

Q. Despite the enactment of the 18th Amendment in the constitution of Pakistan in 1973, the question of Political devolution is as yet largely unresolved. Discuss.

ANSWER:

1- Introduction:

The enactment of the 18th Amendment to the constitution of Pakistan marked a significant milestone in the country's political history, ostensibly aimed at devolving power to the provinces. However, despite this constitutional amendment, the question of political devolution in Pakistan remains largely unresolved, characterized by challenges and debates surrounding its effective implementation.

2- Key Provisions of the 18th Amendment:

The 18th Amendment, Passed in 2010, sought to devolve powers to the provinces, enhancing provincial autonomy

and reducing the concentration of authority at the federal level. Key provisions included the transfer of certain subjects from the concurrent legislative list to the Exclusive legislative list, providing greater financial autonomy to provinces, and abolishing the concurrent list to delineate clear federal and provincial jurisdictions.

3- Challenges in Implementation

3.1 Financial Autonomy:

Despite constitutional provisions, fiscal disparities persist among provinces. Punjab and Sindh contribute significantly more to total provincial revenues compared to other provinces, contributing to economic imbalances.

According to the World Bank data of 2022, Punjab and Sindh contribute 75% of total provincial revenue, while other provinces face challenges in revenue generation.

Day: _____

Date: _____

3.2 Provincial Autonomy:

The current ongoing disputes over issues such as control of natural resources and fiscal transfers hinder the effective exercise of provincial autonomy. The disagreement between the federal government and the Balochistan provincial government ^{over} ~~and~~ control of natural resources, particularly gas reserves, exemplifies the challenge in achieving a harmonious center-province relationship.

3.3 Local Government Empowerment:

Delay in local government elections impede the empowerment of local bodies, limiting the impact of devolution at the grassroots level. As prolonged delay in local government elections in Khyber Pakhtunkhwa (KP) illustrate the challenges in realizing the devolution objectives at the local level.

“Delayed local elections impede the devolution process, preventing effective empowerment at the grassroots level.” Syed irfan Raza Barrister at law.

4- Debates and Controversies:

4.1 National Finance Commission (NFC) awards:

The National Finance Commission (NFC) Awards was designed to determine the distribution of financial resources among provinces, have been a source of contention. Varying criteria for resource distribution have led to disagreements. According to Express Tribune, A.B. Khan an economic analyst said, "The NFC Awards have become a battleground, with provinces disputing the fairness of resource distribution."

4.2 Concurrent Subjects:

Ambiguities in the allocation of residual powers between the federal and provincial governments have sparked debates, affecting the scope and limitations of provincial autonomy.

4.3 Judicial and Administrative Challenges:

Judicial interpretations of constitutional ~~powers~~ provisions related to devolution

have led to debates on the separation of powers and the autonomy of different branches of government. A legal scholar once said, "Judicial interpretation significantly shape the dynamics of devolution, providing both clarity and controversy."

5. Consequences of Unresolved Devolution:

5.1 Political instability:

Unresolved devolution issues contribute to political tensions between the federal government and provinces.

These tensions lead to political instability and governance challenges.

The periodic disputes between the federal and provincial governments in Balochistan, a resource-rich but economically challenged provinces,

These highlight the potential for political instability resulting from unresolved devolution issues.

5.2 Economic disparities:

Unresolved devolution challenges contribute to regional economic

disparities, affecting the pace and nature of development in different provinces. According to a report by the International Growth Centre, economic disparities among provinces persist, affecting the overall economic development of the country.

5.3 Democratic Deficit:

The delay in conducting local government elections and empowering local bodies creates a democratic deficit at the grassroots level; limiting citizen participation in decision-making.

b. Pragmatic Policies:

The policies adaptation such as building strong center-province relation, empowering local governments, maintaining legal frameworks, monitoring and evaluation of institutions when considered collectively aims to address the multifaceted challenges associated with Political

devolution in Pakistan. Implementation will require a collaborative effort from federal and provincial authorities, civil society, and international partners to ensure that devolution leads to a more stable and democratic governance structure that benefits all citizens.

7- Conclusion :

The question of political devolution in Pakistan, despite the enactment of the 18th Amendment, remains complex and unresolved. These challenges can be curtailed if the leaders emphasize the imperative for continuous reforms to ensure a proper structure in Pakistan..