



**Institutional Gaps and Constitutional Paradox:
The Politics of Empowerment in Gilgit-Baltistan within the Legislative Framework**

Sajjad Hussain,¹ Qadir Ali,² Syed Azmat Ali Shah,³ & Roqia Batool⁴

Abstract:

This study critically examines the contradictions and paradoxes of political and legislative empowerment within Gilgit-Baltistan's legislative framework through the lenses of democratic deficit, centre-periphery relations, and executive governance. Despite a series of significant high-profile governance reforms, including the landmark Empowerment and Self-Governance Order of 2009 and the Government Order of 2018, questions persist regarding the extent of legislative authority exercised by the GB assembly. This study analyses how structural ambiguities within GB's governance frameworks create systemic barriers to local self-governance. Using a qualitative approach, the study draws on 20 semi-structured interviews conducted within a diverse cross-section of GB's political and civil society including politicians, bureaucrats, legal experts, academics and activists. These first-hand perspectives are contextualised through an analysis of historical governance orders, policy documents, and existing academic literature. The findings reveal a stark disconnect: while successive reforms have successfully built new institutions for local representation, the actual concentration of legislative, executive, administrative, and fiscal power remains firmly entrenched at the federal level, leaving the pre-reform status quo virtually unchanged.

Keywords: Gilgit-Baltistan, self-governance, empowerment, governance reforms, democratic deficit, centralization

INTRODUCTION

Gilgit-Baltistan (GB), the northernmost region of Pakistan, occupies a unique administrative and political position shaped by its immense geostrategic significance, geopolitical relevance, and complex historical evolution. Its geopolitical and strategic importance played a crucial role in shaping its political and administrative structure in the post-colonial period. The region serves as Pakistan's primary gateway to China, with the Khunjerab Pass functioning as a key trade route under the China-Pakistan Economic Corridor (CPEC). Its rugged mountainous terrain historically

¹ Undergrad student, Department of Governance and Public Policy, National University of Modern Languages (NUML), Islamabad, Pakistan. Email: sahabssajjad512@gmail.com

² Undergrad student, Department of Governance and Public Policy, National University of Modern Languages (NUML), Islamabad. Email: qadiralee1@gmail.com

³ Undergrad student, Department of Governance and Public Policy, National University of Modern Languages (NUML), Islamabad. Email: azmatsyed895@gmail.com

⁴ Undergrad student, Department of Governance and Public Policy, National University of Modern Languages (NUML), Islamabad. Email: roqiaabbas61@gmail.com

provided a natural defensive barrier, limiting external access while affording strategic depth to the region. Through CPEC, goods can be transported from China through GB to reach the Port of Gwadar in Balochistan, facilitating access to international markets.

As Dani noted, “the three important mountain ranges of Central Asia, namely the north-western Himalaya, the Karakoram and the Hindu Kush, rendezvous with each other” in this region, with the Karakoram forming a critical link between the Himalaya and the Hindu Kush–Pamir system (Dani,2007). Given its exceptional geopolitical and geostrategic importance, the political history of GB is equally multifaceted and complex. Before independence, the region had been governed by fragmented local polities and subsequently consolidated under local rulers and the Dogras. The region included several small, semi-autonomous principalities like Hunza, Nagar, Gilgit, Skardu and Astore, each governed by local leaders (Brown, 1998). The pre-independence history of the region falls into three main periods. These are: the pre-Common Era to the 7th century; the period of monarchical invasions and dynastic rule from the 8th to the 18th century; and the era of Dogra (Sikh) rule from 1840 to 1947 (Hussain, 2003; Qasim et al., 2024). Throughout these periods, local rulers exercised considerable authority and maintained their own customary laws, taxation systems, and law enforcement mechanisms, which regulated political and social life within their respective territories.

On 1 November 1947, the Gilgit region gained independence from Dogra rule, followed by Baltistan on 14 August 1948 (Qasim et al., 2024). In the pre-independence era, significant executive reforms were enacted, but without a constitutional basis, thereby paving the way for central executive overreach. Notable reforms include the establishment of the Northern Areas Council in 1970, the Legal Framework Order of 1994, the GB Empowerment and Self-Governance Order 2009 — which established the Legislative Assembly — and the Government of Gilgit-Baltistan Order 2018.

Over time, these reforms attempted to introduce a semblance of legislative autonomy through representation and the establishment of a legislative assembly. However, owing to the absence of a constitutional foundation, these reforms have not fully addressed the demand for legislative sovereignty in the region. In 2009, the government of the Pakistan People's Party (PPP) introduced the Gilgit Baltistan Empowerment and Self-governance Order (2009), introducing the Gilgit Baltistan Legislative Assembly (GBLA) alongside the designation of Governor and Chief Minister. While these reforms were presented as a significant step towards political empowerment and self-governance, it simultaneously imposed substantial limitations on the assembly's legislative power. The Order also established the GB Council, which was vested with exclusive legislative powers over a broad range of provincial subjects (Gilgit Baltistan Empowerment and Self-governance Order [GB Order 2009]).

Moreover, the Council's composition was federally dominated, comprising members who were either drawn from the federal government or subject to its influence, thereby creating the paradox of empowerment. Furthermore, the Prime Minister of Pakistan, who is neither answerable nor accountable to the region, serves as chairperson of the council. Subsequently, the government of Pakistan Muslim League-Nawaz (PML-N) introduced the Government of Gilgit-Baltistan Order 2018, devolving greater legislative power to the local assembly.

Although it represented a considerable improvement over its predecessor by transferring more provincial subjects to the local assembly, it remained imperfect. Under this reform, the GB Council was effectively replaced by the Prime Minister, who was granted exclusive legislative power. Compounding this, every citizen of Pakistan was declared a citizen of GB under the Pakistan Citizenship Act 1951 (GB Order, 2018), despite the region's unresolved constitutional status. The abolition of the State Subject Rule (SSR) in 1927 further exacerbated the socio-political challenges faced by the region (Alam & Usman, 2025).

Notwithstanding these weaknesses, the principal flaw remains the absence of constitutional and legal backing for these reforms. This raises a fundamental question regarding the nature of political empowerment in GB: when reforms rest solely on an executive order of the Prime Minister without constitutional protection, and the government simultaneously labels these reforms as "empowerment" while ultimate authority remains with the GB Council or the Prime Minister, can this be considered genuine empowerment?

At present, the GB legislative assembly operates without a formal constitutional foundation. Landmark reforms such as the Gilgit-Baltistan Empowerment and Self-Governance Order 2009 and the Government of Gilgit-Baltistan Order 2018 were promulgated through presidential executive decision rather than through a constitutional or legislative process. The absence of constitutional backing, combined with delegated executive power, creates the conditions for the federal centre to override the legislative system at any time. Understanding this problem is crucial for effective governance and legal clarity in the region. Despite this, the existing literature focuses primarily on the general constitutional status of the region or on the broad implications of its absence. Few scholars have examined in depth the nexus between the absence of a constitutional foundation and the phenomenon of central overriding.

Although the GB Legislative Assembly formally functions as a legislative body, its legislative capacity is constrained by the requirement for approval from the federal government or the Ministry of Kashmir Affairs, creating the paradox and antinomies of legislative empowerment. This is an area that demands deeper research and inquiry; the absence of a constitutional foundation and central overriding should be understood and analysed as interconnected phenomena.

The study mainly aims to identify the paradox and contradiction of legislative empowerment within the Gilgit-Baltistan legislative framework, owing to the absence of constitutional protection. The study also aims: to examine central executive overriding in the Gilgit-Baltistan legislative and administrative process due to constitutional ambiguity; to evaluate the extent to which the legislative assembly exercises independent legislative authority, and; to assess the region's exclusion from key decision-making institutions due to the absence of constitutional backing.

LITERATURE REVIEW

Due to its unique constitutional status and administrative structure, GB attracted the attention of numerous scholars. The extensive literature on the region spans historical development, political evolution, constitutional ambiguity, administrative challenges, institutional frameworks, and questions of representation, approached from diverse angles and perspectives. Scholars have produced a substantial body of academic and journalistic work on the region. Over the past 78 years, however, its constitutional status has remained unresolved, and much of this literature has

consequently focused on the constitutional crisis and governance-related ambiguity of the region. It has been governed through executive orders, de facto arrangements, ad hoc measures, and numerous reforms issued by the federal government from time to time (Haque, 2012).

Although the region falls under the control of the federal government, its constitutional status remains ambiguous, as it is neither a formally autonomous territory nor a constitutional part of Pakistan.

It has been the subject of continuous political, administrative and governance reforms due to its unique status, intricate administrative framework and sophisticated governance structure (Bouzas, 2017; Qasim et al., 2024). The region's constitutional ambiguity and associated challenges stem from its linkage with the broader Kashmir issue (Khan, 2017).

Another critical juncture in the region's political history was its separation from Kashmir and subsequent administrative placement brought under the ministry of Northern Areas and Kashmir Affairs (NAFA) after 1949 Karachi agreement. This agreement is of considerable significance in the history of GB and has had far-reaching consequences for the region's political landscape and development (Ali, 2022). It is also argued that due to the lack of the constitutional recognition within Pakistan constitutional framework, the region is deprived of its representation in the prominent national institutions like senate, national assembly, National Finance Commission (NFC) and the Council of Common Interest (CCI). Legal experts contend that this exclusion creates a structural imbalance and limits the people's ability to influence national decision-making.

Many scholars have conducted extensive research drawing on various theoretical traditions. Despite this extensive literature, several research gaps remain. Existing literature focuses primarily on constitutional ambiguity, political evolution, governance reform, and the broader Kashmir dispute. Although several studies examine the region's administrative and constitutional status, limited research critically analyses the relationship between constitutional ambiguity and the persistence of executive overriding within the legislative framework. Moreover, previous studies largely discuss governance reforms in a descriptive manner without examining how the absence of constitutional protection creates a paradox of empowerment, in which legislative institutions formally exist but remain substantively constrained. This study addresses this gap by examining the contradiction between institutional expansion and actual legislative autonomy in GB. It fills the existing gap by examining the relationship between constitutional ambiguity and the persistence of executive overriding within the legislative framework of GB. This research provides an integrated analysis of legislative empowerment, structural centralisation, democratic deficit, and federal dominance. The study further contributes by drawing on qualitative evidence from policymakers, bureaucrats, legal experts, academics, and civil society actors to examine how governance reforms in Gilgit-Baltistan have expanded institutional structures without ensuring substantive constitutional and legislative autonomy.

THEORETICAL FRAMEWORK

To analyse the constitutional ambiguity and the contemporary relationship between the federal government and Gilgit-Baltistan, a set of theoretical perspectives has been employed as the study's theoretical framework. The research is grounded in four theoretical frameworks: The Paradox of Empowerment, Constitutionalism versus Executive Governance, and Centre-Periphery Relations. Together, these theoretical frameworks provide a comprehensive understanding of the legislative

and power relationship between the federal government and the region, the nature and applicability of the promulgated reforms, and the role of the federal government in the local political and legislative process.

The Paradox of Empowerment is a key analytical concept that examines the political phenomenon in which a federal or central government claims to devolve power to local authorities while, in practice, power becomes further concentrated at the centre. Beyond the 2009 and 2018 GB Orders, Pakistan's basic democracies system, self-governance schemes, and the Devolution Plan 2000 all reflect the concept of the paradox of empowerment. The GB empowerment reforms similarly reflect this paradox: under the 2009 reform, the GB Council held exclusive legislative power, while under the 2018 reform, the Prime Minister of Pakistan holds exclusive power, thereby centralising authority at the centre.

Constitutionalism refers to a political system in which all branches of government — the legislature, the judiciary, and the executive — are bound by the constitution, maintaining proper checks and balances. In such a system, no authority can unilaterally change or amend any law or policy; doing so requires established mechanisms and procedures. In contrast, executive governance refers to a system in which an executive, such as the Prime Minister, holds exclusive power to change or amend existing policy. The legislative system of G-B operates precisely within such a system, lacking legal and constitutional backing. The legislative assembly's authority rests entirely at the discretion of a single executive order.

Centre-periphery relations constitute a significant concept in the social sciences, describing the unequal distribution of power, resources, and decision-making authority between central and local government. The distribution of legislative power between the federal government and the GB assembly, as set out in Schedule VII of the Government of Gilgit-Baltistan Order 2018, reflects a clear manifestation of centre-periphery relations, wherein substantive authority remains concentrated at the centre.

Synthesising the above-mentioned theories enables a deeper understanding of the evolution of political development in Gilgit-Baltistan and the role of the central government in shaping its governance structure. These theories provide an interconnected and comprehensive understanding of the region's political and constitutional ambiguity. Some of these theories address specific political periods in the region's history, while others describe its overall political, administrative, and legislative system. In addition to illuminating the past, this set of theories also describes the region's current situation and status within the modern democratic framework.

METHODOLOGY

The study employs a qualitative research method, which emphasises the in-depth exploration of participants' perceptions and perspectives. This method was selected to capture the views of diverse stakeholders — including politicians, bureaucrats, academics, and nationalists — on the research topic in depth. The study draws on both primary and secondary data sources. Primary data were collected through a total of 20 in-person and online semi-structured interviews. The use of semi-structured interviews, guided by a set of thematic questions, allowed respondents the flexibility to elaborate on their views. This method is appropriate for gaining in-depth understanding and insight from subject matter experts. Secondary data were obtained from books,

scholarly articles, and journalistic sources relevant to the research topic. The secondary data provided the theoretical grounding necessary to contextualise and analyse the existing knowledge. For sampling, a purposive sampling technique was employed to select expert respondents from each relevant domain, thereby ensuring reliable and meaningful data. This approach enhances the credibility and reliability of the data collection process. The gathered data were analysed using thematic and comparative analysis procedures. Thematic analysis was supported by a systematic coding strategy. A comparative analysis approach was used to identify differences among participants, and content analysis was applied to the secondary data.

POLITICAL AND ADMINISTRATIVE REFORMS IN GILGIT-BALTISTAN

In the pre-independence era, significant executive reforms were introduced in GB, albeit without a constitutional basis, thereby paving the way for central executive overreach. Over time, these reforms attempted to introduce a semblance of legislative autonomy through representation and the establishment of a legislative assembly. However, owing to the absence of a constitutional foundation, these reforms have not fully addressed the demand for legislative sovereignty in the region.

History of Political and Administrative Reforms in Gilgit-Baltistan

After independence, a series of reforms were introduced to address key administrative and governance issues, with a particular focus on the devolution of power from central to local authorities (Ali, 2022). Major administrative and political reforms emerged during the 1970s, a period in which local people became increasingly politically aware and began demanding constitutional and political rights (Dani, 2007; Alam & Usman, 2025).

In 1970, General Yahya Khan introduced, for the first time, a Northern Areas (NA) Advisory Council comprising eight members from Gilgit Agency, six members from Skardu Agency, and seven officials, totaling 21 members. The Council functioned for a period of five years, from 1970 to 1975 (Qasim et al., 2024). It represented the first attempt to ensure local representation in the decision-making process, albeit in an advisory capacity only.

Subsequently, on 3 July 1975, during Prime Minister Zulfikar Ali Bhutto's first official visit to the region, the Northern Areas Council was reconstituted under a Legal Framework Order (LFO), comprising 16 elected members, and the Frontier Crimes Regulation (FCR) was abolished. Although there were 16 locally elected representatives — 10 from the Gilgit region and 6 from Baltistan — they had no say in the legislative process and served only in an advisory role. The third major reform was introduced in 1994, with the approval of the federal cabinet under Prime Minister Benazir Bhutto. Under a new Legal Framework Order (LFO), the Northern Areas Council was replaced by the NA Legislative Council, and the Northern Areas Rules of Business were framed (Hussain, 2003). Although named a "legislative council," the body still lacked meaningful legislative authority. In 2000, Musharraf's government introduced the NA Legislative Assembly, granting it legislative power over 49 local subjects (Ali, 2022).

On 28 August 2009, under the presidency of Asif Ali Zardari, the Gilgit-Baltistan Self-Governance and Empowerment Order (2009) was introduced. This Order is regarded as the most significant administrative, economic, and political shift relative to its predecessors. Under this order, the

region was officially named “Gilgit-Baltistan” and the Northern Areas Legislative Assembly was renamed the Gilgit-Baltistan Legislative Assembly (GBLA) and empowerment order (GB Order 2009). Despite the title of “legislative assembly,” its role was more executive than legislative, owing to the exclusive powers retained by the GB Council.

The most recent major reform was introduced by the PML-N government in 2018, known as the Government of GB Order 2018 (GB Order, 2018). This ostensibly devolved significant legislative power to the local assembly, but preserved room for federal government intervention and overriding. The reforms introduced in the region aimed to grant a degree of autonomy by establishing administrative and legislative structures (Lambah 2016). However, despite multiple reforms and some institutional improvements, the region has been governed by ad hoc arrangements without resolving the root causes (GB Policy institute, 2010).

Many scholars argue that these reforms failed to transfer genuine administrative and legislative power to local authorities and that legislative power has consistently been centralised with the GB Council or the Prime Minister. Beyond academic circles, civil society organisations, citizens, and local politicians have also expressed concerns regarding the last two major reforms.

The Paradoxes in Political and Legislative Reforms in Gilgit-Baltistan

This section presents the key findings in relation to the research question regarding the political and legislative system of Gilgit-Baltistan. Data collected from policymakers, legal experts, former bureaucrats, political representatives, and civil society actors from Gilgit-Baltistan reveal significant patterns and themes centred on structural centralisation of legislative power, symbolic empowerment, constitutional ambiguity, constrained legislative authority, democratic deficit, resource-controlled governance, and institutional weakness at the local level. The primary aim of this section is to examine how executive-delegated legislative power, combined with strong federal oversight and control, creates the antinomies of legislative empowerment. The findings are presented through major themes, supported by evidence from the interviews and interpreted in light of relevant theoretical frameworks, including the Paradox of Empowerment, Centre-Periphery Theory, and Constitutionalism versus Executive Governance.

Structural Centralization of Legislative Power

The Gilgit-Baltistan Legislative Assembly (GBLA) operates within a highly centralised governance framework, despite the existence of legal provisions that ostensibly promote local self-government. Although some participants described the GBLA as an instrument of self-government, many maintained that its authority remains limited due to federal oversight and influence. This creates a governance system that possesses nominal autonomy, while substantive power lies with the federal government (International Crisis Group, 2012).

Responses from interviewees suggest that no laws or policy initiatives within GB can be initiated freely by the GBLA. Most proposed legislation requires prior approval or alignment with federal agencies, compromising the independence of the Assembly. This dependency on federal agencies diminishes the ability of local representatives to respond effectively to the needs of their communities. According to existing reports, governance in GB remains heavily influenced by Islamabad, as local institutions function within the purview of the federal government rather than

as independent legislative bodies (United States Institute of Peace, 2010). Historically, centralised control of GB's legislative process was formalised through the Gilgit-Baltistan Empowerment and Self-Governance Order 2009, which conferred significant legislative powers on the GBLA.

Although the Gilgit-Baltistan Order 2018 introduced reforms that transferred certain powers to both the Prime Minister and the GB Government, most respondents indicated that these reforms have not substantively altered central control; rather, they have redistributed the channels through which federal authority is exercised. Scholars have noted that these reforms were administrative rather than constitutional in nature, thus permitting continued federal dominance of legislative processes (Mahmud, 2008). This observation is consistent with Rizvi's argument that while Pakistani federalism tends to promote decentralization in formal policy terms, it typically remains centralized in practice (Rizvi, 2015). These findings strongly support Edward Shils's Centre-Periphery Theory (1975), which holds that the centre continues to dominate the functioning of peripheral regions in politics and administration. In this scenario, Islamabad functions as the centre, exercising significant control over legislative and policy activities, while Gilgit-Baltistan occupies a peripheral position with very limited self-governance.

Overall, Centre-Periphery Theory illuminates ongoing patterns of asymmetrical power-sharing at the national level. In addition to its structural implications, the centralization of power shapes how citizens perceive their government, generating feelings of political marginalization and eroding trust in local institutions. Limited political empowerment in GB has been associated with concerns about democratic representation and participation (Human Rights Watch, 2018). When elected representatives exercise limited authority over governmental decisions, their legitimacy in the eyes of the people they represent is consequently weakened. Consequently, the continuation of centralized legislative authority has undermined the effectiveness of local government and underscored the necessity for a more meaningful and constitutionally protected devolution of authority in Gilgit-Baltistan.

Symbolic Empowerment Vs Substantive Autonomy

Symbolic empowerment is an important concept in development studies, public policy, and the social sciences. It refers to a situation in which, on the surface, people or a region are granted power, inclusion, and recognition, but lack real authority and control over decision-making (Grindle, 2007; Manor, 2004). In such situations, the devolution of power is often performative, while real authority remains with central institutions (World Bank, 2008). Respondents consistently described the last two major empowerment reforms (2009 and 2018) as symbolic and administrative rather than legislative and transformative. Similar patterns of weak decentralisation and controlled devolution have been identified in previous studies on Gilgit-Baltistan governance (International Crisis Group, 2012; United States Institute of Peace, 2010). Respondents noted that the executive delegation of power to Gilgit-Baltistan reflects a paradox of empowerment owing to the absence of constitutional backing and protection. At the same time, respondents acknowledged that successive political reforms have been relatively more inclusive than their predecessors, though none has been substantive or sufficient. Scholars similarly argue that decentralization in such contexts often improves administrative structures without transferring real authority (World Bank, 2008). Under the 2009 Government of Gilgit-Baltistan Self-Governance and Empowerment Order, the assembly was empowered to legislate on 61 subjects, up from 49, but exclusive

amendment powers were retained by the Gilgit-Baltistan Council, which maintained authority over key legislative domains. This situation illustrates the paradox of empowerment, whereby devolution appears to strengthen local institutions but in reality, preserves centralized control (International Crisis Group, 2012). It has further been argued that such reforms function more as instruments of political legitimization than as genuine empowerment mechanisms (Human Rights Watch, 2018).

From independence in 1947 to the 2018 reform, all major changes in GB's governance have been introduced through executive orders rather than through a constitutional framework, thereby permitting continued central oversight and intervention. The empowerment process in Gilgit-Baltistan reflects the fundamental tension between constitutionalism and executive governance. While provincial autonomy in Pakistan is protected under the 18th Constitutional Amendment, Gilgit-Baltistan's governance structure remains dependent on executive authority, as exercised through the GB Order 2018. This arrangement reflects a form of executive governance in which discretionary authority can modify or even revoke reforms, unlike constitutionally protected provincial arrangements. Despite the designation of a legislative assembly, the GBLA lacks the authority to amend federally imposed legal frameworks, creating an antinomy of empowerment. This situation reflects broader post-colonial governance patterns in which power remains concentrated at the centre and peripheral regions remain dependent upon it (Alavi, 1972).

Democratic Deficit and Constitutional Ambiguity

Democratic deficit refers to a situation in which local people are unable to directly elect key decision-makers, or in which their elected representatives exercise limited legislative power. In such contexts, decisions are predominantly taken by unelected authorities. When non-elected bodies take decisions, accountability mechanisms are weakened, creating a disconnect between rulers and the ruled (Beetham, 1994). The majority of respondents argue that the GB assembly's current situation reflects a democratic deficit: local public representatives exercise limited power, while the Prime Minister of Pakistan holds exclusive authority. Similar concerns have been raised regarding the dominance of federal institutions in GB's governance, which limits democratic participation at the local level (International Crisis Group, 2012; United States Institute of Peace, 2010).

Under the 2009 reforms, the GB Council was granted exclusive powers and was composed of either federally dominated members or members under federal influence, including the Chief Minister and Governor of GB. In the 2018 reforms, the GB Council was effectively restructured, with its authority transferred to the Prime Minister of Pakistan, thereby maintaining centralised control under a different institutional arrangement. Under the 2018 reform framework, if the Prime Minister and the legislative assembly both legislate on the same subject, the Prime Minister's law prevails, rendering the assembly's legislation void — thereby bypassing the democratic principle of legislative supremacy.

This provision directly undermines the authority of elected representatives and contradicts democratic principles of legislative supremacy (Human Rights Watch, 2018). Such institutional arrangements weaken democratic accountability by placing decision-making authority in bodies that are not directly answerable to the local population. In addition to this, the absence of local

representation in significant national decision-making institutions — such as the Senate, the National Assembly, the Council of Common Interest, and the National Finance Commissions — highlights the antinomies of political and legislative empowerment and it identifies this exclusion as a major factor contributing to political marginalization and weak democratic integration of the region (International Crisis Group, 2012; United States Institute of Peace, 2010).

Moreover, the absence of constitutional backing for these reforms creates scope for continued executive interference and unilateral federal control. The political and legislative issues of the region are largely rooted in its constitutional ambiguity. Gilgit-Baltistan's governance order is based on executive orders rather than constitutional guarantees, rendering it vulnerable to unilateral changes by federal authorities (Rizvi, 2015). In this context, constitutional ambiguity refers to the situation in which a region's constitutional and legal status is undefined. Scholars have extensively argued that the absence of formal constitutional recognition limits political rights, institutional development, and democratic governance.

Strategic Control and Recourse-Driven Governance

The analysis reveals that the region's governance structure is deeply shaped by its geopolitical and strategic importance. Respondents emphasised that key sectors — including rare earth minerals, tourism, hydropower, and infrastructure — remain largely controlled or influenced by the federal government. As noted in the literature, resource-rich peripheral regions are frequently controlled by central governments, thereby limiting local communities' access to economic benefits (Bebbington, 2012).

Despite its strategic significance, GB continues to be excluded from key decision-making processes. This is evidenced by the fact that although the region serves as the gateway for CPEC — widely described as a “game-changer” for Pakistan — it has no representative on the CPEC core committee, effectively excluding it from the mainstream decision-making process. CPEC's decision-making structure is highly centralised, with limited inclusion of local stakeholders from regions such as GB (World Bank, 2019). Nevertheless, the region bears significant social, cultural, and environmental costs of the project without receiving commensurate benefits.

A similar pattern is evident in the hydropower sector. The Diamer-Bhasha Dam, under construction in the region since 2020, has wide-ranging socio-cultural and environmental impacts on the region. When a region bears such costs, it is conventionally entitled to some form of compensation or profit-sharing. Large-scale development projects in peripheral regions frequently impose environmental and social costs without providing adequate compensation to local populations (United Nations Development Programme, 2018).

Article 161(2) of the Constitution of Pakistan 1973 mandates that net profits from federal hydroelectric generation must be paid to the province in which the power station is located, compensating the region for its resource and environmental costs. Furthermore, UN General Assembly Resolution 1803 establishes the permanent sovereignty of peoples over their natural resources. Despite these constitutional provisions and the UN General Assembly's resolution, respondents noted that the region is deprived of royalties and net hydropower profits from the Diamer-Bhasha Dam. This exclusion is largely attributed to the region's constitutional ambiguity and undefined legal status. Its unclear status and constitutional limbo perpetuate its economic

dependency on the federal government and sustain a pervasive sense of deprivation, creating political and economic antinomies of empowerment. Peripheral regions remain economically dependent on the centre when they lack control over their own resources and revenue streams (Frank, 1967). Additionally, the green tourism initiative was introduced through executive-level decision-making, further highlighting the continued dominance of the federal government in shaping key development policies in Gilgit-Baltistan.

Internal Institutional Weakness

Most respondents identified structural constraints and the concentration of power at the federal level as key issues in GB legislative system. However, a few respondents offered a contrasting perspective, arguing that the main problem lies in internal institutional weakness rather than federal or executive interference. They pointed to the limited capacity and competency of locally elected representatives, as well as low political awareness among the electorate. While structural constraints are significant, the effectiveness of institutions also depends on the capacity and performance of local actors (Giddens, 1984). Internal institutional weakness can be examined from several angles, including inconsistent local government structures, executive dominance, fiscal dependency, low administrative capacity, and weak accountability mechanisms.

One of the primary causes of institutional weakness and limited political capacity is the inconsistent local government system at the grassroots level. Local government is widely regarded as the nursery of democracy and political leadership. When political, administrative, and fiscal responsibilities are devolved to local representatives and they are empowered to make decisions on local matters, new political leadership can emerge. In contrast, owing to the inconsistent local government system, the political and electoral systems have been captured by elite interests, which tend to be prioritized over national and collective concerns, thereby causing internal institutional weakness. Financial dependency and federally influenced bureaucratic dominance over local public representatives further weaken institutions. At the grassroots level, the budget allocation process is largely controlled by senior bureaucrats. Federally appointed bureaucrats often possess greater administrative capacity than locally elected representatives, enabling them to implement the federal government's agendas while marginalizing local representatives. In this dynamic, public representatives are unable to hold senior bureaucrats accountable for their actions and decisions, which further entrenches bureaucratic power and weakens local institutions.

In summary, the study reveals a persistent antinomy within the governance framework of GB, reflecting a clear paradox between formal claims of empowerment and the practical reality of centralised authority. The majority of respondents consistently emphasised that key decision-making power remains concentrated at the federal level, reinforcing the structural dependency of the region on the federal government. Moreover, internal institutional weaknesses further constrain the legislative power of the local assembly, limiting its functional autonomy and governance capacity.

Recommendations

On the basis of the study's key findings, the following recommendations are proposed to strengthen the local political, legislative, and administrative system, bearing in mind the region's sensitivity due to its linkage with the Kashmir issue.

In light of the recommendations of the Sartaj Aziz Committee Report and the positions of associations advocating for the rights of the people of Jammu, Kashmir, and GB: Until the final settlement of issue of Jammu and Kashmir in accordance with UN resolution the region should be declared the 5th interim province of Pakistan providing all basic fundamental rights. If the first recommendation is not feasible, the region should at least be accorded an Azad Jammu and Kashmir-like arrangement with absolute legislative authority, limiting central executive overriding.

This should be accompanied by all the privileges enjoyed by the four provinces, including representation in key federal institutions such as the National Finance Commission (NFC) and the Council of Common Interest (CCI), as well as net hydropower profit and royalty rights over water resources. The Government of Gilgit-Baltistan Order 2018, together with key and substantive amendments by the GBLA, should be promulgated as the region's interim supreme law, analogous to the 1974 Interim Constitution of Azad Jammu and Kashmir.

Extending constitutional protection to official decisions, actions, and performance would help reduce constitutional ambiguity to some extent. A formal financial agreement should be concluded between the GB government and the federal government in accordance with the rules of the NFC award, establishing an independent budget allocation mechanism. Currently, the region's fiscal system is entirely dependent on the discretion of the federal government.

The State Subject Rule should be restored to safeguard the demographic composition of the region and to reduce the influence of federally appointed bureaucrats in administrative affairs. Such a measure would help prevent adverse demographic changes in the region. The region's governance and administrative system should be managed by locally recruited bureaucrats. To this end, capacity-building and training programmes should be organised for local politicians, bureaucrats, and lower-tier administrative officers. All federal government decisions and policies concerning the region should require the approval of the GBLA, except on purely federal subjects such as defence, currency, and international trade. Considering the geographical sensitivity of the region and the need to ensure the effective governance and service delivery, a local government system should be established devolving key political, administrative and fiscal authority to the local representatives from the provisional provincial government.

CONCLUSION

This study demonstrates that governance reforms introduced in Gilgit-Baltistan without constitutional protection operate within a paradigm of controlled empowerment, structural centralisation, constitutional ambiguity, and strong central executive oversight. The major governance reforms of 2009 and 2018 focus primarily on the expansion of institutions rather than on constitutional recognition and the substantive empowerment of local legislative authorities. Similarly, despite the claims of self-governance and empowerment, the region's exclusion from mainstream and key decision-making institutions like Parliament, NFCs and CCI reflect that GBLA has a more executive role than legislative. Furthermore, the centralisation of power remains a principal contributor to democratic deficit, institutional weakness, restrictions on local decision-making, and executive overriding within the local legislative and administrative system. To address these challenges, the study proposes a set of concrete recommendations. It recommends the constitutional recognition as a 5th interim province of Pakistan or Kashmir like set up for the region

with absolute legislative authority until the final settlement of Kashmir dispute, proper representation for the region in Parliament and other key institutions, restoration of the state subject rule, establishment of local government system and enhance political, fiscal and administrative autonomy.

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