

Eighteenth Amendment and the Paradox of Intra-Provincial Ethnic Discord in Pakistan

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ABSTRACT

The nature of the Pakistani state is undergoing a key transformation as evidenced in move towards a more decentralised and power-sharing polity after the passage of the 18th Amendment. Paradoxically, the 18th Amendment's objective to federalize an otherwise historically centralized Pakistani state has led to the intensification of ethnic discord at the provincial level. While the 18th Amendment seeks to address the perennial discord between the dominant and non-dominant ethnic groups in Pakistan, the same Amendment has also engendered a fierce competition between dominant and non-dominant ethnic groups within the provinces. The present article concentrates on the Punjab, Sindh and KP provinces where two dynamics signalling intra-provincial ethnic conflict are manifest – first, conflict over the division of power and authority between provincial and local governments and second, the demand for new provinces on the part of non-dominant ethnic groups.

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Introduction

The key task that the paper directs attention to is the manifestations of ethnicity that Pakistan's political opportunity structure provides for in the wake of the 18th Amendment. The said Amendment was designed to rectify the unitary and centralized characteristics of Pakistan's political system with the hope that it will resolve fundamental ethnic grievances involving non-dominant ethnic groups and the state.¹ Apart, it has also fanned the flames of ethnic discord at the provincial level. The article seeks to estimate the basis of the horizontal ethnic conflict within provinces concentrating on two key political demands of non-dominant ethnic groups in Punjab, KP and Sindh – the creation of new provinces and energization of the local government system. In attempting to understand intra-provincial ethnic conflict, Local Bodies Acts in Punjab, KP and Sindh are analysed and critically evaluated as well as local government elections in the three provinces. The analysis of the three provincial acts reveals the provincialisation of powers and a consequent weakening of the local bodies system in the wake of 18th Amendment. Moreover, local government elections indicate that Siraiki and Hazara ethnonationalist parties remain electorally weak and marginalised with politics in South Punjab and Hindko-speaking districts of KP dominated by the national mainstream parties. Only in the case of Sindh is the ethnonationalist party, the MQM, competitive enough to win elections at the local level and present a challenge to the Sindh provincial government. Finally, all three ethnic groups – Siraikis, Hazarawals and Mohajirs – now make claim for separate provinces. The fact that the discourse on new provinces finds acceptance also at the level of national mainstream parties is indicative of a new socio-political trend in Pakistan's politics in the wake of 18th Amendment.

1 Anwar Shah, 'The 18th Constitutional Amendment: Glue or Solvent for Nation Building and Citizenship in Pakistan?' *The Lahore Journal of Economics* 17, (2012): 387-424.

The 18th Amendment: Pakistan's Novel Experiment with Federalism and Power-Sharing

Relations between the centre and provinces (the issue of federalism) have mainly worked to the advantage of the former with the Pakistani polity tending to assume a unitary structure of governance since independence. The 1956, 1962 and the 1973 Constitutions all privileged the federal government over the provinces. This fuelled resentment against the Centre most acutely in the form of ethnic movements which stood to challenge the Pakistani state both through peaceful protests as well as armed confrontation. Realising the imperative of resuscitating the Pakistani polity in light of growing movements of ethnic assertion in Balochistan, Sindh and Khyber Pakhtunkhwa, the Pakistan People's Party government reconstituted the National Finance Commission Award in December 2009. The main feature of the Award is its reorientation of the financial distribution formula between the provinces by inculcating additional variables other than population, which was the case before the 7th NFC Award was introduced. The population criterion, which was in operation previously, privileged the Punjab province because it made up 56 percent of the total population of Pakistan. The new formula, on the contrary, assigns a weightage to four issue areas: population (82 percent), poverty/backwardness (10.3 percent), revenue generation/collection (5.0 percent) and inverse population density (2.7%). According to the new formula, Punjab has the highest weight for population, Khyber Pakhtunkhwa for poverty/backwardness; Sindh has the highest weight for revenue generation/collection and Balochistan for inverse population density.² The 7th NFC Award was adopted unanimously and signed in Gwadar signifying that the government wanted to pacify and assure the Baloch and other non-dominant ethnic groups that their

2 Fasihuddin, "Seventh NFC Award: Implications for Balochistan," In *Balochistan: Rationalisation of Centre-Province Relations* ed., Maqsoodul Hasan Nuri, Azhar Ahmed and Farhat Akram (Islamabad: Islamabad Policy Research Institute, 2010), 114-121.

socio-economic interests would be guaranteed in the post-Musharraf era of democracy and democratic governance.

The relations between the centre and the provinces have been regulated further through the 18th Amendment which abolished the concurrent list in principle and transferred the residuary powers to the provinces. This roots out the complaints of the provinces that the federal government intervenes excessively in the administrative affairs of the provinces. The abolition of the concurrent list means that the provinces 'will have the right to manage labour laws; environmental impact of development in both the public and private sectors of the economy; generation of much larger amounts of electricity than currently permitted; development of infrastructure; movement of goods and commodities within their own boundaries; improving the level of education and providing for the acquisition of usable skills by the populace.'³

Local Government and Devolution

One of the striking features of Pakistan's newly found democratic and federal framework is its relative unease in determining what form of power-sharing suits it best. Under the military dispensation of General Pervez Musharraf, devolution was implemented through the Local Government Ordinance Act 2000. The Devolution Plan hinged on five Ds: devolution of political power; decentralisation of administrative authority; decentralisation of management functions; diffusion of power authority nexus; and distribution of resources to district levels.⁴ Under the 2001 system, district governments (the upper tier) were given responsibilities in agriculture, health, education, community development, information technology, finance and planning, together with revenue previously held by the provinces, and became financially

3 Shahid Javed Burki, "The 18th Amendment: Pakistan's Constitution Redesigned," *ISAS Working Paper*, No. 112, September 2010, 8.

4 Sajjad Ali Khan, 'Devolution Plan 2000: Dictatorship, Democracy, and the Politics of Institutional Change in Pakistan,' *Development in Practice* 25, no. 4 (2015): 577.

competent through transferred funds and local taxes.⁵ The District Coordination Officer (DCO) of the district government, equivalent to a chief executive officer, was placed under the elected mayor. Likewise, the Superintendent of Police of the district reported to the mayor on the overall maintenance of law and order.⁶ This empowerment while attending to the dynamics of bringing government down to the local level was, according to its progenitor, 'the bedrock of any democratic system' which 'had never been implemented by politicians who, selfishly, did not wish devolve power to the grassroots.'⁷

The local government experiment or devolution of power to the local bodies is one of the favoured political experiments of Pakistan's military dictatorships as a measure of delegitimizing politics at the national level.⁸ Local government allows military regimes to offset the opposition stemming from political parties by empowering the grassroots through direct funding and in the process also bypass the provincial government. In short, the institution of local government is based on a monistic conception of sovereignty – the centre retains its power – and the principle of federalism, that is, power-sharing between the centre and provinces is negated.⁹ After Musharraf's resignation as President in 2008 and the onset of the Pakistan People's Party government, the federal principle was accorded primacy through the 18th Amendment to the Constitution which empowered the provinces and put a genuine federal formula in place. However, paradoxically, as the federal formula was instituted, the local government and

5 Munawwar Alam and Mohammad Abuzar Wajidi, "Pakistan's Devolution of Power Plan 2001: A Brief Dawn for Local Democracy", *Commonwealth Journal of Local Governance* 12 (2013): 26.

6 Alam and Wajidi, "Pakistan's Devolution of Power Plan 2001," 27.

7 Pervez Musharraf, *In The Line of Fire: A Memoir* (London: Simon and Schuster, 2006), 152.

8 Saeed Shafqat, "Democracy in Pakistan: Value Change and Challenges of Institution Building", *The Pakistan Development Review* 37, no. 4 (1998): 285.

9 John McGarry and Brendan O' Leary, "Territorial Approaches to Ethnic Conflict Settlement," In *Routledge Handbook of Ethnic Conflict*, ed. Karl Cordell and Stefan Wolff (London and New York: Routledge, 2011), 250.

its powers were undermined, hence leading to a conflict between ethnic groups entrenched at the provincial and local government levels respectively. After the 18th Amendment sailed through parliament, all four provincial governments were required to legislate their own local bodies system laws. While the local bodies acts have been passed, they also invited criticism for denigrating local bodies to provincial governments. It is seen that not only administrative but also political considerations determined what kind of local bodies systems were to be put in place. In this context, political considerations more than administrative rationalization determined the relative legislations in Punjab, Sindh and Khyber Pakhtunkhwa.

In Khyber Pakhtunkhwa, the ruling Awami National Party (ANP) government drafted a local bodies law in 2012 but this was repealed by the new provincial government led by Pakistan Tehreek-e-Insaf in 2013 after it won provincial elections.¹⁰ The PTI government passed a new Local Bodies law, a novel feature of which was that the local councils – village and neighbourhood – were empowered to exercise checks on the district and municipal offices through their joint committees.¹¹ Another important facet of the KP Local Government Act was the local bodies elections were held on a party basis, as opposed to military regimes for whom the measure is an anathema for it allows the consolidation of political parties at the grassroots. In recent times though the KP government re-oriented the local bodies act where financial powers have been passed over to the District Commissioner over District Nazims through amendments in the KP District Government Rules of Business.¹² The local government elections resulted in the contest being primarily

10 Zahir Shah Sherazi, "PTI Wins Top Slots in KP", *Dawn*, May 15, 2013, <https://www.dawn.com/news/1011572> (accessed March 11, 2020).

11 Amir Ullah Khan, "Paradox of Local Democracy in Provinces: Case Study of Khyber Pakhtunkhwa Local Government Act, 2013," *JPUHS* 29, no. 1 (2016): 73.

12 Said Alam Khan, "Delegating Powers to KP DCs against Spirit of LGs," *The Nation*, November 10, 2015, <https://nation.com.pk/10-Nov-2015/delegating-powers-to-kp-dcs-against-spirit-of-lgs> (accessed March 11, 2020).

between the PML-N and the PTI while the Tehreek-i-Sooba Hazara failed to garner enough votes. The Tehreek-i-Sooba Hazara protested that powers would not be devolved to the local bodies. Interestingly, the Tehreek-i-Sooba Hazara failed to garner enough votes in the local government elections and the Hindko-speaking belt in KP voted for the mainstream parties, the PTI and the PML-N indicating the rather rudimentary basis of Hazara ethnonationalism. This again attests to the relative weakness of the Hazara ethnonationalist parties and its failure to maintain public support. The PTI won a comfortable majority of 395 candidates elected to the District Council followed by the Jamiat Ulema-i-Islam – Fazlur Rehman (JUI-F) with 132 candidates, the ANP with 128 candidates, the PML-N with 118 candidates, the Jamat-i-Islami with 65 and the PPP with 51 candidates.¹³ In Abbottabad, the power-base of the Tehreek-i-Sooba Hazara, the party was able to muster only 3,037 votes as opposed to the PML-N which received 125,909 votes and the PTI receiving 123,477 out of a total of 357,544 votes cast in the local bodies elections.¹⁴

In Sindh, the Pakistan People's Party government introduced a new local government act in 2011 which empowered the District Commissioners as opposed to the elected Mayor (Nazim), a departure from Musharraf's local government system. The statement of objectives and reasons of the Sindh (Repeal of the Sindh Local Government Ordinance, 2001, and Revival of the Sindh Local Government Ordinance, 1979) Bill, 2011, reiterated that the Sindh local government ordinance 2001 was promulgated during the unelected government

13 'Official Results of KP Local Government Elections', *Geo News*, August 19, 2015, <https://www.geo.tv/latest/5365-official-results-of-kp-local-government-elections-announced> (accessed March 12, 2020).

14 'Statement Showing the Votes Obtained by the Political Parties in District Council Wards in Local Government Elections, 2015 in respect of Khyber Pakhtunkhwa', *Election Commission of Pakistan*, <https://www.ecp.gov.pk/PrintDocument.aspx?PressId=43232&type=PDF> (accessed March 12, 2020).

without taking the political parties and public into confidence.¹⁵ This invited criticism from the MQM, the benefactor of the local bodies system under Musharraf, leading the PPP and the MQM to jointly pass a new local government act in 2012.¹⁶ This act firmly placed taxation, revenue and police under the local government and satisfied ethnopolitical elite at the local level. However, the PPP facing increased criticism for satisfying the MQM but leaving Sindh's interests unattended and hence introduced a new act in 2013, which provincialized powers. In particular, key functions of the local government including police, local development activities and buildings control were taken away while ironically, city development authorities were not placed under the elected Local Government System thus diluting their administrative powers and financial authority.¹⁷ The MQM protested at this act as powers of the local government were taken away. There was also disagreement between the PPP and the MQM over delimitation of constituencies. The MQM leader, Farooq Sattar, protested that the new Act was in contravention to Article 140-A¹⁸ of the Constitution and that the 'MQM wants a local government system, which gives control of police, land allotment, transport, education, health and other sectors to local government.'¹⁹ He reiterated that, 'MQM wants restoration of Sindh People's Local Government Act 2012

15 'Sindh Assembly Passes Three Key Bills Despite Strong Protest by MQM', *Business Recorder*, July 14, 2011, <http://fp.brecorder.com/2011/07/201107141211530/> (accessed March 12, 2020)

16 'Sindh Assembly Passes Local Govt Bill amid Protest', *Dawn*, October 1, 2012, <https://www.dawn.com/news/753378> (accessed March 12, 2020)

17 Niaz Murtaza and Saeed Ahmed Rid, *Undermining Local Governance: A Review of the Sindh Local Government System, 2013* (Karachi: Pakistan Institute of Labour Education and Research, 2017), 7.

18 According to Article 140-A: 'Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.' The Constitution of the Islamic Republic of Pakistan, <http://www.na.gov.pk/publications/constitution.pdf> (accessed July 13, 2020)

19 'MQM challenges Sindh Local Govt Act', *SAMAA Digital*, October 28, 2013, <https://www.samaa.tv/news/2013/10/mqm-challenges-sindh-local-govt-act/> (accessed March 12, 2020)

(SPLGA) with some amendments as there should be a metropolitan local government in Karachi, Hyderabad, Sukkur, Larkana, Mirpurkhas and Khairpur.²⁰ The local government elections resulted in the overwhelming victory of the MQM over its rivals and showcased its electoral strength in Karachi. The MQM won 135 Union Councils in Karachi, an overwhelming majority, while sweeping District Council winning 50 out of 51 Union Councils, 19 Union Councils from District East, 16 from District West, 10 from District South, 15 from Malir and 25 from District Korangi.²¹ The MQM's electoral strength at the local level was also manifest in the local bodies by-elections in December 2018 where the MQM once again swept through District Central and Korangi winning all seats.²²

In Punjab, the Punjab Local Government Bill was passed in August 2013 which placed the provincial government at the apex while denigrating powers of the local bodies as district health and education was placed with the former. The Punjab Local Government Act states that each local government "shall be bound by the directions of the Provincial Government."²³ In addition, the Punjab Local Government Bill compared to the Sindh and KP local government acts allowed for elections on a non-party basis, which brought increased criticism from the opposition but also some members of the Treasury.²⁴ After a petition was filed against Section 18 of the

20 Naeem Sahoutara, 'Sindh Local Government Act 2013: MQM request SC to nullify the Act', *The Express Tribune*, October 29, 2013, <https://tribune.com.pk/story/623975/sindh-local-government-act-2013-mqm-request-sc-to-nullify-the-act/> (accessed March 12, 2020)

21 Abdullah Zafar, 'MQM Bags 135 Seats in Karachi Polls', *The Nation*, December 7, 2015, <https://nation.com.pk/07-Dec-2015/mqm-bags-135-seats-in-karachi-polls> (accessed March 12, 2020)

22 'MQM-P Takes Lead in Local Bodies by-polls Results', *The Nation*, December 24, 2018, <https://nation.com.pk/24-Dec-2018/mqm-p-takes-lead-in-local-bodies-by-polls-results> (accessed March 12, 2020)

23 'Comparative Analysis of Local Government Laws in Pakistan', *PILDAT Briefing Paper* (Islamabad: PILDAT, 2019), 11.

24 Abdul Manan, "Punjab Assembly: Local Govt Bill Passed with Majority," *The Express Tribune*, August 22, 2013, <https://tribune.com.pk/story/593446/punjab-assembly-local-govt-bill-passed-with-majority/> (accessed March 14, 2020)

Act calling for elections on non-party basis, the Lahore High Court directed the Punjab government to amend Section 18 in favour of elections on party basis.²⁵

The local government elections in Punjab started in three phases in late 2015 and were dominated by the PML-N.²⁶ In South Punjab, in particular, the bastion of Saraiki ethnicity, PML-N swept the local bodies polls in Multan and Bahawalpur.²⁷ The fact that people in South Punjab have voted for the traditional mainstream parties, the PPP, the PML-N and now the PTI indicates the less salient and developed ethnopolitics of Saraiki ethnonationalism. Before the 2018 elections, a new ethnopolitical party by the name of Junoobi Punjab Suba Mahaz, a conglomeration of the ex-PML-N lawmakers from South Punjab came into existence which then allied itself with the PTI, with the PTI promising a new province in South Punjab, if elected into power.²⁸ It is to the dynamics of ethnopolitical activism in Punjab, KP and Sindh with respect to the creation of new provinces that the article now directs attention to.

The Demand for new Provinces

The passage of the 18th Amendment and its eventual adoption galvanized the Hazara and Siraiki ethnicities. Immediately after the renaming of the North West Frontier Province (NWFP) as Khyber Pakhtunkhwa (KP), riots broke out in the Hindko speaking Hazara region of KP who now felt that their

25 "Punjab Govt Issues Amendments to hold Local Body Elections on Party Basis," *The Express Tribune*, November 9, 2013, <https://tribune.com.pk/story/629642/punjab-govt-issues-amendment-to-hold-local-body-election-per-party-basis/> (accessed March 14, 2020)

26 "PML-N Leading in Punjab Local Bodies Elections: Unofficial Results," *Dunya News TV*, December 22, 2016, <http://dunyanews.tv/en/Pakistan/366599-PMLN-leading-in-Punjab-local-bodies-elections-un> (accessed March 14, 2020)

27 Muhammad Ittiza, "PML-N Sure to Win Top Multan LB Offices," *The Nation*, January 28, 2016, <https://nation.com.pk/28-Jan-2016/pml-n-sure-to-win-top-multan-lb-offices> (accessed March 14, 2020)

28 'PTI Absorbs Junoobi Punjab Suba Mahaz after Promising New Province in South Punjab', *Dawn*, May 9, 2018, <https://www.dawn.com/news/1406603> (accessed March 14, 2020)

legitimate grievances were not addressed by the central government and that with the renaming of NWFP on ethnic lines, the Hazara ethnicity should be accorded due acceptance and the status of a different province as the Hindko-speaking Hazara province was different from the Pashtun dominated KP. On the other hand, the issue of the creation of new provinces reverberated through the corridors of power itself which in itself was remarkable. The ex-Prime Minister Yusuf Raza Gilani made it one of his pledges to create a separate Siraiki speaking province in South Punjab. With this, since 2011, the political opportunity structure manifested itself with remarkable audacity on the issue of new provinces. It was audacious because the call for the creation of new provinces on the part of the Siraiki and Hazara ethnicities was taking place in a political context which has traditionally been opposed to such demands making the often erroneous connect between provinces seeking autonomy with independence. In the words of the author of the 18th Amendment himself, “The historical record reveals that Pakistan’s leaders have been confused on this point since 1947. Whenever the question of provincial autonomy is raised, they warn about the dangers of Balkanisation.”²⁹

Hazara Ethnonationalism

In the aftermath of the renaming of NWFP, the Hazaras of KP stood up in revolt demanding a separate province of Hindko-speakers. In April 2010, seven protesting Hazara-wals were shot dead by the police in Abbottabad after they violated Section 144 which debarred them from engaging in mass protests and demonstrations.³⁰ The protests were organized by the newly created Tehreek-i-Sooba Hazara led by the Chairman Baba Haider Zaman with a one point agenda calling for the establishment of a distinct Hazara province. According to Zaman, Hazara could very well be a self-sustaining entity

29 Mian Raza Rabbani, *A Biography of Pakistani Federalism: Unity in Diversity* (Islamabad: Leo Books, 2011), 51.

30 ‘Seven Killed in Abbottabad Violence’, *Dawn*, April 13, 2010, <https://www.dawn.com/news/848922> (accessed March 15, 2020)

for it possesses resources including Tarbela Dam, Ghazi Brotha, heavy forests and jungles, raw materials including semi-precious stones. In addition, the Hazara region, Zaman contested, has geopolitical and strategic importance for it is a gateway to China. Zaman accused the ANP of creating a Greater Pashtunistan which if became a reality would cordon off Pakistan's access to Kashmir as well as China and it was in this sense that he opposed the Pashtun nationalism as being detrimental to the security of the Pakistani state.³¹ Zaman termed Hazara province as a strategic jugular vein with strategic minerals and the ANP would sell all of them off if a Greater Pashtunistan is created.³² Zaman eyed a strategy of civil disobedience which would compel the government to listen to the demands of the Hazara-wals.

The party manifesto details a progressive charter of socio-political and socio-economic reforms designed to rejuvenate the peoples and society of the Hazara-wals. The manifesto blames "crony capitalism and elitist democracy as basis of the current day's social evil yielding a blind, dumb and deaf system, sadly, labelled as "Democracy."³³ The manifesto contends that, "Since its birth, Pakistan has been ruled by two mindsets: "Dictatorial Democratic mindset" and "Democratic Dictatorial mindset". However, both shared and pursued a common objective of "Power Politics" in connivance with a selected group comprising the "ruling elite".³⁴ In contrast, Tehreek-e-Suba Hazara is striving for a social democratic revolution against the prevailing elitist mindset and current rotten system.³⁵

31 Interview of Baba Haider Zaman, Leader of Sooba Hazara Movement conducted by Samaa TV in 2010 http://www.youtube.com/watch?v=r3U_EsyRzb8 (accessed March 14, 2020)

32 Interview of Baba Haider Zaman.

33 Tehreek e Soba Hazara Official Facebook Page, <https://www.facebook.com/TehreekESobaHazaraOfficial/posts/d41d8cd9/488718224493204/> (accessed March 14, 2020)

34 Tehreek e Soba Hazara Official Facebook Page.

35 Tehreek e Soba Hazara Official Facebook Page.

Furthermore, an apparent conflict within Hazara nationalism also became evident with a comical twist when Sardar Yousuf announced the creation of Suba Hazara Tehreek (SHT) in opposition to Baba Zaman's Tehrik-i-Sooba Hazara. Sardar Yousuf expressed reservations with Baba Zaman after he registered his organisation as a political party. Sardar Yousuf who belongs to the Mansehra district and is a prominent figure of the PML-Q vowed to continue the struggle for a separate Hazara province. He contended that "following the registration of the Tehrik as a political entity, a neutral platform was needed to wage struggle for a separate province and we have constituted Suba Hazara Tehrik for this purpose."³⁶ He further reiterated that Baba Haider Zaman did not consult other parties before registering the Tehrik, which compelled to establish a non-political platform.

Siraiki Ethnonationalism

Probing into Siraiki nationalism, it has been in vogue far earlier than Hazara nationalism and manifested itself in the aftermath of the dissolution of One Unit. Earlier, the manifestation of Siraiki nationalism was largely on the cultural plane relative to the appropriation of culture and language, however, it has become more politically assertive over time. The senior spokesman for the Siraiki identity is Taj Muhammad Langah and his Pakistan Siraiki Party. In 1984, the Siraiki Lawyers Forum evolved into the Siraiki Sooba Mahaz which then coalesced into the Pakistan Siraiki Party.³⁷ Siraiki ethnonationalism in its initial years had a cultural orientation focused on language. The quest for recognition of the Siraiki language was based on appropriating it as a language proper and not merely an accent or dialect of Punjabi. It was on this basis that the Siraiki language did not receive acknowledgement from the Pakistani state and government although it was recognised as a separate language in the

36 Suba Hazara Blogspot, <http://subahazara.blogspot.com/> (accessed March 16, 2020)

37 Sana Ullah, Ijaz Khalid and Shazia Hassan, "Issues of Saraikistan: Post 18th Amendment," *Global Social Sciences Review* 2, no. 1 (2017): 164.

1981 census.³⁸ However, the calls for a distinct Siraiki province in Punjab became more entrenched with Taj Langah reiterating that, 'our major demand is for a separate province because we feel that the Pakistan federation is not balanced as Punjab has a monopoly in the country.'³⁹ Alluding to socio-economic deprivation in the Siraiki region, Langah claimed that 100 percent of the country's cotton is produced in the Siraiki belt, but not even one percent cotton-based industry is in the area. The proposed area of Siraikistan includes Multan, Bahawalpur, Dera Ismail Khan, Dera Ghazi Khan, Rahim Yar Khan, Sargodha, Mianwali, Jhang, Sahiwal, Khanewal, Bahawalnagar, Lodhran, Pakpattan, Muzaffargarh, and Rajanpur.⁴⁰

It is interesting to note that the case for a Siraiki province is far more acclaimed as opposed to the demand for a Hazara province. This is because all three political parties, the PPP, PML-N and the PTI have made cause with the creation of a South Punjab province – notice the emphasis on South Punjab and not Siraikistan, a major demand of Siraiki nationalists and also the fact that there is insufficient electoral support for Siraiki parties with the mainstream parties dominating the politics of South Punjab.⁴¹ Interestingly, bills for the creation of new provinces have already been passed in the Senate, National Assembly and provincial assemblies of Punjab and KP. In 2012, a year before general elections, the MQM presented a bill in the National Assembly which called for creating new provinces in Punjab and KP. The bill stated that, 'provincial boundaries are not sacrosanct and kept changing in the Indo-Pak subcontinent since 1562 on

38 Nukhbah Taj Langah, *Call for Saraiki Province* (Islamabad: Centre for Civic Education, 2011), 5.

39 Asma Ali Zain, 'Better Status for Seraiki Language Demanded', *The Khaleej Times*, September 28, 2003, <https://www.khaleejtimes.com/nation/general/better-status-for-seraiki-language-demanded> (accessed March 15, 2020)

40 Langah, *Call for Saraiki Province*, 8.

41 Muhammad Mushtaq and Misbah Shaheen, "The Siraiki Province Movement in Punjab, Pakistan: Prospects and Challenges", *Journal of the Punjab University Historical Society* 30, no. 2 (2017): 144.

administrative grounds and for the convenience and wellbeing of people.⁴² In August 2012, the then PPP-led coalition government established a parliamentary commission to create new provinces in Punjab.⁴³ The outcome of it was the Pakistan People's Party government passing a resolution in Senate calling for the creation of a Bahawalpur Junoobi Punjab province, in what was the 24th Constitutional Amendment Bill, 2013.⁴⁴ Not only the National Assembly and Senate but also the PML-N provincial government in Punjab sprang into action and unanimously passed a resolution which called for the creation of two provinces including South Punjab and Bahawalpur.⁴⁵ However, despite the passage of bills through parliament including also the PTI's government pledge to establish a South Punjab Secretariat by July 1, 2019, a South Punjab province still remains a chimera.⁴⁶

Mohajir Ethnonationalism

Mohajir ethnopolitics since its inception has been less receptive to the idea of a separate province. An early pamphlet written by Azim Ahmad Tariq, Vice Chairman of the All Pakistan Mohajir Students Organisation (APMSO) at the time, argued for the need of a separate province for the Mohajirs where they could freely practice and exercise their

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- 42 Qamar Zaman, "National Assembly: MQM Introduces Bills for Two New Provinces," *The Express Tribune*, January 17, 2012, <https://tribune.com.pk/story/322855/mqm-presents-20th-amendment-bill-in-national-assembly/> (accessed March 16, 2012)
 - 43 Moonis Ahmar, "The Dynamics of Pakistan's Intra-National Security: The Role of the New Provinces," *India Quarterly* 72, no. 1 (2016): 24.
 - 44 "Senate Passes Bill for Creation of New Province in Punjab", *Geo News*, March 6, 2013, <https://www.geo.tv/latest/85105-senate-passes-bill-for-creation-of-new-province-in-punjab> (accessed March 16, 2020)
 - 45 'Punjab Assembly Passes South Punjab, Bahawalpur Province Resolutions', *The Express Tribune*, May 9, 2012, <https://tribune.com.pk/story/376249/punjab-assembly-passes-south-punjab-bahawalpur-province-resolutions/> (accessed March 16, 2020)
 - 46 "Separate Secretariat for South Punjab next Month: Shah Mehmood Qureshi," *The News International*, March 12, 2020, <https://www.thenews.com.pk/print/627867-separate-secretariat-for-south-punjab-next-month-qureshi> (accessed March 16, 2020)

culture, however, the demand was later dropped.⁴⁷ The Mohajir Ittehad Tehrik, led by Dr. Salim Haider, was more explicit in its demand for a separate Mohajir province. He wrote a book 'Ab Sindh Taqseem Hona Chahiyye' [Urdu: Sindhi Should be Divided Now] for which the Sindh provincial government brought a case against him and the book was subsequently banned.⁴⁸ In 2012, as the demand for new provinces in Punjab and Khyber Pakhtunkhwa gained salience, a new organisation by the name of Mohajir Sooba Tehreek surfaced making claims for a Mohajir Sooba to be comprised of Karachi, Hyderabad and Mirpurkhas Divisions.⁴⁹ This rallying cry for a Mohajir province was also joined by Dr. Salim Haider who argued in a press conference, 'All the five commissioners in Sindh are Sindhis. Out of 27 deputy commissioners, 25 are Sindhis. About 90 percent of police in Karachi in Sindhi and Mohajirs are not getting their due share in public sectors. This discrimination has compelled Mohajirs to demand a separate province for them.'⁵⁰

Ironically, the MQM distanced itself from the Mohajir Sooba Tehreek and along with the PPP rejected calls for a Mohajir province. Both the PPP and the MQM agreed on the non-division of Sindh.⁵¹ In fact, the Sindh Assembly passed a resolution against the Mohajir Sooba Tehreek's demand for a

47 Azim Ahmad Tariq, *Pakistani Nationalism aur Nationalism ka Aalmi Tasawwur*, [Urdu: Pakistani Nationalism and World's Perspective of Nationalism] In *Mohajir Qaumi Movement, Tashkeel aur Jaddojahd: Dastawaizi Haqaiq* ed. Ahmed Saleem (Lahore: Sarang Publications, 1996), 44-46.

48 Rashid Jamal, *Sindh Do-Rahay Par* [Urdu: Sindh at the Crossroad] (Karachi: Pakistan Adab Publications, 1994), 74.

49 "Mohajir Sooba Tehreek President announces Weekly Rallies until Formation of Province," *The Express Tribune*, May 13, 2012, <https://tribune.com.pk/story/378240/mohajir-sooba-tehreek-president-announces-weekly-rallies-until-formation-of-province/> (accessed March 16, 2020)

50 'Mohajir Suba: An Old Champion Comes Forward to Demand a New Province,' *The Express Tribune*, May 8, 2012, <https://tribune.com.pk/story/375377/mohajir-suba-an-old-champion-comes-forward-to-demand-a-new-province/> (accessed March 16, 2020)

51 Azfar-ul-Ashfaque, "PPP, MQM Reject Call for Mohajir Province," *Dawn*, May 29, 2012, <https://www.dawn.com/news/722075> (accessed March 16, 2020)

Mohajir province in Sindh. Since 2012, as relations between the PPP and the MQM nosedived specially over the division of power and authority between the provincial government and local bodies, the MQM embraced the slogan of a separate province in Sindh. In June 2019, the MQM raised the slogan of a separate province reiterating that the party would launch a struggle for an 'urban Sindh' province to end 'injustices' meted out to the people of urban areas and naming the proposed province as the 'southern Sindh' province.⁵² However, the MQM's demand failed to receive any credible traction from the PTI and the federal government.

Conclusion

The 18th Amendment's attention to provincial autonomy and federal power-sharing stands as an important landmark in Pakistan's political development. As the Pakistani state transitions towards both federalism and democracy, important challenges remain. In particular, the present article places a key focus on intra-provincial conflict between dominant and non-dominant ethnic groups in Punjab, Sindh and KP as a key fallout of the 18th Amendment. The two key areas where this conflict is evident, pertains to the appropriation of power between provincial and local governments as well as the demand for new provinces on the part of non-dominant ethnic groups. The fact that local bodies acts in Punjab, Sindh and KP apportion more power and authority to the provincial government attests to the undermining of local governments and local bodies. If the 18th Amendment has to appropriate success, a workable, healthy and functioning relationship between provincial and local governments in Pakistan is a must. On the other hand, the fact that mainstream political parties now instrumentalise the idea of new provinces as a means of gaining electoral votes and support implies that the demand for new provinces is here to stay. Though the idea resonates on a more instrumental plane in Pakistan's politics

52 Azfar-ul-Ashfaq, "MQM-P Faces Isolation Over Demand for New Province", *Dawn*, June 5, 2019, <https://www.dawn.com/news/1486600> (accessed March 16, 2020)

today, it is not bound to remain the same as competitive political party dynamics between the PPP, the PML-N and the PTI encompass the potential to elevate the demand into a substantive political and administrative reality in the future.