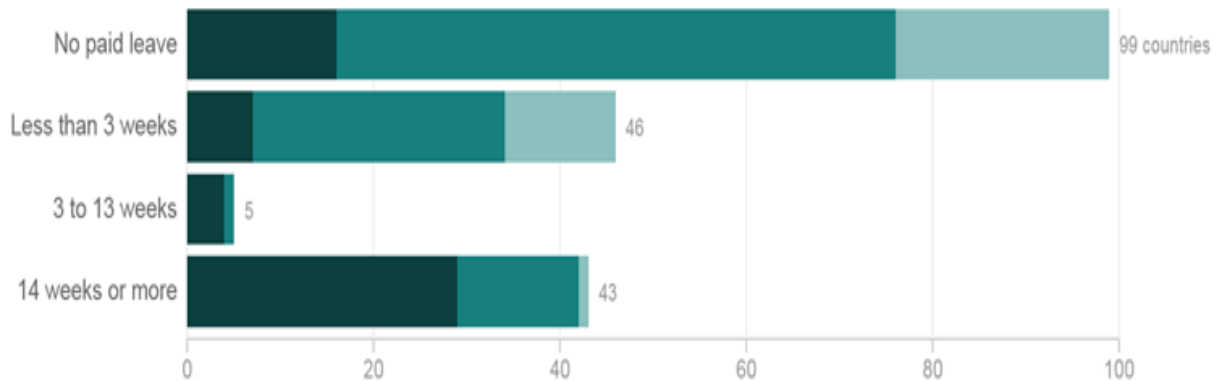


Source: WORLD Policy Analysis Center at UCLA

Credit: Alyson Hurt/NPR

## Topic 228: Family Policy in Pakistan: Tax Advantages and Other Benefits

- Article 35 of the 1973 Constitution: Protection of family etc.–The state shall protect the marriage, the family, the mother and the child
- All major political parties in Pakistan talk about protection of family
- The PTI talked about protecting family and promoting family planning
- The PML-N (2013) talked about providing housing, health, jobs, etc.
- The PPP had the most mentions
- Family health service/card, Benazir food card, detailed program about family planning
- Nothing much related to the financial issues
- No tax benefits
- Pakistan taxation rules acknowledge only individuals, partnerships and corporations
- Individuals- personal capacity
- Partnerships – business agreement between two or more persons

- Corporation – entity separate from the individuals incorporating it
  - Limited liability
  - Private or public: data, shares, etc.
  - Family: not recognized
- A bachelor and a married person with 4 dependents are taxed equally
- Other countries do give family tax credits
- Italy: upto €800 for dependent wife and upto €1200 for each dependent child

- France: A tax credit of up to 50% of childcare expenses incurred, upto €2300 for each dependent child under 7
- Later, tax credit for schooling expenses
- India, Algeria, Argentina and Egypt: nothing
- Malaysia: for total income below ringgit 35000, 800 ringgit
- Other benefits: health insurance
- Public sector: dependents (spouse, children and parents)
- Private sector: dependents (spouse and children)
- Trend: giving only lump sum, especially for out-patient services which can be a burden for some families
- Education: Some educational institutions give siblings benefit
- Housing by employer: family: bigger housing, bachelor: individual rooms (very few outside public sector)

## Topic 229: Family Policy in Pakistan: Child Care, Child Protection and Child Services

- To understand/ compare child rights, protection, etc., there is an international gold standard
- The United Nations Convention on the Rights of the Child (CRC)
- The most widely ratified human rights treaty in history
- 196 countries ratified (all the UN members except the US)
- CRC adopted in November 1989 and came into force in September 1990
    - Previous international agreements: Geneva Declaration of the Rights of the Child of 1924 and the UN Declaration of the Rights of the Child of 1959



**MOST OF THE RIGHTS IN THE CRC ARE REPRESENTED BY 4 MAIN THEMES:**

Children's right to the basic requirements for survival.
**Survival**

Children's right to be protected from all risks to their well-being.
**Protection**

Children's right to develop to their full potential.
**Development**

Children's right to participate in decisions and actions that affect them.
**Participation**

- Pakistan was the sixth in the world to sign and ratify the CRC
- 2018 UNICEF Annual report
- Data from this latest report

## Every child learns

UNICEF technical assistance supported policy achievements for out-of-school children: facilitating the Sindh NFE Education Policy to enrol 600,000 out-of-school-children in five years, finalizing the first Punjab NFE Policy, and KP government commitment to develop NFE/ALP policy

Education sector planning advanced in all provinces with UNICEF support, including a successful grant application to the GPE for education planning in Balochistan

**1.2mil** children (47 per cent girls) were enrolled through UNICEF-supported government enrolment campaigns in priority districts in all provinces, with an estimated 15 per cent enrolling as an outcome of campaigns

**16,997** children (44 per cent girls) benefited from 550 ALP centres receiving direct UNICEF support in four provinces, and 98.6 per cent of the first ALP students in Balochistan successfully passed the Grade 5 test

**99,389** children (58 per cent girls) accessed high quality early childhood education through 2,784 UNICEF-supported centres across all provinces

**4,024** adolescents (2,430 girls) participated in life skills training addressing child marriage and gendered social norms, and in turn acted as peer educators for 36,255 adolescents including 15,095 girls

Two regions of Pakistan, Gilgit-Baltistan and Balochistan, have passed CRC-aligned legislation to protect children with UNICEF support

## Every child is protected from violence and exploitation

**USD 400,000** was provided by Gilgit-Baltistan to conduct a child labour survey, with similar commitments planned in other provinces and areas

Births of **382,664** children aged 0–17 years were registered with UNICEF support

**24,916** children (11,828 girls) benefited from psycho-social support with UNICEF support

## Every child lives in a safe and clean environment

**2.7mil** people in communities declared free of open defecation were reached with targeted communication to prevent them from slipping back into poor hygiene habits

**9.7mil** people, including 4.9 million women, gained access to safer drinking water with UNICEF support

**2mil** more people, including 1.02 million women, now live in open defecation-free communities, while 514,000 people gained access to basic sanitation

**75,000** adolescent girls were engaged with positive messages on menstrual hygiene management on their phones and 89,900 girls and women benefited from menstrual hygiene support in schools

Water quality improved for Hyderabad's 2.8 million inhabitants following UNICEF's support, including hardware procurement

UNICEF Pakistan / Annual Report 2018

**Lesson 39**

## HOUSING POLICY-I
## (Topic 230-235)

### Topic 230-231: Why Housing is Important?-I-II

A safe, decent, affordable home is essential for a family
- Proper housing impacts health
  - Vaccination
  - Safe from extreme environment
  - Probability of clean drinking water increases
  - Sleeping properly
  - Malnutrition
  - Safe birth
- Proper Housing essential for education
  - Movement means disruption or ending of school
  - New school creates stress. May lead to drop-out
  - Improper housing, no schools
  - Need home to feel safe and study
  - Improper housing: child spend most of the time outside home
  - Low quality schooling
- Maternal and infant mortality rates are linked with improper housing
  - Child malnutrition and stunting linked with improper housing
  - Illiteracy linked with improper housing
- Housing and employment
  - Improper housing illiteracy and low skills
  - Informal sector
  - Housing and poverty
  - Far away from the employment opportunities
  - Low pay, no rights
  - Slums and domestic workers
- Housing and security
  - Low quality housing and crime linked
  - Low employment opportunities
  - Limited police presence
  - Threats from local mafias
  - Availability of drugs and guns
  - Female harassment
  - Child and female trafficking
  - Sexual abuse
- Intergenerational costs of no or improper housing
- Health: stunting and malnutrition
- Education: Illiteracy and low skills
- Employment: informal
- Security: Drugs, injury or death by bullet injuries
- Housing: not considered a right

- In the 1973 Constitution, housing mentioned but..

Article 24: Protection of property rights:
- (1)     No person shall be compulsorily deprived of his property…
- (3)     Nothing in this Article shall affect the validity of
  - (e) any law providing for the acquisition of any class of property for the purpose of:    (ii) providing housing and public facilities

Article 25 of Universal Declaration of Human Rights
- Many national constitutions also accept housing as a fundamental right
- South African Constitution; 2(26)
  - "Everyone has the right to have access to adequate housing"

**Article 25**

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

- Housing a human right
- Free from
  - Discrimination based on race, religion, gender, color, sexual orientation, caste, marital status, age
  - Health hazards
  - High rents
  - Secure
  - Domestic abuse
  - Extreme effects of climate
  - Immediate eviction
- Implicit discrimination
  - Credit checks
  - Rental history
  - Employment history
  - Security deposit
  - Income information
  - History on social media: political and religious views
  - Approval by previous residents

## Topic 232: Significance of Housing Policy

Do we need a housing policy?
- Concern about affordable housing is old and has increased with urbanization
- States, however, were not concerned
- In the 19th century, reports of sickness and immorality

- Private and philanthropic housing
- Some landlords built for poor
- Some industrialists built whole villages, such as Saltaire
- Built in 1851 by Sir Titus Salt, a textile magnate near Bradford
- A UNESCO World Heritage Site

The City of London Corporation first built flats in 1865 in the first large-scale public housing project. It replaced a infamous slum, Old Nichol, where thousand of people lived in abject poverty. World War I made government concerned about health (41% of men were unfit to serve) Since WWII, housing policies common in the Western world

Four types of housing policies
- Focusing on
  - Increasing demand
  - Increasing supply
  - Increasing houses available on rent
  - Increasing houses for ownership

**OUTLINE OF HOUSING POLICIES BASED ON FOUR DIMENSIONS**

| Dimension | Owned Housing | Rental Housing |
|---|---|---|
| **Demand Side** | -Cash reimbursements for housing<br>-Subsidies for housing sector<br>-Drop in interest rate of mortgage plans<br>-Mortgage interest subtraction from income tax<br>-Improved quality standards<br>-Property levy on housing procurements<br>-Regulations in loan-to-value and debt-to- income ratios<br>-Constraint of new purchases | -Fixed volume cash grants<br>-Rental grants<br>-Rent records<br>-Housing receipts<br>-Slum deterrence<br>-Controlling the rents |
| **Supply Side** | -Municipal housing<br>-Subsidies to contractors<br>-Raising quality standards | -Public housing<br>-Subsidy to suppliers<br>-Slum upgrading |

*Source: Asian Development Bank Institute*

Communism gave boost to housing
- Housing policy in communist countries
  - All land was state land
  - No property rights
  - No question about ownership
  - State financing and building by the state
  - No frills housing (very basic)
  - Standardized housing

Housing policy in communist countries
- Central rent control
- Central planning meant state priorities, not demand decided construction of projects
- Limits on space that a person is entitled
- No link between the buildings and their neighborhood
- Romania and Cuba followed the pattern set by the USSR

Objectives and results
- Housing a right

- Housing for all, even for the poorest
- Equal space for almost all people
- Actually, in later years, severe shortage
- Corruption
- Elite had big houses and dachas (country/holiday homes)
- Low quality
- Rent control, not effective

## Topic 233: Housing and Social Welfare

Housing policy is broad. Different type of government action. It covers government actions, legislation or economic policies that have a direct or indirect effect on housing. Homeless is not only the one who is living on streets. Homeless is the one who does not have quality housing and/or does not have autonomy in their homes. As mentioned, housing was initially not a direct concern of the government. It only became concern because it affected other social welfare objectives. WWI, "Home fit for Heroes" and Housing Act, 1919. During the WWI, another issue was industrial peace which led to rent subsidies. In communist countries too, housing was part of industrial policy. And housing was part of dealing with different nationalities.

- More housing in area where you want people to live and less investment in other areas
- Housing affects education, health, security, employment, crime, gender, social control and family policies
- Housing policies have also led to social division
- After the WWII, the American government/states adopted polices that promoted racial segregation
- Market also segregates, especially based on income
- Can lead to racial and ethnic tensions and riots
- Riots in Oldham and Burnley towns (UK) in 2001
- Paris riots 2005
- We live in ghettos (No employment, poverty, crime, police discrimination), etc.

## Topic 234: Housing Utopias and Ideals

Housing has long been the subject of utopian plans and ideals. Based on British history, three broad phases of 'housing dreams'. Model housing: In the 19th century, Housing schemes, usually good quality, in a period where most of the urban people lived in shabby, overcrowded structures in slums. Industrial paternalism

- From 1920s to 1960s: Housing tool for social engineering
- Garden cities, ideal communities
- Low-cost housing
- Where sometimes people of different classes and color would interact
- local councils as providers of housing
- After 1970s, home ownership and market
- Socialist dream of housing failed
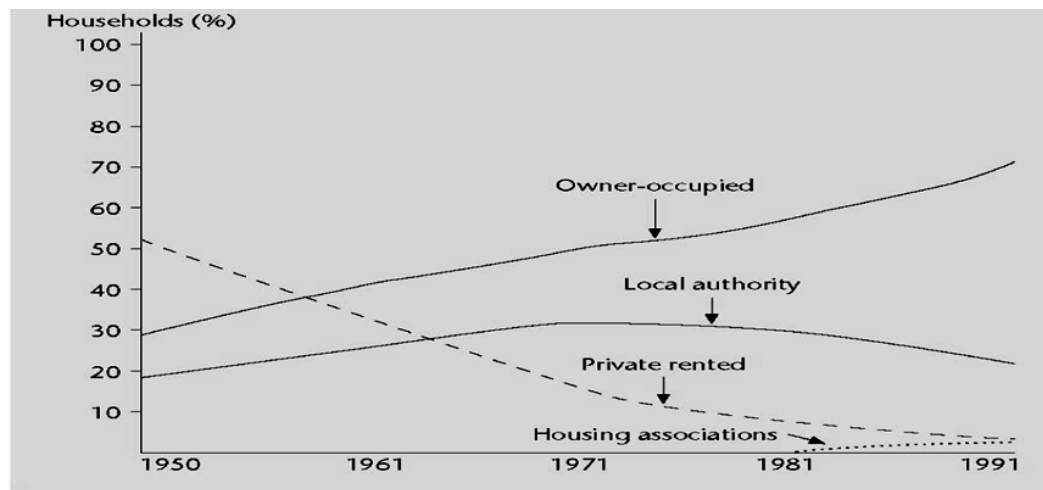
**Figure 10.1**  Housing tenure in Great Britain, 1950–1991 (adapted from Balchin 1995: 6)

- Current Housing crisis in England in 2019
- More than 8 million people in England are living in an unaffordable, insecure or unsuitable home, according to the National Housing Federation
- Government said in 2010 that housing was a priority
- The government delivered 430,000 affordable homes since then but not enough
- Social housing required
- Social housing has 50% lower rents and more security

**Topic 235: Residualization of Public Housing in the West**

Residualization is a  concept in social policy. It refers to a situation where public services are increasingly used by a 'residual' or excluded minority of poorer people. Rather than by the community as a whole. Under Residualization, two type of facilities develop. Most rich and middle class uses private sector services which they or their employers pay for and have good quality. Poor are left with public welfare services. Funded by decreasing tax revenues. So, low quality socially stigmatized.

- Poor live in council housing
- Poor live in projects
- Poor live across the railroad
- Poor live in degenerating inner cities, with broken windows

Residualization in Pakistan

- Education (private and public schools)
- Health (private and public hospitals)
- Housing (apartments vs. GORs)
- Security (Gated communities, guards and electric fences vs. little security and dependence on police)
- Utilities (Electric generators vs. off and on electricity)

Opposite of Residualization

- Water (tap water vs. buying or bringing water)
- Security (living in areas which are well lit, with police presence)
- Gas availably/pressure

**Lesson 40**

**HOUSING POLICY-II**
**(Topic 236-243)**

**Topic 236: Housing Policy before Bhutto**

First housing crisis and solutions (1947-60):
- Settling migrants/refugees
- The allotment of evacuee property to the migrants
- This activity lasted till 1960. Significant malpractices

In the 1950s and 1960s, government housing policy: two elements
- Construction of houses in the public sector
- Provision of serviced plots
- The emphasis was on placed  construction of houses
- Construction of houses by public sector and by the large companies for the public sector became a reality
- Islamabad: Focus on the new capital. A gigantic project.
- Problems of the rest of the country in terms of housing ignored
- Government primarily concerned about its own employees

As Pakistan became wealthy and a sizable middle class became visible in the cities, housing schemes and construction became profitable. Private sector jumped on this new opportunity. Al-Azam builders: concessional land for high rise.

Katchi abadis grew around cities, especially around Karachi and Lahore. Government ignored them most of the time and few systematic efforts were done to assist the poor. In 1958, the Government launched two low income housing schemes for the rehabilitation of squatters.

The Greater Karachi Resettlement Program (Korangi Township) and North Karachi Township which were very successful. Government also planned to construct 300,000 nuclear houses over a period of 15 years. Only 10,000 were built and then plan was shelved.

Self-help housing: plot at low prices to middle income groups so that they can build it themselves. Also did not succeed:
- Far away for employment opportunities
- High standards by housing authority
- Other restrictions

**Topic 237: Bhutto's Roti, Kapra aur Makan**

Urbanization is happening at a high rate in Pakistan since the 1950s
- Three reasons
  - Migration to urban areas
  - Natural increase in population in urban areas
  - Changing of rural areas to urban and peri-urban areas

Urbanization level in Pakistan: 1965-2010

Zulfiqar Ali Bhutto came to power as the first popularly elected leader in Pakistan's history. He changed the nature of Pakistani politics by talking about ordinary people's concerns. Roti, kapra and makan was his slogan.

- From 22 families to the people
- From businessmen to labor
- From landlords to the haris and peasants
- From trickle-down economics to redistribution of resources
- People really believed in what he was saying and promising
- Bhutto government planned several initiatives
- Katchi abadis were given property rights and provision of urban services , instead of eradicating them
- For poor, 3 Marla  housing plots were distributed in urban areas
- While 5 Marla plots were given to landless peasants in rural areas
- Government also built small houses and flats for low-income households in major cities, Karachi, Lahore, Hyderabad, and Faisalabad
- New developments Latifabad colony in Hydrabad, People's Colony Faisalabad, 1600 acre scheme in Lahore, and Karachi
- Development Authorities were established for metropolitan cities to undertake major public works and to develop land for urban expansion

Development Authorities established
- Lahore Development Authority
- Hyderabad Development Authority
- Multan Development Authority
- Faisalabad Development Authority
- Urban Development Board in N.W.F.P

Only seven years and last couple of years, the focus was diverted
- Many of the promises remained unfulfilled
- Major change: Housing a right of the people
- Necessary for survival, like roti and kapra
- Government assumed the responsibility for housing of the poor

## Topic 238: Housing Policy in the 1980s and 1990s

- Urban policy changed in some significant ways the Zia years
- Less focus on labor and landless, more on middle class
- Main instrument of urban policy was private sector
- The changes were linked with the politics
- Zia tried to improve the lot which he thought were more likely to support him
- Pressure from the World  Bank and the IMF

The fifth Five-Year Plan (1978–1983) continued some of Bhutto policies, such as

- Site development for housing
- Slum improvements
- Provision of civic amenities (Water, sewerage)
- But role of public sector decreased

The Seventh Plan (1988–1993) allocated Rs 20 billion for the Physical Planning and Housing

- Junejo's 5-point plan and National Housing Authority
- Nawaz Sharif's mera ghar scheme

- The aim was to meet the demand of serviced plots for low income households through the public sector on self-financing basis
- Some local initiatives were also executed with the help of self-help groups
- The Orangi Pilot Project in a Karachi slum (1980) was the most famous and successful of these projects

A matching grants programme for union town and district councils was also introduced. It distributed grants for local projects. However, inefficiency and corruption hindered it from being effective.

The 1980s and 1990s saw increasing shortfall in the housing supply as population growth outstripped the slowly increasing capacities of private and public sectors. But land development and house building also became a booming industry during this era. Government departments and cooperative societies started hundreds of schemes. For example, defense housing authorities became a major cash cow for the military. The urban land markets became highly speculative by the 1990s. Land mafias emerged in all the big cities. Market prices became unaffordable even for middle and professional classes.

**Topic 239: National Housing Policy, 2001**

According to the 1998 census, the total number of housing units in Pakistan, was 19.3 million

- 67.7% housing was in rural areas and 32.3% in urban areas.

The overall housing stock comprised of:

- 39% kuchha houses, 40% semi-pukka houses and 21% pukka houses.

- In 1998, the housing backlog was 4.3 million units
- The annual additional requirement was around 570,000 units, while only 300,000  units were estimated to be built
- Resulting an addition of 270,000 units in the backlog annually
- The household size was more than 6 persons and the occupancy per room was 3.3 persons
- Shortage of Finance was identified as the major constraint
- Land prices very high
- The policy aimed to meet the shortfall in the next twenty years
- It planned to increase the housing production to 500,000 housing units annually

- To achieve its aims, government planned to  take several measures
- Priority Identification of Land for Housing
- Removal of procedural and legal bottlenecks in the acquisition process
- Development of land information systems
- Banks encouraged to give mortgage loans
- Housing bonds to raise money by banks and housing financial institutions
- Provision of micro loans for housing to low income group through CSOs and NGOs
- Insurance companies, provident fund holders, EOBI etc. to be encouraged to invest in the housing and construction sector
- Part of the sale proceeds from the sale of public land to be set aside to subsidize low income housing
- Foreclosure laws to be introduced to ensure effective recovery of loans
- Tenancy laws to be reviewed and rationalized
- Property tax on rented property to be reduced from the high rate of 25% to 5%
- There were several other measures
- However, most of the measures remained unimplemented and the policy was failure
- Like other policies, it made all the required sounds, but nothing much was done on the ground
- Some Katchi abadis were regularized
- State Bank made some changes to make housing finance easier
- Management of land records was digitized and gradually improved but it was incomplete

## Topic 240: Housing Policy from 2008 to 2018

- No major policy initiative
- The estimated housing backlog had increased to 7.57 million units by 2009
- And became 9 million by 2015 according to Ministry of Climate Change
- Both the PPP and PML-N promised better housing and new initiatives
- PPP 2013 manifesto
    - Housing a right
    - Government committed to low income groups

- Pay special attention to housing for the poor, and develop schemes through which more than 500,000 houses will be constructed for the homeless poor in urban and rural areas.
- Provide every government official with a house on mortgage, paying market rates that include interest to cover escalating costs.
- Engage the private and not-for-profit sectors as partners in the development of housing schemes.
- Address the issues of land scarcity and the proliferation of katchi abadis.
- Through reforms in the law, work to ensure that urban areas are revitalized and redeveloped to meet the challenges of housing a growing population.
- Confront the country's enormous housing deficit by promoting the development of housing in the private sector and ensuring the availability of properly serviced housing sites.
- Improve access to housing finance and building technologies, promoting high-density and mixed land use housing and relaxing taxation and rent restrictions.

**Plans:**

- Provide housing for the poor through special public–private partnership schemes that will build up to 500,000 houses for the homeless poor.
- Construct low-cost housing developments on government land with a 20-year mortgage facility to enable low-income households to shift from rental to owner-occupied dwellings
- PML-N commitment of a house for every Pakistani
- At least 1,000 clusters of 500 houses each for lower income families will be developed on a public private partnership model
- Construction industry to be promoted for solving housing & employment crisis
- Industry will be encouraged to expand investment and to provide employment opportunities in the adjoining areas
- Ashiyana housing scheme
- The 18th Amendment impact
- Nothing much was done in these eras for housing


## Topic 241: Scarcity of Low-Cost Housing in Pakistan

- Pakistan's population is 207.7 million
- From 1998 to 2017, growth rate 2.4% annually
- Urban population, same period, growth rate 2.7% annually
- Now, 75.5 million
- The urban housing demand in Pakistan is 350,000 units
- Of this 62% is for lower income groups, 25% for lower middle income groups, and 10% for higher and upper middle income groups.
- The formal supply per year is 150,000 units.
- The informal settlements of two kinds fill the gap
- Occupation and subdivision of government land (Katchi abadis)

- Informal subdivision of agricultural land (ISALs) on the periphery of the urban settlements
- But both kachi abadis and ISALs are far away from economic activity
- Tendency of high rise in low income settlements
- Very dangerous
- People sleeping in parks and bridges
- Data and discussion based on Pakistan: Urban Housing Issues By Arif Hasan & Hamza Arif
- Gated communities for the elite and middle classes
- Segregating cities into rich and poor areas
- Increasing the possibility of urban conflict
- Gentrification: improving localities so that it conforms to tastes of middle/upper classes
- Plotting and less and less open spaces
- Credit facilities of banks and the House Building Finance Company (HBFC) not sufficient
- An outlay of Rs. 100 billion required while Rs. 2.3 billion allocated in 2017-18
- Each year, the shortage of houses increases by 200,000
- Urban services been given to private companies
    - Water, Parks, Parking, Garbage collection, toll taxes
- Not wrong per se, but strong regulatory framework

Expansion of cities, in the absence of land use planning and implementation
- Decreasing agricultural land
- Polluting and depleting water resources
- Affecting forests
- Destroying natural drainage systems causing flooding
- Increasing temperatures

Urban land reform
- A heavy non-utilization fee on land and property
- An urban land ceiling acts whereby no one person can own more than 500 square meters of urban land.
- No settlement should have a density of less than 400 persons per hectare
- No person who has taken a loan for house building once should be given another loan

## Topic 242-243: PTI's Housing Initiative-I-II

To deal with the housing crisis, the PTI government has launched the Naya Pakistan Housing Program (NPHP). Pictures from Optimising the Naya Pakistan Housing Policy Opportunity by Ibrahim Khalil, Umar Nadeem.
Salient features:
- NPH Authority will be established and will acquire the land
- It will also provide the necessary infrastructure
- Construction companies will bid to construct housing units on reverse auction basis
- Funds for construction to be arranged by the winning companies
- The cost of land will not be subsidized and will be paid by the owner

- Houses allocated on first come first serve basis
- Preference will be given to those who do not own a house
- Buyers will pay 20% of the house cost as down payment, rest from a commercial bank
- Mortgage loan up to 20 years
- NPHA will not play any role in arranging housing finance for builder or owner

| Description | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---|---|---|---|---|---|
| One unit | 200,000 | 200,000 | 200,000 | 250,000 | 250,000 |
| Ground+ 3 | 100,000 | 150,000 | 200,000 | 200,000 | 200,000 |
| Additions to existing | 100,000 | 225,000 | 200,000 | 200,000 | 200,000 |
| Highrise | 50,000 | 75,000 | 100,000 | 100,000 | 100,000 |
| Midrise | 100,000 | 150,000 | 150,000 | 150,000 | 200,000 |
| Self construction | 100,000 | 150,000 | 150,000 | 150,000 | 200,000 |
| Total* | 650,000 | 900,000 | 1,000,000 | 1,050,000 | 1,250,000 |
| Subtotal of those which will be built under APNA Housing Authority | 150,000 | 400,000 | 500,000 | 500,000 | 500,000 |

Source: www.insaf.pk

**PROPOSED HOUSING MIX UNDER NPHP**



■One-unit   ■Ground+3   ■Additions to existing   ▨Highrise   ■Midrise   ■Self-construction
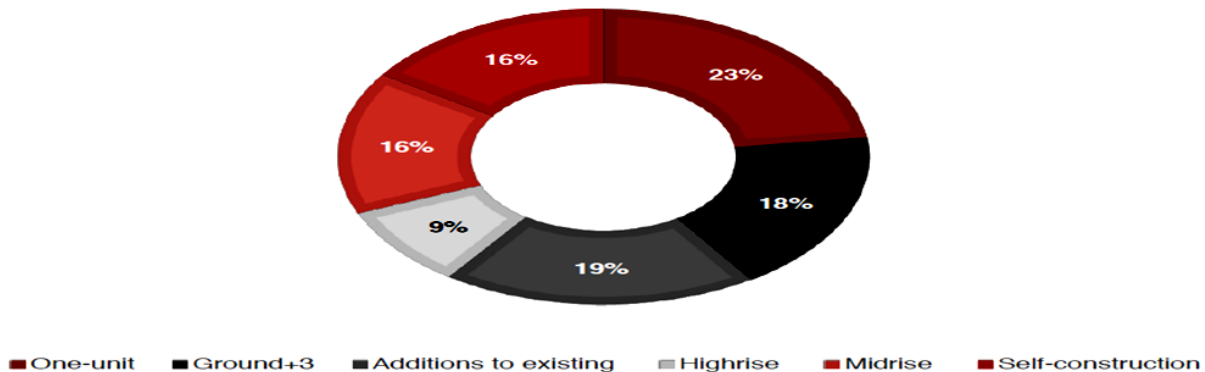
## Analysis
- Without subsidy, a low cost house can only be possible far away from city center
- If we take the example of Lahore, a house closer to Raiwind or Kasur than Lahore
- Without urban amenities
- Without employment opportunities
- So, both urban and rural poor will not benefit from such housing
- An alternative is high-rise low cost buildings near the city center

Although NPHP has deemphasized it (only 9% of the total), let's discuss it as PM has tweeted about it in March 2019
- "Our arable land is being eaten up by housing societies and has grave consequences for our food security in the future. Also, we are in the process of making laws to allow buildings, built to international safety standards, to go as high as in other cities across the world."

- High rise buildings for poor people is not a new solution
- It has been adopted in the US and it led to ghettoization, increase crime and poverty
- Because poor are unable to contribute towards maintenance of the community
- Gradually, few better one move away
- Banks will not give twenty-year mortgages for houses/units in such communities
- Getting mortgages for the poor will be difficult everywhere
- 68% of urban working people part of informal economy
- Informal economy mostly means no documents, no paperwork, all cash transactions
- NPHP focusing on houses for low income but most of them will not have documents
- There will be no history of employment/income, tax returns or bank deposits
- Banks will understandably be reluctant to loan for 20 years

**Recommendations**
- Encouraging banks to increase mortgage lending  or give more money to HBFC
- However, it does not mean forcing them to lend to people they consider risky
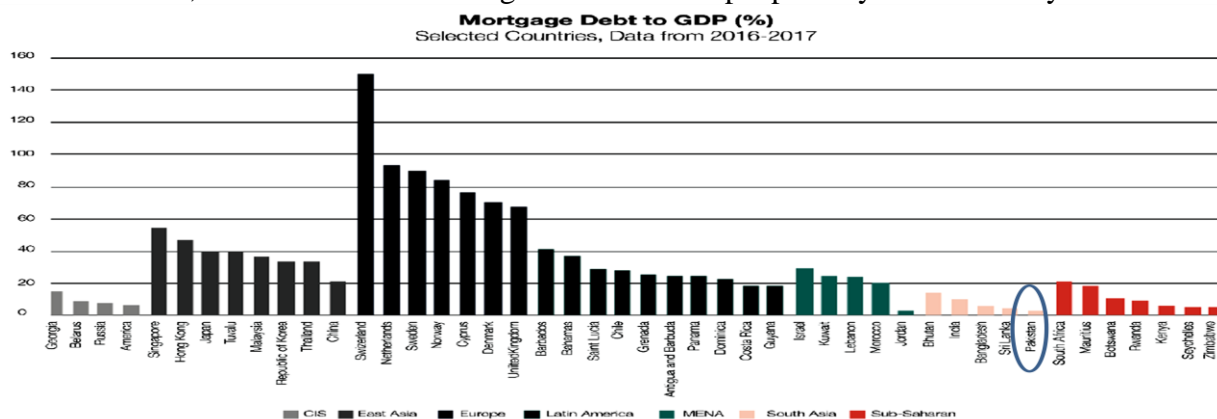


*Source: Housing Finance Information Network*

Urban planning reform
- Too many jurisdictions in one city
- Local governments controlling all city, making integrated city plans
- High-rise buildings mandatory in city center

- Laws for high-rise buildings
- Efficient, low-cost transport part of city planning
- Low cost unit part of all communities (single units and high-rise)
- Mortgage solutions for middle-income group
- Politically may not be good but essential

| For Borrower | |
|---|---|
| **Participant** | All Banks/DFIs |
| **Loan Amount** | From PKR 6 million to PKR 15 million* |
| **Extent of Refinance** | – Up to 50% by SBP<br>– Remaining 50% by Banks/DFIs from its own funds |
| **Eligibility of Borrowers** | – First time home owner<br>– Middle-Income group<br>– For purchasing middle-income apartments in high-rise buildings. |
| **Loan Tenor** | Up to 20 years amortization period** |
| **Interest rate** | Same as SBP Policy rate for low-cost unit buyers |
| **Limitation** | Only allowed for purchasing a housing unit in a high-rise building |

| For Builder/Developer | |
|---|---|
| **Participant** | All Banks/DFIs |
| **Loan Amount** | Maximum 75% of the high-rise construction cost. |
| **Extent of Refinance** | – Up to 50% by SBP<br>– Remaining 50% by Banks/DFIs from its own funds |
| **Eligibility of Projects** | High-rise buildings targeting middle-income and low-income groups. |
| **Loan Tenor** | Typical construction period of the building (3-5 years) |
| **Interest rate** | Same as SBP Policy rate for low-cost units development |
| **Limitation** | Only allowed for constructing a high-rise for middle and low-income groups. |

**GLOBALIZATION AND SOCIAL POLICY-I**
**(Topic 244-250)**

**Topic 244: Globalization Impacts**

What is Globalization?
For centuries, local was the everything
- Localities defined people
  - Distinct culture
  - Distinct language
  - Distinct social structure
  - Distinct tribe
  - Foreigner meant person from other village or tribe
Globalization started after the age of discovery. Age of discovery (15th to the 18th century). European explorers "discovered" America and circumnavigated the globe.  Scientific revolution: New scientific discoveries, colonialism, exploitation and slavery. Global trade but only with one's own colonial possessions

| Globalization Era | Age of Discovery (15ᵗʰ-18ᵗʰ century) | Globalization 1.0 (19ᵗʰ century – 1914) | Globalization 2.0 (1945-1989) |
|---|---|---|---|
| Leading Exports | Raw Material / Basic Goods | Textiles / Industrial Goods | Factories |
| Leading Nations | 🇪🇸 🇵🇹 🇬🇧 🇳🇱 | 🇬🇧 | 🇺🇸 ☭ |
| Exports as % World GDP | <5% | 6→14% | 5→15% |
| Enabling Era | Scientific Revolution (15ᵗʰ-17ᵗʰ century) | 1st Industrial Revolution (1780s–mid 19ᵗʰ century) | 2ⁿᵈ Industrial Revolution (1870s-1910s) |
| Enabling Innovations | | | |
| Characterizing GDP Trend | Europe | Britain | World |

Characterizing GDP Trend — History of Globalisation and Industrial Revolutions – by Peter Vanham, World Economic Forum
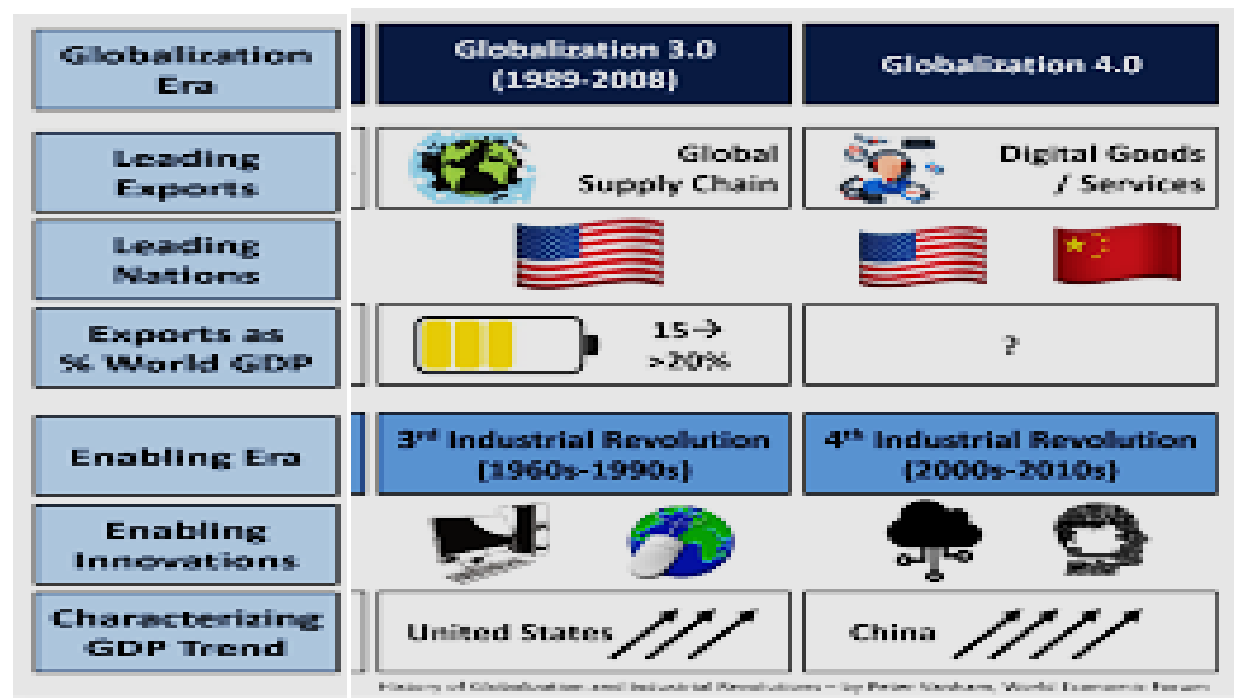
**First wave of globalization** (19th century-1914), British Empire dominant: Sun never sets…Inventions like the steam engine, the industrial weaving machine, etc.
Factories to make large number of products. Transport to take them away to faraway lands & military forces to protect trade. International market and colonies ready to accept new products. International companies and investments.

**Second wave of globalization (1945-1989)**
Two World Wars and Great Depression
New hegemon (USA) led the world using new technologies, such as automobiles and airplanes
   • Soviet Union also helped the global trade in its own sphere
   • World peace (local wars continued)
   • Global trade again increased to 14% of world GDP
   • Rise of China
**Third wave of globalization (1990-2008)**
   • Globalization became an all-conquering force
         • Soviet Union collapsed
         • China became the global workshop
         • World Trade Organization was created
         • Major economies slashed tariffs (India, Brazil, China, etc.)
   • Computers, internet and mobile communication technologies
   • Global exports quarter of world GDP and global trade half of world GDP
   • Integration of supply chains like never before
**Fourth wave of globalization ( 2010- )**
   • Dominated by the US and China
   • E-commerce, digital services, and artificial intelligence

## Topic245: Multi-level Governance

Debates on nation-state since the start of third wave. However, nation-state has weakened but not out. Backlash by nationalists (Trump election, Brexit, Bolsonaro and Boris wins).

Problems and confusion
- Rise of global capitalism and the failures of global economic governance
- Emergence of a global risk society, especially regarding the Climate Change
- Growth of identity politics
- Threat of new forms of terrorism and dispersed network warfare

Five conceptual clarifications
- State rest on the territorialization of power. Other visions possible
- Nation-states but not one nation within the state
- Constant redefining of the state and its functions
- All states not equal
- State and globalization are not in a zero-sum game

Since the 1990s, Multi-level Governance (MLG) or meta-governance
- The MLG refers to the re-articulation of territorial and functional powers of the state
  - Denationalization of statehood
  - De-statization of politics
- Example: European Union

State and governance focused approaches to the MLG
- **State-focused MLG approaches**
- Changes in state as international bodies impinge on them
- Multi-level government or multi-arena government
- **Governance focused MLG approaches**
- The legitimate monopoly of violence and the top-down modes of intervention of state-centred app are no longer useful

In fact, it has become irrelevant and harmful in our complex global global/social order
- De-statization of politics required
- As discussed before in this course, state is linked with hierarchy and bureaucracy while governance is by networks & negotiations
- Governance is also not always linked with state (exclusive territory)
- The development of MLG is demonstrated by the rise of tangled hierarchies & complex interdependence
- EU  is not a state: it's a mixture of interdependent decision-making for a
- Struggle between the local, national, and international is unending
- States have accepted the strategic use of MLG to realize their objectives that can no longer be resolved at state-level
- A new trend: reject MLG and adopt hard power but available to few
- MLG is only one aspect of the overall reorganization of statehood and politics
- Globalization, technology and capitalism has upended the world

## Topic 246-247: Comparative Social Policy-I-II

Comparative social policy is a composite term and both its constituents are contested. What is comparative analysis? What is social policy? At the start of this course, we have discussed different definitions of social policy. Are economic or defense policies social policies? Tax concessions to families are fiscal or social policy? Is social policy a discipline? Part of sociology or social work or public policy?

- Multidisciplinary field, with no distinct methodological approach
- Cross-fertilization from other subjects
- Closer to comparative public policy
- How and what policies are delivered in different countries or regions
- Why some countries have similar policies while others have completely opposite policies?
- Why similar policies result in different outcomes?
- Higgins wrote that comparative analysis is a methodology. It should be employed wherever it help answer questions
- So, comparative analysis can be used in economics, politics, philosophy, sociology, etc.
- But all social sciences are comparative
- Always have an implicit or explicit model while doing research
- Why need "comparative analysis"

**Comparative analysis also has other problems**

- Unavailability of comparable data
- Difficulty in identifying appropriate functional equivalents
- Missing variables
- Keeping an adequate sensitivity towards the different historical and cultural contexts

**Comparison**

- Two or less than five countries (primarily qualitative)
- Large number of countries (primarily quantitative)
- Can be two different time periods of the same region or country
- Large N studies: few quantifiable variables
- Small N studies: variables + contexts
- Countries are usually the unit of analysis
- But sometimes, countries are too big and other times too small for analysis
- Impact of Catholicism or caste on social policy
- Sub-national or supra-national
- Sometimes studies are not comparative even when have data from several countries
- Books with different chapters looking at same/different variable in different countries

**Growth of comparative social policy**

- Until the late 1970s, not many books on  the subject
- Methodological issues
- Primarily Western countries
- Comparative studies of welfare policies
- In the 1980s, a new addition
    - Studying the impact of social policy on particular groups
    - Or particular problems
- Better data sets and more computational power helped
- Textbooks and courses on comparative social policy in the 1990s

- Vigorous debates on methodological and epistemological issues
- Which group of countries? Which method? Why a certain definition?

## Topic 248-249: Globalization, Human Security and Social Policy: North and South-I-II

Globalization and human security linked
- 9/11 attacks and ISIS
- Great Recession (2008-09)
- Bird-flu, Severe acute respiratory syndrome (SARS), Ebola virus, and mad-cow disease
- The capacity of the state to ensure human security have been limited

Until the 17$^{th}$ century, medieval empires and kingdoms were the most common form of state. Modern state was different in many ways:
- Centralization
- Single law
- Single economy
- Nationalism
- David Gross: Institutionalization of the modern state came to represent specialization of time and experience
- Time and experience both linked to territory
- What are the things that come to your mind when you think of
- 1960s
- 1970s
- 1980s
- 1990s
- 2000s
- Our local experiences & thoughts have become unimportant
- State: a synchronizer of social expectations and social experiences

The democratic state responded to people's demands but it also created people's demands, aspirations and memories. Idea that democratic state would increase security challenged. Ruthless capitalism, disconnect between global elite and people, media and information control of global elite resulting in controlled democracies.

The modern democratic state was a product of centuries of Western European history. However, it was imposed/adopted as a normative model on the rest of the world. This transplantation resulted in the acceptance of the nation-state system.

It became cognitive models defining the nature, purpose, and objectives of a good state. Most developing countries (the South) are product of very different historical dynamic than that of Western Europe. Even Eastern Europe, the closest neighbor, has a different history. Most states in the South could not regulate/control social relations. After two centuries of independence, state power in Latin America appears intermittingly outside the big cities.

In Africa, state is weaker. In South Asia, the weakness of the state is visible in varieties of ethnic, caste and religious conflict. Low regulatory capacity of state and the normative model resulted in two types of social policy systems.
- In clientelistic welfare systems, social policies are designed and implemented keeping in view powers of different social groups

- Residual welfare systems were developed where even the basic legal, bureaucratic and political capacity was absent
- In these societies, state is primarily coercive and have not much interest in improving the system for most of the people
- Neo-patrimonial societies: The aim is to maintain the status quo with minimal costs

In both the North and the South, globalization is a threat to human security
- In the North
  - Low and sticky wages
  - Fluidity of capital
  - Erosion of welfare state
  - Political instability and populism
- In the South
  - Neo-liberal reforms
  - Fiscal and current account deficits
  - Increased awareness and expectations
  - Fluidity of capital
- Differences in effects of globalization important

## Topic 250: Social Development and Social Welfare: Implications for Comparative Social Policy-I

As discussed, mainstream comparative social policy inquiry has neglected normative concerns
- Normative concerns are implicit, primarily Western European
- New normative frameworks to deal with the South
- Knowledge of indigenous social welfare perspectives studied and used
- Social Development approach, promoted by international bodies
- Ignored by the academia
- Writings among comparative social policy in southern context increasing since the 1990s
- Construction of welfare taxonomies: major preoccupation
- Also explanatory theory: Why more welfare and why less? Why certain policies?
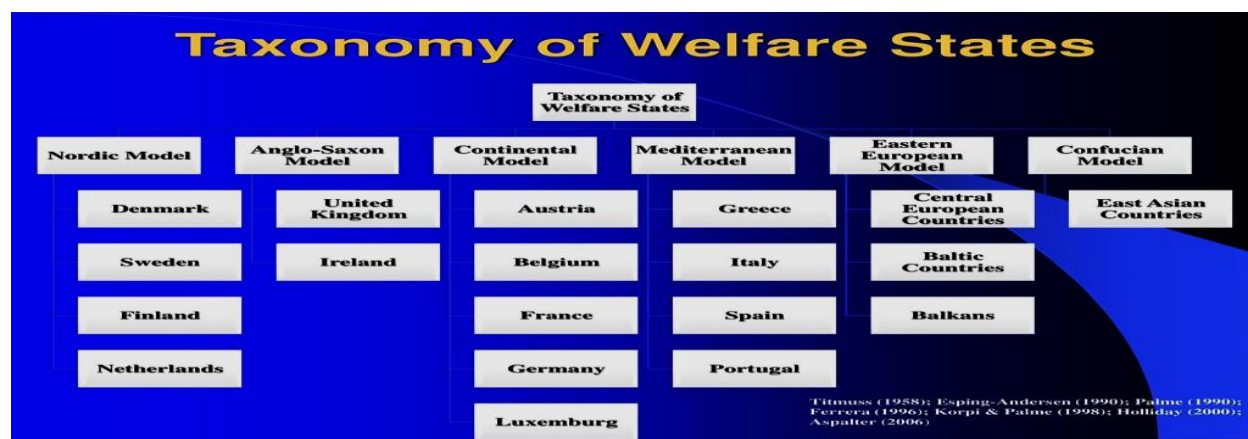


- Trying to understand South through the Western constructs, e.g. East Asian welfare states
- Role of an authoritarian state providing social welfare is difficult to accept in Western scholarship

- Role of Western imperialism ignored or deemphasized
- Boundaries in Africa and civil wars are directly linked
- And civil wars result in the destruction of all types of social welfare
- As Feminist perspective has shown, general focus on social welfare hides as much as it reveals
- Women contribution to social welfare is not acknowledged
- Similar is the case of religious organizations that the West does not like
- Madrassas or shrines do not regularly appear in western scholarship

## GLOBALIZATION AND SOCIAL POLICY-II
### (Topic 251-255)

### Topic 251: Social Development & Social Welfare: Implications For Comparative Social Policy

Social welfarism in the North, nationalism and independence in the South after WWII. After independence, modernization and development begin usually state-led. Some support from the North through money and technical assistance, poverty, illiteracy and ill health was the rule. Colonialists benefitted only a small portion.
Industrialization necessary, Soviet example of rapid industrialization

- 5-year plans
- Limited welfare services introduced
- Social development: the linking of social welfare with a strong commitment to economic development
- UN assumed the leadership of the effort
- Initially, social work and community development
- Later, also macro-economic fundamentals
- Central planning agencies in the 1960s
- Planning Commission
- 1980s, neo-liberal ideology
- Social welfare services retrenched and social budgets curtailed
- A new approach to social development
- Aid providers, consultants and NGOs
- State declared detrimental to welfare

The 1990s saw a shift from social to human development (HDI). World Summit for Social Development in 1995 and 2000: MDGs. Eight goals and plan of action



2010 meeting: progress in East Asia and China but many goals missed in Africa and South Asia
- Sustainable Development Goals
- Different
    - All countries
    - Sustainability

- Extensive



- SDGs are now the goals for the world
- Five years passed
- Pakistan is still behind in many areas, especially education and health

## Topic 252-253: Social Policy Regimes in the Developing World-I-II

Analyze social policies in the South. Using not the Western framework. But by developing a variegated middle-range model it avoids both over-generalization and over-specificity. Adopt a regime approach which is based on historical-institutional school of social research. This approach reconciles the rival 'structural' and 'actor' approaches within sociology.

- First, a look at welfare regime model
- Then, two alternative ideal-type models are devised and discussed
  - An informal security regime
  - An insecurity regime
- Welfare regimes
  - Different patterns of state, market and household forms of social provision
  - Different welfare outcomes, assessed according to the degree to which labor is 'de-commoditized' or shielded from market forces

Esping-Andersen identifies three welfare regimes in advanced democratic capitalist countries

- Liberal,
- Conservative-corporatist
- Social-democratic
- Criticism of the model
- Only three types and allocation of countries
- Different stratification outcomes

|                              | Liberal    | Conservative-corporatist        | Social-democratic |
|------------------------------|------------|---------------------------------|-------------------|
| *Role of:*                   |            |                                 |                   |
| Family                       | Marginal   | Central                         | Marginal          |
| Market                       | Central    | Marginal                        | Marginal          |
| State                        | Marginal   | Subsidiary                      | Central           |
| *Welfare state:*             |            |                                 |                   |
| Dominant locus of solidarity | Market     | Family                          | State             |
| Dominant mode of solidarity  | Individual | Kinship Corporatism Etatism     | Universal         |
| Degree of de-commodification | Minimal    | High (for breadwinner)          | Maximum           |
| Modal examples               | USA        | Germany, Italy                  | Sweden            |

*Source:*    Esping-Andersen (1999, Table 5.4).

- Class analysis focused, ignores other sources of stratification such as religion, caste, race, ethnicity and gender
- Emphasis on de-commodification (insulation from market forces) overlooks other components of well-being, such as autonomy and need satisfaction
  - Focusing on domestic institutions and coalitions it overlooks the role of the global political economy and supranational institutions
  - This criticism has forced modification of this approach even for OECD
  - The new framework is required

We contend that the following nine elements are integral to the welfare regime paradigm (Gough, 2004a):

1. The dominant mode of production is capitalist. There is a division of labour based on the ownership or non-ownership of capital; the dominant form of coordination is ex post via market signals; the technological base is dynamic, driven by a never-ending search for profit.
2. A set of class relations is based on this division of labour. The dominant form of inequality derives from exploitation by asset owners of non-asset owners.
3. The dominant means of securing livelihoods is via employment in formal labour markets; conversely, the major threats to security stem from interrupted access to labour markets (and from 'life processes').
4. Political mobilization by the working classes and other classes and 'democratic class struggle' shape an inter-class 'political settlement'.

5. There is a 'relatively autonomous state' bounded by the structural power of capital but open to class mobilization and voice and able to take initiatives on its own behalf.
6. These factors, together with inherited institutional structures, shape a set of state institutions and practices that undertake social interventions. This state intervention combines with market and family structures and processes to construct a 'welfare mix'.
7. This welfare mix de-commodifies labour to varying degrees (and provides social services and invests in human capital).
8. Together the welfare mix and welfare outcomes influence the definition of interests and the distribution of class power resources, which tend to reproduce the welfare regime through time.
9. Within each regime, 'social policy' entails intentional action within the public sphere to achieve normative, welfare-oriented goals.

- Informal Security Regime
- Dominant form not capitalist
- Exclusion and coercion
- Livelihoods, not labor market
- Political mobilization takes different forms
- Race, religion, class
- States are weakly differentiated from neighboring systems
- Welfare mix is informal
- De-co modification even less suitable
- Economic behavior is not commoditized
- Path dependency more applicable
- Social policy has limited effect on behavior

## Topic 254-255: Crossing Cultural Boundaries-I-II

Problems of cross-cultural research and cross- cultural collaboration in Europe. Johan Galtung identified three dominant 'intellectual styles' of research in Europe. Saxonic, Teutonic and Gallic Based on four sets of tasks
- Exploration of paradigms (what kinds of phenomena exist)
- Empirical tasks (how to describe phenomena)
- Theoretical tasks (looking for explanations)
- Review the work of other intellectuals
- Saxonic style is empirical: strong on data collection but weaker on the philosophical basis and theory formation
- Teutonic and Gallic intellectual styles are more cerebral and philosophical
- Within Saxonic differences
- Americans like large-N studies and statistical analysis
- British emphasize small-N case studies, ideographic history and social anthropology
- Teutonic style focuses on derivation and repatriation
- For Gallic style, expression is as important as content

- The division is exaggerated but focuses on significant differences in research cultures, even within Europe
- Prior to the 1990s, it was difficult to research in East-West European teams due to ideological differences
- Even neighboring Western European states have different research cultures such as British vs. French
- State-protected French research environment is different from the competitive liberal environment of the US

If researchers are civil servants, there is no incentive to disseminate research or even to do it, though it gives more independence from dominant paradigms. British/Americans: publish or perish, 'maximum output for minimum input'.

- Applied, policy-oriented research rather than theoretical
- Many of research problems might be avoided if members of international research teams were more explicit about their culturally and linguistically determined assumptions and mindsets

Some evidence of empirical and cultural approaches from the Saxonic realms

- Looking for general among particular
- Cerebral styles: more societal and political economy analysis
  - Actors cannot be separated from structures
- Societal analysis particularly useful for cross-national comparisons in social policy
- Large-scale co relational approach was progressively declining in favour of cross-national case studies
- Difficulty in multi-dimensional statistical modeling of complex social welfare systems
- More recently, interest in the case study approach has increased because of path dependency concept
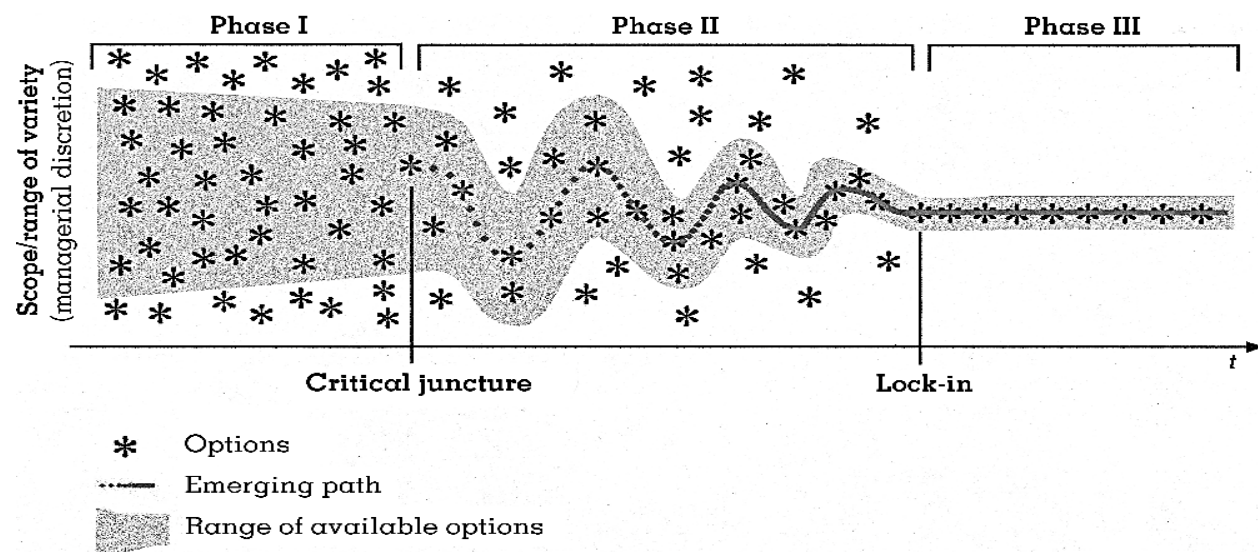


Jörg Sydow, Georg Schreyögg, Jochen Koch (2009)

- Language barriers in research
- Saxonic have enormous advantage: lingua franca
- Saxonic research culture is increasingly being adopted by the Nordic states, the Netherlands, and Portugal

- Publication ratings and impact factor biased towards Anglo-American English-language literature
- In social science disciplines, however, English speakers are at a disadvantage
- They tend to believe that the concepts transmitted through English are universally understood which is not true
- Researching other cultures in English leaves many important things as everything cannot be translated
- Selecting countries for cross-cultural analysis
- In European Research Area, countries primarily selected for pragmatic rather than scientific reasons
- The number and mix of countries and the variables selected have several consequences for the research process and for the findings
- According to the principle of 'variable distance' (Georg Simmel (1980)), the distance from the object under observation affects the way it is observed
- Long distance perspective: description and snapshot
- Close-up comparisons: detail, context, differences
- Research and policy
- British: policy dimension required
- French: independence

**Lesson 43**

## GOVERNANCE ISSUES HAMPERING THE IMPLEMENTATION OF SOCIAL POLICY-I
### (Topic 256-261)

### Topic 256-257: Structured Diversity: A Framework for Critically Comparing Welfare States-I-II

There are three broad approaches to comparing welfare states, all of which are useful for critical comparison
- Functionalism
- Path dependency and
- Regime analysis

Functionalism suggests that there are strong socioeconomic forces or structures that control the development of welfare states. These forces are generally hostile to social justice and equality. E.g. class, patriarchy and supremacism. Path dependency is based on the idea that welfare states are formed because of particular historical and institutional forces. E.g labor rights and women liberation social movements. Regime analysis (or the 'power resources' approach) is falls somewhere between functionalism and path dependency. It differentiates between different models of welfare capitalism.

'Structured diversity' means a critical comparison of welfare states, drawing on all three approaches. Welfare state was and is a way to mitigate the effect of "structures" that control our lives. Structures of class, race, gender, etc.

*Table 9.1    Key concepts informing a critical, structured diversity approach*

| Key Concept | | | |
|---|---|---|---|
| Social division | Class | Gender | Race |
| Power structure | Capitalism | Patriarchy | Imperialism; white supremacism |
| Movement | Labour movement | Women's movement | Anti-racism; anti-colonialism |
| Critical perspective(s) | Socialism | Feminism | Cosmopolitanism |
| Social policy principle | (Waged) work | Family | Nation |
| Critical social policy processes | Commodification | Autonomization; familization | Institutional racism |

Some scholars/ analysts argue that the effects of class, race, and gender have been erased because of social welfare but these structures are still strong and influence.

**Class**
- Class is difficult to define unlike race or gender
- It is also linked with Marxism which makes people and governments uncomfortable talking about class differences
- There are no laws that specifically address class domination
- But class is important in academic research
- Most de-commodification is countries where labor movement is strong

<mark>Two different meaning of class in class analysis</mark>
- Poor and lower income groups
- Structured socioeconomic inequality
- Income inequality the basis of class

*Table 9.2   Gini coefficient of income inequality after tax-benefits and value of public services, rank ordered by money income after tax-benefits*

| | Money Income after Tax-benefits (mid-2000s) | Money Income after Tax-benefits & Value of Public Services (around 2000) |
|---|---|---|
| Sweden | 23 | 14 |
| Finland | 27 | 18 |
| Slovak Republic | 27 | — |
| Czech Republic | 28 | 18 |
| Belgium | 27 | — |
| Austria | 27 | 19 |
| Netherlands | 27 | 19 |
| Norway | 28 | 16 |
| France | 28 | 19 |
| Switzerland | 28 | 21 |
| Hungary | 29 | 22 |
| Germany | 30 | 20 |
| Australia | 30 | 21 |
| South Korea | 31 | — |
| Spain | 32 | 25 |
| Japan | 32 | 25 |
| Canada | 32 | 23 |
| Greece | 32 | 28 |
| Ireland | 33 | 23 |
| New Zealand | 34 | 25 |
| United Kingdom | 34 | 25 |
| Italy | 35 | 26 |
| Poland | 37 | 29 |
| United States | 38 | 27 |
| Portugal | 42 | 27 |
| Turkey | 43 | 37 |
| Mexico | 47 | 42 |

- Those with more progressive tax systems and generous social welfare systems have lower income inequality
- Progressive taxation and welfare systems are linked

**Gender** issues have been discussed at length and its link with social policy has also been analyzed
- Welfare states decrease unjust gender differences by
  - Giving women access to formal welfare
  - Paying them for their role in social welfare
  - Meeting women's basic needs and human rights e.g. reproductive rights, protection from violence & child maintenance
  - Feminism focuses on the welfare interests of women in two different areas
  - Women's autonomy as individuals
  - Transforming patriarchy in the family
  - Both 'economic' and 'bodily' autonomy are necessary
  - Gender autonomization is the capacity to form and maintain an autonomous household'
  - Gender autonomization, in the liberal states, is severely constrained by the marketization of services and the absence of adequate care rights
  - De-familization: the extent to which state provision of services to mothers and other family members
  - The diversity of the welfare states can also be seen in ways they have moved away from preferring the male breadwinner model
  - The liberal, Anglophone states, policy has encouraged private and occupational measures that have reinforced class inequalities, while at the same time moving

more slowly towards gender symmetry as compared to Nordic and social democratic states

**Race**
- The role of social policy in both furthering and mitigating racial and ethnic divisions is evidently a hugely significant
- European colonialism and the slave trade were the reasons previously but what is the situation now
- Many anti-racism movements
- To defeat US segregation, Nazi anti-Semitism and South African apartheid
- Diversity of racisms creates enormous difficulties in trying to develop cross-national analysis
- Race vs. ethinicty
- Immigration policies
- Policies related to work and pay
- Policies related to ability to live freely
- Educational policies
- Reparations?
- "Brown" is the new "Black"
- Brown and East Asian discriminated more
- Which minority group to benefit: Admission in elite universities

## Topic 258: Fiscal Issues: Center vs. Provinces

- Fiscal policy is deliberate changes in government revenue collection and expenditure to achieve desired objectives
- Monetary policy is focused on changing money supply or interest rates to achieve government's objectives

Changes in government spending and taxation can have a significant impact on the economy
- Three type of changes
  - Level
  - Timing
  - Composition of changes
- Data & figures from Economic Survey and Budget-in-Brief, pub by GoP



Tools of Fiscal Policy
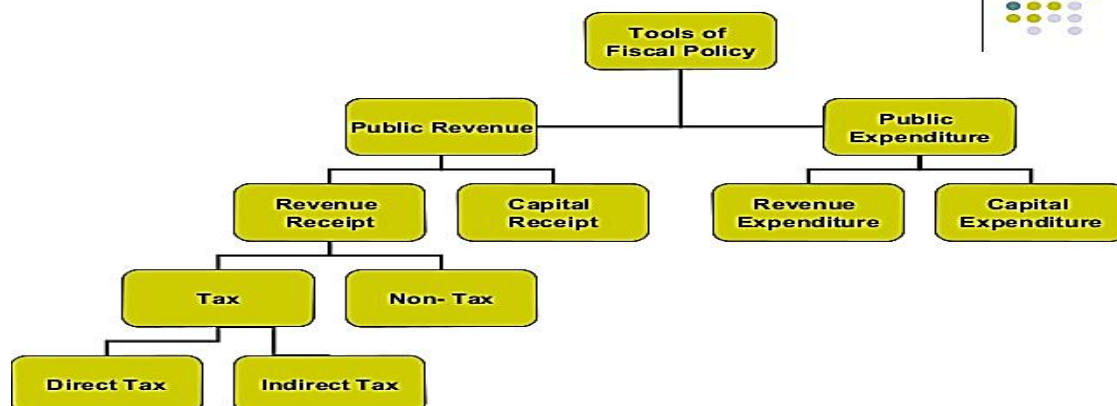
- Article 160 of the Constitution a National Finance Commission (NFC) has to established after every five years (of before) to make decisions about the distribution of resources between the Federal and Provincial Governments
- Consensus required so NFC Award usually delayed

| • Year | • Provincial Share |
|--------|--------------------|
| • 1997 Award | • 62.5% |
| • 2009-10 | • 50% |
| • 2010-11 | • 56% |
| • 2011-12 | • 57.5% |

| Year | Provincial Share |
|------|------------------|
| 1997 Award | 62.5% |
| 2009-10 | 50% |
| 2010-11 | 56% |
| 2011-12 | 57.5% |

Two types of transfers from Federal Government to provinces
- Share from divisible pool of taxes
- Straight transfers

Issues
- What should be in divisible pool of taxes
- How it should be divided?
- Grants and anti-terrorism?
- Straight transfers: unjust to some provinces

## Topic 259: Fiscal Issues: Priority Areas (Health, Education and Infrastructure)

Objectives of Government expenditure
- Provision of Public and Merit Goods
- Provision of Social Security
- Regulation/Level of Economic Activity

- • Improving the Efficiency of Allocation of Resources
- First, analyze federal budget expenditure
- Then, Punjab's budget expenditure
- Clarify where the functions and priorities are
- From Federal Budget-in-Brief

### CURRENT AND DEVELOPMENT EXPENDITURE
### 2018-19

(Rs in Million)

| Classification | | Budget 2018-19 | Revised 2018-19 |
|---|---|---|---|
| **A.** | **CURRENT** | **4,780,358** | **5,589,431** |
| - | General Public Service | 3,340,430 | 4,048,341 |
| - | Defence Affairs & Services | 1,100,334 | 1,137,711 |
| - | Public Order and Safety Affairs | 132,289 | 133,021 |
| - | Economic Affairs | 80,750 | 142,440 |
| - | Environment Protection | 1,261 | 1,271 |
| - | Housing and Community Amenities | 2,339 | 2,318 |
| - | Health Affairs & Services | 13,897 | 13,991 |
| - | Recreation, Culture and Religion | 9,242 | 10,512 |
| - | Education Affairs and Services | 97,420 | 97,155 |
| - | Social Protection | 2,396 | 2,672 |
| **B.** | **DEVELOPMENT** | **1,152,105** | **829,680** |
| - | Federal PSDP | 800,000 | 500,000 |
| - | Development Expenditure outside PSDP | 180,238 | 162,929 |
| - | Development Loans & Grants to Provinces | 171,867 | 166,751 |
| **TOTAL EXPENDITURE (A + B):** | | **5,932,464** | **6,419,111** |

### SUMMARY

(Rs in Million)

| Classification | | Budget 2018-19 | Revised 2018-19 | Budget 2019-20 |
|---|---|---|---|---|
| **(i)** | **Mark-up Payment** | **1,620,230** | **1,987,319** | **2,891,449** |
| - | Mark-up on Domestic Debt | 1,391,000 | 1,681,564 | 2,531,685 |
| - | Mark-up on Foreign Debt | 229,230 | 305,756 | 359,764 |
| **(ii)** | **Pension** | **342,000** | **342,000** | **421,000** |
| - | Military | 259,779 | 259,779 | 327,088 |
| - | Civil | 82,221 | 82,221 | 93,912 |
| **(iii)** | **Defence Affairs and Services** | **1,100,334** | **1,137,710** | **1,152,535** |
| - | Defence Services | 1,097,949 | 1,134,501 | 1,149,665 |
| - | Defence Administration | 2,385 | 3,210 | 2,870 |
| **(iv)** | **Grants and Transfers** | **477,924** | **478,337** | **831,194** |
| - | Grants to Provinces | 28,000 | 28,098 | 96,482 |
| - | Grants to Others | 449,924 | 450,239 | 734,712 |
| **(v)** | **Subsidies** | **174,746** | **254,995** | **271,500** |
| **(vi)** | **Pay and Pension** | **-** | **-** | **79,000** |
| **VII)** | **Provision for Contingencies** | **-** | **-** | **115,000** |
| **(viii)** | **Running of Civil Government** | **463,371** | **460,252** | **431,246** |
| - | Salary | 242,742 | 242,737 | 241,447 |
| | a) Pay | 128,011 | 127,261 | 121,039 |
| | b) Allowance | 114,731 | 115,476 | 120,408 |
| - | Non-Salary | 218,129 | 217,515 | 187,299 |
| - | Others | 2,500 | - | 2,500 |
| **CURRENT EXPENDITURE (i to viii)** | | **4,178,605** | **4,660,613** | **6,192,924** |
| **(xiv)** | **Foreign Loans Repayment** | **601,754** | **928,818** | **1,095,254** |
| **TOTAL CURRENT EXPENDITURE** (includes foreign loans repayment) | | **4,780,359** | **5,589,431** | **7,288,179** |

Pictures and tables from the latest Annual Budget Statement of Punjab (2019-2020)
- ABS is a constitutional requirement
- It gives details of both revenues and expenditures

## Topic 260: Fiscal Issues: Current vs. Development Expenditure

Government expenditure is spending by the public sector i.e. expenditure by the central, provincial and local government and any loans or grants to the nationalized industries. Examples: Defense expenditure, BISP, loans to Steel Mills, grant to Ganga Ram Hospital or Citizen Foundation, etc.
Three types of expenditures
- Current Expenditure
- Development Expenditure
- Capital Expenditure

Current Expenditure: It is the spending on the day- to-day running of the public services e.g.
- Teachers' pay
- Roads buildings repair and maintenance
- Purchase of medicines
- Civilian and Military officer's pay
- Utility bills
- Development Expenditure: It is spending to jumpstart the economy. It primarily consists of development projects
- Most of it is capital expenditure
- Capital Expenditure: This is spending on the infrastructure and includes e.g.  spending on new hospitals new schools and  roads
- Capital expenditure adds to the country's capital assets

## Topic 261: Bureaucratic Issues: Federal Bureaucracy vs. Provincial Bureaucracy

Pakistan: A federation, one federal government and four provincial governments. Federal bureaucracy and four provincial bureaucracies.
- Article 240: **Appointments to service of Pakistan and conditions of service**
- Subject to the Constitution, the appointments to and the conditions of service of persons in the service of Pakistan shall be determined-

(a) in the case of the services of the Federation, posts in connection with the affairs of the Federation and All-Pakistan Services, by or under Act of Majlis-e-Shoora (Parliament); and
(b) in the case of the services of a Province and posts in connection with the affairs of a Province, by or under Act of the Provincial Assembly.
- From colonial times, central bureaucracy is predominant
- In colonial times, most of the federal/central bureaucrats were British and most of the provincial bureaucrats were Indians
- Federal bureaucracy
- Recruitment
  - Federal Public Service Commission (FPSC)
    - Central Superior Services (CSS) examination
    - Others by FPSC
- Basic Pay Scale (BPS): 1-22
  - Previously grades
- Types
  - CSS
  - Professional
  - Clerical and lower staff

CSS groups
- Pakistan Customs Services, Pakistan Administrative Service, Police Service of Pakistan, Foreign Service of Pakistan,
- Inland Revenue Service of Pakistan, Commerce & Trade Group, Information Services of Pakistan, Military Lands & Cantonment Group, Office Management Group, Pakistan Audit and Accounts Service, Postal Group, Railways Group

Professional
- Doctors, engineers, professors
- Provincial bureaucracy
- Recruitment
  - Provincial Public Service Commission (such as PPSC)
    - Provincial Services: PCS examination
    - Others by PPSC
  - Others
- Basic Pay Scale (BPS): 1-22
- Previously grades

Types
- PMS/PCS
- Professional
- Clerical and lower staff

PAS dominates everywhere
- Almost 90% of the Secretaries of the Ministries
- Most of the additional secretaries in the ministries
- All Chief Secretaries
- Almost all provincial secretaries
- Around half or more of the additional provincial secretaries
- Around 90% of commissioners and deputy commissioners
- Control of Establishment Division and Services and General Administration Departments (S&GAD)
- Establishment Division manages promotions and transfers of most higher level bureaucrats
- S&GAD same job at provincial level
- Provincial bureaucrats also start at BPS 17 but retire in 20 or 21
- Most of the other federal services, except PAS, also retire at 20 or 21
- So, the top jobs are always with the PAS
- Resentment at the provincial level
- Of and on strike calls
- Cases in the High courts and Supreme Court

PAS has access to courts also
- Previously some became judges
- Now, registrars

Power of the PAS
- Local Government Ordinance, 2001 reversed
- Balochistan A & B areas division reversed
- Local Government Ordinance, 2001 reversed
- Balochistan A & B areas division reversed

## GOVERNANCE ISSUES HAMPERING THE IMPLEMENTATION OF SOCIAL POLICY-II
### (Topic 262-267)

### Topic 262: Bureaucratic Issues: Provincial Bureaucracy vs. Department Employees

Division between provincial bureaucracy (PCS/PMS) and departmental employees. Many departments, sometimes, through PPSC, recruit officers. These officers are in competition with federal/provincial bureaucracy.

Irrigation Department
- Civil engineers as sub-divisional officers that later become chief engineers
- However, they rarely become deputy secretary, additional secretary and secretary Irrigation Department
- Health Department
- Doctors (Principals of medical colleges, Medical superintendent of hospitals)

Health Department
- However, they rarely become deputy secretary, additional secretary and secretary Health Department
- Education Department
- Lecturers and Assistant Professors (Principals and Vice Chancellors)
- But rarely become deputy secretary, additional secretary and secretary Education Department

Local Government and Community Development Department
- Engineers and architects, town planners
- However, they rarely become deputy secretary, additional secretary and secretary local government Department

Planning & Development Deptt
- Planning officers (later chief of different sectors)
- However, they rarely become deputy secretary, additional secretary and secretary Planning & Development Department
- Excise and Taxation Deptt
- E&T officers through PPSC
- Almost all departments hire lower grade and BPS-17 officers
- Lower grade do not have an issue
- PCS/PMS also start at BPS 17 and departmental employees also start at 17

Most departments clear division
- Policy work by provincial employees
- Field work by departmental employees
- Issues
- Promotions and transfers controlled by those sitting in Lahore

- Field knowledge with departmental employees that does not translate to policy

Issues
- As promotion becomes less of a concern, other considerations take over
- Politics within the department creates inefficiency and ineffectiveness

## Topic 263: Bureaucratic Issues: Technical vs. Generalists

- Corresponding issue is the division between generalists and technical experts
- Difference in management philosophy
- Broad vs. Focused
- Is management a separate expertise?
- Can technical experts learn management late in their careers?
- Is finance and marketing similar to management or different?
- British legacy: well-rounded individuals
- Groomed in public schools about national ethos and patriotism
- Learnt Latin and read Classics and other literature, history and politics to understand human nature

Rest of the learning on job and from seniors and situations. Technical experts can deal with machines effectively but not humans. Whole civil service is based on this philosophy. Generalists are to lead. Politicians are also generalists and they lead so why cannot civil servants? In the later half of the 20th century a change in philosophy. Rise of technical experts. Importance of long expertise. Management is easy to learn rather than engineering or medicine at 40+ age. Technical experts are managing people from the start. Division of policy and technical expertise leads to ineffectiveness and inefficiency. Pakistan's experience is the rule of generalists. Initially, generalists of Indian Civil Service, who became part of Pakistan Civil Service (PCS) controlled everything. PCS then changed to District Management Group (DMG) and now to Pakistan Administrative Service (PAS) to keep control on power (Brahmins). Technical experts remained in their position of lower castes.

Since the 1980s, PAS officers have been seeing stiff competition from another generalist group
- Army officers
- They have not become Secretaries or lower officers (except in M/o Defense) but have become head of a variety of government organizations
- WAPDA, CAA, FPSC, PPSC, VC of universities,  heads of national sports bodies,
- Supreme Court decisions in favor of technical expertise
- Tussle continuing

## Topic 264: Bureaucratic Issues: Government Policies vs. Donor Priorities

Donors playing a major role in Pakistan's decision-making since the 1960s.
- Some interventions in the 1950s
- Ford Foundation: Harvard Advisory Group in the 1960s
- Since the 1950s, the IMF has played a major role
- December 1958 after martial law
- 1965 and 1968: even when Pakistan was growing a very high rate

- WB: Indus Water Treaty, 1960

In the 1970s, bilateral instead of multilateral

- Russia
- China
- Arab
- Since the 1980s, donors have become regular and big players
- USAID, World Bank, IMF, DFID, ADB, CIDA, JICA, Scandinavian bilateral development agencies
- From Muslim countries: Saudi Arabia, UAE, Libya, Islamic Development Bank
- USAID: based on bilateral relationship
- World Bank and ADB: major donors, more than one billion dollars
- IMF: short-term, focused
- CIDA, Scandinavian bilateral development agencies: small, gender and rights issues
- Muslim countries: no policy prescriptions

Benefits of donors

- Creation of fiscal space
- Technical expertise
- Administrative expertise
- Support for inclusive development (children, ethnic minorities)
- Support for marginalized groups (women, religious minorities)
- Foreign exchange
- Disadvantages
    - No local ownership as donors impose their priorities
    - One sector, many donors (lack of coordination)
    - Dependency syndrome
    - Favorite sectors vs. necessary sectors
    - Donors' plans and aims change
    - To get foreign exchange, useless projects
    - Debt burden

## Topic 265: Bureaucratic Issues: Department vs. Authorities

When Pakistan became independent, government structure was simple
There are ministries in the federal government and departments in the provincial governments
Some of the ministries and departments had attached departments

- Gradually, two problems were realized, autonomy required
    - Diverse situations, timely action
    - Operating in the market
    - Autonomous bodies

How autonomous bodies are different?

- 100% ownership
- Financial rules
- HR rules
- Profit distribution, expansion, bonuses, etc. beyond a certain level
- Posts & Telegraph Department (1949)
- Pakistan Telephone & Telegraph Department (1962)

- • Pakistan Telecommunication Corporation Act (1991)
- • Pakistan Telecommunication (Reorganization) Act and Telecommunication Company Limited (1996)
- Later, it was realized that even autonomous bodies are also not good enough
- More autonomy
- Companies under Companies Act (1984, 2017)
- Private companies

Two types
- • 100% owned but governed by a board
- • With a majority share, traded on stock market
- • Nothing wrong per se
- However, some government officers used them to milk the state
- Supreme court action
  - • Good- some correction was required
  - • Bad- some good companies and people were also criticized
  - • Now, the whole model is under a cloud
- Social Welfare Department vs. Social Protection Authority

## Topic 266-267: Cultural Issues-I-II

Difficult to define culture: beliefs and culture, art, music, literature and culture, performances, plays, movies and culture. Language and culture, Greetings, manners and culture, geography and culture, family and culture, food and culture, Games, leisure, enjoyment and culture, dressing, fashion and culture, holidays, festivals and culture, helps define culture and is itself affected by culture.
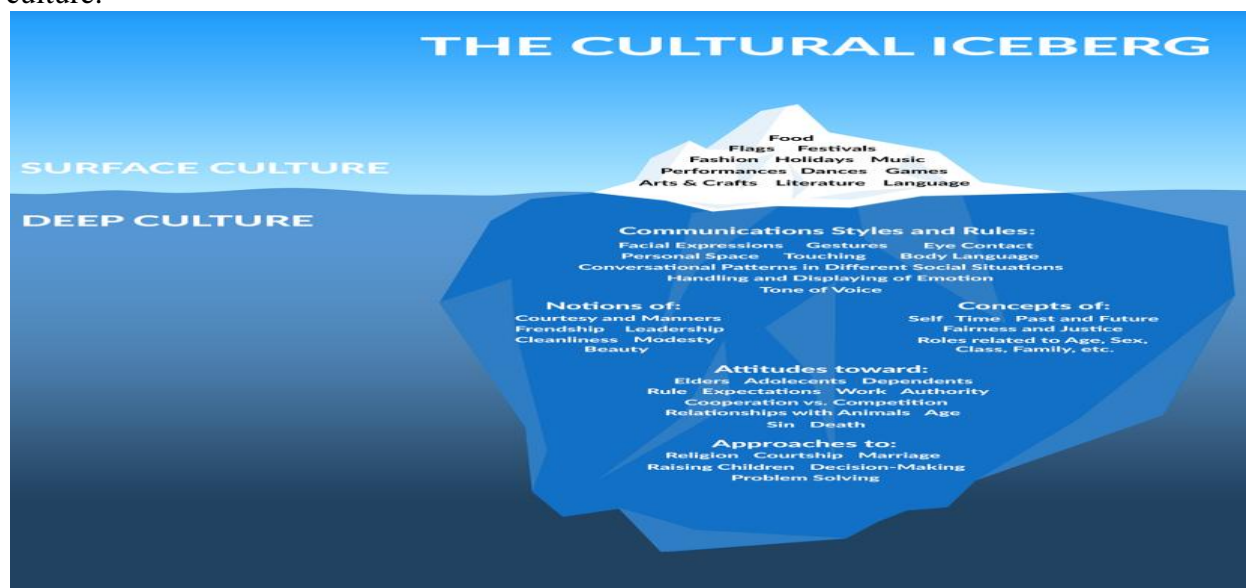


The more things added to culture, the more difficult to identify its impact
- However, if it is limited to religion, clothing, manners, family, literature, fashion, then its true impact is not found
- Economists try to measure things

- "Customary beliefs and values that ethnic, religious, and social groups transmit fairly unchanged from generation to generation" (Guiso, Sapienza and Zingales, 2006)

Second problem: Culture is changing
- It is sometimes defined as something that are permanent
- Pakistani culture in the 1960s or 1970s, same as now?

Third problem: Culture is mostly defined as national but most of the time it is not
- Where are the boundaries?
- Pakistani culture or Sindhi culture?
- European culture?
- Islamic culture? Or fifty Muslim cultures?

Does culture affect development and social welfare? Yes, although defining culture is difficult.
Defining development is again difficult as we will see in green social policy modules
- Culture affects role of women in the community
- Culture affects which groups are considered entitled of social welfare and who is a moocher, a parasite?
    - Children
    - Old people
    - Disabled
    - Poor people
    - Drug addicts
- Culture affects the definition of poverty
- Culture affects acceptance of rule of law
- Culture affects how much one values education and hygiene
- Culture affects the relationships and the number of children we have
- Culture affects how ambitious we are?
- Culture affects how your own group is identified? Pakistani, Muslim or Pakhtun
- But do rich and poor in Pakistan have different cultures?
- If yes, who has the true Pakistani culture?
- Do we adopt a different culture as we cross motorway toll plaza?
- Culture is not very useful explanation

# GREEN SOCIAL POLICY
## (Topic 268-273)

## Topic 268: Green Thinking and Social Policy

- What social policy has to do with the environment?
- Is traditional social policy part of the problem for environment?

People have started thinking about a sustainable social policy

- Green, organic and sustainable living was a reality before industrial revolution
- Most people ate organic food, did not use fossil fuels and had no carbon footprint

Industrial revolution changed humans and their living

Benefits

- Less poverty
- Less hunger
- More education & health
- Longer lives
- More leisure
- More human rights
- In the 1970s, realization of the coming environmental catastrophe

Problem

- The Earth has finite (physical) resources
- Yet humanity is using those resources at an unsustainable rate
- Humans are producing huge amounts of toxic waste, which is further degrading the planet's resources

- More and more obvious that the Western growth model of increasing rates of production and consumption is unsustainable
- The problem is compounded by the adoption of same model by the developing world (China & India)

There are limits to economic growth

- Age of accelerating industrialization
- Rapid growth of the global population
- Western living style
- Fast depletion of non-renewable natural resources
- Deteriorating environment
- Debate between the developed and developing countries
- Climate change is the biggest threat
- And the window to stop it is closing fast

## Topic 269: Is Current Social Welfare Against Environment?

Social welfare and environment catastrophe are linked

Three things

- The current conception of welfare and welfare solutions leads to environmental problems
- Traditional welfare provision has to be decreased

- Greener social welfare policies have to be adopted
- Discuss in detail the problem of welfare thesis
- Welfare solutions are generally consumption-oriented
- Poverty: More consumption
- Maintain standard of living
- How to measure poverty? Basket of goods
- TV, washing machine, toilet, etc.?
- 1960s Britain and current Britain
- Relative and absolute poverty
- Welfare means goods so more welfare means more goods
- Problematic: more production and more consumption
- Energy used per capita: mark of development
- Will a greener policy mean less welfare?
- Depends on the definition of welfare
- Current definition: yes
- Environmentalists want change but
- Should poor not allowed to have car, TV, vacations?
- Should we stop it for everyone?
- Maybe market can do it?
- Without water, electricity?

Diminishing  welfare is by no means universally, or even widely, accepted. Bringing welfare and environment closer: recycling, bio fuels. Issues of fairness and justice (can we stop poor and developing world?)

## Topic 270: Green Theory

- New welfare settlement
- Away from productivity and consumption oriented models
- Growth but slower and sustainable
- Start with the Western world

Maybe new welfare will increase emotional, social and psychological development that is severely damaged by the pursuit of economic growth. New theory and thinking, Green Theory and green social theory

Green Theory
- Environmental disasters will affect us all
- Depletion of resources will affect us all
- Future generations will suffer if we do not change
- More acceptability of greens (environmentalists)  but not united

**Light greens and dark greens**

Light greens
- Growth and green
- Growth comes first
- No radical solutions
- Reducing consumption: Western luxury
- Pro-business: green entrepreneurs

Dark greens

- Light greens: delay but not avert catastrophe
- Prioritize nature over humankind
- Population growth: forced reduction or allow nature?
- Minimalism and go local

Another way to divide greens
- Free-market environmentalists (allow the market, fossil fuel taxes, etc.
- Environmental pragmatists, govts work and apply minimal force
- Environmental radicals, do what's necessary

## Topic 271: Green Social Policy: Transport

Without deciding what is essential for human survival and dignity, social policy and sustainability cannot planned
- What is clear is the need of change
- Current consumer society cannot survive a more ecological world
- What is not clear is what to change, what to change first, and the rate of change

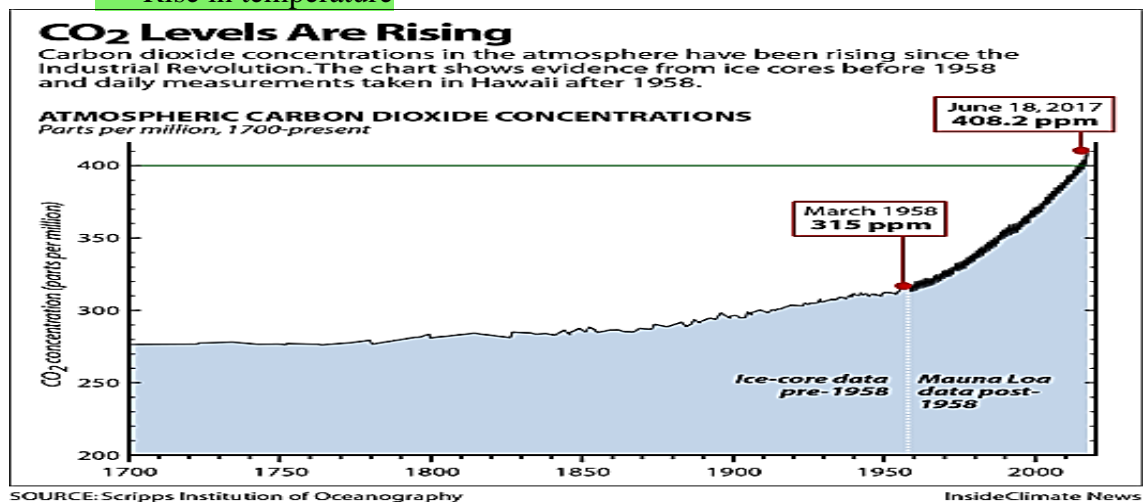The foundations of a green social policy can be:
- A basic (citizen's) income;
- Decentralized and deregulated communities;
- Redefining of freedom.

Three areas of concern
- Transport
- Food
- Work

Transport direct impact on Climate change
- Usage of fossil fuels
- Greenhouse gases
- Rise in temperature

**CO₂ Levels Are Rising**

Carbon dioxide concentrations in the atmosphere have been rising since the Industrial Revolution. The chart shows evidence from ice cores before 1958 and daily measurements taken in Hawaii after 1958.

ATMOSPHERIC CARBON DIOXIDE CONCENTRATIONS
*Parts per million, 1700-present*

June 18, 2017
408.2 ppm

March 1958
315 ppm

Ice-core data pre-1958      Mauna Loa data post-1958

SOURCE: Scripps Institution of Oceanography          InsideClimate News

- Automobiles increasing all over the world
- For many households, now two cars are essential
- Great utility for men, women, children, disabled, old people
- But more CO2, more roads, more accidents, less walking & cycling, health issues, "sitting the new smoking"
- Sea and air travel also increased
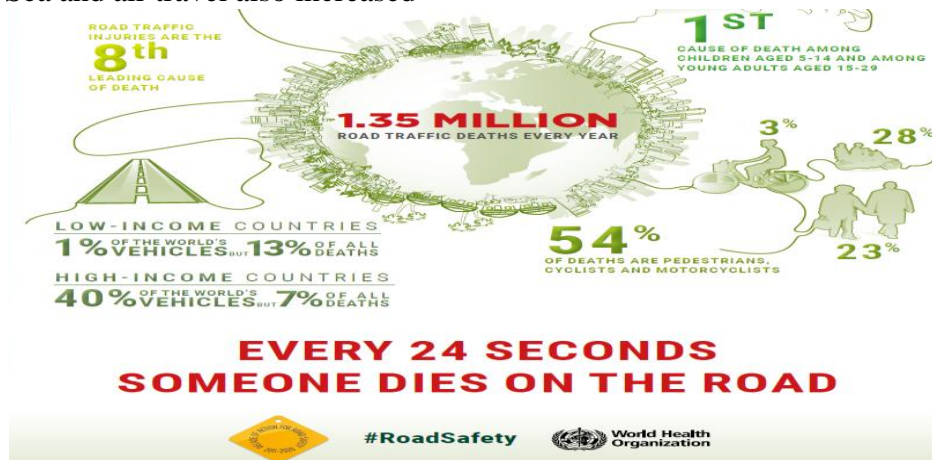


## Topic 272: Green Social Policy: Food

- World population 7.7 billion now and likely to be around 11 billion in 2100
- The rate of increase in population is declining but overall population is increasing
- How to feed all these people?
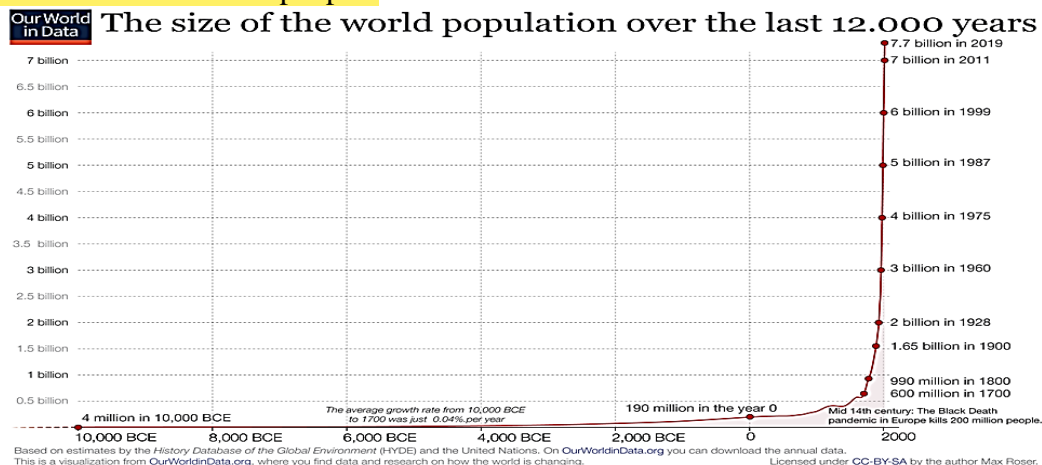
- UNICEF estimates: Around 800 million children are undernourished and 2 billion have poor diets, and most of these children are in countries that are least able to feed themselves
- Population control?
- Genetically-modified food and animals?
- Cash crop vs. Food crops
- Overconsumption on one hand, starvation on the other
- Food subsidies in the West
- Destroy food or destroy poor farmers

Unhealthy diets
- To maintain lifestyle
    - Longer working hours, dual-earner households and greater commuting to work
    - Less home-cooked food
    - Intensive farming
    - More food but also more food diseases

Food distribution:
    - Epidemics not because of non-availability of food
    - Costly
    - Supermarkets: not local
    - Refrigeration: climate change effects
    - Food miles and food deserts



## Topic 273: Green Social Policy: Work

- Work is perhaps the most critical area
- Greens: core problem is the obsession with production and consumption
- Work outside home that has monetary value is considered work
- If 10 women are sitting in a circle with their own babies on their laps. That is not work
- Now imagine that an instruction is given: 'Hand your baby to the person to your left.' Now that is work

Discussed how to decrease informal economy
- Informal economy is important and should not be erased
- Friends and family may decrease the need of doctors and medicine
- Increase in anti-social behavior of the youth has links with the decrease in mothers at home?

- Primary way of decreasing social exclusion and improving welfare is paid work?
- The story of a Mexican fisherman and Harvard MBA
- John sees a Mexican fisherman relaxing and ask him about his work and why he is relaxing

"I sleep late, fish a little, play with my children, take a siesta, stroll into the village with my wife, Maria, and each evening I sip wine and play guitar with my amigos. I have a full and busy life, senor."

**References:**

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Blakemore, K., & Warwick-Booth, L. (2013). *Social Policy: An Introduction: An Introduction*. Mcgraw-Hill Education (UK).