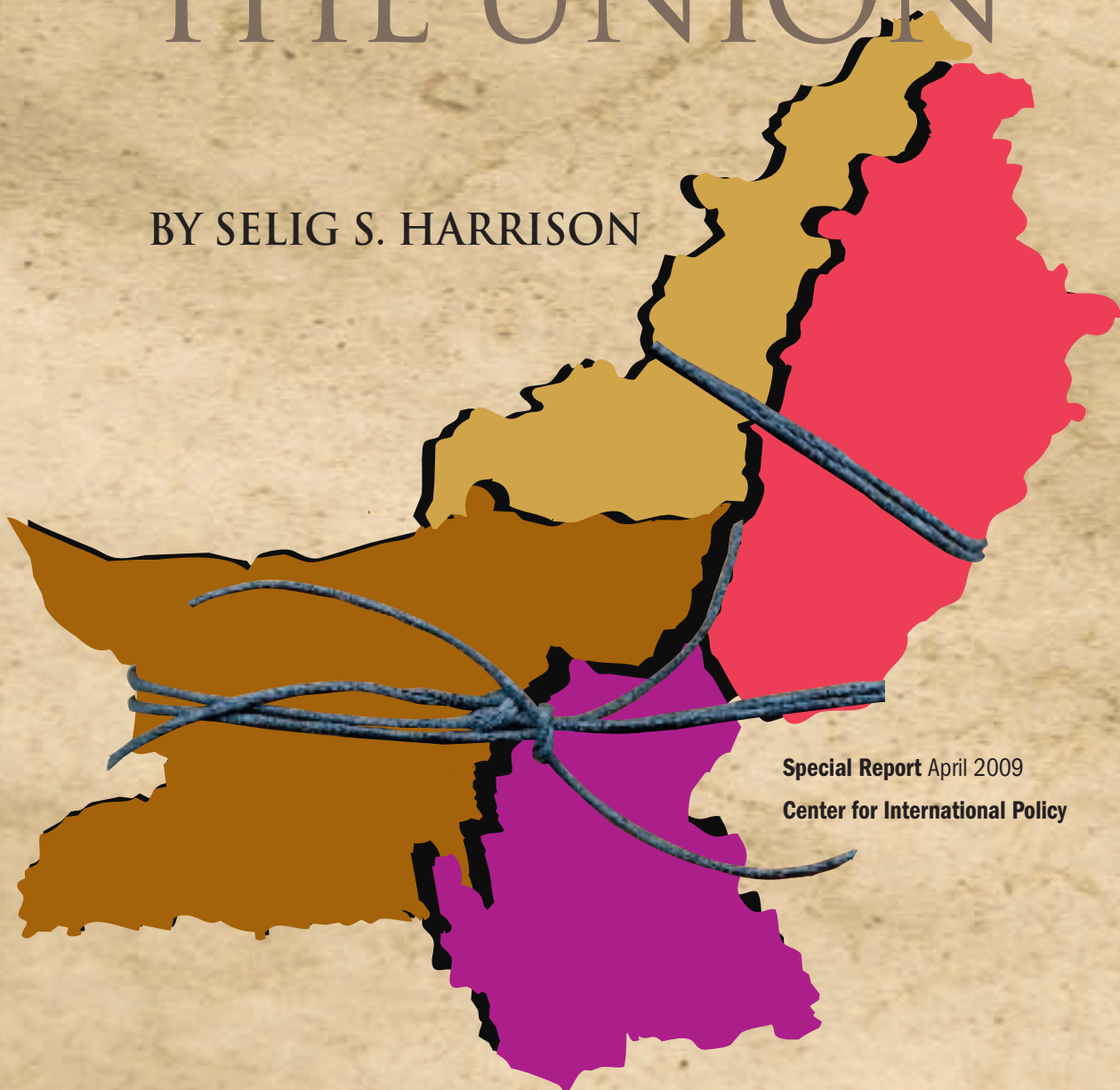


PAKISTAN THE STATE OF THE UNION

BY SELIG S. HARRISON



Special Report April 2009

Center for International Policy

Pakistan

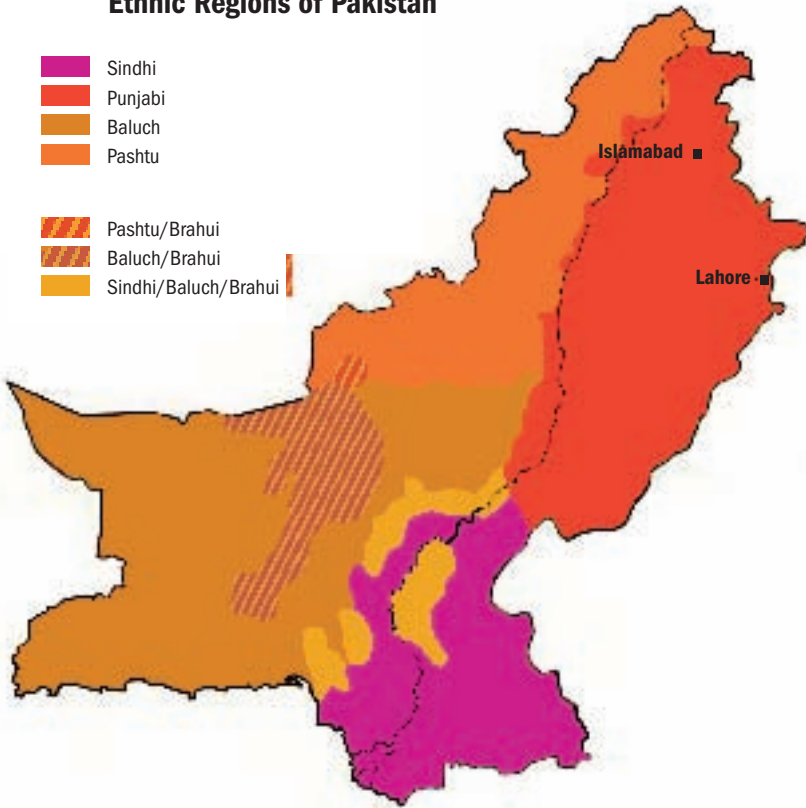
- International boundary
- Province level boundary
- National capital
- Province level capital
- Railroad
- Road

Area of Pakistan occupying Northern Areas is under administration of Pakistan but does not have provincial status

50 100 200 Kilometers

Ethnic Regions of Pakistan

- Sindhi
- Punjabi
- Baluch
- Pashtu
- Pashtu/Brahui
- Baluch/Brahui
- Sindhi/Baluch/Brahui



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The Center for International Policy
is a nonprofit educational and research
organization whose mission is to promote
a U.S. foreign policy based on international
cooperation, demilitarization and respect
for basic human rights

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Foreword

Pakistan is viewed in U.S. foreign policy debates almost entirely in terms of the terrorist threat posed by the growing Islamist forces there to the international community, to Afghanistan, and to the stability of the Pakistani state. This single-minded focus ignores a broader and more fundamental issue that cuts across the struggle between Islamist and secular forces: whether the multi-ethnic Pakistan federation, torn by growing tensions between a dominant Punjabi majority and increasingly disaffected Baluch, Sindhi and Pashtun ethnic minorities, can survive in its present form without basic political and economic reforms.

The Center for International Policy, with support from the Ploughshares Fund, sponsored an expert study on “Ethnic Minorities and the Future of Pakistan” to assess the grievances of the minorities, the posture of the Pakistan central government toward them, past and present, and the impact of U.S. policies on how Islamabad has managed ethnic tensions, especially the armed Baluch insurgency in the southwest and Pashtun-Punjabi tensions that are exploited by Islamist forces in the Pashtun tribal areas bordering Afghanistan.

The study has been conducted by Selig S. Harrison, director of the Center’s Asia Program and a leading authority on ethnic issues in Pakistan. Mr. Harrison is the author of *In Afghanistan’s Shadow*, a definitive study of Baluch nationalism published by the Carnegie Endowment for International Peace. In his deliberations, he has been assisted by an Advisory Committee consisting of prominent U.S. experts and representatives of the ethnic minorities. The Committee met on October 3, October 28 and December 1, 2008, and was addressed by Donald Camp, Senior Director for South Asia in the National Security Council; Jonah Blank, Senior Advisor for South Asia and Central Asia, Senate Foreign Relations Committee; and Mowahid Shah, a former

Minister in the Punjab Cabinet and Special Assistant to the Punjab Chief Minister.

The initial draft of this report was submitted to the Advisory Committee members and the author has benefited from their criticisms and suggestions.

However, the author alone is responsible for what follows.

The report makes detailed recommendations for changes in the Pakistan central government's posture toward the minorities and explains why U.S. policy adjustments designed to encourage these changes would serve both long-term U.S. interests and immediate U.S. objectives in the embattled Pashtun areas. The Center believes that the special report and the three background papers published herein will help to enrich understanding of a critical and neglected dimension of the tumultuous events now unfolding in Pakistan.

Ambassador ROBERT E. WHITE

President, Center for International Policy

Introduction

Musharraf, Justice Chaudhry and the ‘Disappearances’

The central importance of ethnic tensions in the political struggles now unfolding in Pakistan was dramatically exemplified by the 22-month tug of war between former President Pervez Musharraf and the Supreme Court that culminated in his imposition of emergency rule and his dismissal of Chief Justice Iftikhar Muhammad Chaudhry on November 3rd, 2007.

It was his ouster of the Chief Justice that touched off the protracted political crisis leading to his resignation as President on August 18, 2008. In his declaration of emergency rule, Musharraf charged that the Court was “working at cross purposes with the Executive and the Legislative in the fight against terrorism.” But as an exhaustive investigation by Amnesty International has shown, “the Pakistan government has used the rhetoric of fighting ‘terrorism’ to attack its internal critics” and to justify large-scale “enforced disappearances” in which “activists pushing for greater regional ethnic and regional rights... and greater access to provincial resources” in Baluchistan and Sindh were branded as terrorists and “arbitrarily detained, denied access to lawyers, families and courts and held in undeclared places of detention run by Pakistan’s intelligence agencies, with the government concealing their fate or whereabouts” (*Denying the Undeniable: Enforced Disappearances in Pakistan, Amnesty International, July, 2008*). The United States, declared the Amnesty report, “condoned, or acquiesced in, these enforced disappearances” as part of ongoing intelligence cooperation in which Pakistani intelligence agencies round up and incarcerate alleged terrorists identified by the two governments.

Although the precise number of the “enforced disappearances” has not yet been authoritatively established, the post-Musharraf civilian government elected in 2008

announced that it has a list of 1,102 from Baluchistan alone, roughly the number of such cases confirmed in Augusto Pinochet's Chile. The Human Rights Commission of Pakistan did not estimate the total of disappearances throughout Pakistan but cited evidence of 600 cases in Baluchistan. The Governor of Baluchistan said that his records showed more than 900 Baluch cases, and Baluch groups put the number in thousands. What brought Musharraf and Chaudry into conflict was the Chief Justice's belated effort to stop Pakistani intelligence agencies from carrying out disappearances and his announced intention, shortly before his dismissal, to prosecute the intelligence officials responsible.

Chaudhry, a Punjabi, was sensitive to the tensions between Punjabis, on the one hand, and Baluch and Sindhis on the other. He served as a judge and later Chief Justice of the Baluchistan High Court for ten years. Having spent part of his youth in the Sangar district of Sindh, where there are substantial Punjabi settlements, he speaks Sindhi.

Initially, when large-scale disappearances began, they had attracted little attention. Baluch and Sindhi leaders flooded the media with lists of missing activists and their families but received no coverage. Then, in December 2005, Dawn made the case of a Lahore businessman, Masood Janjua, a cause célèbre.

The families of the missing persons, aided by human rights groups that were in turn encouraged by Chaudhry, soon began to file well substantiated Supreme Court petitions. More and more hearings were held to review specific cases. By October 2006, 458 cases were pending before the Court and 186 persons had been traced, leading in some instances to their release or relocation to an identified detention center. Finally, in early October, 2007, with the pace of hearings intensifying, Chaudhry had made increasingly explicit statements that he planned to summon the heads of the intelligence

agencies to testify and would take legal action against them if warranted. His last hearing on “disappearances” was held on November 1, 2007, three days before his dismissal.

To be sure, a variety of factors contributed to Musharraf’s confrontation with Chaudhry and his proclamation of the Emergency. One of these was his fear that the Chief Justice planned to put legal obstacles in the way of his re-election. Another was Chaudhry’s intervention to stop a plan for the privatization of the government-owned Karachi Steel Mills in which Musharraf and Prime Minister Shaukat Aziz were accused of accepting kickbacks. Still another was Musharraf’s insensitivity to the depth of public disgust with his perceived role as a U.S. puppet and thus his failure to anticipate the upheaval that the Emergency would touch off. All of these factors were part of the backdrop against which the drama leading up to the Emergency was played out. What dominated center-stage, however, was Chaudhry’s challenge to Musharraf on the “disappearances”, which involved two inter-related national security issues of unusual sensitivity: the armed Baluch insurgency against the Musharraf regime, and the covert intelligence alliance with the United States.

The triumphal reinstatement of Chaudhry as Chief Justice on March 21, 2009, came at a time when the new civilian government elected in 2008 had not yet taken any of the difficult steps that would be necessary to ease ethnic tensions in Pakistan. But it provided a dramatic and heartening demonstration that a powerful democratic political consciousness is growing in Pakistan and that the slide to Balkanization now taking place can be arrested if the autonomy provisions of the 1973 Constitution are respected and strengthened.



Overview

THIS REPORT FOCUSES ON FOUR KEY ISSUES:

I. Why is ethnic conflict in Pakistan so deep rooted and intractable?

II. In the absence of the economic and constitutional reforms sought by the Baluch, Sindhi and Pashtun minorities, is the eventual breakup of Pakistan likely?

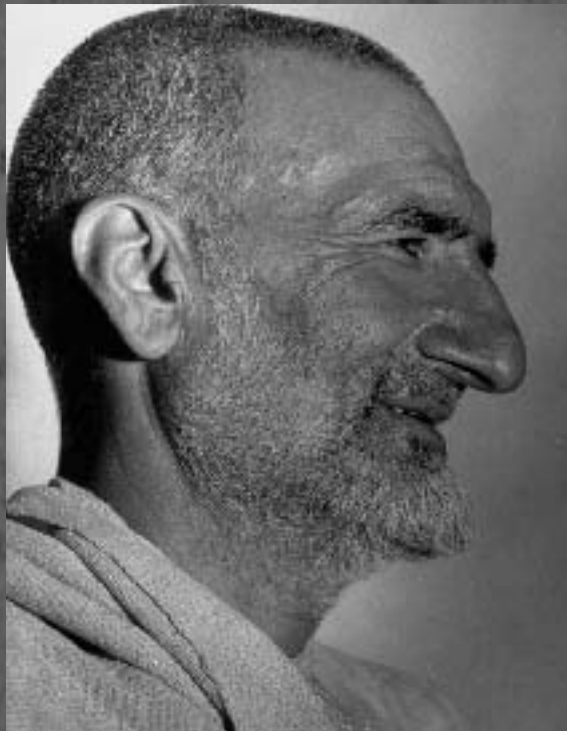
- Will the Baluch insurgency succeed in establishing a sovereign, independent Baluchistan, or a sovereign, independent Baluch-Sindhi federation, embracing all or parts of the existing Pakistani provinces of Baluchistan and Sind?

- Will continuing turbulence in the contiguous war-torn Pashtun areas of Pakistan and Afghanistan lead to a revival of the movement for an independent Pashtunistan straddling the disputed boundary between the two countries?

III. What are the principal grievances voiced by the minorities, and how have successive Pakistan central governments, including the present one, responded to them?

IV. How do U.S. policies affect ethnic conflicts in Pakistan, and how would U.S. interests in Pakistan, India, Afghanistan and Iran be affected by the growth of ethnic separatism?

After assessing these issues, the report presents recommendations for economic and constitutional reforms in Pakistan and for changes in U.S. policies in Pakistan that have exacerbated ethnic conflict.



Khan Abdul Ghaffar Khan, the father of Pashtun nationalism, who opposed the British transfer of the conquered Pashtun areas of the British Raj to the new state of Pakistan in 1947 and advocated an independent "Pashtunistan." His grandson, Asfandiyar Wali Khan, is the leader of the Awami National Party, which won all 10 National Assembly seats in the Pashtun Northwest Frontier Province in the 2008 Pakistan elections and is now the governing party in the Province.

I. History and Ethnic Tensions

History explains why ethnic tensions are built into the political fabric of Pakistan. The Pakistani state that emerged from the 1947 Partition of British India put together warring ethnic groups that had never before been united in the same polity prior to the arrival of the British. After resisting Punjabi incursions into their ancestral homelands for centuries, the Baluch, Sindhis and Pashtuns found themselves trapped in a political structure dominated by a Punjabi majority that controlled both the armed forces and key political institutions.

The Muslim League movement that led to the creation of Pakistan originated in the Muslim areas of pre-Partition India, not in the areas that were to constitute Pakistan, where the Baluch, Pashtuns and Sindhis live. Neither the Baluch nor the Pashtuns supported the Pakistan movement. The Muslim League sought unsuccessfully to win them over by pledging in its Lahore Resolution of March 23, 1940, that the projected Pakistani state would be a confederation in which the constituent units would be “autonomous and sovereign” and central government powers would be limited to defense, foreign affairs, foreign trade, communications and currency. But the Baluch fought militarily against their incorporation into Pakistan until the Pakistan Army occupied Baluchistan in 1958, and they have subsequently waged three insurgencies to win the autonomy promised in the Lahore Resolution or, failing that, independence.

The Pashtuns on the British-controlled side of the disputed Durand Line boundary with Afghanistan became a part of Pakistan after a controversial 1947 referendum in the Northwest Frontier Province (NWFP) administered under the control of British colonial authorities who openly favored the accession of the province to Pakistan. Out of 572,799 eligible voters, only 292,118 voted. This was because the referendum was boycotted by many Pashtuns. The Pashtun parties that had overwhelmingly won the 1946 provincial elections wanted the referendum to

include the option of an independent “Pashtunistan” in addition to a choice between India and Pakistan. The leaders of these parties were imprisoned prior to the referendum and their newspapers banned after their “Bannu Declaration” calling for “Pashtunistan” on June 22, 1947. Out of those Pashtuns who did vote in tribal gatherings convened by the British authorities, all but 2,894 voted for Pakistan. Thus the issue was decided by 50.5 percent of the eligible electorate amid charges of blatant rigging that still resonate today.

In contrast to the Baluch and the Pashtuns, some Sindhis did support the Moslem League, and Sind was incorporated into Pakistan peacefully. But Sindhi discontent soon erupted not only in response to Punjabi domination of the new Pakistan central government, as such, but also because Punjabi rule was buttressed in Sind by an alliance with leaders of the Urdu-speaking Muslim immigrants from India, known as *Muhajirs*, who gravitated to Karachi and other Sindhi urban centers and soon challenged Sindhi control of local institutions. To neutralize Sindhi power, successive central governments have encouraged Pashtun and Punjabi migration to Karachi, and the Sindhis have responded by forging a political alliance with Baluch settlers in the province.

Significantly, although the Baluch, Sindhis, and Pashtuns comprise only 33 percent of the population, they identify themselves historically with ethnic homelands that constitute 72 percent of Pakistan’s territory. To proponents of Pakistani nationalism, it is galling that the minorities should advance proprietary claims over such large areas of the country despite their numerical inferiority. But to most members of the minorities, the disparity between their population and their territorial claims is irrelevant, since they equate “Pakistan” with the Punjabis and Muhajirs, who are perceived as having occupied and annexed their territories forcibly without their consent.

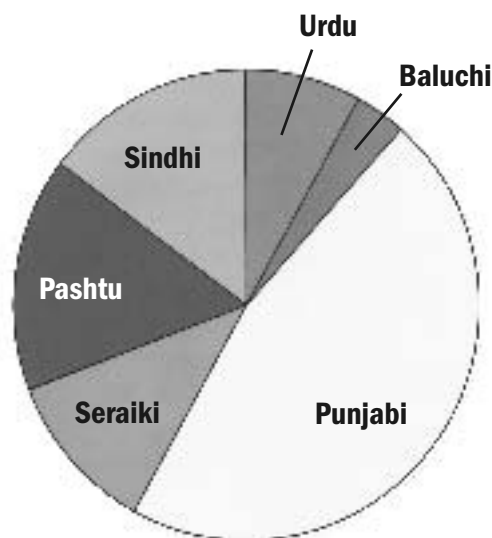
This perception of the Pakistani state as an occupying power has been most pronounced in the case of Baluchistan, where Army and Air Force garrisons have steadily expanded. The location of the garrisons (Kohlu, Sui, Gwadar, Dera Bugti, Quetta, Khuzdar and Sibi) makes clear that they are not there to protect border security but rather to forestall and subdue insurgent activity. From 1973 to 1977, some 80,000 Pakistani troops were needed to defeat insurgent forces; in 2005, six Army brigades were needed, plus paramilitary forces totaling more than 25,000 men. To deal with a Sindhi uprising in August, 1983, 45,000 troops were deployed in the province for

three months. Like the Baluch and Sindhis, the Pashtuns of the NWFP and the Federally Administered Tribal Areas (FATA) have an ancient history of resisting Punjabi incursions, but the Army did not come into direct conflict with the Pashtuns following the creation of Pakistan until July, 2002, when, at the behest of the United States, it sent a division into FATA to attack Al Qaeda and Taliban forces at key transit points on the Afghan border. Heavy casualties resulted, displacing some 50,000 people. This was an historic break with the autonomy agreements negotiated by the British with FATA tribes and honored until then by Pakistan. As the “war on terror” has proceeded, the FATA Pashtuns have been politicized and radicalized as never before, with Islamist forces and secular Pashtun nationalists vying for dominance.

Sixty two years after its creation, Pakistan is a failing, if not yet a failed, state, with more than half the country able to defy the writ of the central government.

THE NUMBERS GAME

The ethnic arithmetic of Pakistan is a subject of bitter controversy. In the most recent census, in 1998, speakers of Punjabi constituted 44.15 percent of the population and Seraiki, a variant of Punjabi, 10.53 percent; Pashtu, 15.42 percent; Sindhi, 14.1 percent; Urdu, 7.6 percent and Baluchi, 3.57 percent. Thus, based on the July, 2008, CIA estimate of Pakistan's population (172.8 million), the 2008 Punjabi population, based on the 1998 census, was 76.3 million; Seraiki, 18.2 million; Pashtu, 26.6 million; Sindhi, 24.4 million; Urdu, 13.1 million and Baluchi, 6.2 million.



In political terms, the distinction between Punjabi and Seraiki is not a meaningful one in the eyes of the Baluch, Pashtuns, and Sindhis. They view Punjabi, Seraiki and Urdu speakers, collectively constituting 62.28 percent of the population, as a unified bloc arrayed against their interests.

II. Will the Federation Break Up?

The possibility of a breakup of Pakistan is directly linked to two critical and uncertain factors in the South Asian regional environment: the future course of relations between India and Pakistan and the impact of stepped-up hostilities in the Pashtun areas of southeast Afghanistan on the adjacent Pashtun areas of Pakistan.

Relations between India and Pakistan have sharply deteriorated since the Mumbai terrorist attacks. Despite increasingly explicit Indian accusations, endorsed by the United States, that the Pakistan-based Lashkar-e-Taiba directed the attacks, Pakistan has not taken action to disarm LET and allied *jihadi* groups dedicated to destabilizing and dismembering India. This failure to act, coupled with increased support by Pakistan-based jihadi groups for insurgents in Kashmir, has shattered the long-standing consensus in India that a stable Pakistan is in the Indian interest.

As Indian anger grows, so does the view that India should support Baluch and Sindhi separatism, either as an alternative to full-scale military retaliation against Pakistan or as a key part of a two-front military strategy. As an alternative, it would avoid the risks of a direct military encounter that could escalate to the nuclear level and lead to an exodus of foreign investment. As part of a two-front strategy, Indian support for Baluch and Sindhi insurgents would keep substantial Pakistani forces tied down on the long Sind frontier while others face Indian forces in Kashmir, or the Punjab, or both.

For the past five years, Pakistan has accused India of aiding Baluch insurgent groups through its consulates in Afghanistan but has not provided supporting evidence. These charges have lacked credibility because the Baluch have fought with ineffectual small arms. They say this weaponry has been purchased on the black-market, with funding from Baluch compatriots in Dubai and other Persian Gulf states. Should India in fact decide to give the Baluch large-scale sophisticated weaponry, logistical help and funds, they could rapidly expand their present force of 4,500 fighters, drawing on the large numbers of Baluch educated unemployed. However, it is uncertain how effective recruitment would be among the Sindhis, who do not have a martial tradition comparable to that of the Baluch, and how effective military cooperation would be both among feuding Sindhi groups and between Sindhi and Baluch groups that have hitherto cooperated only in a desultory way.

Baluch and Sindhi leaders have frequently spoken of their desire for liberation by India and envision a Baluch-Sindhi federation that would bring together the contiguous Baluch and Sindhi areas of Pakistan and someday annex the adjacent Baluch regions of Iran with a population of two million. At present there is little cooperation between the Pakistani and Iranian Baluch. Moreover, this vision collides with the demographic reality that the commercial center of Karachi, lying in the heart of the proposed new state, has more *Muhajirs*, Punjabis and Pashtuns than it does Sindhis and Baluch.

Short of an all-out war between India and Pakistan in which the Indian Air Force directly supports Baluch and Sindhi forces, prospects for the establishment of a sovereign Baluch-Sindhi federation appear remote. In addition to their enormous firepower, the Pakistan armed forces control a wide-ranging business empire with assets of \$38 billion that gives them the economic staying power needed to sustain a protracted struggle. Nevertheless, if relations between India and Pakistan continue to deteriorate, India could well support Baluch and Sindhi separatism. Whether or not tensions with India lead to the breakup of Pakistan, Baluch and Sindhi separatist groups are likely to increase their paramilitary capabilities in the years ahead. Thus, unless the central government pursues a peaceful accommodation with the minority provinces, including constitutional reforms leading to a meaningful devolution of power, Pakistan's already-serious economic problems will be intensified by debilitating ethnic tensions that will hinder economic development and make the implementation of foreign investment agreements impossible in large sections of the country.



To assess the possible impact of the war in Afghanistan on the adjacent Pashtun areas of Pakistan, it is necessary to bear in mind that the 41 million Pashtuns on both sides of the border have a long history of unity.

Prior to the British Raj, the Pashtuns had been politically unified since 1747 under the banner of an Afghan empire that stretched eastward into the Punjabi heartland up to the Indus River. It was traumatic for them when the British seized 40,000 square miles of ancestral Pashtun territory between the Indus and the Khyber Pass, embracing half the Pashtun population, and then imposed the Durand Line, formalizing their conquest. When the British subsequently handed over this territory to the new, Punjabi-dominated government of Pakistan in 1947, they bequeathed an explosive, irredentist issue that has poisoned relations between Pakistan and

Afghanistan and that continues to pose a giant question mark over the future of Pakistan.

At various times, Zahir Shah's monarchy, Mohammed Daud's republic and the short-lived Communist regime in Kabul have challenged Pakistan's right to rule over its Pashtun areas, alternatively espousing the goal of an autonomous Pashtun state to be created within Pakistan, an independent "Pashtunistan" to be carved out of Pakistan or a "Greater Afghanistan" that directly annexes the lost territories.

The Soviet occupation of 1979 and the U.S. offensive against Al Qaeda and the Taliban that began in 2001 have produced deep divisions in Pashtun society that make the future of the "Pashtunistan" movement uncertain. The traditional supremacy of the *malik* over the *mullah* in tribal society was weakened when the United States, together with Islamist groups in Saudi Arabia and the Persian Gulf, channeled weapons aid and funding for the anti-Soviet resistance struggle to favored Islamist clients in Afghanistan at the behest of the Pakistan Directorate of Inter-Services Intelligence (ISI). The ISI's objective was to build up surrogates opposed to the Pashtunistan concept. When these surrogates proved unable to consolidate their power after Soviet forces left, the ISI turned to the Taliban, which had a Pashtun base but was dominated by clerical leaders with a pan-Islamist ideology. Significantly, however, the Taliban government that ruled from 1996 to 2001 did not accept the Durand Line despite Pakistani pressure to do so.

Notwithstanding the divisions in Pashtun society produced by the convulsions of the past three decades and the resulting growth in the power of the *mullah* at the expense of the *malik*, the Pashtuns continue to have a powerful sense of collective identity rooted in an ancient tribal structure that still defines their lives. As the preeminent British expert on the Pashtuns, Richard Tapper, Professor Emeritus at the London School of Oriental and African Studies, has observed, "in spite of the endemic conflict among different Pashtun groups, the notion of the ethnic and cultural unity of all Pashtuns has long been familiar to them as a symbolic complex of great potential for political unity."

Military action in FATA by the predominantly Punjabi Pakistan armed forces, and by U.S. Predator aircraft, resulting in widespread civilian casualties, has had a profound political impact there. The newly-politicized and radicalized FATA Pashtuns now see themselves as political brethren of the Pashtuns in the NWFP and northern Baluchistan. They want economic development, as US policy recognizes, but development under Pashtun control, not under the control of the Punjabi-dominated

central government. More important, by arousing a Pashtun sense of victimization at the hands of outside forces, the conduct of the “war on terror” in FATA has strengthened the very *jihadi* forces that the U.S. seeks to defeat. It has enabled the Taliban, with its leadership base in the Ghilzai Pashtun tribes, to pose as the champion of both Islam and of Pashtun nationalism. American policy should be revised to produce a new sense of Pashtun ownership of the “war on terror” (Recommendation Four).

In the conventional wisdom, one or the other, either Islamist or Pashtun identity, will eventually triumph, but an equally plausible possibility is that the result could be what Pakistan’s Ambassador to the United States, Hussain Haqqani, has called an “Islamic Pashtunistan,” embracing some or all of the Pashtuns on both sides of the border. At a Washington seminar on March 1, 2007, at the Pakistan Embassy, Haqqani’s predecessor as Ambassador, Major General (Ret) Mahmud Ali Durrani, a Pashtun, commented that “I hope the Taliban and Pashtun nationalism don’t merge. If that happens, we’ve had it, and we’re on the verge of that.”

III. Economics and Ethnic Tensions

Ethnic tensions in Pakistan are, at bottom, tensions over economic equity: who gets the benefits of economic development, especially the exploitation of the natural resources located in the minority provinces; how tax revenues are allocated between the central government and the provinces, and whether Sind, a lower riparian province, gets a fair share of the Indus River waters from the upper riparian Punjab. The economic and social disparities between the minorities and the rest of Pakistan are striking. For example, in the case of the Pashtuns, the per capita income of the NWFP is 30 percent lower than the national average, and the literacy rate in the Federally Administered Tribal Areas (FATA) 57 percent lower. Punjab’s per capita income of more the \$80 compares with \$54 for Baluchistan; the literacy rate in Punjab is seven times higher than that of Baluchistan, and the infant mortality rate in Baluchistan (130 per 1,000 live births) compares with a national average of 70.

The grossly inequitable treatment of the minority provinces in the exploitation of their natural resources is the principal driver of ethnic tensions. The minorities go too far when they argue that the resources located within their ancestral homelands



should come under their exclusive control. But a compromise between the central government and the minority provinces will clearly be necessary to reconcile the development needs of Pakistan as a whole with economic justice for the minorities.

One glaring example of Punjabi economic exploitation is that Baluchistan does not get a fair share of the benefits of its own gas deposits. Although gas obtained from Baluchistan accounts for 30 percent of Pakistan's total gas production, Baluchistan consumes only 17 percent of its own output, while the remaining 83 percent goes to the rest of the country, primarily to the Punjab. The central government charges a much lower price for Baluchistan gas than for gas produced in other provinces and pays lower royalties. Sui gas is extracted under the direct control of the Pakistan armed forces and interfering with access to the gas has repeatedly been a goal of Baluch insurgents.

Baluchistan has some 19 trillion cubic feet of undeveloped gas reserves, six trillion barrels of undeveloped oil reserves and extensive copper and gold deposits that cannot be developed until a political accommodation is reached with the Baluch leaders. At present, 22 foreign investment ventures in Baluchistan licensed by the central government are paralyzed because Baluch leaders challenge the right of the central government to conclude these licensing agreements without Baluch participation that will assure the Baluch populace an equitable share of the benefits of future profits.

Sind and the NWFP, like Baluchistan, want provincial participation in setting the terms for exploitation of their vast energy resources and object to foreign investment and privatization arrangements concluded by the central government that do not provide for such participation. Foreign investors are currently competing to exploit estimated coal reserves of 184 billion tons in the Thar area of Sind, the sixth largest undeveloped coal reserves in the world. Pointing to the Sui gas issue in Baluchistan, many Sindhis fear that Sind will not get its fair share in the benefits of Thar coal development. Similarly, the projected privatization of the Qadirpur gas fields, with non-Sindhi interests expected to be the principal beneficiaries, is cited to support Sindhi charges of economic inequity, and the recent discovery of new oil and gas reserves in the Kohat and Karak districts of the NWFP has provoked Pashtun demands for higher royalty rates on NWFP gas to generate increased resources for economic development.

Discontent in the minority provinces over inequities in the distribution of tax

revenues is directly related to the issue of provincial control over the exploitation of natural resources.

The distribution of tax revenues (income taxes, sales taxes, wealth taxes, capital gains taxes and customs duties) is determined by the National Finance Commission. The Commission decided in 1997 on a formula, still in effect, that is based on population alone. This formula, as modified in 2006, gives 55 percent of the pooled tax revenues to the central government and 45 percent to the provinces. Out of their 45 percent, the Punjab gets 23 percent, while Sind gets nine percent, the NWFP six percent and Baluchistan two percent. The minority provinces want a new formula based not only on population but on two other criteria as well: the revenues generated by each province through the exploitation of its resources and its level of poverty. Periodic attempts to reach agreement on a new distribution formula have so far ended in a stalemate.

As Humaira Rahman points out in her discussion of the Indus waters in her working paper, all of the 19 barrages, 43 canal systems, three major storage dams and 12 link canals that have been built in the upper reaches of the Indus since Partition have either been located in the Punjab or have been designed to benefit agricultural production there. Sind's share of the Indus waters has been drastically reduced since Partition, causing widespread economic devastation. In contrast to an annual flow of over 94 million acre feet of water into the Arabian Sea before Partition, the Indus today often runs dry before it reaches the ocean, and 12 million Sindhi farmers and fishermen have lost their livelihoods.

In contrast to Sind, which does not get enough water, the NWFP is afraid that it will get too much if the Punjab goes ahead with long-pending plans to construct the Kalabagh Dam, and that large tracts of Pashtun farmland will be inundated. Pashtun charges of inequitable economic treatment focus on irrigation, electrification and industrialization programs in the Punjab much more ambitious than those in the NWFP. Reflecting the lack of industrialization in the province, most of the tobacco and cotton grown there goes to cigarette and textile factories in other parts of the country. A central excise tax is imposed on tobacco, in contrast to the absence of taxes on wheat and on agricultural income in the wheat-growing Punjab.

Progress toward more equitable economic treatment of the minority provinces would require significant constitutional reforms, starting with implementation of Article 70 (4) of the inoperative 1973 Constitution in modified form. Article 70 (4) would give

autonomy to the provinces in defined spheres, but another provision, Part II, Section Three, gives control over industrial development and the exploitation of natural gas to the Federation.

To facilitate an accommodation between the central government and the gas-producing minority provinces, this provision should be modified. At the same time, Part Five, Section 158 should be implemented. Section 158 gives the province “in which a wellhead of gas is situated... precedence over other parts of Pakistan in meeting the requirements for the wellhead.” (Recommendation Eight)



It should be emphasized that progress toward economic equity alone would not be sufficient to bring about an enduring reduction of ethnic tensions in the absence of a major transformation of the climate of distrust and animosity existing between the minorities and significant elements of the Punjabi majority, especially elements of the armed forces. Many members of the minorities feel they are treated condescendingly as second-class citizens of the Federation.

In a conversation with the late President Zia Ul-Haq, a Punjabi, on March 8, 1980, Zia, referring to the Baluch, said that “some of them are almost savages, not like the rest of us.” Members of the minorities often cite the statement by former President Zulfikar Ali Bhutto in his submission to the Supreme Court shortly before his execution. Zia displayed an “almost paranoid attitude toward the Baluch,” Bhutto said, “He used to argue very emotionally in meetings,” bitterly opposing proposals for the release of imprisoned Baluch leaders and saying that “the Army had given its blood against the Baluch traitors and would fight until the enemy was crushed. He repeatedly spoke of Baluch leaders as traitors who had never wanted Pakistan in the first place.”

The psychological gulf between the central government and the minorities and the marginalization of the Baluch and Sindhis are exemplified by the fact that the Baluch and Sindhi regiments of the Army have only token Baluch and Sindhi representation, and only one out of 60 Federal secretaries is a Sindhi. By contrast, a significant number of Pashtuns from aristocratic, urbanized families were given important posts in the Army and civil service during British rule and this Pashtun representation has continued since Partition, though in numbers that have dwindled as Punjabi control of the armed forces and the bureaucracy has expanded. A significant expansion of representation of the ethnic minorities in the armed forces and the civil service would help to reduce the feelings of marginalization in the minority provinces.

Significantly, Bhutto, who promoted adoption of the 1973 Constitution during his tenure as President, violated it in the eyes of the ethnic minorities by dismissing an elected Baluch government in February, 1973. This led to the 1973-77 Baluch insurgency. Against this background, an accommodation between the minorities and the central government would require not only implementation of the autonomy provisions of the 1973 Constitution but also new constitutional safeguards to protect the provinces against a replay of the events of 1973.

IV. The United States and the Survival of Pakistan

Visiting Pakistan in January, 2006, former Undersecretary of State Nicholas Burns rejected pleas by the Human Rights Commission of Pakistan for U.S. intervention to stop the egregious human rights violations then being committed in Baluchistan by the military regime of former President Pervez Musharraf. Pointing to U.S. complicity in these violations, the Commission condemned the use of U.S.-supplied aircraft in bombing and strafing attacks on civilian targets and the ‘enforced disappearances’ of at least 1,000 Baluch and Sindhis.

The Commission cited an exhaustive investigation by Amnesty International showing that “the Pakistan government has used the rhetoric of fighting ‘terrorism’ to attack its internal critics and to justify large-scale ‘enforced disappearances’ in which activists pushing for greater regional and ethnic rights and greater access to provincial resources” in Baluchistan and Sind were branded as terrorists and “arbitrarily detained, denied access to lawyers, families and courts and held in undeclared places of detention run by Pakistan’s intelligence agencies, with the government concealing their fate or whereabouts.” The United States, declared the Amnesty report, “condoned, or acquiesced in, these disappearances” as part of ongoing intelligence cooperation in which Pakistani intelligence agencies round up and incarcerate alleged terrorists identified by the two governments” (See Appendix).

Rejecting the Commission’s pleas for U.S. intervention, Burns said that the United States would not “meddle in Pakistan’s internal affairs.”

Two years later, in March, 2009, 816 Baluch and Sindhi ‘disappearances’ were still unaccounted for and the United States still remained indifferent to the massive human rights violations in Baluchistan. The continuing deterioration of ethnic

tensions would not only keep a sharp focus on the disparity between U.S. preachments and U.S. practice with respect to human rights. More important, it would prevent the United States from achieving its increasingly ambitious goals in Pakistan. The Obama Administration is pouring in massive amounts of military and economic aid to promote political stability and economic progress. Yet stability and progress are directly impeded by inter-provincial strife that blocks economic development.

Ironically, the magnitude of U.S. military aid inputs during the cold war, the struggle against the Soviet occupation of Afghanistan and now the “war on terror,” cumulatively totaling \$17.5 billion, has directly exacerbated ethnic tensions by steadily building up the Punjabi-dominated armed forces. In contrast to its support for a succession of military autocrats, including Pervez Musharraf from 1999 to 2008, the United States did, at last, support a transition to civilian rule in 2008 and should now press for sustained measures to make existing civilian democratic institutions more effective. Special emphasis should be given to implementation of the 1973 Constitution, with strengthened provisions for provincial autonomy (Recommendation Seven). A return to Punjabi-dominated military rule in the name of ending political instability would intensify ethnic tensions and should be opposed by the United States.



American interests would be directly affected if continuing unrest in the minority provinces leads to growing insurgent activity and their de facto or de jure secession.

Baluchistan. The importance to the United States of a workable relationship between Baluchistan and the central government is underlined not only by its economic potential as a treasure trove of natural resources but also by its strategic location near the Arabian Ocean, the Persian Gulf and the Strait of Hormuz, a vital artery for U.S. oil supplies. At the same time, an independent Baluchistan would not be a threat to U.S. interests, since Baluch leaders have often declared their support for U.S. strategic objectives in the Persian Gulf and have offered assurances that the U.S. Navy and U.S. merchant shipping would have access to the modernized port facilities at Gwadar now being built for Pakistan with Chinese help.

Baluch leaders have assured India and Iran that they would cooperate in the construction and operation of the projected Iran-India gas pipeline that would traverse Baluchistan.

Notwithstanding ISI efforts to depict them as terrorists, Baluch nationalist groups espouse secular values. They have avoided ties with Islamist forces in Pakistan

and Afghanistan and have cooperated with secular Pashtun elements in areas of northern Baluchistan where there are Pashtun enclaves. Islamist groups in Pakistan have not made significant inroads in Baluch society and one Baluch religious grouping, the Zikris, numbering more than one million, practices a form of Islam opposed by the Salafi Sunni groups that support Islamist terrorism.

Sind. Instability in Sind affecting the commercial hub of Karachi would have important economic and political ripple effects throughout Pakistan. For the United States, Sindhi support for a sovereign Baluch-Sind Federation would not necessarily be threatening, since the Sindhis, with their Sufi religious traditions, have opposed Islamist terrorist activity.

Northwest Frontier Province and FATA. The United States should pursue one overriding objective in the Pashtun areas of Pakistan: that secular Pashtun leaders, such as those represented in the Awami National Party, prevail over Islamist leaders allied with Al Qaeda and other groups committed to the destabilization of Pakistan and to international terrorist activity. Yet at present, secular Pashtun leaders are being undermined by U.S. policies that strengthen the control of the Punjabi-dominated central government over FATA, and by large-scale civilian casualties resulting from the excessive use of air strikes to find and defeat Taliban and Al Qaeda networks in FATA.

In place of blockbuster air offensives, increased reliance should be placed on Pashtun paramilitary and intelligence capabilities in combating Al Qaeda and on political initiatives by Pashtun secular leaders to win over Pashtun-based Taliban factions and allied insurgent groups that are not tied tightly to Al Qaeda networks.

Such a shift would mean a reduced role for Punjabi Pakistani Army units in FATA and would require determined U.S. pressure. When the United States suggested arming tribal lashkars to pursue Al Qaeda, the Army, fearing any military empowerment of the Pashtun tribes, agreed to give the lashkars only AK 47's and other small arms. The United States should continue to press for the development of effective paramilitary and intelligence capabilities under Pashtun leadership.

The Army resisted political initiatives by Pashtun secular leaders during the Musharraf regime and kept control of contacts with the Taliban in ISI hands. The result was a series of abortive peace deals that had no local standing in the Pashtun areas and were foredoomed to failure. Secular Pashtun leaders are better positioned than the Army or the United States to assess whether specific peace initiatives with local Pashtun Islamic factions should be attempted. Indiscriminate military pressure

will lead to large-scale civilian casualties, driving more and more Pashtuns into the arms of Taliban and Al Qaeda.

A sovereign “Pashtunistan” under secular leadership that united some, or all, of the 28 million Pashtuns in Pakistan and the 13 million in Afghanistan would not necessarily threaten U.S. interests. The danger to the United States lies in a Pashtunistan under Islamist leadership, and this eventuality can best be forestalled by policies that explicitly recognize Pashtun aspirations for a strengthened position in relation to the Punjabi-dominated central government.

The United States should urge the Pakistan government to recognize the Pashtun desire for a distinct political identity within the framework of the Federation by combining the Pashtun areas of the NWFP, FATA and northern Baluchistan in a unified Pakhtoonkhwa province. This would not be a stepping stone to “Pashtunistan”, as Punjabi leaders fear, if it is accompanied by the broader devolution of power to all three minority provinces envisaged in the 1973 Constitution. The answer to separatism lies in a more equitable federation based on a new balance of power between the Punjab and the minorities.



Pakistan's Army Chief of Staff, General Ashfaq Parvez Kayani, with his U.S. counterpart, General George W. Casey.

Conclusions and Recommendations



To The United States

1 ■ Support Civilian Governance

An enduring political accommodation between the central government and the ethnic minorities presupposes a civilian government in Islamabad strong enough to end, once and for all, the ongoing repression of the minorities by centrally-controlled Army, paramilitary, police and intelligence agencies.

The civilian government established in 2008 has been severely inhibited by its fear of incurring the displeasure of the Army and of thus provoking an eventual reimposition of military rule. In particular, it has been unable to achieve effective jurisdiction over the Inter-Services Intelligence Directorate (ISI). More than a year after taking office, it has been unable to determine the whereabouts and status of 816 of the Baluch and Sindhi activists incarcerated by the ISI during the Musharraf period.

The United States should press for steadily strengthened civilian control, including control over all intelligence agencies, and should oppose any attempt to reimpose military rule in the name of political stability and U.S. security needs.

2 ■ Promote Demilitarization

The process of consolidating civilian rule and of moving toward an accommodation with the minorities will remain precarious unless the preponderant strength of the armed forces in Pakistani society, relative to that of other institutions, is progressively reduced. The United States has been primarily responsible for inflating the armed forces to their present gargantuan proportions by providing \$17.5 billion in military aid since 1954 and should now reorient its future policies in order to bring about a healthier balance in civil and military power.

Although ostensibly provided for other purposes during the cold war, the Soviet occupation of Afghanistan and now the “war on terror,” most of the weaponry provided has been desired by Pakistan to bolster its balance of power with India. In addition to this cornucopia of Congressionally-authorized weapons aid, the United States is now providing \$800 million annually in largely unmonitored cash subsidies to the armed forces in the form of “Coalition Support Funds” (CSF), nominally for the purpose of fighting Al Qaeda and the Taliban. The United States should significantly scale down CSF support in accordance with the findings of investigations by the General Accounting Office and by a House Oversight Committee headed by Rep. John Tierney of Massachusetts. At the same time, it should cut back weapons aid not directly related to operations in the Afghan border region. It should insist on end use agreements with the armed forces restricting the use of US-supplied weaponry to such operations and barring their use in the repression of ethnic minorities. American jet aircraft and helicopters provided for use on the Afghan border have been widely used against Baluch insurgents with the full knowledge of U.S. military authorities.

Taking advantage of their unchecked power during successive U.S.-backed military dictatorships, the armed forces have established a business empire under their control ranging from bakeries and beauty parlors to banks, insurance companies, TV channels and cement factories. As part of a broader effort to reduce the grip of the armed forces over Pakistani society and to open up breathing space for civilian institutions, the United States

should encourage the armed forces to privatize many of these ventures and to make the proceeds obtained from their sale available for reducing Pakistan's colossal and growing foreign debt.

3 ■ Encourage Respect for the Constitution

The first step towards an accommodation between Islamabad and the minorities should be the devolution of power to the provinces envisaged in the 1973 Constitution.

On September 20, 2008, President Asif Ali Zardari declared in his maiden address to Parliament that “successive blows have weakened the federation, and the 1973 Constitution is the only consensus document that can fashion the social contract needed for reconciliation and harmony.” On October 22, 2008, a joint session of Parliament declared that “the federation must be strengthened through the process of democratic pluralism... and equitable resource sharing between the provinces enshrined in the Constitution of 1973.” But no action has been taken to follow up these declarations.

Why? The explanation lies in the strong Army support for a more centralized Pakistani state and a companion belief that a devolution of power will lead to Balkanization. Civilian leaders have been unwilling, so far, to confront the Army on this critical issue.

The United States would be accused of interfering in domestic Pakistani affairs if it sided openly with the advocates of the devolution of power. It has already invited such accusations needlessly with high-profile public pronouncements on security issues. Through quiet diplomacy, however, the Obama Administration should make clear that continued high levels of military and economic aid will depend on a stable political environment, and that the United States views the implementation of the 1973 Constitution as an indispensable step toward political stability.

4

■ “Pashtunize” the War against Al Qaeda

Faced with continuing failure since 2001 to find and defeat Al Qaeda forces in FATA, the United States has made minor modifications in its tactics attuned to local realities. But most of what the U.S. is doing in FATA is increasingly radicalizing the Pashtun population and driving more and more Pashtuns into the arms of Al Qaeda and its *jihadi* allies.

Punjabi units of the Army continue to wage offensives against Taliban and other *jihadi* factions, reviving historical memories of past Pashtun battles over the centuries with invading Punjabis.

The most self-defeating aspect of the U.S. role in FATA continues to be the extensive civilian casualties resulting from the use of Predator and Reaper unmanned drone aircraft for air strikes against suspected Al Qaeda and Taliban hideouts. More than 30 such attacks have occurred since August, 2008. As the Pashtun governor of the NWFP said, “these strikes are counterproductive. This is looking for a quick fix, when all it will do is attract more *jihadis*.”

Whether the drone attacks come from secret bases in Pakistan or from Afghanistan, they are viewed throughout Pakistan as violations of Pakistani sovereignty. To the extent that the United States transgresses into Pakistani territory to pursue Al Qaeda, as has been threatened, or is perceived as doing so, it will stoke anti-Americanism in Pakistan and undermine the Pakistan government.

In addition to lowering its military profile in FATA, the United States should take other steps to create a favorable political environment for operations against Al Qaeda. The United States is widely despised in FATA as the sponsor of the predominantly Punjabi Pakistan Army’s incursions into Pashtun territory. To counter this image, the Obama Administration should encourage a gradual reduction in the role of Pakistani forces in operations against Al Qaeda and should demonstrate to the FATA Pashtuns that it understands their political aspirations.

The FATA Pashtuns treasure their long-standing autonomy and do not want to be ruled by the Punjabi-dominated central government. As an International Crisis Group report (March 13, 2008) -has recognized, what they want is integration into the Pashtun NWFP. This would place them under the same legal system and the same Political Parties Act applicable to other Pakistanis and would end the draconian Frontier Crimes Regulations, a legacy of British colonialism, which gives the central government arbitrary law and order powers. The Obama Administration should support FATA aspirations and should delay implementation of the “Reconstruction Opportunity Zones” envisaged in pending Congressional legislation until FATA becomes part of NWFP. In the meantime, instead of permitting the central government to administer the huge amount of U.S. aid now going into FATA, the Administration should insist that most of it be dispensed by the NWFP provincial government as a condition for its continuance.

Al Qaeda and its “foreign fighters,” mostly Arab, depend for their sanctuary in FATA on local support from the Taliban, which is based almost entirely in the Pashtun tribes. In contrast to Al Qaeda, with its global terrorist agenda, most of the Taliban factions focus primarily on local objectives in Afghanistan and FATA and do not pose a direct threat to the United States. American policy should therefore encourage secular Pashtun leaders to pursue peace arrangements with Taliban and Taliban-allied Islamist factions designed to end their links with Al Qaeda.

To reduce the military capabilities of the Taliban factions both in FATA and in Afghanistan, the United States would have to use CSF and other military aid leverage with the Pakistan armed forces to force a change in Pakistani policy toward the Taliban. In a conversation intercepted by US intelligence agencies, the Army Chief of Staff, General Ashfaq Kayani, referred to a key Taliban ally, Jalaluddin Haqqani, as a “strategic asset” (David Sanger, *The Inheritance*). Pakistan’s double game is to support and provide sanctuary for some Taliban factions while taking enough action against others to keep U.S. aid flowing.

5

■ Earmark U.S. Aid for Sind and Baluchistan

The human consequences of the economic disparity between the Punjab and the minority provinces are vividly dramatized by grave crises in health and education in Sind and Baluchistan that provide fertile ground for *jihadi* extremist groups in recruiting students for their madrassas. The United States and multilateral aid institutions should earmark aid for health and education projects in these two provinces, focusing especially on emergency food programs to overcome widespread malnutrition.



6

■ Make Defense Spending Transparent

As the precondition for efforts to reduce the power of the armed forces relative to that of other institutions in Pakistan, the civilian government should seek the maximum possible transparency in the defense budget. The budget for all the services and for the ISI should be put before both houses of Parliament, with such agreed restrictions on specificity as security considerations may require.

Under present circumstances, the Parliament may not be able to exercise its right to approve the budget. But civilian political leaders should insist on transparency and should be prepared to take their case to the people if the armed forces refuse to submit the defense budget to the scrutiny of their elected representatives.

7

■ Set the Stage for Negotiations with the Baluch

Pending action to carry out the constitutional reforms envisaged by Parliament in its October 22, 2008 resolution, the government of Pakistan should take the following steps to create a favorable climate for productive negotiations to end the Baluch insurgency.

- The Army should declare a six-month ceasefire in Baluchistan. Baluch insurgent groups declared a unilateral ceasefire when the PPP government was elected, but the Army did not reciprocate.
- The construction of new military cantonments in Baluchistan should be suspended. This was a key recommendation of the 2005 Subcommittee on Baluchistan of the Pakistan Senate.
- Checkpoints manned by Coast Guard units of the Frontier Corps throughout the interior of Baluchistan should be suspended. The 2005 Senate Subcommittee reported that these “unnecessary” checkpoints are “disliked by the people of Baluchistan, creating hatred on the part of women and children who are humiliated,” and called for reassignment of the Coast Guard units concerned to “perform their primary duties of checking the smuggling of arms and narcotics on the sea coast.”

8 ■ Implement the 1973 Constitution

Successive military regimes have mutilated the 1973 Constitution beyond recognition with a series of crippling amendments designed to strengthen Presidential power at the expense of the Prime Minister and the National Assembly. On top of the Eighth, Sixteenth, and Seventeenth amendments, the late Zia Ul Haq codified the power of the President to dismiss Parliament at will with Article 58 (2b).

All of the PPP's coalition partners, plus Nawaz Sharif's Pakistan Muslim League (N), favor action to nullify these amendments and to restore the 1973 Constitution to its original form. President Zardari appears to be delaying action to avoid antagonizing the Army.

After restoring the 1973 constitution to its original form, Parliament should implement its provisional autonomy provisions, adding agriculture to the list of provincial subjects, and should remove any ambiguity concerning the powers belonging to the provinces by eliminating the Concurrent List (powers to be shared by the central government and the provinces). The 1973 Constitution provided for the elimination of the Concurrent List by 1983.

9

■ End Economic Exploitation of the Minority Provinces

The limited degree of provincial autonomy envisaged in the 1973 Constitution would not in itself end the existing exploitation of the minority provinces by the Punjab in the absence of broader reforms centering on three issues: the inequitable distribution of tax revenues by the National Finance Commission, the denial of a fair share of the Indus River waters to Sind and the monopoly of control over the exploitation of natural resources in the minority provinces now exercised by the central government.

The existing criteria for the distribution of tax revenues among the provinces are grossly inequitable and should be radically changed. Not only is the central government's share of the total revenues collected excessive. More important, the allocation of the remaining portion between the provinces unfairly favors the Punjab because it is based solely on the criterion of population. Equity requires that the Commission also take into account the per capita income in each province, the level of social development, as reported in the United Nations Human Development Index, and the revenues generated by the exploitation of natural resources by each province.

The most glaring inequities in the relations between the Punjab and the minority provinces exist with respect to the exploitation of natural resources. Immediate action should be taken by the central government to reach agreement with Baluchistan concerning the royalties paid for its Sui gas and to negotiate agreements with the other minority provinces giving them an agreed share of the benefits of the exploitation of new oil, gas and mineral resources. Part Five, section 158 of the 1973 Constitution should be implemented, and Part Two, section Three should be nullified to avoid conflict with Article 70(4), which gives autonomy to the provinces in resource exploitation.

For Sind, the equitable distribution of the Indus river waters for irrigation is a life and death matter. The central government should press the Punjab to honor the

1991 inter-provincial accord on the Indus waters, stop the construction of barrages and link canals that deny waters to the lower riparian Sind and promote the construction of hydroelectric projects in Sind that will help to generate new water resources.

The Kalabagh Dam project should be set aside in favor of the Dasu, Bunji and Thakot hydroelectric projects, which can generate vast new power and water resources without endangering the Peshawar Valley.

10 ■ Empower Local Government

In their efforts to increase centralized power, successive military governments have abolished local control over municipal and district governments. The power to appoint municipal and district officials should be returned to the provinces in accordance with the 1973 Constitution. The powers of provincial governors appointed by the central government should be strictly limited by Constitutional amendments to assure that governors are not used by the central government to undermine the power accorded to the provinces in the 1973 Constitution.

11

■ Recognize Ethnic Identities

The designation of the NWFP as “Pukhtunkhwa” would mark an important first step towards the official recognition of ethnic identities in Pakistan and should be followed by the incorporation of FATA and the Pashtun enclaves of northern Baluchistan into a single Pashtun state. The reorganization of states in India on a linguistic basis in 1958 has led to a significant reduction in inter-provincial tensions.

Pakistan’s official language policy exacerbates ethnic tensions by enshrining Urdu, spoken by eight percent of the population, as the sole officially-recognized language in the Federation. An important psychological step towards easing ethnic tensions would be the designation of all of Pakistan’s languages as national languages. This should be accompanied by the removal of limitations on Pashtu, Baluch and Sindhi in education and broadcasting designed to promote Urdu.

12 ■ Strengthen the Power of the Senate

The key to stabilizing the Federation lies in strengthening the powers of the Senate in order to offset the power of the Punjab, with its population dominance, in the National Assembly. Although the four provinces have equal representation in the Senate, the Senate in Pakistan has much less power than the U.S. Senate. Democratization in Pakistan and the reduction of ethnic tensions would be greatly enhanced if the Senate had the right to initiate money bills and to approve key Federal appointments, including high court judges, members of Federal public service commissions and the chiefs of the armed forces.

Bhutto's 1973 dismissal of an elected Baluch provincial government demonstrated vividly to the ethnic minorities their vulnerable position under the existing Constitution. It is often cited by Baluch, Sindhi and Pashtun leaders who favor secession or insist that justice for the minorities can only be achieved through a confederation or outright secession. But the late Baluch leader Ghaus Bux Bijenjo, opposing secession, proposed a significant compromise. The Baluch would recognize Islamabad's power to take over a province, he said, "if it were expressly authorized to do so for a limited purpose and for a specified period of time," by a two-thirds Senate majority. This proposal was dismissed out of hand by Zia Ul Haq in 1978, but merits serious consideration today in the intensifying debate over how to preserve the Pakistan Federation.

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Working Papers

The Resurgence of Baluch Nationalism

Frédéric Grare

Thirty years after a bloody conflict that official sources estimate caused more than five thousand deaths among the rebels and almost three thousand among the Pakistan Army, Baluchistan seems to be heading toward another armed insurrection. ... Long-standing resentments caused armed conflict in 1948, 1958, and 1973. Today, these resentments persist because of the central government's suppression of nationalistic aspirations; the absence of economic and social development in Baluchistan despite its possessing almost 20 percent of the country's mineral and energy resources; and the exclusion of the provincial authorities and local population from decisions on major regional projects, most notably the construction of the Gwadar port. Non-Baluch have also won major jobs and contracts from the armed forces and have benefited from land speculation. Whether because of or in spite of its strategic interests in Baluchistan, the Pakistan government has not integrated the province into the state. As a matter of fact, the Baluch believe that Baluchistan today is a colony of Punjab, the most populated and powerful province of Pakistan.

Three separate but linked issues bear on Baluchistan today: the national question, the role of the army, and the use of Islamism. The national question is obviously central. The four provinces of Pakistan, fifty-eight years after independence, still reflect ethnic divisions that the central government neither fully accommodates nor can eliminate. The elite, in particular the army elite, has never recognized ethnic identities. From Ayub Khan to Pervez Musharraf, the army elite has always tried to promote a united Pakistan. Former dictator Zia ul-Haq was quoted as saying that he would "ideally like to break up the existing provinces and replace them with fifty-three small provinces, erasing ethnic identities from the map of Pakistan altogether."¹ To achieve unity, the army rule of the country has almost always favored military solutions over political ones and has tended to reinforce separatist tendencies. Cognizant of their province's strategic and economic importance, the Baluch have been all the more resentful of the military's arrogance and contempt. Finally, the Pakistan Army exercises its power by manipulating Islam to weaken Baluch nationalism and, even more important, to conceal the real nature of the Baluch problem from the outside world. The Baluch crisis is not just the unintended outcome of more or less appropriate decisions. The crisis epitomizes the army's mode of governance and its relation with Pakistan's citizens and world public opinion.

Why Baluchistan Matters

Baluchistan, which straddles three countries (Pakistan, Iran, and Afghanistan) and borders the Arabian Sea, is a vast and sparsely populated province (6,511,000 people² occupying 43 percent of Pakistan's territory) that contains within its borders all the contradictions that affect the region, including conflict between the United States and the Taliban.

A large part of U.S. military operations in Afghanistan are launched from the Pasni and Dalbandin bases situated on Baluch territory.³ The Taliban, backed by both Pakistan and Iran, also operate out of Baluchistan. If the pressure on Western forces in Afghanistan were to become unbearable, Washington and its allies could conceivably use the Baluch nationalists, who fiercely oppose the influence of the mullahs and also oppose the Taliban, to exert diplomatic pressure on Islamabad as well as Tehran.

Further, although it is the most sparsely populated province of Pakistan (about 4 percent of the present population),⁴ Baluchistan is economically and strategically important. The subsoil holds a substantial portion of Pakistan's energy and mineral resources, accounting for 36 percent of its total gas production. It also holds large quantities of coal, gold, copper, silver, platinum, aluminum, and, above all, uranium and is a potential transit zone for a pipeline transporting natural gas from Iran and Turkmenistan to India.

The Baluchistan coast is particularly important. It provides Pakistan with an exclusive economic zone potentially rich in oil, gas, and minerals spread over approximately 180,000 square kilometers while giving Baluchistan considerable strategic importance. Two of Pakistan's three naval bases—Ormara and Gwadar—are situated on the Baluchistan coast. Located close to the Strait of Hormuz, at the entrance to the Persian Gulf, Gwadar is expected to provide a port, warehouses, and industrial facilities to more than twenty countries—including those in the Gulf, on the Red Sea, and in Central Asia and East Africa as well as Iran, India, and parts of northwest China.⁵ Now that the first phase of construction has been completed, the port is capable of receiving freighters with a capacity of 30,000 tons and container vessels going up to 25,000 tons. The completion of the second phase of construction by 2010 will enable the port to receive oil tankers with a capacity of almost 200,000 tons. A special industrial development zone and an export zone have also been planned, and Gwadar should soon be declared a free trade zone. Finally, to make Pakistan the nerve center of all commercial activity in the region, the Pakistan government is building a road and rail network linking Gwadar to Afghanistan and Central Asia; the network is intended to provide these landlocked areas with an outlet to the sea.

Gwadar port, situated 725 kilometers to the west of Karachi, has been designed to bolster Pakistan's strategic defenses by providing an alternative to the Karachi port, which once had to face a long blockade by the Indian Navy. Karachi's vulnerability was confirmed when the threat of another blockade loomed large during the Kargil conflict.⁶ In fact, the Gwadar project is an integral part of a policy that seeks to diversify Pakistan's port facilities. The construction of the Ormara base in Baluchistan, which became operational in 2000, is also a part of the same policy.⁷

China's presence further enhances Gwadar's importance. In fact, the port was built mainly with Chinese capital and labor. Some even consider this isolated township in the southwest of Pakistan as a Chinese naval outpost on the Indian Ocean designed to protect Beijing's oil supply lines

from the Middle East and to counter the growing U.S. presence in Central Asia.⁸ General Musharraf and Shaukat Aziz, who was then finance minister, were supposed to have insisted that the Chinese government finance the project in exchange for docking facilities in Gwadar and Ormara and for permission to set up a listening post on the Makran Coast to intercept the communications of U.S. military bases in the Gulf. Beijing also operates the gold and copper mines in Saindak, near the borders of Afghanistan and Iran not far from the Ras Koh, the mountains where Pakistan's nuclear tests are conducted.

Iran, which has a Baluch population of about one million, is closely monitoring these developments. Tehran is afraid of Baluch nationalism and of subversive U.S. actions (supported when the need arises by Islamabad) on its own territory. It is also worried about competition from Pakistan in opening up Central Asia.

Reasons Behind the Crisis

Today's crisis in Baluchistan was provoked, ironically, by the central government's attempt to develop this backward area by undertaking a series of large projects. Instead of cheering these projects, the Baluch, faced with slowing population growth, responded with fear that they would be dispossessed of their land and resources and of their distinct identity. In addition, three fundamental issues are fueling this crisis: expropriation, marginalization, and dispossession.

Expropriation

Baluchistan has failed to benefit from its own natural gas deposits. The first deposits were discovered in Sui in 1953. Gas was supplied to Multan and Rawalpindi, in Punjab, in 1964; but Quetta, the capital of Baluchistan, had to wait until 1986 for its share of the gas, which it received at that time only because the central government decided to extend the gas pipeline because it had decided to station a military garrison in the provincial capital. In the Dera Bugti district, home to the gas fields of Sui and Pircoh where conflicts have taken place recently, only the town of Dera Bugti is supplied with gas. It receives its supplies only because a paramilitary camp was opened there in the mid-1990s. Overall, only four of the twenty-six districts constituting Baluchistan are supplied with gas...⁹

What to do about the gas and hydrocarbon reserves lying under the soil of Baluchistan is also an issue. Baluchistan produces more than 40 percent of Pakistan's primary energy (natural gas, coal, and electricity). The government has announced that the gas deposits being exploited at present will be depleted by 2012, leading to the need to drill deeper and undertake fresh exploration. Reports by geological experts indicate the presence of extensive undeveloped gas and oil reserves in Baluchistan, but the Baluch are determined to prevent further exploration and development without their consent. They want an agreement for the equitable sharing of resources.¹⁰

Marginalization

The Baluch have had only a small role in the construction of Gwadar port, a project entirely under the control of the central government.¹¹ The project will benefit the people of Baluchistan only if a massive effort is undertaken to train and recruit local residents and if the port is linked with the rest of Baluchistan, which is certainly not the case at the present time. Of the approximately six hundred

persons employed in the construction of the first phase of the project, only one hundred, essentially daily-wage workers, were Baluch. There has also been only one road, which joins Gwadar to Karachi, opening the port to the rest of the country.

Although Gwadar is the region's only deepwater port, there is yet no well-defined policy to turn it into a free trade zone. No effort has been made to train the local population so that they can find work with the development project. There is not a single technical school or college in Gwadar or in the surrounding area. In addition, the land around the port that was acquired below market price by the Pakistan Navy and Coast Guard and distributed to officers has since been subject to a great deal of financial speculation.¹²

The Baluch in Gwadar fear that they will become a minority in their own land. If the central government's plans succeed, the population of Gwadar and its surrounding areas will rise from seventy thousand to almost two million. The Baluch are convinced that the majority will be Sindis and Punjabis. ...

Resurgence of Baluch Nationalism

Islamabad has always denied the existence of Baluch nationalism, but the Baluch lay claim to a history going back two thousand years. Its most significant milestones are the confederation of forty-four Baluch tribes under the leadership of Mir Jalal Khan in the twelfth century, the confederation of Rind Laskhari in the fifteenth century, and the establishment of the khanate of Baluchistan in the seventeenth century. The Mogul and Tatar invasions and the wars and mass migrations in the thirteenth and fourteenth centuries also confirm and reinforce the idea of a national identity.¹³

During the Raj, British administrators claimed a narrow strip of land adjoining Afghanistan, which they called "British Baluchistan," but beyond that they refrained from interfering in the affairs of Baluchistan as long as the Baluch did not deny access to Afghanistan to the British Army. They paid the sardars (tribal chiefs), whom they allowed autonomy, for this favor.

The Baluch had secretly campaigned for independence during the final decades of the British Raj, and they were shocked by the inclusion of Baluchistan in Pakistan in 1947.¹⁴ The Baluch nationalists' desire for independence clashed with the aims of the Pakistan government, which wanted to destroy the power of the tribal chiefs and concentrate all authority in the hands of the central government.¹⁵ The government in Islamabad sought to assimilate Baluch identity into the larger Pakistani identity. Since independence, Islamabad has come into conflict with the Baluch on four occasions—in 1948, 1958, 1962, and, most vigorously, from 1973 to 1977 when a growing guerrilla movement led to an armed insurrection that ravaged the province. During this most recent period, some fifty-five thousand tribesmen fought against seventy thousand Pakistan Army troops, deepening the resentment Baluch nationalists felt toward Islamabad.

The similarity between the period preceding the insurrection in 1973 and the present situation in Baluchistan is quite striking. It was during the 1960s that the Baluch nationalist movement acquired its peculiar characteristics that are evident even today. When the army, after the clash in 1962, began to increase its garrisons in the interior of the province, politically motivated Baluch, who wanted to follow in the footsteps of Marxist-Leninist national liberation movements, began to plan a resistance movement capable of defending Baluch national interests.

A score of ideologically motivated men got together under the leadership of Sher Mohammed Marri and worked secretly for almost two years to set up what would become the basic structure of the 1973 insurrection. In July 1963, twenty-two camps of different sizes were set up to cover a vast array of territories ranging from lands belonging to the Mengal tribes in the South to those of the Marris in the North. Managed by some four hundred full-time volunteers, each camp consisted of several hundred loosely organized reservists who could be mobilized according to the specific requirements of each operation.¹⁶ This movement later became the Baluch People's Liberation Front (BPLF).

The BPLF did not initially seek independence; but Baluch nationalists, particularly of the younger generation who became alienated from Pakistan during the 1973–1977 confrontation, adopted independence as their goal.¹⁷ At the end of the conflict, their leader, Khair Bux Marri, chief of the largest Baluch tribe living in the eastern part of the province,¹⁸ took refuge in Afghanistan, where, working within a Marxist-Leninist framework, he continued to fight for the recognition of the rights of nationalities.¹⁹ ...

■ Ataullah Mengal, leader of the Baluch National Movement (BNM) and chief of the second-largest Baluch tribe, played an important role along with Marri in instigating the 1973 revolt. At the end of this revolt, he went into self-imposed exile, settling in London where he set up the Sind-Baluch-Pashtun Front (SBPF), a simple body representing Sindi, Pashtun, and Baluch nationalist organizations. The SBPF demanded the transformation of Pakistan into a confederation in which each state would have the right to secede and the central government's power would be limited to whatever each of the sovereign states delegated to it. Soon afterward, Mengal distanced himself from this organization. Today, Ataullah Mengal plays a minor role. When he takes part in the political debate defending the rights of the Baluch people, he does not speak as the head of an important armed rebel force, as his counterpart Marri does. Meanwhile, the BNM merged in 1996 with the PNP; later the leaders of the BNM and PNP founded the Baluch National Party (BNP).²⁰

■ The Baluchistan Students' Organization (BSO) also emerged quickly during this same period. Its various factions supported one or the other of the three parties mentioned above, but that support did not prevent it from acting as an independent party. The organization has campaigned for a multinational Pakistan and for the revival of Baluch nationalism.²¹ It generally represents the aspirations of the educated but underemployed Baluch middle class. It calls for the continuation of quotas²² and for the recognition of the Baluch language as a medium of instruction in the province. ...

The Pakistan government contends that the entire Baluch problem is the result of the cupidity of a few corruptible and corrupt sardars strongly opposed to any development that would threaten their power. But of the approximately twenty-eight sardars who matter in Baluchistan, only three have risen in open revolt against the government. In addition, even though the nationalist parties are often tribal parties,²³ the revolt has spread well beyond the tribal areas, particularly to Makran. ... In the Gwadar region, a nationalist revolt against Islamabad is also being driven by a middle class that is woefully underrepresented in the Pakistani administration and army, especially in the higher ranks. It has found a champion for its demands in the Baluch National Movement founded by Abdul Hayee Baluch in the early 1980s. This middle class provides the movement with many of its educated cadres. Abdul Hayee Baluch's Baluch National Movement opposes a separate

agreement, either collective or individual, between Islamabad and the tribal chiefs and knows how to take political advantage of tribal rivalries by imposing itself as an arbiter. Its presence makes it difficult for either Bugti, who represents the Jamhoori Watan Party, or Mengal, who represents the Baluchistan National Movement (Mengal faction), to reach a separate agreement with the central government. Afraid of being marginalized, Ataullah Mengal, for example, has adopted a more radical stance and no longer demands autonomy for his area but, instead, demands independence for Baluchistan. Because of the Baluch parties and their leaders looking over their shoulders, Islamabad has been unable to divide the movement by arresting some of its leaders, buying off others, fomenting conflict among them, or taking advantage of the lack of central communications to spread divisive disinformation.

Foreign Intervention?

Pakistan's press, claiming that Baluchistan's rebels possess highly sophisticated armaments, is constantly discussing the possibility of foreign intervention in the province.²⁴ Ever since the crisis started, the press has been repeating official declarations and spreading rumors about a "foreign hand" being responsible for the troubles in Baluchistan. The chief minister of Baluchistan province, Jam Muhammad Yusuf, declared on August 13, 2004, that the Indian secret services were maintaining forty terrorist camps all over Baluch territory.²⁵ More recent articles have continued to refer to India, but they also have expressed suspicion about Iranian and even U.S. involvement.²⁶

Since India, a traditional enemy, reopened its consulates in Jalalabad and Kandahar, it has been suspected of wanting to forge an alliance with Afghanistan against Pakistan. At the least, it is thought to want to exert pressure on Pakistan's western border to force it to give up once and for all its terrorist activities in Kashmir and, if possible, to bring the "composite dialogue" to an end on terms favorable to India. India is supposed to consider China's role in the construction of the Gwadar port a potential threat to its economic and strategic interests in the region. (Some Indian analysts have linked the construction of the Gwadar port to China's setting up a listening post on Burma's Coco Island to keep a watch on India's maritime activities and its missile tests in Orissa.²⁷) When he was chief of India's naval staff, Admiral Madhavendra Singh expressed fears that ties forged by the Chinese navy with some of India's neighbors might endanger India's vital sea routes to the Persian Gulf.²⁸

The Pakistanis also suspect Iran of supporting Baluch activists in order to counter a Pakistan-U.S. plot to make Baluchistan a rear base in a future offensive against Tehran.²⁹ Iran, which is keen on becoming the preferred outlet to the sea for Central Asia at Pakistan's expense, has built its own port at Chah Bahar (recently renamed Bandar Beheshti) with Indian assistance.³⁰

Iranian involvement is unlikely. Tehran has denied any involvement in the troubles in Baluchistan, claiming that it is not hostile to the Gwadar project.³¹ If it were to get involved in the Baluch imbroglio, it would probably not be in opposition to Pakistan and certainly not because of its rivalry with Pakistan over providing an outlet to the sea for Central Asia. Iran and Pakistan have a common interest in exporting Iranian gas to India, and an insurrection in Baluchistan would only harm their chances of building a gas pipeline through the province.³² Iran also has reason to worry about Baluchistan's claims to its border regions. In fact, Tehran sent helicopters to Islamabad

between 1973 and 1977 to help it put down the Baluch insurrection.

Finally, the Baluch as well as the Pakistanis see the United States as a potential troublemaker. Some Pakistanis suspect that Washington would like to use Baluchistan as a rear base for an attack on Iran and would also like to get China out of the region.³³ They do not make clear which side the Americans are on: whether they are opposing the Baluch nationalists because they are supported by Iran or whether they are supporting the Baluch because they are hostile to the Chinese. Other Pakistanis see a continuation of the “Great Power game” being played in Central Asia since the collapse of the Soviet Union. Proponents of this view believe that the United States, in competition with China and Iran, would like to control the oil supply lines from the Middle East and Central Asia and would also like to use its Greater Middle East initiative to dismantle the major Muslim states and redefine borders in the region.³⁴ In contrast, some Baluch nationalists charge the United States with conspiring with the Pakistan government to put an end to Baluch claims. So far nobody has been able to prove any of these accusations.

Contrary to Pakistanis’ suspicions, it is also not certain that Baluchistan really needs outside financial support. The province is in fact an important center for the trafficking of arms and drugs³⁵ that generates, sometimes with the complicity of corrupt intelligence officers, a very substantial income capable of financing the supply of arms and ammunition to local armed groups. The governor of Baluchistan disclosed in April 2005 that arms valued at approximately 6.4 million Euros had secretly entered the province during the preceding six months in spite of the approximately six hundred check posts spread all over the territory.³⁶ In addition, the large number of Baluch workers in the Gulf is capable of helping to finance these groups.

Exploiting Islam

Charges by Pakistan that the Baluch rebels are financed abroad are mainly important for what such accusations are trying to achieve politically: they could serve to mobilize international support for Pakistan, particularly from the United States, and neutralize opposition to a Pakistani military intervention. The charges are part of a larger effort to discredit Baluch nationalism. They should be seen alongside Pakistani attempts to use the specter of Islamism to undermine the claims of Baluch nationalism in Pakistan and internationally.

Following the policies adopted by Zia ul-Haq in the 1980s, Pakistan’s government continues through its Ministry of Religious Affairs to encourage the setting up of madrassas in the province in order to penetrate deeper into the ethnic Baluch areas stubbornly opposed to the mullahs. Setting up these religious schools has been at the expense of secular education, the lack of which is even more noticeable in Baluchistan than in the rest of the country. The budget of the Ministry of Religious Affairs for the province is said to be approximately 1.2 billion rupees, compared with 200 million rupees allotted to the Ministry of Education. It inevitably follows that the role of the clergy has been increased, angering nationalists who have long been demanding that the Ministry of Religious Affairs be dismantled.³⁷

The growing power of the clergy—enhanced by the manipulation of elections enabling the religious parties and particularly Fazlur Rehman’s Jamiat Ulema-i-Islam to join the provincial government in October 2002—has allowed the central government to draw the attention of foreign

powers to the risk of the spread of fundamentalism in the region and to launch a systematic disinformation campaign equating the Baluch resistance with Islamic terrorism. Pakistan's intelligence services have linked nationalist militancy to the terrorism of Al Qaeda and the Taliban.³⁸ (Ironically, when the Baluch insurgents took refuge in Afghanistan, they sided with the Communist forces and their Soviet protectors.³⁹) The same attempt at disinformation dictates the identification of Baluch nationalism with Iran's Islamic revolution at a time when the United States and Western Europe are protesting Tehran's nuclear ambitions.

Consequences of an Independent Baluchistan

If Baluchistan were to become independent, would Pakistan be able to withstand another dismemberment—thirty-four years have passed since the secession of Bangladesh—and what effect would that have on regional stability? Pakistan would lose a major part of its natural resources and would become more dependent on the Middle East for its energy supplies. Although Baluchistan's resources are currently underexploited and benefit only the non-Baluch provinces, especially Punjab, these resources could undoubtedly contribute to the development of an independent Baluchistan.

Baluchistan's independence would also dash Islamabad's hopes for the Gwadar port and other related projects. Any chance that Pakistan would become more attractive to the rest of the world would be lost.

Pakistan's losses from an eventual secession would not be limited to the economic domain. Although the central government could still find facilities for testing its nuclear weapons and missiles, the test sites would have to be in the vicinity of more populated areas. Some nationalists, who are fully aware that they hold a trump card that would allow them to play on international sensitivities, claim that they would accept immediately the denuclearization of any future Baluch state in exchange for international support in their struggle for independence.

Neighboring countries are also not very enthusiastic about the prospect of a Pakistan weakened by the secession of Baluchistan. Iran, which in 1973 sent its military helicopters to assist Pakistani armed forces, and Afghanistan have strong Baluch minorities in their territories. They do not want a Baluch state, with a *raison d'être* that is essentially ethnic, on their southeastern border. The independence of Pakistani Baluchistan would inevitably give rise to the fear of the revival of Baluch support for a Greater Baluchistan.

India may be tempted to look at the further partition of Pakistan as an opportunity for forging a new anti-Pakistan alliance. An insurrection in Baluchistan might pressure Islamabad to resolve the India-Pakistan conflict over Kashmir, but a change of regional boundaries could revive fears of irredentism in Kashmir and in the territories of the Northeast that a vengeful Pakistan would be only too eager to exploit.

Despite the secular nature of Baluch nationalism, the United States is worried about the possibility of a war for independence complicating the U.S. fight against Islamist terrorism in the region. If the United States were to undertake a military action against Iran, it could also use Pakistani Baluchistan for conducting subversive acts in Iranian Baluchistan. For the United States to be able to do this, the Pakistani province would have to remain calm and not pose a threat to the interests of Washington's allies.

The final question is whether an independent Baluchistan would be a viable state, or whether it would itself become a threat to regional stability. If an independent Baluchistan did not receive foreign technical assistance, it might not be able to exploit the control of its natural resources it would gain from independence. With a ridiculously low level of literacy⁴⁰ and a lack of administrative experience, Baluchistan may not at the present time have the human resources required to develop its natural resources.

Baluchistan's sparse population, which is scattered over a huge area, would also affect the economic and political viability of the new state. In addition, its ethnic composition could pose problems. Although the population of Baluchistan in 1998 was estimated to be about six and one-half million, only approximately three and one-half million are Baluch; two and one-half million are Pashtun and a little more than a half million belong to other ethnic groups.⁴¹ The Baluch do not see this as a handicap because the Pashtun population is found in the northern part of the province and along the Afghan border, territories that are not historically a part of Baluchistan.⁴² They do worry, however, about projects like the Gwadar port that bring in non-Baluch residents; these newcomers could bring about a marked change in the province's ethnic balance. Although large Baluch minorities have settled outside the province, they are not likely to return to their homeland if it becomes independent because of the lack of adequate development there.

If Pakistan is divided at some time in the future, an independent Baluchistan would become in all probability a new zone of instability in the region. Its instability would affect the interests of all the regional players. Yet, unless Pakistan changes its policy toward Baluchistan dramatically, the possibility of Baluchistan eventually gaining its independence cannot be ruled out.

Conclusion

In the absence of foreign support, which does not appear imminent, the Baluch movement cannot prevail over a determined central government with obviously superior military strength. Still, it can have a considerable nuisance value. The risk of a prolonged guerrilla movement in Baluchistan is quite real.

Most observers concur that the Baluch nationalists are raising the stakes to strengthen their negotiating position vis-à-vis the central government. Movement leaders have made it known that they would be satisfied with a generous version of autonomy. In the absence of their winning autonomy, however, the medium- and long-term consequences of the struggle for independence cannot be predicted today. The outbreak of another civil war in Baluchistan between the nationalists and the Pakistan Army cannot be ruled out if the minimum demands of the Baluch are not met.

Almost six decades of intermittent conflict have given rise to a deep feeling of mistrust toward the central government. The Baluch will not forget General Pervez Musharraf's recent promises and the insults hurled from time to time at certain nationalist leaders. The projects that were trumpeted as the means to Baluchistan's development and integration have so far led only to the advance of the Pakistani military in the province, accompanied by the removal of the local population from their lands and by an intense speculation that benefits only the army and its henchmen.

Baluch nationalism is a reality that Islamabad cannot pretend to ignore forever or co-opt by making promises of development that are rarely kept. For the moment, with little certainty about

the conclusion of an agreement between the central government and the nationalist leaders,⁴³ the province is likely to enter a new phase of violence with long-term consequences that are difficult to predict. This conflict could be used in Pakistan and elsewhere as a weapon against the Pakistan government. Such a prospect would affect not only Pakistan but possibly all its neighbors. It is ultimately Islamabad that must decide whether Baluchistan will become its Achilles' heel.

Notes

- 1 Selig Harrison, *In Afghanistan's Shadow: Baluch Nationalism and Soviet Temptations* (Washington, D.C.: Carnegie Endowment for International Peace, 1981), p. 151.
- 2 Data are from the 1998 census.
- 3 The Jacobabad base is situated in Sind.
- 4 It was 5.1 percent of the population according to the 1998 census, which shows the relative decline of the Baluch population compared with Pakistan's total population.
- 5 Hamid Hamza Qaisrani, "Gwadar Port Ready for Inauguration," *Gwadar News*, April 2005, pp. 2-3.
- 6 *Ibid.*, p. 3.
- 7 Tarique Niazi, "Gwadar: China's Naval Outpost on the Indian Ocean," *China Brief* 5, no. 4 (February 15, 2005), www.jamestown.org/publications_view.php?publication_id=4.
- 8 *Ibid.*
- 9 One unit of gas priced at 27 rupees in Baluchistan costs between 170 and 190 rupees in Sind and Punjab, even though the technical conditions of production do not justify this price difference.
- 10 Akbar Bugti, in an interview with the author on April 16, 2004, remarked that, in 2001, a Chinese company was given permission by the Pakistani government to prospect and map the area. The Chinese had express instructions not to talk to members of local tribes. Tribesmen killed two Chinese employees and one Pakistani, and the Chinese company was obliged to leave.
- 11 No representative of the provincial government was present on March 24, 2002, in Gwadar during the signing of the project agreement by President Musharraf and Vice Premier Wu Bangguo of China.
- 12 Of the twelve thousand Coast Guard officers and sailors operating along the Makran Coast, only ninety are Baluch; and only nine hundred Baluch are in the Frontier Constabulary in charge of the province's security. *The Nation*, April 11, 2005.
- 13 Taj Mohammad Breseeg, *Baloch Nationalism: Its Origin and Development* (Karachi: Royal Book Company, 2004), p. 22.
- 14 Harrison, *In Afghanistan's Shadow*, pp. 22-24.
- 15 In practice, the central government has adapted itself to the continuance of the tribal system and co-opts its chiefs to consolidate its power over the province.
- 16 Harrison, *In Afghanistan's Shadow*, p. 30.
- 17 Feroz Ahmad, *Ethnicity and Politics in Pakistan* (Karachi: Oxford University Press, 1999), p. 176.
- 18 It is in this region that the bloodiest battles took place during the 1973-1977 conflict.
- 19 He was wooed by the Communist government in Kabul and his son, Nawabzada Balaach Marri, was sent to Moscow for higher studies. It was only in 1991 that he returned to Baluchistan. The region under his control is even today the most dangerous for the Pakistani armed forces.
- 20 Siddiq Baloch, "Balochistan National Party," in A. B. S. Jafri, *The Political Parties of Pakistan* (Karachi: Royal Book Company, 2002), p. 17.
- 21 Tahir Amin, *Ethno-National Movements of Pakistan* (Islamabad: Institute of Policy Studies, 1988), pp. 199-200.
- 22 Each province is theoretically represented in the administration and the army in proportion to its population.
- 23 This is notably the case with the BPLF, which is above all a Marri party, and the Jamhoori Watan Party, which represents the Bugtis. The BNP, which tried to extend its influence in the whole province, could not penetrate the regions controlled by the two former parties.
- 24 *The News*, February 2, 2005.
- 25 *The Herald* (Karachi), September 2004.
- 26 *The News*, February 2, 2005.
- 27 Zia Haider, "Baluchis, Beijing and Pakistan's Gwadar Port," *Georgetown Journal of International Affairs* (Winter/Spring 2005), p. 98.
- 28 "Indian Navy Concerned Over China's Expanding Reach," *Times of India*, May 21, 2003.
- 29 *Daily Times*, January 29, 2005.
- 30 Zia Haider, "Baluchis, Beijing and Pakistan's Gwadar Port," p. 99.
- 31 *Daily Times*, February 7, 2005.
- 32 *Daily Times*, February 5, 2005.
- 33 "US Will Not Like Significant Presence in Balochistan," *Daily Times*, January 30, 2005.
- 34 Balochistan and the 'Great Power Games', *The News*, February 3, 2005.
- 35 This is in complicity with Afghan refugee camps (including Dalbandin, Chaman, and Quetta).
- 36 *The Nation*, April 11, 2005.
- 37 Senator Sanaullah Baloch, interview with author, Islamabad, January 30, 2005.
- 38 "Pakistani Forces May Face Lengthy Conflict on Afghan Border," *Daily Times*, January 27, 2005.
- 39 Several young leaders of the Baluch Liberation Army are supposed to have received training in the Soviet Union before 1989.
- 40 According to Pakistan's Population Census Report, 1998, the rate of literacy was 24.8 percent for the Baluch population (34 percent for men; 14.1 percent for women). The level of functional literacy (that is, the ability to not only decipher a text but also analyze it empirically) is lower than the official figures.
- 41 *The Nation*, April 11, 2005.
- 42 The population speaking Baluch dialects is currently in a minority in the areas claimed by the nationalists; see Aijaz Ahmad, "The National Question in Balochistan," in S. Akbar Zaidi, ed., *Regional Imbalance and the National Question in Pakistan* (Lahore: Vanguard Books, 1992), p. 196.
- 43 The report of the Pakistani Senate's subcommittee on Baluchistan contains proposals that will not have any major impact on the situation and are likely to go unheeded.

The Pashtuns and the Future of the Pakistan Federation

Mohammad Raza and Humayun K. Marufkhail

Historical Overview

The Pakistani State was supposed to be a federation consisting of federating units, which are ethnically defined. These were Punjabi, Pashtun, Baloch, Sindhi and Bengali (Bengalis seceded from Pakistan in 1971, forming Bangladesh). All the federating units have their own cultures and languages with religion being the only common denominator. The core values of a federal system are constitutionalism, pluralism and power sharing. Federal democracy envisages a matrix of institutions for power sharing that balances and accommodates different regional and general interests.⁴⁴

The first-ever representative constitution of 1973 adopted the principle of federalism as the basis for the state system, although it has not been implemented in letter and spirit in the subsequent years. The leadership of the smaller federating units, NWFP (Pukhtunkhwa) and Baluchistan were hopeful that the new Constitution (1973) would lead to increased provincial autonomy. The subjects, for legislative purposes, were divided into Federal and Concurrent Lists in the Schedules to the 1973 Constitution. A constitutional clause ensured that the “Concurrent List” would be abolished after ten years once the 1973 Constitution became operational, which did not happen till this writing.⁴⁵

The basis of any federation is participation of the federating units in policy formation especially in Money Bills. The elite of the most populous unit, i.e. Punjab, has dominated the federation right from its inception. The tendency on the part of the Punjab to retain centralized control is predominantly prompted by economic reasons. Arguably, under the cloak of Islam (projected as the State ideology) and the fear of a hostile powerful neighbor lies a devious scheme of resource exploitation of the smaller federating units by the federal government.

Because Punjab is an arid zone, it heavily relies on the elaborate irrigation system built by the British. Punjab is mostly agricultural, growing such water-intensive crops as cotton, sugarcane, rice and also wheat. The Kashmir dispute, though projected in ideological terms by the Pakistani establishment, is in essence a water issue.

Pakistan liquidated water-use rights of the three Eastern Rivers (Sutlej, Beas, and Ravi) exclusively to India in the Indus Water Treaty in 1960. Punjab has its eyes on the river Indus to meet its growing agricultural needs. The Kalabagh dam plan is projected as a scheme to meet energy needs, but is actually intended to irrigate its desert lands, mostly owned by top civil-military personnel. Ironically, Pakistan wants to build the Kalabagh dam for power generation despite having alternatives and strong opposition by Pukhtunkhwa and Sindh provinces.

The Pashtuns of the Peshawar valley consider the Kalabagh dam plan as a concealed design

to wipe out their human resource base by inundating its sparse agricultural land. The Peshawar valley is a fertile tract, producing cash crops such as sugar cane and tobacco, which provides enough livelihood and resources to its people to participate in the political processes of the country. According to the Pashtun leadership of the Peshawar valley, the Kalabagh dam is an attempt to deprive them of a genuine political leadership.⁴⁶ The federal government has used the “South Card” i.e. the political leadership from the southern districts of Pukhtunkhwa—mostly dominated by the religious right—to make it believe that the reservoir will help in irrigating the southern districts and hence the shift of political leadership from the central and northern districts to the south. But even these divisive tactics have not been successful so far.

The discovery of a huge reservoir of natural gas and oil in the Kohat (Gurguri) and Karak districts of Pukhtunkhwa and its exclusive use by the federal government is another instance of the control of natural resources by the central government belonging to the federating units. The federal government is not prepared to negotiate new royalty rates with the government of Pukhtunkhwa to generate more resources for the development of the province.

Similarly, in the banking sector “the [Pukhtunkhwa] province contributes about 11% of the total bank deposits, yet only 4% of the loans are disbursed in Pukhtunkhwa”.⁴⁷ The Bank of Khyber, the only bank owned by the provincial government of Pukhtunkhwa, is constrained to issue sovereign guarantees, because of low equity and banking laws, to attract FDI (Foreign Direct Investment) in the province.

“Pukhtunkhwa produces 71.9% of Pakistan’s tobacco”.⁴⁸ Another instance of discriminatory treatment is the imposition of excise duty on tobacco growth in the province. The federal government collects billion of rupees under this head annually, thus depriving the province of its resources to address issues of economic and social development. The federal government does not levy agricultural tax on any other crop, thus protecting Punjab, which mainly grows wheat. Punjab is the granary of Pakistan, and the wheat card has been frequently used by Punjab to force other provinces into obedience for meeting their food needs. Article 151(2) of the Constitution empowers the Parliament, with its Punjabi majority, to put restrictions on inter-provincial trade and commerce in the public interest.

The colonial name of the province (NWFP) has not been changed to Pukhtunkhwa despite unanimous resolutions of the provincial assembly of the province. After the creation of Pakistan, the name is a geographical anomaly because the province is not situated at Pakistan’s northwest “frontier”. The negation of the cultural identity of the people of Pukhtunkhwa and retention of the colonial name of NWFP for the province has created a vacuum, which has helped the rise of the religious right in politics and enabled it to promote the religious dimension of Pakistan identity.

The Pashto language could not develop its full potential due to the hostile attitude of Pakistan’s central governments. For a Pashtun, the Pashto language is not merely a medium of expression or a symbol of cultural sophistication; it is rather synonymous with his identity and honor in the community. Therefore, Pashtuns *do* and speak Pashto. The strong emphasis of Abdul Ghaffar Khan (1890-1987), popularly known as Baacha Khan, on development of the Pashto language, his anti-British politics, his alliance with the All India Congress and his anti-partition stance led to the accusation that he was “anti-State” after the creation of Pakistan. Baacha Khan wanted more

autonomy (and a post-colonial name for his province—Pashtunistan) in Pakistan, which made Pashto the primary target of victimization of the Pakistani State. Pashto was introduced as a medium of instruction at the primary level only in 1984.⁴⁹ Despite all these odds, Pashto has made progress. Apart from the radio stations in Afghanistan and Pakistan, there are about a dozen radio stations in different countries of the global North and South that are broadcasting programs in Pashto language. Those broadcasts, apart from increasing general awareness, also have an important contribution in bridging the gap between the standard Pashto of Eastern and Western Pashtuns. Although television programs of the state-controlled stations of Peshawar and Quetta have yet to give Pashto programs their due place in terms of time and resources, Pashto drama has made important strides ahead.⁵⁰

Pakistan, the Pashtuns, and the latent “Great Game”

In recent years, the Pakistani establishment has been able to bring into its fold the major part of the Pashtun ruling elite through a series of adjustments and accommodations. According to some evaluations, the Pashtun ruling elite has been partially elevated to the position of a “junior partner” of Punjabi-Mohajir ruling classes in Pakistan. In recent years Pashtun elite has tended to adopt political conformism that is a reflection of an expanding parallel economy as well as growing dependence. But the basis of these adjustments is still narrow and contradictory. The renaming of NWFP (including tribal belt and Pashtun areas of Baluchistan) as Pukhtunkhwa, the adoption of Pashto as official language, reformation of the Afghan policy, Kalabagh dam, and provincial control over the natural resources remain areas of friction. The failure of the federal government to pay royalty on hydel power generation to Pukhtunkhwa has led even the most conformist elements to protest.

The pioneer of the Pashtun cooption in the Pakistani State was Olaf Caroe, the last British Governor of NWFP and author of “The Pathans”.⁵¹ Caroe tried to divide the Pashtuns of Afghanistan and British India into Western and Eastern Pashtuns. This wedge was clearly intended to convince the Eastern Pashtuns to look towards Delhi (and later Islamabad), rather than Kabul. The “Kabul must burn” slogan of General Akhtar Abdur Rehman (Director General of the Inter Services Intelligence (ISI) during the Afghan Jihad in the 80s) was the extreme expression of this strategy.

The underlying motive behind this strategy was to counter the aspiration of the Pashtuns for self-determination and the irredentist claims of Afghan governments over Pashtun-populated territory in Pakistan. This strategy also envisaged supporting the ethnic minorities (e.g. Tajiks, and the Uzbeks) in Afghanistan and weakening the Pashtun national identity by investing in the Islamic groups in Afghanistan (e.g. Hikmatyar, Rabbani, and Masood) that were loyal to Pakistan rather than Afghanistan.

The culmination of this strategy was the rise to power of Taliban—a demolition squad let loose on Afghanistan—a futile exercise, militarily termed as the “strategic depth doctrine” by the Pakistani military thinkers—to directly rule Afghanistan through its proxies as a counter balance to Indian influence in Afghanistan. The change of the national anthem and flags of Afghanistan, the ban on *nowroz* (a thousands of years old Afghan new-year festival), the demolition of the statues of Buddha, the ban on music and cultural activities, the change of name of Radio Afghanistan to Radio *Shariat* were all part of this strategy of exaggerating the Islamic identity at the cost of Pashtun/Afghan identity.

Pakistan, Pan-Islamism and the Pashtuns

Islam, after its advent in this region in the eighth and ninth centuries, had gradually become integrated with the traditional tribal code of Pashtuns—*Pashtunwali*. Pashtuns have been mainly gripped by the externalities of the religion that became a part and parcel of their lives. The co-existence and interaction of the ancient tribal code with religious traits is a very interesting phenomenon that is indispensable for understanding the Pashtun national culture. On the one hand, it explains the inevitable and ritualistic religiosity of a Pashtun, and on the other hand it explains the futility of efforts to inject religious fundamentalism in Pashtun social and political culture as it stands in contradiction to *Pashtunwali*.

In fact, the Islamic identity of the Pashtuns is only one thousand years old whereas *Pashtunwali* is reportedly five thousand years old. It is unfortunate though that sponsors of the religious forces in the Pashtun society have misused local customs and traditions of *Pashtunwali* to host internationally wanted terrorists. But a reaction is being witnessed these days among the general public: an uprising against foreigners and militants in different areas of Pukhtunkhwa, even to the extent that local communities have formed armed forces called *lashkars* as a counterbalance to the militants.

The Pashtun society stands on two pillars: the mosque and the *hujrah* (local community centers). The *hujrah* is the center of gravity of the secular leadership of the society wherein all worldly matters used to be debated and decided by local elders. The mosque, headed by the religious leadership, only provided religious services like prayers, funeral gatherings, and other spiritual matters. Unfortunately, due to the Afghan conflict since 1979, the role of the *hujrah* has been deliberately undermined by Pakistan and other countries including the United Kingdom and Saudi Arabia. The mushrooming growth of *madrassas* (religious schools) and the lack of modern educational facilities to the general public in the Pashtun-populated region is another factor that has helped the rise of the religious right.

After losing control over Afghanistan post 9/11, extremist elements in the Pakistani state manipulated political and electoral processes to manage a political comeback by the pro-Taliban *Mutahidda Majlis-e-Amal* (MMA) in Pukhtunkhwa and Baluchistan. This was designed to serve more than one purpose. Islamabad's phobia of a threat from its western borders could be addressed only with the enforcement of a policy of containment. It was also expected to boost the morale of the remnants of Taliban who are resisting the new setup in Afghanistan. An added advantage was to be the use of religious right by the ruling establishment as a lever for putting pressure on US and other Western countries to have a better bargain.⁵²

Be that as it may, the religious parties in MMA found it very difficult to grapple with the problem of modern governance. In the absence of a concrete program for socio-economic development, the MMA failed to deliver in terms of either providing relief to the common man or standing up for the rights of the province.

The Islamic ideologues within the Pakistani establishment have their eyes across the Oxus River and probably beyond. Their ambition was, and still remains, to establish a pan-Islamic caliphate initially embracing Afghanistan and Central Asia.

However these strategists chose the Pashtun land and people as their initial target in this

grand strategy. The shifting of the “Islamic *Emirate* of Afghanistan”⁵³ to Waziristan (“Islamic *Emirate* of Waziristan”) and later to other “agencies” in the Federally Administered Tribal Areas (FATA) after the fall of Kabul in 2001, illustrates this strategy.

The Pashtun areas were the staging area for Islam’s expansion into India. Mahmood of Ghazna recruited Pashtuns in his marauding armies and made it his habit to invade India every year. These (seventeen) invasions finally paved the way for establishing an Islamic kingdom in northern India, which later became an empire during the Mughal period of Indian Muslim rule. A Pakistani security official once told this author that “with the Arabs’ money, the Punjabi strategy and the Pashtun muscle, an Islamic caliphate will be revived *InshaALLAH*”.

NWFP, FATA, and the Pakistani Federation

The British created the Northwest Frontier Province of British India in 1901. The province, mostly populated by Pashtuns, had great strategic importance despite its small geographical size. One reason for the creation of NWFP was to deprive the inhabitants of the legal safeguards awarded to British Indian subjects. Thus the Frontier Crimes Regulation (FCR) was enacted to deal with the “ever-refractory” Pashtun and Baloch tribes of the British Empire’s borderland.

The FCR is a draconian law that survives even to this day in the so-called Federally Administered Tribal Areas (FATA). Despite being citizens of Pakistan, people of the FATA do not have equal protection of law and are denied their “fundamental rights” as enjoined in the Constitution of 1973. The Political Parties Act is not operative in FATA, thus leaving the area an open field for religious parties who use mosques and Friday sermons for furthering their political agendas. FATA is extremely under-developed and isolated from the rest of the country. No foreigner or media person can visit FATA without prior permission of the government and without a government escort.

Despite increasing demands by the tribesmen and continuous pledges by the federal government, FATA has yet to mainstream in Pakistan. The prime consideration of Pakistani policy-makers—to retain the special character of FATA intact—can be attributed to two factors.

Firstly, FATA has been used (and is still being used) as a strategic springboard for Pakistan’s Afghan policy. Any change in the status quo in FATA will be a severe blow to the current Afghan policy of Pakistan. Secondly, integration of FATA into NWFP (as has been demanded by political parties, chiefly by the Awami National Party) will make it more difficult for Pakistani federal authorities to contain Pashtun national sentiment. Major Pashtun nationalist parties like the ANP and the Pukhtunkhwa Milli Awami Party (PkMAP) advocate integration of all Pashtun populated (NWFP, FATA, and Pashtun-populated region of Baluchistan) to form a single administrative unit to be named either as Pukhtunkhwa, Pashtunistan or Afghanistan. This has been resisted by Pakistani federal authorities for obvious reasons. There are also constitutional impediments. According to the 1973 Constitution, Sindh is the second largest federating unit in terms of population. Since resource distribution in the National Finance Commission Award is on the basis of population, the integration of Pashtun areas would reduce the share of resources to Sindh. However, Pashtun leaders have expressed their willingness to negotiate a compromise with Sindh on resource allocation when integration occurs.

US-Pakistan Partnership in the “War against Terror”

The challenge of religious extremism facing Pakistan has been magnified by the policies of successive US administrations in Pakistan since its inception. The British saw Pakistan as the first line of defense against probable future Soviet expansionism in the sub-continent. Thus, the religious identity of the State was intentionally created and promoted to create “a fortress of Islam”—an ideological minefield to thwart the Communist ideology of the former Soviet Union. In this grand strategy, Iran and Turkey were also included to create a crescent of Islamic States as a halter around the neck of Soviet Russia. The CENTO-SEATO pacts and the creation of the RCD (a pact between Iran, Turkey and Pakistan for regional cooperation) were measures primarily aimed at Soviet containment in Asia.⁵⁴

The continual support of successive US administrations, especially Republican administrations, for military dictators in Pakistan was an outgrowth of this strategy.

Having being used by the US administrations as a “frontline state” in the anti-Soviet war in Afghanistan, Pakistan was required after the 9/11 tragedy to play the same role in the “war against terror” effort of the US government in the region. The modus operandi of US-Pakistan relations remained the same, but the role of Pakistan was reversed. Now Pakistan was being paid for eliminating the monster of religious extremism that was created and used for American national interests against the Soviets in the 80s in the Pakistan-Afghanistan region.

The Pakistani military, having a vast experience of the American mind, especially of the Pentagon, played its own cards. General Musharraf very well played the role of General Armstrong Custer while portraying the Pashtuns as the Sioux.⁵⁵ This has resulted in the virtual collapse of the anti-terror strategy.

Proposed Policy Recommendations

To Pakistan:

The strength of the Islamists and *jihadis* in Pakistan springs from the basic state ideology and practices of successive governments over the past several decades. Muhammad Ali Jinnah, founder of Pakistan, clearly stated in his first policy speech in the Constituent Assembly that his dream of Pakistan was of a secular and democratic country. However, his successors have used the Islamic card as the state identity to promote their vested interests.

The 1973 Constitution has been amended and re-amended by civilian and military rulers to meet their interests. There are voices within the political spectrum (notably the Pakistan Oppressed Nations Movement (PONM), which are demanding a new social contract in Pakistan in which Pakistan would be organized as a confederation. Though this seems an extreme approach, the idea of framing a new constitution is not without merit. A state is, and must always remain, subservient to a society. In the case of Pakistan, the state has gone beyond the control of the society. In fact, the military having the trump card in Pakistani politics has left the strong impression that whereas most countries have militaries, in Pakistan it is vice versa.

In order that Pakistan emerges as a responsible and viable State in the region and internationally, there is a genuine need of a new federal structure that envisages “full provincial

autonomy with the center retaining control of defense, foreign affairs, currency”⁵⁶ and probably communications. The future of Pakistan, to a large extent, will depend on re-discovering the secular and democratic vision of its founding fathers, and also on making Pakistan a genuine democratic federation wherein all its component parts feel empowered. (For proposed constitutional amendments to this effect, see Annexure I).

To the United States and the International Community:

The current anti-terror strategy of the US government is deeply flawed. The idea of supporting democracy in Afghanistan and a military-dominated government in Pakistan at the same time is contradictory and cannot succeed. The US should approach the problem of violence, religious extremism, and terrorism in the broader regional context. To succeed in this strategy, the US should encourage and support non-state democratic forces in Pakistan also, instead of outsourcing its war on terror to the Pakistani military only.

In the case of Pukhtunkhwa and FATA, the approach towards ‘non-State democratic forces’ approached must not be limited to known tribal elders (who may be corrupt and opposed to change and development in FATA because of their own financial, political, and ideological interests), a single political party or known Pashtun politicians (who, in most cases, are heavily influenced by the ISI). There are thousands of young Pashtun voices in the region that include poets, scholars, intellectuals, writers, philosophers, human rights activists, and journalists who have been demanding a change, a new voice, a new political secular and progressive political party, and a new Pashtun representation. But unfortunately, these voices have often fallen on deaf ears. For a successful implementation of an anti-terror strategy, the United States government, in partnership with the Pashtun Diaspora in Europe, Australia, New Zealand, and North America, must bring these secular-minded and democratic forces under one roof and on one single platform. This can be accomplished through a traditional Pashtun institution known as the *Jirga*⁵⁷ (Council of the People), which must be held on neutral ground, excluding both Pakistan and Afghanistan.

To be sure, there have been *Jirgas* held in Pakistan and Afghanistan before. However, due to manipulation, interference, and influence of the ISI, Islamabad, and possibly Kabul, the results have not been fruitful nor did the *Jirgas* serve the interests of the people, the United States, NATO/ISAF, and the international community.

In the GWOT (Global War on Terrorism), ISAF and the U.S. Central Command must no longer rely exclusively upon the advice and interpretations of Kabul and Islamabad, as has been the case for the past seven years. On the one hand, an active member of the Tajik Northern Alliance sits as the head of Afghan Intelligence in Kabul. On the other hand, ISI is dominated by Punjabis who have been advising ISAF and the U.S. Central Command on issues relating to terrorism and counterinsurgency in Southwest Asia. Both elements, at the present time, carry their own set of agendas often contradicting or competing with each other. The U.S. Defense Department has awarded contracts worth hundreds of millions of dollars to U.S. firms for linguistic and cultural support to the U.S. Armed forces. Defense contractors have recruited Tajiks, Uzbeks, Hazaras, Punjabis and others (all U.S. naturalized or U.S born citizens) to advise the U.S. military and intelligence on Pashtun affairs and interpret the Pashto language, which has had a severe adverse

affect on the overall mission and on counterinsurgency operations. These non-Pashtuns do not speak or understand the Pashto language or comprehend the Pashtun culture, tribal dynamics, traditions, and psyche.. Such incompetence and lack of understanding of the Pashtun culture and language has often resulted in ‘dead Pashtun bodies’ on both sides of the Durand Line.⁵⁸

There should be greater people to people contact between the US and the Pashtuns. Cultural exchanges and scholarship programs for Pashtun youth in educational institutions in the US would help to bridge the widening gap between the two people.⁵⁹ Punjabis, the majority of the population in Pakistan, have received more visas and scholarships than any other ethnicity in Pakistan. Conversely, Pashtuns in Afghanistan, who are the majority of the population there, have received less visas and scholarships than the ethnic minorities in Afghanistan! Such inequality in immigration and in scholarship grants may not be the result of conscious policies, but requires serious attention.

The Durand Line⁶⁰ is the great divider of the Pashtun community in Pakistan and Afghanistan. In order to decrease the appeal of the vested interests and religious extremists in the Pashtun region, genuine economic opportunities should be created. The idea of Reconstruction Opportunity Zones (RoZs)⁶¹ in the border regions of Pakistan and Afghanistan is very desirable in this regard, and needs to be implemented on a priority basis. Historically, Pashtuns on both sides of the Durand Line have been deprived of education and economic development opportunities. The resulting high incidence of illiteracy and poverty feeds into criminal activities as well as making the ‘Reconstruction Opportunity Zone’ more susceptible to religious extremism. The ROZs would have an ever-lasting positive impact on the hearts and minds of the Pashtun population, if properly planned and implemented. Pashtuns are one of the most *loyal* people in the world. In fact, loyalty is an essential component of Pashtunwali; violation of such an important pillar within the Pashtun society is almost unheard of.

In the past, the British Raj in India and its offshoots in Islamabad have neglected and exploited the Pashtun land and people. The United States is considered the first ever power with a serious commitment and a development plan for the Pashtun land. However, from a Pashtun perspective and taking into consideration the historical context mentioned herein, not a single American taxpayer dollar should be spent on RoZ⁶² before fully integrating FATA into Pukhtunkhwa (i.e. mainstream Pakistani society), eliminating the FCR (Frontier Crimes Regulation), changing the name of the province from N.W.F.P to Pukhtunkhwa, Pashtunistan, or Afghania, and extending the Political Parties Act to FATA. The vision of the American founding fathers, enshrined in the constitution, demand such a dispensation for the formation of a direct U.S.-Pashtun partnership. Such a partnership is critical for the stability, security and prosperity of the Southeast Asia region and beyond.

Annexure I

Proposed Constitutional Amendments

The 1973 Constitution has been amended and re-amended by civilian and military rulers to meet their interests. There are voices within the political spectrum (Pakistan Oppressed Nations Movement PONM being the ardent advocate), which are demanding a new social contract in Pakistan to the extent that Pakistan should be organized as a confederation. Though this seems an extreme approach, the idea of framing a new constitution is not without merit. A state is, and must always remain, subservient to a society. In the case of Pakistan, the state has gone beyond the control of the society. In fact, the military having the trump card in Pakistani politics has made a strong impression that whereas countries have militaries, in Pakistan it is vice versa.

In the short-term, the following recommendations for amendments in the constitution will immensely restore the confidence of the federating units in the future of Pakistan.

The Federal Legislative List Part I should be amended to the following extent:

1. 1 (Omit “including civil armed forces)
2. 3 (Omit “educational and cultural pacts and agreements”)
3. 5 and 6 (Migration, include “with the concurrence of the federating unit(s) concerned”.
4. Omit 17
5. Amend 18 to the extent “subject to the concurrence of the Council of Common Interests” at the end.
6. Omit entries 25 (copyrights), 30 (stock exchanges), 30 (corporations), 32 (national planning), 33 (national lotteries), 34 (national highways), 40 (power over provincial police), 43, 44, 45, 46 (duties on customs, excise, property succession, estate), 49 (sales tax), 50, 51, 52, 53, 54 (taxes on capital assets, mineral oil, duty on production capacity, terminal taxes, fees on above)

The Concurrent Legislative List Part I should be amended to retain the following entries only.

The rest of the subjects should be left for the federating units:

1. 17-18 (arms and ammunition, explosives),
2. 20-24 (drugs, poisons, contagious diseases, mental illness, environmental pollution),
3. 32 (inland shipping and navigation),
4. 37 (ancient and historical monuments).

The Articles of the Constitution requiring important changes are:

1. Article 17, Clause 2 shall be reconstituted to include the citizens living in FATA and FANA
2. Article 19 shall be re-phrased as “Every citizen shall have the right of the freedom of speech and expression and there shall be freedom of the press subject to any reasonable restrictions imposed by law. Every citizen shall have the right to have access to information in all matters of public importance subject to reasonable

restrictions of law”.

7. Article 27, Proviso I shall be substituted as “Provided that every Federating Unit, and also FATA and FANA, shall have proportional representation in all the Federal Services based on population”. In Clause I, a third Proviso shall be added, namely: - “Provided further that areas under-represented or neglected in the past in the Federal Services may be compensated by an order of the Federal Government or the President”.
8. In Article 28 (promotion of culture and language), delete “Subject to Article 251”.
9. Article 39 (participation of people in armed forces) shall be amended, as “The State shall ensure that people from parts of Pakistan including FATA and FANA participate in the Armed Forces of Pakistan according to the population of the Federating Units as well as FATA and FANA at all levels”.
10. Article 41 (election of President) Clause 1 shall be amended, as “There shall be a President of Pakistan who shall be elected on rotational basis from all Federating Units of the country beginning from the smaller Federating Units. He shall be the Head of State and shall represent the unity of the Federation”.
11. Article 48 (President to act on advice etc.) Clause 5 shall be amended as “where the President dissolves a National Assembly on advice of the Prime Minister, he shall...” Sub-Clause (b) of the same Article shall be substituted with words, “appoint a Care Taker Government having equitable representation from all Federating Units, FATA, and FANA, headed by the Chief Justice of the Supreme Court of Pakistan.” Clauses (6) and (7) of the same Article shall be omitted.
12. Sub-clause (g) of Article 63 shall be omitted.
13. Article 68 (Restriction on discussion in Parliament) shall be amended as “There shall be no restriction in [Majlis-e-Shoora (Parliament)] with respect to the conduct and working of any Judge of the Superior Judiciary.”
14. In Article 70, the following amendments shall be made, namely: - The words, “or in the Concurrent Legislative List” shall be omitted. Clause (4) shall be substituted by the following, namely: - “In this Article and in the succeeding Articles of the Constitution, Federal Legislative List means the Federal Legislative List Part I in the Fourth Schedule.”
15. In Article 73 the following amendments shall be made, namely: - For Clause (1), the following shall be substituted: “Notwithstanding anything contained in Article 70, a Money Bill shall originate in either of the two Houses and the process for its introduction and passing shall be the same as described in Article 71.” In Clause (2) in Sub-Clause (1) the words “a Provincial Government” shall be omitted. Clauses (4) and (5) shall be omitted.
16. Article 78, the following amendments shall be added, namely: - In Clause (1) after the words “all loans raised by the Government, the words, “except foreign loans” shall be inserted. A new Clause (3) shall be added, namely: - “All foreign loans raised by the Government shall form a separate fund, administered jointly by the Federal Government and the Council of Common Interests.”
17. Original Article 129 of the Constitution should be restored.

18. Article 101, the appointment of Governor shall be should be subject to confirmation by the Provincial Assembly
19. Article 151 (2), inter-provincial trade should be totally free
20. Article 156, to be deleted (National Economic Council)
21. Article 159, to be deleted (Broadcasting and Telecasting)
22. Article 160, to be deleted (National Finance Commission)
23. Article 193, High Court Judges should be appointed by the Provinces
24. In Article 232, Clause (1) shall be substituted and after full stop the following words shall be added; "the action on the basis of the internal disturbance beyond the power of the Provincial Government to control shall be taken by the Federation on the resolution of the Provincial Assembly." In Clause (2): - For the Sub-clause (a), the following shall be substituted, "The Senate shall have exclusive power to make laws for a Federating Unit, or any part thereof, with respect to any matter not enumerated in the Federal Legislative List." For Clause (b), the following shall be substituted: - "The executive authority of the Council of Common Interests shall extend to the giving of advice to a Federating Unit as to the manner in which the executive authority of the Federating Unit is to be exercised; and Sub-clause (C) shall be omitted. In Clause (3) the words, "Majlis-e-Shoora (Parliament)" shall be substituted with the word "Senate". In Clause (4) for the words, "Majlis-e-Shoora (Parliament) whenever they appear, the word "Senate" shall be substituted. In Clause (5), for the words, "Majlis-e-Shoora (Parliament) wherever they appear the word "Senate" shall be substituted and for the words "six months", the words, "thirty days" shall be substituted. In Clause (7), the following amendments shall be made: - in sub-clause (b) for the word "a joint sitting" the word "Senate" shall be substituted. Clause (8) shall be omitted.

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45 *Ibid*

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50 Supra footnote 2

51 Olaf Caroe's other influential book was titled, "The Wells of Power", having deep impacts on US foreign policy towards the Middle East after the Second World War.

52 *Ibid* supra note 2

53 A copy of the *fatwa* (religious decree) of the Islamic *emirate* (based in Waziristan) is on record

54 Facts are Facts by Wali Khan, page 42

55 During the American Civil War, General Armstrong Custer, representing the Union Army, was sent in 1873 to tame the Native American Sioux tribe. The local land speculators and settlers (parallel to the Pakistan government) were initiating and provoking conflicts with the tough but fairly peaceful Sioux (parallel to the Pashtuns) to get the US Federal government (parallel to the international community) to intervene and view the Sioux in a negative light. The Sioux devastatingly defeated Custer and his men, but this led to them being hunted down and forcibly relocated. The settlers wanted the land of the Sioux because of natural resources, as well as the land itself, and racism also fed into it.

56 *Ibid* supra note 2

57 Jirga is an ancient and democratic Pashtun institution of conflict resolution, mediation, and election.

58 <http://www.eurasianet.org/departments/insight/articles/pp090708.shtml>

59 This initiative, with direct support from the USG, can be undertaken and implemented by such groups as the Global Pashtun Institute for Peace & Democracy (www.pashtuninstitute.org); a U.S. based non-profit research and policy institute working towards the development of Pashtuns.

60 The controversial colonial border between Pakistan and Afghanistan that divides the Pashtuns of Pakistan and Afghanistan

61 <http://www.state.gov/r/pa/prs/ps/2008/mar/102262.htm>

62 Unfortunately, Pashtun land has turned into a cash cow for the Pakistani establishment including its military and intelligence services. The American taxpayer has pumped billions of dollars (majority of it is still unaccounted for), yet Osama bin Laden, Ayman Al-Zawahiri, and Taliban continue to strive and kill our brave men and women in uniform who not only liberated Afghanistan but also brought hope to the Afghan people. The killings of our Armed forces, NATO, Pashtuns on both sides of the Durand Line, and the Afghan people in general, are all planned in Islamabad and executed from FATA.

Ethnic Tensions and the Future of Pakistan: The Case of Sindh

By Humaira Rahman

Context

Ostensibly the Pakistan People's Party government, elected in February, 2008, is a "Sindhi" government, as the PPP has its origins and roots in Sindh and continues to depend on Sindh's vote bank during elections. As such, the expectations of the Sindhi nation were high when the Peoples Party won the election and formed a coalition (with PMLN) federal government in Islamabad and a coalition government (with MQM, Muttahida Quomi Movement) in Karachi, Sindh's capital.

In Sindh, it was clear that the PPP could have formed a government with independents and did not need the MQM in that respect. However, in view of MQM's grip on municipal governments in Sindh's key cities, it was obvious that partnership had to be forged with them (notwithstanding the bitter enmity and inimical relationship of the past) to enable the task of governance to proceed.

After February 18th 2008, Sindhis (nationalist parties and civil society) were of the view that the three key and overarching issues of **Autonomy**, Provincial ownership of **Energy Resources** and equitable access to **Waters of the Indus**, would be high on the government's agenda and would be resolved to Sindh's satisfaction within the earliest time frame. Benazir's assassination was widely regarded as the murder of a Sindhi leader and Sindhis were keen to give the PPP a chance particularly since the PP had endorsed the demands of nationalist political parties and civil society groups alike when these had been raised and protest struggles had been launched during the Musharraf era.

Unfortunately experience has shown (yet again) that the PPP leadership is not genuinely interested in Sindh specific issues and regards the Pakistani Establishment (military+ civilbureaucracy+ industrialists+ bankers+ agricultural landlords+ urban businessmen+ influential religious ulema, in short the privileged elite ruling classes) as their real constituency and seems uninterested in those very issues that seemed to have animated them in the past when they were in opposition.

Since March 2008, not only has there been no substantial positive movement on resolving any of Sindh's issues but the three overarching key issues named above have been overshadowed in the public domain by the heightened insecurity of ordinary every day life: lack of electrical power and water, joblessness, high inflation, outbreaks of preventable disease⁶³ and rapidly progressing famine-like conditions. It is estimated that those who live on less than a dollar a day has risen from 60 to 77 million in Pakistan.⁶⁴ Given that Balochistan and Sindh are Pakistans acknowledged poorest provinces a substantial number of the increased 17 million are most likely Baloch and Sindhi.

Overlaying this dire situation is the sharp rise in crime and violence, particularly kidnapping for ransom and killing for pillage. Given the corruption and poverty within the police force and their lack of general availability for civil society protection, those who can afford it rely on private security agencies, or simply live with terror.

The “war on terror” which deploys the Pakistani military, para military and its intelligence agencies in the north western tribal areas, with US funds and engagement , has its fall out effects in Sindh: The state apparatus is used brutally to snuff out dissent expressed by Sindhi nationalists , through extra judicial methods (targeted killings, disappearances etc). Recent civilian rule has not substantially changed this scenario, except for the release of a few select individuals for whom the Sindhi Diaspora abroad advocated energetically.

No attempts by either the US or the Pakistani government to “defuse ethnic tensions” between the provinces of Pakistan are likely to yield much results. However if the question is reframed to ask: “What can and should be done, in the interest of justice by Islamabad and Washington to substantially and sustainably resolve the grievances of the minority nations in Pakistan?” much can be suggested. For the purpose of this essay I will stay with the focus suggested for this report.

1. Economic Inequity

Sindh has historically generated on average more than 65% of Pakistan’s Gross Domestic Product and receives on average less than 19% from the Federal Divisible Pool .Sindh’s economy has been emasculated over the decades to fulfill Federal and Military demands and to meet the development targets of the Punjab.

[The net proceeds of the divisible pool are arrived at by deducting five per cent collection charges by the federal government. The federal share in the net proceeds of the divisible pool for 2008-09 is 56.25 per cent, with the remainder 43.75 per cent going to the provinces. Likewise, the royalty on crude oil and development surcharge on natural gas, after a deduction of two per cent collection charge, is transferred to the provinces on the basis of well-head production. The provinces are entitled to one-sixth of sales tax revenue, which is subsequently transferred by the provinces to district governments and cantonment boards]⁶⁵

The above is an obscure and convoluted structure with colonial antecedents. It does not suit a federal system based in democracy. Revenue generation, collection and development spending must be localized as far as possible and the provinces must generate and spend their own revenue to as far an extent as can be negotiated with the Military or the Federal government. In 1947 the total population of West Pakistan was 31 million. Today it stands at over 167 million. It is too big a population to have centralized fiscal arrangements and its abysmal performance in tax collection (direct income tax is collected from only less than 1% of the population , or in other words only 1.6 million people pay direct income tax) is proof that centralized governance of a large polity is close to impossible. In a poor country, with low literacy and rampant corruption, the more local and accessible and viewable government systems, facilities, servants/employees are the lesser the chances of abuse and the more effective development planning and implementation can.

1.1 Water

Sindh has witnessed a steady and incremental erosion of their constitutional share of the Indus waters since 1947, due to the construction of hydro-electric dams, reservoirs and barrages located in and benefitting the Punjab where the political power centers of the military and state also reside.

The genesis of the water dispute historically lies between the British annexed states of Sindh and Punjab, much before they became provinces of Pakistan. Punjabi soldiers and officers in the service of the British military were rewarded for their role in subduing the indigenous rebellion against the British in 1857 in India with grants of agricultural land. To irrigate this land British engineers began to divert the water from the tributaries of the Indus in 1859 without seeking the consent of Sindh whose rights were perceived to be already established under international and sub-continental laws, which safeguard the rights of the lower riparian. Both provinces were under colonial administration with some indigenous representation and each side negotiated robustly defending its rights. These negotiation documents contain the agreement that was reached finally in 1945 known as the Sindh-Punjab Water Agreement which granted 75% share of waters to Sindh and 25% to Punjab, as Punjab had access to four other rivers.

The implementation of this accord has been ignored by the State since Pakistan came into existence. Before 1947 there was one major structure on the Indus, the Sukkur barrage that was used to channel water away from the Indus after it entered Sindh. The World Bank, during General Ayub Khans' rule, brokered a highly inequitable water accord between India and Pakistan because of which Sindh lost out (Sindh was deliberately excluded from negotiations).

In the last sixty years 19 barrages, 43 canal systems and 38 take-offs have been constructed along with three major storage reservoirs (dams) and 12 link canals. A vast majority of these have either been built in the Punjab or benefited the agriculture there. Sindh's share and availability of waters from the Indus has been drastically reduced, causing devastation to the economy, environment, livelihood, health and food security of its people. Mangrove forests that would thrive along its banks and its estuary are a fraction of what they used to be and many species of fish and other flora and fauna are threatened or already extinct.

From an annual flow of over 94 MAF (million acre feet) into the Arabian sea, before Sindh acceded to Pakistan, today the Indus often simply runs dry, before it reaches the ocean.⁶⁶ The IUCN (International Union for the Conservation of Nature which has substantial presence in Pakistan) has determined that a minimum of 7.2 MAF flow is essential to keep the ecosystem of the delta alive. Almost 1.2 million Sindhi farmers and fisherfolk have lost their livelihoods and have had to emigrate out of the delta region due to salinity and desertification.

On the issue of water, Sindh's civil society organizations and politicians of all dispensation are in concurrence that Sindh is being deprived of its legitimate share as the lowest riparian. Since no mechanism or precedents exist in international law for provinces of a state to invoke the rights of the lowest riparian (as does between sovereign states) at international courts of adjudication, Sindh's concerns have easily been sidelined in the presence of compliant or subservient (to the center) provincial governments and bureaucracies.

1.2 Natural Energy Resources

Over the last decade in particular, discovery of vast reserves of oil, gas and coal have made Sindh the energy center of Pakistan. This fact though not highly acclaimed or advertised by the center has agitated Sindhi Nationalists considerably, especially of late, as many realize that it is Sindhs last chance at lifting its people out of poverty. Sindh's proven gas reserves have overtaken Balochistan's in 2001 which province was previously considered as Pakistan's main natural gas repository. Sindh's reserves (considered to be the 6th largest in the world) of coal are also the highest in the country estimated at 184 billion tons with the other provinces showing less than 0.2 billion tons each.⁶⁷

Over 89% of all exploration activity in Pakistan for oil and gas is today taking place in Sindh as preliminary drilling and production show that Sindh has far more oil, gas and coal than any other province in the country.⁶⁸

This information has caused a flurry of activity internationally, within Pakistan and in Sindh as the search for new energy sources intensifies worldwide. Recently with the advent of the new civilian government in the province and at the center, Sindh's civil society and other nationalist groups are caught in a bind as the Pakistan Peoples Party has formed a coalition government at the provincial level with the MQM, and at the federal level, with the Muslim League (Nawaz Faction). Both coalition partners have historically been averse to greater autonomy for Sindh, although the MQM now posits itself as a custodian of Sindhs resources. This may open up new opportunities for Sindhi nationalists in the PPP to team up with the MQM and forget and forgive past transgressions.

Hurriedly organized investment seminars to exploit these reserves have recently taken place in Washington DC and another is scheduled in Singapore later in 2008. On 31st January 2008 it was reported in Dawn, Pakistan's largest English daily newspaper that Pakistan's then caretaker prime minister (and later president), Mr. Soomro had revealed that Sindh's coal reserves could generate upto 20,000 Megawatt of power per annum by 2019.⁶⁹

Given that Pakistan's current consumption is in the 6000 Megawatt range Sindhi nationalists fear that not only will Sindh suffer the same fate as Balochistan, which has seen only tiny fraction of the revenue from its gas fields spent on development within Balochistan, but that Sindh's resources may even become a curse as international companies set up shop bringing in non Sindhi's as employees. Sindhi natives will not be trusted near "sensitive installations" as they haven't in the past, just as the Baloch are not involved with or employed in the gas production industry in their province.

Currently with Pakistan facing the prospect of default on its external debt there is much talk of privatizing one of Sindh's most valuable gas fields: Qadirpur gas near the town of Ghotki. Estimated to fetch over \$40 billion if privatized, the residents and employees of Qadirpur and Ghotki as well as Sindhi nationalists of all dispensations and prominent members of Sindh's civil society are protesting robustly against privatization. Almost every day sit ins, hunger strikes and rallies are being held, but news of these is finding its way mostly in the regional Sindhi newspapers although it is also reported in the Urdu and English press.

2. Civil Service and Military Representation

Pakistan's defence expenditure has never been subject to parliamentary scrutiny and is listed to this

day as a single-line item in the annual budget. Just a figure — Rs275bn for 2007-08 — and nothing more. No light is shed on how this colossal sum is to be spent by the armed forces, nor is there any knowing what criteria are used in determining the defense requirements for any given year.⁷⁰

One of the key retardants of socio-economic growth in Sindh (and Balochistan) is militarization. Funds that should be spent on development are diverted to the military. Possession of muscular weaponry and a firm grip by the military over political and economic power, ensures that Sindh (and Balochistan) remain in the grip of domestic ‘colonial type’ rule.

To appease city based popular opinion (English speaking liberals of Karachi, Lahore and Islamabad), located far from the sites of injustice, token development and welfare projects are carried out in the militarized areas and then beamed on television or reported in the press. The scale and value of resources consumed by the military establishment leaves other components of society wanting and compromised. Sindh (and Balochistan too) is extensively controlled through military bases, cantonments and check posts manned by the Pakistan army or para-military organizations (known as the Rangers and the Frontier Constabulary, relics of British colonial heritage). I personally witnessed this during an extensive motor tour of Sindh in the summer of 2006. Highways, university campuses, civil airports, residential areas, public utility companies, private oil companies, multinational business sites, agricultural industries etcetera all have very visible military presence. Apparently, from information I have received, the situation remains unchanged under the new civilian government.

Prime residential areas in all the towns and cities of Sindh are owned by “Defense Housing Authorities” where plots of land are allotted to military officers as part of their remunerative compensation packages. Since the real estate occupied by these authorities are of high value, these are mostly resold to wealthy civilians, thereby legitimizing land appropriation and enriching military officers at the same time.⁷¹

Sindhis and Baloch, by and large, are not recruited into the armed forces and are generally discriminated against even for ancillary employment related to “sensitive” installations. Neither the Sindh Regiment nor the Baloch regiment has other than token or nominal representation of native Sindhis or Baloch.⁷² For example, during Musharaf’s rule much fanfare accompanied recruitment of a few thousand troops and non commissioned officers from Sindh (for a military of 5,50,000 active personnel it was a token number)

The story of acute under representation is similar in the federal bureaucracy with currently only one of over 60 federal secretaries being Sindhi. In the provincial government because of having established quotas under the first PPP provincial government in the early 70s under Mumtaz Ali Bhutto, Sindhis are better though still under represented.

3. Constitutional Reform

Constitutional reform is the foundation on which a just and equitable relationship can be built between the four provinces if they are to remain in Pakistan (and not follow Bangladesh’s example which made history by being the only nation in the world that as a majority seceded from its smaller corpus!)

However it must be noted that the time for arriving at an acceptable formula that can be

implemented with peace is fast running out.

For this Advisory Committee meeting the following question has been posed:

Can economic justice for the minorities be achieved within the existing 1973 Constitution through a new reallocation of powers between Islamabad and the provinces giving greater power to the provinces?

In my opinion, Balochistan and Sindh are less concerned about a central government constitutional take over now than they were in the past (after the early 70s takeover). This question has now become academic as the Baloch and Sindhis see diminishing hope in receiving their legitimate rights under the current constitution and parliamentary processes. They are now much more keen in invoking or reiterating the demand for an entirely fresh formula under the 1940 Pakistan Resolution passed by the Muslim League in Lahore whereby the central government would have control over defense, foreign affairs, foreign trade, communications and currency. The original indigenous nations of Pakistan (except Punjab) want all other areas to be controlled by the provincial governments including those on the “concurrent list” in the 1973 Constitution.

It must be remembered that the “concurrent list” was due to be abolished 10 years after the launch of the 1973 constitution and the provinces have not forgotten that. In any event Sindh and Balochistan want exclusive control over their resources and having subsidised the rest of Pakistan for more than 6 decades they are in no mood to relinquish their only chances of lifting themselves out of poverty and providing a dignified existence to their peoples.

The breakup of Pakistan would be a costly and destabilizing development. Whether it can still be avoided, will depend to a great extent on the United States (given that Pakistan is for all intents and purposes no more than a client state of the USA) and other foreign donors who can use their enormous aid leverage to convince Islamabad that it should not only put the 1973 Constitution back into effect, in its original form but amend it to reflect the degree of autonomy it promised over time to its constituent units.

It may however be preferable to begin with a clean slate using the 1940 Resolution as a basis. The nations have not forgotten that this was a solemn covenant that was kicked aside with impunity. Balochistan in any case, never acceded to begin with and few Baloch have forgotten that.

Recommendations

1. The Pakistan Military has built up an empire of real estate, manufacturing, financial and other enterprises worth \$38 billion. It is time that the IMF and the US lean on Pakistan to privatize these, so that the Army can play its patriotic duty in providing for essential funds needed for debt servicing.

2. According to one BBC report, viewed 2 days ago, the US and other donors spend \$100 million a day on military programs and only \$7 million a day on relief in Afghanistan. In Pakistan the southern provinces are not infested yet by the Taliban. However if the US continues to follow a policy of prioritizing military spending over basic fundamental development needs then a violent balkanization of Pakistan with the Taliban as eager players is not hard to envisage. The US and others in the G8 must provide emergency food and medicines to Sindh and Balochistan as swiftly as possible, but not prey on their resources as a quid pro quo.

3. The dire and imminent conditions that prevail in Sindh (and Balochistan) demand that

Health and Education at least should immediately become exclusively provincial affairs. (in any case the federal government has neither the funds nor the will nor the capacity to run health and education programs). The US and other donors must insist that these essential ministries must be abolished immediately at the federal level and strengthened at the provincial level. They must also step up to fund a universal education and health program in Sindh and Balochistan on an emergency footing so that food and health can be integrated into a public sector education program, to overcome malnutrition and starvation. This would immediately halt the inroads being made by the Taliban through the “full service” (food and clothing) madrassahs they provide and that therefore find eager recruits amongst the poor (who are the vast majority). By funding a public education program some degree of control over curriculum content could ensure that secular scientific education is being imparted, instead of the obscurantist, “Islamic” and revisionist pedagogy currently in use.

4. Both Sindh and Balochistan are secular Sufi societies that are not easy prey for the Taliban. Sindh and Baloch must be taken seriously by the US government as potentially reliable allies located in a sensitive and strategic geopolitical zone. Policies towards Sindh and Balochistan must be formulated separately from those designed to “deal” with Pakistan.

5. The US and other donors must realize that the presence of the ISI is not going to allow the democratic process to take root or the grievances of the smaller provinces to be overcome. The US must continue to insist to the Government of Pakistan that the ISI be dismantled once and for all.

Conclusion

Both provinces are rich in energy resources with Sindh now acknowledged to possess larger reserves of Oil, Gas and Coal than Balochistan. Historically Sindh and Balochistan have interwoven ethnicities with many of their border tribes having clans on either side and many such clans being integrated through marriage. Thus Laghari's, Jamalis, Talpur's, Bhuttos and many other tribes are both Baloch and Sindhi but with acknowledged Baloch antecedents. The languages spoken in the home of these border regions can be Brahui, Baloch, Seraiki and Sindhi.

Sindh and Balochistan have retained distinctive political and cultural identity over most of recorded history in spite of long periods of allegiance or subservience to militarily superior foreign powers, and both nations have a strong and innate sense of their national identity, language and culture that is successfully relayed to the next generation. It has taken six decades of oppressive rule but in spite of it a new educated and conscious middle class is emerging in both nations. Neither nation will give up their struggle for legitimate rights and will likely come closer together to formulate common strategies.

The US and other donors must help them help themselves to make a shift from ethnic nationalism to civic nationalism so they may become a bulwark against the forces of extremism. In the process they must not be disenfranchised and used as pawns for greater geopolitical games.

Notes

63 Almost 20% of Sindh's population suffer from Hepatitis B and C; polio and tuberculosis (previously eradicated) have made a come back

64 Food inflation has pushed 17m more Pakistanis into poverty, says Oxfam Oct 16, 2008, Dawn

65 Khaleeq Kiani, Sept 2 2008, Dawn

66 Altaf Memon, 2005

67 (<http://siteresources.worldbank.org/PAKISTANEXTN/Resources/pdf-Files-in-Events/Mineral-Sector/HarnessingOfCR.pdf> accessed on 19th August 2008)

68 (www.dailytimes.com, 31st July 2008, visited the same day)

69 (www.dawn.com accessed on 31st January 2008).

70 “Scrutiny of military outlay” April 13th 2008 Dawn Editorial

A Baluch Dissent

Wahid Baloch

Contrary to this report, the Baluch people are not fighting Pakistan for a greater share of resources, provincial autonomy or restoration of the 1973 Constitution. It is a great injustice, distortion of fact and misleading to say that Baluch are fighting for such things.

Baluch demands are simple and clear. "End the illegal occupation of Baluchistan."

The only solution that is acceptable to the Baluch people is the end of the Pakistani illegal occupation, the withdrawal of all Pakistani forces from occupied Baluchistan, the unification of all three parts of Baluchistan (i.e., the Iranian Occupied Baluchistan, the Pakistani Occupied Baluchistan and the Afghan portion of Baluchistan) into one United Baluchistan, with the restoration of Baluch sovereignty over Baluch lands, coasts and resources. Nothing less than that will be acceptable to the Baluch people.

Baluch do not consider themselves as Pakistani. We are a secular nation. We should not be forced to live in with terrorists and extremists in Pakistan. We have nothing in common with Islamic Pakistan. Our culture, language and traditions are completely different from that of Pakistan. We are not separatists or terrorists as the Pakistan media projects us to be. We are fighting for our freedom that Pakistan has taken away from us. Baluchistan was never a part of Pakistan. Baluch people were not a part of Indian Muslim League's movement to create Pakistan.

Baluchistan was an independent sovereign state even before Pakistan was created out of India in 1947. Baluchistan was forcefully annexed into Pakistan against the wishes of Baluch people, in March 27, 1948, at gunpoint by the Pakistani Terrorist Islamic army. Since then Baluch are fighting against the Pakistani illegal occupation of their land and exploitation of their resources.

Pakistan is in violation of international law for its continuous illegal occupation of Baluchistan and exploitation of Baluch resources. Pakistani army has committed war crimes against the Baluch people in Baluchistan. These war crimes include indiscriminate bombing women and children, use of chemical weapons, rape, torture, murder, disappearances and displacement of thousands of Baluch people, testing its nuclear weapons in Baluchistan, rendering hundreds of miles of Baluch lands into waste and leading to thousands of nomadic lives to perish, causing abnormal birth defects and spread of other diseases as a result of radio active materials. These and many other crimes are well documented by independent human rights organizations. They all constitute crimes against humanity and call for international intervention and action that is long overdue.

Pakistan owes the Baluch people trillions of dollars for illegally occupying Baluch land, exploiting Baluch resources for the last 60 years and for testing its nuclear weapons on Baluch soil

without the Baluch consent. Pakistani army must leave Baluchistan peacefully without further bloodshed and Pakistan must pay restitution to thousand Baluch families whose loved ones were killed, tortured, murdered, jailed or made disappeared by Pakistani army and ISI.

We are not an enemy of the United States. An independent free democratic secular united Baluchistan is not against the U.S. interests. We support NATO forces and the democratic Government of President Hamid Karzai against Taliban and Al-Qaeda terrorists.

I would like to emphasize that the Baluchistan was never a part of Pakistan but was a sovereign state which was forcefully occupied by Pakistani army and annexed into Pakistan at gun point on March 27, 1948 against the wishes of the Baluch people. Ever since, Baluchistan has been under the Pakistani military's illegal occupation and siege and its people are being subjected to the worse Nazi-style brutalities to silence their genuine voice against the illegal, immoral and unjust occupation of their land and exploitations of their resources. Pakistan is in violation of International laws for its continuous illegal occupation of Baluchistan for the last 61 years.

Baluchistan, rich in oil, gas, gold, copper and other minerals with 900 miles of strategically located coast line, extending from the Strait of Hormuz to Karachi, is very important for Pakistan's survival. Without Baluchistan Pakistan cannot survive and will collapse within days. Baluchistan is extremely rich but its natives are extremely poor and in the Stone Age. Baluchistan has the highest infant mortality rate in the world.

Over the last six decades Pakistan army has carried out five military operations in Baluchistan and the fifth one is still going on. Among the victims include the top Baluch Nationalist leader Nawab Akbar Khan Bugti, who was assassinated by Pakistani army on August 26, 2006 in a massive military operation at his hide-out using military gun ship helicopter and napalm bombs in Dera Bugti, Baluchistan. He was the former chief minister and governor of Baluchistan.

Since March 2005, thousands of Baluch, including women and children, have been killed by Pakistani army's indiscriminate bombing and more than 250,000 Baluch have been dislocated from their homes and are living in harsh conditions. Robert van Dijk, the top UNICEF officer for Pakistan, who visited the Baluch refugee camp, described the situation as grave and called it a "crime against humanity." He condemned the Pakistani military for not allowing UN Aid workers to distribute aid packages including food, tents, and medicine to Baluch refugees who are dying of hunger and water born diseases.

The premier Human Rights Commission of Pakistan, Asian Human Rights Commission and Amnesty International have deplored Pakistan's atrocities on the people of Baluchistan, who have been subjected to helicopter gunship attacks and use of poison phosphorus gas in recent months. The confirmed and published reports about Baluchistan should give you a clear picture about the prevailing terrifying human rights situation in Baluchistan.

Soon after Nawab Bugti's assassination, the most significant event was the Grand Baluch Jirga, Baluchistan's representative assembly, called upon by De Jure ruler of Baluchistan the Khan of Kalat, Suleiman Daud Ahmedzai, which was attended by almost all Baluch tribal leaders, political leaders, activists and students. The historic Grand Baluch Jirga denounced the Pakistani military operation in Baluchistan and extra-judicial killing of Nawab Bugti and made a unanimous declaration to challenge the illegal occupation of Baluchistan at the International Court of Justice in The Hague.

Khan of Kalat is currently in London seeking political asylum.

Pakistan's military is committing gross atrocities and serious war crimes against the Baluch people in Baluchistan. The fifth military operation that started in March, 2005, is still going on in Baluchistan, which has resulted in the loss of life for thousands of the Baluch people, including children, women and elderly, and has resulted in displacement of hundreds and thousands of civilian Baluch population. The national leaders of Baluchistan have been in prison without trial, humiliated and target killed by Pakistani civil and military authorities. Thousands of political activists have been kidnapped, tortured and killed. We genuinely believe that it is the moral duty of the United States and world community to assist the Baluch people in ending the illegal occupation of their country. We expect and ask the Obama administration the champion of freedom and justice and the leader of the free world, to recognize the historic fact that Baluchistan is an occupied land and that Baluchistan was never a part of Pakistan. Trying to Pakistanize Baluchistan at the gunpoint wand through the slogan of Allah-o-Akbar by Pakistan has not worked for the last six decades and will not work in the future. Simply because the majority of Baluch are born Muslim, does not give the Jihadi armies of Pakistan and Iran a license to continue to occupy our lands, conduct genocide of our people, loot and plunder our resources and test their nuclear weapons in Baluchistan. The U.S. Government and the world community must not close their eyes over the crimes against the secular Baluch people.

Baluch people, just like the Kurds, are secular and a great ally in the war on terror. We support and defend the International Security Assistance Force and the democratic government of Afghanistan's right to pursue the Taliban and Al-Qaeda terrorists right into the sanctuaries provided to them by the Pakistan army and the Inter Services Intelligence. A Baluchistan ruled by secular forces is in the interest of the peoples of the world, including the United States.

ABOUT THE AUTHOR

SELIG S. HARRISON has studied ethnic issues in Pakistan and Afghanistan since 1951. As an Associated Press correspondent based in New Delhi (1951-54) and as South Asia Bureau Chief of the Washington Post (1962-65), he covered Pakistan and Afghanistan. In 1978 and 1979, during his 22 years as a Senior Associate of the Carnegie Endowment for International Peace, he conducted field research on the Baluch insurgency in Pakistan and Iran and on Pashtun nationalism in Pakistan and Afghanistan, interviewing key Baluch and Pashtun leaders. This resulted in his book, *In Afghanistan's Shadow: Baluch Nationalism and Soviet Temptations*, (Carnegie Endowment, 1980).

His extensive subsequent writings on ethnic issues in Pakistan and Afghanistan include "Ethnic Conflict in Pakistan: the Baluch, Pashtuns and Sindhis," in *Conflict and Peacemaking in Multiethnic Societies*, ed., Joseph V. Montville, Lexington Books, 1989; "Ethnicity and the Political Stalemate in Pakistan," in *The State, Religion and Ethnic Politics: Afghanistan, Iran and Pakistan*, ed. Ali Banuzizi and Myron Weiner, Syracuse University Press, 1986; "Pakistan's Baluch Insurgency," *Le Monde Diplomatique*, October 2006; and "Pakistan's Costly 'Other War,'" *The Washington Post*, February 15, 2006.

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