

Question # 2

Subtle change after the
Allahabad Address 1930.

1) INTRODUCTION: THE SEPARATE MUSLIM STATE

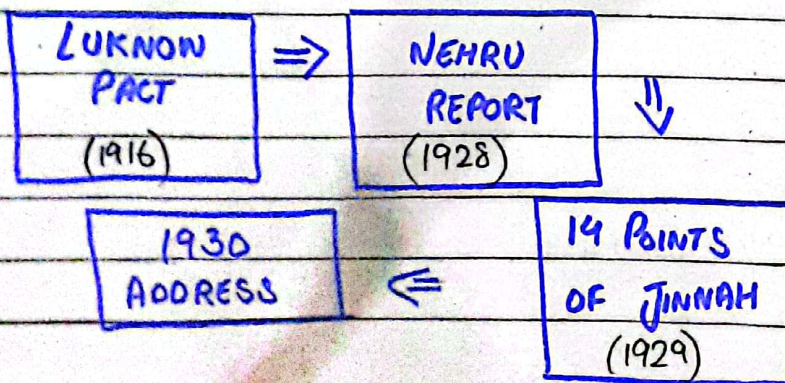
Allahabad address of 1930 was the 21st annual session of Muslim League (ML) which was presided by Allama Iqbal. In this session, the idea of a separate Muslim State was presented for the first time publicly from the platform of ML. This idea by Iqbal ultimately led to the consolidation of the ~~the~~ separate state ideal in the minds of Indian Muslims when they found continuous humiliation at the hands of Congress during Congress Ministries 1935-1939 and the table talks till 1945. This also provided a solid election manifesto to the ML for the elections of 1945-1946 which it was able to capture phenomenally. Thus the idea proposed in 1930 defined the struggle of Muslims from 1930-1947. All major decisions by ML afterwards were aligned with this ideal, whether it was 1940 Resolution or the 3rd June Plan.

2) HISTORICAL PERSPECTIVE OF ALLAHABAD ADDRESS (1930):

Allahabad address was the address by Allama Iqbal that demanded and prophesied the creation of Pakistan in the following words:

"I would personally like to see Punjab, Sindh, NWFP and Baluchistan amalgamated into a single state. The creation of such a North-Western Muslim State, with or without British approval to me to be the final destiny of a nation."

The idea presented by Iqbal was supported through logical arguments of Two Nation Theory. It was his personal opinion in 1930; in 1940, this personal opinion turned into a strong independence movement.



The backdrop of address included the following reasons:

a) FAILURE OF LUKNOW PACT (1916)

Lucknow Pact was the exceptional case of cooperation between ML and INC when B. Jinnah, the "Ambassador of Hindu-Muslim Unity" (Naidu), made extreme efforts to forge an alliance. He even withdrew the separate electorate right of Muslims. The refusal of Congress to accept the compromise created friction.

b) STUBBORN ATTITUDE OF CONGRESS:

In 1928, Congress presented "Nehru Report" and ~~ref~~ rejected all demands of Muslims. Such majoritarian posture of INC paid Jinnah to make the statement:

"Today, Hindu India and Muslim India parted, and parted forever."

c) END OF COOPERATION BETWEEN MUSLIMS AND HINDUS :

As Jinnah presented his "14 Points" a year later, he showed a strong standpoint and protected all Muslim interests. Hence, the 1930 Address was the expression of this sentiment of forging a unique identity of Muslims.

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3) THE FAR-REACHING IMPACT OF ALLAHABAD ADDRESS

- 1930 Allahabad Address
- 1933 Chaudhry Rehmat Ali
- 1937-1939 Congress Ministries
- 1940 Pakistan Resolution
- 1944 Jinnah-Gandhi Talks
- 1947, 3rd June Plan
- 1947, 14 August Creation of a Separate State

a) IDEA OF A STATE WITHOUT A NAME

In 1930, there was only the idea of a separate state, but there was no name attached to such a state. With the 1930 address, the discussion started to find the name that will signify a separate Muslim state.

As Ahmad Saeed in his Book "Tracks to Pakistan, wrote:

"The address was full of spirit of Pakistan if not

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(M T W T F S)

its name."

b) "PAKISTAN" AS THE NAME

The idea presented in address finally found the significant name in 1933 when Chaudhry Rehmat Ali wrote in his paper "NOW OR NEVER":

P = Punjab

A = Afghan (KPK)

K = Kashmir

S = Sindh

TAN = Balochistan

c) THE ATROCITIES OF 1937-1939:

The Congress Ministers of 1937-1939 proved to the Muslims that they could never survive under a majority Hindu state. As Jawaharlal Nehru very blatantly denied the existence of Muslims in the following words:

"There are only two forces in India: one Congress and the other British government."

d) THE REPRESSION OF MINORITIES

The Repression of all minorities at the hands of majority Hindus always proved the idea of a separate state the only solution. As Syed Suleman Nadvi described Congress rule:

"The attempt by a majority by a majority to deny the minority in this way is..."

2) THE PAKISTAN RESOLUTION

Initially called the Lahore Resolution, the 1940 address by Muslim League on the eve of 23rd March, officially accepted separate state as the only viable solution for the Muslims of India. The writer Hamid Khan in his book "Constitutional and Political History of Pakistan" writes:

"What happened between 1937 and 1940 convinced Muslims to demand a separate state."

3) THE FAILURE OF ALL TALKS

From 1930 onwards, all attempts to find a common ground between Muslim League and Congress failed. During Jinnah-Gandhi Talks of 1944, the main difference was the separate state. As Lord Mountbatten recalled:

"While Jinnah wanted partition first and independence later; Gandhi pushed for independence first and partition later."

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3) CREATION OF A NORTH-WESTERN STATE:

The ultimate creation of Pakistan happened in roughly the same boundaries as the one propounded in the 1930s address. Although Punjab was partitioned and Kashmir was disputed, the North-west state of Jaisal was named Pakistan.

4) ANALYSIS: HISTORY MARKS THE IDENTITY OF A NATION

Struggle for Pakistan was the great effort by the Muslims of India to create a separate state in the sub-continent. The study of history of Pakistan reveals the significance of 1930 address that directed the Muslim struggle in the direction of independence. As Cicero once famously said:

"To remain ignorant of what happened before you were born is to always remain a child."

Hence, the creation of Pakistan in 1947 was the result of the seeds planted in the minds of Muslims of India in 1930.

5) CONCLUSIONS: FROM IDEA TO REALISATION

Allama Iqbal, the Thinker of Pakistan (قائد اعظم), was the one who saw the dawn of Pakistan and proposed it as an ideal in 1930. From 1930-1947, the Muslims collectively struggled towards the achievement of this goal and with their determination succeeded on 14th August.

Question # 5

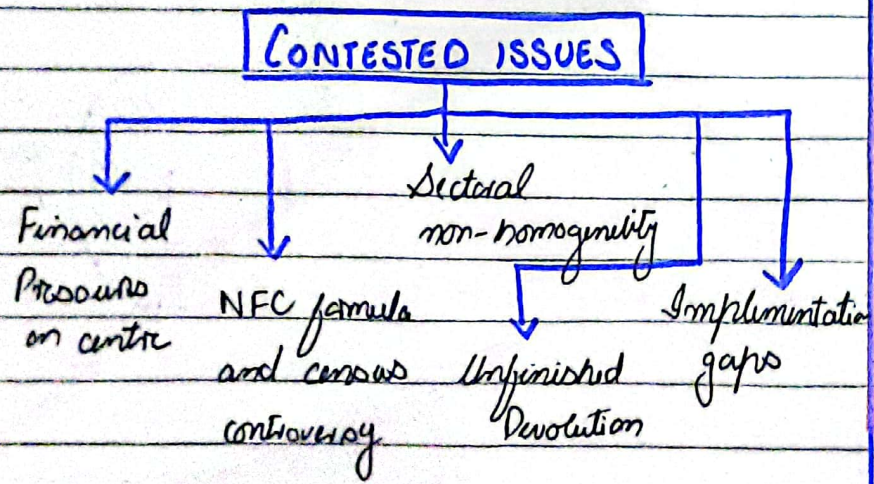
18th Amendment has altered the nature of Federation --- ?

1) INTRODUCTION: THE UNFINISHED AGENDA OF 18th AMENDMENT

18th Amendment was the most phenomenal document in the constitutional history of Pakistan. It realised the real ideal of Federation envisioned by the fathers of Pakistan. By devolving powers to the provinces, the centre became vulnerable to the financial pressures and ambiguity arose in the administration spheres. As the complete application of amendment in letter

and spirit has not been carried out, the relations between centre and provinces have become strained. Each side is trying to push the amendment in their favour as varied interpretation of the text have come afoot. Although a celebrated document in 2010, it soon became the cause of centre-province issues. The distribution of resources, the legislative rights and duties as well as power-sharing principle has become disputed. Due to this unfinished agenda of 18th amendment, there are calls to reverse the amendment. Such notions must be rejected as the right step is to implement the amendment ^{rather} than its reversal.

2) THE FEATURES OF AMENDMENT THAT ARE STRAINING CENTRE-PROVINCE RELATIONS



a) FINANCIAL PRESSURES ON CENTRE:

18th Amendment changed the formula of NFC Award in the favour of provinces.

	BEFORE 2010	AFTER 2010
CENTER	FLL - Part I: 51 subjects	FLL - I 51 subjects
Pro	FLL - II: 8 subjects	FLL - II 52 subjects

a) FINANCIAL PRESSURES ON CENTRE:

As the 18th amendment changed the NFC award, the financial distribution tilted in favour of provinces.

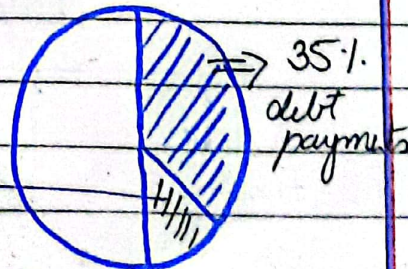
	BEFORE 2010	AFTER 2010
CENTER	52.5%	42.5%
PROVINCES	47.5%	57.5%

⇒

10% cut in federal share

The Federal share decreased, but the major expenditures like debt payments and defense budget stayed with centre. This created fiscal issues at the Federal level.

Military expenses.



b) NFC award criteria:

The 16th amendment changed the distribution criteria of NFC award. Before the amendment, it was based solely on population. After amendment, there were four criteria:

- (1) Population
- (2) Inverse population density
- (3) Poverty and backwardness
- (4) Provincial GDP.

The inclusion of population sets among criteria of competition as provinces never accept the award result blaming uncounting.

c) UNFINISHED DEVOLUTION:

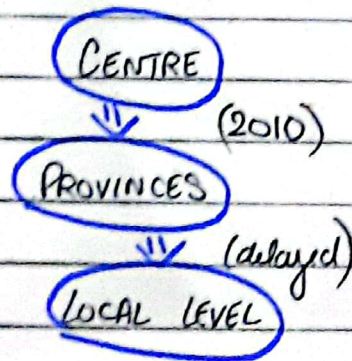
The 18th amendment envisioned a federal structure of 3-tier tiers: centre, provinces and local governments.

The amendment transferred power from centre to the provinces while also

provided out in Article 140(A) the creation of local governments.

Hence, until the devolution is completed in fundamental

ways, there will remain a strain in centre-province relations due to concentration of power at provincial level.



d) SECTORAL NON-UNIFORMITY AND NON-HOMOGENEITY :

There are some sectors that have become disputed due to overlapping of powers between centre and provinces. The three main sectors where there is policy differentiations include:

a- HEALTH: the difference in policies of centre and province in Covid-19 pandemic. The disputed creation of NCOC.

b- EDUCATION: The issue of SNC by the centre and the examination structures.

Hence, although health and education are provincial subjects after 18th amendment, there exists huge gaps in the services across provinces.

e) IMPLEMENTATION GAPS:

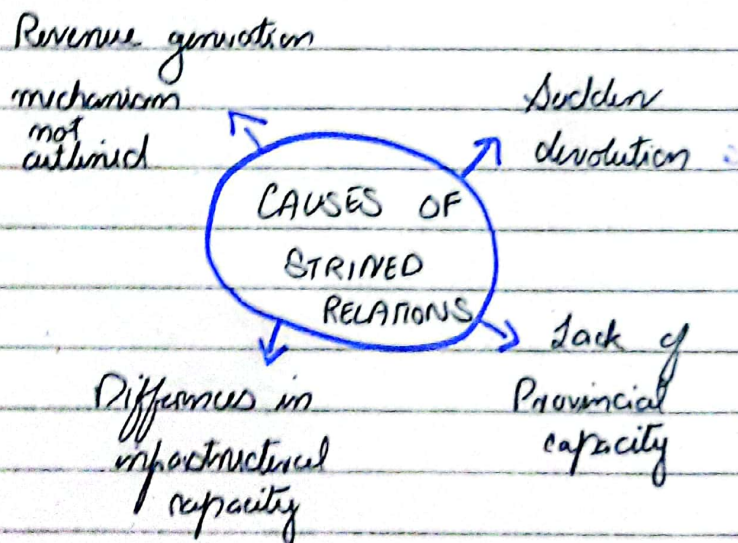
The theory and practices of 18th amendment shows great contradictions. On one hand, theory clear out the power sharing principle. The legislative lists clearly points out the distribution:

	PRE - 2010	POST - 2010
CENTRE	FLI - I = 51 subjects	= FLI - I = 51 subj
PROVINCES	FLI - II = 8 subjects	FLI - II = 452 subj
CONCURRENT LIST	47 subjects	Suppressed

However, in practice, many sectors remain untroubled in controversy. For example, the Health, Agriculture and education sectors are provincial subjects but are often under the control of Federal. This highlights the implementation dilemma of 18th amendment that is the issue of conflict. As Albert Einstein once said:

"In theory, theory and practice are same. In practice, they are not."

3) REASON FOR THIS IMPLEMENTATION GAP IN 18th AMENDMENT



The real reason for the inability of 18th amendment to resolve centre-province relations is the way in which devolution was carried out. The process of devolution was itself ineffectual, not the amendment.

● SUDDEN AND ABRUPT

The devolution transferred the bulk of 44 subjects to the provinces with the signing of amendment on 19th April 2010. This transfer made impossible for the center as well as the provinces to adjust to the changes.

● PROVINCIAL CAPACITY - BUILDING:

Due to a sudden transfer of power, there was no time for the center to build the capacity that was needed to run the new institutions and departments. This creates problems as federal funds provincial policies inefficient and poorly drafted, trying to justify its interference.

● NON-UNIFORM CAPACITIES:

Due to absence of gradual transfer that could ensure the equitability in the governance structures, the provinces are not at par with one another. The capacity of Punjab as the most developed province is not comparable to Balochistan, the ~~most~~ least developed region.

● REVENUE GENERATION:

Provinces are provided with extra responsibilities with any revenue generation

mechanism. This has made them dependent on Centre for finances. Karachi, the port city, is the one generating 25% of Pakistan's revenue while the cities of KPK and Balochistan are not yet there.

4) ANALYSIS: THEORY OF UNINTENDED CONSEQUENCES

There is a famous sociological theory by Robert K. Merton called "Theory of Unintended consequences". It explains the reasons behind the failure of government initiations. Instead of benefiting the people and resolving disputes, some programs get entangled in controversies and give more harm than good.

The reasons highlighted in the theory are:

- (1) focus on short-term gains and ignorance of long-term goals.
- (2) the ill-informed carried out without deeply understanding the situations.
- (3) implementing policies suddenly without understanding the consequences and impacts on the society.

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The great ideal of 18th amendment has also fallen prey to this effect as the gradual implementation was not carried out.

5) CONCLUSION: IT IS NOT ABOUT ~~"WHAT"~~ "WHAT", IT IS ABOUT "HOW"

The reason due to which 18th amendment could not solve the problem of power-distribution between center and provinces was the manner in which it was carried out. "How amendment was implemented" overshadowed "What betterment it brought". Therefore, the way forward towards center-province harmony must involve the deep understanding of administrative structure of Pakistan and a holistic approach for achieving it. In future, the focus should turn from "reversal of 18th amendment" towards the "complete implementation of amendment". It is still the most important constitutional document of Pakistan. As the chair of Reforms committee, Raza Raza, wrote:

"18th amendment was the most comprehensive attempt at constitutional reforms since 1947."