

18th Amendment, Devolution of Power and Institutional Autonomy of Higher Education in Pakistan: Stakeholders' Perceptions

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Abstract

This phenomenological study aimed to explore the impact of devolution of power, after 18th Amendment in the Constitution of Pakistan, affecting the institutional autonomy of Higher education institutions (HEIs) of Punjab in terms of; academic, organizational, and financial autonomy. By this devolution of power, key stakeholders affected are the Federal Higher Education Commission (FHEC) Islamabad, the Provincial Higher Education Commissions of all provinces of Pakistan, (PHEC Punjab in our case), along with academia and governing bodies of HEIs (public universities in our case). Resource Dependence Theory (RDT) was used as the theoretical framework to examine the varying relationships of dependence between actors (FHEC) who control resources and actors (PHEC and HEIs) who need these resources. Purposive sampling was used to sample respondents from FHEC, PHEC, and three public universities of Punjab for the semi-structured interviews, obtaining triangulation of sources. Perspectives thus gathered were analyzed and categorized into themes. The results have highlighted that aim of devolution has not been realized, and abridgment between policymakers, regulators, and the university representatives for the implementation of devolution should be properly addressed for the collective benefits of all stakeholders. It is a pioneer study and it is hoped that the recommendations suggested by stakeholders would be helpful to the policymakers for the overall improvement of the standard of higher education.

Keywords: 18th Constitutional Amendment, Devolution of Power, Higher Education, Institutional Autonomy, Financial Autonomy, Academic Autonomy

Introduction

Higher education has gone through great expansion recently; entering the business economy has challenged its sole purpose of teaching and research. HEI's mission was extended to include services to the community that requires partnerships with tertiary stakeholders (Mainardes, Alves, & Raposo, 2010). As a result, HEIs are held accountable for service to the community and society as a market force. These neoliberal policies followed globally have raised the brow of academia and voices of concern are heard worldwide about submitting to another 'ideal type' of bureaucratic control and relinquishing autonomy (Akalu, 2016; Shepherd, 2018). One such attempt was made by the government of Pakistan by introducing the 18th Constitutional Amendment that has started a new tussle of power among state institutions and higher education institutions.

The 18th Constitutional Amendment was unanimously passed by the National Assembly of Pakistan on 8th April 2010 and was notified in the Gazette of Pakistan on 20th April 2010¹. The amendment was expected to result in the devolution of powers of 17 ministries including education, from federation to provinces. Following the implementation of the 18th Constitutional Amendment, PHEC Punjab was established on 17th May 2015, as a provincial regulatory authority besides FHEC Islamabad which was established in 2002 as a federal regulatory authority.

¹(http://www.na.gov.pk/uploads/documents/1302138356_934.pdf).

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Higher education has many stakeholders, including students; alumni; faculty, management and governing body, parents; donors, other institutional suppliers, and vendors; accrediting agencies like NACTE for regulating teacher education, and NBAEC for business education; regulating agencies like HEC & PHECs; taxpayers; society at large and government and non-government organizations (Marshall, 2018). In Pakistan, there are four major stakeholders, HEC, PHEC, HED, and HEIs with many subsidiaries attached with them. People, politicians, bureaucrats, academicians, and scholars have been speaking a lot about this devolution for more than 10 years. Faguet and Sanchez (2008) believed that decentralization proves to be highly efficient because the policies can now be tailored according to preferences and the necessities of the region and do not have to be generalized for the entire country. However, the provision of enabling environment through capacity building and designing a system for performance evaluation is significant to determine the success of the implementation of decentralization (Chygryn, Petrushenko, & Vysochyna, 2018).

Regardless of developed or developing nations, the subject of institutional autonomy in higher education has become an alarming concern for the policymakers (Nokkala & Bacevic, 2014; Okai & Worlu, 2014; Usman, 2014; Varghese & Martin, 2014). Institutional autonomy implies freedom from interference by the state or any other external force in the internal organizational matters of the university such as the matters related to arrangements of funds or in other words the matters of revenue generation for the existence and survival of the university, the staff recruitment procedures, admission of students and the freedom to select appropriate teaching strategies as well as setting the objectives for research and publications (Asiimwe & Steyn, 2013; Edmore, 2016; Nokkala & Bacevic, 2014). Hayes (2021) warned that institutional autonomy is the right to develop strategy, fully exercise and practice academic freedom and self-government regarding internal activities, which is under threat. Moreover, successful universities have been observed to be autonomous in deciding their research as well as teaching objectives (Cotelnic, Niculita, Todos, Turcan, Bugaian, & Pojar, 2015).

No state in the world can progress without guaranteeing autonomy and academic freedom to institutions of higher learning (Kim, 2017; Okai & Worlu, 2014). An autonomous university could develop its constitution and then defining its mission in the light of that constitution. Furthermore, it has control over its budget and employment (Armbruster, 2008). However, the appropriate level of autonomy is an important issue in policy debates on university governance, organization, and funding (Fumasoli, Gornitzka, & Maassen, 2014). Usman (2014) highlighted the importance of university autonomy for developing nations. The author asserted that universities must have the autonomy to govern their academic, financial, and administrative functions. Hence, an active role of Quality Enhancement Cells (QECs) in this regard is highly significant (Khawar & Arif, 2019). If the state is inclined to grant autonomy, it means that the state has acknowledged the importance of autonomy and this always remained the focal principle behind all the autonomy reforms (Fielden, 2008; Cotelnic et al., 2015).

Institutional autonomy in combination with academic and financial autonomy is an essential prerequisite for universities to fulfill the core functions of teaching, research, and relationships with the community (Jarernsiripornkul & Pandey, 2018; Purcell, 2008). Issues associated with the provision of adequate funds hinder financial autonomy. Fund generation by universities through academia-industry linkage, while utilizing funds effectively was suggested as a viable financing strategy (Khawar & Arif, 2019).

Institutional autonomy is distinguished into substantive autonomy and procedural autonomy. Substantive autonomy deals specifically with the matters of academics and research, i.e. curriculum design, research policy, awarding the degree, etc. Procedural autonomy deals with the non-academic areas covering the financial matters, including budgeting, purchasing, and entering contracts (Slaughter & Rhoades, 2004). The fact is accepted globally that substantive autonomy and procedural autonomy go hand in hand because the substantive facets of HEI demand resources and for the generation of these resources, procedural autonomy is essential. However, in Asian countries, both the substantive and the procedural autonomy are compromised (Ewell, 2010; Hayward, 2015; Raza, 2009).

Research has shown that violation of institutional autonomy has high costs in terms of intellectual regression (Atua, Beiter, & Karran, 2015; Compagnucci, & Spigarelli, 2020) because public universities cannot boast of total autonomy because of being funded exclusively by their

governments (Frølich & Caspersen, 2015; Gehrke & Kezar, 2015; Leisyte & Dee, 2012); hence, the state keeps the right for interference. Governments and funding agencies put pressure on academics to engage more in research than teaching thus affecting the balance between the two (Lebeau & Papatsiba, 2016; Rostan, 2013).

Granting increased authority to several governmental elements while threatening the authorities of various other elements was reported as an adverse effect of devolution by Poteete and Ribot (2009). However, institutional autonomy does not mean the complete absence of external control rather it empowers the institutions positively and responsibly. According to Lane (2012), HEIs (public or private) are deemed to be accountable to their sponsors therefore the periodical explanation of actions and the examination of successes and failures in a transparent manner is pertinent. Nevertheless, these interactions must be taken place within the established rights and responsibilities because the harmony and the appropriate balance between autonomy and accountability are highly desired (TFHE, 2002; Poteete & Ribot, 2009).

The Aim of Research

This phenomenological study aims to explore the impact of devolution of power after the 18th Constitutional Amendment on the institutional autonomy of HEIs in terms of; academic, organizational, and financial autonomy.

Research Questions

1. How the inclusion of higher education, as a subject of the 18th Constitutional Amendment, is perceived by stakeholders?
2. In what terms devolution of power has affected the sense of autonomy of the stakeholders?

Theoretical Framework

Resource Dependence Theory postulated by Jeffrey Pfeffer and Gerald Salancik in 2003 provided a useful theoretical framework for the present study in identifying varying relationships of dependence between actors who control resources and actors who need these resources. The fundamental assumption of Resource Dependence Theory (RDT) holds that dependence on critical and important resources influences the decisions and actions of organizations which may result in conflicts. Consequently, these conflicts and interdependencies raise the amount of uncertainty. The central hypothesis of RDT states that the actor (FHEC) who controls resources has the power over those actors (PHEC and HEIs) who need these resources. Pfeffer and Salancik (2003) state that more dependency of actor A (PHEC and HEIs) upon actor B (FHEC) results in more power of actor B over A. RDT also suggests methods or strategies for resource management and exchange relationships. The first strategy entails adapting the organizational compliance which states that criteria must be designed to gauge whether a demand was met or not. The second strategy suggests avoiding influence by avoiding demands. The third strategy involves managing and avoiding dependence by creating alternative resources whereas the fourth one proposes the reduction of dominance of controller. EUA's Lisbon declaration (2007) suggested the following four dimensions of institutional autonomy which were endorsed by Cotelnic et al., (2015) out of which three have been studied while staffing autonomy has been excluded.

Organizational autonomy and institutional governance are closely associated with each other and involve decision-making, accountability, and university leadership.

Financial autonomy is the freedom of acquisition and allocation of funds, building, equipment, tuition fees, and salaries as well as the freedom to borrow and raise money.

Staffing autonomy deals with the recruitment of staff and the settlement of the terms of employment.

Academic autonomy means the autonomy to start new study programs, curriculum development, quality assurance of education, control over students' admissions, and deciding the academic profile of faculty.

Methodology

The current study followed a qualitative research design with a phenomenological approach using interpretive paradigm and constructivist epistemological lens to record experiences of representatives of public universities of Punjab and representatives of PHEC and FHEC regarding the impact of devolution of power on the autonomy of Higher Education Institutions (HEIs) of Punjab, under the regulation of Federal Higher Education Commission (FHEC) Islamabad and the Provincial Higher Education Commission (PHEC) Punjab. The nature of qualitative research is exploratory and according to Creswell and Poth (2016): qualitative research is used when limited research is done

about a concept or phenomenon and/or to comprehend the constructed meaning by individuals about a social or human problem. The inductive approach of the present study intends to elucidate the intricacy of a social phenomenon through the identification of patterns that emerged in the findings (Marshall, & Rossman, 2006).

The population for this study was faculty members of public universities and the representatives of federal and provincial regulatory bodies. 15 senior faculty members of three public universities of Lahore (5 each), five representatives of Federal HEC Islamabad, and five from Provincial HEC Punjab were sampled through the purposive sampling technique. Data was collected through semi-structured interviews from the head of the departments, deans, directors for Quality Enhancement Cells (QECs), and senior faculty members of sampled universities as well as from the five representatives of federal and provincial regulatory bodies each. Only those universities were selected which are recognized by HEC in the W4 category and were operational for more than 10 years.

Interviews are considered to be the most effective way of obtaining adequate information within a short period while using multi-sensory channels: verbal, non-verbal, spoken, and heard (Cohen, Manion, & Morrison, 2018; Brinkmann, 2014; Creswell, 2013). An interview protocol, based upon the guidelines provided by Kvale (2008), was used to interview the research participants. The interview protocol included 10 leading questions with some probes. The interview protocol comprised questions that were derived from the extensive literature review. To ensure content validity, the protocol was expert reviewed and was further reviewed by a language expert for the use of language and its understanding. The approved protocol was pilot tested with 4 faculty members of a public university of Lahore and one member of PHEC. A total of 25 semi-structured interviews were personally conducted with those who consented to share their views on the agreed topic. A consent letter (including the purpose of research, and protocol) was sent to official emails of respondents.

For the explanation of social meaning, the interviews' data was screened, transcribed, organized, and analyzed in an evolving manner for final analysis according to the suggestions of Merriam (1998). Following Merriam's guidelines, researchers ensured that the results were: 1) reflecting the purpose of research, 2) provided in-depth thick descriptions, 3) distinguished from each other, 4) sensitive to the particular content of the theme, and 5) conceptually congruent (Miles & Huberman, 1994; Richards & Hemphill, 2018; Merriam, 1998). Data analysis was performed manually by researchers serving as a critical partner to each other. Researchers explored the transcribed interviews, again and again, took notes, cross-checked each other's explanations, and after repeated discussions finally settled for the in-depth understanding of the devolution of higher education in Pakistan in an inductive-deductive way.

The responses of participants were coded and given pseudonyms: Three public universities were given the following IDs 'XXG, XXP and XXE' and participants from these universities were named as XXG1, XXG2, XXG3, XXG4, XXG5, and XXP (1 to 5), XXE (1 to 5) respectively. Whereas the regulatory bodies were given the IDs as HEF for Federal Higher Education Commission Islamabad and HEP for Provincial Higher Education Commission Punjab. Participants from these regulatory bodies were named HEF (1- 5) and HEP (1- 5) respectively. All data analysis has been done using these IDs consistently in the document.

Thematic Analysis

While explaining the perceptions of respondents, not only constant comparison has been made among individual views but similarities have also been drawn to reach a consensus about the inclusion of higher education as a subject of devolution as well as the autonomy of HEIs under the regulatory bodies FHEC and PHEC as the result of devolution of power after the 18th Constitutional Amendment in Pakistan. Three main themes and their further categorization into sub-themes are explained below in Table 1. Discussion on themes follows thereafter.

Table1.

Themes Emerging from In-depth Interviews

	Theme 1 Responses to Devolution	Theme 2 Impact on Autonomy	Theme 3 Barriers Posed by Devolution
Sub-themes	Consonance to Devolution of	Financial Autonomy	Polarization between

Power Dissonance Caused by Devolution of Power	Academic Autonomy	FHEC and PHEC Threat to National Cohesion Bureaucratic interference Increased Political Influence Capacity Building International Affairs, Pacts, and Accords
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Theme no 1: Responses to Devolution

This theme is subcategorized into two themes which are explained below:

Consonance with the Devolution of Power to Provincial HECs

All the respondents from Provincial Higher Education Commission (PHEC) were in favor of devolution however each respondent had a different reason of satisfaction with the devolution.

The majority of the respondents considered that higher education should be devolved because it would result in better execution of policies due to proximity. According to HEP2:

.... I am in favor of devolution because it is a general trend worldwide. Not only higher education but other things should also be devolved. Decentralized things can be executed in a better way due to proximity.

Some respondents believed that one institution, i.e., Federal HEC cannot manage the massive expansion of higher education.

.... Devolution is needed due to big expansion in higher education. Expansion can't be catered by any one organization. (HEP3)

Most of the respondents from the universities granted favor to devolution; they rendered delegation of powers as an empowerment strategy that would promote higher education progress at the provincial level.

..... Yes, the distribution of power is always good. Provinces should be empowered to grow individually. The concept behind the devolution of power is delegation of powers (XXG3).

Many PHEC respondents also highlighted the significance of preparedness of provinces and proper mechanism before devolution. (HEP1)

.... Devolution is always good, but it requires proper mechanisms and SOPs but in Pakistan, higher education is devolved without any preparation. (HEP2)

Dissonance caused by the Devolution of Power to Provincial HECs

However, the respondents from Federal Higher Education Commission (FHEC) were not in favor of devolution; each respondent had a different reason of dissatisfaction with the devolution.

The majority of the respondents believed that devolution has not impacted who has continued functioning as ever. The respondents supported their viewpoint by quoting judgment of the Supreme Court:

.... Devolution has not impacted HEC and this is substantiated by the judgment of the SC of Pakistan and we continue to perform functions as we have done in the past. Now, the role of provinces is to implement our policies. In the disguise of devolution, if they try to intervene excessively, then the confusion between the federal and provincial responsibilities would affect and impact the performance of universities. In a real sense, devolution has weakened the education system rather than strengthening it. (HEF1)

The majority of the respondents shared that different regulators with different expectations confuse terms of compliance with standards. Respondents shared:

.... Their role is not to do anything which confuses the communication and command system of the universities that we are asking them for compliance of a different standard whereas provincial government's expectations are different. (HEF2)

A few respondents raised questions about the need for devolution especially without set targets of the devolution.

.... My point is why devolution? What study has been done to analyze the need for this devolution? What was the agenda? Two governments have been passed after this

devolution. I mean what did they do so far? This is the power game now just to claim that we are autonomous. (XXP4)

Few respondents from different universities remarked that they were not satisfied with the implementation mechanism of devolution.

..... Ideally yes devolution is a good idea but no legislation so far. Different departments are looking same cause i.e. HEC, PHEC, and HED. No devolution has been executed so far in true spirit. Provincial HEC has been established but not strengthened with autonomy and finances. (HEF1; HEP5; XXG4; XXP2; xXXE1)

It was also remarked by university administrators that PHEC is not mature enough to maintain standards of higher education in the province.

.... PHEC is in its infancy and maintenance of standards is difficult for PHEC. FHEC is doing the right job and it must be developed not devolved. (HEP2; XXG4)

.... I am not in favor of the devolution of HEC because every province will have its parameters and quality will suffer and we will not have standards to gauge the performance of universities (HEP3; XXE4).

Theme 2: Impact of Devolution on Autonomy

This theme is further subdivided into two themes discussed in detail below:

Devolution and Financial Autonomy

All respondents had a consensus that HEC is a completely autonomous institution funded by the government of Pakistan and it has complete autonomy in its functions and roles. They have conceded that financial autonomy is not granted to provinces.

Respondents from public universities complained that the funds are allocated by HEC and autonomy of revenue generation is not granted to public universities.

...HEC allocates funds to public universities that is why the protocol is given to HEC. (HEF2)

Autonomy is not granted to public universities to generate funds. (XXG1-4; XXP2, 4, 5; XXE1, 3, 4)

However, it was shared that the role of PHEC is not as important and powerful in the province as it is of HEC in the federation. A respondent from PHEC remarked:

.... HEC is a completely autonomous institution funded by the government of Pakistan and it has complete autonomy in its functions and roles. This is not the case in provinces, the role of PHECs are not as important and powerful as it is in the federation, and no unison of authority in the province (HEP 2)

Respondents from PHEC shared their concerns related to financial autonomy and explained that funding is still the authority of FHEC and is not transferred to PHEC. However, it was not reported as confusion or chaos rather it was considered as a hybrid or mixed model of funding. It was further added that everything including administration, governance, and appointments is under the jurisdiction of provinces.

.... Funding is a mixed model. Funding is still the authority of HEC and is not transferred to PHEC. It is a hybrid kind of model; a debate is still going on. Institutions are independent and autonomous. Higher education is an autonomous federal ministry of education. Here is the chancellor's office. Administration, governance, and appointments everything is with provinces. (HEP 3, 4)

The majority of the respondents from universities believed that control is associated with the provision of funds and due to funding authority, HEC has better control on HEIs as compared to PHEC.

.... Finances are very basic for the overall control of public universities and for taking initiatives. Unless we have that control over universities that HEC has, we cannot perform. Devolution without financial autonomy is almost useless (XXG 1, 2; XXP 3, 5; XXE, 4, 5).

The majority of the respondents believed that universities must consider different ways for revenue generation as it was believed that financial dependence results in compromised autonomy. Rectification of legal constraints associated with fund generation was also highlighted by respondents from universities:

... In my mind, universities are completely autonomous for utilizing their allocated funds. Universities must generate their income and resources because if an institution is overly dependent on some resources, then obviously its autonomy is compromised. We are now looking from the legal side to ensure that generated income will be used for the development of higher education rather than using it for personal gain or gain of the staff (XXG 3, 4; XXP, 1, 2, 4; XXE, 1, 4, 5).

Devolution and Academic Autonomy

There were mixed views about the academic autonomy of the respondents from various universities. Some respondents believed that FHEC since its inception has taken over all academic powers.

.... All the academic powers and syndicate is taken over by HEC. I believe curriculum is not the subject of HEC. The curriculum should be up to the university. If autonomy is not granted in this regard this will be a suicide (XXG2; XXP4; XXE3).

On the other hand, few respondents rendered university independent in curriculum development as well as designing new courses and revising existing courses.

.... Every university is autonomous in curriculum design, in curriculum development, for designing new courses, and for revising existing courses (XXG3; XXP5; XXE1).

The majority of the respondents highlighted flaws in the university charter. Political intervention in the appointments of academic staff was also reported:

...Authorities are not ready to change the charter. Although universities are independent to employ their academic staff, political interference is there (XXG2, 4; XXP1, 4; XXE3, 5).

Some respondents from PHEC asserted that provinces are autonomous to raise standards of higher education in the province according to their capacity however autonomy of going below the level set by HEC is not granted to the provinces.

...Minimum standards are prescribed by HEC. They (PHEC) can't go below that level but can raise the bar and create an example for other provinces to follow. So essentially, it is not a conflict or trespassing (HEP 2, 3, 5).

Theme No: 3 Barriers Posed by Devolution

This theme is further categorized into six subthemes that are individually discussed below:

Polarization and Ambiguity of Roles between FHEC and PHEC

Some respondents considered the ineffective role of CCI as a reason causing confusion between the role of FHEC and PHEC.

.... The dormant role of CCI is the major reason for the confusion between the role of FHEC and PHEC (XXG1; HEP3 ;).

Respondents from FHEC sarcastically reported the inactive role of CCI:

.... After ten years, the allocation of the role of HEC and PHEC is being discussed in CCI. After deciding roles, then it will take years to design procedures for the allocation of roles (HEF 3, 5).

Bureaucratic Interference

The dormant Role of CCI was most criticized. Respondents from HEIs criticized the slackness of CCI being observed in the devolution.

.... devolution is done without planning. It was added that confusion between roles of HEC and PHEC is prevailing due to the dormant role of Council of Common Interest CCI (XXG1; XXP3; XXE4).

Most respondents expressed their satisfaction with the performance of federal HEC and shared their concerns about the negative impact of devolution on the standard of higher education.

Most respondents reported that intrusion of bureaucracy has adversely affected the institutional autonomy of HEIs.

.... PHEC is an institution that is working under a secretary of Higher education. Everything is being decided by the secretary (XXG1-3; XXP2, 4; XXE1, 3; HEP 2, 4, 5; HEF 3, 4).

Many respondents shared that the autonomy of PHEC and HEIs is compromised due to bureaucratic intervention of the Higher Education Department (HED).

.... Within the provinces, one is HED, which is an administrative setup of the government. Other is PHEC. The composition of the federation is very different than this. Federal Ministry of Higher Education does not interfere with the functioning of FHEC (XXG1, 3, 5; XXP1; XXE2, 3; HEP2, 4, 5).

Threat to National Cohesion

Some respondents articulated that if autonomy is granted to provinces then it will affect national projects because provinces will be at different levels of progression and different phases of implementation.

.... If they will have autonomy of development and autonomy of funding, how we will be able to do national projects? (XXG2; XXP4; XXE3; HEP 4, 5).

The majority of the respondents asserted that standard-setting must remain prerogative of the federation. However, the autonomy of implementation may be granted to provinces after their capacity building.

...Standards should be with federation whereas implementation should be given to provinces but after capacity building. If autonomy is granted to provinces without the capacity building of provinces, then it will damage higher education (XXG 2, 3; XXP4, 5; XXE3, 5)

Increased Political Influence

Political Intervention was also reported which is challenging meritocracy.

Some respondents reported the increased political influence, nepotism, and unfair support of politicians to their relatives and voters after the devolution. They also considered this devolution as an unnecessary replication of HEC in provinces.

..... The system is decentralized for nepotism. Politicians oblige their relatives and voters. Offices in provinces multiplied the burden on the economy of the country, in terms of salaries and benefits.

Capacity Building

The majority of the respondents shared that HEC has not devolved powers to provinces and everything is under HEC control. They believed that if opportunities are not given to provinces then how the capacity building of provincial regulators can be ensured?

.... HEC did not let evolve or grow the provincial bodies. After devolution, if opportunities are given only then they will grow (XXG, 1, 2; XXP 3, 4, 5; XXE1, 2, 3).

International Affairs, Pacts, and Accords

The majority of the respondents highlighted the need for legislation for authorizing the province to initiate international collaborations because international accords or pacts remain in the federal domain.

.... Here the distinction needs to be made that whether the province can develop a tool of international collaboration without the concurrence of the federal government? No, they can't. Attracting or sending foreign students, international pacts are in the federal domain. Legislation is required for it (XXG 2, 4; XXP4, 5; XXE2, 5; HEP 1, 2; HEP 1-5).

Discussion

Following the 18th Amendment, the devolution of power in the education sector was anticipated to result in institutional autonomy in terms of academic, financial, and organizational autonomy of higher education institutions in Pakistan, consequently relieving FHEC to some extent by leaving less under their jurisdiction. However, the vagueness of the distributed authority and power amongst the bodies has been a source of uncertainty; showing the position of the FHEC to be rather unchanged, following the implementation, leading to a polarization between FHEC and PHEC that could potentially cause more damage than benefit to the sector. This polarization follows a lack of coordination and the absence of any feasible relationship between the two governing bodies. All control and decisions of higher education are still being monitored by the federal body, rather than PHEC and it is perceived as if nothing has changed even after the devolution of power. The situation is endorsed by the fundamental assumption of Resource Dependence Theory (RDT) when it states that the dependence on critical and important resources influences the decisions and actions which may result in conflicts. The creation of PHEC was a needless replication of FHEC and would

unnecessarily lead to the multiplication of budget in terms of salaries, benefits, and offices at the provincial level. Universities also believe that their autonomy has rather been affected, leaving them with even lesser control over their policies than they had before the implementation of this Constitutional Amendment. In contrast to this, a review of the literature revealed that successful universities have been observed to be autonomous in deciding their research as well as teaching objectives (Cotelnic et al., 2015). A deficit of trust between the PHEC and the FHEC can be credited to the absence of achievements on the part of the newly formed body. Questions on the competence and maturity of PHEC are often raised, however, the sheer lack of trust put in this new institution can also be considered to be the reason their capacity has not been built yet and is still kept as an avenue to be explored. Contrarily, Shah (2004) signified the provision of enabling environment through capacity building as the fundamental determinant of the success of the implementation of devolution.

Following the devolution, universities' autonomy over their own decisions has been compromised due to the formation of these new bodies; PHEC and HED and are believed to adversely affect the hierarchy of command and policymaking. The devolution has resulted in bureaucratic intervention through HED along with the integration of political elements that are exposing the sector to nepotism. Regulators are also dissatisfied due to this confusion and undetermined unison of command which is in the same thought as recommended by TFHE (2002) that the interactions must be taken place within the established rights and responsibilities to ensure harmony and appropriate balance between autonomy and accountability.

A major dispute between these two can be rooted back in the fact that PHEC does not have any roles assigned or delegated to them by their federal counterpart. Financial autonomy granted to the FHEC seems to be missing in the PHEC workings. A government regulatory institution even as important as the PHEC, after the devolution, seems to be rendered moot by the absence of both: autonomy of funds and the ability to formulate and implement province-wide policies which consequently leads to conflicts and quality issues. This is the major assumption of RDT that the actor (FHEC) who controls resources has the power over those actors (PHEC) who need these resources because more dependence of actor A (PHEC) upon actor B (FHEC) results in more power of actor B (FHEC) over A (PHEC). Hence dependence on critical and important resources results in conflicts, uncertainty, and quality issues. The same is the case with HEIs. They require autonomy of revenue generation that could, in turn, be used for funding their projects as suggested by Armbruster (2008) that the autonomous university has control over its budget and employment. However, it was reported that legal constraints in revenue generation are being rectified to ensure transparency in spending funds, collected through public-private partnership as it is voiced by Khawar and Arif (2019) when they suggested fund generation by universities through academia-industry linkages while emphasizing the enhancement of ability to utilize these funds effectively. Furthermore, it is also supported by RDT when it states that dominance of controller can be reduced by managing and avoiding dependence by creating alternative resources.

Granting autonomy of policymaking to the governing bodies on a provincial scale revealed two points of view. The positives being more efficient management mechanisms in terms of providing opportunities and comparatively swift feedback or solutions to the projected problems. The viewpoint is exactly aligned with the reviewed literature where it states that decentralization proves to be highly efficient because the policies can now be tailored according to preferences and the necessities of the region, and do not have to be generalized for the entire country (Faguet & Sanchez, 2008). However, its negative corresponding argument put forth was the tampering and alterations of nationally set education standards that could potentially work against by damaging the higher education sector. Furthermore, PHEC has not even been formally provided with the organizational autonomy to keep the position of authority with FHEC especially when it comes to MPhil and Ph.D. programs. In contrast to this, Khawar and Arif (2019) emphasized the active role of QECs established in HEIs for the quality management of higher education.

FHEC did not provide the provincial regulator a chance to evolve, out of the fear that it will diminish the role of FHEC by curtailing its authorities of accountability; reiterating the reviewed literature, Poteete and Ribot (2009) stated that after the devolution, distribution of authority between local and federal government can be adversely affected due to granting increased authority to several governmental elements while threatening the authorities of various other elements. PHEC, being ignored as a policy-making body, turned its attention towards the college sector, providing support to

the areas that were originally neglected time and time again by the FHEC. However, this attempt to take up responsibility was unappreciated, unrewarding, and considered to be 'undelegated interference' on their part. The inability of setting vision and mission statements emerged as a weakness of devolution which has resulted in negligence in describing well-defined objectives which could have provided a checklist for the evaluation of PHEC as well as the success of devolution as reported by Shah (2004) that the provision of enabling environment and a well-defined performance evaluation system are the key determinants of the success of the implementation of decentralization. RDT also accentuates the importance of designing a criterion to gauge whether expectations were met or not.

The devolution, however, came with several adverse effects. Higher education institutes are now even more confused in comparison to earlier. University representatives now have to obtain approvals for their research grants from two additional bodies: the PHEC and the HED, as compared to the FHEC and the university only, making the process unnecessarily problematic and prolonged. However, no evidence was found for exerting pressure by funding agencies on academics to engage more in research than teaching as stated by Lebeau and Papatsiba (2016).

Another problem associated with granting autonomy because of the implementation of devolution is the variable pace of provinces attempting to keep up with national projects, increasing the quality standard differences even more. Furthermore, the concept of coherence between units will be compromised in the future following the devolution. Lane (2012) asserted that institutional autonomy does not mean the complete absence of external control rather it empowers the institutions positively and responsibly. Therefore, both these bodies, the PHEC and FHEC, need to work together, where the former works as a facilitator to its federal counterpart to benefit the quality and governance of higher education.

Conclusions

The devolution of power, as of yet, proved to be rather unproductive by the majority of stakeholders and is considered to be resulting in an unnecessary replication of the FHEC, leading to a further multiplication of budget in terms of salaries, benefits, and offices at the provincial level. However, many participants agreed with the inclusion of higher education as a subject to be devolved since the demographically widespread area could be too much for a single regulatory body – the FHEC. The provincial regulatory bodies were a better fit for understanding the regional complications. Moreover, the abridgment between policymakers and the university representatives would be facilitated, undoubtedly, leading to a better implementation of policies due to closer proximity. Nonetheless, this Constitutional Amendment for devolving higher education was met with challenges due to the unplanned implementation. Ambiguity in the description of roles of federal and provincial regulatory bodies is possibly leading to confusion, conflicts, polarization, and lack of unison of command. The Council of Common Interest (CCI), however, has played the role of a silent bystander throughout the implementation of the Amendment. A common perception emerged that the implementation in the absence of well-defined goals or objectives has resulted in a lack of evaluation of the effectiveness or success of the devolution. However, a formal capacity-building policy was considered significant to nurture PHEC into a mature and competent regulatory body.

Stakeholders' perceptions seemed to form a consensus in terms of how the devolution has adversely affected the sense of autonomy – most importantly, the lack of financial autonomy for the provincial regulatory bodies. The funds lie with the FHEC with no authority of revenue generation being given out to public universities that have led the FHEC to be better in control over the HEIs as compared to their provincial counterparts. Overcoming this financial dependence on the FHEC might be the first big step to being granted autonomy for the PHECs. The autonomy of decision-making in education showed rather contrasting results with one view stating that FHEC has been controlling academic decisions ever since its inception, and the other view advocating universities' independence in curriculum and course development or revision. Staffing autonomy seemed compromised due to flaws in the university charter, consequently being influenced by political intervention and nepotism. Similarly, regular bureaucratic intrusion by the Higher Education Department (HED) has also severely impacted the institutional autonomy of HEIs. In essence, the provincial bodies need to be given their autonomy of implementation and authority over the HEIs that would prove to be mutually beneficial in the long run.

Implications

After a comprehensive discussion on themes and conclusions are drawn, the study has reached the following implications.

Implications for FHEC & PHEC

The FHEC has been unreceptive towards the presence of the PHEC ever since the provincial body was formed. The reason behind the assurance of authority for the FHEC is the backing of the Constitution and the Supreme Court. Legislation is highly recommended to rectify the legal lacunas attached with the 18th Constitutional Amendment by authorizing provinces for the viable legislation of devolved subjects. Assessment and evaluation of anticipated benefits and advantages of devolution were certainly needed before the constitutional amendment. However, it is still not too late. Even now, vision and mission statements describing specific, measurable, and explicit objectives must be set for the devolution to work successfully and smoothly that will not only provide guidelines for the way forward but also a checklist to evaluate and gauge the performance of regulatory bodies in general and PHEC in particular.

In the post-devolution scenario, the ambiguity and inarticulacy in the roles of the governing bodies have adversely affected the purpose of devolution. Ever since the Amendment, devolution has even worsened the autonomy at the provincial level, due to the increased degree of accountability that they have to face to the three major regulators: FHEC, PHEC, and HED. A possible solution that would help the education sector could be for the FHEC to delegate a number of their responsibilities to the PHEC, resulting in shared authorities as well as suppression of polarization between these two that would lessen the burden on the FHEC, certainly leading to an improved quality of higher education through close monitoring at a provincial level.

Implications for Institutional Autonomy

The PHEC, ever since its foundation, has been treated with doubt and as an incompetent department by both the FHEC and university representatives. Time and time again, they have been assumed not to be prepared to follow the set standards and evaluate performances on the same scale as the FHEC does. The lack of empowerment and autonomy granted by the FHEC to their provincial counterpart was declared a major source of dissatisfaction for the overall higher education sector. The FHEC still has MPhil and Ph.D. programs in their domain, not allowing the provincial bodies to assist them, thus stunting their evolution.

Granting complete provincial autonomy to this department is mainly avoided, as it may lead to diverse parameters of gauging the quality of education and varying standards among various provinces. Hence, the federation decided to keep nationwide standards as their prerogative to discourage alterations of quality-affecting requirements, that could potentially happen due to the "immaturity" of PHEC but who is responsible and how the capacity building of PHEC will be ensured are still unanswered questions. It is strongly recommended that FHEC must gradually delegate authorities to PHEC with the objective of capacity building.

HED poses another threat to PHEC's autonomy, resulting in an increased bureaucratic interference in PHEC's job. It is one of the main reasons that allow FHEC to surpass them in terms of performance for the elevation of higher education in the province. This intervention of HED must be eliminated, allowing for merit-based hiring, and giving the Vice-Chancellors of public universities complete authority over their employees. FHEC, being a fund giving authority, gets more protocol. FHEC is a completely autonomous institution funded directly by the government of Pakistan and it has complete autonomy in its functions and roles whereas PHEC is not as important and powerful in the province compared to HEC in the federation. The inability to provide sufficient funds was considered as the reason behind the irrelevance of PHEC. Therefore, to attain long-term benefits from the devolution, it is highly recommended that provincial bodies are given their financial autonomy to facilitate the implementation and authority over the HEIs.

FHEC understands and emphasizes the significance of rectification of legal constraints in generating income as well as the need for strict monitoring on the generation and consumption of funds. Legal implications and constraints associated with fund generation by university leaders need to be eradicated for the revenue generation through a public-private partnership.

Recommendations for Improvement

Even after the devolution of power, there are still some matters that the PHEC or a province's government is unable to manage such as international affairs. It is reported that international dealings

such as handling of international students, international pacts, and accords remain in the federal domain and the provinces still must go through the federal government, leaving provinces non-autonomous for policymaking. Legislation is recommended to devolve such matters from the federal to the provincial domain for the smooth working of PHEC as well as to avoid the extended procedures attached with such matters. The Council of Common Interests (CCI) was formulated to act as a mediator between federal and provincial conflicts, such as authority issues between FHEC and PHEC. CCI, the potential mediator, however, has not ruled in this regard and the confusion amongst the higher education governing bodies has amplified. CCI needs to take up an active role that describes, in detail, the roles and responsibilities of the conflicting bodies up to the point where no ambiguity is left. An increasingly efficient role of the CCI must be ensured to resolve questions that fall within its jurisdiction. Another notably negative effect that the amendment brought along with itself can be credited to several clauses in the University Act, which allocated more power and a much more prominent role to the education minister of Punjab, permitting a considerable possibility of political intervention. Correspondingly, the University Act needs to be revised and amended to minimize political intrusion, allowing the higher education sector itself to have more autonomy and diminish the possibility of nepotism present.

PHECs must be granted with the promised autonomy; working according to the designated roles is essential to prove that devolution is productive and not a waste of government funding. If a more comfortable working space, autonomy over their sector, and decision-making freedom are not provided to PHEC, its potential will remain untapped until they are provided. Moreover, limiting the role of HED to colleges and limiting its interference in university matters is strongly advised.

Last but not the least, discouraging the extensive usage of top-down policies, the bottom-up approach should be a resource that can be utilized. Policies should be formulated based on provincial need analysis surveys resulting in improved efficiency by providing opportunities and giving solutions to problems while ensuring unison of standards and command all over the country.

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