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THE CREATION OF NEW PROVINCES IN PAKISTAN AND ITS IMPLICATIONS FOR AN INTEGRATED COUNTRY

The issue of the creation of new provinces has become a hotly debated one. It has started with the Khyber Pakhtunkhwa (Hazara) and Punjab (Saraiki and Bahawalpur) but may not begin or end there. While supporting the creation of new provinces may appear an easy way out for the politicians, it is going to be a difficult task to actually carve them out. Once the genie is out it will not be possible to force it back into the bottle. Like creation of new districts, addition of provinces would become a political appeasement tool in a run up to each election. At the end of the day, country is likely to end up having a provincial map very close to an existing administrative entity called 'Division'.¹ In this paper, an effort has been made to discuss the issue of the creation of new provinces in Pakistan. This paper starts with explanation of federation and its units. It will move on to discuss what will be its negative implications on the future of this land as well its creation of sub units on ethnic and administrative lines. A constitutional debate will follow to assess what the 1973 constitution says about having more provinces.

A "federation also known as a federal state, is a type of sovereign state characterized by a union of partially self-governing states or regions united by a central (federal) government."² A federation is also defined as a group of states with a central government but independence in internal affairs. It means any kind of a general association between autonomous units of a state. In this process, Units are associated for common

goals to have dividends of the federation. Some of the authors have defined federalism in terms of division of powers. K. C. Wheare states, “the method of dividing powers so that the general and regional governments are, each, within a sphere, coordinate and independent”.³ Another remarkable writer on federalism, James Q Wilson defines federalism in terms of sharing of sovereignty. He says, “federation is created when communities, hitherto independent of each other, unite to form a single body politic, yet in such a way as to preserve for something of its independence”.⁴

For a successful federation, there must be a co-existence of two sets of governments within their limits, territories, and powers and functions. Each of them enjoys its own powers and functions within its own spheres. To have such an autonomy and harmonious relations between the federation and the federating units, there are political institutions to keep a balance. These are the pre-requisites of federalism. These are:

- An Independent Judiciary
- A formal division of powers which are defined by a constitution
- And the supremacy of the constitution

Constituent units or partially self governing regions are an important part of a federal state system or form of government. Federation in fact owes its formation to its units—the states or provinces. This is so because the object of the federation is to ensure unity in diversity. The case of Pakistan however is unique in many respects. Bearing the 62, in all the constitutions, the country has been declared a federal state comprising of the federating units of the areas which were separate identities even before Pakistan came into existence. But despite being a federal state the country has always a strong central government i.e. the center keeping sway in most of the affairs than the provinces, which is apparently a contradiction to its federal constitution. The advocates of provincial autonomy exploited this visible weakness to grind their political interests.

But we need to assess the situation of Pakistan by going beyond the conventions of typical federation. The reason is that Pakistan is a peculiar federal republic. The country is the first in the world to be formed on ideological basis. Still that bond of commonality failed within a short span of 25 years to ensure survival of her. The fall of Dacca is yet to be forgotten⁵. Similarly the pukhtoonistan issue, the sindho-desh slogan⁶, and the greater Balochistan are few harsh realities of our history which could not be ignored. Keeping in view the checkered history of the country thinking of creating new provinces thus seems playing with fire.

The issues of feeling of deprivation on the part of the underprivileged if rationally analyzed are not because of fewer provinces but lack of provision of the rights ensured in the constitution. We need to differentiate between provincial autonomy and creating more provinces.

The state or the responsible ones, for variety of reasons never let the provinces enjoy their rightful freedom. Self serving politicians and officials did not leave any stone unturned to exploit the poor masses. They played with the sentiments of ignorant electorates at the expense of the foundations of the country. Ethnic, religious, regional, and lingual divides thus on many instances shaken this land of the pure. Pakistan is currently passing through the most volatile phase of her life. If the issue of creating newer provinces is given more air, it may blow out of proportion, and would endanger the very fabric of the country. And thus needs maturity and patriotism on the part of both the rulers and the ruled not to give rise to issues rather non-issues to create further havoc.

The unfortunate and sorry state of Pakistan's politics is reflecting a shift from the debate of the provincial autonomy to the creation of new provinces more on ethnic rather on administrative lines. The self-seeking and short-sighted politicians are proving that their knowledge base is hollow and their politics is limited to the service of their own interests. Pakistan is a country that is facing the curse of provincialism,

ethnic divide, sectarianism and even religious divide. To add to the misery it's two neighbors have always fished in the troubled water to incite the divisive tendencies. Afghanistan was (and still) pressing hard for the establishment of an independent state of Pakhtunistan in 1948⁷. The East Pakistan crises and Indian interference in the problem is an important chapter of Pakistan's history that reflects the curse of Provincialist feelings.⁸ Similarly the Balochi uprising in mid 1970s and the crushing that uprising with the help of the Iranian government⁹ is another example of the sorry state of provincial autonomy and the miscalculated response of the government of Pakistan. The insurgency in Baluchistan in the Musharraf era and the brutal attitude of the democratic government ruled by a dictator has added fuel to the fire.

All these problems have two things in common; a sense of deprivation and political exploitation. With all these things underway along with the burden of the war on terror, the massive corruption of the government, bad governance, rising unemployment, economic instability and countless other problems that this nation is facing a new chapter of troubles is opened for an already vulnerable Pakistan that is the creation of new provinces.

The passage of 18th amendment and the change in the name of NWFP to KPK has arose a sense of deprivation in the people of Hazara which resulted in the sudden increase in the pace of the movement for the demand of Hazara province for which more than a dozen people lost their lives in April 2010¹⁰. In the same vain the Nawab of Bahawalpur paced up his demand for a separate province¹¹ the saraiky province seekers want to make two districts of KPK and 19 districts of Southern Punjab to make their province¹² will it be possible in the light of current party position in Punjab assembly to acquire two third votes for the division of the province? Moreover The government that already have the blood of dozen innocent people of Hazara on its hands can be perceived to allow it's two districts to be taken by someone else? All this shows that are mother land is going towards a series of crises (constitutional,

political ethnic and financial) that what I anticipate as the adverse effects of the creation of new provinces in Pakistan. Meanwhile the master stroke of the chief minister of Punjab (his statement of bifurcating Sindh) has farther heated this political debate and has exposed many faces believing more in regionalism than in nationalism.¹³

There will be a new debate of the division of revenues, new provincial consolidated funds should be created irrespective of the fact whether the newly created provinces are able to make their way or they will prove to be another liability on the federation.¹⁴

Let us say that the government accessed to the demands of the new provinces what will be the result? More ethnic movements will arise and different ethnicities will ask for separate province on the bases of their ethnicity, some pressure groups will press hard for the creation of new provinces that will severely undermine the already divided sense of nation hood, the creation of new provinces on the bases of ethnicity will be another blow to the already in questioned ideology of Pakistan. Moreover many nawabs of the states (that exceeded to Pakistan after its independence) will follow the footsteps of Nawab of Bahawalpur with Senator Muhammad Ali Durrani that will create another dilemma.

If the creation of new provinces will not result in the automatic improvement of the management, if the creation of more administrative units on ethnic lines is going to endanger the sense of nation hood, if more provinces cannot help in bridging the gulf between the ruler and the ruled and if the multiplication of the number of federating units is anticipated to create more constitutional problems that would require another 64 years to solve them then why this frenzy of the creation of new provinces in Pakistan has been created at the time when the land of pure is already in crises.

WHY PEOPLE DEMAND PROVINCES?

Five important features that compose such a demand:

- 1- People feel isolated in their present provinces on ethnic or geographical lines. They also get encouraged from the neighboring countries with greater number of provinces. They are successful federations with a show of respect to their sub-national governments.
- 2- They feel a major minority and hence consider themselves distinct from the majority: Saraiki belt amongst Punjabis and DIKhan, Hazara in KPK.
- 3- The power center of every province is its capital. The territories which demand a provincial status are situated at the periphery of existing provinces. Administratively they feel they are situated far flung from the provincial capital which always remain hub of administrative, economic, educational, political and social opportunities. Rahim Yar Khan, Bhawalpur, DIKhan, Hazara etc in their respective provinces. They feel that with provincial status, the power center- the provincial capital will be right in their neighborhood where they would enjoy all such opportunities.
- 4- Pakistan has an additional excuse of demographic division that becomes a structural justification for increasing the number of its provinces. Punjab in terms of population size is larger than the sum of all the three provinces combined. Its 58% of the total population of the country.
- 5- Very important feature of new provinces demand is that this will improve state governance and ensure that state mandated services—law and order, justice, health, education will be easily available with more investment and great opportunities.

Ethnicity and Administrative Divisions

All the five bases upon which a province may be demanded are well justified. However, in Pakistan's case, a province has been demanded on ethnic and regional lines. We cant forget the example of the new name of an existing province-

Khyber Pakhtunkhwa. This is an ethnic name which has sparked the debate and hence demand for the new provinces. The region in which we are surviving is based on ethnic lines. Afghanistan is an ethnic based society-Pakhtoon, Hazaras, Tajiks and Uzbaks. It is divided into 32 provinces. The provincial status is purely based on ethnic lines. Afghan Eastern part contiguous to Pakistan's border is purely Pakhtoon which comprises of 42% of the Afghan population. 29% are Tajiks. Similarly, India is divided into North and South India. Thus any effort to create more provinces in Pakistan will mean more federating units based on ethnic identity. We must also see and analyse the demand of provinces from Hazara and Saraiki Belt and tribal areas. These all are based on ethnic identities. Though some of the people talk about administrative divisions, it still is based on geographical lines based on ethnicity.

The division of provinces will not be limited to the KPK and Punjab only. This trend will further be adopted on Sindh and Baluchistan as well. Retired Air Commodore, Khalid Iqbal gives a very alarming situation to the sub-division of different areas of Pakistan besides Punjab. He says, "The ongoing ping-pong in Sindh between 'commissionerate' and 'local government' systems has amply highlighted the de facto division of Sindh on the urban-rural lines; alongside equally strong sentiment to prevent it. FATA has also been voicing for provincial status. The Pashtun population of Balochistan, which is around 50 percent, has traditionally been uncomfortable with the current demarcation of the largest province, and there has been talk about a separate entity".¹⁵

The most alarming side for the demand for new province is that it is based on ethnicity or language and tribal loyalties. If this happens, it will fritter our problem to ethnic levels thereby driving in the schism between different ethnic races ever deeper than already existing. If any single new province is created it will lead to a demand by other pressure groups for a province of their own on ethnic basis, thus shattering the one nation ideology on the basis of which this country was created.

Inter-Provincial Harmony

Pakistan is a country that is facing the provincialism since its creation. First it was East and West Pakistan. After 1971, it has been the Punjab that is facing criticism from the rest of three small sister provinces. Punjab being the biggest province is accused of draining resources and usurping share of other provinces. I wonder will creation of new provinces increase or reduce inter-provincial (inter ethnic) hatred.

If Hazara is formed a province, they will treat KPK as the present day Punjab. Saraikai Province will treat the rest-over Punjab in the same way. Hence, whatever the excuse for the creation of new provinces, it will be on ethnic lines.

Pakistan was divided into two units- East and the West. Eastern unit was based on ethnicity. Western Unit was disharmonious about its union. All the four were not happy with such phenomenon. Though administratively, the divide between the East and the West grew sharply. And today we lament that a complete Pakistan is no longer left. This was ethnic division in the name of administrative distribution that resulted in Pakistan's dismemberment.

Demands for creation of new provinces, which have been made for many decades, have been spurred by the renaming of one of the federating units. Renaming of NWFP was an utter injustice to the non-Pushtoon community without seeking the consent and confidence of the masses. In fact, the province could have been given a name like such. However, it would have been in the fitness of things had it been done in a proper manner like a referendum etc. It would have been more convenient had it been Khyber, Abasin, Gandhara etc. This would not have reflected any ethnic affiliation. But Pakhtunkhwa is an ethnic name.

There have been numerous theories related with ethnic origins of the names of others provinces of Pakistan like Punjab and Sindh. Here we have to be cautious about their origin as well. These names are monumental in their origin. Ethnicity was associated or drew from the monuments. The land of *Punj Aabs*

(land of five rivers) gave it the name of Punjab and then Punjabi was induced as an ethnicity. Similarly, Sindhis drew their origin from the Sindh river. But in case of KPK, first Pakhtoon ethnic people live here and then the name is given to it. Thus its un-like other provinces.

I recently conducted a survey in which besides numerous other questions for my research I also asked 'What is most important to you- new name KPK, Law and order, Abolition of Corruption, Low price of daily consumables, OR Eradication of Terrorism'? The results of the survey were very shocking but interesting with respect to the name KPK.

- 35%- Low price of daily use products
- 23%- Eradication of Terrorism
- 15%- Renaming of NWFP as KPK
- 15%- Law and order
- 12%- Abolition of Corruption

(Population): 100 DIKhan; 100 Abbottabad; 200 Peshawar; 100 Swat; 100 Bannu; 100 Mardan; 150 Kohat and 150 Charsadda.

This survey result speaks louder than anything vis-à-vis problems of the province and the renaming issue.

According to another survey, the creation of new provinces in Pakistan would result in further price hike and expanses on the national kitty. An NGO, MEMRB, conducted a survey in all the provinces of the country. 20 percent people were of the view that the existing number of provinces is enough; while 17% were of the opinion that the existing provinces should be run properly. 83 percent Pakistanis have voted against the creation of new provinces in the country; meanwhile only 17% voted in favor of the creation of new provinces. 3500 interviews were conducted in February and March 2500 interviews were conducted in cities 10,000 interviews were conducted in 60 villages.¹⁶

Creation of more provinces will not ultimately lead to welfare for people. I have seen in different TV channel talk

shows that certain experts quote the example of Afghanistan. Afghanistan is a country with 34 provinces. However, the decades of civil war on ethnic lines amongst them can't be ignored. It has multiplied their grievances against each other. Today everyone knows that the problem of Afghanistan is engrained in its ethnic division rather than collective tendency to terrorism. One ethnic group favours the US presence while the other opposes foreign troops. Thus a civil and a hot war is simultaneously taking place in Afghanistan.

Unlike, Afghanistan we have an excellent example of the UK. England, (Northern) Ireland, Wales and Scotland- are the union of good governance. The required institutions for service to the people of these respective units are available at their doorstep. Hence no one is talking about further sub-division.

From these two examples of Afghanistan and the UK, we need to learn that we have to focus on the development of our institutions and civil services. The fundamental and core issues of lack of welfare imparted to public by the state is the continuation of the lack of administrative structure and institutional maturity in the civil services of Pakistan. The institutions remain ineffective with an absolute inefficient and incapable workforce in the first place, which has neglected the values of merit to induct the right people to do the job, instead always selected the undesirable and the otherwise, which results merely not in the failure of the institutions rather in the state as Pakistan.

There is a dire and urgent need of reevaluating our current policy for civil institutions. A drastic implementation of a modified plan is required which is more efficient, effective, scientific, humanistic and welfare oriented not only to the provincial capitals but to the far-flung areas of the provinces as well. This will reduce the tendency to demand for new sub-units.

Two very important factors which need the focus of time are Strengthening of Local Government and Good Governance in Pakistan. This will be explained in following lines:

(A) Strengthening of Local Government

Pakistan embarked on devolution and governance reforms in 1999. The main achievement has been the introduction of a new local government system introduced in August 2001 when all four provincial Governments promulgated their respective Local Government Ordinance, 2001.¹⁷

The structure of local governance in Pakistan remained the same till 2001. From the above state of affairs it was evident that to empower the people so that they may exercise their rights required a new concept of local governance and fundamental changes in the political, administrative and financial structures. If local democracy was to flourish then the position on the ground had to change in favor of the people. Under the old system of politics, local governance democracy could not be sustained. The people had to be empowered to have control over the resources. Elected representatives answerable to the people needed to be made in charge. Democracy requires that people through their elected representatives be made responsible and accountable for their decisions. In a centralized and administratively controlled system the checks and balance become less effective.

To change a 150 years old system and to empower people requires through analysis and fundamental changes in the governance and administrative structures. This step was taken in Pakistan in 2001. The devolution reforms were introduced to ensure that the people were fully empowered and controlled the decision making process. Local democracy and local governments now have a major say in the political arena.

Since August 2001 it has been a period of transition as well consolidation. In the past more than 80 percent of the friction between the provincial and local governments was due to administrative reasons like postings, transfers and recruitment. This matter has been resolved in the latest amendments in 2005 in the LGOs with the provinces agreeing to the creation of a District Service. Now Efficiency & Discipline action has been devolved to the local level in the amendments.

The relationship between the MNAs/MPAs and the local governments especially with the elected Nazims was a very difficult one. The new political structure had created heartburns. However, the latest amendments have formalized the relationship through the Provincial Local Government Commission (PLGC) a neutral body. The PLGC now arranges meetings between the MNAs/MPAs etc., and the Nazims where policy issues can be discussed and necessary recommendations formulated. A strong and effective Local democracy will diminish the demands for the creation of new provinces.¹⁸

(B) Good Governance

‘Governance’ is the exercise of power or authority – political, economic, administrative or otherwise –to manage a country's resources and affairs. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. ‘Good governance’ means competent management of a country's resources and affairs in a manner that is open, transparent, accountable, equitable and responsive to people's needs.¹⁹

Thus in the light of above definition, Pakistan lacks good governance and this is the issue with the demand for new provinces. Providing good governance to the masses means they are happy with the status quo and in this case with the existing administrative division. The fundamental and core issues of lack of welfare imparted to public by the state is the continuation of the lack of administrative structure and institutional maturity in the civil services of Pakistan. The institutions remain ineffective with an absolute inefficient and incapable workforce in the first place, which has neglected the values of merit to induct the right people to do the job, instead always selected the undesirable and the otherwise, which results merely not in the failure of the institutions rather in the states. Therefore, to improve good governance, there is a dire and urgent need of reevaluating our current policy for civil institutions and drastically implement a modified plan which is more efficient, effective, scientific, humanistic and welfare oriented.²⁰

Constitutional Debate on the Issue of New Provinces

It is very important to see what the constitution of Pakistan 1973 says regarding the creation of new provinces. The 1973 constitution does not allow the formation of new provinces. There is no article available in the constitution for creation of new provinces in the country. In fact, new legislation is required to legitimize the action.²¹

With general elections only one and a half year away, there would be more demands for new provinces as the political parties consider it a tool to gain popularity among the people. The weaker parties in each province are expected to play the 'new province card' to fascinate the voters among minority ethnic groups. However, there could be a blowback effect as well, because the opposition by majority communities may gravely hurt the electoral tally of such parties.²² This will further aggravate the situation with respect to a constitutional deadlock. In a time when Karachi is burning and we have serious problems with the law and order situation as well as good governance, such a constitutional crisis will tantamount to a 'constitutional luxury'.

The induced constitutional procedure for taking such mega steps i-e creation of new provinces is circuitous and laborious because at a given time no political party or alliance is likely to muster two-third majority simultaneously in Parliament and the Provincial Assemblies. Obviously, new provinces would entail an addition in non-developmental expenditure. The additional administrative expenditure could be minimised by restricting the size of the provincial government and the bureaucracy.²³

IS IT AN OPPORTUNE TIME TO DEMAND NEW PROVINCES?

It is pertinent to see if it is an opportune time to demand for new provinces:

Firstly, provinces just got their share in the NFC Award and there is a need to observe its outcome.

Secondly, the 18th Amendment stipulation with regard to the abolition of the Concurrent List has created a set of imperatives for transferring authority to provinces. This will have a trickling down effect on the regions that are demanding for separate provinces. Need of the time is to wait and check the efficacy of the 18th amendment upon such areas.

Thirdly, we have to see the political, administrative and fiscal implications of provincial autonomy granted to provinces under 18th Amendment. It will also effect positively to the work of every district of existing provinces which may in turn halt the demand for a separate entity.

Forthly, local government is yet pending and is not fully functional. The local government system is undergoing a transition. Once it is re-activated, people will get numerous problems' solutions at their door step and hence will not go for a different path. We need to see the outcome of devolution of powers and development of democracy at the grass root level.

Fifthly, judicial reform at magistracy level are still in the pipeline.

Sixthly, the country is in a state of War- War on Terror. It is grappling with numerous internal security threats. Our armed forces are at war in our own country against the enemies and the enemy-supported Pakistanis. We are fighting a war on terror along with the US. However, the US drone attacks on Pakistani territory are to 'bomb the ally' which never happened in the history of mankind. In such a crucial time, talking about mega changes like the creation of new provinces will be like threatening the integrity of the country as a whole.

Seventhly, Different micro and macro economic models are in application and we need to see their results. Especially when we have an economic loss of \$69 billion during the War on Terror.

And lastly, the Karachi situation is getting worse where every day 10 to 60 people die in target killing. One province is experiencing a separatist movement. And other is at the forefront to combat war on terror and also to bear its implications in shape of every day bombing and killing.

While conducting the survey mentioned above, when I asked about the creation of new provinces, one of the interview respondents replied, in the present circumstances, your question about creating new provinces looks very odd. We are short of having eatables and you are talking about new provinces. It's just like "WHY DON'T THEY EAT CAKES". He further said, "I don't need [new] provinces; on the contrary I need cheap and easy availability of flour, sugar, pulses and edible oil. "NOT NEW PROVINCES BUT NEW PRICES IS AN ISSUE". This further reflects that Pakistan as a state and a society is not in such a position to go for sensitive issues like new provinces. It will definitely have adverse effects on its overall condition.

CONCLUSIONS

Need of the time is to understand that the Greeks did not "form" into city states out of a united country. It's the other way around. The Greeks were not a single unified country. The modern Greek state was formed in the 18th century after the fall of the Ottoman empire and the Greeks merged into a unified state. It was not like Greeks separated into city-states; they were like that from before and often fought against one another. In the 21st century, why are we moving other way round. Instead of making a strong federation, why are we splitting our country further into sub state units? It's just like going against the spirit of evolution in which we move from city state system to federation. We must not go back.

Whatever the excuse for the creation of new provinces, it will be on ethnic lines. During the 1950s, Pakistan was divided into two units- East and the West. Eastern unit was based on ethnicity. Western Unit was disharmonious about its union. All the four were not happy with such phenomenon. Though administratively, the divide between the East and the West grew

sharply. And today we lament that a complete Pakistan is no longer left. This was ethnic division in the name of administrative distribution that resulted in Pakistan's dismemberment.

At the time where we find our country at the crossroads of history, we need to think more objectively. We need to behave like a nation. Ethnic and territorial prejudice will lead us to nowhere. A united Pakistan is and will remain beneficial for all ethnic identities residing in Pakistan in the long run.

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