

Journal of Political Studies

Vol. 30, No.2, July–December, Winter 2023, pp. 17–28

18TH Constitutional Amendment: Implications for the Federation of Pakistan

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ABSTRACT

Eighteenth Amendment to Pakistan’s Constitution has made the Prime Minister of Pakistan, and hence the parliament, stronger instead of the President by abolishing Article 58(2) (b) just as the ‘Glorious Revolution’ of 1688-1689 in England made the parliament stronger by abolishing ‘Divine Rights’ of the kings and paving the way towards the constitutional monarchy by passing the ‘Bill of Rights’ in 1689. Just as the ‘Bill of Rights’ constituted a new era of democracy in England, the 18th constitutional amendment has promised the same. Furthermore, this constitutional software has removed the Concurrent List from the Constitution of 1973, thereby assigning more administrative, legislative and fiscal responsibilities to the federating units. The paper finds that by the passage of the 18th amendment, concrete constitutional measures were taken to transform a ‘centralized federation’ into a ‘participatory federation’ and now it is the constitutionally-driven responsibility of the provinces to chalk out development projects, addressing the people’s demands through enhanced fiscal discipline and well-coordinated public policies at their levels. In addition, consensus over the 7th NFC award was an historically important event in the politico-constitutional annals of the federation of Pakistan.

Received:
September 15,
2023

Revised:
October 09,
2023

Published:
December 15,
2023

Keywords: *Federalism, Constitution, Parliamentary Democracy, CCI, NFC, Consensus, Amendment, Devolution of Power, Federating Units.*

Introduction

A ‘Constitution Reform Committee’ was formed under the leadership of the then Senator Mian Raza Rabbani. It was tasked with reviewing the entire Constitution clause by clause and article by article, so that all amendments made by the military dictators which violated the basic constitutional contents, could be eliminated and the Constitution be brought back to its original form. The committee deliberated over for about nine months and presented its final report to the National Assembly which approved the 18th Amendment to the Constitution on 7th April, 2010 (Rabbani, 2012; Khan, 2021). However, a number of petitions were submitted to the apex court of Pakistan; challenging some of the recommendations of the reform committee. The honorable court reviewed all the petitions together and in its final decision, the apex court upheld the prestige of the parliament and sent the

amendment draft back to it for clarity about some of the proposed Articles. For appointment of the judges, constitution of a 'Judicial Commission' was also supported (Rabbani & Rabbani, 2012). This judiciously made historic decision was appreciated by all the circles concerned because a sort of emerging confrontation among the institutions was avoided.

In addition to it, however, in the presence of a multitude of socio-economic, and political problems, Pakistan's diverse political stakeholders have reached an understanding; coming together to reorient or amend the Constitution of 1973, creating a more accommodating political landscape, and constitutional order. Because, prior to the 18th amendment, the Constitution was not faithfully respected and distorted by numerous politically-designed amendments; incorporated into it, by the then military rulers who wanted to establish a highly centralized set-up to fulfill their own over-ambitious objectives (Malik, 2016). And, resultantly, they engineered hybrid regimes to establish self-styled presidential systems, under the garb of so-called parliamentary arrangements. Such systems had a powerful President in the center who considered himself above the law; and the provinces with nominal legislative, and financial authority (Ayaz, 2013; Talbot, 2019; Khan, 2021). Consequently, considering the power-sharing imbalances between the center and the provinces against the spirit of federalism, led to a consensus among the stakeholders to amend the constitutional façade. And it was achieved by incorporating the 18th Amendment into the existing Constitution, in April 2010, with two objectives. First, to return the constitutionally-mandated executive powers to the Prime Minister's office, holding him answerable to the legislature. Secondly, to grant the cherished provincial autonomy to the federating units. Further, the 17th Amendment coupled with the legal framework order (LFO), inserted into, during the Pervez Musharraf regime were removed, too. Third time ban on becoming Prime Minister or Chief Minister was revoked as well. If any ruler or military dictator holds the Constitution in abeyance, this will be considered an act of high treason; invoking Article 6. The 'Council of Common Interests' (CCI) was restructured under the chairmanship of Prime Minister, streamlining, and harmonizing the strained inter-provincial relations. It was made mandatory, too, for the CCI to hold its meetings at least once in three months. And North West Frontier Province (NWFP) was renamed as Khyber-Pakhtunkhwa. A 'Judicial Commission' will also be established; recommending the constitutional procedure for appointment of the superior judges. In this regard, a 'Parliamentary Commission' would decide judges' names to be appointed (PILDAT, 2010). Further, appointment of the 'Chief Election Commissioner' (CEC) will be made by the mutual consensus and consultation between the opposition and treasury benches. Furthermore, after removal of the disputed concurrent list both the federation and the federating units will exercise joint control over the management of natural resources (Rabbani, 2012; Ayaz, 2013).

Implications for the Federation of Pakistan

With the passage of this historic amendment, some constitutional changes were made in the 1973 Constitution to create constitutionally-induced harmonious balance in the exercise of administrative, legislative, and fiscal powers between the Presidential and the Prime Ministerial offices; making judicial structure more independent and reliable; granting more autonomy to the provinces; and changing the name of NWFP to Khyber-Pakhtunkhwa, etc. (Ayaz et al., 2013).

Removal of Article 58(2) (b) From the Constitution of 1973

Presidential powers, especially the use of article 58(2) (b), were reduced by this amendment. Earlier, through the enactment of the 8th and 17th amendments, undue authority was bestowed upon the President's office by Zia-ul-Haq and Pervez Musharraf, respectively. And it was, too, required to brief the President on all important domestic and foreign matters; now, his office does not need reports on any legislative or administrative matter. Such reports caused the dismissal of one premier (Mohammad Khan Junejo) by President Zia-ul-Haq. Likewise, President Ghulam Ishaq Khan sacked two prime ministers (Benazir Bhutto and Mian Nawaz Sharif) and President Farooq Ahmed Khan Leghari dismissed Benazir Bhutto. In general, the threatening sword-like hanging Article 58(2)(b) of the Constitution that empowered the Presidents, was frequently used by the civilians than those of the military rulers; on the vague and blurred charges of poor governance, corruption, and incompetence. Actually, this Article was embedded in the Constitution through the 8th amendment, in 1985, during the regime of power-hungry military ruler, General Zia-ul-Haq, when he reluctantly started sharing of powers with the civilian leaders. This constitutional clause was hanging over the Prime Ministers like a sword of Damocles. Later on, in 1997, it was removed with the passage of the 13th Amendment by the National Assembly, because the then Prime Minister Mian Mohammad Nawaz Sharif desired to concentrate into, executive powers by slashing the Presidential powers. But, again, in 2002, General Pervez Musharraf inserted this Article into the Constitution of 1973 through the passage of the 17th Amendment. In fact, Pervez Musharraf strengthened his position; when massively-rigged general elections precipitated the transferring of executive powers to a seemingly elected civilian Premier. The 18th Amendment has again omitted this Article; ending the unaesthetically so-called lackluster game of musical chairs between the state institutions (Rabbani, 2012; Talbot, 2019; Khan, 2020).

Removal of General Zia's Name

Name of General Zia-ul-haq was deleted from the constitutional framework. After the Senate consented to the 18th Amendment Bill in April, 2010, the very architect of this constitutional software, the then Senator Mian Raza Rabbani, contended that, "the 'Constitutional Amendment Committee' had seriously taken a 'conscious decision' against maintaining the 17th Amendment clause, because it was recommended by the military ruler General Pervaiz Musharraf as a 'noose in the neck' for the then two main opposition political parties---Pakistan People's Party (PPP) and Pakistan Muslim League Nawaz (PML-N)---while provisions for the political parties' elections already existed in the Political Parties Act". He further said, "the Constitution is now free of distortions and undemocratic laws imposed by the dictators. Now, the parliament is free to take independent decisions. All the undemocratically engineered anomalies, bends, twists, and curves in the Constitution of 1973 are removed forever. No undemocratic forces will occupy the throne by sword again. Neither anyone will be allowed to trample over the constitutional architecture nor pose any severe threat to it. The constitutional apparatus is no more in jeopardy. It's pure, and original facade is restored. This step would facilitate a move towards greater provincial autonomy. The aspirations of the federating units are obliged. And, this fact demands that the 18th Amendment should be materialized in its true spirit, only then it can bring required changes" (Nation, April 9 & 16, 2010).

Renaming NWFP and Reservations of other Ethnic Communities

The 18th Amendment fulfilled the long-cherished demand of the Pakhtun population of the North West Frontier Province (NWFP) by renaming it Khyber- Pakhtunkhwa; associating it with their ethnic identity in the area. Therefore, the name of NWFP was changed to Khyber-Pakhtunkhwa. Nevertheless, violence erupted in the NWFP's Hazra Division where the Hindko-speaking people severely opposed it.

Likewise, Gilgit Baltistan has also been given an autonomous status through the "Self-Governance Order", passed by the cabinet and signed by the President in August, 2009. So, the remote northern areas have been provided with an elected Legislative Assembly (Khan, 2021). But the Hindko speaking people were not satisfied. Communal riots followed by the passage of the amendment, caused several deaths in the area. And, the people of Hazara Division also objected to the renaming of the province, as they felt new nomenclature did not represent their identity as they speak 'Hindko' language instead of 'Pushto', therefore, a Hazara province should be created. Similarly, the people of Southern Punjab who speak Saraiki also feel that their rights are being ignored and a Saraiki province should be created, too (Dawn, September 25, 2014). Creation of more provinces within the state is an issue of far-reaching consequences, so it would be better to postpone it until some pressing problems such as, shortfall in electricity and gas, are solved and their economy becomes more sustainable. Such a step will only suit the politicians having vested interests at the expense of the national exchequer; but in the present circumstances when the federation is already economically over-burdened and facing innumerable other socio-economic problems, this move seems not to be easily implemented. Moreover, a language cannot be the basis of a separate identity. As Babar Ayaz, a well-known columnist and political analyst says in his famous book, *What's wrong with Pakistan*, no doubt language policies are so inextricably linked with politics that, any change could alter the political map, and landscape of Pakistan. Whether such a change takes place with or without political turbulence, or whether the status quo continues, with the present low-level violence is for the policy-makers to wisely decide.

Limitations over President's Powers

Furthermore, the 18th Amendment placed limits upon the powers of the President. Now, the President is bound to act upon the Prime Ministerial advice, within a stipulated time. As President's undue discretionary powers to dissolve the National Assembly and referring a matter to referendum, have constitutionally been clipped. Retrospectively speaking, politically engineered referendums, in Pakistan, were held by the Presidents General Zia- ul- Haq and General Pervez Musharraf, respectively, with the power-driven purpose of gaining political legitimacy for their unconstitutional and anti-democratic regimes. In these scenarios, the state machinery was hugely used to rig the elections' results to the satisfaction of the dictators. Presently, the President is required to appoint Services' Chiefs, and Governors of the Provinces, and the like, on the binding advice by the Prime Ministerial office (PILDAT, 2010).

Empowerment of the Smaller Provinces

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This historic constitutional software has legislatively, administratively, and financially empowered the smaller provinces, too. Bicameral legislature, in the Constitution of 1973, was introduced, which mandated the Senate with equal seats for all the federating units. But the 18th Amendment has strengthened the Senate by increasing its membership from 100 to 104. It has been made mandatory that this legislative body must parley at least 110 instead of 90 days a year. Further, the President is not authorized to issue any ordinance while the upper house is in session. The Senate is authorized to debate the financial bills for fourteen days instead of seven days, for better and in-depth deliberations over the important issues. In addition, Prime Minister, including his cabinet has been made responsible to both the houses of the Parliament. Government's annual reports about the execution of contents of policies must be discussed in Senate as well; earlier such reports were placed before the National Assembly only (Rabbani, 2012). Additionally, the provinces had been demanding more autonomy since long but no government or the National Assembly took serious notice of this constitutionally genuine issue. It is noteworthy to mention that with the approval of the 18th Amendment more autonomy was granted to the federating units; especially the smaller ones. Empowering the provinces, some departments have also been transferred to them from the center; streamlining administrative and fiscal matters of regional importance (Rafique, Rosilawati & Habib, 2020).

Bulwark against Military Dictatorships

Article 6, which was originally inserted into the Constitution to deter military interventions and takeovers, has been strengthened; protecting the democratically-elected governments. As, according to the constitutional norms, any attempt to dislodge an elected government, is a major offence as tantamount to treason, punishable by death. However, this did not prove to a bulwark against the military takeovers, orchestrated by General Zia-ul-Haq in 1977 and General Pervez Musharraf in 1999, respectively. However, these military interventions, when legally challenged in the Supreme Court, were unfortunately validated. The then superior courts, too, justified the military takeovers; using expediently-invented legal contortions like 'doctrine of necessity' and the like. The amended legal document declares that any attempt either to suspend or hold the Constitution in abeyance, will be considered an act of high treason. Now, it is not possible for both the High Courts and the apex court to validate or justify any assault on or attempt to subvert the constitutional facade by the dictators (Ayaz, 2013; Talbot, 2019).

Shielding the Fundamental Rights

Concrete steps were taken to shield the right to education, information, and fair trial. Considering the provision of education as a fundamental right and an indispensable panacea for the strengthening of federation, schooling, free of cost, for the children between the age of 5 to 16, has been constitutionally recommended and protected. Therefore, it is responsibility of the state to provide the children with this universally-acknowledged basic facility. No doubt, this provision seems to be a financial burden on an economically weak country, as only two percent of the gross domestic product (GDP) is earmarked for education annually.

Independence of Judiciary and Appointment of the Judges

A seven-member 'Judicial Commission' chaired by the Chief Justice of Pakistan for appointment of the judges, has been recommended. Further, an eight-member 'Parliamentary Committee' with the constitutionally-given authority to accept or repudiate the nominations sent by the 'Judicial Commission', with no less than three-fourth majority, has also been proposed. To further streamline the judicial dispensation, establishment of Islamabad High Court (IHC) and two more high court benches: Balochistan High Court (BHC) in Turbat and Peshawar High Court (PHC) in Mingora were proposed respectively. Expansion in judicial facilities would, definitely, boost peace processes and, confidence building mechanisms (PILDAT, 2010). It is expected, too, by establishing courts in the backward and far-flung areas, that the judicial centers will be in a position to better address grievances of the people, strengthening the federation of Pakistan.

Removal of the Concurrent List

The concurrent list assigned the federation and the provinces with joint responsibilities to legislate on both the overlapping subjects, contained in it. However, the center used to take precedence over the legislation of joint subjects. Currently, with the removal of this list, the provincial governments have been given more responsibilities to legislate on their own subjects; without undue interference by the Parliament. This province-friendly judicial step speaks volumes for cementing the federation of Pakistan. Albeit, rules of evidence, criminal laws, and criminal procedures are the legislative subjects on which both the provincial assemblies, and parliament can do law-making (Rabbani et al., 2012).

Reorganization of the Council of Common Interests

Powers of the Council of Common Interests (CCI) have greatly been increased. The Prime Minister would chair it; with meeting at least once a quarter. The Prime Minister, four Chief Ministers, and three Federal Ministers will attend the meetings at the permanent Secretariat of the CCI. List of the subjects which will be deliberated upon, has substantially been increased; incorporating some subjects that fell within the preview of the omitted concurrent list. The subjects that would be discussed at its platform are electricity, including its generation or production, distribution as well as transmission, major ports, public debt, national planning, legal affairs, population census, higher education, medical and other professions, all regulatory authorities, and inter-provincial matters, and their coordination. The federal government is constitutionally bound to consult with the provincial governments before building or constructing hydroelectric power stations in the provinces as well (Rabbani, 2012; Husain, 2018; Khan, 2021).

New Consensus-Oriented National Finance Commission (NFC) Award

The Constitution of 1973 did not provide the provinces with sufficient capacity of resource generation. They had to depend upon the federal government for the finances incurred on their development schemes, and projects. They were given funds from the divisible pool on population-based single criterion. This created resentment and feelings of deprivation in the smaller provinces (PILDAT, 2012). At present, the 18th Amendment reads, "the National Finance Commission (NFC) award was to be convened every five years. In accordance with the Section 160 of the Constitution, 'Within six months of the commencing day and thereafter at

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intervals not exceeding every five years, the President shall formulate a 'National Finance Commission' comprising the Minister for Finance of the Federal Government, the Ministers for Finance of the Provincial Governments, and such other experts as may be appointed by the President after consultation with the Governors of the respective federating units" (Rabbani, 2012).

Therefore, the Seventh NFC Award has benefited the smaller provinces by creating a sense of relief; establishing new financial milestones. For instance, in the words of Babar Ayaz, a renowned political commentator, "the 7th NFC Award was a big feather in the cap of the PPP-led coalition government."

Additionally, the federal government has replaced the population-based single resource distribution arrangement with the multi-criteria award; including other factors as well: revenue collection/generation, poverty/backwardness, and inverse population density. Moreover, the federation and other provincial governments, especially Punjab, have exhibited flexibility, remarkable spirit of sacrifice, and fair play in mitigating financial problems, and sufferings of the resources-strapped provinces such as Balochistan, and Khyber-Pakhtunkhwa (Rabbani, 2012; Husain, 2018).

In agreement with the 7th National Finance Commission (NFC), division of the divisible pool will be operationalized as under:

- The center would have 44%, while the remaining 56% of the divisible pool will be given to the federating units.
- In compliance with the new horizontal distribution formula, the provinces of the Punjab, Sindh, Khyber-Pakhtunkhwa, and Balochistan would receive 51.74%, 24.55%, 14.62%, and 9.09% shares, respectively.
- This distribution is based on 82% weightage given to population, 10.3% to poverty/backwardness, 5% to revenue generation/ collection and 2.7% to inverse population density/ urban-rural area divide. Furthermore, provinces' current 47.5% share, in the divisible pool, will be increased to 56% in the first year and, subsequently 57.5%, in the following years. (Annual Budget, 2011-2012).
- Sindh, Balochistan and Khyber-Pakhtunkhwa are happy to get larger shares from the national kitty through the 7th NFC Award. The Punjab has shared more with the smaller provinces by agreeing to minimize its share; previously receiving the share solely on single point population- based distribution formula.

With the removal of the concurrent list from the Constitution, the provincial governments have an extended responsibility pertaining to the provision of various services to the citizens. As the experts contend that the civic services are arranged and provided, in a better way, by the governments which are in close proximity to the citizens (Cheema, 2007; Manor, 1999). In Pakistan, where the provinces receive maximum financial resources from the NFC award; the 18th Amendment-induced financial, and legislative autonomy will only be successful, if the provinces are made responsible for financing their development projects, mobilizing the resources, including debt servicing, leading to economic efficiency (Cheema, Ali, Asim & Khan, 2005). Currently, some stakeholders want a little tweaking or revisiting of the

NFC award with a view to effectively meet the increasing expenditures of the federal government. If such readjustment is seriously needed; it should be made under the consensus-oriented nationalistic umbrella of the ‘Council of Common Interests’ (CCI) (Khan, 2020).

Autonomy for the Election Commission of Pakistan (ECP)

A sincere effort was undertaken for the autonomy of the Election Commission of Pakistan (ECP). Official tenure of the Chief Election Commissioner (CEC) was increased from 3 to 5 years. The strength of Commissioners has also been increased to five. The President would appoint the Chief Election Commissioner upon the legally binding recommendation, sent by ‘Committee of the Parliament’ with consent of the leader of the opposition. In addition to it, the Commission’s administrative and functional capacity has been expanded; too, including doing population census, preparation of electoral lists and delimitation, appointment of election tribunals to manage complaints, holding by-elections, and selection of the staff (Batool, 2018; Rabbani, 2012).

‘Sixth Schedule’ to the Constitution, which gave protection to 35 Laws and Ordinances, including the ‘Local Government Ordinance of 2001’, promulgated during the Pervez Musharraf regime, has been removed. However, provision related to the devolution of power plan, inserted under the 17th Amendment, has been retained to hold elections to the local councils by the Election Commission of Pakistan (Malik & Rana, 2019).

Response from the Politicians and Media

The then Premier of Pakistan, Mr. Yousaf Raza Gillani, commented after the passage of the said amendment that “Today, it is the victory of democracy and the PPP-led coalition government would seek to ‘take all on-board’ to deliver on its commitments, so people experience fruits of democracy are reaching them. He further added, it is divided of the politics of mutual understanding and reconciliation that both the nation and the parliament are united today and we have abrogated undemocratic laws inserted into the Constitution by the military regimes.” Indeed, this historically significant event witnessed the successful accomplishment on an unprecedented scale with legislative consensus and political cooperation between the political parties of Pakistan.

“In what political pundits are hailing as a historic moment for the troubled nation, Pakistan is one step closer to restoring the balance of power envisioned by its founding fathers” (CNN, April 9, 2010).

The then Prime Minister Gillani also elaborated “that he believed this was the first time in Pakistan’s politico-constitutional history that the President, the Prime Minister, both houses of the parliament and even the opposition, were on the same page. He maintained that on this historic occasion, the establishment was also supporting the current democratic set-up. Addressing the Senate, he further said that the whole nation is proud of the upper house of the Parliament for approving the 18th Amendment” (Nation, April 16, 2010).

The then President of Pakistan, Mr. Asif Ali Zardari stated in an important message issued on this historic event that “democracy has won the day and dictators have been defeated by the citizens and political forces of the country”.

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Cyril Almeida, a renowned Pakistan-based Journalist, speaking to the CNN, on April 10, 2010, hailed the passage of the bill “a great victory and advertisement for democracy in Pakistan. Indeed, Pakistan has shown that it is not only willing, but also capable of implementing the necessary measures to build a free and democratic society.”

Commenting on the 18th Amendment, Babar Ayaz, a well-reputed Pakistani Columnist and Political Commentator said, “to ensure provincial autonomy and increased national integration... a ‘Parliamentary Committee’ for the Constitutional Reforms’ (PCCR) was formed with the representation of all those political parties that have presence in the two houses of the parliament... it did the historic job of introducing 102 amendments in the Constitution of Pakistan, all rolled up in the jumbo 18th Amendment. The political dimension of this momentous event is that a consensus document was reached and approved unanimously by the National Assembly, clearly demonstrating and proving that Pakistan has enormous potential for democracy. It also shows that in a country where extremists have resorted to terrorism, the majority of the people is moderate and believes in accommodating, and respecting each other’s views in the democratic spirit.”

Ali Ahmed Kurd, ex-president of the Supreme Court Bar Association (SCBA), stated “we fully support the 18th Amendment. It is tantamount to the overhauling of the Constitution, which had been subverted by the military dictators since its birth. In the past, Parliaments have just been ‘rubber stamps’, whereas the present Parliament seemed to be well aware of its obligations, and therefore, was ‘throwing out’ the unconstitutional amendments” (Tribune, April 16, 2010).

Will the 18th Constitutional Amendment Deliver Decentralization?

With the insertion of this historically significant 18th Amendment, into the Constitution, the federation of Pakistan is on an accommodating path to establishing a workable democratic set-up with sufficient politico-constitutional authority vested in a directly elected Parliament; where the armed forces would have to operate under the administrative supervision and control of the popularly elected civilian dispensation. Optimistically speaking, the country can, too, be heading towards the establishment of a well-functioning federal arrangement in which there is a constitutionally-designed sharing of administrative and financial powers between the local and provincial and federal governments, and vice versa (Husain, 2018).

In a federal government system, the people hold the elected representatives accountable for their deeds; exercising electoral oversights. This governing system was adopted in Pakistan, in theory, in light with the Constitution of 1973. Once this system was implemented to run the state; the very next question concerned its optimum functioning architecture. For instance, how many tiers of government should be in practice? And what should be the formula to divide the powers among them? How should the governments at different tiers fund their socio-economic development projects? The Constitution of 1973 laid down two tiers of government, such as one at federal and the other at provincial level. Later on, during the Musharraf regime, a third tier of government was effectively introduced, through the 17th Amendment to the Constitution. This was performed by devolving a set of administrative and fiscal responsibilities to a perceptibly well-functioning mechanism of local governments, mapped out, similar to some extent, on President General Ayub Khan’s multi-layered model of ‘Basic Democracies’ (Talbot, 2019).

In this devolution system, a new elected position was created to run the governance system under the supervision of elected 'District and Tehsil Nazims'; in collaboration with the civil service, effectively delivering the civic services at the grassroots level. But, this newly-experimented local government system could not succeed well due to a multitude of politico-administrative conflicts between the civil servants and elected representatives. Eventually, in 2008, this system was shelved. In 2010, expectations for decentralization and devolution of powers were pinned upon success of the 18TH Constitutional Amendment (Batool, 2018; Husain, 2018).

Conclusion

It goes without saying that the 18th Amendment will have deep-rooted legislative, administrative, and fiscal impacts on the federation of Pakistan. After the deletion of the concurrent list from the 1973 Constitution, if the federating units are truly granted additional powers; it means transferring a large amount of administrative and fiscal responsibilities to them (Husain, 2018; Ayaz, 2013). As a result of it, the provinces will, for example, have the constitutionally-granted mandate to administer a legion of laws: labor, environmental protection, development of the economic sectors, production and distribution of electricity, development of infrastructure, movement of goods and services, improvement in education, and healthcare facilities. This would only materialize, if the federating units experience a constitutionally-mandated path of financing and funding the development projects, and socio-economic activities. But, if they are dependent on the federal government for the allocation of funds and grants, the provincial autonomy promised by the above-analyzed amendment will be an illusory. No doubt, the 18th Constitutional Amendment to the Constitution has jumped upon the bandwagon of instituting a politically and fiscally strong federation in Pakistan; as the very foundation for the introduction of a more responsive system of governance. Conclusively, its success or failure depends on how those assigned with the policy-formulation and execution processes, decide to go ahead; making optimal utilization of the available resources.

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