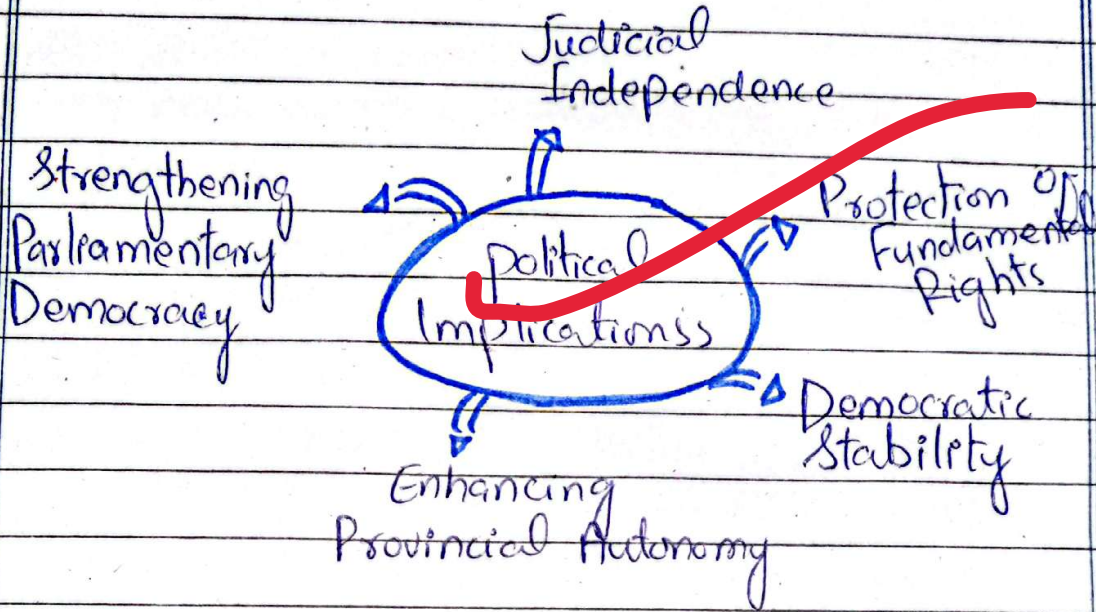


Q. What are the political and administrative implications of Eighteenth Amendment to the 1973 Constitution.

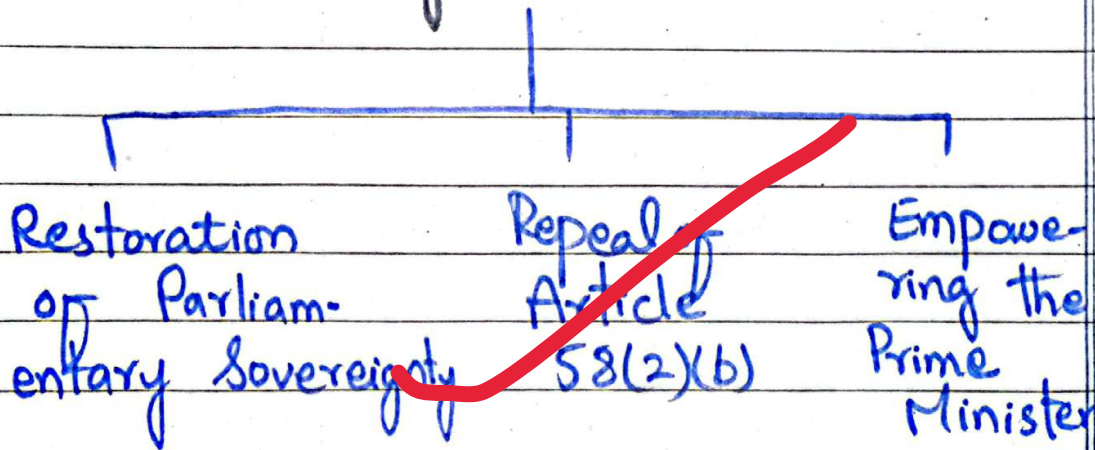
## 01. INTRODUCTION

The 18th amendment to the Constitution of Pakistan, enacted on April 19, 2010 is regarded as one of the most transformative legal and political reforms in the country's history. It emerged as ~~one~~ ~~of the~~ ~~most~~ a response to the concentration of power in the hands of the executive, a legacy of military regimes, and sought to restore the parliamentary character of the Constitution. By repealing the controversial 17th Amendment and revising over 100 provisions of the Constitution, the Eighteenth amendment redefined the balance of power between the federation and the provinces, paving the way for democratic consolidation and administrative decentralization. However, this significant reform also presented challenges, including capacity gaps, inter-governmental disputes, and coordination issues, which required careful management to ensure its success.

## 02. Political Implications Of 18th Amendment



### 2.1 Strengthening Parliamentary Democracy



#### (a) Restoration Of Parliamentary Sovereignty

The amendment reversed the

authoritarian tilt created by past amendments, shifting power back to the Parliament.

### (B) Repeal Of Article 58(2)(b):

The President's power to dissolve the National Assembly was abolished, ensuring political stability and protection from arbitrary dismissals.

Mention the article numbers amended as references

### (C) Empowering the Prime Minister

Executive powers were concentrated in the office of the Prime Minister, reaffirming Pakistan's parliamentary character.

## 02-2 Enhancing Provincial Autonomy

Abolition of the Concurrent List

Strengthening Federation

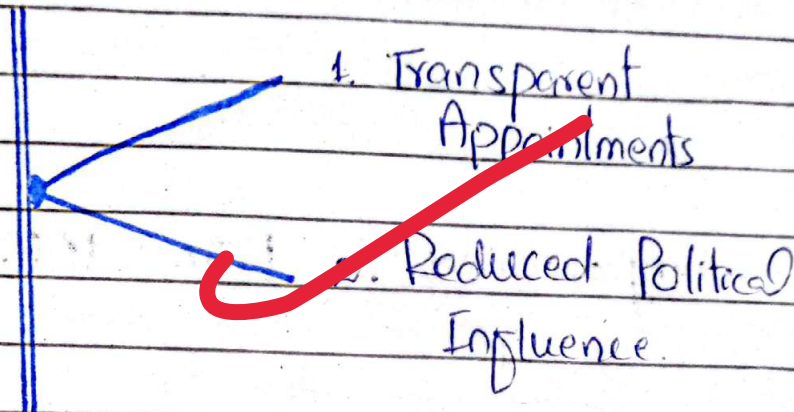
### (a) Abolition Of the Concurrent list:

Legislative powers over 47 subjects, including health, education, and labor, were transferred to the provinces, enabling localised governance.

## (b) Strengthening Federalism

Provinces gained the authority to legislate and execute policies independently, fostering self-rule and regional development.

## 2.3 Judicial Independence



### (a) Transparent Appointments:

A judicial Commission and Parliamentary Committee were established to ensure merit-based judicial appointments.

Add and highlight references/examples against these arguments

### (b) Reduced Political Influence:

The process of judicial selection became more impartial, reinforcing judicial independence and separation of powers.

## 2.4. Protection Of Fundamental Rights

→ Right to Education (Article 25-A)

→ Right to Information (Article 19-A)

### (a) Right To Education:-

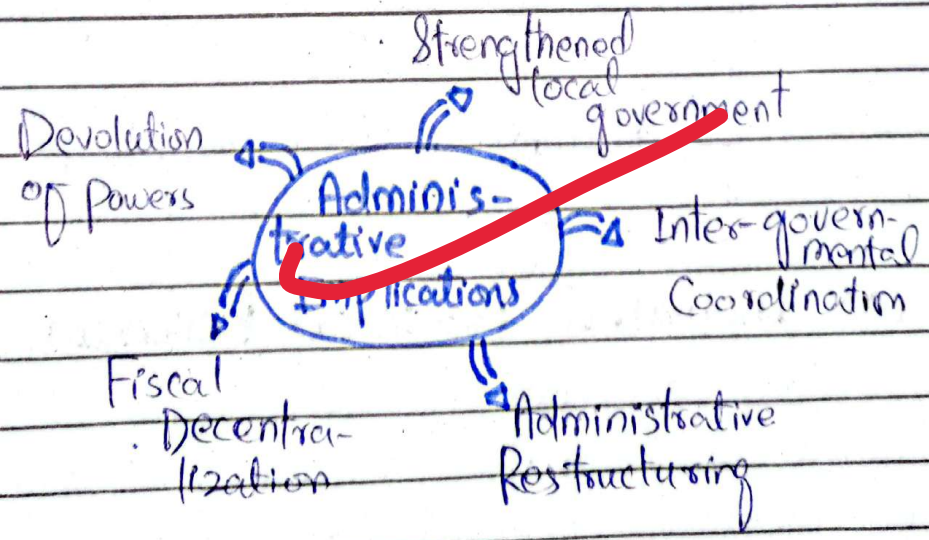
Free <sup>and</sup> compulsory education for children aged 5-16 years was declared a constitutional right.

### (b) Right To Information:

Citizens were empowered to access information from public offices, ensuring transparency and accountability.

## 03. Administrative Implications

### Of 18th Amendment



### 3.1. Devolution Of Powers

Transfer of  
functions

Localized  
Governance

#### (a) Transfer Of Function

Ministries and departments managing devolved subjects like health, education, and agriculture were shifted from the federal government to the provinces.

#### (b) Localized Governance

Provinces gained administrative control, allowing decisions to be tailored to local needs and priorities.

### 3.2 Fiscal Decentralization

(a) → Increased Provincial Revenues

→ Autonomy in Budgeting

#### (a) Increased Provincial Revenues

The 7th NFC Award allocated larger shares of federal resources to provinces, empowering them to finance devolved responsibilities.

### (a) Autonomy in Budgeting

Provinces could independently allocate resources, enabling region-specific development programs.

## 3.3 Administrative Restructuring

Reorganization of Institutions

Capacity Building Challenges

### (a) Reorganization of Institutions

New provincial departments were created to manage devolved functions, requiring institutional reforms.

### (b) Capacity Challenges

Provinces faced shortages of skilled personnel and infrastructure, leading to uneven implementation of reforms.

## 3.4 Strengthened Local Governance

1. Empowered local Bodies

2. Improved Service Delivery

### (a) Empowered Local Bodies

Local governments were expected to handle devolved services, but inconsistent implementation created gaps in governance.

### (b) Improved Service Delivery

While local autonomy facilitated quicker decision-making, disparities in resources hampered effective service delivery.

### 03. CONCLUSION

The 18th amendment restored parliamentary democracy, strengthened provincial autonomy, and promoted judicial independence in Pakistan. It also devolved administrative powers and ensured fiscal decentralization. Despite challenges in implementation and coordination, it remains a vital step toward strengthening democracy and federalism in the country.

Also discuss the negative implications.

Improve the references and the paper presentation part