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Amendment to the Pakistani constitution This article is part ofa series aboutZia-ul-Haq Early life Zia administration Policies Hudud Ordinances Islamization Economic policy Ziaism Chief of the Army Staff Military coup 1978 massacre at Multan Colony Textile Mills Gang of Four President of Pakistan Presidency 1984 referendum 1985 parliamentary elections Amendments to the Constitution of Pakistan VIII X Ordinance XX Ojhri Camp disaster Zakat Council Death Shafi-ur-Rehman Commission A Case of Exploding Mangoes Gallery: Picture, Sound, Videovte The Eighth Amendment to the Constitution of Pakistan (Urdu: آئین پاکستان میں آٹھویں ترمیم) allowed the President to unilaterally dissolve the National Assembly and elected g The National Assembly of Pakistan amended the Constitution of Pakistan in 1985 and the law stayed on the books until its repeal in 1997. The bill was passed in the absence of the elected Parliament. The eighth amendment was drafted and later enforced by the technocratic-military government of General Zia-ul-Haq. The eighth amendment changed Pakistan's system of government from a parliamentary democracy to an assembly-independent republic. The eighth amendment strengthened the authority of the President and also granted additional powers to dismiss the elected Prime Minister's government. These powers included the right, expressed in sub-section 2(b) inserted into Article 58, to dissolve the National Assembly (but not the Senate) if, in his or her opinion, "a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary." (Constitution of Pakistan, Article 58) with the consequence of dismissing the Prime Minister and his or her Cabinet. The Eighth Amendment, besides making a number of other changes to the Constitution, introduced the following clause into Article 58 of the Constitution: (2) Notwithstanding anything contained in clause (2) of Article 48, the President may also dissolve the National Assembly in his discretion where, in his opinion, (a) a vote of no-confidence having been passed against the Prime Minister, no other member of the National Assembly is likely to command the confidence of the majority of the member's of the National Assembly in accordance with the provisions of the Constitution, as ascertained in a session of the National Assembly summoned for the purpose; or (b) a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary. General Zia-ul-Haq first used the amendment to dismiss Prime Minister Mohammad Khan Junejo for alleged corruption in May 1988. The prime minister had wanted to roll back Zia's authority. In 1988, Benazir Bhutto pledged to abolish the amendment in her election manifesto. The amendment stayed on the books however, because she did not have a sufficient number of seats in 1988 and again in 1993.[1] From 1988 to 1996, President Ghulaam Ishaq Khan made extensive use of the eight amendment and the Article 58 2(b) to dissolve the National Assembly. President Khan used the amendment to dismiss the elected governments of Prime Ministers Benazir Bhutto and Nawaz Sharif. President Khan first used the VIII Amendment on August 6, 1990, against Bhutto on alleged cases of nepotism and the corruption. In 1993, President Ishaq Khan again used this amendment to dismiss the people-elected government of Prime Minister Nawaz Sharif. In the second instance, Prime Minister Nawaz Sharif was reinstated as prime minister by the Supreme Court, but the resulting stalemate ended with the resignations of both Khan and Sharif. The use of Article 58 2(b) was almost exclusively justified by the president as necessary, for the removal of corrupt governments that, it was asserted, had lost the confidence of the people. Elections were held each time that caused the ruling party to lose its majority or plurality in the National Assembly. It was again used in 1996 by President Farooq Ahmad Khan Leghari against his own party leader Prime Minister Benazir Bhutto in November 1996. In 1997, the Thirteenth Amendment was passed, stripping the president of the power to dissolve the National Assembly and call for new elections, effectively reducing the presidency to a ceremonial figurehead. Pakistan's democracy provides no means for the people to directly recall members of Parliament before the end of their terms. Consequently, the Thirteenth and Fourteenth Amendments had the effect of removing the institutional checks and balances on the Prime Minister's power, by giving him or her immunity from being legally dismissed. However, an indirectly elected President's unfettered power to dismiss a directly elected government had been considered excessive by the Parliament, which thus acted to remove it, restoring ultimate authority to the Prime Minister, as is the case in most democracies following the Westminster system of governance. The power of the president's office was partially restored by the Seventeenth Amendment. The power to dissolve the National Assembly and dismiss the Prime Minister was then subject to Supreme Court approval. In 2010, the Eighteenth Amendment was passed by Parliament of Pakistan, repealing the 17th Amendment. In general discourse, the Eighth Amendment has become synonymous with Article 58 2(b), which in turn is considered to be the provision that introduced the presidential power to dissolve the National Assembly. However, the Eighth Amendment was in fact a compromise between the Parliament elected in the non-party elections of 1985 and then President Gen. Zia-ul-Haq. Prior to the 1985 election, over a period of six years, Gen. Zia-ul-Haq had already made numerous amendments to the Constitution of 1973 through various Constitution Amendment Orders, the most significant being the Revival of Constitution of 1973 Order (President's Order No. 14 of 1985). That Order had in fact granted to the President even more discretion in dissolving the National Assembly. Clause (2) added to Article 58 by that Order stated: "The President may also dissolve the National Assembly in his discretion where, in his opinion, an appeal to the electorate is necessary." Note that the test of the constitutional functioning of the government was not required for the President to dissolve the National Assembly. It must also be stated that the Eighth Amendment also caused the elected Parliament to endorse all Orders made by Gen. Zia-ul-Haq by substituting the Article 270A introduced by President's Order No. 14 of 1985 by a slightly modified version, preserving the text declaring the validity of all of his actions, including his takeover of July 5, 1977 and subsequent constitutional amendments. It is not clear whether this explicit parliamentary approval was required for Gen. Zia's amendments to obtain legal validity, but it appears that Gen. Zia considered it desirable to obtain this approval and thus chose to compromise by watering down some of the presidential powers his amendments had granted. Zia-ul-Haq's Islamization Separation of powers Nawaz Sharif Pervez Musharraf ^ Kalim Bahadur (1998). Democracy in Pakistan: Crises and Conflicts. Har-Anand Publications. pp. 28–29. Retrieved from " Amendment to the Pakistani constitution This article is part ofa series aboutZulfikar Ali Bhutto Early life Political career Burial Political views Bhuttoism Socialism Elections 1970 1977 Political parties Pakistan People's Party (1967 onwards) Convention Muslim League (before 1967) Foreign Minister Sino-Pakistan Agreement Operation Gibraltar President of Pakistan Simla Agreement 1973 Constitution Federal Security Force Hamoodur Rahman Commission Utility Stores Corporation Prime Minister of Pakistan 1970s operation in Balochistan 1973 Iraqi embassy raid 1974 Anti-Ahmadiyya riots Project-706 Amendments to the Constitution of Pakistan I II III IV V VI VII Nationalization process Foreign policy Employees' Old-Age Benefits Institution Federal Investigation Agency National Fertilizer Corporation Pakistan Steel Mills Hyderabad tribunal Downfall 1977 Pakistani military coup Execution Bibliography Zulfi Bhutto of Pakistan Gallery: Picture, Sound, Videovte The Fourth Amendment to the Constitution of Pakistan (Urdu: آئین پاکستان میں چوتھی ترمیم) is an amendment that became part of the Constitution of Pakistan on 21 November 1975, under the Government of Prime minister Zulfikar Ali Bhutto.[1] The IV Amendment decreed the seats for minorities and non-Muslims representation to the government of Pakistan and the Parliamen protect the minority rights in the country.[1] The IV Amendment also deprived courts of the power to grant bail to any accused or innocent [person] until proven guilty under any preventive detention.[1] The IV Amendment protect the rights of Minorities in the country, and also protect the rights of accused [person] until proven guilty from the police brutality during the subsequent investigations.[1] IV Amendment, Article VIII of the Constitution:In clause (3), for paragraph (b) the following shall be substituted, namely laws specified in the First Schedule as in force immediately before the commencing day or as amended by any of the laws specified in that schedule; (ii) other laws specified in Part I of the "First Schedule"; (c)(sic) in clause (4), for the words and commas "the First Schedule, not being a law which relates to, or is connected with, economic reforms," the words and figure "Part II of the First Schedule" shall be substituted.[1] IV Amendment of Article XVII of the Constitution: In the Constitution, in Article 17, in clause (1), for the words "morality or public order" the words "sovereignty or integrity of Pakistan, public order or morality" shall be substituted.[1] IV Amendment of Article 199 of the Constitution. :A High Court shall not make an order until proven guilty; prohibiting the making of an order for the detention of a person, or for the grant of bail to a person detained, under any law providing for preventive detention.[1] VI Amendment of Article 51 (LI) of the Constitution:. (2-A) In addition to the number of seats referred to in clause (1), there shall be in the National Assembly six additional seats reserved for the persons, who are not exclusively Muslims. As soon as practicable after the general election to the National Assembly, the members to fill seats reserved in that Assembly for the persons referred to in clause (2-A) shall be elected in accordance with law by the members of the Assembly referred to in clause (1)".[1] ^ a b c d e f g h Government of Pakistan. "Fourth Amendment to the Constitution of Pakistan". Electron Government of Pakistan. This article about government in Pakistan is a stub. You can help Wikipedia by expanding it.vte This Pakistani law-related article is a stub. You can help Wikipedia by expanding it.vte Retrieved from " Share — copy and redistribute the material in any medium or format for any purpose, even commercially. Adapt — remix, transform, and build upon the material for any purpose, even commercially. 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Amendment to the Pakistani constitution Constitution (First Amendment) Act, 1974 Long title An Act to amend the Constitution of the Islamic Republic of Pakistan Enacted4 May 1974Status: In force This article is part ofa series aboutZulfikar Ali Bhutto Early life Political career Burial Political views Bhuttoism Socialism Elections 1970 1977 Political parties Pakistan People's Party (1967 onwards) Convention Muslim League (before 1967) Foreign Minister Sino-Pakistan Agreement Operation Gibraltar President of Pakistan Simla Agreement 1973 Constitution Federal Security Force Hamoodur Rahman Commission Utility Stores Corporation Prime Minister of Pakistan 1970s operation in Balochistan 1973 Iraqi embassy raid 1974 Anti-Ahmadiyya riots Project-706 Amendments to the Constitution of Pakistan I II III IV V VI VII Nationalization process Foreign policy Employees' Old-Age Benefits Institution Federal Investigation Agency National Fertilizer Corporation Pakistan Steel Mills Hyderabad tribunal Downfall 1977 Pakistani military coup Execution Bibliography Zulfi Bhutto of Pakistan Gallery: Picture, Sound, Videovte The First Amendment to the Constitution of Pakistan (Urdu: آئین پاکستان میں پہلی ترمیم) is a part of the Constitution of Pakistan which came on effect on 4 May 1974. The official document o Amendment is called the Constitution (First Amendment) Act, 1974. The First Amendment redefined the international and provisional boundaries, federal treaties of Pakistan, and naval treaties of Pakistan. The amendment eliminates and removed the references of East-Pakistan after the recognition of Bangladesh. Articles 1, 8, 17, 61, 101, 193, 199, 200, 209, 212, 250, 260 and 272, and the First Schedule of the Constitution of Pakistan were amended. The territories and boundaries of Pakistan shall comprise The Province of Baluchistan, the North-West Frontier, the Punjab and Sindh ; The Islamabad Capital Territory, hereinafter referred to as the Federal Capital ; The Federally Administered Tribal Areas; and Such States and territories as are or may be included in Pakistan, whether by accession or otherwise. Parliament may by law admit into the Federation new States or areas on such terms and conditions as it thinks fit. Text of the Constitution (First Amendment) Act, 1974 This article about government in Pakistan is a stub. You can help Wikipedia by expanding it.vte This Pakistani law-related article is a stub. You can help Wikipedia by expanding it.vte Retrieved from " The Eighteenth Amendment of the Constitution of Pakistan (Urdu: آئین پاکستان میں اٹھارہویں ترمیم) was passed by the National Assembly of Pakistan on April 8, 2010, removing the power of the President of Pakistan to dissolve the Parliament unilaterally, turning Pakistan from a semi-preside parliamentary ... What is the 18th Amendment in simple terms? By its terms, the Eighteenth Amendment prohibited "the manufacture, sale, or transportation of intoxicating liquours" but not the consumption, private possession, or production for one's own consumption. How many amendments are there in Pakistan? As of 2019, 25 amendments have been made to the Constitution. Among the most important of these are the Eighth (1985) and Seventeenth Amendments (2004), which changed the government from a parliamentary system to a semi-presidential system. When was the 18th amendment passed by the National Assembly of Pakistan? The historic 18th Constitutional Amendment was presented and passed by the National Assembly on April 8, 2010 and Senate on April 15, 2010 respectively. After the assent of the President on April 19, 2010, 18th Amendments became part of Constitution of the Islamic Republic of Pakistan. What is the importance of the 18th Amendment? 18th Amendment to the U.S. Constitution: Primary Documents in American History. Ratified on January 16, 1919, the 18th Amendment prohibited the "manufacture, sale, or transportation of intoxicating liquors". What did the 18th Amendment do? On October 28, 1919, Congress passed the Volstead Act providing for enforcement of the Eighteenth Amendment to the Constitution, which was ratified nine months earlier. Known as the Prohibition Amendment, it prohibited the "manufacture, sale, or transportation of intoxicating liquors" in the United States. What was all in the 18th Amendment? The Eighteenth Amendment declared the production, transport, and sale of intoxicating liquors illegal, though it did not outlaw the actual consumption of alcohol. Shortly after the amendment was ratified, Congress passed the Volstead Act to provide for the federal enforcement of Prohibition. What is the last amendment of Pakistan Constitution? Twenty-fifth Amendment to the Constitution of Pakistan Constitution (Twenty-fifth Amendment) Act, 2018 Long title An Act further to amend the Constitution of the Islamic Republic of Pakistan. Passed In National Assembly: May 24th, 2018 In Senate: May 25th, 2018 In Provincial Assembly of Khyber Pakhtunkhwa: May 27th, 2018 What is 22nd amendment in constitution of Pakistan? This Constitutional Amendment Bill seeks to alter eligibility criteria for appointment of the Chief Election Commissioner and Members of the Election Commission of Pakistan and to provide for other related matters. Who introduced the 18th Amendment? The act was conceived by Anti-Saloon League leader Wayne Wheeler and passed over the veto of Pres. Woodrow Wilson. What was the importance of the 18th Amendment? The Eighteenth Amendment to the Constitution prohibited the manufacture, sale, or transport of alcoholic beverages. It was the product of a temperance movement that began in the 1830s. The movement grew in the Progressive Era, when social problems such as poverty and drunkenness gained public attention. Who was against the 18th Amendment? The vote was 65 to 20, with the Democrats voting 36 in favor and 12 in opposition and the Republicans voting 29 in favor and 8 in opposition. The House of Representatives passed a revised resolution on December 17, 1917. This was the first amendment to impose a deadline date for ratification. Why did the 18th Amendment fail? Prohibition ultimately failed because at least half the adult population wanted to carry on drinking, policing of the Volstead Act was riddled with contradictions, biases and corruption, and the lack of a specific ban on consumption hopelessly muddied the legal waters. Who wrote the 18th Amendment? Why was the 18th Amendment written? The amendment came as a result of roughly a century of reform movements. Early temperance advocates aimed to reduce alcohol consumption and prevent alcoholism, drunkenness, and the disorder and violence it could result in. Theses early efforts promoted temperate consumption with hopes for eventual prohibition. What is 22nd amendment in Constitution of Pakistan? What is Article 63A in Pakistan? Article 63A of the Constitution of Islamic Republic of Pakistan (the Constitution) is a complete code in itself, which provides a comprehensive procedure regarding defection of a member of the Parliament and consequences thereof. What is 13th Amendment in Pakistan Constitution? It stripped the President of Pakistan of his reserve power to dissolve the National Assembly, and thereby triggering new elections and dismissing the Prime Minister. The Constitutional Amendment was supported by both the government and the opposition, and was thus passed unanimously. When was 19th amendment passed in Pakistan? Passage. The Amendment was Passed by the National Assembly on December 22, 2010, by the Senate on December 30, 2010 and assented to by the President on January 1, 2011. Why was 18th Amendment passed? Every state acknowledges its citizens' right to education. Nearly all countries, including Pakistan, are signatories to international human rights agreements, such as the UN Sustainable Development Goals (SDGs) that bound them to hold principal responsibilities for the direct provision of the right to education. Like other human rights, the right to education has certain levels of obligations. (1) The obligation to respect requires states to avoid measures that hinder or prevent the enjoyment of the right to education. (2) The obligation to protect requires states to take measures that prevent third parties from interfering with the enjoyment of the right to education. (3) The obligation to fulfill means that states must take positive measures that enable and assist individuals and communities to enjoy the right to education. The constitution of Pakistan also guarantees these rights to its citizens. In the notable 18th Amendment, education along with other important sectors was shifted to the provincial domain. It suffered more contrary to general aspirations for more educational equity. In 2008, Pakistan emerged out of the militaristic totalitarianism of General Pervez Musharraf. Against the long period of unjustifiable rule, there had been a lot of disappointment and rage palpitating in people. The democratic regime reinstated, after almost a decade of oppression, faced many grave challenges. Primarily, in the educational sector where huge class disparities were created that mostly owed to administrative negligence, lack of resources, and pumped-up social trends that proved themselves detrimental later. During Musharraf's period, indubitably, there had been great financing to education with dollars raining from America. But all those lump sum amounts were used in non-productive activities like upgradation of salaries scales and department funds. It raised a new trend, which we see even today, of professors publishing their research papers, hundreds per week. These papers barely seem to bear any logic which is why by international standards our research work ratio is on the decline despite these papers which bring government stipends to our professors. People were in high hopes that these standards and strictures will be changed, and new rules and procedures will be made that will suit the greater good of the public. It was the period when the military regimes across the world were being overthrown or facing retaliation movements like in Iraq etc. People, who had grown hopeless and indifferent towards the despotic rulers, developed some expectations regarding their basic rights which democratic governments claim to advocate for. Pakistan People's Party (PPP) came to power on March 24, 2008. This party claimed to be the biggest vanguard and protector of liberal, human, and democratic rights of the people of Pakistan. To implement the most important agenda of its manifesto, the government introduced the famous and widely debated 18th Amendment in the constitution on April 2010. The 18th Amendment to Pakistan's constitution has transformed the relationship between the federal and provincial governments by scrapping the "concurrent legislative list,". The Act (2010) grants the provinces substantial budgetary and legislative autonomy in the fields of education, health, and other social services. The amendment affected the nation's educational system deeply. In the section of the Constitution related to fundamental rights, a new Article 25A has been included. "Right to education—The State shall provide free and compulsory education to all children aged 5 to 16 in such way as may be determined by law," it states. Thus, Constitution recognized that primary and secondary education is a formally enforceable right. However, the caveat remains in the wording, 'as may be determined by law', making it arbitrary for the provinces to allocate budgets that they deem right and reasonable to fund the implementation of our law in this fundamental social sector. It is disappointing that there is still no law on the subject. No attempt has been made to introduce the required legislation in any provincial assembly yet. Over the years, many governments have developed a variety of strategies and schemes to carry out the constitutional obligation to provide education and eliminate inequities. But there has not been much progress, and as a result, Pakistan's education system is in shambles right now. Multiple educational progress indicators show that Pakistan's education system has had numerous problems, including inadequate public spending, high school dropout rates, and more importantly, severe gender and regional disparities. The implementation of 18th amendment has been weak. Its blame falls equally on the governments and bureaucrats because politicians serve as 'principals' while bureaucrats are the regional agents who ensure the implementation and report to the executive authority. The most important string attached to its implementation is the local body governments which is a deadly nightmare for all political parties. They are not even confident over their own public vote bank and feel fear if the opposing party sweeps in their province. When there are two opposite-wing parties come to power, the higher government is strictly reluctant for delegation of authority to lower levels. An excellent example of this can be found in the main Punjab Province where less than 30 Deputy commissioners are supervising as many as 400,000 teachers. For effective management of 200,000 plus schools and a million plus teachers, we need to adopt a systematic approach and come out of our power hunger zone. Public universities are in a similar predicament. It has become a popular statement that it is better to leave higher education than go to a public university because the political hiring and zero accountability of professors and administration have compromised everything. All universities have been monopolized in a manner that there is a vent to financial resources but no improvements in infrastructure and quality of education. During this chain of events, the person who suffers is a common student who lacks financial capability that snips his intellectual prowess and reduces it to offcuts. We have eradicated book culture in a very systematic way. Today, a pizza deal of one thousand rupees is advertised as an affordable source of enjoyment whereas a book of five hundred rupees is called to be out-of-financial reach. The evolution of a society is never possible without book culture. Now, we are left with baseless lengthy political arguments that bear no logic. Knowledge, passion, and beliefs are the product of teachers and poets. In our ill-driven society, we have successfully made teachers and poets as the product of our republic. The elected governments are responsible for the delivery of performance. Pakistan's polity does not hold politicians to a high standard of political accountability. It is not surprising that 20 million children are not in school, that education quality is low and that the difficulties in making "access to quality education" are not a visible priority for policymakers. Why should bureaucrats care about offering high-quality education if politicians don't? However, this equilibrium can be changed. The reform would significantly affect how politicians are held accountable. The 18th Amendment's significant impact on education is that the provinces will now have control over the curriculum, syllabus, planning, policy, centers of excellence, and standards of education. This is a significant improvement in schooling. This assertion is predicated on the notion that the provinces lack the capability and financial resources necessary to meet the enormous challenge in front of them. The federation should continue to control the curriculum's content because the provinces could veer off the path and jeopardize the nation's ideology. Critics question how the quality would be guaranteed and how standards would be upheld across the regions. What if all the provinces introduce regional languages in schools? Even before the adoption of the 18th Amendment, this right existed. The plurality of the federation's languages is more likely to make it stronger than weaker. The refusal of the demand to include Bangla with Urdu as a national language played a significant role in the division of East Pakistan. Awami National Party (ANP) and Pakistan People's Party (PPP) were the first to adopt curricula in local languages and develop their own subject contents according to the standards that best address the needs and desires of locals. At this moment, the federal government needs to adopt a positive outlook and have faith in the provinces' professionalism, morality, and patriotism. There are two types of federal structures in the world, hold-together and come-together, as has been suggested. The state must ponder again on its choice and reconsider its ways for a strong federation. Shallow policy thinking leads to dramatic consequences. Thomas Hobbes, an English political philosopher, believed that it was not sufficient to create a sovereign state that could threaten men with death. That state would have to dissuade them of the value of courage, and knowledge and persuade them that 'the less they dare, the better it is both for the commonwealth and for themselves (as propagated by our current curricula). As much as the fear of death would have to be mobilized on behalf of reason, reason would have to be mobilized on the behalf of ignorance and fear of death (we have eradicated reason and logic making everything amoral and insubstantial). Such kind of policy choices ends up in civil wars, as shown in history. We need to have proper debates over the improvements in our education system and effective policy measures to fulfill the provision of the right to education to our citizens, otherwise, everyone will suffer. It is viewed still as the responsibility of our federal educational ministry, being the superior authority, to take up its duty of bringing all stakeholders on board and negotiating how to fix all these flaws. We already have a board of provincial education ministers to discuss the priorities and provincial successes in bringing up our poor children to school. This board proved its effectiveness during COVID. Working together on priorities can give us results. The writer is a student. Iran's Supreme Leader Ayatollah Ali Khamenei firmly rejected U.S. President Donald Trump's call for...At the United Nations General Assembly, Pakistan strongly condemned th... The federal government is working on a new governance model for...In response to growing tensions between Iran and Israel, Pakistan has... OverviewThe PositivesThe NegativesConclusion The 18th Amendment to the Constitution of Pakistan was a major constitutional reform passed in 2010 and signed into law by President Asif Ali Zardari. This article will summarize the most critical points about the 18th Amendment and its effects on Pakistan's political landscape and development. Overview The 18th Amendment transferred several powers and responsibilities from the central government to the provinces, including legislating on various issues, such as education, health, and agriculture. The 18th Amendment also created the National Finance Commission (NFC), which is responsible for redistributing financial resources among the provinces. In addition, a new National Commission for Human Rights and a Council of Common Interests were also created. It also changed the election process by introducing a secret ballot and establishing a caretaker government to oversee the transition between different administrations. The Positives One of the essential positive effects of the 18th Amendment has been the devolution of power from the central government to the provinces. This has led to a greater degree of decentralization in the country and has allowed the provinces more control over their affairs. This has helped to reduce tensions between the central government and the provinces and has permitted those provinces to better address the needs and concerns of their constituents. The creation of the NFC has also positively impacted the country. The NFC is responsible for redistributing financial resources among the provinces, taking into account the needs and resources of each province. This has helped to reduce tensions between the provinces over the distribution of resources and has played a vital role in promoting more significant economic development and social justice in the country. The establishment of the National Commission for Human Rights and the Council of Common Interests have helped to promote greater accountability and transparency in the government and have helped to protect the rights of citizens. Introducing secret ballots and establishing caretaker governments have helped ensure free and fair elections and have contributed significantly to the stability and democratization of the country. The Negatives One concern about the 18th Amendment has been the impact of the devolution of power on the central government's ability to govern the country effectively. Some have argued that the transfer of powers and responsibilities to the provinces has weakened the central government and has made it more challenging to address national issues and concerns. There have also been concerns about the implementation of the NFC. While the commission has helped to distribute financial resources more fairly among the provinces, some have argued that it could have been more effective in ensuring that the resources are used efficiently and effectively. There have also been concerns about the distribution of resources between urban and rural areas, with some arguing that urban areas have received a disproportionate share of resources. Conclusion The 18th Amendment was one of the most significant amendments to the constitution. It changed almost a third of the constitution and significantly altered the framework of the government. It was bound to attract vast amounts of positive and negative attention, and it did. However, it was a step in the right direction, away from dictatorship and towards a democratic Pakistan. Disclaimer 2010 amendment to the Pakistani constitution The Eighteenth Amendment to the Constitution of Pakistan (Urdu: آٹھویں ترمیم) was passed by the National Assembly of Pakistan on April 8, 2010,[1] removing the power of the President of Pakistan to dissolve the Parliament unilaterally, turning Pakistan from a semi-presidential to a parliamentary republic, and renaming North-West Frontier Province to Khyber Pakhtunkhwa.[2] It also gave self-governing, legislative and financial autonomy to provincial authorities. The package was intended to counter the sweeping powers amassed by the presidency under former presidents General Pervez Musharraf and General Muhammad Zia-ul-Haq and to ease political instability in Pakistan.[3][4] The bill reversed many infringements on the Constitution of Pakistan over several decades by its military rulers.[3] The amendment bill was passed by the Senate of Pakistan on April 15, 2010 and it became an act of parliament when President Asif Ali Zardari signed the bill on April 19, 2010. It was the first time in Pakistan's history that a president relinquished a significant part of his powers willingly and transferred them to parliament and the office of the prime minister. The power of the president to dissolve the Parliament was enacted by the Eighth Amendment to the Constitution of Pakistan during the presidency of Gen. Muhammad Zia-ul-Haq, before it was removed by then-prime minister Nawaz Sharif during his second term by the Thirteenth Amendment. It was finally restored during the presidency of Gen. Pervez Musharraf by the Seventeenth Amendment.[2] This bill is the first bill since 1973 to decrease the powers of the president.[5] Back then, this amounted to the only democratically elected parliament to fully complete its tenure in the history of Pakistan from 2003–2008, albeit under Musharraf. The second complete parliamentary term was completed by the PPP led government from 2008–2013 which had in fact passed the 18th Amendment. However, this 2008–2013 term is often touted to be the first complete democratic change of power without a military president or a coup d'etat in Pakistan.[4] This section does not cite any sources. Please help improve this section by adding citations to reliable sources. Unsourced material may be challenged and removed. (January 2022) (Learn how and when to remove this message) The major new features were also introduced into the constitution, including the following: The name of the former president of Pakistan, Gen Zia-ul-haq, has been removed from the text of Constitution The 17th Amendment and Legal Framework Order as introduced by Musharraf has been repealed Turning Pakistan from a semi-presidential to a parliamentary republic The Self-governing, legislative and financial autonomy was granted to the Provinces North-West Frontier Province has been renamed to Khyber Pakhtunkhwa The ban on third time prime ministership and chief ministership has been lifted Holding constitution in abeyance is tantamount to high treason The Council of Common Interests (CCI) has been reconstituted with the prime minister as its chairperson and the body should meet at least once in 90 days The restructuring of National Finance Commission Award (NFC Award) A Independent judicial commission will recommend the appointment procedure of superior judges and the final names of judges will be decided by parliamentary commission A Chief Election Commissioner will be appointed through consensus between treasury and opposition Establishment of Islamabad High Court and benches of high courts in Mingora and Turbat Recognition of the children's right to education and insertion of a new section under Article 25A to provide constitutional guarantee that state will provide free and compulsory education to all girls and boys up to age 16. The power to dissolve the parliament was withdrawn from the President. 292 of the 342 members of the National Assembly, the lower house of Parliament, voted in favour of the amendment. The amendment turns the President into a ceremonial head of state and transfers power to the Prime Minister,[6] and removes the limit on a Prime Minister serving more than two terms, opening the way for Nawaz Sharif and Asif Zardari to run again. The North-West Frontier Province is renamed Khyber Pakhtunkhwa, in accordance with the wishes of its Pashtun-majority population. Among other changes, courts will no longer be able to endorse suspensions of the constitution, a judicial commission will appoint judges, and the president will no longer be able to appoint the head of the Election Commission.[3] The bill also enhances provincial autonomy.[7] The President will no longer be able to declare emergency rule in any province unilaterally.[5] The following ministries were devolved at federal level and were given to the provinces.[8] According to 18th Amendment: Ministry of Education became Ministry of Federal Education and Professional Training Ministry of Archaeology and Culture became Ministry of Culture Ministry of Environment became Ministry of Climate Change Ministry of Health became Ministry of National Health Services, Regulation and Coordination Ministry of Special Initiatives abolished at federal level. Ministry of Labour and Manpower became Ministry of Overseas Pakistanis & Human Resource Development Ministry of Local Government and Rural Development abolished at federal level. Ministry of Minorities' Affairs merged with the Ministry of Religious Affairs Ministry of Population Welfare abolished at federal level. Ministry of Social Welfare and Special Education abolished at federal level. Ministry of Sports became Pakistan Sports Board at federal level and given to provinces. Ministry of Tourism's Powers given to Pakistan Tourism Development Corporation Ministry of Women Development abolished at federal level. Ministry of Youth Affairs abolished at federal level. Ministry of Zakat and Ushr abolished at federal level given to provinces. Ahmed Kurd, former president of the Supreme Court Bar Association of Pakistan, said "We fully support the 18th Amendment. It is tantamount to the overhauling of the constitution, which had been subverted by military dictators since its inception. In the past, parliaments have just been 'rubber stamps', whereas the present parliament seemed to be well aware of its obligations, and therefore, was 'throwing out' the 'unconstitutional' amendments."[9] Amendments to the Constitution of Pakistan ^ NA passes 18th Amendment Bill, PM felicitate the Nation Archived 2012-03-18 at the Wayback Machine, Associated Press of Pakistan, 2010-04-08 ^ a b "Pakistan lawmakers approve weakening of presidential powers". CNN. April 9, 2010. Retrieved April 9, 2010. ^ a b c Pakistan's national assembly passes key constitutional reforms, The Sunday Telegraph, 2010-04-08 ^ a b Pakistan Weighs Changes to Revise Constitution, The New York Times, 2010-04-06 ^ a b Pakistan parliament agrees to curb presidential powers, BBC, 2010-04-08 ^ Pakistani National Assembly Votes to Limit Presidential Powers, Voice of America, 2010-04-08 ^ Constitution bill sent to Senate, Dawn (newspaper), 2010-04-10 Archived April 12, 2010, at the Wayback Machine ^ "PM decides fate of over 38,000 govt employees". April 14, 2018. ^ Lawyers' majority endorses 18th Amendment, Daily Times (Pakistan), 2010-04-08 Archived June 6, 2011, at the Wayback Machine Text of the Constitution (Eighteenth Amendment) Act, 2010 on pakistani.org Retrieved from " 2 Page notice You are not logged in. Your IP address will be publicly visible if you make any edits. If you log in or create an account, your edits will be attributed to a username, among other benefits. Content that violates any copyrights will be deleted. Encyclopedic content must be verifiable through citations to reliable sources. Retrieved from " Once again the strong centre lobbies are active to roll back the gains of the Eighteenth Amendment. The Eighteenth Amendment was the mother of all amendments because through this one amendment, over a 100 clauses of the constitution were changed. It was a major attempt to solve the provincial autonomy conundrum which has marred the country's constitutional history and had created bad blood between the federating units. To understand the significance and implication of the "Constitution (Eighteenth Amendment) Act, 2010" one has to briefly recap the chequered constitutional history of Pakistan. The first constituent assembly took seven years and when it nearly completed the draft constitution, the Governor General dissolved the assembly. Finally after nine years of its inception, Pakistan's second constituent assembly passed a constitution in March 1956, adopting the parliamentary system. These nine years the country was ruled on the basis of Government of India Act, 1935. Before adopting the 1956, constitution the provincial rights were trampled by the government in 1955, when it merged four provinces of West Pakistan into one unit. The devious motive was to claim parity with East Pakistan. But this constitution was abrogated by General Ayub Khan who declared Martial Law in the country in October 1958. When he needed to lift the Martial Law, he brought in his own constitution in 1962, with the Presidential form of government inspired by the American system. Ayub Khan was replaced by General Yahya Khan, who promised to hold the elections and conceded to the major demands — of the people's movement — by promising a parliamentary democracy and restoration of the four provinces of West Pakistan. After the election, the National Assembly was supposed to give a new constitution within a year. But reluctance of the Pakistani establishment and Zulfikar Ali Bhutto to accept the six points of Awami League (AL) leader Sheikh Mujibur Rehman, unleashed a liberation movement in East Pakistan. AL was demanding a more provincial autonomy. After the liberation of Bangladesh, Bhutto took over and managed to give a consensus Constitution in 1973. Bhutto was removed by General Ziaul Haq in 1977, and once again Martial Law was imposed. Hence all fundamental rights given in the 1973, constitution were held in 'abeyance.' When he restored the constitution in 1985, the Eighth Amendment was introduced to validate his rule. This transferred most of the prime minister's powers to the president. For future military interventions without resorting to Martial Law he opened a burglar's window in the constitution by inserting Article 58 (2) and 2(B). This gave constitutional power to President General Zia, to dissolve the National Assembly and oust the government at his discretion. This became the most controversial clause of the constitution. It was first used by General Zia for dismissing the government of Mohammed Khan Junejo in 1988. It was invoked by the establishment to sack Benazir Bhutto and Nawaz Sharif governments twice in the nineties. In the last stint Nawaz Sharif had come to power with a 'heavy mandate' and removed this clause from the constitution through an amendment. So when Musharraf led a coup against him in October 1999, he had to come in directly as the "so-called safety valve of Article 58 (2) and 2 (B)" (as the establishment likes to call it) was not available for ambushing on an elected government. To legitimise his rule he further mutilated the constitution by bringing in the Legal Framework Order, 2002 and the Seventeenth Amendment 2003. This amendment increased the powers of the president and validated all the actions of Musharraf since his take-over in 1999. However, the Seventeenth Amendment had some positive features also, like increase in the reserved seats for women in the National and Provincial assemblies and in local councils; lowering the voting age to 18 years; abolition of separate electorate system for the minorities; and increase in National and Provincial Assemblies seats. The Eighth Amendment became the most controversial clause of the constitution. It was first used by General Zia for dismissing the government of Mohammed Khan Junejo in 1988. It was invoked by the establishment to sack Benazir Bhutto and Nawaz Sharif governments twice in the nineties It was in this political setting that Benazir Bhutto and Nawaz Sharif, each having been bitten twice by the military establishment, met in London in May 2005, and decided to bury their hatchets. They signed a Charter of Democracy (CoD) underlining: "that the military dictatorship and the nation cannot co-exist — as military involvement adversely affects the economy and the democratic institutions as well as the defence capabilities, and the integrity of the country — the nation needs a new direction, different from a militaristic and regimental approach of the Bonapartist regimes." Both the leaders reaffirmed in the CoD their commitment to undiluted democracy, decentralisation and devolution of power, maximum provincial autonomy, empowerment of the people at the grassroots level, a free and independent media, an independent judiciary and settlement of disputes with the neighbours through peaceful means. They pledged cleansing the 1973, constitution from the amendments made by the military rulers, particularly repealing of the Seventeenth Amendment of Musharraf. Benazir Bhutto and Nawaz Sharif were also keen to remove the article from the constitution which barred any elected member to be the prime minister of the country for the third time. Musharraf had inserted this clause in the constitution to keep both the popular leaders of the country out of power, even if their party won the election. Once the PPP-led coalition came into power Nawaz Sharif's Pakistan Muslim League started pressing for the implementation of the CoD. His contention was that the Seventeenth Amendment should be repealed right away. But the PPP-led coalition wisely linked deletion of disputed clauses of the Seventeenth Amendment with the issue of provincial autonomy and the demand of the NWFP government that their province should be renamed as Pakhtunkhwa. As in most of the democracies in the world the regional, ethnic leadership has emerged much stronger in Pakistan in the last two decades. The political future of the region is that no national party would be able to form a government without the support of the regional parties. This trend has strengthened the centrifugal forces in Pakistan also, who demand more autonomy for the federating units. These regional parties had insisted that the Eighteenth Amendment should deal with the provincial autonomy issues also because they were more important to them. To achieve these objectives a Parliamentary Committee for Constitutional Reforms (PCCR) was formed with the representation of all political parties, which have presence in the two houses of the parliament. This committee was criticised for taking too long, but it did the historic job of introducing 102 amendments in the Constitution of Pakistan, all rolled up in the jumbo Eighteenth Amendment. The political dimension of this momentous event is that a consensus document was approved unanimously by the National Assembly amply; proving that democracy can work in Pakistan. It also shows that in a country where extremists have resorted to terrorism, the