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THE POLITICS OF ETHNONATIONALISM IN PAKISTAN: A HUMAN RIGHTS PERSPECTIVE

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Abstract

The rise of ethno-nationalist movements in different parts of the world is a scorching issue. South Asia is an ethnically, culturally and religiously diverse region containing various ethnic and religious communities and the rise of ethnic movements is also widespread including India, Bangladesh, Nepal, Sri Lanka, and Pakistan. Similarly, Pakistan is an ethnically diverse state. There are two types of ethno-nationalist movements in Pakistan. The first demands complete separation from the state and the second talks about the provincial autonomy and fundamental rights provided within the constitutional framework and it also demands the creation of new provinces. There are two parts of the present study. In the first part, the research focuses on the rise of the ethno-nationalist movements in Pakistan especially in the Hazara and Seraiki regions. The second part discusses the ethno-nationalist movement and human rights given in the Constitution of Pakistan, 1973.

Keywords: *Ethno-nationalism, Pakistan, Movements, Demand, Human Rights.*

Introduction

The word ethnic is a derivative from the Greek word 'ethics' which denotes major population groups sharing common racial and cultural characteristics. Ethnicity signifies the behavior of members seeking a shared ancestry with inherent individual distinctions. Ethnicity is based on a connection that takes people together with alike cultural patterns, so creating that group is a closed network. Ethnicity denotes the complex combination of historical, racial and cultural characteristics by which groups are divided into various political families. (Naz, 2017, 3)

From its inception in Pakistan, the state has failed to establish an effective and organic accord among the various federating units. However, some incremental advancing ethnic movements have been demanding towards devolution of power and provincial

autonomy. Pakistan is an ethnically diverse state and considerably of Pakistan's ethno-national clashes are deep-rooted in the mismatch between its political institutions and diversity. The Pakistani state has a plural composition of society and the powerful ruling elite did not accept it. The elites have denied to share the power with any ethnic minorities. From the inception of Pakistan, the nation-constructing strategy and the political scheme of the state located greater power and trust in the federal structure than in the provinces, even overseeing their political and economic concerns and genuine identity. (Kukreja, 2020, 3)

Region-based political groups in Pakistan have historically mobilized for political power largely around ethnic and linguistic identities. Since colonial times, there has been a history of political bargaining by groups in the Indian subcontinent along ethnic lines. (Khan, 2014, 1)

The major hypothesis of ethno-nationalists remains that Pakistan is a multi-national state rather multi-lingual one. The state rejects the multi-nationality thesis. Moreover, the 'uni-national' thesis is the official view that maintains and asserts, two trustworthy uniting agents, the supremacy of Islam and Urdu. Rahman said the 'official nationalism' hypothesis of Pakistan is the One-Pakistan-Nation. It announces that all Pakistanis belong to one nation though many differences are there. A certain uniform culture which is basically of Urdu speaking elite is officially recognized by this outcome of this premise. (Rahman, 1998, 43) Tahir Amin's main argument is against the state elite which is quite relevant to the mostly ethnic movements in Pakistan, such as the case of the Hazara ethno-nationalist movement. (Amin, 1998, 10)

Jaffrelot writes that to understand cause of instability in Pakistan, we have to consider three contradictions. First, the tension between unitary identity of state versus ethnic identity of regions. Second, the complex relationship between civilian politicians and military institutions and last the role of Islam in governance of Pakistan. Looking at these three dimensions can we see the foundations of Pakistan's instability. The roots of the tensions originate long before the partition; however, they are not predetermined and each of the contradictions can be resolved. But to do that, politics in Pakistan has to be discursive rather than repressive towards opposing views. There is also serious need for decentralization of power and redistribution of wealth. (Jaffrelot, 2014, 1)

Complex historical and social factors have shaped the interaction between religion-ethnicity and politics in Pakistan, a state which came into being with the support of ethnic groups. How should ethnicity be defined in the context of Pakistan? All ethnic groups claim to have a common language, culture and distinctive social traits, which differentiate or distinguish each from other similar groups. But the important thing is that a group adopts a common identity and acquires a social label that is recognized as such by others. The political factors in ethnic politics have been highlighted by Hamza Alvi, a noted Pakistani sociologist, who has stressed the over-developed state structure, weak political institutions, and the perception of "Punjabi hostility" as major causes of regional-ethnic conflicts. (Akhtar, 2013, 3)

Ethnonationalism and Consociational Democracy in Pakistan

However, Pakistan's national identity has been ingrained in the actual problem and caused the inner crisis by all these matters. However, the rulers and state of Pakistan have hardly paid any attention to this issue facing the new state. As a result, in the post-1971 period, the issue of ethno-nationalism remains unsolved. This is obvious from the separatist sentiments personified in the manifestoes of political parties. More precisely, there are four different factors responsible for the ethno-national movement in Pakistan which effect human rights. First, colonial legacy such as colonialism had shaped ethnic hostilities in Pakistan. Second, in such differences, the religion (Islam) had been unsuccessful in nationally integrating such differences. Third, that ethnic command by one ethnic group over others had further isolated ethno-national identities. Last, military involvement was unavoidable as ethnic nationalism threatened to break up the state. (Hussain. 1976, 5)

The multi-ethnic building of the state has been simulated as a trial of a recognized democracy. The advocates of consociational democracy have contended that consociational democracy is a feasible probable resolution for an intensely diverse society like Pakistan and it will also support to overwhelm the issue of political uncertainty. (Kukreja, 2020, 12)

Furthermore, Katharine Adeney in this context has stated that this is the result of its non-consociational structures that the Pakistani federation was unable to achieve for this ethnic diversity. In brief, with ethnic minority groups, the political elite of Pakistan almost in all four provinces have denied sharing the power. Moreover, these kinds of clashes, conflict over the allocation of resources, and

lack of proportionality in the resource supply by the center are the core problems for non-consociationalism in Pakistan. (Adeney, 2007, 13)

Pakistani society is divided into various ethno-linguistic and cultural contexts and shapes the issues of integrity. Fundamentally, ethnicity and national integration are dissimilar in their meanings as ethnicity denotes a complex combination of cultural, racial and historical traits by which societies are distributed into different castes and groups. Nevertheless, national integrity has denoted unity among the people of different regions, races, and languages for a great national cause. Thus, national integrity and nationalism are a consciousness of membership in a nation together with a desire to attain, achieve, and maintain the integrity, identity, prosperity, and power of the nation. It is an ideology that refers to one's supreme loyalty to a nation. However, the nationhood and integrity in Pakistani society are faced by the ethnic groups, that want to grow a separate identity based on their traditions, regions, languages and especially ethnicity. (Naz, 2017, 3)

Pakistani society is constructed on its cultural, ethnic, regional and linguistic structure. So, the people are not ready to admit the state and control of an authoritarian body on all their bases and institutions. As a result, the problems of solidarity and national integrity are weakened creating the internal stability of Pakistan. National stability and integrity have mainly relied on the pluralistic approach, assimilation and the cooperative behaviors of all the people. They should comprehend that the national cause is greater than the personal benefits. Moreover, the federal government's positive role can disperse the issues of regionalism and ethnicity and stabilize the ground for national integrity. Moreover, equality among all ethnic groups and the progress and protection of the culture and languages of different ethnic groups may help for national security, unity, and integrity in Pakistan. (Naz, 2017, 4)

W. J. Foltz has identified four types of features that distinguish dissimilar ethnic groups. The first characteristic is biological, where members of a group develop common physical characteristics by drawing upon a 'particular genetic pool'. More important are the next two distinguishing features, cultural and linguistic, where the ethnic group develops a distinctive value system and language. Finally, the ethnic group may evolve a structural identity by developing a particular type of 'joint'

relations, differing from the way others organize their 'social roles'. (Latif and Hamza, 2015, 6)

Another sociologist Paul Brass contended that ethnic groups have three definitional parameters including objective attributes, subjective feelings and behavior. Shireen Mazari explained that in most diverse states, ethnic identities and groupings exist within ethnic nationalism including in the state of Pakistan. When ethnic movements are converted into nationalist movements, problems arise. (Latif and Hamza, 2015, 6) Pakistan too, experienced the distressing participation which caused the breakdown of the country in 1971. (Majeed, 2018, 55)

On the other hand, Tahir Amin points out that nationalist movements seek to establish or maintain their state while ethnic movements seek to gain advantages within an existing state. However, there are few modern states which are ethnically uniform. (Amin, 1998, 15) Walker Connor in his study of nation-building, points out that of a total of 132 states existing in 1972, 25 (18.9 percent) states consisted of one main ethnic group, which accounted for more than 90 percent of the state's total population. In a while, in 31 states (23.5 percent), however, the single largest ethnic group formed only 50-74 percent of the population, only 12 (9.1 percent) could be viewed as ethnically homogeneous, and in 39 states (29.5 percent), no one ethnic group accounted for even half of the population of the state. The nation-state has become the dominant form of societal organization in modern times. To refer to this historical transition historians have used the term nationalism and the predominance and the emergence of nationalist ideology. But ethnic nationalism is more than nationalism. In terms of ethnicity, it describes the nation that always includes some component. (Latif and Hamza, 2015, 51)

Theoretical Underpinnings

Ethnic militancy or ethnic divide ranging from political re-demarcation to autonomy has been a constant occurrence lingering in Pakistani politics. The Pakistani state has failed to achieve its aims to interpret its socio-cultural diversity into political positions. This has also remained something in the heart of the country's persistent problem of legitimacy and political order. Since its inception, in the ethnically diverse country, the state has failed to counter the diverse ethnic group's political demands. The main responses of the Pakistani state were 'assimilation' and 'law and order' towards ethnic demands rather than that of an illustrious housing of the diverse societies. (Latif and Hamza, 2015, 13)

Pakistan and India shed the same colonial inheritance. Ian Talbot has exemplified, that the power constructions of North-west India had operated in a more authoritarian way than did those in the rest of India and Bengal. (Adeney, 2017, 6)

Hamza Alvi has done exclusive work on the nationalism and nationalist demands in South Asia. He concluded; it was a salary-dependent class who have such kind of nationalism in the subcontinent. For instance, the 'Salariat' the Muslim Government servants, was behind both Muslim nationalism in pre-partition India and Bengali nationalism in East Pakistan in 1971. (Alvi, 1989, 1534) Four main reasons turned into a hub of conflict in the four provinces of Pakistan and caused many ethnic conflicts at different levels. Firstly, conflicts are based on resources, especially those allocated to water, minerals, energy and natural resources. Secondly, ethnic and sectarian conflicts. Thirdly, minority conflict. Finally, the identities who have been claiming a separate provincial status by proclamation of sub-provincialism. (Ahmar, 2013,12)

Delineating the Methodological Framework

The present research work is qualitative, and descriptive in nature. In fact, primary and secondary sources both have been used for the collection of data. Primary data has been collected from government official reports, intellectuals, politicians and political activists, while secondary data has been collected from different books, research journals, newspapers and the internet.

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.

Ethnonationalism and Human Rights in Pakistan

John Locke (1689), the great philosopher of his time says, "*Wherever law ends, tyranny begins*". Unfortunately, discrimination, especially with minorities, becomes a routine exercise wherever the man-made law is aimed at the benefit of privileged calls while the common people become the targets of arbitrary laws. A.V. Dicey described three Principles on the Rule of Law. First, no one should be punished until proven guilty in a court of law. Second, no one is above the law and all should be treated equally. Third, the Constitution must be regarded supreme and no unconstitutional steps be taken.

Unfortunately, today's modern world is replete with unconstitutional and arbitrary powers to punish individuals,

especially minorities. Such unlawful steps are inconsistent with internationally recognized covenants such as the Universal Charter of Human Rights and the UN's Mandate on the rights of minorities. (Hazara United Movement, 2015, 1)

In perhaps the most resonant and beautiful words of any international agreement, "all human beings are born free and equal in dignity and rights". The commitments made by all States in the Universal Declaration of Human Rights are in themselves a mighty achievement, discrediting the tyranny, discrimination and contempt for human beings that have marked human history. The Universal Declaration promises to all the economic, social, political, cultural and civic rights that underpin a life free from want and fear. They are not a reward for good behaviour. They are not country-specific, or particular to a certain era or social group. They are the inalienable entitlements of all people, at all times, and in all places — people of every colour, from every race and ethnic group; whether or not they are disabled; citizens or migrants; no matter their sex, their class, their caste, their creed, their age or sexual orientation. (United Nation, 2015, 6)

Human rights violations, while legitimate grounds for redress, do not acquire a new principle of self-determinations. Existing international human rights law has formulated instruments ranging from foreign aid to military intervention to provide redress. While some of these instruments are controversial, the controversies do not necessarily involve a reconceptualization of self-determination. (Cheng, 2015, 107)

It is irony that nationalism emerged as an ideology promising the protection of human rights against the monarchs and turned into an ideology that has been used by political actors to justify human rights violations. This ironic history of the relationship between nationalism and human rights engendered a long-standing debate regarding the effect of nationalism on human rights. A question arises here, do the nationalist political parties violate human rights more than others or are they protectors of their people's rights when they are in power? (Yazici, 2018, 1)

Nationalism even promoted mutual respect between nations. Thus, Giuseppe Mazzini could address his fellow Italians by asking: What is it that makes our heart beat when hearing the story of battles for national liberation taking place in far and remote places? A people, Greek, Polish, Circassian, raises the banner of the fatherland and of independence, fights, conquers, or dies for it, what is it that makes our heart swell with joy at its victories, and

sorrow over its defeats? . . . And why do you eagerly read the miracles of patriotic love recorded in Greek story, and repeat them to your children with a feeling of pride, almost as if they were stories of our own fathers? (Menashi, 2014, 115)

Yazici has found nationalism to be negatively associated with government respect for several human rights. He replicates the original study's findings, he demonstrates that these findings are robust to an alternate model specification, and he then extend the analysis to additional human rights not examined by the original author. Ultimately, he finds that in comparison to when the chief executive is not nationalist, when the chief executive is highly nationalist, that state is less likely to be associated with high government respect for six 'empowerment' rights (i.e. the freedoms of assembly and association, electoral self-determination, speech, foreign movement, religion, and worker's rights), and more likely to be associated with low government respect for these six empowerment rights. This study suggests that nationalism's influence on human rights is greater than previous thought. (Holzer, 2019, 1)

Some scholars argue that liberal democracy precludes the state from adopting a particularistic ethnonational identity. Democratic states implement "laws of return" that privilege the immigration and citizenship of particular ethnic groups. Liberal democracies also promote the welfare of their co-ethnics living abroad and maintain political ties to diasporic ethnonational communities. Such practices are becoming more common as globalization disrupts the coincidence of ethnic demography and political boundaries. International law and practice confirm that a sovereign democratic government may represent a particular ethnonational community. (Menashi, 2014, 1)

As a factual matter, Erekat's charge is false. Many countries maintain national religious bodies and identities, from the Church of England and the Romanian Orthodox Church to the Islamic Republic of Pakistan and the other 56 members of the Organization of the Islamic Conference. (Menashi, 2014, 4) Liberal democracies implement laws of return, promote the welfare of co-ethnics living abroad, and maintain political ties to ethnonational communities living in diaspora. As globalization disrupts the coincidence of ethnic demography and political boundaries, the ethnonational identification of liberal democratic states is becoming more, not less, significant. (Menashi, 2014, 122)

It is thus no surprise that according to UNHCR, more than 75% of the world's known stateless populations belong to minority groups. The expert reminds States that all individuals have a right to acquire, change and retain a nationality; and that citizenship, nationality, and immigration laws and policies that discriminate between citizens and non-citizens on the basis of race, descent, national, lingual or ethnic origin are violations of international human rights law. The minorities and sub-nationalist groups have been demanding their rights of identity in different parts of the world. Most of the groups have been working for the objectives through nationalist and ethnonationalism feelings. These kinds of cases of ethnonationalist movements are more or less the same in the West and East. (Menashi, 2014, 66)

Nationalists have not been shy about invoking the concept of rights for their own purposes. In order to found an independent national state by ethnonational groups they contributed in the idea of about the rights of self-determination. In fact, a special right is to claimed only in case of discrimination or oppression or special cases. Such as right of not a function of identities- national, ethnic or ethnonational of membership or cultural affinities or anything other than a specific condition of injustice. (Cheng, 2015, 1)

Once the decision on the partition of the Indian subcontinent was taken, the dynamics and priorities changed for the Muslim leadership. One of the first things done by the [Constituent Assembly](#) in Pakistan was to set up two committees, one to decide the basic principles of the Constitution, the other for fundamental rights of citizens and matters related to minorities. Jinnah chaired the second committee himself. This was 12 August 1947, days before Jinnah was sworn in as Governor-General. A lot of ground was covered by the Rights Committee in Jinnah's lifetime and, even though the draft Constitution was not completed till 1956, the Constituent Assembly had accepted the chapter on fundamental rights by 1950.

Even before this was Jinnah's famous [11 August speech](#) — 'You are free to go to your temples, you are free to go to your mosques...' — where he laid the foundations of equal citizenship in a secular polity that he envisaged for the new country. Later, Pakistan under its foreign minister [Sir Zafarullah Khan](#) became one of the 48 countries that voted in favour of the [Universal Declaration of Human Rights](#) at the United Nations in 1948. (Khan, 2001, 56)

Equal citizenship and secular polity remained contested subjects from Day One. Months after Jinnah's death, in March 1949, the Constituent Assembly passed a motion titled 'Aims and Objectives of the Constitution', famously known as the '[Objectives Resolution](#)', which was vehemently opposed by all minority members who voted against it. They did not approve of the amalgamation of religion and politics written into the Objectives Resolution — individuals have religions, states don't, they warned — and feared it will turn Pakistan into a theocracy. (Khan, 2001, 58)

In the case of Pakistan, there are many steps for human rights taken by the government in the constitution in last 76 years. On April 19, 2010, the Eighteenth Amendment established the assent of the President and it was promulgated on the subsequent day. The Act 2010 contains 102 amendments that have been amended, substituted, deleted or added in numerous provisions of the Constitution. For provincial autonomy, the long-standing demand of the people of Pakistan has come to completion with the elimination of the Concurrent Legislative List. The legitimate constitutional rights in governance have been provided to the provinces at the same time as utilization and management of their natural resources. In fact, with the passage of the Eighteenth Amendment some human rights have been included in the constitution. (Government of Pakistan, 2010, 12)

Conclusion

Pakistan is a multilingual, multiethnic and multicultural state. The current study concluded that there are three types of major ethno-nationalist movements in Pakistan. First demand a complete independence by separating their own territory from the existing state. Second demands a maximum provincial autonomy and constitutional rights. Last, sub-nationalist ethnic groups who existed in divisional level and demand separate province living within state. The third category is more or less common in all four provinces in Pakistan. Their demands started against the discriminated act of dominant ethnic group of respective regions. When the ethnonationalist feelings emerged among the nationalist and activist, they demand their rights from the state.

It is irony that ethnonationalism emerged as an ideology promising the protection of human rights against the monarchs and turned into an ideology that has been used by political actors to justify human rights violations. This ironic history of the relationship between ethnonationalism and human rights engendered a long-

standing debate regarding the effect of nationalism on human rights. A question arises here, do the nationalist political parties violate human rights more than others or are they protectors of their people's rights when they are in power? In the case of Pakistan, obviously they are not protector of the human rights. The power elites usually used the situation and manipulate the circumstances for their own political interests. Similarly, the political leaders and nationalist used the situation for political point scoring.

In Pakistan, the nationalist demand for new provinces in all regions. They argued that extra provinces can play a healthier role in economic development, reduce sectarian issues, improve population management and foster good governance in the country. Nonetheless, the formation of new federating units will impact the composition of the Council of Common Interests, the Senate, the Election Commission of Pakistan, the National Finance Commission and the National Economic Council as well as the Water Accord of 1991. It would require amendment in Articles, 1, 51, 59, 106 (1) 175A 238, 239(4) of the Constitution.

Mechanism of Constitutional Framework Pakistan's constitution clearly sets a very difficult procedure for creation of new provinces. Article 239 of the Constitution of Pakistan, 1973 states a complete constitutional mechanism for the creation of new provinces. The Article states that, "a bill to amend the constitution which would have the effect of altering the limits of a province shall not be presented to the president for assent, unless it has been passed by provincial assembly of that province by the votes not less than two-thirds of its total membership."²For the demarcation of provincial boundaries, it is obligatory to get the approval of the Provincial Assembly. (Javaid, 2018, 3)

In fact, the unavailability of human rights created gap between the state and citizens and the social contact got weak and they stood against state and demanded. Furthermore, the ethnicity and ethno-nationalist movement may be as old as human societies. The politicization of ethnicity and its emergence as a political movement is something new and must be seen as a postmodern phenomenon. The present study can be seen in line with the postmodern perspective, as every ethno-nationalist movement should be viewed in its domain.

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