

## QUESTION 6:

## ANSWER:

18<sup>th</sup> Amendment is the prominent amendment in the constitution of Pakistan. It was made in the era of President Asif Ali Zardari. It is said that this amendment has altered the <sup>face</sup> of constitution. It brought many changes to structure of governance of Pakistan. However, the area that has been largely affected is center-province relation. It resulted in greater autonomy for province. This amendment has abolished article 158 and 112. It has abolished concurrent list and transferred the subjects to Provincial governments. It has transferred subjects from Federal list I to Federal list II. It has made province co-owner in the resources of their land. It has established local government. With the passage of this amendment, governments is required to consult provincial government regarding matters related to hydropower plant. One of the breakthrough of this amendment is establishment of NFC award. Provinces can now collect taxes. They have now authority to borrow funds. Therefore, 18<sup>th</sup> amendment has brought changes to Federation of Pakistan.

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## FEATURES OF 18<sup>th</sup> AMENDMENT THAT ALTERED THE EXISTING FEDERATION IN PAKISTAN:

18<sup>th</sup> amendment has changed the features of existing federation in Pakistan in following ways:

### (1) ABOLITION OF ARTICLE 158 AND 112:

The article 158 and 112 give president and government an absolute power to dissolve provincial assemblies without the consultation of provincial assemblies. This has caused disruption in the working of provincial assemblies. Dissolution of assemblies is solely based on the discretion of president. However, 18<sup>th</sup> amendment has abolished it which leads to increase in efficiency and autonomy of provincial assembly.

### (2) ABOLITION OF CONCURRENT LIST:

It is a list at which both the federal and provincial government can legislate. The decisions on subjects fall under the jurisdiction of both. However, in case of any clash, federal govern

amendment would be given precedence - 18<sup>th</sup> amendment has changed the process altogether - Concurrent list is abolished and all the subjects are transferred to provinces - Almost 47 subjects were transferred to provinces - This includes health, education, environment and many other -

### (3) TRANSFER OF SUBJECTS FROM FEDERAL LIST I TO FEDERAL LIST II :

This amendment has also transferred subjects from federal list I to federal list II - This includes ports, census, police across the province - This also soared the economy of provinces

### (4) RESOURCE SHARING: REVISION OF ARTICLE 172

Under the 18<sup>th</sup> amendment, revision of article 172 occurred - This revision has made the provinces co-owner of all the resources belonging to their land - Now, they have greater access in regulating the use of their provinces nationwide - The role of provinces in decision making regarding the matters related to the utilization and harnessing of resources has immensely increased.

## 5) NFC AWARD ~ A MAJOR BREAKTHROUGH

NFC award is mentioned in article 160 of the constitution. NFC award is related to transfer of financial share of province to them from federal government. Recently, NFC award has constituted Rs 840bn. This article was amended and some provisions are added. This include revision of NFC award after every 5 year. However, the decision after revision cannot lower the amount of NFC award from previous share. This has brought alot of problem for center. The subjects under federal government demand greater portion of budget. These subjects include debt payment, defence and other. Federal government is left with meagre share after transfer of large share of revenue to provinces.

## 6) ESTABLISHMENT OF ARTICLE 140 ~ REVIVING OF LOCAL GOVERNMENT:

The article 140 of constitution has established the local government. Although, it was present before but during the periods of dictatorship. Government has now converted into three type government. Federal government is highest of all. Then, comes provincial government

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and then local government. The finances of local government would be under the control of provincial government.

### (7) PROVINCES AUTHORITY OVER HYDROPOWER PLANTS ~ STRENGTHENING ARTICLE 157 :

Article 157 is related to establishment of hydropower plant in the territory of provinces. Federal government cannot establish hydropower plant in any province without consulting provincial government. The permit of provincial government is mandatory. In addition to it, federal government cannot cancel any project of hydropower without consulting provincial government.

### (8) TAX COLLECTION :

Provincial government has now empowered to levy taxes. It can surge or reduce taxes. It can place sales tax. According to experts, if government efficiently apply tax it can generate revenue of about 1% of GDP.

## (9) EMPOWERMENT OF PROVINCES THROUGH FUND BORROWING:

18<sup>th</sup> amendment has permitted all the provinces to borrow funds from local and international sources. This funds can be used for developing projects. This can also be used for finding solution to general problems of provinces.

## CONCLUSION:

18<sup>th</sup> amendment has brought many changes to federal structure of Pakistan. This amendment has greatly empowered provinces. This amendment has some potential and pitfalls. Major pitfalls are reducing the revenues of ~~pro~~ federal government and lack of uniform policies in the matters of education, health and environment. However, it has empowered provinces, increased the independence of judiciary and revived the democracy.

## QUESTION # 7

### ANSWER

#### INTRODUCTION:

It was <sup>the</sup> end of World War I - Italy hoped to get territorial gain in case of victory - However, Paris Peace Agreement - Wounded all the hopes - There was disillusionment everywhere - In that course of time Mussolini came forward and introduced Fascism - The trend of ~~the~~ Fascism does not end with his death - Many ~~country~~ countries ~~are~~ are showing the signs of adoption of Fascism - These include countries of Europe and Asia - There are several enabling conditions of Fascism in these countries - These include strong sense of nationalism, disdain for Rights, state control of media, increased obsession with military power and national security and surge in sexism - This further includes amalgamation of Religion and politics, rampant corruption and fraudulent election - All these are enabling conditions of Fascism that can develop Fascism in the countries of Europe and Asia -

## ENABLING CONDITIONS OF FASCISM:

Following are the enabling conditions of Fascism-

### (i) STRENGTHENING OF NATIONALISM:

Many countries are directing the loyalties of citizen ~~of~~ toward their ~~countries~~ <sup>them</sup>. This is the most prominent feature of Fascism. People consider them and the all the fellow citizens superior over other people in the world. There seems to be great predilections toward race - They have little regards for other in the world. This made them egoistic and narrow minded. The surge in Islamophobia in European countries is epitome of the increased nationalism. The main aim of Islamophobia was to create white supremacy.

### (ii) DISDAIN FOR RIGHTS:

In Fascism, rights of people are suppressed through force. Freedom of speech and liberty cease to exist in fascist state. People are kidnapped and killed for voicing against government. This condition is mostly prominent in Asian countries. The killing of Sikh

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activist by Indian government on Canadian soil reflects that those who goes against the state will perish. Moreover, the violation of right of minorities in India is another example of human right violation.

### (iii) CENSORED MEDIA SERVICES:

In Fascism, media is regulated by state. The autonomy of media is eschewed in fascist state. Media's independence just exist as a facade. State spread propogandas through media and distort public opinion for directing their loyalties toward state. The attack of BBC in India by Modi led party for censoring them is an example of oppression on media.

### (iv) OBSESSION WITH NATIONAL SECURITY AND MILITARY POWER:

Another condition is obsession with national security and military power. Almost every state of Europe and Asia is involved in galvanization of military power. Many of them are making alliances for augmenting their military power. Other are expelling migrants and refugees because they are felt as a threat to national security.

## (5) STIFFLING THE OPPOSITION:

When Mussolini came to power, he introduced one party system in Italy. He quelled all the opposition. This trend is surging in today's world which is an enabling condition of fascism. The recent incarceration of opposition parties of Bangladesh under the order of Sheikh Hasena Wajid reflects fascist state is setting its condition.

## (6) RELIGION AND STATE AMALGAMATION:

Another another condition of fascism is the amalgamation of Religion and state - state justify its action under the patronage of religion. State favours one religion over other. The policies of state are biased - freedom of religion ceases to exist. India, who claim itself a secular state, is clearly engaged in such moves - Citizen Amendment Act of Indian government is an example of such move. The destruction of Babri Masjid and subsequent order of construction of temple is another more in such control.

## (7) RAMPANT CORRUPTION:

Rampant Corruption is another enabling condition of Fascism. According to Transparency Index Survey top most corrupted country are Malaysia, Thailand, India and Pakistan. The concentration of wealth starts - poor gets poor day by day. and Rich become opulent day by day - Poverty level surges. These conditions are found in Asian countries.

## (8) FRAUDULENT ELECTIONS:

Fraudulent elections are rampant in Fascist state - The real purpose of elections do not fulfilled. Democracy is attacked due to this practice. This result in the emergence of corrupt and incompetent leader. Fraudulent elections are rampant in Asian countries. Many ways are adopted for election engineering - Opposition is suppressed from taking part in election - Pakistan is an epitome of this. Whenever election occurs in Pakistan, the allegations of rigging and pre-selection are surfaced.

## (9) INCREASE SEXISM:

Gender gap in fascist state is prevalent - women are considered inferior to man - they face discrimination in every sector of life - They are coerced and opposed from becoming independent - This condition is prevalent in Asian countries - Female literacy rate is low - Gender wage gap is spacious - Representation in high government offices is similar to none.

## CONCLUSION:

Asian and European countries are facing the situations which are enabling condition of Facism - These conditions foster and establish fertile ground for fascist state - These states should address the situations promptly.

## QUESTION 2

### ANSWER

#### INTRODUCTION:

Aristotle was the great philosopher of his time. He wrote many books on the subject of politics. He discovered many areas of politics which were to be explored by his predecessors. Aristotle had also made contribution in the ambit of state and governance. He encapsulated the concept of government in clear terms. He clarified the difference between state and governance. He further gave the ways of formation of government. These included through hereditary, wealth and through election by majority vote. Moreover, he presented 3 types of government that are legislative, judiciary and executive. Aristotle favoured Monarchy-cum-democracy over other forms of government.

#### DEFINITION OF GOVERNMENT ACCORDING TO ARISTOTLE:

Aristotle said that like every household, tribe and clan, the state needs governance. Every household and tribe has chief

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that administer their affairs. Similar to this state needs governance to administer its affairs. It is required for formation and implementation of law and for framing its policy.

### DIFFERENT BETWEEN ARISTOTLE VIEWS ABOUT GOVERNANCE AND STATE:

- Aristotle asserted that state has fixed boundaries. It is enclosed in fixed territory. However, government revolves around or confines to one person or body person.
- Government is changible. After some time government holds elections and the winner of election replace the previous government. Where as, state cannot change. It is fixed.
- Government is temporary and state is permanent.

### WAYS FOR FORMING GOVERNMENT:

He gave 3 ways for forming government. These are following:

#### 1) BY BIRTH:

This means formation of government due to hereditary lineage.

This is about dynastic politics. However, Aristotle was not in its favour. He regards this type of government as a government of oppression and tyranny.

### (ii) BY WEALTH:

By wealth means government is based on wealth. This is such a catastrophic idea that can demolish state.

### (iii) BY NUMBER:

By number means government is formed on the basis of majority votes. The elections form the government. He prefers this form of government.

## BRANCHES OF GOVERNMENT:

Aristotle said that government should have 3 branches. Following are these:

(1) **LEGISLATIVE:** This branch of government is concerned about the formation of laws.

(2) **EXECUTIVE:** This branch of government is tasked with the implementation of laws.

(3) **JUDICIARY:** Judiciary is concerned with the interpretation of laws.

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## MONARCHY-CUM DEMOCRACY:

Although Aristotle prefers ~~democracy~~ monarchy but the rest of the process of government should be completed democratically. The decisions that are assented by majority should be implemented. Consensus building and collective decision making would be guiding forces of government functioning.

