

Political Science

2019

QD: How far 18th Amendments will transform the existing federal system in Pakistan?

Introduction:

The 18th Amendment to the Constitution of Pakistan, enacted in 2010, marked a pivotal moment in the country's political evolution, aiming to significantly reshape the federal structure. This comprehensive constitutional reforms to decentralize power from the federal government to the provinces, addressing long standing demands for greater provincial autonomy. By abolishing the Concurrent Legislative List and enhancing the authority of provincial governments, the 18th Amendment aims to promote a more balanced distribution of power within the federation.

II. Key Transformations Due to the 18th Amendments:

1. Increased Provincial autonomy:

Provinces now have greater control over legislation, particularly in areas like health, education and local governance.

"The legislative powers of government reach actions only and not opinions"

Thomas Jefferson

2. Financial Independence:

Provinces receive a larger share of the "National Finance Commission" (NFC) award, improving their financial authority, autonomy and ability to fund local projects.

"The NFC award is mandated under Article 160 of the Constitution of Pakistan, which outlines the principles for the distribution of financial resources between the federal government and the provinces".

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3. Abolishment of the Concurrent List:

The removal of the Concurrent List transferred many subjects previously under federal and provincial control solely to the provinces, reducing federal oversight.

"The Concurrent List was part of the 1973 Constitution of Pakistan which delineated legislative powers between the federal and provincial governments."

4. Strengthened Council of Common Interest (CCI):

The CCI has become a vital platform for resolving inter-provincial and federal-provincial issues, fostering better coordinate and collaboration among the provinces and the federal government.

5. Restructuring of Federal Institutions:

After the 18th Amendment in Pakistan, many federal ministers were shifted to provincial control, aiming to improve how local needs are addressed and governed. This change decentralized power and made governance more responsive to provincial priorities.

"A restructuring of an organisation is always a difficult time and delicate"

Toto Wolff

IV. Implications for the Federal System:

1. Enhanced Provincial Governance:

With greater control over critical areas, provincial governments can tailor policies to better meet local needs, potentially improving public service delivery and governance.

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2. Challenges in Implementation of 18th Amendment

Provinces may face challenges in terms of administrative capacity and resources to effectively manage newly devolved responsibilities. To ensuring smooth coordination between the federal and provincial governments remain a critical challenge, especially in areas that require joint efforts, such as disaster management national security.

"Implementing the 18th Amendment poses challenges like aligning federal and provincial priorities and ensuring effective coordination for streamlined governance?"

(Constitution of
Pakistan)

3. Empowerment of Provincial Government:

The amendment has empowered provincial governments, potentially leading to a more balanced power dynamic between the center and the province.

"Good governance is one of the most important factors in economic growth and social well-being"

(Joe Lonsdale)

4. Impact on National Unity:

By addressing long-standing demands for provincial autonomy, the 18th Amendment can contribute to national unity and stability.

Conversely, if not managed carefully, increased provincial autonomy could lead to regional disparities and a sense of fragmentation within the country.

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Conclusion :

The 18th Amendment represents a significant shift towards a more decentralized and federalized system in Pakistan while it offers substantial benefits in terms of increased provincial autonomy and localized governance, the success of these reforms depends on the effective implementation and management of their new powers and responsibilities. Continued efforts to build provincial capacities and ensure smooth federal-province coordination are essential to fully realizing the potential of this transformation.

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