

Discuss the federal structure of the 1973 Constitution after the 18th amendment. Why has criticism started on it recently? (2022)

## 1- Introduction:

Provincial autonomy has been a bone of contention between the center and provinces in Pakistan since the day of its creation. Although the 18th amendment in the constitution of Pakistan in 2010 gave economic and legislative autonomy to provinces. But after 10 years, a lot of debate and criticism has started regarding it. The 18th amendment provides provincial autonomy to provinces but provinces are not ready to further divide the power to the local level.

Moreover, due to lack of support mechanisms between the center and provinces, these powers are not being exercised properly and the center is becoming weak. This ~~amendment~~ amendment allowed a member to be selected as a prime minister for three terms which provide a base for corrupt members to gain power. These shortcomings need to be fixed for the proper functioning of democracy.

## 2- Federal structure of the 1973 Constitution after the 18th amendment:

### 2.1) Granted Autonomy to provinces:

Provinces were given more rights and powers. Many ministries were devolved from the federal level and offered to provinces including education, rural developments, tourism, social welfare etc.

Control of mineral resources is also given to Provinces. It fulfilled the vision of Qaid-e-Azam Muhammad Ali Jinnah to make Pakistan a true federation.

"The theory of Pakistan guarantees that the federal units of the national government would have all the autonomy that you will find in the constitution of the United States of America, Canada, and Australia. But certain vital powers will remain vested in the central government such as the monetary system, national defenses and federal responsibilities"

(M. Ali Jinnah)

2.2) Turned Pakistan from Semi Presidential to the Parliamentary Republic:

The 18th amendment has decreased the powers of the President and empowered the Prime Minister. In this way, it turned Pakistan from a semi-presidential to a parliamentary republic.

2.3) Removes limits on Prime Minister to serve more than two terms:

The ban on third Prime Ministership and Chief Ministership was lifted. Nawaz Sharif was elected as Prime Minister of Pakistan in 2013 for the third time as a result of this amendment.

## 2.4) Reconstruction of NFC Award:

Under the 18th amendment, provinces are paid a National Finance Commission (NFC) award according to their population. The insertion of Article 160 (3A) also required that the share of the provinces in each NFC award could not be less than the share given in the previous award.

## 2.5) Abolished the power of President to Dissolve Assemblies:

Under the constitution of 1973, President has authority to dissolve National Assembly. But ~~under~~ 18th amendment has removed the power of the President to unilaterally dissolve the assemblies which helped to bring political stability to the country. The powers was shifted to Prime Minister.

## 2.6) Up gradation of the Council of Common Interests (CCI):

The members of CCI, whose chairman will be the Prime Minister, are decided to meet once every 90 days. CCI is a balanced forum that offers an equal representation of provinces and provide a platform to discuss matters of national importance like the construction of dams, generation of electricity, education, health, and social issues.

3. Why has criticism started on the 18th Amendment recently?

3.1) Regarded as a Cause of Country's financial Problems:

As this amendment transferred many financial resources to provinces. Thus the budget for the federal government has decreased which created financial problems for the country. Moreover, less developed provinces are not fully capable of handling these financial resources.

3.2) Weakened the Authority of the Federal Governments:

Many legislative and financial powers are transferred to provinces. The lack of legal structure of the federal government to monitor the policies, laws, and their implications in the provinces has weakened the center as there is a lot of mistrust between the center and provincial governments.

3.3) Provides Room for Corruption:

Removing the term conditions for the prime ministership facilitates the corrupt members to gain power and remain in power. It also hinders the way new members compete and gain power.

### 3.4) Lack of coordination between center and provinces:

Lack of coordination between centers and provinces is the main cause that Pakistan has not fully benefited from the amendment. This has raised a lot of criticism on the feasibility of this amendment.

### 3.5) The unwillingness of provinces to divide power at the local level:

18th amendment granted more powers and rights to provinces. But the issue is that provinces are not agree to divide their powers further to local level. The unwillingness of provinces to divide power at the local level is one of the reasons of criticism on 18th amendment.

## 4- Conclusion:

In a nutshell, the constitution of Pakistan without the 18th amendment is like a body without a soul. It achieved the visions dreamed by the founder of Pakistan. However, there are still certain loopholes in the constitution after this amendment that need to be addressed for the proper functioning of democracy and parliamentarism in the country.

"Federalism has a strong predisposition towards democracy"

(Daniel J Alazar)

Every state designs its foreign policy based on its national interest rejecting feelings and emotions. Why did Pakistan prefer emotions, feelings and ideology in its foreign policy? Also, analyze its impacts. (2022)

## 1- Introduction:

Diplomacy is a key feature of international relations designed to attain core foreign policy objectives. Since 1947, all the successive governments in Pakistan have adopted different approaches to foreign policy which were often based on emotions and ideologies.

Due to the entrenched leadership crisis, most of the political dispensations have, however, failed to employ foreign policy to ensure effective security and economic self-sufficiency of the country. Given the country's potential resources and its significant geostrategic location, competent leadership is needed to make the current defective foreign policy pragmatic.

## 2- Main objectives of foreign policy of Any state:

Mahendra Kumar describes four components of foreign policy and one of them being the interests or aspirations or objectives of any nation. A cursory glance at the constant interests of any state points out five areas. These include:

- (i) Maintaining the integrity of the state

- (ii) Promoting economic interests
- (iii) Providing national security
- (iv) Protecting national prestige
- (v) Developing national power, and maintaining world order or the Pursuit of Survival

Thus, it is quite pertinent to say that every state in the world swings its foreign policy around these core ideas. In doing so, some of them keep the synchronization between rationality and irrationality. This balance defines how successful a state's foreign policy is. For example, the national interest of the US is the protection against communism in the world. In doing so, the US made many allies like Pakistan to check the spread of communism.

According to the former British Prime Minister Lord Palmerston:

"Nations have no permanent allies or no permanent friends. They only have permanent interests. Any state forms its foreign policy on the base of national security and interest."

(Lord Palmerston)

Similarly, another Prime Minister of Great Britain, Winston Churchill, had stated during WWII that:

"I am ready to put my hands in the hands of the evil for the progress of



country?

(Winston Churchill)

3- Why is Pakistan's foreign policy a policy of emotions, feelings, and ideology?

As Pakistan is an ideological state as it was created in the name of Islam. The religious factions have a key role in the politics of Pakistan especially after the Islamization of Pakistan during Ziaul Haq's era. Furthermore to participation of Pakistan in the Afghan Jihad, religious sentiments gained ground in the foreign policy of the state.

Historically, Pakistan's foreign policy has encompassed strained relations with its archrival India, a desire for a stable Afghanistan, long-standing close relations with China, extensive security and economic interests in the Persian Gulf, and wide-ranging bilateral relations with the US and other Western countries.

In addition, security threats and economic instability have further strengthened the factors of emotions and ideologies in our foreign policy. These are the factors that have kept us away from the following principles of foreign policy given by Quaid-e-Azam Muhammad Ali Jinnah as stated:

"Our foreign policy is one of friendliness and goodwill towards all the nations of the world. We do not cherish aggressive design against any country or nation. We believe in the principles of honesty and fair play in national or international dealings and are prepared to make our utmost contribution to the promotion of peace and prosperity among the nations of the world. Pakistan will never be found lacking in extending its material and moral support to the oppressed and suppressed peoples of the world and holding the principles of the United Nations Charter."

(Quaid-e-Azam)

#### 4- Emotional Determinants of Pakistan's:

##### 4.1) Intense Militarism:

To counter threats from India and Afghanistan and for the solution of the Kashmir issue, Pakistan always made ties with countries that can strengthen their military.

##### 4.2) Refusal of Trade with India:

Due to old rivalry between India and Pakistan and the Kashmir dispute, there has been no regular trade between India and Pakistan. However, trade with India can resolve many of our problems.

"There are two underlying principles of Pakistan's foreign policy and these principles have remained paramount right from the creation of the country till today. The first is the desire to 'escape India' in the sense of creating a national identity that was anti-India. The second principle underlying Pakistan's foreign policy is the desire for parity with India"

(Aparna Pande in Washington, D.C. - based political analyst)

#### 4.3) Resurrecting Afghan Taliban:

Pakistan supported and trained the Afghan Taliban in the Soviet-Afghan war. This brought far-reaching consequences for Pakistan in the form of terrorism and extremism. Many states have accused Pakistan multiple times of providing safe heavens to militants on its soil.

#### 4.4) Ideological Differences Among Early Leadership:

The early leadership made foreign policies based on their personal preferences. Some leaders joined the western camp and some preferred to join the eastern pact creating ideological differences that exist to this date.

#### 5- Impacts of a Disoriented Foreign Policy on Pakistan:

Becoming part of bloc politics and losing neutrality throughout the cold war, Pakistan followed a one-sided foreign policy and remained an ally of the US. In this connection, Pakistan joined the US in the anti-Soviet war in Afghanistan in 1979 to contain the expanding of Soviet union. When the Taliban with the support of Pakistani Mujahideen and US weaponry put the Red Army to flight, the US abandoned the region. The orphaned Kabul had a direct fallout on Pakistan.

By becoming part of the bloc politics, Pakistan invited dire consequences to hit its societal fabric. While on the other hand, Pakistan archrival India refrained from joining any of the blocs and hence survived the cold war without getting harsh impacts.

Pakistan followed the policies of emotions (especially religious sentiments) and jumped into the fire of its neighborhood by popularizing the opinion that it is helping its brother Muslims.

501) Refugee influx and the subsequent drug culture due to Pakistan's participation in the Soviet-Afghan war of 1979:

With Pakistan becoming a frontline state in the war against Soviet Union forces, the border between Pakistan and Afghanistan virtually ceased to exist. The tribal belt became the main supply route for the Mujahidin and weapons, supplies, and other war sustenance efforts. After coming into the former Federally Administered Areas (FATA), Mujahidin began to put pressure on local resources.

In some cases, refugees outnumbered the local population. War also brought a culture of drugs and guns. During this period, the economy of tribal areas suffered enormously.

The local government was rendered ineffective to control illegal activities like smuggling, drug trafficking, and gun running. Khyber Pakhtunkhwa paid a heavy price in the wake of Soviet-Afghan war.

### 5.2) The global war on terror and the subsequent damages:

Pakistan became a front-line ally of the US in its global war on terror. After the catastrophic event of 9/11 when the al-Qaeda led offensive shook Washington and the western world, US President George W. Bush declared a war against terrorism. Afghanistan

was courted in because of the claims that it had provided sanctuaries to Al-Qaida.

Pakistan was dragged into this war while not being a part of it in the first place. Pakistan provided the US and NATO with the bases for carrying out operations against the Taliban and Al-Qaida.

### 5.3) Roots of extremism:

The extremist culture also has its roots in the wrong foreign policy choices of Pakistani governments. The Soviet-Afghan war and then the global war on terror were not the internal issues of Pakistan; still, Pakistan was the front-line actor to combat them. This brought a culture of extremism and violence to the already weak society battling with internal challenges.

**B- A counter perspective: A foreign policy based on National interests:**  
Keeping in view the above discussion, one can deduce that Pakistan's foreign policy has never been oriented along the lines of national interests. However, there are policy analysts who advocate the claim that Pakistan's foreign policy, mostly, has satisfied its national interests.

one of these advocates is the former ambassador of Pakistan, Maleeha Lodhi. Lodhi is a strong proponent of the belief that had Pakistan not pursued a policy of serving national interests, it would never have acquired the status of nuclear power. She argues that:

"The historical record testifies that over the decades, successive governments acted to protect Pakistan's core interests and defied external pressure to adopt policies contrary to our national interests. Continuity and consistency have been the hallmark of the country's foreign policy through civilian and military governments alike."

(Maleeha Lodhi "Independent Foreign Policy?", May 2022, DAWN)

## 7- Conclusion:

In a nutshell, Pakistan's foreign policy has been following a haphazard track. Emotions and feelings are given preference over national interests and economic developments. Quaid-e-Azam while pursuing foreign policy goals.

"My Eid message to our brother the Muslim states is one of friendship and goodwill?"

(Quaid-e-Azam)