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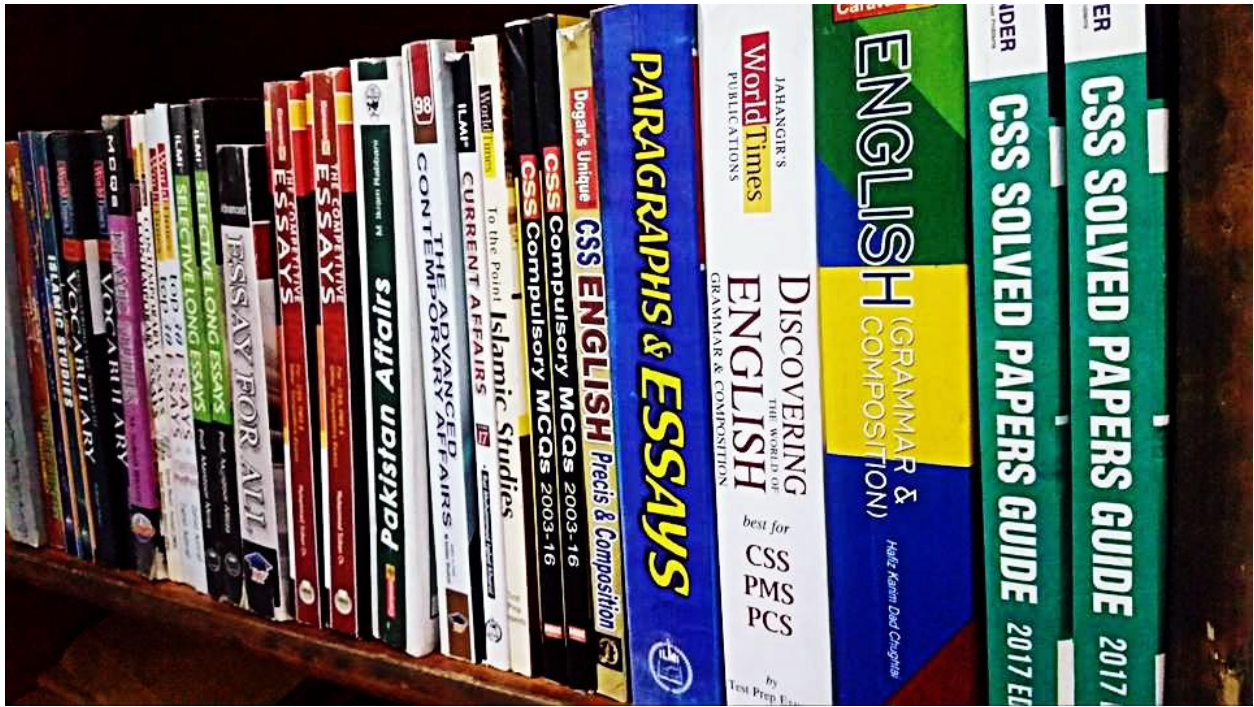
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# Crisis of Political System and Federal Structure

## Systemic Anachronisms<sup>2</sup>

Ever since its birth, Pakistan's quest for survival has been as compelling as it has been uncertain. It has been engaged in a precarious struggle to define a national identity and evolve a political system for its ethnically and linguistically diverse population. Pakistan is known to have over twenty languages and nearly 300 distinct dialects. This diversity contributed to chronic regional tensions and provincial disharmony which not only impeded the process of constitution-making but also remained a potential threat to central authority.<sup>3</sup> The question of provincial autonomy remains the key to addressing the issues of federalism in our country.

There is a strong underlying resentment in Balochistan and in other smaller provinces against what is seen as continued "Punjabi dominance" and inequitable distribution of power and resources. In the former East Pakistan too, the problems started with a similar deep-rooted sense of deprivation and a feeling of political and economic alienation, which over time became a politico-constitutional crisis culminating into demand for larger autonomy and leading eventually to the break-up of the country. We find our provincial system not only fueling misrule and corruption but also aggravating sense of inequality and deprivation among different parts of the country.

Our Constitution which has been amended umpteen times still does not provide solution to the genuine concerns on the inequality

of the size of provinces and lopsided sharing of political and economic power. The need for drastic change in our present anachronistic set up is urgent to get rid of the same old usurpers of the country's politics, outmoded social and political structures and elitist-led status quo in our country. If any further changes are needed in our Constitution to correct the systemic anachronisms in our federal structure and to redress provincial grievances, they should be made before it is too late.

In today's context, what is important for Pakistan itself is the need to be stable politically and strong economically so as to be self-reliant and immune to external constraints and exploitation. The prevailing inequality of wealth and power and the underlying causes of injustice and socio-economic deprivation of the people of the "smaller" provinces are symptomatic of a lopsided situation that warrants the beginning of an end to the current socio-economic disparities and political exploitation of the people by the privileged few of our country.

Looking at the systems of other developed and developing countries, we find ourselves a unique example of a federation with almost no parallel anywhere in the world. No country, roughly equal to Pakistan's geographical and population size has so few and so large provinces. While large unequal provinces are always prone to breed and fuel secessionist mindsets, smaller provinces serve as a safety valve against such tendencies. Nigeria, a large country on its independence had three regions and soon started facing religion-based secessionist war in Biafra Region in the 1960s. It has solved its federal problems by forming smaller provinces and today, in addition to Abuja as the federal territory, it has 36 states subdivided into 774 local government areas.

Most of the large and medium size countries in today's world have divided themselves into small size provinces or states as 'administrative units.' Examples: China 34 provinces, India 28 states and seven union territories, Iran 30 provinces, Indonesia 33, Egypt 26, France 26, Germany 16, Switzerland 26 cantons, Nigeria 37, Philippines 80, Thailand 78, Turkey 81, UK 114 counties and USA 50 states. In any unequal, parochially defined set up irrespective of historical identities, no method of governance can work. It is a system designed for paralysis which we are already experiencing. Our present provincial set up has long been the cause of political instability with an ever-looming threat to the country's further disintegration.

To avert the vicious cycle of known tragedies, we need a serious and purposeful "national effort" involving a holistic review of our governmental system and a parallel discourse among major political stakeholders and key civil society segments including the

media and lawyer's community to explore and evolve a national 'remedial and recovery' plan.

It may be a long journey but in the form of these random thoughts, at least the first step is being taken to encourage a dispassionate debate at all levels before it is too late.

## **Systemic Redressal**

We are currently suffering the worst governance crisis of our history. Instead of always blaming "outsiders" for our domestic problems, we should have the courage to admit that there is something fundamentally wrong with our governance patterns. The systemic aberrations are the root cause of our governance failures. Our foremost priority is to fix the fundamentals of our state and governance. Elections alone will not make any difference. The system itself must change. The country needs a surgical operation to root out its systemic fault lines. We cannot afford to remain complacent spectators any longer.

Here are some thoughts for national discourse and debate:<sup>4</sup>

### **1. Presidential System**

- Given our pathetic performance in our political conduct and discipline since our independence, we, like most developing countries, are perhaps not yet fit for the parliamentary system. Britain struggled for centuries to reach its current parliamentary status. For us, it would be too long and too arduous a journey to be indefinitely chasing illusory goals.
- Temperamentally, we are a 'presidential' nation. It is time we abandoned the system that we have never been able to practice, and explored an adult franchise-based 'presidential system' suitably designed for and tailored to Pakistan's needs.
- Even the Quaid-e-Azam had doubts about the practicality of a parliamentary system in Pakistan. We don't have time to be chasing illusory goals. He preferred prudential system for Pakistan.

### **2. Proportional Representation**

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We must also adopt the system of 'proportional representation' that ensures representation of political parties in national legislature proportionate to the percentage of popular vote

they receive. It will provide greater access to non-feudal, non-elitist educated middle class people in elected assemblies.

## Recasting Federal Structure

- Also needed is rationalisation of our federal system by revisiting our current 'provincial architecture' looking for a pragmatic solution to the problems of regional disparities. Reason, not self-serving emotion should be our yardstick.
- Looking at the systems of other developed and developing countries, we find ourselves a unique example of a federation with almost no parallel anywhere in the world. No country, roughly equal to Pakistan's geographical and population size has so few and so large provinces. We are also the only country with provinces based on ethnicity and language.
- While large unequal provinces are always prone to breed and fuel secessionist mindsets, smaller provinces serve as a safety valve against such tendencies. (Example: Nigeria had three regions and soon faced religion-based secessionist war in Biafra Region in the 1960s. It solved the problem by forming smaller provinces and today, in addition to Abuja as the federal territory, it has 36 states subdivided into 774 local government areas)
- In order to separate governance from ethnic-linguistic considerations and to eliminate at least one known tier of redundancy and dirty politics of greed and power, i.e., the present provincial structure, we should remove the inherent flaws in our body politic by recasting our federal architecture and replacing the present four provinces with as many provinces as administratively necessary and feasible, free of ethnic and parochial labels but still keeping their ethnic and national identities constitutionally intact and also ensuring a balance in geographical and population sizes of the new provinces.
- A Sindhi will remain a Sindhi even as part of Karachi, Sukkur, Hyderabad or Larkana province and so would be other nationalities no matter where they reside. By dividing the country into smaller administrative units as provinces, we would not only be eliminating the causes of regional acrimony and discontent but also ensuring effective and efficient governance through elected bodies at local and grassroots levels.

- To avoid any large-scale fresh re-demarcation of land boundaries and re-channelling of irrigations canals and tributaries, the best solution will be to convert the existing divisional commissioners into new provinces headed by elected administrators with a suitable title. There should be no assemblies, cabinets, ministers, chief ministers and advisors or even large secretariats at the provincial level. The present administrative structure must be drastically pruned to conform to the functional needs of the new provinces.
- The newly-designated provinces will have administrations comprising of elected councils headed by an elected administrator and assisted by professional bureaucracy. The provinces will be responsible for the overall administration within their jurisdiction and also provide, in terms of oversight and coordination, full support to the district governments within their jurisdiction and maintaining liaison with the state and central governments in terms of administrative, judicial, and financial matters.

#### 4. District: the Basic Unit of Governance

- The basic unit of governance shall be the present districts; each headed by an elected person with prescribed eligibility criteria, with the help of small elected bodies at all local levels. The district governments shall be strengthened through adequate resources for meeting citizens' basic requirements like food, shelter, education, health, security and justice at the local level, and through a monitoring mechanism' will be made accountable to ensure efficient functioning.
- Elected district, *tehsil* and *mohalla*/village/community councils will involve the people as in other democratic societies in the running of their affairs. Common man's problems shall be addressed at the local level with public safety, law and order and timely justice guaranteed and delivered to them at their doorsteps.
- Election to all local councils except district councils should be on two-yearly adult franchise basis and no member will be allowed more than two-year elected terms to widen the scope of democratic process at the grassroots' level.

#### 5. Federal Government

- The sanctity of 'separation of powers' should be the basis of the federal system with three organs of the State, each

functioning independently with usual checks and balances.

- The federal government should retain only ten to twelve ministries responsible to formulate and implement national policies in important areas, notably defence, economy, education, foreign affairs, national security, trade, communication, justice and law. All other subjects should be transferred to 'states' for effective handling through the new smaller provinces and districts as basic units of governance.
- Bicameral system of legislature should continue with necessary adjustments giving all provinces equal representation in the Senate as at present except that all seats including those reserved for women and minorities should be filled through direct elections.
- Both houses together will legislate as in any presidential system on matters of national importance such as budget and economy, foreign affairs and national security to help the federal government in formulating and implementing policies on these subjects.
- Election to both houses should be held every four years through 'Proportional Representation' system ensuring representation of political parties proportionate to the actual popular vote they receive in the polls.
- The National Assembly and the Senate will concentrate on their job of legislation, deliberate on national issues to help the government in formulating and implementing sound, well considered domestic policies including on national security, economy, budget and foreign affairs.

### **Balochistan Quagmire**

- Despite its abundance of natural resources, Balochistan remains the most backward province of the country and its legitimate political and economic grievances have long remained unaddressed.
- There is a strong underlying resentment in Balochistan (and in other provinces also) against what is seen as continued "Punjabi dominance", inequitable distribution of political power and resources, and exploitation of province's natural wealth.
- We must genuinely look for fair and permanent solutions. The problems in Balochistan will be resolved only through political and economic means, not by use of military force or through violence and militancy.



- These problems are also rooted in our flawed federal system and will be best resolved by the proposed restructuring of the federation. With smaller units of governance, the issues of governance and availability or distribution of resources shall also be easy to handle.
- The Baloch interests will also be best safeguarded in a strong and stable Pakistan and in an environment of peace and tranquility free of exploitation, blackmail or duress from any source.
- But like elsewhere in the world, the people of Balochistan also need to be freed of the outdated and exploitative *Darbari* and *Sardari* tribal system which keeps them backward to sustain its own privilege and power.
- Instead of fuelling self-serving 'nationalist' unrest and obstructing genuine development and security related projects, the *Sardars* and *Nawabs* should come out of their exploitative mode and join the country's political mainstream to genuinely work for the socio-economic well-being of their people.
- In implementing development projects, it will also be easier for the local governments to deliver in terms of improved infrastructure and better living facilities, including health and educational services, and access to the use of their natural resources.

## Advantages

The proposal to strengthen district governments, to form small equal provinces with a limited role in governance and a lean central government as outlined above, will bring about following major advantages:-

- It will eliminate the cause of acrimony and discontent among the different regions.
- The central government, unburdened from mundane routine affairs will be able to concentrate on formulating and implementing national level policies more effectively.
- It will end duplication of responsibilities between different levels now causing confusion and despondency in governance. Eliminating one tier of assemblies, cabinets and secretariats at provincial level and concentrating the role of legislation at the national level, will help in effective functioning of the country.
- By doing away with the provincial legislative and secretariat structures, we will be saving huge expenses now being incurred on maintaining provincial assemblies,

ministers, advisors, parliamentary secretaries and large administrative secretariats.

- It will bring the desired level of political stability. The parties winning national level elections will be able to form stable governments at the centre without having to make compromises to form provincial governments.
- It will meet the demands of sub national group eliminating threats of further breakup of the Country as experienced in 1971, by removing causes of discontent, neutralising propaganda themes like hatred against Punjabis, developed by our adversaries for a long time.
- Disturbances and discontent in an area would be isolated, promptly addressed and problems easily resolved without affecting other areas.
- The role of state governor to support the provincial and district governments in maintaining law and order by providing required force and in dispensation of quick justice by maintaining judicial infrastructure at his disposal will establish inherent checks and balance eliminating chances of district governments going overboard.
- Responding to the aspirations and genuine needs of the people of Pakistan, facilitating them in solving their problems at local level and ending acrimony on divisive issues, will act as catalyst to our progress and strengthen us as a nation.