

Federalism and regime change: De/Centralization in Pakistan – 1956-2020

Katharine Adeney and Filippo Boni

Professor Katharine Adeney
Professor of Comparative Politics
University of Nottingham, UK
Katharine.adeney@nottingham.ac.uk
<https://orcid.org/0000-0002-0897-9028>
Twitter @KatAdeney

Dr Filippo Boni
Lecturer in Politics and International Studies
The Open University, UK
Filippo.boni@open.ac.uk
<https://orcid.org/0000-0001-6794-0740>
Twitter: @FilippoBoni1 / LinkedIn: <https://www.linkedin.com/in/filippo-boni-19b78449/>

Federalism and regime change: De/Centralization in Pakistan – 1956-2020

The extent to which de/centralization is shaped by regime change in federations that have experienced periods of autocratic rule is yet to be fully explored. To this end, this article measures static and dynamic de/centralization in Pakistan - a federal country under autocratic rule for long periods - since the introduction of its first constitution in 1956. Drawing on an original dataset compiled by the authors, this article challenges the narrative that only military regimes have abetted centralization. It also identifies the main instruments of de/centralization: 1) constitutions; 2) constitutional amendments; and 3) the primary agents behind change, including the military, political parties and the senior judiciary. The first study of its kind on Pakistan, and part of the project ‘Why de/centralization in federations?’, this article contributes to the literature on decentralization in hybrid regimes by mapping the longitudinal evolution of Pakistan’s federal system.

Keywords: Federalism; Democracy; Decentralization; Centralization; Authoritarianism; Pakistan; hybrid regimes.

1. Introduction

The Islamic Republic of Pakistan's federation has undergone significant transformations since the country adopted its first constitution in 1956. While the formally federal nature of the state has been a constant feature in constitutions promulgated by both civilian and military regimes, center-province tensions have occurred regularly over issues ranging from provincial representation in key institutions (including the army) to the equitable distribution of resources among the provinces. Pakistan's federal system has received much less attention than its neighbor, India. This is surprising because the two share the same constitutional background, and Pakistan has restructured its federal system in many interesting ways since 1947. It is possible to identify four key strands within the political science literature on Pakistan's federalism. The first includes those works focusing on the debates that led to the constitution's introduction, given that Pakistan took nine years to enact its first constitution (Sayeed 1954, Choudhury 1969, Baxter 1974, Sharma 1987, Ahmed 1990, Samad 1995, Adeney 2002). The second strand of the literature has focused on the relationship between the design and operation of the Pakistani federation(s) in managing different ethnolinguistic groups, particularly the challenge of Punjabi domination (Adeney 2007a, Siddiqi 2012, Khan 2014a, Bhattacharyya 2020, Faiz 2021). The third strand has devoted its attention to the major changes in the federal set up, including the reasons behind, and the implications of, the 18th Amendment in 2010 (Adeney 2012, Shah 2012) or the manner of how, and extent to which, responsibilities have been decentralized to the provinces (Faiz 2015, Rana 2020). Finally, the fourth strand in the literature comprises those studies that survey federalism across Pakistan's history (Adeney 2007a), with Waseem (2011), Rabbani (2016) and Bhattacharyya (2020) placing the major modifications introduced by the 18th Amendment within an overview of Pakistan federalism since independence.

Overall, the literature on decentralization in Pakistan has tended to focus on local government structures rather than referring to provincial powers and responsibilities (Rafi Khan and Sadiq, 2000, International Crisis Group 2004, Cheema et al 2006). Exceptions to this include Katharine Adeney (2007a, 116) and Harihar Bhattacharyya (2020, 177) who both argue that military governments have used local government to undermine provinces and strengthen authoritarian structures; Anwar Shah (2010), who argues that neglecting local governments within the wider federal system undermines international economic competitiveness; Ghazia Aslam demonstrating how, in Pakistan, decentralization is not always 'consistent with democratization ... dictators can use decentralization reforms to amass political support' (2019,

139); and Sameen Ali and Mariam Mufti, who explored why the national parties were not keen to implement the 18th Amendment's provisions regarding devolution to the local level (2022).

In contrast, this article focuses on de/centralization as a measure of the 'division of responsibilities and resources between the central government and the [provinces]' (Dardanelli et al, 2019, 1) rather than analyzing local government structures. It seeks to explain the drivers of change in the division of these responsibilities and resources over time. To our knowledge, only Tunio and Nabi (2021) have applied elements of the Dardanelli et al de/centralization framework to Pakistan. However, they have only done so for 2019, thus providing a measure of static rather than dynamic de/centralization.¹ Unlike the current study, they do not measure the politico-institutional autonomy of the provinces, vital for a discussion of federal systems in authoritarian or hybrid regimes.

This article's contribution is three-fold. To start with, this is the first study on Pakistan which systematically measures (through the authors' construction of an original dataset) static and dynamic de/centralization since the inception of the first constitution in 1956. Our original dataset of three politico-institutional autonomy measures, 22 policy areas and five fiscal dimensions enables us to provide a granular assessment of the trajectory of dynamic de/centralization in Pakistan and to identify patterns of, and reasons for, change. We identify a host of instruments (e.g., constitutions and constitutional amendments) and institutional actors (e.g., political parties, the military and the Supreme Court) as the prime movers of dynamic de/centralization in Pakistan. The dataset represents an important contribution as it also facilitates comparisons of the Pakistani case with other federations.

Secondly, drawing on the dataset, our paper contributes to the literature on decentralization in hybrid regimes and how military dictators in federal systems manage the transition to civilian rule (e.g., Eaton 2006, Falleti 2011, Aslam 2019). We do so by disaggregating military rule into systems of direct rule and those of military presidents, thereby introducing important nuances in the impact of different autocratic setups on de/centralization. In addition, we extend the literature on how military rulers have created local government structures to undermine provincial autonomy (Aslam 2019) as well as illuminating how military presidents have increased provincial legislative autonomy to boost the legitimacy of their regimes.

¹ There are slight differences between our codes for the policy areas from those reported in Tunio and Nabi. Readers are encouraged to consult our justifications for the scores within the dataset (although Tunio and Nabi do not provide justification for their scores).

Thirdly, the longitudinal analysis presented here sheds light on previously underexplored processes of change in Pakistan's federal system. We note how de/centralization in Pakistan often occurs around critical junctures that are related to developments in the country's complex civil-military divide. However, while we find that increasing centralization occurs because of direct military intervention in politics, our findings reveal important nuances, not only the fact that military presidents have increased provincial legislative autonomy, but that periods of civilian rule do *not* always mean greater decentralization.

In the next section we discuss the methodology adopted in coding the dataset, before situating Pakistan within the theoretical expectations on de/centralization in the wider literature. The analysis then discusses static de/centralization in Pakistan in its first constitution of 1956, drawing on the measures and coding available in the dataset, before discussing the patterns of dynamic de/centralization up to 2020. We then provide an explanation of the trajectory outlined, primarily focusing on the role of the military vis-à-vis civilian rule (particularly the role of national and regional political parties and the senior judiciary) and the role of security shocks.

2. Methodology

The data we discuss in this paper are based on a qualitative coding by the two authors of the dimensions of static de/centralization (relating to the distribution of powers between the center and the provinces at a given point in time) and dynamic de/centralization, which relates to changes in the distribution of powers between the center and the provinces over time (Dardanelli et al, 2022).

We have coded three politico-institutional measures ('constitutional autonomy',² 'provinces' institutional autonomy'³ and the 'central manipulation of provincial elections'). These measures were coded through the authors' knowledge of Pakistan's political system, as well as referring to primary and secondary sources covering the relevant years. The authors also coded the legislative and administrative autonomy of 22 policy areas. Legislative autonomy refers to a province's control of primary legislative powers in a policy field. Administrative autonomy concerns the degree to which provinces implement central governments', as well as its own, legislation (Dardanelli et al 2022). The codes were assigned

² This measures provinces' autonomy in deciding their own constitutional set up

³ This ranges from a code of 1 for no provincial legislature and a centrally appointed chief executive to 7 for an elected provincial legislature and an elected chief executive.

from a 7-point scale (with 1 = exclusively the central government and 7 = exclusively the provincial governments). A code of 3, for instance, was assigned when an area would fall predominantly under the central government's purview, whereas 4 would be given when an area was equally distributed between central and provincial government.

The main sources that we used for our coding of the policy areas were: 1) the texts of Pakistan's 1956, 1962, 1972 and 1973 constitutions; 2) the texts of the various constitutional amendments; 3) acts passed by the federal and provincial legislatures and ordinances passed by the president or provincial governors (Balochistan Laws n.d., Khyber Pakhtunkhwa Laws n.d., Pakistan Code n.d, Punjab Laws n.d., Sind Laws n.d.); 4) judicial rulings such as the Supreme Court judgment in 2019, ruling that control of hospitals in Sindh and Punjab should be transferred to the center (Niazi 2020); 5) the operation of inter-governmental institutions such as the Council of Common Interests (CCI) and the National Economic Council (NEC). In analyzing the changes that have occurred between 1956 and 2020, it is also vitally important to move beyond constitutional descriptors and focus on how the regime operates. Our approach to coding reflects this. As well as constitutional documents, relevant legislation, and judicial rulings, we consulted contemporary academic literature written at the time concerning the operation of the political system, particularly under military regimes (e.g., Friedman 1960, Feldman 1967, Maniruzzaman 1967, Noorani 1977, Rizvi 2000) to identify how the central and provincial governments operated regarding policy areas.

We also coded five fiscal dimensions ('proportion of own-source revenues out of total provincial revenues', 'restrictions on own-source revenues', 'proportion of federal conditional transfers out of total provincial revenues', 'degree of conditionality (for conditional grants only)' and 'provincial public sector borrowing autonomy'). When coding fiscal and politico-institutional autonomy, the coding was specific for each measure, e.g., one measure accounted for the proportion of own revenues hence the code was expressed as a percentage, whereas when measuring restrictions, the code was from 1 = very high, to 7 = very low. The fiscal data were compiled using data from Pakistan's annual Economic Surveys and Budgetary White Papers at the national and provincial levels, as well as the National Finance Commission of 2010.

Codes were assigned by one of the two authors, and then checked by the other author to ensure inter-coder reliability. When either author was unsure, we checked specific scores and shared the code book with relevant experts thanked in the acknowledgements. Importantly, we moved beyond the 10-year coding pattern proposed by Dardanelli et al (2019) and assigned annual codes. This increases the reliability and significance of the dataset as annual scores are

more appropriate to assess levels of de/centralization in states that have had several authoritarian periods. In authoritarian states, several changes are more likely to occur within a 10-year period that would otherwise fail to be captured (e.g., a 10-year coding scale from 1970-1979 would fail to capture the changes introduced by the secession of Bangladesh, the presidential regime under Zulfikar Ali Bhutto from 1972-1973, the new constitution of 1973 and the martial law of Zia-ul-Haq in 1977). While democratic countries may also experience comparable changes, several major changes within a ten-year period are less likely due to institutional checks and balances.

3. State formation in Pakistan

Pakistan was created from the partition of India in 1947. Both states initially operated under the Indian Independence Act of 1947. Unlike India, Pakistan was a new state because India inherited the legal international status of British India. The main political party, the Muslim League, had little support in the western territories of Pakistan, and the League's leaders lacked political networks (Talbot 1982). These leaders were predominantly Urdu speakers from northern India who initially dominated bureaucratic appointments (this community became known as the Muhajirs). In general, League leaders had given much less attention to the provisions of a future Pakistani constitution than the Congress Party had in India (Adeney 2002, 23). At independence, Pakistan had several challenges, including integrating the former princely states, nominally sovereign from the British, within its boundaries, along with the border regions known as the Federally Administered Tribal Areas (FATA) and the Federally Administered Northern Areas (FANA). Additionally, Pakistan was split between an eastern and a western wing, with 1000 miles of Indian territory in between (with India becoming increasingly hostile due to the conflict over Kashmir in 1948). 55 percent of the population lived in the eastern wing, but the capital, Karachi, was in the western wing, as were the areas from where the army (which became ever more powerful) was predominantly recruited (Punjab and the North West Frontier Province – NWFP – renamed as Khyber Pakhtunkhwa in 2010). There was an ethnic dimension to this division – the army being predominantly Punjabi and the bureaucracy being predominantly Muhajir, with Bengalis significantly underrepresented in both institutions (Adeney 2007a, 153-4).

This background, particularly the fact that the locus of power in a democratic federal Pakistan would have been in East Pakistan, goes a long way to explaining why constitution-making was so protracted. India inaugurated its new constitution by the beginning of 1950.

Pakistan took until 1956 to do so, having proposed various formulae to manage the demographic imbalance between the two wings, many of which were effectively vetoed by the powerful military (Adeney 2007a, Chapter 3). The 1956 constitution established Pakistan as a federal republic with a unicameral legislature, almost unique among federations (Venezuela being the other exception). Article 106 divided competences into three legislative lists: the Federal List, the Concurrent List and the Provincial List. The center had the power to legislate on items on the Federal List, the provinces had the power to legislate on the Provincial List and both the center and the provinces had the power to legislate on items on the Concurrent List, (with the center's legislation prevailing in the event of a conflict). The center also had the power to 'make laws with respect to matters enumerated in the Provincial List, except for a Province or any part thereof' (Art. 106 (4)) as well as to implement treaty obligations. Residual powers were allocated to the provinces.

Control of the fiscal purse was firmly in the hands of the center. Although the constitution was a parliamentary one, considerable power was granted to the President, 'far exceed[ing that] normally bestowed upon a ceremonial head of state in a parliamentary system' (Jalal 1999, 215). Importantly this centralized setup was replicated in the provinces, with a governor, appointed by the President, who appointed the Chief Minister and the cabinet. The constitution confirmed Pakistan as a two-unit federation, having merged all the provinces and princely states in western Pakistan into a single province – West Pakistan – 'to counter Bengali demographic dominance and relegate them to the status of "mass subjects"'. It simultaneously 'consolidated Punjabi dominance over the Western Wing' (Adeney 2007a, 103). Despite the protracted machinations behind its introduction, the 1956 constitution was short lived because martial law was imposed in 1958.

4. Theoretical expectations

Pakistan was (for all practical purposes) a 'holding together' federation (Stepan 1999, 22),⁴ therefore it can be expected to have already been comparatively centralized at birth, more so than federations formed through a coming together of independent states (Riker 1964, 12-16).⁵ Between the introduction of the One Unit Plan in 1955 merging the territories of the

⁴ Pakistan does not quite meet the criteria of a 'holding together' federation as it had not existed previously as a unitary state. However, in undivided India it was governed by the same constitution as India, categorized by Stepan as a holding together federation (although the 1935 Government of India Act had many federal features).

⁵ British India was divided by the Radcliffe Line between India and Pakistan. Legislators from the provinces of Punjab and Bengal voted to partition their provinces between the two Dominions. A referendum was held in

western wing into one-unit - West Pakistan – and its abolition in 1970, Pakistan possessed only two provinces.⁶ After the secession of Bangladesh in 1971, Pakistan had four provinces - Punjab, Sindh, Baluchistan and NWFP - plus the FATA, FANA and Islamabad Capital Territory (ICT). The fact that Pakistan had a small number of provinces could lead us to predict dynamic *decentralization*. A higher number of provinces is associated with centralization (as the center is more powerful when there are a larger number of provinces) (Watts 2007, 232-234).

However, given that Pakistan has experienced several periods of direct military rule, abolishing national and provincial legislatures and centralizing policy making under a military leader, a more reasonable hypothesis would be that

h1 – In periods of direct military rule Pakistan has experienced dynamic centralization.

In addition, due to the expanding literature on the way authoritarian leaders seek to legitimize themselves through institutions (e.g., Gandhi and Lust-Okar 2009, Brownlee 2009, Morgenbesser 2013) and on how military dictators in federal systems manage the transition to civilian rule (e.g., Eaton 2006, Falleti 2011), we could expect that in periods after martial law (and/or when the constitution has been held in abeyance) when the military ruler has assumed the position of president, dynamic decentralization would occur. Therefore, our second hypothesis would be

h2 - in periods of presidential military rule Pakistan experiences dynamic decentralization compared to periods of direct military rule.

Our third hypothesis follows. Although Pakistan has never deliberately organized its federal structures around the borders of its multiple linguistic groups (Adeney 2007b, 106) all but one province has a titular nationality.⁷ Tensions exist between Pakistan's different ethnolinguistic groups, particularly those that have been effectively excluded from decision-making institutions (Adeney 2009). We could expect that as these tensions have (partly) been

NWFP on whether to join Pakistan or India (boycotted by the Congress) and another was held in the Muslim majority district of Sylhet in Assam – separating it from Assam and joining it to East Bengal. Thanks to Zafarullah Khan for reminding me of these details.

⁶ The One Unit Plan was formally dissolved in 1970.

⁷ Only 42 percent of the residents of Baluchistan and the States Union returned their mother tongue as Baluchi in the 1951 census (Government of Pakistan 1951).

given expression through the party system, a return to civilian rule in a multinational federation would be an important counterpoint to centralizing pressures (Watts 2007, 235). Therefore,

h3 - in periods of formal civilian rule, Pakistan has experienced dynamic decentralization.

Our final hypotheses relate to the role that crises play in levels of de/centralization. ‘During crises, citizens and political actors more willingly tolerate encroachments on the autonomy of the constituent units for the sake of overcoming a national emergency’ (Dardanelli et al 2019, 18). Pakistan has been involved in four armed conflicts with India and experienced the secession of its eastern wing. It has also received 22 loans from the International Monetary Fund (IMF) (IMF n/d). We could therefore expect that we would observe an immediate reduction of politico-institutional autonomy and a more delayed reduction of legislative, administrative and fiscal autonomy (due to the need to pass legislation to achieve the changes). Therefore,

h4 – one year after a crisis we will observe levels of centralization significantly increasing across measures of politico-institutional autonomy,

h5 – two years after a crisis we will observe levels of centralization significantly increasing across the legislative, administrative and fiscal realms.

5. Static De/Centralization at the outset

In 1956 the provinces’ politico-institutional autonomy was limited. They had little constitutional autonomy and the centrally appointed governor was more powerful than the chief minister. From the introduction of the 1956 constitution until its abrogation in 1973 no provincial elections were held, but the center’s role in manipulating the provincial elections held in the early 1950s had been high. As noted above, the institutional provisions at the center were replicated at the provincial level, with a governor appointed by the president who appointed the Chief Minister and their cabinet, who were ‘collectively responsible to the Provincial Assembly’ (Art. 70 (5)). The 1956 constitution was characterized by a high degree of legislative centralization⁸ (half of the 22 policy areas including key areas such as defense and currency and money supply) (see Table One). The fiscal scores were similarly centralized

⁸ Defined as being coded as 1-3 (exclusively central government – predominantly central government).

(e.g., with high restrictions placed on provincial own-source revenues as well as a very low level of public sector borrowing autonomy in the provinces).

Table 1 – Static de/centralization of 22 policy areas in 1956

Policy Area	Legislative	Administrative
Agriculture	7	5
Citizenship and Immigration	1	1
Culture	6	7
Currency and Money Supply	1	1
Defence	1	1
Economic Activity	3	4
Education-pre tertiary	7	7
Education-tertiary	7	7
Elections and voting	1	4
Employment relations	3	3
Environmental Protection	7	7
External Affairs	1	1
Finance and Securities	3	4
Health Care	7	7
Language	3	1
Law-Civil	4	4
Law-Criminal	4	5
Law Enforcement	5	3
Media	4	4
Natural Resources	3	4
Social Welfare	4	4
Transport	3	4
Mean	3.9	4

6. Overview of dynamic de/centralization in Pakistan

Having provided a snapshot of the situation in 1956, in this section we discuss the aggregate historical patterns of de/centralization that emerged from the annual coding of the provinces' politico-institutional autonomy, the 22 policy areas and fiscal de/centralization.

Frequency

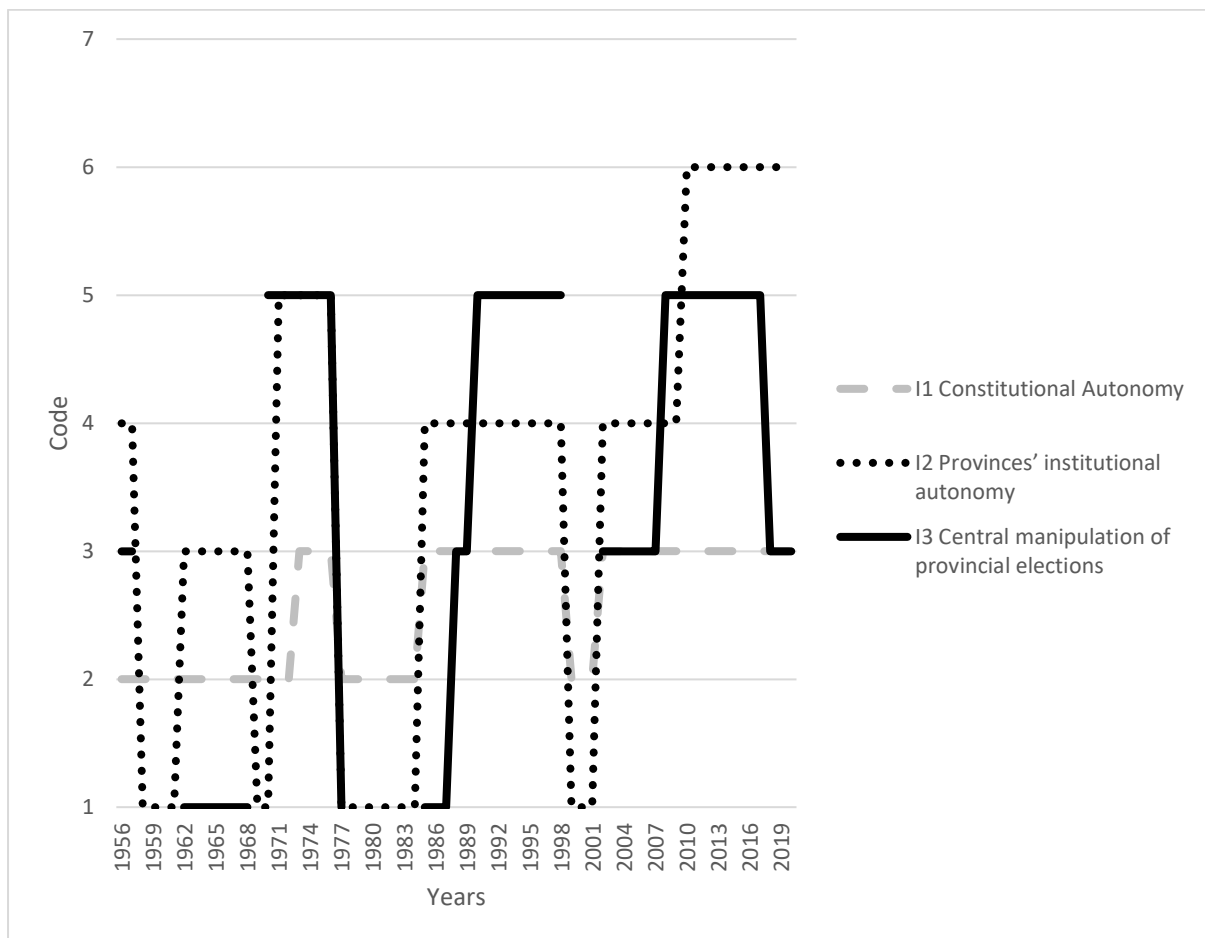
The first property that we look at to assess the extent of dynamic de/centralization is the frequency of change, which has been high. Across the dataset, a total of 22 code changes occurred in the politico-institutional autonomy dimension, 182 code changes in the policy areas (140 legislative and 42 administrative) and 34 in the fiscal autonomy domain. 17 policy areas experienced code changes either in the legislative or the administrative sphere. The areas in

which no changes were observed are citizenship and immigration, currency and money supply, defense, elections and voting, and external affairs.

Direction and Magnitude

Between 1956 and 2020 we observe a modest increase in levels of decentralization in the politico-institutional sphere, but Figure 1 demonstrates that the relationship has not been linear, a point we return to in Section 8.

Figure 1 – Politico-Institutional de/centralization (1956-2020)

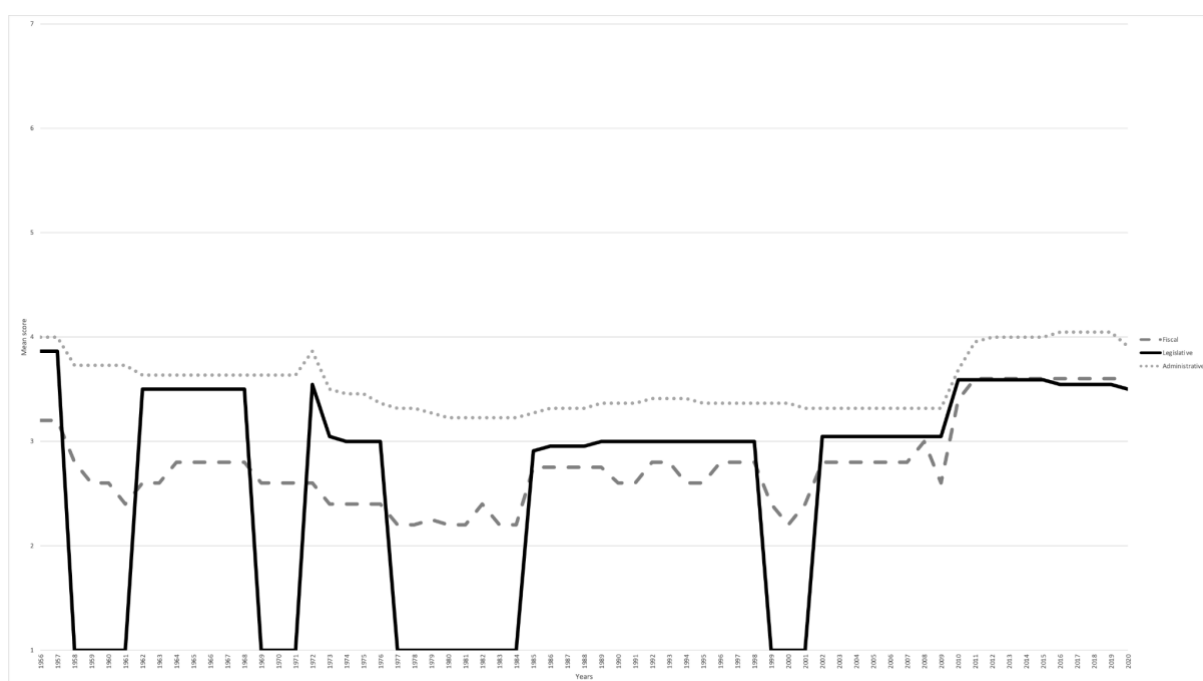


Note: please see the codebook for what each scoring in the chart corresponds to. Under periods of direct military rule in the codebook, we have scored the central manipulation of provincial elections as 1 on the grounds that no election or a totally manipulated one can be considered as functionally equivalent.⁹ In this figure for clarity we have left periods with no elections blank.

⁹ Zia-ul-Haq held partyless elections before the national and provincial assemblies were re-convened in 1985 but this is reflected in the 1985 code.

In terms of policy areas, as Figure 2 demonstrates, although the frequency of change in scores has been high during the history of the federation, overall the categorization remained the same in 1956 as it was in 2020 - responsibility for legislation was predominantly in the hands of the central government. There was a slight shift in the administrative category in a centralizing direction, from being equally in the hands of the central government and the provinces to being predominantly in the hands of the central government.

Figure 2 – Policy and fiscal de/centralization (1956-2020).



Notes:

Policy areas: 1=exclusively central government; 2=almost exclusively central government; 3=predominantly central government; 4=equally central government and the provinces; 5= predominantly the provinces; 6=almost exclusively the provinces; 7=exclusively the provinces.

Fiscal scores are predominantly calculated from the annual Pakistan Economic Surveys for the all-Pakistan mean. Data are available for individual provinces in the codebook.

Pace, Timing, and Sequence

In the aggregate, the timing and pace of dynamic de/centralization across the politico-institutional domains as well as in the policy and fiscal areas revolve mostly around critical junctures (Lipset and Rokkan 1967, 37-41; Capoccia and Kelemen 2007). In the case of Pakistan, the impositions of direct military rule are one obvious such critical juncture (as are

their revocation), others include the secession of Bangladesh in 1971, the adoption of the 1973 constitution, and the 18th Amendment to that constitution in 2010, as well as the National Finance Commission (NFC) award of 2010.¹⁰ The pace of these changes has often been swift. Although there have been periods of decentralization, Pakistan has repeatedly swung back to centralization, a feature of the instruments of change, discussed below. Whether the provisions introduced by the 18th Amendment will remain is therefore a pertinent question.

Instruments of change

Dynamic de/centralization in Pakistan has occurred through several interwoven instruments, including the introduction of new constitutions; constitutional amendments (including the 7th NFC); and institutional actors, particularly the military, political parties and the Supreme Court.

The importance of new constitutions in Pakistan's federal setup is paramount. Unsurprisingly, differences between the 1956 civilian and the 1962 military designed constitutions were in the direction of centralization, with seven of the policy areas being more legislatively centralized than before. However, even though the 1973 civilian designed constitution created important inter-provincial forums, including the Council of Common Interests, and created a Senate 'to further the spirit of federalism in Pakistan' (Seidle and Khan 2012, 29)¹¹ it was even more legislatively centralized than the 1962 one in eight policy areas. As we discuss below, this demonstrates that centralization is not just the purview of military leaders.

¹⁰ The National Finance Commission is a constitutional body setting out the distribution of resources between the provinces and between the center and the provinces. Its awards (supposed to be made every five years) are often delayed because of lack of consensus.

¹¹ These included the National Economic Council, the National Finance Commission, and the Council of Common Interests.

Table 2: De/centralization at the time of the enactment of the three constitutions¹²

	Legislative Mean	Administrative Mean	Fiscal Mean	I1 Constitutional autonomy	I2 Provinces' institutional autonomy	I3 Central manipulation of provincial elections
1956	3.9	4.0	3.2	2	4	3
1962	3.5	3.6	2.6	2	3	1
1973	3.0	3.5	2.4	3	5	5

Notes: See online codebook for details.

The second major instrument of change affecting de/centralization in Pakistan has been constitutional amendments. These have been introduced by both civilian and military rulers. Zia-ul-Haq's introduction of the 8th Amendment to the 1973 constitution in 1985 established the power of the president to dismiss the National Assembly and the prime minister. This reduced provincial autonomy as the provisions were replicated at the provincial level, strengthening the circumstances under which the Governor (a centrally appointed officer) could dismiss the provincial assembly (as did Musharraf's 17th Amendment). However, the constitutional amendment that had the most impact on de/centralization in Pakistan was undoubtedly the civilian-led 18th Amendment. This change, coupled with the 7th NFC, introduced a few months previously, can be considered the most 'expansive decentralization reform that has fostered an environment conducive for federalism' (Shahid 2015, 142). The 18th Amendment abolished the Concurrent List, a long-standing demand of the more marginalized provinces (Adeney 2012, 547), and most of its subjects were allocated to the provinces. The two exceptions to this were 'electricity' and 'legal, medical and other professions' which were moved to Part II of the Federal Legislative List. The mandate of the CCI, a constitutional body designed to facilitate inter-provincial coordination, was also strengthened. The number of items over which it had the right to adjudicate almost doubled (Khan 2015a, 156).

Out of the 22 policy areas in our codebook, nine legislative and 10 administrative policy scores became more decentralized after the 18th Amendment. Only health is more centralized because of the items moved to the Federal Legislative List. As well as overturning Musharraf's re-

¹² I1 measures the provinces' autonomy in deciding their own constitutional set up. I2 refers to the locus of power between the legislative and executive, and whether they are directly elected or not. I3 refers to the level of central manipulation in electoral outcomes.

imposition of the right of the President to dismiss the National Assembly, the amendment curtailed the powers of the provincial governor to dismiss the provincial assembly. This increased the constitutional autonomy of the provinces. This provision had been frequently used against the marginalized provinces, and often justified in terms of ‘anti-state’ activities (Talbot 2009, 227).

Although they have used different instruments, the institutional actors responsible for changes in de/centralization in Pakistan have been the military, political parties and the Supreme Court. Military rulers have introduced new constitutions and wide-ranging constitutional amendments to either consolidate (Ayub Khan’s 1962 constitution) or to civilianize (the 8th and the 17th amendments) their rule. Although political parties have historically been reactive to, rather than the initiators of, change, national and regionalist political parties from all the provinces of Pakistan unanimously agreed to the 1973 constitution.¹³ Unanimity also prevailed over the adoption of the 18th Amendment. Both civilian-led changes made significant alterations (albeit in different directions) to the levels of de/centralization. Finally, the Supreme Court has played an important role, not only in legitimizing martial rule (Khan 2014b, 304, 317) but also in querying the legitimacy of constitutional amendments, e.g., the application of the 18th Amendment, ruling that the center had the power to continue to provide healthcare (a provincial subject) on the grounds that it was a ‘Right to Life’ (Riaz et al 2020, 514).

7. Static de-centralization in 2020

Before explaining the de/centralization dynamics in Pakistan, it is important to provide an overview of static de/centralization in 2020. In terms of politico-institutional autonomy, provinces’ constitutional autonomy was slightly higher in 2020 than 1956 because the 1973 constitution gave the provinces the power to enact legislation regarding civil service appointments and conditions. Provinces’ institutional autonomy also increased, in large part because of the changes introduced by the 18th Amendment curtailing the power of the provincial governor to dismiss unilaterally the provincial government. Central manipulation of provincial elections in 2020 was the same as in 1956, reflecting increased military intervention since 2018. As shown in Table 3, despite the changes introduced by the 18th Amendment, Pakistan’s federation was not more legislatively or administratively decentralized than in 1956, although the 18th Amendment strengthened the CCI, as well as the inter-governmental

¹³ Although not all had an equal say in its construction (Malik 2020, 32).

National Economic Council (Seidle and Khan 2012). Provinces' fiscal autonomy increased slightly compared to 1956. As will be discussed, it increased significantly compared to the situation in 2009, particularly in relation to their borrowing autonomy and own-resource revenues.

Table 3 – De/Centralization in Pakistan compared: 1956 and 2020

	Legislative Mean	Administrative Mean	Fiscal Mean	I1 Constitutional autonomy	I2 Provinces' institutional autonomy	I3 Central manipulation of provincial elections
1956	3.9	4.0	3.2	2	4	3
2020	3.5	3.9	3.6	3	6	3

Table 4 – Static de/centralization of 22 policy areas in 2020

Policy Area	Legislative	Administrative
Agriculture	5	4
Citizenship and Immigration	1	1
Culture	5	5
Currency and Money	1	1
Defence	1	1
Economic Activity	4	4
Education-pre tertiary	5	6
Education-tertiary	4	4
Elections and voting	1	4
Employment relations	5	5
Environmental Protection	5	5
External Affairs	1	1
Finance and Securities	3	4
Health Care	2	3
Language	4	4
Law-Civil	4	6
Law-Criminal	4	6
Law Enforcement	4	4
Media	5	3
Natural Resources	3	4
Social Welfare	6	6
Transport	4	5
Mean	3.5	3.9

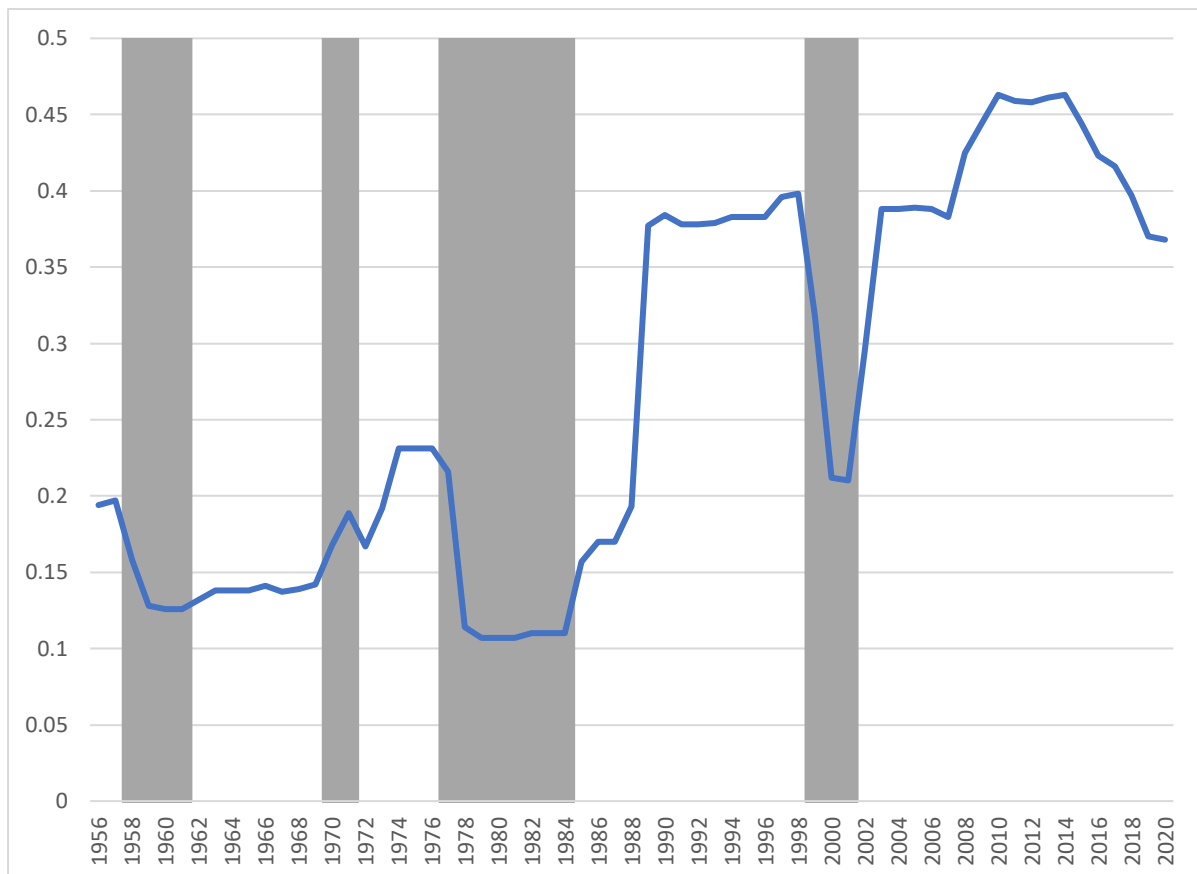
8. Explaining dynamic de/centralization in Pakistan

8.1 The role of the military.

One of the main theoretical expectations in the literature is that centralization increases during periods of military rule. Military intervention into politics is a distinctive feature of Pakistan's

political trajectory since independence in 1947. Rather than treating military rule as a monolithic variable, it is important to disaggregate it into its various manifestations, as this approach enables us to foreground its impact on de/centralizing trends in a more granular and accurate fashion. Intervention has taken three forms. The first is direct military rule, when Pakistan has effectively been ruled under martial law. The second is when a military leader is ruling the country as president after a period of direct military rule. The third is when relatively free and fair elections have been held to elect civilian governments, but the military remain the power behind the throne, although to varying degrees (Adeney 2017). By V-Dem classifications, Pakistan has never been an electoral democracy because it has not achieved a score of .5 or above on the electoral democracy index (Lührmann, Tannenberg, and Lindberg 2018, 64) even though, as Figure 3 demonstrates, there are periods (the unshaded areas) when Pakistan has not been under direct military rule.

Figure 3: Levels of electoral democracy in Pakistan 1956-2020



Notes: Source: V-Dem (Coppedge et al. 2021). Shaded areas are when Pakistan was under direct military rule.

There have been four periods of direct military rule in Pakistan: 1958-1962 (Ayub Khan), 1969-1971 (Yahya Khan),¹⁴ 1977-1985 (Zia-ul Haq) and 1999-2002 (Pervez Musharraf). All military rulers other than Yahya Khan abolished the provincial and national assemblies, although Yahya Khan refused to convene the assemblies that were elected in 1970, precipitating the secession of Bangladesh.

Our first hypothesis was that in periods of direct military rule Pakistan has experienced dynamic centralization.

Table 5: Comparison of periods of military and civilian rule.

	Legislative Mean	Administrative Mean	Fiscal Mean	I1 Constitutional autonomy	I2 Provinces' institutional autonomy	I3 Central manipulation of provincial elections
Direct Military rule	1.0	3.4	2.4	2.0	1.2	1.4
Military President	3.2	3.5	2.6	2.6	3.6	1.8
Formal Civilian rule	3.3	3.6	2.8	2.9	4.9	4.5

Notes: We have taken the mean here, scoring periods where provincial elections were not held under direct military rule as 1 for I3 and as n/a for the administrative mean. Direct Military Rule (58-61, 69-71, 77-84, 99-01), Military President (62-69, 85-87, 02-07), Formal Civilian Rule (56-57, 72, 73-76, 88-98, 08-09, 10-20).

Table 5 confirms that Pakistan's federation in periods of direct military rule was more centralized in all areas than during periods when there was a military president or during formal civilian rule. However, the differences are small across several areas, notably the administrative and the fiscal means, increasing only by +0.2 and +0.4 between periods of direct military rule and periods of formal civilian rule respectively. This is to be expected given that provincial bureaucracies remained in place even during periods of direct military rule.

Most direct military rulers abolished provincial and national legislatures. It is therefore unsurprising that there is a +2.3 difference between the legislative mean in periods of direct military rule compared to that of formal civilian rule. In periods of direct military rule responsibility for legislation is exclusively in the hands of the central government compared to predominantly in the hands of the central government in periods of formal civilian rule. What

¹⁴ Martial Law was formally lifted by President Zulfikar Ali Bhutto in April 1972, and an interim constitution adopted in its place.

is more interesting is that there is little difference in legislative autonomy in periods when there is a military president compared to formal civilian rule; only +0.1 (both therefore coded as predominantly central government). This confirms our supposition that military regimes make use of democratic institutions at the national level to legitimize themselves.

However, although legislatures have been reinstated under presidential military rulers in Pakistan this does not increase provincial institutional autonomy to the same extent as civilian rule does. Striking differences can be seen in the provinces' institutional autonomy between the three different regime types, rising by +2.4 in periods of a military president compared to direct military rule but by another +1.3 in periods of formal civilian rule (a total of +3.7). In periods of direct military rule, provinces' institutional autonomy has been much more limited, especially under Ayub Khan and Zia-ul-Haq. The central manipulation of provincial elections has also been much greater under direct military rule and under a presidential military leader than it has under civilian rule.

In Pakistan as elsewhere, military leaders have attempted to legitimize their regimes through elections or other institutions (Gandhi 2008; Falleti 2011). Ayub Khan introduced a new constitution to do so. The other three military rulers all introduced constitutional amendments and/or Legal Framework Orders to manage the institutional relations between themselves and the central and provincial governments as they moved from direct military rule. One of these institutional structures was local government and was 'endogenous to the centralization objectives of the nonrepresentative center' (Cheema 2006, 257). Ayub Khan introduced a form of local government called 'Basic Democracies' in 1959 to build 'support at the lowest level of the society without ceding any power at the highest level' (Rizvi 2000, 96). The basis of this scheme were Union Councils, members of which were either elected locally or (not more than 'one half of the total number') appointed 'by the leading government officer in a district' (Friedman 1960, 107). While Ayub Khan justified the scheme as bringing an 'appropriate' governing system to the Pakistani people 'of the type that people can understand and work' quoted in Friedman (1960, 109), it could not be said to be democratic. As with later local government initiatives introduced by the military, such as Pervez Musharraf's Devolution Plan, local government was a device to *undermine* provincial autonomy. As the International Crisis Group observes, these plans 'undercut established political parties and drained power away from the provinces' (2004, i). In addition, the 'increased importance of local governments as a means of political legitimacy did not translate into their substantive empowerment' (Cheema 2006, 262). The prime aim of these local government programs was to enable the dictator 'to amass political support and build a coalition that helped him consolidate his rule'

(Aslam 2019, 132), undermining provincial politicians and siphoning resources from the provinces. This partially explains why political parties, particularly the national parties, are less favorable to local decentralization than the regional parties are (Ali and Mufti 2022, 207). As Ali and Mufti convincingly argue, ‘if political parties were to devolve meaningful fiscal, administrative, and political powers to local governments, the risk of those resources being used against the party are quite high’ (2022, 215). The introduction of various forms of local democracy in Pakistan under military rule supports the argument that military rulers often adopt decentralizing policies as a means of securing national and international legitimacy (Eaton 2006; Falletti 2011). As Eaton has observed, we should question the assumption that ‘authoritarianism [is] an unambiguously centralizing experience’ (2006, 1). However, in Pakistan ‘local-government empowerment has always been combined with the centralization of political power in the hands of the nonrepresentative center’ (Cheema 2006, 273).

8.2 Civilian rule and the role of political parties

Our second hypothesis was that in periods of civilian rule Pakistan experiences decentralization. As Table 2 demonstrated, our hypothesis is only partially confirmed. Although formally civilian regimes have been more decentralized than *direct* military rule, they have not always been more decentralized than presidential military regimes that are attempting to civilianize themselves. Despite the inclusion of a Senate and intergovernmental institutions such as the NEC and CCI, the 1973 constitution, enacted in a period of formal civilian rule after the secession of Bangladesh, was more centralized in the legislative, administrative and fiscal realms than the 1962 constitution introduced by ‘Military President’ Ayub Khan.

Analysts need to ‘grasp the conditions, possibilities, and limitations under which institutions evolve in the subsequent democratic regimes’ (Faletti 2011, 159). However, the 1973 constitution was adopted when the military was weaker than at any previous point in Pakistan’s history having had their ‘myth of military invincibility ... shattered in the swamps of East Bengal’ (Talbot 2009, 222). Although Zulfikar Ali Bhutto had to manage relations with the military carefully, he had a stronger hand than many of his civilian predecessors. Part of the reason for the centralization was the desire to maintain the territorial integrity of Pakistan after the secession of Bangladesh. This was key for policymakers in Islamabad given the border disputes with India and Afghanistan, concerned that too much provincial autonomy would lead to future secessionist demands. However, as Talbot (2009, 229) notes, ‘Bhutto, despite his

often expressed sentiments in favor of federalism, was no more willing to shift power from the center to the provinces than any of his predecessors’.

In terms of the operation of politico-institutional autonomy, our initial hypothesis of greater decentralization under civilian regimes is partly confirmed, particularly regarding the central manipulation of provincial elections. Central manipulation of provincial elections has been much lower under formal civilian rule, reflecting the fact that under Presidents Ayub Khan and Zia-ul-Haq, the elections that were held in 1962 and 1985 were either indirect elections or party-less, while under President Musharraf, the elections of 2002 were severely restricted (Waseem 2006). Although elections in Pakistan under military presidents have been an important part of co-opting elites, these elections are significantly less free and fair than those under civilian leaders (imperfect though those may be). Provinces also possessed slightly more constitutional autonomy in the 1973 constitution (defined as provinces’ autonomy in deciding their own constitutional set up) because they now possessed the power to regulate the appointment and terms of service of provincial civil servants.¹⁵

There are however some important nuances to this picture of politico-institutional autonomy enjoyed under civilian rule. Civilian leaders have also made multiple use of Governor’s Rule (the governor being a central appointee) to dismiss provincial assemblies and chief ministers. Zulfikar Ali Bhutto dismissed them in Baluchistan (1973 and 1975) and NWFP (1975), Benazir Bhutto did so in 1988 and 1994, Nawaz Sharif in 1998, Yousaf Raza Gilani in 2009, and Raja Pervez Ashraf in 2013.¹⁶ As Adeney has noted, Benazir Bhutto’s commitment to increase provincial autonomy as expressed in the Movement for the Restoration of Democracy Declaration in 1986 ‘was conveniently shelved as prime minister in 1988’ (2007a, 150).

Another key development, as previously discussed, against which to test our hypothesis of greater decentralization during civilian rule was the introduction of the 18th Amendment. Because of the abolition of the Concurrent List and the allocation of most of its items to provincial legislative jurisdiction we observe an increase in decentralization across ten legislative and eleven administrative areas as well as an increase in the subjects on which the

¹⁵ The Baluchistan assembly was dismissed between February and April 1973. The annual scores only reflect the situation on 31st December of a given year, so this dismissal is not coded,

¹⁶ These dismissals are captured in the coding of Constituent Units’ institutional autonomy for that year. The Chief Minister of NWFP was dismissed between February-March 1975 and the Chief Minister of Balochistan was dismissed between December 1975-December 1976. The range of scores for this element of the dataset varies between 3-5 for 1975.

Council of Common Interests can adjudicate (Khan 2015a).¹⁷ We also observe a significant increase in fiscal decentralization between 2009 and 2010, from 2.6 to 3.4, accounted for by changes in two of the five areas – public sector borrowing autonomy and reduced restrictions on own-source revenues. The resources available to the provinces have increased because the 7th National Finance Commission Award (NFC) of 2010 allocated 57.5 percent of the divisible pool of taxes to the provinces, compared to 45 percent in the previous award (Adeney 2012, 548). However, this change did not increase the provinces’ fiscal autonomy in our calculations because these finances are transferred from the center.

The decentralization introduced by the 18th Amendment can be explained by several factors, including: 1) unity among political parties; 2) the instrumental desire to obtain support by regionalist parties; 3) the 7th NFC Award. These are all key aspects to be discussed, as they help illuminate processes of decentralization under a civilian regime, a little over two years following the end of military rule. As for the first point, the politics of the 18th Amendment displayed a rare moment of unity among national and provincial political parties. In the 1980s and 1990s, the two major political parties of Pakistan, the Pakistan People’s Party (PPP), established in 1967, and the Pakistan Muslim League (Nawaz) (PML-N), founded in 1988 from a split within the Pakistan Muslim League - had both used (and had been used) by the military to control the political process and remove the other political party’s government from power. At the time of the drafting of the 18th Amendment ‘[t]here was awareness by the leaders of political parties of the dangers of returning to the politics of the 1990s, where politicians co-opted the army to undermine their political opponents’ (Adeney 2012, 546). The Charter of Democracy, agreed in 2006 between former prime ministers, Benazir Bhutto and Nawaz Sharif, pledged the two main parties to accept ‘the due role of the opposition and ... No party shall solicit the support of military to come into power to dislodge a democratic government’ (Dawn 2006). It also committed the parties to abolish the Concurrent List in the Constitution, and that a ‘new NFC award will be announced’ (Dawn 2006).

In addition to the unity of political parties, support from regionalist parties was key for both the PML-N and the PPP, and it paved the way for the introduction of the 18th Amendment. After the election of a PPP-led coalition in 2008, the committee established to amend the constitution allocated smaller (often regionalist) parties more seats than their party strength would allow. The inclusionary terms of reference for the committee, and the requirement of

¹⁷ Although as Zafarullah Khan observes, the CCI has not met its constitutional schedule of meetings requirement and it is notable that provinces have under-used its mechanism to seek redress of their grievances (2015b).

parties to accept the Committee's recommendation (although parties could, and did, submit notes of dissent) produced a reconfiguration of the federal system along lines sought by the non-dominant ethnic groups and their political parties (Adeney 2012). Ali and Mufti report that '...a senior member of the PML-N stated that concessions on provincial autonomy were a means to "pacify the smaller parties"' (2022, 208). Although the PPP had previously committed itself to abolishing the Concurrent List (in 1988 and 2002) the demand had not featured in its 1990, 1993 or 1997 manifestos. In addition, as noted above, Benazir Bhutto as prime minister had deployed Governor's Rule to dismiss governments in Balochistan in 1988 and in NWFP in 1994. It therefore seems likely that the need to secure support from the regionalist parties was the prime cause of the commitment to the extensive decentralization, rather than delivering on a long-standing PPP commitment.

Finally, agreement between the two national parties was only possible because of the sequencing of an agreement on the *increased* allocation of resources from the center to the provinces in the 7th NFC Award. The fact that all provinces would secure more financial revenue from the center placated the PML-N, with their base in the most powerful and populous province, Punjab, and enabled them to make concessions to the regionalist parties representing the smaller provinces. The NFC Award was agreed and signed a few months *before* the committee's recommendations on constitutional reform were published – and ultimately passed into Constitutional Law as the 18th Amendment. As Ali and Mufti note '[i]ncreased fiscal transfers to the provinces as determined by the 7th National Finance Commission Award 2010 were locked in by inserting Article 160 (3A) which states that the provincial share of the Award cannot be less than their share the previous year' (2022, 204-5). Various explanations have been advanced for the successful passage of the 18th Amendment (Adeney 2012, 547, Shah 2014, 1017, Boni 2019, 60) despite it rolling back the constitutional amendments of General Musharraf and threatening the military's budget (Jahangir 2010). The fact that political parties were able to present a united front following the Charter of Democracy ensured the military were not able to prevent its passage, despite attempts to derail the process through supporting the 19th Amendment to the constitution.

8.3 Crises and centralization

The final hypotheses we sought to test was whether centralizing steps occurred in the wake of security or economic threats. Given that Pakistan and India fought four fully fledged conflicts in 1948, 1965, 1971, and 1999 and Pakistan has been the recipient of 22 IMF loans, Pakistan is an important case to investigate this hypothesis.

Our first hypothesis was that one year after a crisis¹⁸ we would expect to see levels of centralization significantly¹⁹ increase across measures of politico-institutional autonomy. However, contrary to our hypothesis, there is no consistent pattern. In 1969²⁰ we observe significant centralization in the levels of provincial institutional autonomy, moving from a 3 (elected legislature and centrally-appointed chief executive) to a 1 (no provincial legislature and centrally appointed chief executive) because of the imposition of direct military rule in 1969. This was in response to growing (and vocal) public discontent at the economic slowdown, the concentration of economic power in the hands of a few families, and Bengali dissatisfaction with the constitution (Talbot 2009, 181-2). But at the same time, we observe two changes in the *opposite* direction than hypothesized, with the constitutional autonomy of the provinces significantly *increasing* in 1973 because of the changes in the 1973 constitution (after an IMF loan in 1972), and in 2002 across all three politico-institutional measures following the move from a direct to a military presidential regime. Our second hypothesis was that *two* years after a crisis we would expect to see levels of centralization increase across the legislative, administrative and fiscal realms. We again observe no consistent pattern here. There are instances of significant legislative centralization (in 1970, 1974 and 1999) but also decentralization (1973 and 2003). We do not observe any significant fiscal or administrative differences.

Despite the evidence not directly supporting the hypotheses, it is important to note that the omnipresence of India as a security challenge (which extends far beyond the war-time points) has led to a sense of insecurity (Fair 2014). This insecurity has placed the army at the center of politics, either directly or indirectly, and it has sustained high levels of centralization. This impact has been greater than in India, which managed greater civilian control over its armed forces (Wilkinson 2015) and only saw ‘modest centralizing effects’ through the declaration of national emergencies during wars (Singh 2019, 129).

While it is true that there is little direct support for the hypotheses, the most recent economic crisis, requiring an IMF bailout, has led to external pressure to centralize by reversing the 18th Amendment and the 7th NFC, a development that is separate from military pressure to roll back the Amendment (Imaduddin 2018). The military has concerns that its budget is threatened by the increased resources allocated to the provinces (Husain 2018), particularly in

¹⁸ Defined as one of the four wars or taking out an IMF loan.

¹⁹ Defined as the code moving categories, e.g., from 2 to 3.

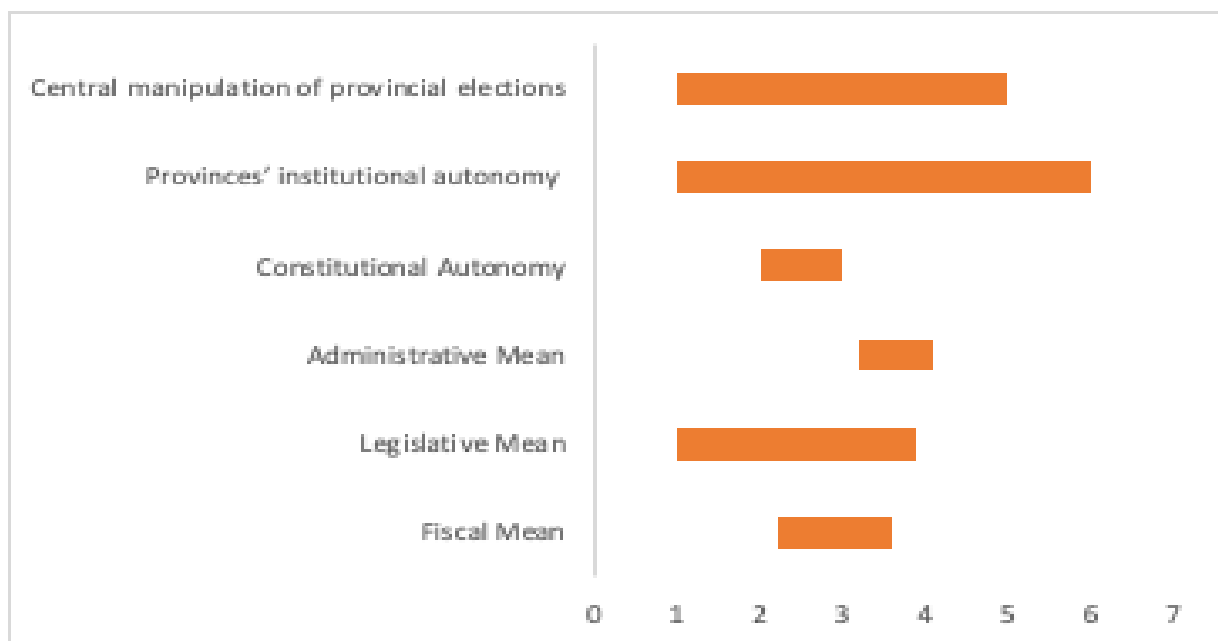
²⁰ Pakistan took out an IMF loan in 1968. The Pakistan economy had experienced a slowdown ‘in the wake of the decline of foreign investment following the 1965 war with India’ (Talbot 2009, 171).

the context of providing more security for projects under the China Pakistan Economic Corridor (Boni and Adeney 2020, 464). To date, however, the Amendment stands.

9. Conclusion

Despite adopting three different constitutions since independence²¹ Pakistan has seen remarkable continuity in the administration of policy, its fiscal provisions and the levels of constitutional autonomy of its provinces as can be seen in Figure 4.

Figure 4: the range of scores 1956-2020.



More variation has been seen in the levels of provincial institutional autonomy, in the central manipulation of provincial elections and in the extent of legislative autonomy. The variation in the latter can be explained by the fact that under direct military rule provincial legislatures have tended to be abolished. Once the military assume the ‘elected’ presidency or there is a return to formal civilian rule, the autonomy of the provincial legislatures increases, although only to the levels of ‘predominantly central government’ over policy control at its highest. Although the 18th Amendment is rightly seen as an historic decentralizing achievement, it is important to note that this was from a centralized starting point, as these revisions were to the most

²¹ Plus an interim 1972 constitution.

centralized constitution in Pakistan's history.²² Civilian rule has not always advanced decentralization, as demonstrated by the 1973 constitution under Zulfikar Ali Bhutto. Nevertheless, we do acknowledge that the decentralization changes introduced by the 18th Amendment came at an unprecedented time of civilian unity against the military (and that the military is seeking to roll back this amendment as they see their own privileges threatened). In March 2018, the Chief of Army Staff, General Bajwa, labeled the 18th Amendment as 'more dangerous than Six Points of Sheikh Mujib' (considered in Pakistan to be the prelude to the secession of Bangladesh) (Warrach 2018). However, now that these changes have been embedded in the constitution, it will be more difficult to change the constitution without the imposition of formal military rule.

The stor(ies) of de/centralization in Pakistan's federal system confirm the importance of military intervention, as any observer of Pakistan's politics would expect. Although our data do not confirm a linear association between Indo-Pakistani conflicts and greater centralization, tense relations with India represent an (almost) constant element. This, together with the weakness of political parties in Pakistan (Adeney and Wyatt 2004, 11), facilitated the army's emergence (and continuation) as one of the country's most powerful institutions. Significantly however, our findings in this area are nuanced, as we find that after a period of direct military rule, military presidents, seeking internal and external legitimacy through 'civilianization' have increased provincial autonomy, especially in the legislative area. At the same time, these military presidents have attempted to bypass and undermine the provinces, through introducing (centrally dependent) local government structures.

Beyond the dynamics discussed in the article related to Pakistan, the findings presented here contribute to the wider literature on decentralization in hybrid regimes. Our analysis revealed that while centralization increases because of direct military intervention in politics, and especially under periods of martial law, there are important nuances that need to be considered. First, contrary to some of the widely held assumptions in the literature on military regimes and centralization, we have found that under military presidents, provincial legislative autonomy is higher than under direct military rule. Second, we also highlighted, (as seen in 1973), that periods of civilian rule do not necessarily equate with greater decentralization.

²² Although it is important to note that both General Zia-ul-Haq and General Musharraf further centralized the constitution through various amendments.

Overall, despite the changes made by the 18th Amendment Pakistan remains relatively centralized. This is not to belittle the major changes that were made in 2010, which have been sustained despite external (IMF) and internal (military) pressure. Should there be another formal coup, we would confidently predict a re-centralization of the constitution. At the time of writing however, the federal hybrid regime continues.

Acknowledgments

The authors would like to thank the four anonymous referees, the participants of the International Political Science Association Conference in 2021 and the other academics involved in the de/centralization project (particularly Paolo Dardanelli and John Kincaid) for their valuable feedback and suggestions on previous versions of the paper. We are especially grateful to Asma Faiz, Maryam Khan and Zafarullah Khan for providing comments on an earlier draft of the article and the codebook, Sameen Ali Mohsin for her advice on fiscal de/centralization and to Zafarullah Khan for his advice on locating relevant legislation, sharing manifestos as well as addressing various other queries. All errors are, of course, the authors' own. They would also like to thank the Leverhulme Trust (grant no. IN-2013-044), FAPESP - The Sao Paulo Research Foundation, the James Madison Charitable Trust, and the Forum of Federations for funding the project.

References

- Adeney, Katharine. 2002. "Constitutional centring: nation formation and consociational federalism in India and Pakistan." *Commonwealth and Comparative Politics* 40 (3):8-33.
- Adeney, Katharine. 2007a. *Federalism and ethnic conflict regulation in India and Pakistan*. Basingstoke: Palgrave Macmillan.
- Adeney, Katharine. 2007b. "Democracy and Federalism in Pakistan." In *Federalism in Asia*, edited by Baogang He, Brian Galligan and Takashi Inoguchi, 101-123. Cheltenham: Edward Elgar.
- Adeney, Katharine. 2009. "The limitations of non-consociational federalism - the example of Pakistan." *Ethnopolitics* 8 (1):87-106.
- Adeney, Katharine. 2012. "A Step Towards Inclusive Federalism in Pakistan? The Politics of the 18th Amendment." *Publius* 42 (4):539-65.
- Adeney, Katharine. 2017. "How to understand Pakistan's hybrid regime: the importance of a multidimensional continuum." *Democratization* 24 (1):119-137. doi: 10.1080/13510347.2015.1110574.
- Adeney, Katharine, and Andrew Wyatt. 2004. "Democracy in South Asia: Getting Beyond the Structure-Agency Dichotomy." *Political Studies* 52 (1):1-18.
- Ahmed, S J. 1990. *Federalism in Pakistan: A constitutional study*. Karachi: Pakistan Study Centre, University of Karachi.

- Ali, Sameen A Mohsin, and Mariam Mufti. 2021. "Political Parties and Decentralization in Pakistan." *Publius: The Journal of Federalism* 52 (2):201-224. doi: 10.1093/publius/pjab037.
- Aslam, Ghazia. 2019. "Decentralization reforms in dictatorial regimes as a survival strategy: Evidence from Pakistan." *International Political Science Review* 40 (1):126-42. doi: 10.1177/0192512117712177.
- Balochistan Laws. n.d. <https://balochistan.gov.pk/acts-rules-and-regulation/> Last accessed on July 8 2022.
- Baxter, Craig. 1974. "Constitution Making: The Development of Federalism in Pakistan." *Asian Survey* 14 (12):1075-85.
- Bhattacharyya, Harihar. 2020. *Federalism in Asia: India, Pakistan, Malaysia, Nepal and Myanmar*, Routledge.
- Boni, Filippo. 2019. *Sino-Pakistani Relations. Politics, Military and Regional Dynamics*, Abingdon: Routledge.
- Boni, Filippo, and Katharine Adeney. 2020. "The Impact of the China-Pakistan Economic Corridor on Pakistan's Federal System: The Politics of the CPEC." *Asian Survey* 60 (3):441-65. doi: 10.1525/as.2020.60.3.441.
- Brownlee, Jason. 2009. "Portents of Pluralism: How Hybrid Regimes Affect Democratic Transitions." *American Journal of Political Science* 53 (3):515-532.
- Capoccia, Giovanni, and R. Daniel Kelemen. 2007. "The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism." *World Politics* 59 (3):341-69. doi: 10.1017/S0043887100020852.
- Cheema, Ali, Asim Ijaz Khwaja, and Adnan Qadir. 2006. "Decentralization in Pakistan: Context, Content and Causes." In *Decentralization and Local Governance in Developing Countries* Eds. Pranab Bardhan and Dilip Mookherjee MIT Press, 2006, pp. 257-284.
- Choudhury, Golam Wahed. 1969. *Constitutional Development in Pakistan*. 2nd ed. London: Longman.
- Coppedge, Michael, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, Nazifa Alizada, David Altman, et al. 2021. "V-Dem [Country–Year/Country–Date] Dataset v11.1 " Varieties of Democracy Project. <https://doi.org/10.23696/vdemds21>.
- Dardanelli, Paolo, John Kincaid, Katharine Adeney, Filippo Boni, Santiago Lacroix, Lorena Moscovich, Juan Cruz Olmeda, Rogerio Schlegel, and Rotimi Suberu. 2022. "Democracy, Authoritarianism and De/Centralization in Federations: A Comparative, Long-Term Approach." *Regional and Federal Studies*.
- Dardanelli, Paolo, John Kincaid, Alan Fenna, André Kaiser, André Lecours, and Ajay Kumar Singh. 2019. "Conceptualizing, Measuring, and Theorizing Dynamic De/Centralization in Federations." *Publius: The Journal of Federalism* 49 (1):1-29. doi: 10.1093/publius/pjy036.
- Dawn. 2006. "Text of the Charter of Democracy." *Dawn* (May 16): <https://www.dawn.com/news/192460/text-of-the-charter-of-democracy>.
- Eaton, Kent. 2006. "Decentralization's Nondemocratic Roots: Authoritarianism and Subnational Reform in Latin America." *Latin American Politics and Society* 48 (1):1-26. doi: 10.1111/j.1548-2456.2006.tb00336.x.
- Fair, C. Christine. 2014. *Fighting until the End: The Pakistan Army's Way of War*: OUP.
- Faiz, Asma. 2021. *In Search of Lost Glory: Sindhi Nationalism in Pakistan*: Hurst.
- Faiz, Asma, ed. 2015. *Making Federation Work: Federalism in Pakistan After the 18th Amendment*. Karachi: Oxford University Press.
- Falleti, Tulia G. 2011. "Varieties of Authoritarianism: The Organization of the Military State and its Effects on Federalism in Argentina and Brazil." *Studies in Comparative International Development* 46 (2):137-62. doi: 10.1007/s12116-010-9077-5.

- Friedman, Harry J. 1960. "Pakistan's Experiment in Basic Democracies." *Pacific Affairs* 33 (2):107-25. doi: 10.2307/2752939.
- Gandhi, Jennifer. 2008. *Political Institutions Under Dictatorship*. New York: Cambridge University Press.
- Gandhi, Jennifer, and Ellen Lust-Okar. 2009. "Elections Under Authoritarianism." *Annual Review of Political Science* 12:403-22.
- Government of Pakistan. 1951. *Census of Pakistan, 1951 Vol.1: Reports and Tables*. Karachi: Manager of Publications, Government of Pakistan.
- Husain, Khurram. 2018. "Reversing the 18th Amendment?" *Dawn* 22 March 2018.
- Imaduddin. 2018. "Pakistan not to bow to IMF dictates: Rabbani." *Business Recorder* 15 February 2018.
- IMF. n.d. International Monetary Fund: Pakistan <https://www.imf.org/en/Countries/PAK>
- International Crisis Group. 2004. "Devolution in Pakistan: Reform or Regression?" In *Asia Report N°77 22 March 2004*, 1-43. Islamabad/Brussels.
- Jahangir, Asma. 2010. "Strengths and Pitfalls." *Dawn* April 16.
- Jalal, Ayesha. 1999. *The state of martial rule: the origins of Pakistan's political economy of defence*. Lahore: Sang-e-Meel Publications.
- Jamil, Sara (2014) "Impact of Justiciability of the Right to Education on its Enforcement in India and Pakistan", *LUMS Law Journal* 1(1), pp. 65-85.
- Khan, Maryam. 2014a. "Ethnic federalism in Pakistan: Federal Design, construction of ethno-linguistic identity and group conflict." *Harvard Journal on Racial and Ethnic Justice* 30, pp.77-129.
- Khan, Maryam S. 2014b. "Genesis and Evolution of Public Interest Litigation in the Supreme Court of Pakistan: Toward a Dynamic Theory of Judicialization." *Temple International & Comparative Law Journal* 28 (2):285-359.
- Khan, Zafarullah. 2015a. 'Future of Pakistani Federation: A Case Study of the Council of Common Interests.' In *Making Federation Work: Federalism in Pakistan After the 18th Amendment*. Ed. Faiz, Asma Karachi: Oxford University Press, pp. 146-160.
- Khan, Zafarullah. 2015b. 'End of the Devolution Dream?' *Newsline* <https://newslinemagazine.com/magazine/end-of-the-devolution-dream/>
- Khyber Pakhtunkhwa Laws. n.d. <http://kpcode.kp.gov.pk> Last accessed July 8 2022.
- Lipset, Seymour Martin, and Stein Rokkan. 1967. *Party Systems and Voter Alignments: cross national perspectives*. New York & London: Free Press & Macmillan.
- Lührmann, A, M Tannenberg, and S Lindberg. 2018. "Regimes of the World (RoW): Opening New Avenues for the Comparative Study of Political Regimes." *Politics and Governance* 6 (1):60-77. doi.org/10.17645/pag.v6i1.1214.
- Malik, Rahat Zubair. 2020. "Parliamentary System and Framing of the 1973 Constitution: Contest between Government and Opposition inside the National Assembly." *Pakistan Perspectives* 25 (29-47).
- Maniruzzaman, T. 1967. "National Integration and Political Development in Pakistan." *Asian Survey* 7 (12):876-85.
- Morgenbesser, Lee. 2013. "Elections in Hybrid Regimes: Conceptual Stretching Revived." *Political Studies* 62 (1):21-36.
- Niazi, Hassan. 2020. "The 18th Amendment and the Supreme Court." *The Express Tribune* <https://tribune.com.pk/story/2224292/18th-amendment-supreme-court>.
- Noorani, A. G. 1977. "Anatomy of Repression." *Economic and Political Weekly* 12 (26):1016-1018.
- Pakistan Code. n.d. <http://pakistancode.gov.pk> Last accessed July 8 2022.
- Punjab Laws. n.d. <http://www.punjablaws.gov.pk> Last accessed July 8 2022
- Rabbani, Mian Raza. 2016. *Biography of Pakistani Federalism: Unity in Diversity. A revised new edition*. Islamabad: Leo Books.

- Rafi Khan, Shahrukh, and Ashfaq Sadiq. 2000. Costing the National Reconstruction Bureau's Local Government Plan. SDPI.
- Rana, Muhammad Ahsan. 2020. "Decentralization Experience in Pakistan: The 18th Constitutional Amendment." *Asian Journal of Management Cases* 17 (1):61-84. doi: 10.1177/0972820119892720.
- Riaz, Jawwad, Ali Nawaz Khan, and Zaheer Iqbal Cheema. 2020. "Revisiting the Eighteenth Constitutional Amendment: Obscurities and Prospects." *Pakistan Social Sciences Review* 4 (509-521).
- Riker, W. 1964. *Federalism, origin, operation, significance*. Boston: Little Brown Company.
- Rizvi, Hasan-Askari. 2000. *Military, state and society in Pakistan*. Basingstoke: Macmillan.
- Samad, Y. 1995. *A Nation in turmoil: Nationalism and ethnicity in Pakistan 1937-1958*. New Delhi: Sage Publications.
- Sayeed, Khalid Bin. 1954. "Federalism and Pakistan." *Far Eastern Survey* 23 (9):139-43.
- Seidle, Leslie and Khan, Zafarullah. 2012. "Federalism and Eighteenth Amendment. Challenges and Opportunities for Transition Management in Pakistan," UNDP, Islamabad.
- Shah, Aqil. 2014. "Constraining consolidation: military politics and democracy in Pakistan (2007–2013)." *Democratization* 21 (6):1007-33. doi: 10.1080/13510347.2013.781586.
- Shah, Anwar. 2010. "Empowering States and Provinces or Unshackling Local Governments: Does It Matter for Peace, Order, Good Government, and Growth?" *The Pakistan Development Review* 49 (4):333-357.
- Shah, Anwar. 2012. Making Federalism Work : The 18th Constitutional Amendment. In *World Bank Policy Paper Series on Pakistan*. Washington, DC: World Bank.
- Shahid, Zubair. 2015. "Federalism in Pakistan: Of Promises and Perils." *Perspectives on Federalism* 7 (1):117-45.
- Sharma, Jai Prakash. 1987. *Federal Systems of India and Pakistan: A Comparative Perspective*. Jaipur: Printwell.
- Siddiqi, Farhan Hanif. 2012. *The politics of ethnicity in Pakistan: The Baloch, Sindhi and Mohajir ethnic movements*: Routledge.
- Sindh Laws. n.d. <http://www.sindhlaws.gov.pk> Last accessed 8 July 2022.
- Singh, Ajay Kumar. 2019. "Dynamic De/Centralization in India, 1950–2010." *Publius: The Journal of Federalism* 49 (1):112-37. doi: 10.1093/publius/pjy022.
- Stepan, A. 1999. "Federalism and Democracy: Beyond the US Model." *Journal of Democracy* 10 (4):19-34.
- Talbot, Ian. 1982. "The Growth of the Muslim League in the Punjab, 1937-1946." *Journal of Commonwealth and Comparative Politics* 13 (1):5-24.
- Talbot, Ian. 2009. *Pakistan: A modern history. Third Edition*. Third Edition ed. London: Hurst and Company.
- Tunio, F. H. & Nabi, A. 2021. "Political decentralization, fiscal centralization, and its consequences in case of Pakistan." *Cogent Social Sciences*, 7:1, DOI: 10.1080/23311886.2021.1924949
- Warraich, Suhail. 2018. "The Bajwa Doctrine: from chauvinism to realism " *The News* 18 March 2018 (12 February 2020).
- Waseem, Mohammad. 2011. "Pakistan: A Majority-Constraining Federalism." *India Quarterly* 67 (3):213-228.
- Watts, Ronald L. 2007. Multinational federations in comparative perspective. In *Multinational federations*, eds. M. Burgess and J. Pinder, 225–247. Abingdon: Routledge.
- Wilkinson, Steven. 2015. *Army and Nation: The Military and Indian Democracy since Independence*. Cambridge, MA.: Harvard University Press.