



ISLAMABAD POLICY RESEARCH INSTITUTE

5th Floor, Evacuee Trust Complex Sir Aga Khan Road, F-5/1, Islamabad
Tel: (92-51) 9211346-9, Fax: 9211350
Website: www.ipripak.org, Email ipripak@ipripak.org

PRESS COVERAGE

Guest Lecture: 18th Amendment and Challenges to Federalism

11 April 2018



There is Need to Devolve Powers to the Lowest Level: President PILDAT

April 11, 2018

ISLAMABAD, April 11 (APP): President Pakistan Institute of Legislative Development and Transparency (PILDAT), Wednesday stressed the need to devolve powers to the lowest level according to true spirit of the 18th amendment.

“Although after enactment of 18th amendment, the provinces had formed numerous district government authorities, these authorities remained ineffective due to the provincial government’s hesitation to transfer full powers to the local governments due to their capacity issues,” he observed adding it was a political reality, but there was a need for a number of reforms and their implementation.

He stated this while delivering a lecture on ‘18th Amendment and Challenges to Federalism’ organized by the Islamabad Policy Research Institute (IPRI) here.

Mehboob said on the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching was required to see what it had failed to achieve, whether there were lessons to be learned to modify it and removed bottlenecks to improve its implementation and make changes. The Amendment is a reality – a political reality – passed unanimously so it cannot be wished away.

But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan, he added.

‘We have no option but to make local governments more meaningful and effective if the real purpose of the amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled’, Mehboob stressed.

A constitution was not a static document and the impacts of this Amendment should be openly debated, and the Concurrent Legislative list should be immediately restored, he recommended. Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government.

“While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly,” he observed.

Mehboob pointed out that since federalism was a delicate compromise between unity and autonomy, there was a need for mature political ability and legalism for the continuity and success of this system.

‘There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.’ Earlier, President of IPRI Ambassador (R) Abdul Basit welcoming the participants said the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

APP/Zub

<<https://vid.app.com.pk/vid/2018/04/there-is-need-to-devolve-powers-to-the-lowest-level-president-pildat/>>

18th Amendment: Abolishment of Concurrent List Poses Serious Challenges to National Identity: PILDAT

ALI HUSSAIN
APR 12TH, 2018
ISLAMABAD

President Pakistan Institute of Legislative Development and Transparency (PILDAT), Ahmed Bilal Mehboob Wednesday said that abolishment of Concurrent List under the 18th Constitutional Amendment has posed serious challenges to national identity and it needs to be restored. Speaking at Islamabad Policy Research Institute's (IPRI) lecture on "18th Amendment and Challenges to Federalism" on its 8th anniversary following its passage from the Parliament, he asserted that serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes. He said that the amendment is a reality, a political reality, passed unanimously so it cannot be washed away. But while it does not pose challenges to the federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan, he added. He agreed with the dissenting note submitted by SM Zaffar, a noted legal expert and the then PML-Q representative in the parliamentary committee on the 18th Amendment, who stated that by abolishing the concurrent list, it is tantamount to weakening the federation, adding the Council of Common Interests (CCI) has emerged as a "super cabinet," or "government within a government." This, he said, has posed a major challenge to the national identity as curriculum of the education institutions being an important subject had been devolved to the provinces that lack capacity. "We have no option but to make local governments more meaningful and effective if the real purpose of the amendment to serve local people and maintain the integrity and national identity of the country is to be fulfilled," he said. "A Constitution is not a static document and the impacts of this amendment should be openly debated, and the Concurrent Legislative List should be immediately restored," he asserted. Providing a detailed overview of the federalism in the sub-continent, from the 1914 Lucknow Pact, 1919 Montague-Chelmsford Reforms, Jinnah's 14 Points in 1928, Allama Iqbal's visionary 1930 Allahabad address, the 1935 Government of India Act, and Quaid-i-Azam's 1945 interview, he said, "We should remember that pre-independence India had an entirely different context for federalism, and how and how much it has been changed for Pakistan post-14 August 1947."

Referring to the Pakistan's post-1971 constitutional evolution, he said that the 18th Amendment did not take place in a vacuum. Rather the varied perceptions about the reasons for the separation of East Pakistan, the defacement of the 1973 Constitution, the strains between the centre and provinces, especially then-NWFP and Balochistan, the 1999 Coup and 17th Amendment, all led to the need for Constitutional reforms to bring it back to its original 1973 spirit and strengthen its parliamentary-federal character, he added. He was also critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of senators led to the document being dominated by regional sentiments and diluted the central character of the government. "While certain level of confidentiality is necessary, complete and utter secrecy was counterproductive and the hurried passage of the amendment provided no time for substantive and open discussions once it was brought to the Parliament," he added. He pointed out that since federalism is a delicate compromise between unity and autonomy so there is a need for mature political ability and legalism for the continuity and success of this system.

Earlier, President of IPRI Ambassador (ret'd) Abdul Basit in his welcome address said that 18th Constitutional Amendment adopted in April 2010 has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

However, he pointed out that given its important implications for legislative, political and power-sharing arrangements that exist between the federal and provincial governments, the amendment places increased capacity demands on the role and functions of the provincial governments and a greater understanding of and adjustment to this monumental shift on the part of the federation.

Copyright Business Recorder, 2018

<<http://fp.brecorder.com/2018/04/20180412360328/>>

IPRI Holds Lecture on 18th Constitutional Amendment, its Implications

April 12, 2018

Zubair Qureshi

At a time when we are celebrating the 8th anniversary of the 18th Constitutional Amendment, there should be soul-searching by all the stakeholders to see whether that amendment has achieved the desired goals of provincial autonomy, empowerment of marginalized communities and other benefits at grass-root level. Whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes. All these points were raised during a lecture titled ‘18th Amendment and Challenges to Federalism’ organized by the Islamabad Policy Research Institute (IPRI) here on Wednesday. President Pakistan Institute of Legislative Development and Transparency (PILDAT) Ahmed Bilal Mehboob was the keynote speaker at the lecture.

Ahmed Bilal Mehboob was of the view that the purpose behind the 18th Amendment was to run the affairs of the government effectively and for this we have to make local governments more efficient and result-oriented. The 18th Amendment is to maintain integrity and national identity of the country intact. Constitution he said was not a static document and the impacts of this Amendment should be openly debated and the concurrent legislative list should be immediately restored, he recommended. Ambassador (R) Abdul Basit, President of IPRI welcoming the participants said the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

<https://pakobserver.net/ipri-holds-lecture-on-18th-constitutional-amendment-its-implications/>

On 8th anniversary of 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve: Ahmed Bilal

Posted By: Sabah News on: April 12, 2018In: National



Abdul Basit says 18th Amendment has been a landmark legislation that has provided a legal framework to enable a democratic devolution

ISLAMABAD, April 11 (SABAH): On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes.

The Amendment is a reality – a political reality – passed unanimously so it cannot be wished away. But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan.

This was shared by Ahmed Bilal Mehboob, President Pakistan Institute of Legislative Development and Transparency (PILDAT) at the lecture on ‘18th Amendment and Challenges to

Federalism’ organised by the Islamabad Policy Research Institute (IPRI) here in Islamabad on Wednesday.

‘We have no option but to make local governments more meaningful and effective if the real purpose of the Amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled’, Mehboob stressed. A constitution is not a static document and the impacts of this Amendment should be openly debated, and the Concurrent Legislative List should be immediately restored, he recommended.

Providing detailed overview of federalism in the subcontinent, from the 1914 Lucknow Pact, 1919 Montague-Chelmsford Reforms, Jinnah’s 14 Points in 1928, Allama Iqbal’s visionary 1930 Allahabad address, the 1935 Government of India Act, and Quaid-i-Azam’s 1945 interview, Ahmed Bilal said that ‘we should remember that pre-independence India had an entirely different context for federalism, and how and how much it has changed for Pakistan post- 14 August 1947.’ While going over Pakistan’s post-1971 constitutional evolution, he said that the 18th Amendment did not take place in a vacuum. Rather the varied perceptions about the reasons for the separation of East Pakistan, the defacement of the 1973 Constitution, the strains between the Centre and provinces especially then-NWFP and Balochistan, the 1999 Coup and 7th Amendment all led to the need for constitutional reforms to bring it back to its original 1973 spirit and strengthen its parliamentary-federal character.

Ahmed Bilal Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government.

While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly, he observed.

Ahmed Bilal Mehboob pointed out that since federalism is a delicate compromise between unity and autonomy, there is a need for mature political ability and legalism for the continuity and success of this system. ‘There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.

’Earlier, Ambassador (retd) Abdul Basit Khan, President of IPRI welcoming the participants said that the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

However; Ambassador Basit pointed out that given its important implications for legislative, political and power-sharing arrangements that exist between the federal and provincial governments, this Amendment places increased capacity demands on the role and function of the Provincial Governments, and a greater understanding of and adjustment to this monumental shift on the part of the Federation.

In the Question and Answer session, the participants of the lecture, including former ambassadors, public policy students and media concurred that a committee consisting of legislative experts, parliamentarians, and practitioners should be constituted to study the 18th Constitutional Amendment and see what can be shortened or added (e.g. issues like syllabi and education) since doing away with the Concurrent List altogether was not a prudent step. There was also agreement that decentralized and inclusive governance will enable the Pakistani federation to accommodate the diverse interests, identities and working of institutions in the country

Ends-SABAH-TR-ZS

<<http://www.sabahnews.net/126358>>

18th amendment Poses Problems for National Identity of Pakistan: President PILDAT

DNA News | April 11, 2018



ISLAMABAD, APR 11 (DNA) – On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes.

The Amendment is a reality – a political reality – passed unanimously so it cannot be wished away. But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan.

This was shared by Mr Ahmed Bilal Mehboob, President Pakistan Institute of Legislative Development and Transparency (PILDAT) at the lecture on ‘18th Amendment and Challenges to Federalism’ organised by the Islamabad Policy Research Institute (IPRI) here in Islamabad today.

‘We have no option but to make local governments more meaningful and effective if the real purpose of the Amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled’, Mr Mehboob stressed. A constitution is not a static document

and the impacts of this Amendment should be openly debated, and the Concurrent Legislative List should be immediately restored, he recommended.

Providing detailed overview of federalism in the subcontinent, from the 1914 Lucknow Pact, 1919 Montague-Chelmsford Reforms, Jinnah's 14 Points in 1928, Allama Iqbal's visionary 1930 Allahabad address, the 1935 Government of India Act, and Quaid-i-Azam's 1945 interview, Mr Ahmed Bilal said that 'we should remember that pre-independence India had an entirely different context for federalism, and how and how much it has changed for Pakistan post- 14 August 1947.'

While going over Pakistan's post-1971 constitutional evolution, he said that the 18th Amendment did not take place in a vacuum. Rather the varied perceptions about the reasons for the separation of East Pakistan, the defacement of the 1973 Constitution, the strains between the Centre and provinces especially then-NWFP and Balochistan, the 1999 Coup and 17th Amendment all led to the need for constitutional reforms to bring it back to its original 1973 spirit and strengthen its parliamentary-federal character.

Mr Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government. While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly, he observed. Mr Mehboob pointed out that since federalism is a delicate compromise between unity and autonomy, there is a need for mature political ability and legalism for the continuity and success of this system.

'There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.'

Earlier, Ambassador (R) Abdul Basit, President of IPRI welcoming the participants said the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

However, Ambassador Basit pointed out that given its important implications for legislative, political and power-sharing arrangements that exist between the federal and provincial governments, this Amendment places increased capacity demands on the role and function of the Provincial Governments, and a greater understanding of and adjustment to this monumental shift on the part of the Federation.

In the Question and Answer session, the participants of the lecture, including former ambassadors, public policy students and media concurred that a committee consisting of

legislative experts, parliamentarians, and practitioners should be constituted to study the 18th Constitutional Amendment and see what can be shortened or added (e.g. issues like syllabi and education) since doing away with the Concurrent List altogether was not a prudent step.

There was also agreement that decentralised and inclusive governance will enable the Pakistani federation to accommodate the diverse interests, identities and working of institutions in the country.

<<http://www.dnaneews.com.pk/18th-amendment-poses-problems-national-identity-pakistan-president-pildat/>>

Need Stressed to Devolve Powers to District Governments

Sumaira FH 18 hours ago Wed 11th April 2018 | 04:41 PM



President Pakistan Institute of Legislative Development and Transparency (PILDAT), Wednesday stressed the need to devolve powers to the lowest level according to true spirit of the 18th amendment.

ISLAMABAD, (UrduPoint / Pakistan Point News - 11th Apr, 2018): President Pakistan Institute of Legislative Development and Transparency (PILDAT), Wednesday stressed the need to devolve powers to the lowest level according to true spirit of the 18th amendment. "Although after enactment of 18th amendment, the provinces had formed numerous district government authorities, these authorities remained ineffective due to the provincial government's hesitation to transfer full powers to the local governments due to their capacity issues," he observed adding it was a political reality, but there was a need for a number of reforms and their implementation. He stated this while delivering a lecture on '18th Amendment and Challenges to Federalism' organized by the Islamabad Policy Research Institute (IPRI) here. Mehboob said on the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching was required to see what it had failed to achieve, whether there were lessons to be learned to modify it and removed bottlenecks to improve its implementation and make changes. The Amendment is a reality - a political reality - passed unanimously so it cannot be wished away.

But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan, he added. 'We have no option but to make local governments more meaningful and effective if the real purpose of the amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled', Mehboob stressed.

A constitution was not a static document and the impacts of this Amendment should be openly debated, and the Concurrent Legislative list should be immediately restored, he recommended. Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government.

"While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly," he observed. Mehboob pointed out that since federalism was a delicate compromise between unity and autonomy, there was a need for mature political ability and legalism for the continuity and success of this system.

'There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.' Earlier, President of IPRI Ambassador (R) Abdul Basit welcoming the participants said the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

<<https://www.urdupoint.com/en/pakistan/need-stressed-to-devolve-powers-to-district-g-311876.html>>

8th Anniversary of the 18th Constitutional Amendment Celebrated

Umer Jamshaid 18 hours ago Wed 11th April 2018 | 05:02 PM



On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes

Islamabad (UrduPoint / Pakistan Point News - 11th Apr, 2018) On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes.

The Amendment is a reality - a political reality - passed unanimously so it cannot be wished away. But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan.

This was shared by Mr Ahmed Bilal Mehboob, President Pakistan Institute of Legislative Development and Transparency (PILDAT) at the lecture on ‘18th Amendment and Challenges to Federalism’ organised by the Islamabad Policy Research Institute (IPRI) here in Islamabad today.

‘We have no option but to make local governments more meaningful and effective if the real purpose of the Amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled’, Mr Mehboob stressed.

A constitution is not a static document and the impacts of this Amendment should be openly debated, and the Concurrent Legislative List should be immediately restored, he recommended. Providing a detailed overview of federalism in the subcontinent, from the 1914 Lucknow Pact, 1919 Montague-Chelmsford Reforms, Jinnah’s 14 Points in 1928, Allama Iqbal’s visionary 1930 Allahabad address, the 1935 Government of India Act, and Quaid-i-Azam’s 1945 interview, Mr Ahmed Bilal said that ‘we should remember that pre-independence India had an entirely different context for federalism, and how and how much it has changed for Pakistan post-14 August 1947.’

While going over Pakistan’s post-1971 constitutional evolution, he said that the 18th Amendment did not take place in a vacuum.

Rather the varied perceptions about the reasons for the separation of East Pakistan, the defacement of the 1973 Constitution, the strains between the Centre and provinces especially then-NWFP and Balochistan, the 1999 Coup and 17th Amendment all led to the need for constitutional reforms to bring it back to its original 1973 spirit and strengthen its parliamentary-federal character.

Mr Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government.

While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly, he observed.

Mr Mehboob pointed out that since federalism is a delicate compromise between unity and autonomy, there is a need for mature political ability and legalism for the continuity and success of this system.

‘There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.’

Earlier, Ambassador (R) Abdul Basit, President of IPRI welcoming the participants said the 18th

Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan.

However, Ambassador Basit pointed out that given its important implications for legislative, political and power-sharing arrangements that exist between the federal and provincial governments, this Amendment places increased capacity demands on the role and function of the Provincial Governments, and a greater understanding of and adjustment to this monumental shift on the part of the Federation.

In the Question and Answer session, the participants of the lecture, including former ambassadors, public policy students and media concurred that a committee consisting of legislative experts, parliamentarians, and practitioners should be constituted to study the 18th Constitutional Amendment and see what can be shortened or added (e.g. issues like syllabi and education) since doing away with the Concurrent List altogether was not a prudent step. There was also agreement that decentralised and inclusive governance will enable the Pakistani federation to accommodate the diverse interests, identities and working of institutions in the country.

< <https://www.urdupoint.com/en/pakistan/8th-anniversary-of-the-18th-constitutional-am-311980.html> >

8th Anniversary of the 18th Constitutional Amendment Celebrated

18 hours ago



On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes

Islamabad (Pakistan Point News - 11th Apr, 2018) On the 8th anniversary of the 18th Constitutional Amendment, serious soul-searching is required to see what it has failed to achieve, whether there are lessons to be learned to modify it and remove bottlenecks to improve its implementation and make changes. The Amendment is a reality - a political reality - passed unanimously so it cannot be wished away. But while it does not pose challenges to federalism since it can be modified the way a state wants, the 18th Constitutional Amendment does pose problems for the national identity and integrity of the state of Pakistan.

This was shared by Mr Ahmed Bilal Mehboob, President Pakistan Institute of Legislative Development and Transparency (PILDAT) at the lecture on ‘18th Amendment and Challenges to Federalism’ organised by the Islamabad Policy Research Institute (IPRI) here in Islamabad today. ‘We have no option but to make local governments more meaningful and effective if the real purpose of the Amendment to serve local people, and maintain the integrity and national identity of the country is to be fulfilled’, Mr Mehboob stressed.

A constitution is not a static document and the impacts of this Amendment should be openly debated, and the Concurrent Legislative List should be immediately restored, he recommended. Providing a detailed overview of federalism in the subcontinent, from the 1914 Lucknow Pact, 1919 Montagu-Chelmsford Reforms, Jinnah's 14 Points in 1928, Allama Iqbal's visionary 1930 Allahabad address, the 1935 Government of India Act, and Quaid-i-Azam's 1945 interview, Mr Ahmed Bilal said that 'we should remember that pre-independence India had an entirely different context for federalism, and how and how much it has changed for Pakistan post- 14 August 1947.' While going over Pakistan's post-1971 constitutional evolution, he said that the 18th Amendment did not take place in a vacuum. Rather the varied perceptions about the reasons for the separation of East Pakistan, the defacement of the 1973 Constitution, the strains between the Centre and provinces especially then-NWFP and Balochistan, the 1999 Coup and 17th Amendment all led to the need for constitutional reforms to bring it back to its original 1973 spirit and strengthen its parliamentary-federal character.

Mr Mehboob was critical of the process and committee make-up which worked on the 18th Amendment document since over-representation of Senators led to the document being dominated by regional sentiments and diluted the central character of the government. While certain level of confidentiality is necessary, complete and utter secrecy was counter-productive, and the hurried passage of the Amendment provided no time for substantive and open discussions once it was brought to the floor of the Assembly, he observed.

Mr Mehboob pointed out that since federalism is a delicate compromise between unity and autonomy, there is a need for mature political ability and legalism for the continuity and success of this system. 'There must be a deep regard for the Constitution of the state among the polity, and there must be a willingness to accept the decisions of the Parliament and judiciary. Without consent of the masses and the element of legitimacy, a federal system can never exist and operate in its true essence.'

Earlier, Ambassador (R) Abdul Basit, President of IPRI welcoming the participants said the 18th Constitutional Amendment, adopted in April 2010, has been a landmark legislation that has provided a legal framework to enable a democratic devolution that can be termed as a historic achievement to confer democratic rights to the people of Pakistan. However, Ambassador Basit pointed out that given its important implications for legislative, political and power-sharing arrangements that exist between the federal and provincial governments, this Amendment places increased capacity demands on the role and function of the Provincial Governments, and a greater understanding of and adjustment to this monumental shift on the part of the Federation.

In the Question and Answer session, the participants of the lecture, including former ambassadors, public policy students and media concurred that a committee consisting of legislative experts, parliamentarians, and practitioners should be constituted to study the 18th Constitutional Amendment and see what can be shortened or added (e.g. issues like syllabi and education) since doing away with the Concurrent List altogether was not a prudent step. There was also agreement that decentralised and inclusive governance will enable the Pakistani federation to accommodate the diverse interests, identities and working of institutions in the country.

<<https://www.pakistanpoint.com/en/pakistan/news/8th-anniversary-of-the-18th-constitutional-am-311980.html>>