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## Part - II

### Question-06

Illustrate with global and local examples .... federal system

### Introduction

A federal system of governments is a system of run by two types of government with a decentralised centre. Unlike unitary state system, significant power is decentralised to federating units. It is governed by a constitution which set forth all the conditions of federation. The discussion further elaborates on its advantages and disadvantages

## 2. Essential Conditionalities of Federation

Hamilton says:

"Federation is a combination of two or more independent states."

Federating units are combined in a federation through certain conditions; some of which are as follows:-

### 2.1 Contiguity of land

Federating units must share land boundaries to form a federation, otherwise they would not comply with other conditions of a federation as well.

## 2.2 Desire of forming a Union

States desirable to form a union can become a part of federation with the other states.

## 2.3 Shared Political & Economic interest

Laski says:-

<sup>86</sup> Federation is a political contrivance intended to form a national unity with the aim of maintenance of rights.<sup>99</sup>

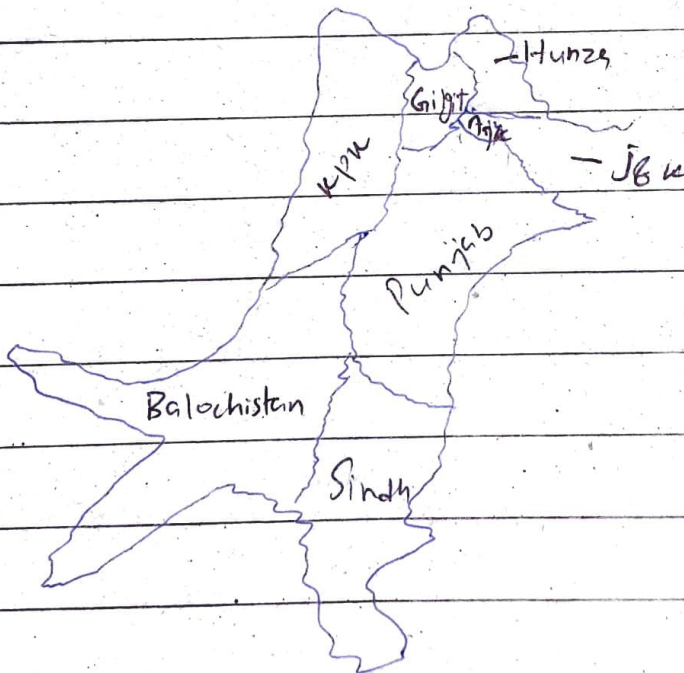
Therefore, only those states can be made a part of a federation which have their political, economic strings attached with the central authority.

The discussion further will shed some light on the merits and demerits of federation.

### 3. Advantages of Federal System of Government

#### 3.1 Combines Unity with Diversity

A federal system combines unity with the diversity of states. Large, diverse populations, religions and ethnicities can be combined through federation.



For example, federation of Pakistan combines four majorly distinct ethnicities, culture, a wide range of religions and around 300 languages.

### 3.2 Brings prosperity & security

Federation brings prosperity and security to the federating units as well as federation.

Most of the time tasks such as foreign affairs and defence are the duties of the centre. Centre protects the units from external factors, in return the units provide it with revenue, resources, allegiance.

For example, America, Switzerland and Australia too formed federations to protect themselves from external factors.

### 3.3 Devolution of power and local self-government.

In a federation, centre dissolves significant powers to grass-root levels for better governance. The federating units are autonomous in decision-

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making in key areas.

Dicey says:-

“The devolution of power is the essence of a better governance.”

### 3.4 Written, hard-to-amend Constitution

Federation is bounded by a constitution whether written or otherwise. This constitution has to be ratified by all the states in a federation if this is to amend. This makes amendments very hard.

For example, the USA a federation of 50 states has a very rigid constitution because it has to be amendment by all of them in order to be accepted.

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## 4. Disadvantages of Federation

### 4.1 Weakened Control of federal centre

Centre gets relatively weak because significant powers are devolved to units

For example, in case of the US, it has not been able to amend gun laws in a few states, which are the cause of violence.

### 4.2 Fear of secession

Federation being a mix of many ethnicities, culture and diversity may not be able to exercise power on its factors advocating separation.

Khalistan movement is one such example, where most of the Punjabis want a separate homeland from India.

## Conclusion

With the evolution of state systems, the concept of federation also ~~became~~<sup>got</sup> a significant advocacy. Current states are diverse, large and hard to rule by a single centre, as Laski said:-

“The states of today are large, diverse and overly populated; they must not be ruled fully by a centre.”

Still, federation has its own advantages and disadvantages as explained



## Question no 7

Pakistani bureaucracy is perceived to be the practical extension of All India Civil Service and evidence

### Introduction

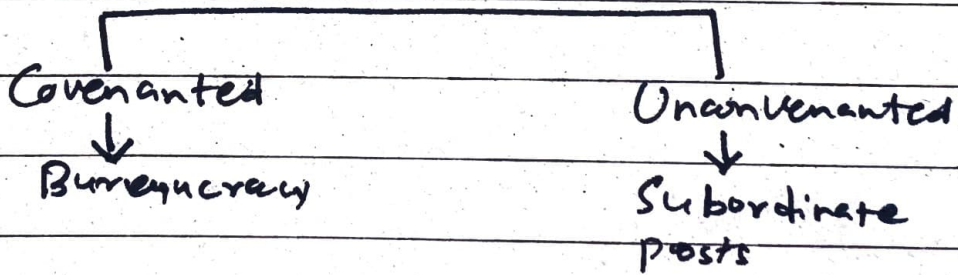
Bureaucracy is an old concept that was promulgated in Indian sub-continent by Mauryan Empire (322BC), and later by Ashoka's Arthashastra. However, British gave the bureaucracy the final official touch, and with later development of All India Civil Service it was further strengthened.

Pakistani bureaucracy is indeed the practical extension of All India Civil Service which has been further elaborated in discussion ahead.

## 2. Structure of Bureaucracy in Sub-continent India

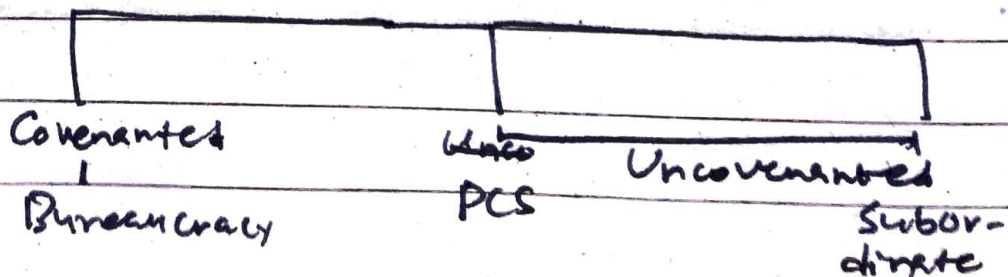
### 2.1 Pre-Aitchison Commission Structure

Posts of bureaucracy were reserved for the British in colonial India till 1886. The distribution was such that Indians were employed on subordinate positions with their colonial masters at the helm.



### 2.2 Post Aitchison Commission 1886

With the Aitchison Commission of 1886, seats of bureaucracy were made available for Indians.



## 3. Pakistan's Bureaucracy & reflection of AISC

### 3.1 Power & Authority

Power of bureaucracy in Pakistan has been derived from the structure of All India Civil Services. In 1947, only names of posts were changed and the structure was inherited as it is.

- Indian Administrative Service → Civil Service Pakistan (CSP cadre)
- Indian Police Service → Police Service Pakistan

### 3.2 Old loopholes & corruption factor

The governance structure is similar to that of AISC which was even then replete with loopholes and corruption.

As professor Pranab said:-

"In India, when bureaucrats are given discretion to judge case by case it becomes 'Suitcase by suitcase'."

### 3.3 'Brother-in-law' phenomenon

Both in India and Pakistan bribery and close relation culture is rampant in civil services.

Professor Bhagwati called it — "my brother-in-law phenomenon."

### 3.4 Culture of Force & Power

Ishrat Husain in his "Governing the Ungovernable" says that In colonial India the culture of power, control and fear was so rampant that the similar was inherited by the services of Pakistan.

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### 3.5 Steel Frame of the British Empire

'Steel Frame of bureaucracy' the concept given by the most feared by Max Weber was a norm in the colonial India. By steel frame Weber meant a system strongly intertwined by bureaucratic hurdles, desk bureaucracy and overly complex rules. This was the practice in All Indian Civil Services which is still manifested in Pakistani bureaucracy.



## Question of bias

### i) John S. Mill Bureaucracy

John Stuart Mill was an English philosopher and political scientist who gave his theory of bureaucracy in his book "Considerations on Government (1861)."

### 1. Mill's Concept of Bureaucracy

J.S. Mill gave the concept of bureaucracy likewise to current technocracy. He gave his concept on the basis that trained professionals should be in the bureaucracy.

#### 1.1 Bureaucracy and Legislature

Mill expounded that public representatives:-

- i) Not aware of the true circumstances of people
- ii) Do not have enough knowledge

of art and science.

So, public representatives need bureaucracy to advise and formulate policies.

Necessary to establish a Bureaucratic-legislative Commission which will form policies on the ideas generated by public representatives.

## 1.2 Bureaucracy and administration

Bureaucracy to be kept in check by continuous interferences by legislatures. This is to stop bureaucracy from becoming too strong.

Legislature

↳ Idea generator

↳ Advisors

↳ Moderators

Bureaucracy

↳ Policy formulators

↳ Implementers

