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Federalism Crises in Pakistan: Impacts on Centre-Province Relations

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Abstract: Despite having a lengthy history of transitional administration, Pakistan has never created a comprehensive federal framework. Since independence, Pakistan's federal structure has remained extremely centralized, resulting in a multitude of issues such as a sense of deprivation, inequity, and unfairness among the units, all of which have fueled regionalist sentiment. However, Pakistan's federation is progressively maturing, but it will take a long time to catch up to the US federation. This research will provide a detailed account of the problems and prospects faced by Pakistan's weak Federation along with remedial measures that can be beneficial in establishing a strong federation in Pakistan. This research study will provide essential information to future researchers to address the issues of the federation in Pakistan from various aspects.

Introduction

The rejection of the greater subcontinent federation by the Muslims of India led to the formation of Pakistan. After its independence, Pakistan adopted the federal form of government. The reasons for Pakistan's decision to go with a federal form rather than a unitary government are self-evident; Pakistan has the issue of linguistic, ethnic, and cultural diversification, which had been obvious in the defeat of the League in East Bengal's spring of 1954 election (Waseem, 2010).

The 1956 constitution of Pakistan adopted the federal form of government with a unicameral legislature, it was a major drawback of the constitution because a single house which could not preserve the proper representation of both wings i.e. East and West Pakistan. The issue of representation created a great deal of resentment among the two wings. The issue of power distribution and representation among the two provinces and the federal and provinces widened and it finally ended with the establishment of Bangladesh in 1971 (Rabbani, 2015).

The weak federation of Pakistan owes its shortcomings to its basic spirit. Various factors are responsible for Pakistan's weak federation including the absence of a weak upper house, lack of social homogeneity, ethnic, cultural, and linguistic divisions, inadequate distribution of wealth, lack of sincere leadership, and absence of a strong national (Dr. Muntazir, 2008). Pakistan's federation is so weak that the country's political situation has been harmed. Federalism is a well-defined political and economic system that tries to divide provincial jurisdiction between a federal government and smaller executive divisions. In general, the federal system seeks to achieve some degree of unity within a different sociopolitical and economic framework by fusing two opposing movements - the desire for union and cooperation to achieve mutually accepted and shared goals, and the desire to maintain identity and independent action. A mutually agreed-upon constitutional and legal framework that regulates the interaction between the federal government and its constituent units is the foundation of federalism, which seeks to create a political union made up of

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various regions and people. Unfortunately, the federation in Pakistan is so weak it has far-reaching consequences on the country's political set. Various factors are responsible for its weak federation. e. lack of national integration, lack of social homogeneity, ethnic diversities, sectarianism, provincialism, regionalism, corrupt leadership, absence of a national party, and so forth (Khan, [2008](#)).

The Issues and Problems of Federalism in Pakistan

There has long been discussion in Pakistan about issues related to federal politics. It is, in fact, a recurring element of Pakistani politics. It is quite disheartening to learn that Pakistan is still grappling with federalism issues 65 years after independence. The process of creating a nation is being hampered by unresolved federalism problems that have exacerbated governance and political management problems. Federalism is a constructed political and economic management system that is the result of a deliberate choice to attain agreed political goals. Its objective is to split state authority between a central government and more constrained administrative divisions. In theory, the federal plan seeks to foster a sense of cohesion within a complex sociopolitical setting. And in the context of the economy, by combining two seemingly incompatible trends: the need for unions and cooperation to achieve shared objectives as well as the desire to maintain individuality and independent activity. In order to pursue shared values, goals, and interests, communities where a diverse pattern of beliefs, interests, and traditions can be accommodated within a legal and political framework are best suited for political organizations (Bill, [2022](#)).

In August 1947, Pakistan became a federal democratic state, with certain adjustments to the federal concept envisioned in the Government of India Act of 1935. However, because these component entities did not have sovereign authority, there was no voluntary effort on the part of the federating units to create the federal system in Pakistan. These had previously been included in a developing federal paradigm. It was different from typical federal experiences in this regard because units typically form after reaching an agreement and moving toward federation. Thus, a

decision made by the government of Pakistan led to the implementation of a federal system. Along with these problems, Pakistan's colonial past had an impact on the type and choice of the federation. Federalism in Pakistan was made possible by the Government of India Act of 1935, which formally established a strong central government and the federal system in British India. As a result, the development of a highly centralized federal government was a result of the country's colonial history, which remained after independence. Pakistan has had several constitutional changes (Mahmood, [2020](#)).

Arrangements (Parliamentary and presidential), yet it has always maintained federalism in its constitution. The adoption of a federal system was required by geographic constraints, particularly the physical separation of the two wings (East and West Pakistan), but it also presented significant difficulties in creating a successful functional federation. Due to the geographical distance between the two wings, opportunities for mutual exchange in terms of transportation and communication were constrained. In addition to making it difficult for mutual relevance to develop, this also hurt trade, labourer movement, and political and economic activities, and contributed to socioeconomic disparities. Pakistan's sociocultural, ethnic, and linguistic diversity made federalism a foregone conclusion. The state's inability to operate as a federal union was hampered by the size of their respective areas, topographical conditions, population, and ethnic and cultural makeup of Pakistan's two wings. These detrimental economic differences for the east only worsen over time. East Pakistanis' main complaints against the west, which undermined cooperation and partnership between the two wings, were these. Federalism's ability to function is harmed by this. The underrepresentation of East Pakistan in the military and civil service was a further source of dispute. Based on their population, the leaders of the eastern wing requested a portion of these services. These concerns were compounded by a slew of additional constitutional issues, putting pressure on Pakistan's federalism. When East Pakistan broke away from the union in 1971, Bangladesh became a sovereign nation. In addition to disparities between the two wings, regional, ethnic, linguistic, and socioeconomic diversity

within the remaining Pakistan complicated the evolution and management of federalism after the federation was disbanded in 1971 (Kishwer, 2018).

Punjab is Pakistan's most populated province, with more people than all of the country's other provinces and administrative entities combined. Other provinces have expressed dissatisfaction with Punjab's representation in civil and military sectors. Federalism has been preserved in all three of Pakistan's constitutions. Although there are differences in the specifics of each, both share the concepts of centralization and decentralization. and the dominance of the centre. The 1973 version of the constitution contains two lists of subjects: one list matters on which only the federal government may enact laws, and the other lists matters on which both the national and provincial legislatures may enact laws, with the national legislature maintaining supremacy in the event of a dispute. The provinces are given residuary powers. Both lists are so comprehensive that provinces have very little room to maneuver. The administrative relationships between the center and the provinces reveal a centralization trend. The constitution gives the provincial government primary responsibility for law and order, but if the centre decides that the provincial government is not giving the people the security they need, it has the power to take action (Bukhari, 2013).

The provincial government is additionally required to exercise its authority in a way that ensures adherence to specific acts of parliament under the guise of upholding law and order, and the Centre has the power to issue directives to the provincial government, which it is required to abide by. In an emergency, the Centre might have complete control over provincial governance. However, even if this is not the case, the Centre can exert significant control over the province's administrative machinery through Pakistan's central superior services, which are accountable to the Centre for their acts. The Centre is also more powerful than the provinces in terms of finance. In actuality, the provincial government's growth plans are mainly reliant on the federal government. Without the active assistance of the Centre, no province can function. The constitution divides issues in such a way that the Centre has jurisdiction over all of the major revenue sources. The constitution empowers the central government to charge and collect all significant taxes, such as

income from sources other than agriculture, mineral, oil, and natural gas, as well as customs, export, and excise duties. Land revenues, as well as taxes on agriculture income and luxuries, are the provinces' main sources of revenue (Anjum).

Issues of National Integration in Pakistan Regarding Baluchistan

National integration is a sense in which a community/nation of a state perceives itself as living with one another, with feelings of oneness, togetherness, and compassion, without regard for race, ethnicity, or regional differences. Boundaries and so on it is the general public's experience of casual distinction of any given state. Regardless of whether a nation is divided by caste, belief, territory, or lingual concerns, they are together. "They Are All One," they thought to themselves. Feelings of national integration are engendered by this kind of spirit. According to a report by the Education Commission, "National Integration entails faith in the nation's future, a steady improvement in living standards, the development of a sense of values and responsibilities, a good and impartial administrative structure, and mutual understanding (P.Joseph, 2017).

Pakistan has been grappling with the issue of national integration since its inception. Many main elements existed, resulting in independence. Pakistan is a country in which this is problem that is surfacing in Baluchistan. Baluchistan holds a prominent position due to its valuable and priceless natural resources, as well as minerals. Baluchistan is situated in the southwest of Pakistan. Pakistan shares a border with two neighboring countries, Iran and Afghanistan. After Gawadar Port, which receives extraordinary value for its cargo, the weightage has increased. Pakistan, for example, is one of the world's most populous countries. Previously, the British government took considerable measures. Baluchistan has been declared as a "buffer" Zone". With the support of Baluchistan's Sardars, the British government maintains authority over this province. Moreover, the same technique was used until 1947, when various uprisings occurred to form a sovereign Baluchistan. Baluchistan, Afghanistan, or Iran, according to Noraiee, is the state. That appeal to the Russian government and the British government. The explanation behind this is as

follows: The argument is that Baluchistan is located at a strategic location in the country. As a result, the British government devises strategies to include regional importance and geopolitics. Baluchistan's biggest challenge with national integration is the lack of sovereignty granted to the Bloch government (Robert, [2020](#)).

When Balochis insist on voting and demand that their rights be extended to the municipal level, however, the central government consistently ignores the demand and requirement for this issue. The distribution of natural resources among provinces is a national integration challenge. Natural gas, gold, copper, oil, and chromites are all found in Baluchistan. Despite possessing rice as a natural resource, the Balochies are poor. Due to a lack of interest in the province, there is unequal distribution. Every aspect of life is deprived, and none of the government's post-secondary technical education, participation in government policies, post-secondary technical education, post-secondary technical education, etc. is helping. Although the central body has always declared that Baluchistan's fiscal and administrative concerns have been resolved in the form of a law. "The 18th Amendment to the Baluchistan Aghaz-e-Haqooq and the National Finance Act" Award from the National Football League Commission (NFC)" Ethnicity Balochis never received their desire for equal participation in state politics and the army (Owais, [2016](#)).

Due to the selfishness of central government policies, it is fairly uncommon for the Balochi council to fail to complete its term. The ethnicity in the region is pushed by this issue, and the Baloch people desire to be represented in the central government as well. The use of armed force by General Pervez Musharraf in 1999 heightened feelings of enmity in Baloch. The lack of Baloch participation in the military, as well as Punjab's supremacy, is a key problem of ethnicity in Balochistan, leading to an upsurge in anti-Punjabi emotions. Though Asif Ali Zardari's shift in command from the army to the civil administration decreases tensions in certain ways, the intervention in 2009-2010 exacerbates the violence. Balochistan is always blamed by the Punjab government. Armed attack in "Waziristan" (Balochistan) is currently being labeled as an "Anti-Terrorism Mission." The Language Problem Insistence on preserving and promoting the

Balochi language and values in the face of the fight against Urdu has turned into a national security concern. Neglecting Baloch requests for their language and the promotion of Balochi cultural traditions resulted in there are 211 major disagreements. "Cultural symbols are used to strengthen group cohesion and legitimize group demands (Sedler, [2010](#)).

Political Instability in Pakistan

Government instability, political party inefficiency, and a deficient political culture all contribute to the development of politically unstable states. This issue has connections to numerous other issues across numerous disciplines. For societies where there is multi-ethnicity, with people of various cultural backgrounds, the problem of political instability becomes more significant. All social groups in a politically stable state receive their fair share and are happy to be a part of a multiethnic society, which eventually results in peace and the building of a nation. When conditions are stable, people feel empowered and put their energies toward the development of the country. In the case of insecurity, the situation is reversed; people are dissatisfied and feel powerless. When people are helpless, they lose faith in institutions and prefer to do things on their own. Self-interested behaviour causes a schism between the state and society as a whole. For a country to achieve its goals, political stability is essential. Political party formation is directly impacted by factors like political development and national integration, both of which are under construction. Different levels of political "stability"—whether they are contemporary or modernizing—play a role in state growth. This needs to be taken into account (Waseem, [2010](#)).

Maintain peace, harmony, and long-term constitutional satisfaction "The preservation of government institutions and the preservation of civic order". It's a phrase that's frequently used to describe the political stability of democracies. The degree of political stability can be determined by considering how adaptable the State and Society, two institutions, are. Any change in one area will affect the other. Despite the fact that the social system has changed, being able to easily adapt to change will help you overcome the various challenges to political development. Pakistan is one of many developing Asian and African nations

that has struggled to find answers to problems like national integration, centralized power, and economic growth. The political participation of modernizing societies and social welfare in these states' political systems have both increased concurrently. Political stability is a requirement for nation-building, which is a process necessary for a nation to survive and advance. The act of nation-building serves two purposes: it helps to forge a nation's identity, which then helps to forge that nation's identity, and it helps to forge that nation's identity (Rabbani, [2015](#)).

The evolution of a state is an important component of state-building and its administrative infrastructure. The effects of political stability can be felt all across the world. With its rich natural resources, fertile land, intelligent populace, strategic location, and nuclear weapons, Pakistan is a major political concern. Weak and ineffective external and internal forces increase internal and external instability. With internal policymaking, policy discontinuance, and a lack of coherence on the global stage, society is an obscure picture with an uncertain future. Questioned by the rest of the world in all ways, a politically stable state fulfills every segment of society. As a result, people become more dynamic and accommodating of diversity. Amongst the people, a sense of patriotism and loyalty to the state develops. Regardless of their differences, residents feel a sense of belonging to the community. The contribution of a learned society to the advancement of knowledge Politics in the developing and less developed worlds is different. In a well-educated society, People are compelled to use all of their resources as a result of their education. Another factor to consider is that, in addition to education, Because of real leadership, a developed state can satisfy all basic needs. The current political unrest in Pakistan has caused issues for the state and society of the nation on both the domestic and international fronts. Pakistan faces many difficulties, especially in the political and economic spheres. Pakistan is receiving relief and assistance from throughout the world, but because of false leadership and unstable political situations. Huge amounts of foreign help aren't yielding any favorable outcomes. The instability creates barriers in the areas of national security, societal cohesion, national economy, combating terrorism, policymaking, integrating

into global politics and economy, and gaining international recognition. The most pressing and immediate threat is political instability. Pakistan's situation is being exacerbated by its mismanagement of the problem of the fight against terrorism which is harming the country's internal situation as well as its interactions with other countries. Any clear and efficient counterterrorism measures and policies are being hindered by the unsteady political climate (Junaid, [2019](#)).

Education and Income Inequality in Pakistan

From the dawn of time, even before man's arrival on the planet, it has been noted that inequality has an impact on a variety of aspects. Education is one of the variables that is influenced by such disparities; most likely income disparities inequality. Many studies are available. It suggests that the governments are spending a lot of money. The sum should be used for the educational advancement of in every field, the common public has had extraordinary success Compiled, on the other hand, countries with significant income inequality, on the other hand, have a low literacy rate, as well as a low level of education the labor force. Pakistan is a country with wide income gaps and unequal wealth distribution. However, the value of this those landlords have complete influence over the industry. Who wield financial and political influence, and they have kept their fortune to themselves. Keeps and pays little salaries to the poor workforce.

This is the starting place for the journey to the destination. Inequality in income affects the great majority of people. Settled in Pakistan's rural areas As a result of Due to a lack of financial resources, the impoverished cannot get their kids enrolled in good school education. We looked into another aspect that contributes to income disparity, namely the fact that a large portion of the agricultural industry has been shifted to other sectors. As a result of this, income is fast increasing. As most individuals concerned about this are aware, there is inequity. Workers in the manufacturing business are being laid off and others. As a result, this is yet another significant event. The reason that the poor are being pushed to the bottom of the food chain Poverty is rife, and it is robbing the poor. It restricts people from receiving appropriate educational opportunities. There is yet another

significant issue to consider. This is leading to a rise in wealth disparity. This is the country's regressive taxes system. According to the findings, taxes on the poor are a bad idea. In the last ten years, it has climbed by up to 35%. One of the main reasons for this is that the wealthy pay a low price for their goods. He is paying a heavy price for his meager income wages. This element is once again making schooling difficult. For the poor man, it was excruciating. Disparities in income are also generating food shortages and a lack of necessities an ordinary man's necessities. The amount of education or knowledge base has a significant impact on economic activities. As a result, there are inequities in educational access. With a reasonable availability equation or learning and educational distribution, the impoverished will be able to take advantage of opportunities. The bigger the proportion of benefits derived from the country's economy is growing. This proclivity Because of this, growth rates will be accelerated even more. Active participation of the educated masses in the political process activities of the economy is important for the success of federalism (Petts, [2021](#)).

Federal and Provincial Relations in Pakistan

Pakistan's federal problem stems from a long-standing instability in center-province ties. A profile of the state's penalization draws attention to the three smaller provinces' demand for provincial autonomy. All constitutional frameworks have had a pronounced pro-federation slant in the distribution of subjects since the 1935 India Act. Between 1935 and 1965, the number of subjects was reduced from three (federal, provincial, and concurrent) to one (federal) in 1962, and then to two (federal and concurrent) in 1973, with residual powers remaining with the provinces (1962, 1973). The federation had infiltrated the concurrent list's domain. Provinces attempted to have this list removed because they believed that in the event of a conflict, the federation would always win. The federal bias encapsulated the entire situation (Yosafzai, [2019](#)).

A long-term trend, though, has been in favour of provincial subjects. The 18th Amendment of 2010 allowed provinces to offer security guarantees on

the provincial consolidated fund and borrow money both domestically and abroad. It took a novel approach by allowing the federation and the provinces to share equal ownership of mineral resources discovered in a province or its neighbouring waters. Additionally, it gave the authority of the province over the sales tax on services (but not on goods). The concurrent list was essentially discarded, and 40 of its 47 items were moved to the provinces. This is a significant development, and the ramifications are described in greater depth below (Mallick, [2020](#)). The federal government was in charge of hiring, training, posting, transferring, promoting, and demoting federal employees as a group of officers. In contrast to the former pattern of recruiting civil servants under the Indian Civil Service based on province Cadre in British India, Pakistan's civil bureaucracy was recruited based on federal Cadre. The federation's interests continued to be a point of contention, and provincial governments continued to feel powerless in the face of a centralist bureaucracy that presided over the affairs of the provinces in which it was posted by giving the federation's interests priority. The concept of fiscal federalism has advanced significantly. Conflict resolution between the Centre and a province or between provinces is the responsibility of the council of common interests, which was established by Article 153 of the 1973 constitution. It is sometimes referred to as a quasi-executive body because it consists of the prime minister, the chief of staff, and the ministers and representatives of the provinces (Choudhary).

CCI is effective in theory, but it is not in actual use. The relationships between two or more parties involved in the dispute on a procedural level frequently influence how a dispute is resolved. There are very few CCI gatherings. As a result, CCI is ineffective as an organization for resolving conflicts. The CCI report must be regularly presented to both chambers of parliament, per the 18th Amendment. It added three additional members of the federal cabinet to the CCI, required quarterly meetings, set up a permanent secretariat, and expanded the scope of the CCI's mandate to include the oversight and control of affiliated organizations. These changes may increase their significance, but it remains to be seen how they will actually function and whether they will be successful. Conflicts between the Center

and the Provinces will stymie it. Later, the 18 amendments stipulated that the federal government must first consult with the provincial government of the province where a hydroelectric power plant is planned to be built, that the province's share must be equal to or higher than that of the previous award, that the federal and provincial finance ministers must check on the award's implementation every two years, and that they must present their findings to the national and provincial assemblies. Mistrust between provinces has frequently been a result of the water distribution problem. Due to the possibility of wiping out three million acres of cotton-growing land, Punjab petitioned the Indus River System Authority (IRSA) to operate the ChashmaJehlum Link canal in 2009 (Anjum).

Conclusion

Pakistan came into being on August 14, 1947. All

of the qualities of a federation were included in the constitution. There are several characteristics of the nation, including a written constitution, a dual polity, a division of power between the federal government and the provinces, and an independent Supreme Court. It called for maximum decentralization of authority to meet the desire for regional autonomy, as well as necessary protections to ensure that the demand for regional autonomy was met. There were three lists for the national government's discharge of tasks and duties in terms of power distribution: federal, provincial, and concurrent. The concurrent list is removed after the 18th amendment, and its subjects are given to the provinces, giving them more autonomy. But still, it cannot be assumed that Pakistan's federal system has no weaknesses. The indirect election method of the upper house and its weakness, the issue of national integration, political instability, lack of political training, and party politics are the factors responsible for the weak federal system in Pakistan.

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