POST 18TH AMENDMENT SEGMENTAL AUTONOMY: A STUDY OF HAZARA MOVEMENT:

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ABSTRACT

The constitutional engineering as described by Arend Lijphart has been the main centripetal point in the paper. The paper has examined the case study of Hazara province movement with regard to segmental autonomy in post 18th amendment era in Pakistan. The arguments derived by the several political parties and ethnic leadership also examined. At the end this paper also provides some suggestion to resolve the issue.

Key words: Hazara Province Movement, Pakistan, 18th Amendments, Segmental Autonomy,

INTRODUCTION:

The case of Segmental Autonomy in Pakistan after the 18th amendment created new debate about the formation of new provinces. The issue of Hazara wall is considered the most viable issue along with the other administrative units. The autonomous units in Pakistan in accordance with the lingual lines in comparative with India created intentions among the ethnic communities. The present study will focus on the Hazara issue in post 18th amendment in Pakistan.

Literature Review

The sources that have been used in my paper are as following:

Arend Lijphat (1975), (1977), (1994), (1999) and (2008) has examined the concept of consociational democracy with several characteristics in his research. He also plans various covered devices of plural society. The

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foremost is the segmental autonomy that has been used that could prove its implications in Pakistan’s ethnic community of Hazara region, in the current discussion.

Katherine Adeney (2007)\(^60\) has advocated a rich material with regard to ethnic conflict regulation in India and Pakistan. The focus is on the formation of regional and segmental administrative units. The research also helps to understand the ethnic division in Pakistan and India to realize its current results. The conclusion recommended a sufficient power sharing and administrative management in Pakistan.

George Anderson (2008)\(^61\) and S. P Huntington (1993)\(^62\) have both examined the administrative role in ethnic perspective in democratic regimes into regional and federal institutions. His study is based on theoretical lines. He emphasized on constitutional and economic liberalization to maintain the good governance in the state.

Ishiaq Ahmed(2004)\(^63\) has examined that the lingual ethnicity and the territorially regionalist movements in contemporary South Asia ascribed in the formation of new administrative mechanism. The study has been keen analysis in historical and normative way. The book is an interesting tool to consider the management of lingual and regionalist elements in the region especially with regard to Pakistan, in theory.

Ian Talbot (1996)\(^64\), (2007)\(^65\) and (2010)\(^66\) is the authentic writer on South Asia’s constitutional and political history. He has observed in his work about the creation of new states in subcontinent by focusing on administrative autonomy in Pakistan Talbot also examined the regional aspects in Pakistan’s political history with regard to personalities. He concluded that only the constitutional engineering is the serious activity to resolve the ethnic problems from Pakistan.

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Hamid Khan (2010)\(^{67}\) and Asghar Khan (2005)\(^{68}\) both have briefly examined the constitutional history. The analysis has examined the policies of several governments in the past to manage the ethnic conflicts in the administrative units. The study helps me to eloquent the communal provisions in the provinces.

Muhammad Waseem (2006)\(^{69}\), (2010)\(^{70}\), (2011)\(^{71}\) and (2011)\(^{72}\) and K. Alqama (2003)\(^{73}\) are two main scholars in the context to understand the regional politics in Pakistan. In his study, the writer mostly emphasized on the political and administrative polity. Muhammad Waseem, in his mostly analysed the policy-oriented research with regard to Pakistan’s history with prime results.

Muhammad Mushtaq (2009)\(^{74}\) Maya Chadda (2000)\(^{75}\) and Mehrunnisa Ali (1996)\(^{76}\) have examined the ethnic diversity and formation of federalism on regional patterns in Pakistan. He examined that the formation of federalism on consociational principles could be the main pattern for Pakistan to resolve its administrative and communal problems.

Segmental Autonomy

Segmental Autonomy is involving the guaranteed group representation, and is often suggested for managing conflict in deeply divided societies. It is often viewed as synonymous with power-sharing. Arend Lijphart has defined segmental autonomy in terms of civil and political liberty of a minority community living in a federating unit. The segmental cleavages in plural society according to Lijphart could be accommodated by homogenizing them in constitutional way. The segmental portion in developing democracies has been analyzed in terms of


\(^{68}\) Asghar Khan. (2005)., *We've Learnt Nothing From History: Pakistan, Politics and Military Power*, Karachi: Oxford University Press.


\(^{70}\) Muhammad Waseem. (2010)., *Federalism in Pakistan*, Lahore: LUMS University.


\(^{73}\) Khawaja Alqama. (2003)., *Bengali Elites Perceptions of Pakistan: The Road to Disillusionment Uneven Development or Ethnicity*, Karachi: Royal Book Company.


consonciationalism, which tends to create political competition and cooperation. The decision is made through majority decisions which manage the ethnic conflicts in plural societies.\textsuperscript{77}

In ethnically diverse societies some explicit conditions such as constitutional engineering, communal distribution and accommodation of self-government rights to national minorities\textsuperscript{78} are transformed so that they do not prefer to indulge in malpractice. There are some identification for this purposes that has been discussed in following paragraphs.

Characteristics of Segmental Autonomy

The Characteristics of segmental autonomy has been describes by Arend Lijphart are as following:

- **Administrative unity and coordination**

  The administration coordination and unity is necessary to understand the demands of segmental cleavages in plural democracies. The need is built on constitutional principles or at least on comic trespassing of majority coalition rule. If the cleavages have been divided into sub groups on lingual, cultural, creeds and racial basis, then there also several problems to meet the grand coalition run decision making.\textsuperscript{79}

- **Plural society**

  The segmental autonomy is valid where there has been living considerable minorities along with major ethnic groups. The language and religion has been considered two fundamental characteristics in ethnically diverse societies.\textsuperscript{80} Pakistan has also experiencing the same case. The constitutional management to accommodate the different lingual groups is still under process. The regional elites are main machinery who has polarized discussion upon such issues.

- **Sufficient constitutional privileges**

  The constitutional privileges to minorities provide an extensive impression that they consider more satisfied as compare to majority area. As the plural developed states have personified elites who prefer to discuss the issue in parliamentary language rather than packages. The packages are inter-executives mechanism while constitutional


\textsuperscript{78}Katherine Adeney. (2007)., *Federalism and Ethnic Conflict Regulation in India and Pakistan*, New York: Palgrave Macmillan, see pp.5-22.


engineering is the inter-parliamentary criteria. The earlier is short lived while the latter is the sufficiently long lived political consensus.\footnote{See Arend Lijphart (1977, 187, 227-239), Maya Chadda (2000, 144-147).}

- Territorial unity with diverse economic rights

The economic liberalization is also the main formula to promote solidarity at both national and regional fronts. The more economic liberty to segmental cleavages will result into the small number of issues in the plural societies. The process has become more challenable where the communities are living in odd lines following strict social and cultural heritage.\footnote{Muhammad Mushtaq, (2009, 391-398), S.P Huntington (1993, 61-72), Muhammad Waseem (2010, 1-26), G. Anderson, (2008, 13-27).}

Hazara Region

Hazara region consisted on Hindko speaking population that is consisted on six districts, with total population exceeds to 4.5 million. In Hazara region 87 percent are Hindko speaking and remaining 13 percent belong to other ethnic communities.\footnote{This is the percentage under 1998 census.}During British rule the hazara region was the part of Punjab province, until the western parts of that province were separated to form the new NWFP. The areas around Abbottabad and Mansehra became the Hazara District of Peshawar Division, whilst areas to the north of this became the Hazara Tribal Agency and the Kohistan Tribal Agency. On the dissolution of West Pakistan in 1970, Hazara District and the two tribal agencies were merged to form the new Hazara Division with its capital at Abbottabad. The division was initially composed of three districts (Abbottabad, Kohistan and Mansehra) but within a few years, Haripur district was spun off from Abbottabad District and Batagram District was spun off from Mansehra District.

Hazara remained a District right up to its conversion into a Division in 1976. In October 1976, Mansehra was given the status of a full-fledged District, which consisted of Mansehra and Batagram Tehsils. Subsequently in July 1991, Haripur Tehsil was separated from Abbottabad and made into a District. Thus only the old Tehsil of Abbottabad remained, which was declared as Abbottabad District.\footnote{Available at www.khyber.org/places/2005/HazaraDistrict.shtml. The web site has retrieved on June 7, 2011.}In 2000, administrative divisions were abolished and the fourth tier districts were raised to become the new third tier of government in Pakistan.

It is major industrial area in Khyber Pakhtunkhwa. The Northern part of the Hazara region has potential of Marble/granite, cement grade lime stone, phosphates, soapstone, nepheline syenite & other industrial minerals beside gemstone and metallic minerals. While the Southern part of the region has extensive potential of industrial rocks and minerals which include rock salt, gypsum, clay minerals, limestone, silica sand, iron ore and coal etc.\footnote{Available at www.khyber.org/places/2005/HazaraDistrict.shtml. The web site has retrieved on June 7, 2011.}
The Origin of Hazara issue

Like the movement of Saraiki speaking people in Punjab, the people of Hazara also raised a voice of the same kind. This movement, founded in 1987, is named "Hazara Qaumi Mahaz" (HQM). The movement which has members across the country recently rose to prominence again with leaders again raising a demand for separate Hazara Province. The Hazara community found that their political and economic rights have been exploited in the past.86

The demand was based on lingual identity. The demand of the province is based on peaceful and democratic way. The Hazarawal issue is resolve on constitutional basis. India resolved its lingual problems immediately after its establishment as its reformed its administrative units on lingual prime foci; the administrative leadership in Pakistan unfortunately did not took pain as they considered it a most furious problem for its survival in the past. The regional political groups were organized to achieve this objective.87

18th Amendement: A Critical Review

The amendment has examined the following provisions:

- Abolition of concurrent list: that has been extensive impact on regional politics. It aggrieved the regionalist to demand their rights on lingual basis. The provisions also increase the power of federating units without a fair representation of minority communities.

- The formation of Gilgit-Biltistan as the new administrative unit has also increased the pressure on federal government to increase the pressure to recommend such policies to accommodate the remaining regional groups not only in Hazara but also in Southern Punjab, and Sindh.

- The change of NWFP has stubborn the Hazara community to increase their voice for their separate lingual identity. They claimed that they have constitutional right to adopt their administrative unit, but still there are problems with regard to policy formulation in central executive body.88

The Constitutional debate and the Political Parties

The political parties have diverse opinion. They have also different interpretations about the issue of Hazara issue. The PML (Q) and PPP have led in their recent coalition to include the demand of Hazara and Saraiki province in their manifestations in the next elections that will be organized in 2013.


The website has retrieved on June 7, 2011.

86 It should be remembered that the Hindko language was not consider as regional language in 1998 census and the population showed grievances on that problem.


88 The analysis may considered from Muhammad Waseem (2010, 18-22) and (2011, 22-24).
The ANP in the past and in present politics does not consider the Hindko speaking population as different to Pashtuns. They consider Hazara as the integral part of Khyber Pakhtunkhwa. While the MQM has intensified the demand for new province in Sindh as well as in other parts of Pakistan on administrative basis yet not communal basis.  

PML (N) is divided on the issue of Hazara identity. The top leadership like Nawaz Sharif and Shahbaz Sharif consider that it is right of hazara population, whatever their motives, while Javed Hashmi supported their cause. The ethnic leadership challenged the cause of new units. They consider that Hazara identity should be re-examined in parliamentary debate to find out fair solution. The regional political groups lead their demands. They have leaded their demands in peaceful way.

The consensus has not been crafted on the national issue between the national and regional leaders. There is need to build constitutional and administrative cooperation at both political and nonpolitical level.

Demands of Hazara Community and their Perspectives

The Hazara regionalists want administrative division of Khyber Pakhtunkhwa on lingual ties. They consider that such management will explore more sufficient resources for other communities. The Hindko speaking population wants to disclose the staatsvolk policies of Pashtun population.

They want Full Political and administrative Autonomy in the region without majority dominating rule on normative principles based on identity self-respect and real autonomy.

The quota in administrative services in Pakistan is based on Provincial rather than community level as compare to India where management of jobs is considered through state’s territories. In Pakistan the minority always voiced for fair quota in jobs. The Hazara case is an important with regard to its language and rich cultural heritage.

The regionalists in Pakistan has always demanded Flexibility in the constituion. G. M Syed in Sindh started in early 1970s a movement of Sindhi nationalism movement to salutation the central government. In latter period the saraiki and hazara regaionalists also started to compressure the demand of a flexible constitution which accommodate several ethnic communities in the state.

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90 Retrieve from kksocialforum.blogspot.com/ on June 1, 2011.
91 The term refered to the group which dominate the central decision making in Katherine Adeney (2007, 20).
92 Ibid.
Possible Solutions

In following line there has been examined some recommendations to resolve the emerging linguistic issues in the hazara belt specifically while with regard to Pakistan in general terms.

- **Constitutional Engineering**

  The foremost solution of the problem regarding to maintain the federating units should only through Constitutional Engineering. This is the only possible mechanism to discuss the issue into parliamentary procedure. But unfortunately in Pakistan, the absence of political and democratic administration has been resulted extra constitutional privileges.

- **Referendum**

  Referendum is another procedure to find out the real issue with regard to identity crises in hazara. In the past military regimes, the referendum was considered an authentic criteria to know about the people vision about the government. The criteria has been used in Germany, Switzerland and Norway with regard to national issues or prime policy objectives.

- **Administrative division**

  The province of Khyber Pakhtunkhwa can be divided into small administrative units to homogenize the several linguistic groups to accommodate them all in good governance and economic liberty. There should be adopt such criteria under which the economic resources collected from a particular region could be extracted to the same territory.

- **Political consensus along with regionalists**

  There is a need to accommodate the regionalist political leaders in central decision making mechanism to understand and meet their demands and resources. The process may be adopt to nationalize the regional polity. The political parties can play an important role by avoiding provincial and linguistic politics.

- **Economic liberalization**

  The economic liberalization is the main point to grant more and more autonomy to the regions that are less developed. The federal should try to develop more and industrial zones and other development projects in backward areas. This objective is achieve only when the federal government considers the provincial administrations to frequently shared quotas reserved for each region according to its resources and population as well.

- **Communal political rights**

  The federal government may grant political and civil rights to minority living under majority rule. The *staatsvolk* should consider fair political and decision making participation to the communal minority.
Grand parliamentary coalition on national basis

The last but not least is the formulation of grand parliamentary coalition on national basis to run the political administration on consensus principles. Each segment should include in the decision making strata at periodical intervals both at provincial and federal level.

Conclusion

Segmental autonomy is the prime foci issue in each federating unit in Pakistan. The politics on religion and lingual lines has politicized and intensified this issue in the past. The ethnic communities need to accommodate with each other for the survival of the political environment and the political elites should avoid intensifying the issue on communal basis. Each segment is needed sufficient economic and industrial liberty for their prosperity. The federal should forward to unite the segmental cleavages on administrative and plural lines. The process is not impossible. Yet there is need of social interaction and confidence building amongst the different ethnic cleavages in Pakistan. The human resource management and government both need to work in coordination so that the constitutionally promised segmental autonomy could provide o the each community in the provinces.
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