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Federation And Federating Units: A Comparative Analysis Of Pakistan's Neighboring Federal Entities

Abstract:

The broad spectrum of ethnic, administrative, and political problems drives the demand for the creation of new federating units in various countries, particularly Pakistan. Moreover, the neighboring countries of Pakistan had witnessed the re-demarcation of states or provinces on distinct grounds and formed major or minor new federating units several times. However, Pakistan has failed to create any new province on any ground due to its complicated constitutional procedures, unstable political structure, as well as steal power politics. Furthermore, neighboring countries like India have created fifteen new states compared to its thirteen states in 1947. Currently, India has twenty-eight states and eight union territories. Similarly, the other neighboring countries like Iran, have thirty-one provinces and five unions, Afghanistan has thirty-four provinces (*Wilayat*) and China has thirty-one provinces and five autonomous regimes. Therefore, this present study intends to explore a comparative study of neighboring countries of Pakistan, about the creation of new provinces and thus present the key factors that why Pakistan failed to create any new province on any ground.

Key Words: New Provinces, Ethnic Conflict, Iran, Afghanistan, Pakistan, China, India, Federating Units.

Introduction

There are a few things that are important to discuss as to why this topic was chosen for the research. First, Pakistan has many similarities in terms of socio-economic, lingual, and cultural spheres with its neighboring countries. Secondly, all the neighbors of Pakistan have more provinces/states than Pakistan, and why the procedure of new provinces is difficult in Pakistan and easy in neighboring countries.

The demand for more provinces re-emerged with the passage of the 18th Constitutional Amendment in 2010, which gave further control of resources to provinces in Pakistan. Since then, there have been calls for more provinces in Pakistan. If one looks around the world, one would find the US with 50 administrative units, India with 28 plus seven Union territories, Turkey with 81, Iran with 31 Vilayat, Afghanistan with 34, and China with 31. These countries have been doing well both politically and economically with more units. Probably this was one of the main reasons that the proponents of creating more federating units in Pakistan predicted that by doing so Pakistan would substantially improve economically and politically. But creating

more provinces seems an uphill task in Pakistan unlike India as it started this process right from the beginning. Even if new provinces are carved out in Pakistan, it has to be seen whether those would be on an administrative basis or ethnolinguistic lines.

Creating more provinces is a political issue. There could be various reasons for the creation of new provinces. For example, political parties in Pakistan have become mostly province-based, i.e. PPP has been restricted to Sindh lately, PML (N) in Punjab and is struggling to be a national party, MQM is a local Karachi-based party, PTI is yet to be tested as a national party, and there are many other regional parties. The appointment of the recent Governor of Khyber Pakhtunkhwa, who hails from the Hazara region, has weakened the movement by Hazarawall to create a separate province. (IPPRI, 2015)

Research questions

1. What are the dynamics and drivers for the creation of new provinces in neighboring countries of Pakistan?
2. How does the constitutional procedure and political situation support the creation of new provinces in neighboring countries and not in Pakistan?

Research objectives

1. To investigate the dynamics and drivers for the creation of new provinces in neighboring countries of Pakistan.
2. To identify the constitutional procedure and political situation for the creation of new provinces in neighboring countries of Pakistan.
- 3.

Delineating the Mythological Framework

For analysis, the researcher used qualitative research methods. My analysis primarily is based on the open-ended interview, as devolution of power to provinces occurred after the passing of the Eighteenth Amendment in the constitution of Pakistan in 2010. It is noteworthy to mention that this analysis does not take into account all political parties in Pakistan; rather, a selection of only five to six major political parties is made based on the fact that these parties are active in national politics and in forming a government of Pakistan over the last few decades. As the previous literature on federalism and ethnonationalism in Pakistan does not provide specificities about the role of political parties, therefore, it is significant to analyze the political parties and their stances regarding the formation of new provinces in Pakistan. I collect data regarding the description and composition of provincial governments and provincial assemblies of Pakistan from their official. The secondary sources were also consulted in terms of books, journals, articles, and newspaper articles.

Iran

Currently, Iran is divided into thirty-one provinces which are also known in the Persian language Ostan. Each province is governed from a local center usually the largest local city, which is called the capital of the province. Moreover, the provincial authority is headed by a governor-general who is appointed by the Interior Minister subject to the approval of the cabinet. (Irna, 2007)

Iran is a multi-ethnic society in which approximately 50% of its citizens are of non-Persian origin, yet researchers commonly use the terms Persians and Iranians interchangeably, neglecting the supra-ethnic meaning of the term Iranian for many of the non-Persians in Iran. The largest minority ethnic group in Iran is the Azerbaijanis (comprising approximately a third of the population) and other major groups include the Kurds, Arabs, Baluchis, and Turkmen. Iran's ethnic groups are particularly susceptible to external manipulation and considerably subject to hence from events taking place outside its borders, since most of the non-Persians are concentrated in the frontier areas and have ties to co-ethnics in adjoining states, such as Azerbaijan, Turkmenistan, Pakistan, and Iraq. Approximately seven million Azerbaijanis live in the Republic of Azerbaijan, whereas the overwhelming majority of the Azerbaijanis live in neighboring Iran. (Shaffer, 2000)

Many Azerbaijanis refer to most of northwest Iran as “south Azerbaijan.” Across the border from the Republic of Azerbaijan, three Iranian provinces are populated predominately by Azerbaijanis: East Azerbaijan Province, West Azerbaijan Province, and Ardabil Province. The cultural rights and political activities of the ethnic minorities in Iran were severely restricted under both the Pahlavi monarchy (1921–1979) and under the Islamic Republic (1979). In a strict departure from previous practices in Iran, President Khatami has reacted to the ethnic-based demands and is politically capitalizing on them. For example, in the 1997 presidential elections in Iran, supporters of Khatami distributed election materials in the Azerbaijani and Kurdish languages, exemplifying his recognition of the multi-ethnic composition of Iran and the importance the non-Persian groups attach to the status of their mother tongues. Khatami's lead in the conducting of the 1999 elections to local government indicates his willingness to tap into Iran's periphery and, consequently, the ethnic minority groups, as part of his struggle with the prevailing elite in Iran. Nevertheless, most mainstream research investigating the social and political makeup of Iran tends to marginalize the ethnic factor, and overwhelmingly describes the largest ethnic group in Iran, the Azerbaijanis, as a “well-integrated minority,” which harbors little “sense of separate identity,” and as having assimilated into Iranian identity. (Shaffer, 2000)

Afghanistan

Afghanistan is divided into 34 provinces also known as Wilayat. The provinces of Afghanistan are the primary administrative divisions. Each province encompasses several districts usually over 1000 villages. The provincial governors played a critical role in the reconstruction of the Afghan state following the creation of the new government under Hamid Karzai. According to international security scholar Dipali Mukhopadhyay, many of the provincial governors of the Western-backed government were former warlords who were incorporated into the political system. (Dipali, 2014)

Afghanistan is a landlocked country that is located approximately in the center of Asia. It is bordered by Pakistan in the south and east. Since the late 1970s, Afghanistan has suffered a brutal civil war in addition to foreign interventions in the form of the 1979 Soviet invasion and the 2001 U.S. invasion. The strategic interests of the great powers of the day in Afghanistan pitched against the potential threat of terrorism, religious extremism, smuggling, and drug trafficking substantiates the assertion that the Afghan security situation has the potential to generate effects far beyond its borders. (Talal Hassan, 2023)

Against this background, it is impossible to calculate how many ethnic groups exist in Afghanistan and how large they are. Also, it has to be considered that the different scientific approaches of researchers result in different ways of ethnic categorizing. A German survey concludes there are about 54 ethnic groups while a Soviet study conducted by MASSON & ROMODIN in 1964/65 claims there to be 200. Therefore, the crucial problem emerges of which ethnic groups and to which scale are to be taken into consideration in an ‘ethical solution’, as promoted by the United Nations.(Conrad Schetter, 2023)

Afghanistan is among the most highly centralized states in the world on paper, yet among the most highly atomized in reality. This tension has shaped much of Afghan history for the last century. Most of the Afghan population has always been remote from the center, and infrastructure and institutions have been insufficient to impose high levels of control. The existence of strong local social organizations and a well-developed tradition of independence also means that decisions seen as imposed from outside are often resented locally. Moreover, popular distrust of the central government has been reinforced by experiences with brutal authoritarianism and corruption, although the two need not be synonymous. The lack of inclusive, accountable governance remains a key driver of conflict, and debate over how Afghanistan’s diverse population should be governed has yielded few satisfactory options. (Alex Their, 2020)

The 2004 constitution largely followed the approach of the constitutional monarchy created in 1964, establishing a highly centralized administration that excluded the Taliban and left little room for formal local structures to fill the vacuum. The insurgency that ensued is, in many ways, a competition for control over the central administration of the state. Fighting for local autonomy is not enough because any group that wants to hold real power over how people are governed or what form of Islam is recognized must control Kabul. The Taliban’s violent competition for this control runs alongside a highly contentious but mostly peaceful competition among other political actors. Each of the last three elections produced bitterly contested results and negotiated outcomes because, even among the constitution’s supporters, the system is seen as “winner-take-all.” Centralization versus decentralization of power is, therefore, an important issue in the current peace process for several reasons. First, a compromise between the Taliban and the political groups that comprise the republic will require splitting a political pie on mutually palatable terms. Currently, that pie has one giant piece—the presidency—and a few smaller ones. Decentralization of power is one potential path to making the smaller pieces more valuable, thereby making a division more equitable. Second, the insurgency is a continuation of 47 years of political conflict that began with the overthrow of the monarchy. That contest has seesawed between authoritarianism and revolt in several phases with disastrous consequences for Afghanistan, its neighbors, and the world. The current peace negotiation presents an opportunity to achieve a more sustainable balance. (Alex Their, 2020)

China

The provincial level administrative divisions also known as pinyin in Chinese language are the highest-level administrative divisions of China. There are 34 such divisions claimed by the People's Republic of China, classified as 31 provinces and five autonomous regions, four municipalities, and two special administrative regions. Some administrative and political

conflicts have emerged in China as well, like the political status of Taiwan province along with a small fraction of the Fujian province dispute; those are under separate rule by the Republic of China, which is usually referred to as Taiwan. Every province in Mainland China has a Chinese Communist Party headed by a secretary. The committee secretary is effectively in charge of the province, rather than the governor of the provincial government. The same arrangement exists for the autonomous regions and municipalities. The government of each standard province is nominally led by a provincial committee, also headed by a secretary. The committee secretary is first in charge of the province, second-in-command is the governor of the provincial government. In practice, day-to-day affairs are managed by a provincial party standing committee, which makes decisions for a province analogous to the Politburo for the central government. (Hwang, Jim, 1999)

In March 1998 the Chinese government launched an ambitious reform of the institutional structure of China's administrative system. The whole reform was scheduled to be implemented in three years starting at the central level in 1998 and then the provincial level in 1999, ending at the local level at the end of 2000. In contrast to previous attempts at institutional reforms in China, this plan proceeds from a qualitative basis and focuses on defining the core functions of the state and its governing organs to shed non-essential functions. The objective is to create a leaner and more efficient state and to redefine goals in terms of what should be taken care of by the state and what should be taken care of by society. Functions that are not necessary parts of the state structure should be discarded and given back to society. The ultimate aim is to create a leaner public sector without abandoning basic state and Party control. A key concept of the 1998 institutional reform programme is the so-called san ding (three fixes). The concept has three aspects. The first is to fix the functions of the public sector (ding shining) and involves determining the necessary functions of the state and its organs at different levels. The general objectives are to change the functions of government and separate the government from the enterprises (zheng-qi fenkai). Thus, government departments are to shift their attention to macroeconomic regulation and control and leave direct management to the enterprises themselves. (Kjedl Erik Brodsgaard, 2002)

This part of the reform program is also based on the premise that many functions appropriated by the state should be given back to society and handled by the market or new social intermediary organizations (shehui tuanti). The second aspect of institutional reform is to fix the administrative organs (ding jigou) to cut down on the number of state and Party organs at central and local levels. This will be based on determining which functions the state should take care of and which should be handed over to society. The latter functions will have their institutional representation in the state administrative system reduced or abolished. The third aspect entails the fixing of personnel (ding ren yuan). This involves a process of determining the type and the number of posts (ding Bianchi) needed to take care of the functions and administrative organs deemed necessary to be upheld. The general goal is to cut administrative personnel by about 50 percent and to create a more efficient and competent public sector. The intention is also to save on state administrative budget expenditures, which have ballooned from 5.5 billion yuan in 1979 to 276.8 billion yuan in 2000. This article argues that reducing personnel constitutes a major problem in implementing the institutional reform programme. To grasp this problem, it is necessary to take a closer look at the Bianchi system, which has only been briefly addressed in previous discussions of institutional reform in China. (Kjedl Erik Brodsgaard, 2002)

India

India currently has 28 states. The fifteen states were created after the partition. The Redemarcation of States in India is a multi-ethnic, multi-cultural, multi-religious, and multi-lingual country of South Asia. The states of India are diverse not only in terms of composition, size, and population but also in terms of economic ability, territory, and infrastructure resources and ethnically. (Villiers, 2012) India is an ethnically diverse country with over sixteen hundred languages/dialects and more than two thousand ethnic groups. After the independence, M.K Gandhi himself wrote that the Indian government “should hurry up with the re-organization of linguistic provinces” (Ghani). From the very beginning “ethnic conflict” was a great challenge for the leaders of the ethnically diverse Indian state. They tried their best to create structures, processes, and institutions to deal fairly and effectively with ethnic demands and conflicts. (Padmanabhan, 2011) In December 1952, the Nehru government focused on persuading the protestors, who were demanding the formation of Andhra Pradesh state. This led to the formation of the State Reorganization Act in 1953. (Padmanabhan, 2011) The great sacrifice of Potti Sriramulu (a follower of M.K Gandhi) will always be remembered in the history of the linguistic reorganization of Indian states made in October 1952. He began a fast-unto-death in demanding a separate state for the Telugu Telugu-speaking population by carving out the province of Madras. After 56 days without food, his dramatic death was taken place which was used as an instrument in the ethno-linguistic reorganization of states. (Malik, Abbasi, 2019)

Brief History of Reorganization of Indian States 1956-2000

The history of the reorganization of Indian states is divided into three phases. The first Reorganization of Indian states occurred in 1956, the second in 1971-1987, and the third in 1999-2000. Starting with the First Reorganization of Indian states which occurred in 1956 as Andhra Pradesh became a separate state by merging part of Hyderabad and Andhra. Bombay became a separate state by merging Kutch and Saurashtra forming a union. Kerala was formed by detaching part of Madras and Travancore union. Madhya Pradesh was created as a separate state by merging Vindhya Pradesh Union and Bhopal. (Malik, Abbasi, 2019) The Mayor state was created by merging Mysore Coorg and some parts of the former state of Bombay, Madras, and Hyderabad. Patiala and East Punjab state were added into Punjab state. The State Reorganization Act did not agree to the formation of a separate Punjabi-speaking state. Shiromani Akali Dal (SAD) was the party of Sikhs in Punjab and launched a mass agitation and demanded Punjabi-speaking Punjabi province and Hindi-speaking Punjab and Haryana. Prime Minister Nehru declared that we are not in a position to deal with such domestic issues as we have been threatened with a border war by Pakistan. The president of Akali Dal, Sant Fateh Singh refused and suspended the strike by affirming that “the country is dear but the Punjabi Suba (State) is dearer”. After Nehru, Lal Bahadur Shastri assured Sant Fateh Singh that after a border dispute with Pakistan, they would be given their new state. Hence, Punjab a new state of India came into being on September 18, 1966, under the Punjab Reorganization Act No. 31. (Padmanabhan, 2011)

Pakistan

The administrative structure of Pakistan presently comprises four provinces at the first-order level, Baluchistan, Khyber Pakhtunkhwa, Punjab and Sindh, and Islamabad capital territory. Additionally, there are two parts of Pakistan-administered Kashmir; Azad Jammu and Kashmir and Gilgit-Baltistan. As part of the Kashmir conflict with neighboring India, Pakistan has also claimed sovereignty over the India-controlled territories of Jammu and Kashmir and Ladakh

since the First Kashmir War of 1947-1948 but has never exercised administrative authority over either region. All of Pakistan's provinces and territories are subdivided into divisions which are further subdivided into districts and then tehsils and further subdivided into union councils. (Government of Pakistan, 2016)

Mainstream Political Parties, Policy, and Posture towards the Question of New Provinces in Pakistan

The present study is focused on identifying the factors behind the emergence and development of issues in provinces in Pakistan. There is a range of political and constitutional links to the creation of new provinces in Pakistan as a federal state. This study also reveals the stance of different national and regional political parties in Pakistan regarding the creation of new provinces. The rationalization of new provinces and the changes in the constitution in case of the creation of new provinces are also discussed, which is the main theme of this paper. According to the 1973 constitution, Pakistan is a federal state. In a federal government, power is shared between the federal government and federating units. However, Pakistan could not fully evolve the spirit of federalism. Problems emerged between the Centre and provinces, and among the provinces themselves over the sharing of power and the distribution of resources. According to Feroz Ahmed, provincial rights, self-determination, regional autonomy, allocation of resources, inter-province migration, language, and culture are some major factors responsible for the demands of new provinces in Pakistan. (Feroz Ahmed, 1996) According to James Q. Wilson, the federation is shared sovereignty between the federation and federating units. To keep a balance and create harmonious relationships between both, political institutions play a vital role. (Suharwardy 2014). The current issue of demand for new provinces is creating challenges for the federation. This is an old and complex issue. More recently, the demands for new provinces were sparked by the government's decision to rename NWFP as KP in 2011. (Saman Zulifqar, 2014)

Hence the renaming of NWFP was an ethnic demand that further motivated the non-Pashtun population, Hazarawall, to demand a separate province. Similarly, Seraiki and Bahawalpur's nationalists also raised their voices for separate provinces after the passing of the 18th Amendment in the constitution. Thus, the renaming of NWFP opened another chapter of ethnicity. This scenario was a milestone for the mainstream political parties of Pakistan. The political parties used the situation to gain public support and officially gave their stances regarding the creation of new provinces in Pakistan. (Saman Zulifqar, 2014) The stances of the mainstream and regional political parties of Pakistan are more or less supportive of the creation of new states or provinces in Pakistan. Many political parties were favoring the creation of new provinces and suggested an administrative model for it. For instance, PPP and ANP also showed support for new provinces but on an ethnic-lingual basis. While PML (N), PML (Q), PTI, MQM, and JI favored the creation of new provinces/states on an administrative basis. Only JUI F has shown a complex stance and said we would favor the opinion of the majority and democracy. (Saman Zulifqar, 2014)

Constitutional Perspective on the Formation of New Federating Units

Pakistan's constitution sets a very tough process for the formation of new provinces. Article 239 of the Constitution of Pakistan, 1973 shapes a complete constitutional device for the making of

new provinces. The article states that “a bill to alter the constitution which would have the result of changing the bounds of a province shall not be presented to the president for assent unless it has been approved by provincial assembly of that province by the votes not less than two-thirds of its total membership. For the separation of provincial boundaries, getting the approval of the Provincial Assembly is mandatory. (Saman Zulifqar, 2014)

In 2012, the National Assembly of Pakistan approved a common resolution in support of a new province in Punjab and consequently constituted a commission to submit a report on the feasibility and execution of the plan. The resolution asked the Provincial Assembly of Punjab to take essential measures. The Punjab Assembly approved two resolutions on May 9, 2012, proposing the creation of two new provinces, the South Punjab province and the renewal of Bahawalpur province. The constitutional and legal formalities were seemingly introduced, but soon, it was exposed that these were political delay tactics and the purposes of the ruling elite were not in favor of the creation of new provinces. The whole procedure ended up in a deadlock, wherein the Provincial Assembly of Punjab declined to accept the commission that was established to look into the matter of creating new provinces. The commission, however, submitted its report to the Parliament on January 28, 2013. (Umbreen Javed, 2012) In comparison with Pakistan, the Indian constitution, articles 2-4 deal with constitutional procedures to create, alter, and re-organize a new state. The only simple majority needed in Lok Sabha to create a new state. Furthermore, the proposal for a new state does not change the constitutional setup of India. The only president and central government can move a bill for the creation of the new state. (Azhar Abbasi, 2019)

Conclusion

The broad spectrum of ethnic, administrative, and political problems drives the demand for the creation of new federating units in various countries of South Asia, particularly Pakistan. South Asia is an ethnically, religiously, and linguistically diverse region of the world. The ethnic and sub-ethnic groups of the various countries of the area have been demanding the rights of various ethnic communities from the state. The neighboring countries of Pakistan accommodated and settled the ethno-lingual issue by creating many new provinces or states. All the neighboring countries have around 30 provinces. Pakistan's case has differed and failed to accommodate ethnic minorities since its inception. The sub-nationalities always demanded the rights and creation of new provinces but the state always adopted the authority step for assimilation and unification.

Pakistan has been facing two types of ethnonationalist movements. One demanded complete separation from the state for their independent state and the other demanded a new province within the existing state. From the beginning, movements were started for provincial autonomy and the creation of new provinces. As eastern wing of the state was the first to raise its voice for provincial autonomy which later on converted to separation. Similarly, all four provinces raised this voice for the time being. The Hazarawall were the first ones to demand a new province from NWFP in 1957 as Mufti Idrees and Abdul Khaliq were the pioneers of the Hazara Province movement. Later on, Seraiki and Mohajir ethnic movements were started in the 1970s and 1980s respectively. These kinds of ethno-nationalist movements are more or less are common in all four provinces of Pakistan. Hence the current study directed the state needs to accommodate

provincial ethnic minorities by accommodating them. Pakistan can follow the Indian module for the accommodation of ethnic communities.

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