



Federalism and Ethnic Conflict Management in Pakistan

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Abstract

Pakistan, a diverse nation with a complex ethno-cultural landscape, has grappled with ethnic conflicts since its inception in 1947. The country's federal structure, characterized by a division of powers between the central and provincial governments, has been both a source of ethnic tensions and a potential avenue for conflict resolution. The federal system in Pakistan, enshrined in its constitution, recognizes its various provinces' unique cultural, linguistic, and historical identities. However, the historical centralization of power in the hands of the federal government has led to a sense of marginalization and grievances among certain ethnic groups, particularly in the provinces of Sindh and Baluchistan. Ethnic conflicts often stem from resource allocation, political representation, and cultural autonomy issues. The federal structure provides a framework for addressing these conflicts by devolving power and resource sharing among provinces. The 18th Amendment to the Constitution of Pakistan in 2010 was a significant milestone in this regard, granting greater autonomy to the provinces and redistributing resources. Effective conflict management requires constitutional reforms, and inclusive governance, economic development, and reconciliation efforts simultaneously. Federalism plays a crucial role in addressing ethnic conflicts by acknowledging ethnic plurality and providing mechanisms for devolution of power. However, achieving lasting peace and stability requires a multi-faceted approach that's a combination of constitutional reforms, economic development, political inclusivity, and interethnic dialogue.

Keywords: Federalism, Ethnic Conflict Management, 18th amendment, National Finance Commission, National Economic Council, Council of Common Interest

Introduction

Since independence, Pakistan has been operating as a federation. Theoretically, the federation blocs its components by developing sustainable working mechanisms in the interest of provincial units and their existence. Contrary to the theoretical reinforcements of federalism, Pakistan as a federation failed to cultivate a structure to promote harmony between the center and its' federating parts. As a result, Pakistan's attempt to

manage ethnic conflict has been fraught with difficulty from the beginning. The Constitution of 1973, which was initially intended to end the ethnic strife by giving provinces an autonomous status, failed to settle the economic and political disputes between the center and provinces since it was not upheld and implemented by its genuine spirit.

Pakistan's pluralistic society necessitates a federal state. Its units are multi-ethnic and polyglot. Until 1971,

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Bengali, Punjabi, Sindhi, Pathan, and Balochi were deep-seated components of the federation's polyglot culture and easily identified in their respective units. Therefore, to advance their own narrow economic and political objectives, political leaders frequently heighten the diversity of languages and ethnicities in the minds of individuals, consequently eroding the bonds between the people and the federation. As a result, people tend to have direct allegiances to federating units rather than the state. With this background of cultural diversity, Pakistan's federation-province ties have always been intricate since its formation. The federal government is theoretically an integrative organization and a highly successful tool for preserving variety within additional political institutions. Unfortunately, Pakistan's federal system could not be considered to be captivating for its units (provinces) because they have been striving for their autonomy for a long time.

After independence, the Act of 1935 was primarily modified and used as a constitution in Pakistan whereas the first constitution of Pakistan was drafted in 1956. Unfortunately, federal constitutional provisions were powerless to stop the political and economic cracks that began to develop in 1971 and led to East Pakistan's split from Pakistan on December 16 to form a new state called Bangladesh. Even today, it is believed that the federal system could have brought the Eastern and the Western wings of Pakistan together in 1971 if there had been a convocational regime to handle the political and economic concerns of the provinces through institutional arrangements for the military and bureaucracy. The dissolution of Pakistan was a clear indication that federal-provincial ties had long been on precarious footing.

The Pakistan's Constitution of 1973 granted more political (administrative) and financial liberation to the provinces while still envisioning a federal state framework, in contrast to earlier constitutional papers. The argument over federation-province ties has once again taken center stage among political science and economics researchers, particularly after the passage of the 18th Amendment (2010) to Pakistan's 1973 Constitution. Because of the weak political and economic devolution mechanisms created by the 18th Constitutional Amendment, there have been challenges in the working relationship between the federation and the provinces since Pakistan's inception. This paper discusses ethnic conflict management with different variables, such as provincial autonomy, decentralization, division of power, and representation. This study is comprised of well-defined and consistent objectives. It aims to delve into the intricate nature of

federalism in Pakistan, shedding light on the complexities of its federal structure. It also assesses the potential impacts of the 18th Amendment on Pakistan's federal structure, recognizing its significance in the evolving dynamics of the Pakistani federation.

Research Questions

This study tackles a series of pivotal questions, collectively forming a holistic examination of the subject matter.

- Is Pakistan can be characterized as an "ethnic" federation?
- What is the historical evolution of federalism and the trajectory of ethnic conflict management in Pakistan?
- What are the multifaceted political and economic variables that contribute to ethnic conflicts between the provinces?
- What Constitutional measures are designed to address ethnic conflicts, highlighting their significance within the broader governance framework?
- How the 18th constitutional amendment impacted the resolution of ethnic conflicts, examining its role in shaping Pakistan's federal landscape.
- How have pivotal entities like the CCI (Council of Common Interests), NFC (National Finance Commission), and NEC (National Economic Council) played their role in resolving ethnic disputes?

These questions collectively provide a comprehensive foundation to explore the intricate issue of ethnic conflict management in Pakistan.

Research Methodology

This research is based on qualitative, descriptive, and historical methods deployed as methodology. The entire research strategy would be free of bias or prejudice, and intricate attention would be given to the internal (ethnic) flaws and the center's shortcomings. This research approach examines historical events and the causes of ethnicity and ethnic issues in Pakistan. To provide righteous outcomes and a thorough comprehension of the problem, a full-fledged analogy on the political prism is intended for this research.

Philosophical Debate

In his book "Democracy in America," which was published in 1835, Alexis de Tocqueville described how liberty, equality, and popular democracy interacted in

American society in the 1830s. Tocqueville was able to identify the key elements of federation and federalism by his in-depth observations of the common people, their beliefs, and occurrences. In the new union of America, he claimed, the people were sovereign, but their civic sensibility was further upward from the state or federal governments themselves which indicated that power was shared and split. (Tocqueville, 1835)

After John Stuart Mill's "Consideration on Representative Government" was published in 1861, the focus shifted from Tocqueville's views to Mill's. Tocqueville merely discussed American democracy, whereas Mill praised it as the ideal form of governance. He concluded that the federal system of governance was necessary for racial, linguistic, religious, and political institutions. Although it is challenging to manage a sizable area by a single administrative entity, Mill contends that the resources and territory of states are also taken into consideration for federal forms of administration. (Mill, 1861)

The present intellectual debate was launched in 1946 by the publication of Wheare "Federal Government," he made contributions to the law and institutions. He characterized the federal idea as a device for distributing power that allows administrative or focal governments to function independently and cooperatively within a circle. The flaw in his work was that he over-legislated and confined the meaning of bureaucratic standards, relying instead on American precedent, the static and compressed view of governments transmitted there.

The main goal was to closely examine the legislative and administrative structures of the US, Austria, Canada, and Switzerland. Observing for an explanation for why alliances were formed, how they operated and resolved. Where classic work on the federal government continues to be noteworthy because it is seen as a turning point in sociology. The focus of the inquiry was shifted away from the legal and political underpinnings and toward the quantitative and theoretical concerns, advancing the content and degree of political theory. (K.C.Wheare, 1946)

The Consensus Model of Democracy

The consociationalism was first used in a Dutch city in 1917 by the John McGarry and Brendan O'Leary. Arend Lijphart, a political scientist, was the first to discuss consociationalism in academic contexts. In reality, a significant portion of Lijphart's justification for the consociational method to regulating ethnic conflict based on the experience of the Netherlands. According to Lijphart, this theory emphasizes the importance of social groups and their ability to work together and agree

as the foundation for a stable democratic society. A consociational state is one that includes significant internal divisions along ethnic or linguistic lines, but none of the divisions is large enough to create a central authority, defined by most political scientists. (Elazar, 1991)

Suitable Circumstances for Consociationalism and Relevancy to Pakistan

Consociationalism is typically successful under several favorable conditions identified by Michael Kerr, Stefan Wolf, Lijphart, and many other political scholars. Wolf has already made trivial modifications to the details of these conditions over time. The following are some of Wolf's most important factors: Ethnic communities' segmented isolation; multiple power balances; the existence of external challenges that affect all communities of the state; a history of elite settlement; and a moderate multi-party system with segmented parties.

In this study, I used Wolff's "Consociational Theory of Conflict Management." Consociationalism is a theory for controlling political and economic interactions among the institutions of a state that has lost its geographical integrity. The institutional plan of hypothesis has been operationalized under the liberal consociational form in two ways: power sharing and self-administration. Even though a consociational state frequently has significant divisions along ethnolinguistic or ideological lines, none of these divisions is typically large enough to support an autonomous legislature in all of the divisions (territories) and focus. As a result, the alliance government is framed as the focus. This case once again pertains to the Pakistani administration while using consociationalism. (Lijphart, 1969)

A consociational nation oversees the political and financial stability that results from an effort to forge consensus through meaningful and honest consultation with regions. Usually, it is a select group of elites in large social gatherings who make the arrangements. Such consociational regimes are distinguished from those with majoritarian discretionary frameworks in a respectable manner. (Adeney, 2009)

Critically speaking, under weak democratic based structure, majoritarian but non-consociational authority occasionally overwhelms the framework of the government, which makes federalism less accommodating than ideally envisaged. The finest example of majoritarian but non-consociational federalism is Pakistan, which is why it is less tolerant in phrasing when giving political and financial power to

regions. Both federal and consociational regimes have the potential to be undemocratic. Lebanon is a prime example of such a system. While the consociational government was in place before the civil war, its members were overseen by despotic of traditional notables who were selected from a small number of families of ruling class. (McGarry, 2009)

Power Sharing and Ethnic Conflict Management in Pakistan

In terms of history, the Lahore Resolution or Pakistan Resolution (1940) emphasized the con-federalist beliefs of nationalists of Bengali, Sindhi, Baloch and Pashtun people. These regions had viewed Lahore resolution as the creation of a new Pakistani federation, a new social contract among the provinces. However, following a top-down rather than bottom-up approach, the political and economic authority of the state was dispersed after the independence. Sections 8(2), 9(5), 92(A), and 102 of the Indian Independence Act of 1947 allowed the government to enormous economic and political authority. In view of the current political climate, Pakistan was founded under contradictory political circumstances that forced it to choose two different versions of federalism; one is that federalism is the only option available to Pakistan as a suitable form of governance. The second is that federalism can work in Pakistan if it is designed to be as enigmatic as possible. (Faiz, 2015)

The Act of 1935 became effective in Pakistan after 1947. It was modified to give the federal government more political and economic authority than the provinces. The central government became more powerful and influential due to this change in the Act, which also gave it more influence over the federating units. Due to the Muslim League's unclear understanding of administration, particularly over how to reconcile Pakistan's ethnic divisions, the political and economic needs of the provinces went unfulfilled, which led to a delay in formulating the country's first practical constitution. (Adeney, 2009)

In 1955, Pakistan was transformed into the controversial political scheme known as the One-Unit by the federal government's quest for power. It was deemed necessary to create One-Unit in order to grant provinces political and economic sovereignty. Unexpectedly, the one wing of West Pakistan's Punjab was effectively authorizing to rule the majority province in the East. For the federal government in East Pakistan, this power-sharing formula was unacceptable. All of the minor provinces of West Pakistan, with the exception of Punjab, were treated as one unit by the federal government due to

which the gap was formed between the federal government and the provinces on racial and occupational lines.

By laying out the 1956 constitution, the centralist forces were able to legally support One Unit and politically uncertain decision to maintain excessive parity between East and West Pakistan. Nevertheless, despite all political scheme based on representation, language, or ethnicity, the 1956 constitution was unable to meet the socio-economic and political demands of the provinces because just one province—West Pakistan—was created as part of the One-Unit formula. This constitution was unable to resolve the issue of provincial autonomy since it maintained the one-unit formula and divided the country into two homogeneous provinces based on language, despite the fact that only 3.24% of the people spoke Urdu as their first language and Bengali was spoken by 54% of population. (Sayeed, 1967)

On the other hand, the Constitution of 1956 tried to weaken the power of the central government already in force Article 106 (1) of Government India Act 1935. Prior to this, there were sixty-one things on the federal list; now there are just thirty, whereas there were 94 items on the provincial list. In order to have less federal interference in provincial affairs, the concurrent list was likewise whittled down to 19 items. However, the central government still had sufficient administrative and economic power to rule the provinces, which led to a strong belief among the provincial leadership that the amount of local autonomy was compromised.

By using its authority in the areas of fiscal growth, national security, and the synchronization of provincial units, the federal government still maintained the right to interfere in provincial affairs. As a result, the working relationships between the center and the provinces were hostile, and the political climate deteriorated. When the federal government's ability to regulate the political situation was compromised, martial law was declared in 1958 and continued without the use of any constitutional safeguards until 1962 and continued until 1969. (Aziz, 1967)

Ayub Khan abrogated the current constitution in 1958 by toppling the political establishment and replaced it with the 1962 constitution in order to maintain One-Unit. The national assembly a unicameral legislature, was established at the federal level under the One-Unit formula, with equal representation from Pakistan's both wings. Ayub Khan was able to maintain his chosen policies with ease with the support of the military, civil bureaucracy, and some politicians. However, Ayub

Khan had a lot of support from the military and the government to carry out his duties. General Ayub Khan was more focused on establishing an unstoppable central authority than he was on appealing to Pakistani nationalism.

Therefore, the federal design of the 1956 constitution has three lists—federal, provincial, and concurrent—was reserved in the 1962 constitution. 49 items were included in the federal list with the goal of creating a strong centre, but no item specifically mentioned provinces, leading to the conclusion that provinces are receiving the remaining powers. It is crucial to realize that the federal government used the provinces in this way as a political stunt because the provinces cannot pass laws without having certain requirements in this area. Assemblies at provincial level essentially had nothing to legislate or establish. The 1962 Constitution was influenced by the establishment and shifted the balance of power away from the provinces and towards the federal authority. (G.W.Choudhary, 1969)

Yahya Khan's military regime paid some attention to the popular demands of the provinces and restored their historic status by put an end to the One-Unit system. Yahya Khan deemed it necessary at the time and declared that no longer was a single West Pakistani province required for parity. The general elections of 1970 made it clear that the federal government, which had been run by the military, had merely been acting in good faith as the defender of provincial interests. AL won an overwhelming majority at the national level, but the military command was hesitant to give the power to Awami League of Sheikh Mujeeb following the general elections of 1970. Work relations between the provinces of the Federation were tense. The federal government chose to utilize pressure methods in order to gain control of the situation rather than handling it with political judgement. (A.M.Jahangir, 2002)

To maintain peace and order in East Pakistan, the federal government launched "Operation Searchlight." Because Islamabad took the action of adjourning in order to prevent the Awami League from forming a central government, scholars primarily place the blame for this political crisis at their center. The situation escalated into violent conflicts that resulted in the casualties of tens of thousands of Bengalis and the displacement of 10 million. In the end, despite a strong center, the federation could not be kept together, and in 1971, East Pakistan became a new independent state as Bangladesh. (A.M.Jahangir M. , 2002)

Constitution of 1973: Political Dimensions Prior to 18th Amendment

When Zulfikar Ali Bhutto assumed control of the federal government in 1971, there was an undue concentration of power in its hands. Z.A. Bhutto intended for the 1973 constitution to have specific provisions for political, economic, and legislative decentralization, with a focus on ensuring the highest level of province autonomy under the unquestioned control of the centre. Bhutto did have a good chance to write a federal constitution that was more tolerant of ethnic groupings. In the end, the 1973 Constitution was a collection of compromises that gave the central government more authority while promising to give some of those same powers to the provinces. (Bhutto, 1983)

Provinces now have a two-chamber legislature, with equal participation in the upper house and an upper house directly represented by provincial legislators. Measures for resolving conflicts were also implemented under Council of Common Interest. The National Finance Commission was in charge of allocating financial resources. In order to strengthen his hold on power, ZA Bhutto restricted provincial autonomy through constitutional emergency in NWFP and Baluchistan as well as numerous amendments to the constitution. In accordance with the 1973 Constitution, there were 47 subjects on the concurrent list and 60 on the federal list. The provinces received the remaining powers. Unfortunately, there were many different topics on the federal list. (S.Naseer, 2007)

The 1973 Constitution initially left open the question of whose legislation would take precedence in the event of a conflict between federal law and provincial law over any matter in the concurrent list. Between the federal and provincial governments, this defect caused a split. Perhaps in an effort to maintain his own political relevance, Bhutto seems determined to show that his proclamations of democracy need revision. Therefore, the 1973 constitution's modification process quickly got under way, having a further apparent complex impact on the level of regional autonomy. (Khan M. S., "Ethnic Federalism in Pakistan: Federal Design, Construction of Ethno-Linguistic Identity, and Group Conflict" , 2013)

Zia-ul-Haq proclaimed martial law in July 1977 after toppling Prime Minister Bhutto. He then named himself Chief Martial Law Administrator, a position he held until taking office as president on September 16, 1978. Zia made the decision to maintain its dictatorship with an alternate system, introducing the technocratic Majlis-e-Shura in 1980. Members of this parliament were chosen, not elected, and were experts in a variety of professions (although only a few number).

Again, this led to anger of the central government among the provinces, but Zia did not care about their desires, which led to ethnic warfare. Zia later announced non-partisan elections for 1985. Throughout the whole Zia dictatorship, provincial autonomy was neglected, and provincial hardship increased. Nevertheless, Regional Cooperation Organization 1985 had a greater impact on relations between federation and provinces. (Zia, 1983)

The amended articles under RCO were mostly supported by the eighth amendment. On November 11, 1985, it changed a few of the revised RCO clauses. The level of provincial autonomy under Pakistani federalism was significantly impacted by these amendments. The limitations on the governor's ability to name a chief minister were put in place and extended for three years, ending on March 20, 1988. After that time, the governor will extend an invitation to any provincial assembly member who could win their support. Even if it was only partially restored, the concept of the majority of the members of the province legislature was used to pick the chief minister. Even yet, the provincial parliament was in danger because the governor had the authority to dissolve it without the chief minister's approval. (Ahmad I. , 1996) On April 4, 1997, thirteenth amendment became a part of the Constitution. With this amendment, the articles 58 (2) (b) and 112 (2) (b) were eliminated. This facilitated provincial autonomy because the constitution restored the governor's authority to dissolve the provincial parliament at his or her discretion. The second significant aspect of this amendment was the 'restricting of the president's ability to select governors' solely at his or her discretion. These constitutional changes helped the provinces feel more independent, restoring their autonomy and faith in the federal government.

Gen. Pervez Musharraf pledged after taking office as Pakistan's Chief Executive on October 12, 1999, that the federal government believes in allowing provinces complete autonomy and, that attempts will be made to achieve political consensus on contentious matters. During a high-level discussion, Musharraf expressed the view that the federal government wishes to grant provinces an increasing amount of political autonomy rights and that a constitutional package has been prepared to grant the provinces an independent status. Pervez Musharraf required some constitutional revisions in order to provide the provinces autonomy, although the nation was still governed by martial law at the time. The judiciary provided assistance to Musharraf in solving this issue. (Michael Burgess, 1993)

By modifying 29 articles of the constitution through the Legal Framework Order (LFO) of 2002, Musharraf extended his rule. The LFO of Musharraf genuinely favored the seventeenth amendment. However, the management of ethnic strife and federalism in Pakistan were both impacted by the LFO and 17th amendment. During the Musharraf administration, the province of Baluchistan saw political instability. In Baluchistan, Musharraf launched a number of military operations that made the local Baloch population angry with the federal government. It is clear from the examination of above governmental actions taken under the protection of the constitution that the Musharraf era had an impact on the ethnic conflict between provinces generally, especially in the case of Baluchistan. (Faiz, 2015)

Federalism and Ethnic Conflict Management under Post 18th Amendment Constitutional Provisions

On February 18, 2008, Pakistan held general elections, and the PPP later on formed a coalition government at the federal level. At the same time, General Pervez Musharraf resigned as president to escape impeachment. After a prolonged military administration during which provinces were denied their political and economic rights, the PPP government saw this as an ideal opportunity to address the problems of the provinces. Political pressure to grant provincial autonomy increased gradually on the central government.

Practically, the relationship between the federation and the federating units determines, how autonomous the provinces are in Pakistan. In addition to that, part V. VI and Schedule IV of the 1973 Constitution of Pakistan address relations between the federation and provinces. The federalist approach to the constitution's articles and schedule determines the structure and procedure for the province's economic and political autonomy. The following key reforms brought about by the 18th constitutional amendment have a broad impact on ties between the federal government and the provinces:

- Removal of the concurrent list,
- Simplifying Federal Lists I and II,
- Eliminating the Ministries,
- Schedule-iv of the Constitution should be revised,
- Council of Common Interests (CCI) should be strengthened,
- National Finance Commission (NFC) Award criteria should be clarified,
- Establishment of Inter-provincial Coordination Ministry,

- The National Economic Council (NEC) was established, and its procedures and functions were revised,
- The Pakistani Auditor General's authority was also increased.

The long-standing demand for provincial autonomy has been granted with the elimination of the Concurrent Legislative List, and the provinces have also been granted constitutionally guaranteed powers to legitimately govern and manage their natural resources. However, the Eighteenth Amendment Act of 2010 also states that all amended statutes are still in effect as were before the 17th Amendment. The 18th Amendment has expanded the legislative autonomy of the provinces, while there are still some difficulties in getting the legislation in line with the devolution process, provincial governments are still making use of it to the best of their abilities and needs. (Rodden, 2004)

Fiscal Federalism

Understanding the prevalence of economic inequality at the regional level and how it has led to circumstances where provinces have felt resentment toward the federal government may be done with a little historical perspective. The primary cause of provincial resentment is non-consociational circumstances, which are mostly caused by the unbalanced economic policies of the political governments at the federal level. The main source of dissatisfaction in working relationships between the federal government and the provinces has been the allocation of economic or financial resources. Unfortunately, the provinces have always held significant objections to the method of resource distribution. The provinces assert that the federal government has always forced federating units to follow the resource distribution formula. (Jalal, 1985)

In accordance with Article 156 of the Constitution, the President must consult with the National Economic Council (NEC) before making any financial decisions. The National Economic Council will assess the country's overall financial situation and, with the help of the Federal Government and Provincial Governments, will develop detailed plans for budgetary, business, social, and financial strategies. When developing these plans, the National Economic Council will ensure adjusted turn-of-events and territorial value, among other things, and will also be guided by the Principles of Policies outlined in Chapter 2 of Part II. (Khan M. , 2014)

The NEC has also been rebuilt in terms of size, strategy, and capacities after the 18th Amendment, in accordance with article 156. Additionally, the NEC's components

have been altered to gradually spread out. It creates the social and financial structures to have better results for financial plans, more favourable outcomes, and collective independence positioning. Since NEC gave power to oversee the advancement of the province on an equitable basis in accordance with article 156(2), the regions have become increasingly independent. According to Article II, Section 2 of the Constitution, NEC is governed. Article 156(4) requires the NEC to meet at least several times per year. In this way, regions have a stronger opportunity to be heard through NEC twice a year. NEC provides a report to the parliament annually. (Adeney, 2009)

Since Pakistan's inception, the distribution of resources has been the main concern for federating units in general and in particular, when the 1973 constitution's Article 160 promised a fair division of the shares of provinces through the National Finance Commission (NFC) Awards. The One Unit formula of 1955, which combined the four provinces of West Pakistan into one administrative unit, was the basis for the NFC Awards for the years 1961 and 1964. The sales tax, income tax, export tariffs, and excise duty collections were used to develop the resource distribution formula. In the Awards of 1961 and 1964, the resource shares of Eastern and Western Pakistan remained at 54% and 46%, respectively. (Ahmad R. , 2010)

After the one-unit scheme was abandoned, the National Finance Commission proposed in 1970 that East Pakistan receive a share of 54% of the money, with the remaining 46% going to Punjab, Sindh, the Northwest Frontier Province, and Balochistan. The population was considered the sole factor for financial resources in the NFC Award of 1974; as a result, the share of four provinces was distributed as follows: Punjab 60.35 percent, Sindh 22.5 percent, NWFP 13.39%, and Balochistan 3.86%. The new formula for allocating financial resources was introduced in 1981. In accordance with this methodology, Punjab received 57.97% of the NFC Award, Sindh 23.34%, NWFP 13.39%, and Balochistan 5.30%. (Waseem, 1994)

The percentage share of the federal government and the provincial government saw a significant change in 1996 when all taxes were added to the pool for distribution, changing from 80%:20% to 37.5%:62.5%. The proportion of provincial shares, however, remained essentially constant. Due to the 1998 Population Census, the divisible pool was amended with effect from July 1, 2002. The distribution of funds has been based on population rather than development needs like poverty. This discontent has persisted although the federation of Pakistan is said to be sufficiently delegated in comparison to many other states like Malaysia, South

Africa, Spain, and Belgium. However, Pakistan needs further fiscal decentralization if it is to be compared with India. (Kukreja, 2020)

On July 21, 2005, nominations for the 7th NFC award were announced. However, there was a confrontation amongst the interested parties. The commission encountered difficulties in reaching consensus on a cooperative resource distribution method. 7th NFC award primarily addressed these issues. Under the revised formula, 82 percent of the resources given to the provinces were distributed based on population, 10.3 percent were given to areas with a high level of poverty or other deprivations, 5 percent were used to generate and collect taxes, and 2.7 percent were given to areas with low population density. The Punjabi share was decreased by 5.6 percent from the last consensus award in 1996 as a result of the amended formula. Punjab received 51.7 percent, while Sindh's allocation increased by 1.3 percent to 24.6 percent, KP's portion increased by 1.1 percent to 14.6 percent, and Baluchistan's part increased by 3.8 percent to 9.1 percent. (Faiz, 2015)

Conclusion

The concept of a federal system was absent in the true spirit of federalism in Pakistan; as a result, it leaned toward a strong unitary structure and ultimately failed to hold the various components of the federation together. Pakistan's federal system has always operated in an undemocratic manner that violated not just the majority's right to rule but also the provinces' right to political and economic independence. There are a few causes for the provinces and the federal government's hatred of one another. The first is a lack of political will on the part of the leadership at the provincial and federal levels. The second is the constitution's ambiguity, it is flexible to the extent, that the federation and the provinces can interpret it to their advantage.

The third factor is the regional and global political situation and agenda, both call for a strong federal government in Pakistan. The fourth is the military leadership's excessive and frequent involvement in political issues. The fifth is the inefficiency of organizations like Pakistan's Election Commission, National Finance Commission, National Economic Council, Coordination Ministry, and Council of Common Interests (CCI). The failure of provincial governments to collect taxes ranks sixth. The seventh is skewed voting behavior of the general public, where a person votes not in the best interests of the country but rather out of "brotherism" (inclination of kin), narrow personal interests, or blindness.

The eighth is that Parliamentarians, Ministers, and the bureaucracy lack professional training. The political party system at the ninth position is very centralized. The tenth is concerned with constitutional modifications that support the egocentrism of the ruling class, specifically one that modifies the constitution to require candidates for the Federal Parliament and Provincial Assemblies to meet certain requirements. The transference of obligations to provinces following the 18th Amendment without a corresponding transfer of assets and resources is the eleventh. A crucial discovery made during the analysis of federalism and ethnic conflict management was that Pakistan's federal government has been abusing the provinces' right to electoral autonomy. Therefore, the management of ethnic conflict in Pakistan had also been impacted by federally centralized electoral politics.

This study makes a significant effort to examine potential outcomes and difficulties associated with the 18th Amendment's adoption in Pakistan. The following suggestions were made as a result of this research, which enhances understanding of shared self-governance and decentralization processes both before and after the 18th Amendment:

- 1) Create a strategy and action plan to operationalize legislative changes in company regulations and financial tools. This will align the devolution process with the new constitutional framework.
- 2) Resolve inefficiencies and broken ties along with the political and administrative sides to increase the ability of provincial standing committees to effectively administer the implementation process and direct the government.
- 3) Boost the effectiveness of institutions like CCI in the formulation of policies and the resolution of conflicts.
- 4) Specify the conditions necessary for the establishment of the institutions required for the 18th Amendment's devolution process.
- 5) Identify the needs for provincial capacity building in order to identify the areas of training for the political and administrative apparatus. This will aid them in seeing the boundaries of their authority.
- 6) Create a suitable method to evaluate the public's reaction to the Right to Information Act.
- 7) Provincial Finance Commission PFC should be established at the provincial level to handle

the province's economic and financial challenges.

- 8) The Senate is a symbol of federalism; therefore, adjustments should be made to provide the Senate and Parliament greater fiscal authority.
- 9) The Council of Common Interests (CCI), a body between legislative branches, is supposed to provide provinces with a forum to participate in the formulation of policy on a list of problems that are within the jurisdiction of the central government but unquestionably affect the territory.
- 10) For fiscal federalism, democratic NFC awards are essential; asset transfers should be fair and legitimate with the aim of bringing all regions up to par. Additionally, arrangements for responsibility for assets, financial independence, and tax assessment/income collection must be made, and agreement must be obtained.

References

- A.M.Jahangir. (2002). *Power Sharing: Federalism and Provincial*.
- A.M.Jahangir, M. (2002). Federalism in Pakistan: issues and adjustment. *Asian Affairs*, 23-36.
- Adeney, K. (2009). The Limitations of Non-consociational Federalism: The Example of Pakistan. *Ethno Politics*, 87-106.
- Ahmad, I. (1996). *State, Nation and Ethnicity in Contemporary South Asia*. London and New York: Pinter.
- Ahmad, R. (2010). The endemic crises of federalism in Pakistan. *The Lahore Journal of Economics*, 15, 15–31.
- Aziz, K. K. (1967). *Party Politics in Pakistan*. Islamabad: National Commission on Historical and Cultural Research.
- Bhutto, B. (1983). *Pakistan: The Gathering Storm*. Vikas Publishing House.
- Elazar, D. J. (1991). *Federal Systems of the World: A Handbook of Federal, Confederal and Autonomy Arrangements*. Jerusalem : Jerusalem Centre for Public Affairs.
- Faiz, A. (2015). *Making Federation Work*. Oxford University Press.
- G.W.Choudhary. (1969). *Constitutional Development in Pakistan*. Law Inn Publishers .
- Jalal, A. (1985). *The Sole Spokesman*. Cambridge University Press.
- K.C.Wheare. (1946). *Federal Government*. Oxford University Press.
- Khan, M. (2014). The Eighteenth Constitutional Amendment and the Baloch National Movement in Pakistan: Accommodation or Transformation? *Sage Journals*.
- Khan, M. S. (2013). "Ethnic Federalism in Pakistan: Federal Design, Construction of Ethno-Linguistic Identity, and Group Conflict". *Researchgate*.
- Khan, M. S. (2014). The Eighteenth Constitutional Amendment and the Baloch National Movement in Pakistan: Accommodation or Transformation?". *Sage Journals*.
- Kukreja, V. (2020). Ethnic Diversity, Political Aspirations, and State Response: A Case Study of Pakistan. *Indian Journal of Public Administration*.
- Lijphart, A. (1969). Consociational Democracy. *World Politics*, 207-225.
- McGarry, J. A. (2009). Under friendly and less-friendly fire. *Consociational Theory*, 56-75.
- Michael Burgess, A. G. (1993). *Comparative Federalism and Federation: Competing Traditions and Future Directions*. University of Toronto Press.
- Mill, J. S. (1861). *Considerations on Representative Government*. Cambridge University Press.
- Rodden, J. (2004). Comparative Federalism and Decentralization: On Meaning and Measurement. *Comparative Politics*, 481-500.
- S.Naseer. (2007). *Federalism and Constitutional Development in Pakistan*. Centre for Nepal and Asian studies.
- Sayed, K. B. (1967). *The Political System of Pakistan*. Houghton Mifflin Co.
- Tocqueville. (1835). *Democracy in America*. The Pennsylvania State University.
- Waseem, M. (1994). *Politics and the state in Pakistan* . Islamabad : National Institute of historical and cultural research.

Zia. (1983). *An interview with Zia*. Lahore: Dawn printing press.