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## Durand Line Example

### DURAND LINE AND PAKHTOON DIVIDE AS THE CAUSE OF INSTABILITY IN AFGAN PAK REGION

#### CHAPTER I

#### INTRODUCTION

Durand Line[i], the notorious frontier between Afghanistan and Pakistan. Some people blame this frontier for all of Afghanistan's current problems. And there are those who go so far as to blame it for the problems in Pakistan. Indeed, there are those who blame the Durand line not just for terrorism and other problems of instability in Pakistan, but even for the terrorist attacks suffered in London in July 2005, tracing their origins all the way back to the tribal agencies of North- West Pakistan. 2. Some people have even been so bold as to say that everything in Afghanistan would be sorted out if only the United States could cross over the frontier and 'do its thing' there. Such commentators seem little daunted by the fact that British administrators spent 150 years trying in vain to resolve the same problems which confront us today. The region that is today known as Afghanistan was long torn by ethnic and tribal rivalries. 3. The strategic significance of Afghanistan was not lost on either the British Empire

or the Soviets. And hence, Afghanistan became a buffer between Communism and the West. Afghanistan shares borders with six countries, but the approximate 1500 mile long Durand Line along Pakistan remains the most dangerous. Kabul has never recognised the line as an international border, instead claiming the Pashtun territories in Pakistan that comprise the Federally Administered Tribal Areas (FATA) and parts of North West Frontier Province along the border. 4. The geo strategic importance of Afghanistan has been a major factor in foreign policy formulations Pakistan. Afghanistan has always provided the much-needed strategic depth to Pakistan in all its policies against India. The Durand Line, becomes a very important factor as the Durand line, is still not accepted by the Pashtuns on either side. 5. In view of the above, it is essential to identify the fault line i.e. the Pakhtoon Divide and turbulent relationship between the two nations as the source of instability in the region, with specific reference to its effect on Afghan Pakistan relations. The study, while briefly looking at the events leading genesis of the problem will attempt to analyse whether turbulent Pakistan Afghanistan relations(which have not been cordial in spite of geographical contiguity and identity of religion, cultural and economic interests) and Pakhtoon divide legacy as the cause of instability in the region.

## **METHODOLOGY**

### **Statement of the Problem**

6. To analyse whether instability in Afghan Pak region can be attributed to turbulent relationship between the two nations and Pakhtoon Divide legacy.

### **Justification for the Study**

7. Afghanistan shares borders with six countries, but the approximate 1500 mile long Durand Line along Pakistan remains the most dangerous. Kabul has never recognised the line as an international border, instead claiming the Pashtun territories in Pakistan that comprise the Federally Administered Tribal Areas (FATA) and parts of North West Frontier Province<sup>[ii]</sup> along the border. Incidents of violence have increased on both sides of the Pakistan-Afghanistan border since the U.S led war in Afghanistan. In the last several years, U.S. officials and national

intelligence reports have repeatedly attributed the growing strength of Al-Qaeda and resurgence of the Taliban to safe havens in this border region. 8. The rise of Taliban and the support provided to them by Pakistan has given a different complexion to the Afghan Pak crisis. Taliban led Afghanistan is an ally of Pakistan and the ambit of their relations cover Islamic fundamentalism, support to Kashmir militants and even strategic depth to Pakistan in the event of hostilities with India. Hence it is important to carry out an analysis of the reasons for instability in Afghan Pak region.

## **Scope**

9. This study concentrates on the historical perspectives, the Pakhtoon issue, the stands of both the nations on Pakhtoon issue, relations and policies adopted by both the countries which have led Afghanistan Pakistan region into a troubled area and rise of insurgency leading to instability in the region.

## **Data Collection**

10. The study is primarily based on information gathered from books written by authors of Indian, western origin and other Afghanistan experts. Other sources of information are articles written in Indian newspapers, defense journals and periodicals have been referred. Various internet sites too have been accessed to get the latest inputs. A detailed bibliography of sources is appended at the end of the text.

## **Organisation of the Dissertation**

11. The study will be covered under the following heads :- (a) Chapter II : The Pakhtoonian Issue: Study of Legacy. (b) Chapter III : Conflicting Stands on Pakhtoonian Issue. (c) Chapter IV : Pak - Afghan Relations and Pakhtoonian Issue. (d) Chapter V : Pakistan's Afghan Policy. (e) Chapter VI : The Insurgency in The Border Area and Threat to

**Region.**

## **(f) Chapter VII : Recommendations.**

12. Chapter II - The Pakhtoonian Issue: Study Of Legacy. This chapter gives an overview of the historical perspective of the complexity of the present Pak - Afghan relations which can be comprehended by understanding the historical background to the Pakhtoonian issue. In this chapter, an attempt has been made to analyse the British and Russian policies of imperialism and competition in Central and South Asia which compelled the to regard Afghanistan as 'Zone of Interpenetration'. The British 'outer oriented ' frontier policy in the north - western borders of India which resulted in vague ill defined Indo - Afghan border and later hostile Pak - Afghan relations. 13. Chapter III - Conflicting Stands on Pakhtoonian Issue. The bitterness and hostility between Pakistan and Afghanistan are an imperial legacy and arbitrary segregation of Pakhtoons by the Durand Line in disregard of their ethnic affinities. Both countries have come to loggerheads many a times over Pakhtoonian issue. This chapter analyses arguments advanced by both the countries in favor of their positions. 14. Chapter IV - Pak - Afghan Relations and Pakhtoonian Issue. This chapter deals with the Pastunistan Issue and Pak - Afghan relations, wherein it is argued that the domestic restraints imposed by internal dynamics of the two countries have been responsible for continuation of hostilities. 15. Chapter V - Pakistan's Afghan Policy. This chapter will cover the interests of Pakistan in pursuing policies to give it control over Afghanistan and their unstinted support to the Taliban to accomplish this endeavor. 16. Chapter VI -The Insurgency In The Border Area And Threat to Region. The Talibanisation of Afghanistan and the various implications/threats it holds for the region would be analysed in the chapter. 17. Chapter VII - Recommendations. The Road Ahead

## **CHAPTER II**

"The first and most important advice that I can give to my successors and people to make Afghanistan into a great kingdom is to impress upon their minds the value of unity; unity, and unity alone, can make it into a great power."  
Abdur Rehman Khan Amir of Afghanistan (1880-1901)

## THE PAKHTOONIAN ISSUE: STUDY OF LEGACY

1. The complexity of the present Afghan Pak relations can be comprehended better with some political background that led to Pakhtoonian issue[iii] - a question relating to legal and political status of the trans Afghan Pakhtoons. 2. The Pakhtoons are ancient tribes[iv], they inhabited the eastern highlands and mountains of Afghanistan when Alexander armies passed through that area to invade India in the 4th century B.C. Afghanistan, as an independent country, is a recent phenomenon. When Ahmed Shah Abdali was selected as the king by the Afghan tribes "there was then no such thing as Afghanistan". The first thing for him to do, therefore, was to bring together various Afghan districts into one political unit. The period after the death of Ahmed Shah in 1773 saw a lot of confusion and intense struggle for power in Afghanistan. By that time the British had established themselves in most parts of India, extending their authority up to the Sutlej. 3. Meanwhile in the early 19th century the Sikh power under Ranjit Singh flourished in Punjab. The dominion of Ranjit Singh expanded considerably in the north-west as a result of political confusion in Afghanistan and extended up to the east of the Khyber Pass.[v] After the fall of the Sikh empire in 1849, the British occupied Sikh possessions, which brought them into direct contact with the Afghan territory for the first time.[vi] It is important to note that Afghanistan's boundaries were not clearly defined at that time which gave rise to a number of uneasy and unhappy positions as the British and Russian empires exploited the vagueness of Afghan frontiers. 4. After the conquest of Punjab, the British influence unmistakably spread north-west ward. But the British were not the only power that was consolidating its position in the region. The Russians were also advancing in the same direction which made the British uneasy. They knew that Afghanistan having undefined boundaries is the only country between their empire and Russia. Finding direct control over Afghanistan expensive and difficult because of the rocky and mountainous land and Pakhtoons "traditional love of independence," Britain wanted to have an independent and strong—though not too strong—Afghanistan as a barrier to the expansion of Russian influence. In other words, the British were keen to make Afghanistan a buffer state between Russia and the British India. Afghanistan thus found itself caught in a vice between the two great powers.

## Close Border or Forward Policy

5. But boundaries looked increasingly important. By the 1840s the Russians had reached the Aral Sea and were slowly being drawn into Central Asia. In 1849 the Punjab passed into British hands, as did Sindh. By this point British India had as its effective border the foothills of the mountains where dwelt the Pushtun hill tribes. The tribes saw no reason to stop their traditional raids just because the territory was now British. So, like the Mughuls and Sikhs before them, the British were faced with the problem of how to control the tribes. 6. They tried first the 'Close Border Policy'[vii] which held as a principle that British sovereignty should not be extended to areas which could not be governed effectively. Accordingly the foothills were fortified to keep out the hill-based tribal peoples and irregular troops, levies, were raised to resist attacks on the population of the foothills. To keep the tribesmen sweet, the British tried making agreements with them, they tried friendship, they tried goodwill, they tried allowances for good behavior, giving them money to provide services to keep the roads open, to protect communications, to deny sanctuary to outlaws in contravention of their tribal codes. But this didn't work very well. Expedition after expedition went into the hills to chastise the tribal people. Yet this was all much in vain, clear signs that this 'close border policy' was not working. 7. As the 19th century progressed, another approach was devised: the 'Forward Policy'[viii], called the Sandeman system, which involved capturing and holding areas in the tribal zones in the hills. Strong points were captured, fortified, garrisoned and connected by roads which would be protected. The tribes would be allowed to run their own affairs in the hope they would gradually come under the influence of the British government. But this forward policy inevitably raised the question of where the border between British India and Afghanistan should be set. At the same time fears were growing about the advance of the Russian Empire. By the 1870s the Russians had been able to capture the great Central Asian cities of Bokhara, Samarkand and Khiva. Hence the appeal of the 'forward policy' which in its most extreme form posited that the frontier be pushed as far forward as possible, ideally to the genuine or 'scientific' frontier of the Hindu Kush, with Kabul, Ghazni and Kandahar forming the first line of defense. This idea found brief expression in the Second Afghan war of 1878 - 1880 when the British invaded Afghanistan again and found themselves trying to hold the old Mughal frontier. But they failed not because of the Russians, but because of Afghan resistance.

## The Durand line[ix]

8. By the 1880s the Russians had advanced further and were pressing on the river Oxus and Afghanistan itself. By 1893, the British had concluded that formal borders needed to be established between Afghanistan and British India, so that everyone would know where they stood and the Russian advance could be held off from the British Empire in India. The man sent to negotiate was the Indian Foreign Secretary, Sir Henry Mortimer Durand. 9. Durand's main concern was to secure Afghanistan's northern border with Russia. A first settlement had been made in 1885 using the Oxus River but the boundary had not been taken all the way east into the region of the Pamirs and the Wakhan. Durand was desperate to make sure that this part of the border was absolutely clear so that the Russians could not sneak down through the Pamir Mountains into northern India. The Amir dangled that card before Durand to get a better deal when the frontier between British India and Afghanistan was negotiated. It is not the case that the British presented a clearly thought-out proposal for a particular line for the frontier and threatened a further invasion if their proposal was not accepted. There was a lot of give and take in the negotiation. The Amir put forward an ambitious boundary proposal, the British suggested a very different frontier line which would include Waziristan in British India. After lot of to and fro, ultimately the Afghans agreed that Dir, Swat, Peshawar and Chitral should be British. In return the Afghans secured some strategic strong points, notably Asmar, which gave them access to Nuristan and various of Afghanistan's eastern regions.[x] 10. Then, at the very last moment, when agreement had been reached that all of Waziristan would be British, Durand, almost as an afterthought, possibly as a concession to allow the Amir to gain a little face, suddenly allowed the Amir to keep the Birmal tract of Waziristan. This was not the best of ideas, since it involved splitting Waziristan and the tribal people in two. But it may be that the maps from which the Amir and Durand were working were not very good, for when the demarcation teams went out into the field to try to delimit the boundary, there were areas represented on the map which did not exist on the ground and vice versa. Memoirs indicate that the Amir was pleased with the settlement reached. Nevertheless at the same time the Amir secretly spread propaganda against the British, saying that he was not pleased and that it would be a good thing to move the Line over towards the east. 11. Amir Abdul Rahman Khan ruled Afghanistan for the last two decades of the 19th century. He was prevented from expanding externally by Russia in the North and North East, the British in the North and North

West and Persia in the East. Internally, he was also surrounded by many difficulties. His first priority was to consolidate his position internally. After he had satisfactorily consolidated his position to an extent, he turned towards reforms that he felt were necessary for making Afghanistan a great nation in the future. Amir felt that reforms would not be possible until a boundary line was marked along the perimeter of Afghanistan so that people could know what provinces really belonged to Afghanistan.[xi] 12. The Durand Line (refer Appendix ), as demarcated between 1893 and 1896, was drawn all the way from the Persian frontier to the Wakhan, the little area on which the British insisted to keep a distance between the British and Russian Empires. There were two exceptions which at that time remained undemarcated, an area in the region of Chitral and another area a little north of the routes towards Kabul - the country of the Mohmand tribe. The demarcation team tried to make the line as sensible as possible by using natural features, such as mountain crests, streams and rivers as boundaries, thus splitting up areas of river drainage. They also tried to set up boundary pillars so that there was some physical evidence of the boundary. 13. A close look at the route of this 1900 mile long boundary, indicates that the first section follows the crest of the Hindu Kush Mountains, where there is only the occasional pass. This section was actually very secure, for given the height and the cold it was difficult to move forces across the area. Next the Line moves further down towards the Mohmand hills, where there was one of the undemarcated sections. There are still few passes of importance in this region. However coming down to the vital strategic region, the number of passes increases. There is of course the Khyber Pass, another important pass in the Kurram Agency, and a third, the Tochi pass, which was an important trade and invasion route in the old days. Further on, in the area of Waziristan, the Line does not follow mountain crests and peaks so clearly. It is convoluted, following various peoples' agricultural rights and field boundaries. The Line splits at least 12 villages in half and divides other villages from their agricultural territories. It becomes easier to follow further south where most of the land is just desert. 14. The line cuts tribes and tribal groups in half. The Birmal tract of Waziristan is on the Afghanistan side, with the rest of Waziristan on the British or Pakistani side. The Mohmand tribal areas are also cut in two. And, inevitably, because the border is generally in a very distant set of areas, it is highly porous and difficult to police, especially when family groups are on both sides. Particularly in Waziristan, there are many passes and paths through which it is easy to move from British India (or Paki- stan) into Afghanistan and back. 15. There were advantages of the Line for the British. There was a strategic advantage in that they held positions forward of the



passes and controlled the heights, thus facilitating the policing of the passes. They also managed to achieve the tripartite border - a vision they had held for a long time.[xii] The first part of the border was the buffer state, Afghanistan. The second part was the tribal areas in the hills, which the British did not try to govern, but simply garrisoned. These areas were vassal states, on the Indian side of the line but not under the sovereignty of British India. The third part was further back, where the real government of India started. The depth of this frontier system certainly kept the Russians away, but the corollary was that the British faced the familiar internal policing problem. 16. There were also advantages for the Afghans. As the ruler of Afghanistan was trying to unify his country and make it into a coherent state. Because he had been given a set of clear boundaries, it was much easier for him to project his power within those boundaries and to know that he would not be interfered with. Further north, he was able for the first time to extend his sway right up to the frontier. 17. For the people on the ground, there was not much of a practical effect. They still had freedom of movement. In the 1893 Treaty which he signed with Durand, Abdur Rahman promised not to try to project his influence over the border. But that did not stop him from inviting the tribesmen from those regions to Kabul and giving them honours, robes, money, guns anything to keep them sweet, anything to keep them on side.[xiii] 18. In 1904 Lord Curzon decided to divide the area to make it easier to administer. Originally the whole area was part of the Punjab. Lord Curzon split it off and created a government of the North Western Frontier Province. He established tribal areas beyond the administrative boundary of India where the Indian government did not presume to govern with regular laws. Different laws were set up for these tribal areas, the Frontier Crimes Regulations (FCR), which had been in force in various forms since the 1870s, were now applied in a systematic way. They are a harsh set of laws, with some alarming implications and are still in force today, more or less in the form in which the British left them. All policing, executive and judicial functions are in the hands of a political agent, who is answerable, via a commissioner, originally directly to the government in Delhi, but now to the President of Pakistan. Political agents handle relations with tribes via chosen notables, called Maliks, who are subsidised and paid to keep order. 19. As for justice, the principle of collective responsibility and collective punishment still applies. Other members of the tribe can be held responsible for any crime committed by a member of the tribe. A tribal agent can hold a jirga, inviting several Maliks to help him decide points of fact in civil and criminal cases. But even then, the decision of this artificial court is not binding on the political agent. The cases are decided under customary law. There is also a

Pakistan version of the West Lothian question. The frontier areas return members to the national Parliament, but the laws passed by the Parliament are not valid in the frontier areas unless there is a Presidential approval. Until 1996 there was no referendum and political parties were outlawed in those regions. 20. At the moment of independence for India and Pakistan there was a legal curiosity. The legal status of these areas changed. All the agreements they had were not with the government of India, for they were not part of British India. Their agreements were actually directly with the British Crown. Thus, legally speaking, at independence all these agreements lapsed and the tribal areas became independent. By November Pakistan had made arrangements with the tribesmen under which their relations with Pakistan would be on the same basis as their relations with the British. That is how Pakistan came to control these areas. They did not inherit them; they found them as de facto semi-sovereign independent territories. 21. There was a lot of bad feeling there has been between Pakistan and Afghanistan on account of the border. In 1948 Afghanistan voted against Pakistan joining the United Nations. Pakistan delayed Afghan import and export goods on the border. Afghan radio called for independence for Pashtunistan. In 1949 Pakistan inadvertently attacked Afghanistan territory by air, a skirmish followed. Shortly afterwards a loya jirga, a great council in Kabul, repudiated all the boundary treaties made with the British, gave support to the idea of an independent Pashtunistan and urged that all the people in those areas should be given a referendum and the right to vote to join Afghanistan. In 1950 there was an incursion into the tribal areas by Afghan forces disguised as tribesmen. These were repulsed by Pakistan Pashtuns. Pakistan stopped Afghan imports for three months. In 1954 - 1955 the government of Pakistan decided to change the country's administrative structure. Instead of having separate provinces such as Punjab and Sind, they tried to establish a single unified administrative area of West Pakistan to balance East Pakistan - now Bangladesh. Afghanistan saw it as the tribal areas being taken away from their potential influence. There was no war, but diplomatic relations became frosty in the extreme. 22. Pakistan sees Afghanistan as a hinterland which it wants to control as a fallback position, should there be any further conflict with India over Kashmir. The greatest concern however is controlling Kabul and stopping any more of these problems coming back over the borderline. With the 1980s and the Soviet invasion it seemed perfect sense to use the tribal areas as a point for launching the Mujahedin into Afghanistan. Again in the 1990s, its isolation made it the perfect place, not only to host those engaged in the fight for independence in Kashmir, but also to train the Taliban before they moved to control most of Afghanistan. In 2001

the area was again as a refuge for the Taliban. This suited the Pakistani government. They could maintain the Taliban areas as a Talibanised belt between Afghanistan and Pakistan. If the government set up by the West in Afghanistan were to fall, this would give them the liberty to move back and to project their influence there. However, by pursuing this policy Pakistan has created a monster which it cannot control. The Afghan Taliban are fine for interfering in Afghanistan but the area has become a well of religious fanaticism as much opposed to the Pakistani government as it is to the Afghan government. 23. Where does this leave us? Afghanistan does not recognise the Durand Line as a legal international boundary. The Afghans claim agreement to the Line was obtained under duress. They question whether the documentation was in order. They sometimes suggest that the British made up the agreement after returning home. They also question whether Amir Abdur Rahman understood what he was really signing up to, whether he understood the maps and whether he actually intended the boundary to be a legal international boundary. They complain that, at the moment of independence, the Pashtuns were not given the option of full self-determination. They were only given the choice between joining India and joining Pakistan, not independence or joining Afghanistan. They say the jirgas held between Pakistan and the tribal people were probably not in order. They say that the treaties made between the British and the Afghans lapsed at the moment of Independence, for they claim that Pakistan is not a valid successor state to British India.[xiv] 24. Pakistan, of course, holds an entirely opposite viewpoint, arguing that the frontier, the Durand Line, is a legitimate international boundary, in 1893 and confirmed by later treaties in 1905, 1919, 1921 and 1930. Pakistanis hold themselves to be the inheritors of the British legal rights at the moment of independence. 25. When the Line was drawn in 1895 - 1896, many of the British officials held the view that the Line was never meant to be an international boundary. It was a Line that delimited areas of influence, not sovereignty. There are various other legal considerations. In international law, lines dividing spheres of influence often develop into proper international boundary lines, sometimes even without the explicit say-so of the states concerned. What international adjudicators look at is not just the original treaties; these can often be very unimportant. What matters is the practice of the states. 26. The Line is convoluted, but there are many convoluted borders all over the world where there are no problems. The real problem is that the Line itself generates instability, it is not policeable, and the constitution of the Tribal Areas does not permit economic development to take place. In the 60 years since independence Pakistan has not been able to bring these areas under proper

administration. They remain a well of instability, which cannot help harming the relation and ultimate interests of both Afghanistan and Pakistan. With such a peculiar constitutional status in the Tribal Areas, there is no real possibility of stability, of establishing the rule of law, a sound banking system, the accountability of local officials, or putting in place the frameworks necessary for business and commerce.

## **CHAPTER III**

"When Allah had made the rest of the world, He saw there was a lot of rubbish left over, bits and pieces and things that did not fit anywhere else. He collected them all together and threw them down on the earth. That was Afghanistan."[xv] - An old Afghan Saying.

## **CONFLICTING STANDS ON PAKHTOONIAN ISSUE**

1. The bitterness and hostility between Pakistan and Afghanistan are an imperial legacy and the result of the arbitrary segregation of Pakhtoons by the Durand Line in disregard of their ethnic affinities. The two countries have come to loggerheads many a time over the Pakhtoonistan Issue[xvi]. Before analysing the arguments advanced by both the countries in favor of their positions, it is necessary to be clear about the concept of Pakhtoonistan. The issue of Pushtunistan is closely linked with the Durand Line as a troublesome tribal boundary. Afghanistan, following the argument that the Durand Line was accepted under pressure, contends that Pushtuns living on either side should have the right of self-determination, as they were forcibly separated from their motherland. Secondly, the Afghan government argues that the inhabitants of Pushtunistan are one nation and that the Durand Line arbitrarily splits the nation into two[xvii]. 2. Pakhtoonistan, conceived as a "hypothetical state" by Pakistan, has been defined differently by three distinct sources, i.e. the Afghans, the Pakhtoons living outside Pakistan and the Pakhtoons within Pakistan. According to Afghan official sources, Pakhtoonistan broadly comprises two provinces of Pakistan, i.e. North-West Frontier and Baluchistan. In other words it extends from Baluchistan in the south to Chitral and Gilgit in the north. According to another version, the Pakhtoon leaders in Pakistan, like Khan Abdul Ghaffar Khan and Wali Khan, explained that to them Pakhtoonistan had always meant the existing province of NWFP which should be renamed after the Pakhtoons and granted autonomy within

Pakistan. 3. The total area of Pakhtoonistan is nearly 39,259 square miles. Politically, the area is divided into two sections—the tribal territory and the settled districts. Though language has been described as the most "practical touchstone of identity" of the people, there is a lacuna in Pakhtoonistan. Almost all people in Pakhtoonistan speak Pushto or Pakhto, but in some places, which are not inhabited by the Pakhtoons, the language of the people is not Pushto. Hence, it evident that all people in Pakhtoonistan do not speak Pushto or Pakhto. In view of the importance of the Pakhtoonistan issue in foreign policy adopted by Pakistan and Afghanistan, it is necessary to analyse in some detail the positions taken by the two countries.

## **Afghanistan Case**

4. The claims of the Afghans are based on the assumption that the Pakhtoons are akin to them from the ethnic, linguistic, geographical, historical as well as traditional points of view. Their main contention is that Afghanistan accepted the Durand agreement under duress as Amir Abdur Rahman had been operating under several internal and external constraints while negotiating with the British. The line drawn in accordance with that treaty was invalid, by which, the Afghans argued, their blood brothers had been forcibly separated. Second, as the British Government in India has ceased to exist, they also contend that the Anglo-Afghan Treaty of 1921 is null and void. Thus, they have laid claim to all areas between the Durand Line and the River Indus.[xviii] 5. At the time of partition, the fate of the North-West Frontier province was left undecided, pending a 'referendum'. The Afghan government indicated that under no circumstances it would accept the outcome of the 'referendum' as a fair means of resolving the problem. Afghanistan's argument is that the decision on the `referendum' was taken unilaterally by the British government. But a decision, in order to be valid, should be taken by all the concerned parties in mutual consultation with one another. Moreover, it was pleaded that the Pakhtoons were given the limited choice to join either India or Pakistan only and not the option to unite with their motherland or to establish a small independent state of their own. Consequently, more than half the population of the Frontier boycotted the 'referendum' and the people in the tribal area did not vote at all. This indicated that the Frontier Pakhtoons were eager to gain independence or to unite with their motherland and did not like the option given to them. 6. Similarly, Afghanistan argued that the 'referendum' held under the auspices of the British Viceroy was a

"fraud and a sham". An Afghan scholar argues that historians and geographers of all ages looked upon the Indus as a true ethnological boundary between India and Afghanistan, but this had been ignored by the British.[xix] In contravention of the explicit agreements with Afghanistan, the Pakhtoons, who had never been British subjects and to whom the numerous British military operations had failed to subjugate," were handed over to Pakistan. The Afghan government expressed its unwillingness to accept the government of Pakistan's contention that the Pakhtoons had freely chosen to opt for Pakistan. It therefore, demanded that the right of self-determination should be given to the Pakhtoons living in Pakistan. 7. Afghanistan's claims can be summarised into three categories. Historically, it has been argued that Afghanistan had previously controlled all the area under dispute. It was usurped by the British from the Afghans under the threat of force. Legally, Afghanistan argues that the 1893 treaty had been obtained under duress; that in any case the tribal territories between Afghanistan and the administered territories of the British India were independent and that Pakistan cannot inherit the rights of an extinguished person", namely, the British in India. Ethnically, it has been claimed by Afghans that the Pakhtoons in their country and Pakistan form a single ethnic unit, but they have been artificially divided by the Durand Line. Hence the Afghans advocate the right to self-determination for the Pakhtoons living on the Pakistan side as they consider it the duty of Afghanistan to protect the interests of all the Pakhtoons. The last argument is undoubtedly, stronger, but its effectiveness is weakened by the fact that certain non Pakhtoon areas are also included in the proposed Pakhtoonistan.

## **Pakistan Case**

8. Pakistan's argument was that the 1893 treaty was a valid international boundary agreement as it was accepted by both the side and reaffirmed later repeatedly by the Afghan rulers Habibullah, son of Abdul Rahman, reaffirmed to British government in 1905 that he would abide by the 'agreements and compacts' entered into by his father[xx]. The treaty terminated Afghan's sovereignty over the territory and the people east of the Durand Line. As a successor state to the British empire, Pakistan inherited all the treaties and agreements entered into by the previous government and gained full sovereignty over the territory and its people. 9. Pakistan rejected Afghanistan's argument that the 1893 treaty was signed under duress.[xxi] Sir Percy Sykes, biographer of Durand

has pointed out that there was no use of force or duress on the Amir of Afghanistan in getting the Durand agreement signed. 10. Pakistan argued that the treaty had not done any injustice to any one, hence there was no valid reason to question it and under the clause of the Durand agreement, both sides pledged not to interfere in the affairs of their respective territories. Each party professed to regard the agreement as a "full and satisfactory settlement of all the principal differences of opinion which have arisen between them in regard to the frontier". The treaty was confirmed by the later ruler's of Afghanistan in 1995, 1919, 1921 and 1930 thereby reaffirming the validity of the Durand Line[xxii]. Pakistan's contention is that Afghanistan could not challenge the validity of the Durand Line unilaterally. 11. Regarding the question of self-determination, Pakistan argued that it had been foreclosed by the British-supervised plebiscite held in 1947 in the North-West Frontier Province in which the overwhelming majority favored union with Pakistan. Moreover, Pakistan argued that since then, the Pakhtoons had provided repeated proofs of their loyalty to the government. The fact that the Pakhtoons themselves had so far never expressed a desire either to be independent or to join Afghanistan showed that the issue of Pakhtoonistan had been artificially contrived. 12. Pakistan asserted that there was no consistency in the Afghan claims which ranged from mere expression of concern for the welfare of the Pakhtoons to irredentist claims for reunification of all Pakhtoons under the Afghan flag. The Afghan extremists claimed even Baluchistan, an area largely inhabited by non-Pakhtoon tribes. Pakistan argued that the ethnic basis of Pakhtoonistan has been set aside by Afghanistan to gain an access to the Arabian Sea.[xxiii] 13. Pakistan asserted that as far as Afghanistan's claim to NWFP was concerned, it had never been a part of, any entity as Afghanistan, The British government considered the defense of this borderland to be an imperial concern and in this regard the Simon Commission also pointed out that NWFP was not only the frontier of India but "an international frontier of the first importance from the military point of view for the whole empire". As it was a province of the British India, Pakistan argued, it became, a part of its territory under the provision of the Indian Independence Act of 1947, Section 7(1). Pakistan, being a successor state, got the control of the area, after the Pakhtoons had executed "Instrument of Accession" in favour of Pakistan.[xxiv] 14. Afghanistan's demand for the right to self determination for NWFP on the basis that it was formerly a part of Afghanistan was also rejected by Pakistan. Pakistan argued that before 1747 when Ahmad Shah founded the Afghan Kingdom, there was no such state, the territories being divided broadly between the Safavi Empire of Iran and the Mughal Empire of India. 15. Pakistan also denied that the Pushto-speaking tribes had ever

collectively formed a nation. It contended that the Pakhtoons had never constituted a cohesive unit of any sort throughout their history. Far from maintaining a semblance of unity, there had been perpetual inter-tribal feuds. Moreover, Pakistan asserted that since Afghanistan denied the inclusion of the Pakhtoons on its side, the Pakhtoons would continue to be divided into two sovereign states.[xxv] Pakistan even rejected that the Pakhtoons were a racial, group with common traditions, culture, and language. It was also pointed out that the Pakhtoons on the eastern side of the border developed a different culture and integrated themselves economically and politically more with Peshawar than with Kabul.[xxvi] Further, Pakistan contended that there were more Pusto speaking people in Pakistan than Afghanistan. According to most estimates, the Pakhtoons comprise no more than one half of Afghanistan's population and the rest are Tajiks, Hazaras, Turkis, Uzbeks and Turkemans. So it was argued that, if these criteria were to be applied to Afghanistan itself, this would threaten its statehood because it would have to cede its territories to its neighboring countries. 16. Pakistan asserted that Kabul's talk of Pakhtoon nationalism was no more than a propaganda ploy to camouflage its expansionist, ambition because, as alluded to earlier, it did not envisage the inclusion of Afghanistan's Pakhtoons in "the so-called Pakhtoonistan state, for which it is crusading" Pakistan argued that had the Afghans been genuinely interested in finding out a solution, they should have agreed to provide a right to self-determination to the Pakhtoons living on both sides of the Durand Line. But the Afghan Foreign Minister, Mohammad Naim, showed no interest in the proposal of holding a plebiscite on both sides of the frontier, when it was suggested by Pakistan's Foreign Minister, Manzur Qadir, in 1960. Pakistan further argued that as two-third of all the Pakhtoons lived in Pakistan and only one-third in Afghanistan, it would be more appropriate that the minority should join the majority rather than otherwise 17. Besides the above arguments Pakistan also raised a very strong point against an independent Pakhtoonistan, that it would not be able to maintain its existence for longer. It was argued that a state could not exist simply on the basis of race, language and culture, if it was unable to support its people. 18. In short, it can be pointed out that Pakistan regards the Durand Line as a recognised valid international boundary line which it inherits from the British as a successor state. It views Afghanistan's claims as manifestation of Afghan's emotions, domestic and geo-political compulsions of that country, hence refuses to negotiate on the issue. It rejects Afghanistan's demand for Pakhtoonistan on historical, legal, pragmatic and economic bases. Pakistan refuses to recognise Afghanistan's right to speak on behalf of the Pakhtoons on its, side and denounces it as "unwarranted interference" in its



domestic affairs. Thus, the conflict between Pakistan and Afghanistan appears unlikely to be over with regard to the issue of Pushtunistan[xxvii].

## **CHAPTER IV**

### **PAK - AFGHAN RELATIONS & PAKHTOONIAN ISSUE**

#### **Pakistan-Afghanistan Relations**

1. The foreign policy of a country is a reflection of its desire to attain economic prosperity. In pursuit of these objectives, decisions are taken at a given point in time. Explaining reasons for a particular foreign policy decision is not an easy task as a combination of many factors contributes towards the final calculation. Depending on assumptions, motives and objectives, one can develop a whole range of plausible explanations for a certain act of foreign policy[xxviii]. 2. The last two decades have witnessed two radical developments on the global scene. The major development which has radically influenced the existing system is the 11 September attack on the World Trade Centres in New York ("9/11"). 3. From the beginning, Afghanistan has followed a policy of hostility towards Pakistan, and remained committed to its demands regarding Pushtunistan. For example, Afghanistan was the only country to oppose Pakistan's admission to the United Nations, conditioning its recognition upon the provision that the right of self-determination be given to the people of Pakistan's NWFP.[xxix]

#### **The Pakhtoonistan Issue**

4. One of the predominant factors that have substantively influenced Pakistan's Afghan policy is Pakistan's ideology and its quest to forge closer ties with all the Muslim countries. Being an Islamic State, Pakistan has always endeavored to employ extra considerations for cultivating all the Muslim countries. Afghanistan was viewed right from the beginning as a special case for three major considerations. Not only is it a Muslim state and physically located as an immediate neighbor, it also has a large Pakhtoon population in its own provinces of NWFP and Balochistan.[xxx] 5. When it became clear that the British would soon leave India, the Afghan government

approached the British government in 1944 and tried to seek assurances that in the event of British departure from India, the frontier areas would be given a choice between independence and rejoining their motherland. Simultaneously the Afghan government also made a demand that Afghanistan be given a corridor to the sea through Balochistan.[xxxix] As the partition date came nearer, the Afghan campaign intensified. 6. At the time of partition of the Indian subcontinent a strange situation existed in NWFP with the Congress in power. The Congress government in NWFP wanted the province to join India but composition of the population and the geographic location of the NWFP made it extremely difficult to include the province into the territories that formed India. A compromise was worked out which entailed the holding of referendum in the area in order to ascertain the wishes of the people. The referendum was duly held from 6-17 July 1947 in which an overwhelming majority voted for Pakistan.[xxxix] The absolute majority of the pro-Pakistan votes left no room for the British except to include the province into the territories that formed Pakistan. Despite the clear verdict of the NWFP referendum, the Afghan government continued to express its dissatisfaction as it did not include the choices the Afghan government had been pressing. 7. The continuous Afghan pressure on Pakistan often resulted in a state of high tensions between the two countries, wherein Afghanistan government decided to cast only negative vote against Pakistan's membership of the United Nations (UN).[xl] 8. The year 1948 saw crisis which was engineered by the Afghan defense minister Sardar Dauod Khan who sent Afghan troops in traditional Pathan attire to infiltrate Pakistan's tribal areas which forced Pakistan to close the border.[xli] While normalcy was quickly restored, the main issue that impacted seriously upon Pak-Afghan relations was the issue of Pakhtoonistan which dominated during the period when Dauod became the Prime Minister of Afghanistan. 9. Despite the Afghan government's persistent propaganda campaign against Pakistan and to win the support of the Pakhtoons living in Pakistan, the government of Pakistan opted for a correct attitude and continued to extend facilities for Afghan transit trade. The Prime Minister of Pakistan even declared that 'relations between Pakistan and Afghanistan could be very friendly if the Afghan government gave up senseless anti-Pakistan propaganda'. In 1955 Afghan government lodge a strong protest against Pakistan's one unit proposal to incorporate the NWFP in the province of West Pakistan, large scale demonstrations were also organised against Pakistan in Kabul, where Pakistan's Embassy got attacked. It was further alleged that during the attack the Afghan police did not take any preventive measures. On the contrary, the police encouraged the rioters. Similarly Pakistan's Consulates at

Kandhar and Jalalabad were also attacked. 10. These attacks not only incensed the officials of Pakistan government but also led to widespread demonstrations in Pakistan resulting in an attack on the Afghan Consulate at Peshawar. Not only were protest notes exchanged between the governments of Afghanistan and Pakistan but many embassies in Kabul also handed protest notes to the Afghan government as they viewed the attack on any embassy as a serious violation of the diplomatic privilege. As a consequence of these developments, diplomatic relations were broken off and the Afghan-Pakistan border remained closed for almost five months. Due to the efforts of some Muslim countries diplomatic relations were later resumed. 11. The Soviet Union, angry over Pakistan's participation in the Western sponsored defense pacts, began to extend a patronising hand to Afghan policy on Pakhtoonistan. The involvement of super powers in this regional dispute further embittered Afghan-Pakistan relations[xxxv]. Encouraged by the outsiders; the Afghan government did not control its vilification campaign against Pakistan. Constant harassment of Pakistani staff attached to consulates both at Jalalabad and Kandhar led Pakistan to inform the Afghan government that it would close down its consulates and demanded the closure of Afghan Consulates and trade agencies in Quetta and Peshawar. The Afghan government retaliated by severing diplomatic relations with Pakistan and also closed the border. This phase of hostile relationship ended with the departure of Sardar Dauod in 1963, whose regime had made the Pakhtoonistan issue as the main plank of Afghanistan's Pakistan policy. 12. The examination of the Pakhtoonistan issue shows that the Afghan government advanced four sets of arguments. First and the most important argument advanced by the Afghans says that the Durand Line was established under duress. An examination of how the Durand Line came into existence clearly indicates that there were no pressures applied by the British. 13. The second strand of the Afghan argument was that the Durand Treaty was signed between the British Indian government and the ruler of Afghanistan and since the British had left the subcontinent, the treaty lapsed. International law clearly states that treaties of extinct states concerning boundary lines remain valid and all rights and duties arising from such treaties of the extinct state devolve on the successor nation which inherits treaty rights[xxxvi]. Pakistan is the successor nation on the north western part of the Indian subcontinent. 14. The third argument of the Afghans is that even after the signing of the Durand treaty the tribal territories remained separate and independent. The fourth argument employed by the Afghans was that the inhabitants of Pakhtoonistan are one nation and the Durand line arbitrarily splits the nation into two.

## Civil War and the Rise of the Taliban

15. In May 1986 Major General Najibullah replaced Babrak Karmal as the President of Afghanistan. As the Soviet casualties increased, Mikhail Gorbachev called Afghanistan 'a bleeding wound' but continued for a military solution[xxxvii]. Almost at the same time the Mujahideen groups also formed a seven party alliance in Peshawar and announced an Afghan Interim Government (AIG). Najibullah made unsuccessful efforts with UN to transfer power but the Mujahideen, sensing victory, pressed for a military solution. Najibullah then tried to move out of Afghanistan with the aim to seek asylum in India but was unable to flee the country. As the Mujahideen forces marched to Kabul in April 1992, he took shelter in the UN compound where he spent few years until he was executed. 16. The period between the removal of Najibullah and the emergence of Taliban saw various Mujahideen efforts to rule the country. On April 24, 1992 the Mujahideen signed the Peshawar Accord. According to this accord it was decided that "Mujaddedi would be the acting president for two months and he would be replaced by Rabbani for the next four months". After the six initial months a Shoora would be held to choose the government for the next eighteen months, after which elections would be held. The President would be answerable to the Council consisting of Mujahideen party leaders[xxxviii]. After two months Mujaddedi stepped down and handed over to Rabbani who convened the Shoora and had himself declared as the president for next two years. Many prominent Mujahideen leaders did not approve this election and thus began another round of infightings. 21. Aware of the importance of a stable Afghanistan, the Pakistani Prime Minister Nawaz Sharif initiated new mediation efforts in order to resolve the differences between the warring Afghan leaders. An Islamabad accord, a compromise formula, was signed on March 1993 in the presence of Pakistani Prime Minister, Saudi prince Turki al Faisal and a deputy Foreign Minister of Iran[xxxix]. Unfortunately the accord met the same fate as that of the Peshawar accord and Afghanistan once again slipped into the throws of a civil war. 17. In 1994 the UN appointed a new representative, Mahmood Mestiri who tried to restart the peace process. In the October of 1994, Taliban, an unknown group, emerged on the scene by capturing Kandhar. During the next two years the Taliban gradually brought more and more areas of Afghanistan under their control and in September they captured Kabul. Soon after their take over of Kabul, the Taliban executed Najibullah. In October 1996, Rabbani formed an anti Taliban alliance called the Council for the Defence of Afghanistan with Karim Khalili, the leader of

Hizb-i-Wahdat and General Dostum. 18. After the fall Najibuulah government the struggle for power among various Mujahideen groups of Afghanistan especially during 1992-96 had not only created a acute vacuum of leadership but also caused the death of more than 50,000 Afghans. Frustrated and fed up with the ongoing anarchy and civil war, the Afghans appeared to be willing to support any group that could inject stability. Undoubtedly the Taliban are products of political chaos and increased frustration with the civil war. 19. The Taliban emerged on the Afghan scene as a force in 1994. The Taliban is primarily a product of the unpopularity of the Afghan interim government along with the ongoing civil war. During the initial phase the Taliban ruler turned to Pakistan for assistance but once they were firmly installed themselves, they began to assert themselves and frequently undertook courses of action that ran contrary to Pakistan's advice. Once having taken over most of Afghanistan, the Taliban regime began to introduce reforms in accordance with their Islamic beliefs and what they deemed suitable for Afghanistan. The Taliban's harsh steps such as banning working women prompted strong reactions against their policies[xl]. However, it needs to be mentioned here that Taliban were successful in restoring the law and order situation in Afghanistan. 20. Since 1996 the UN has been deeply involved in securing peace in Afghanistan. Many efforts were undertaken by the UN representatives. Due to UN efforts and concern by regional actors, the representatives of Taliban and the Northern Alliance, which was operating from a small territory in the north, began peace talks in Islamabad, but the talks did not yield any positive outcome and the two sides were unable to patch up their differences. In August 1998 the Taliban captured Mazar-e-Sharif, one of the strongholds of the Northern Alliance and due to this the attitude of the Taliban hardened, making them commit the blunder of killing the Iranian diplomats who were in Mazar-e-Sharif. The killing of the Iranian diplomats invoked a strong reaction among the international community. Despite Pakistan's efforts to prevent the killing of diplomats, the Iranians blamed Taliban and Pakistan. They passed a resolution calling for negotiations between Taliban and other parties for a political settlement including an assertion that Afghanistan should stop providing refuge to international terrorist implying a clear reference to the presence of Osama Bin Laden. 21. Afghanistan's refusal to cooperate with the UN and implement the Security Council's resolutions facilitated a tougher attitude of the UN authorities. In fact mandatory sanctions were passed when Taliban refused to extradite Osama putting Pakistan in a very difficult situation, as it had to comply with the UN resolutions. Pakistan's disillusionment further intensified when Mullah Omar refused to hand over Pakistani criminals who had taken refuge in Afghanistan. 22.

The attack on the twin towers had angered the Americans who put the blame entirely on Osama bin Laden and to give vent to their angered emotion decided to launch an attack upon Afghanistan. Just before the actual launch of the attack, the US President sought Pakistan's help in terms of airspace, intelligence and logistics. Cognizant of the ground realities, including the determination of the great military power to undertake tough action along with extremely non-cooperative attitudes of the Afghan rulers, Pakistan opted to provide the requisite support to the US-led coalition against the Taliban regime. Thus, Pakistan once again became a front line state. A combination of the above mentioned factors influenced the Pakistan's ruler's to opt for what was deemed best in Pakistan's national interest.

## **9/11 and the War against Terrorism**

23. The tragic events of 11th September 2001 not only focused the spotlight on terrorism and the consequent formation of international coalition against terrorism but also caused a US-led war against Afghanistan. The terrorist attacks on September 11th 2001 brought the attention of the international community to Afghanistan. When the Taliban regime refused to hand over Osama Bin Laden and his Al-Qaeda associates, the US-led coalition launched an attack on Afghanistan. While the coalition was soon able to oust Taliban from power in late 2001, the Taliban were never completely routed primarily because of the half hearted policies of the coalition[xli]. 24. As a consequence of Pakistan's participation in the international coalition against terrorism Pakistan has suffered a lot both internally as well as externally. Internally it has experienced severe damage to its economy while also having the society divided into two over this. Contrary to the belief that Pakistan joined the international coalition to combat terrorism under pressure, the Pakistani authorities maintained that Pakistan joined the coalition for its own reasons as it had been a victim of frequent terrorist attacks within its own borders. 25. Pakistan has been facing the charge that it has become a haven for terrorists. Undoubtedly over the years, especially after the end of Afghan war against the Soviets, many extremists groups in Pakistan have emerged. During the Afghan war against the Soviets many jihadis were invited by the Americans and were even welcomed as the 'Great Islamic warriors' by the Americans. Later when the war was over many of them were compelled to take refuge in the tribal areas of Pakistan and Afghanistan as their own governments were unwilling to take them back. 26. The Pak-Afghan border

has indeed become a source of constant accusations especially by the Afghan government officials who stress that Pakistan needs to do more because, according to them, many of the militants infiltrate from the Pakistani side of the border. On the other hand, the Pakistanis argue that not only have they developed an intelligence network with Afghanistan and regularly exchange information about terrorist activities, they have also sent more than 70,000 soldiers of Pakistan Army into the tribal areas in order to prevent infiltration and preserve the much desired stability of the region.

## **CHAPTER V**

“Frontiers are indeed the razor's edge on which hang suspended the modern issues of war and peace, of life and death to the nations “ Lord Curzon

### **PAKISTAN'S AFGHAN POLICY**

1. The role of Pakistan in Afghanistan has been well documented. The salient facts on which Pakistan's policy towards Afghanistan depend on the following:- (a) Right from its inception, the Pakistani policy has adopted a hostile and adversarial stance against Afghanistan due to the Pashtun question and the Durand Line. Afghanistan constitutes a “shatter zone” on the Pakistani border. There is an innate hostility between the ethnic cousins from the plains and in the tribal tracts or highlands. (b) Pakistan made the first known attempt to overthrow the Afghanistan regime in 1973-74. Maj Gen Nasirulla Babar tried to support a nascent Islamic movement among the Kabul intellectuals/students. Hekmatyar, Masood, Sayyaf, Rabbani and even Mulla Omar were recruited in this phase. They tried to foment a premature rebellion, failed dismally and fled to Pakistan.[xlii] (c) Pakistan's biggest chance and opening came with the Soviet invasion of Afghanistan in 1979. Hafizulla Amin's atrocities had generated a spontaneous tribal rebellion all over Afghanistan. The CIA was keen to cause heavy attrition to the Soviet forces. For purposes of deniability it funneled its entire covert assistance to the Afghan Mujahideen through the ISI. (d) The CIA and ISI drew up a purely tactical agenda for the Afghan guerrilla war. CIA's initial objectives never went beyond making the Soviets bleed. The ISI was very concerned with not letting a unified or nationalistic Afghan leadership emerge. It tried to enforce its initial recruits of the 1973-74 Islamic putsch on the

spontaneous tribal revolt of 1979-80 in Afghanistan. Leaders like Hekmatyar and Sayyaff had been out of Afghanistan for far too long. Without any long-term strategic design, the indiscriminate pumping in of small arms into the Afghan society was bound to be most destabilizing for the future of the Afghan polity.[xliii] (e) When the Soviets withdrew in 1989, the fractured and bitterly divided Mujahideen factions were in no shape to take over the nation. The US State Department bitterly lamented this lack of a geopolitical and long term political agenda. However with the Soviet withdrawal the United States' tactical objectives were achieved and they lost all further interest in the region. (f) Pakistan tried to impose its protégé Hekmatyar on the Afghan people. Hekmatyar was thoroughly unpopular and lacked any political support base. Not having fought inside Afghanistan, he earned no respect from a highly military Afghan tribal society. (g) Pakistan's Afghan policy turned into a fiasco as Tajik leaders like Rabbani and Masood gained power in Kabul. Masood was a successful and charismatic military leader who had put in the best combat performance against the Soviets. Rabbani and Masood refused to toe the Pakistani line. (h) Pakistan's Afghan policy was in shambles by 1990-91. Millions of Afghan refugees were still inside Pakistan. The ISI had created a mess. Benazir Bhutto recalled the old warhorse Nasirulla Babar. Babar now discarded Hekmatyar and pulled out his old protégé Mulla Omar to raise the Taliban. (j) At this stage US and western interest in Central Asia suddenly revived and peaked due to the quest for the oil reserves of Central Asia. US and Saudi oil firms now desperately wanted a pacified Afghanistan so that oil and natural gas pipeline could be routed through this area. (k) At this stage Pakistan offered itself as a frontline state once more. The USA was keen to marginalise Iran from the oil and trade outflows of Central Asia. Pakistan with Saudi and US financial support rapidly built up the Taliban into a formidable military force. Millions of dollars were spent to purchase the loyalty of all Pashtun mujahideen forces. (l) The long term design was to use the Taliban to consolidate a new state in Afghanistan that would be financed over time by oil and trade outflows from Central Asia. In 1996 the Taliban conquered/purchased control of Kabul. In spring of 1997 it made an unsuccessful bid to conquer the non-Pashtun area of northern Afghanistan and failed badly. In 1998 it finally succeeded in conquering 90 percent Afghanistan. Paradoxically however, by then the strategic scenery had altered radically.



## Pakistan's Policy Options

2. Pakistani's geostrategic ambition was to position itself to gain maximally from the Soviet withdrawal from Central Asia by exploiting the fundamentalist Islamic card. 3. It seeks to establish a client, renter state in Afghanistan through the instrumentality of the Taliban. Such a client state will:- (a) Help it to resettle the Afghan refugees. (b) Give it enormous strategic depth vis-à-vis India. (c) Taliban consolidation in Afghanistan will free large numbers of Mujahideen warriors for tactical employment in Tajikistan and other Central Asian states, Xinjiang province of China and J&K state of the Indian Union. 4. Pakistan seeks to secure control over the oil, natural gas and trade outflows of Central Asia by ensuring that it gains physical control over the shortest land route via Afghanistan. In so doing it seeks to corner substantial economic benefit for itself. 5. It seeks to marginalise India and Iran from any meaningful role in Central Asia and to retain a control over the net oil outflows which India would need badly for its economic growth. 6. In the long term, Pakistan sees tremendous opportunities for itself to realise Gen Aslam Beg's dream of Pakistan being the leader of an Islamic bloc of states to include Turkey, Afghanistan and all of Central Asia. Afghanistan is the first step in generating such an Islamic super-bloc architecture with a predominantly Sunni orientation. 7. At the moment, Pakistan and Afghanistan relations are following a very delicate course. Misperceptions about each other's motives and/or intentions are high. Pakistan has to be careful in selecting policy options.

## Afghanistan's Policy Options

8. The policy formulated at Kabul will likely be ineffectual without total implementation by all the organs of the state. The last 25 years of war have seriously damaged state institutions, infrastructure and the society, as a whole. It will take some time before the institutions are functioning normally and a trained administration is in place. 9. In view of the fragmented state of Afghanistan, it will also take sometime for a coherent policy to emerge. In the immediate future, the majority of Afghan leaders will likely try to contain any Pakistani influence, due to their recent experience with the Taliban. Afghan rulers are likely to expand their dependence to countries other than Pakistan, such as Iran and India. The possible nexus of Iran, India and Afghanistan will be seen as strategic

envelopment by Pakistan. As always, Pakistan is wary of any involvement of India in Afghanistan affairs. Left unchecked, such developments will lead to resurfacing of irritants, like Pushtunistan, the Durand Line issue and cross border movements. 10. Afghanistan will do well if it finds that war against terrorism is in the mutual interest of both Pakistan and Afghanistan. This also implies that both countries must have cooperative policies towards the U.S.' efforts against terrorism in the region.

## **CHAPTER VI**

"If you would have told me in Afghanistan that a day will come when we will be fighting the Russians inside Russia, I would never have believed you."[xliv] Ibn-ul-Khattab Commander Of Foreign Mujahedeen Forces in the Caucasus

### **THE INSURGENCY IN THE BORDER AREA AND THREAT TO REGION**

The instability in the borderlands between Afghanistan and Pakistan due to turbulent relationship and Pakhtoon divide problem has become a regional concern. However in the age of radical extremism and increasing role of global non state actors in terrorism, the very same problem that perplexed the British are now a problem for the world at large. The Taliban and al-Qaida militants are using the lands of the Pashtun as a launching pad for attacks to destabilise Afghanistan and Pakistan, as well as a training ground for terrorist attacks worldwide. The border area has proven particularly vital to the Afghan Taliban, who form the bulk of the Afghan insurgency and operate from bases inside Pakistan.[xlv] The Pashtun belt is also home to insurgent forces led by Afghan Islamist Gulbuddin Hekmatyar 's Hizb-i-Islami (HIG) Party, the jihadi network of Maulawi Jalaluddin Haqqani (known as the Haqqani Faction), the Tora Bora Front, fighters from Hizb-i- Islami Khalis (HIK, now largely under the control of Haji Din Mohammed, the governor of Kabul Province), the growing Tehrik-e-Taliban Pakistan under Baitullah Mahsud, as well as other foreign and domestic jihadi forces.[xlvi] 3. The insurgency in the region represent an existential threat to the Karzai regime, a growing threat to the Pakistani government, and an enormous challenge to regional stability[xlvii]. After the Red Mosque siege in Islamabad, militant groups renounced the treaty and Taliban fighters in Pakistan proclaimed an all-out guerrilla war against the Pakistani Army.

## **Threat To The Region**

3. The Central Asian region encompasses Iran, Turkmenistan, Uzbekistan, Kyrgyzstan, Kazakhstan, Tajikistan, Xingjian Province of China, Pakistan and Afghanistan. Many of the States were part of the Soviet Union till its break up. The breakup of Soviet Union gave Central Asia the independence that their forefathers had fought for, but the Central Asian states were unwilling to accept it,[xlviii] since during the last days of the Soviet Union itself, tremors of Islamic fundamentalism in the region had commenced. 4. The first signs of volatility and fundamentalism in the region had emerged with the Iranian revolution, while the Soviet invasion of Afghanistan provided the second. It was in 1986, that the CIA Chief William Casey had stepped up the war against Soviet Union by using CIA operatives to recruit radical Muslims from around the world to fight alongside Afghan Mujahiddeen.[xlix] The result was the creation of Arab - Afghans, who later formed their own agenda and turned their hatred against their own regimes and the Americans. The unifying call for Jihad brought together militants of all hues and shades in Afghanistan.

## **Types of Threat**

5. The major threats that the region places are from the Islamic fundamentalism, narcotics and the drug smuggling, the threat emerging out of the ethnic dimension, threat on the economy due to the refugee crisis which emerged from the Afghan problem and finally the threat of proliferation of nuclear weapons. When Islamic fundamentalists in Iran and Pakistan labeled Kazakhstan as the first independent Muslim state to have nuclear weapons, it only added to the nervousness of the governments of Kazakhstan in particular and the world in general.[l]

## **Taliban's Role**

9. Since 1994, Taliban had been actively supporting numerous separatist movements in the region including those in Chechnya, Uzbekistan, Tajikistan, Kyrgyzstan, the Uighur movement, to name a few. The training of terrorists operating in Kashmir was, of course, a matter of immediate concern to India. The reports that Osama and

Namangani had been appointed to lead military offensive against Northern Alliance by the Taliban,[li] and the fact that the separatists from the region were fighting along side Taliban against Northern Alliance, leaves the possibility open of a reciprocatory action to provide assistance to Taliban by these groups. 10. When the Taliban had captured Hairatan in 1997, the Uzbek government did not relish the thought of Taliban at their doorsteps.[lii] In joining the anti-Afghanistan alliance, Uzbekistan's immediate goal is not only to wipe out the Taliban, but also to crush the Islamic Movement of Uzbekistan (IMU) and the leader IMU of the who reportedly had emerged as the top lieutenant. 11. The possibility of a Muslim extremist state knocking at its Central Asian border was a clear and present danger Russia could not ignore.[liii] However its weakened economy and status did not permit it to actively target these groups. The Central Asian states were all facing, radical Islam, assertive ethnic nationalism and inter ethnic rivalries in varying degree,[liv] and as such are genuinely glad to see the United States mounting a concerted military campaign against terrorist groups in the region. Terrorism has brought together Russia, all the Central Asian states, Iran, India and the US with a single purpose of fighting it resolutely to prevent the spread of fundamentalism which breeds secessionism and militancy everywhere.[lv] But the entry of US armed forces into the region creates volatile geopolitical dynamic.

## **The Unintended Consequences of Border Politics**

12. To understand how the Taliban and associated groups were able to reach this powerful position, it is necessary to examine the border politics that gave rise to them, beginning with the creation of the boundary line itself. The Durand line, which was negotiated and formalised in 1893, was drawn by a team of British surveyors, led by Sir Mortimer Durand, to create a boundary between colonial British India and Afghanistan. 13. To a great extent, the line followed the contours of convenient geographical features, as well as the existing limits of British authority, rather than tribal borders. It divided the homelands of the Pashtun tribes nearly equally between Afghanistan and Pakistan, effectively cutting the Pashtun nation in half. This largely imaginary boundary has been viewed since its inception with contempt and resentment by Pashtuns on both sides of the line. The majority of the Pashtun tribes and clans that control the frontier zones of eastern and southern Afghanistan along the Durand line have never accepted the legitimacy of what they believe to be an arbitrary and capricious boundary.

13. The issue of what to do with the tribal areas was never resolved by the British. Their frontier problems were handed over to India in 1947 on the eve of independence and partition. Although the tribes agreed in a plebiscite to be part of Pakistan, the boundary line became a political football and a major source of tension between Pakistan and Afghanistan after 1948. Afghanistan opposed Pakistan's entry into the United Nations because it claimed that its border with Pakistan was not valid. Kabul argued correctly and with considerable legal acumen that the original treaty establishing the Durand line as the border was signed under duress. Afghanistan also claimed, with less legal validity, that the treaty was signed by a state that no longer existed. (The treaty obligations of British India with respect to international boundaries remained binding upon its successor states). In 1949 an Afghan Loya Jirga declared the Durand line invalid. From the 1950s to the 1970s, the Afghan governments in which Minister Mohammed Daoud (later President Daoud, after his coup that sent the late King Zahir Shah into exile in 1972) played a leading role used the idea of an independent Pashtun state, to be called "Pashtunistan," as leverage against successive Pakistani governments. The Pakistanis for their part sought to bring Afghanistan into their sphere of influence to extend Pakistan's "strategic depth."

14. Landlocked, heavily dependent on Pakistan for imports and access to the sea, and badly outmatched economically and militarily, Afghanistan had little other leverage to exert. So it continues to play the Pashtunistan card, threatening the fragile Pakistani state - in the wake of the loss of its eastern province to the newly independent Bangladesh in 1971, with the similar loss of much of its northern territory into a new Pashtun state. (That much of southern Afghanistan would likely also have been pulled away into the new Pashtunistan, making the policy suicidal for the Afghan state, appears to have occurred to neither side.)

15. Afghanistan sought to increase the pressure on Pakistan by creating "Pashtunistan madrassas" in the border areas. A major square in Kabul was renamed "Pashtunistan Square." Although the madrassas are long gone, the idea of Pashtunistan remains strong in Pakistan's secular Pashtun political party, the Awami National Party (ANP). The ANP is led by Asfandiyar Wali Khan, and represents the political descendent of the Khudai Khidmatgar ("Red Shirt") movement of the legendary Abdul Ghafar Khan, the "Frontier Gandhi." Short of independence, the ANP continues to agitate for the creation of a new Pashtun province to be called Pushtunkhwa ("Land of Pashtuns"), which would incorporate the NWFP, the FATA, Punjab's Attock and Mianwali Districts, and northeastern Baluchistan, all prominent Pashtun areas.

16. Many Pakistanis, prone to see the sinister hand of India behind all Pakistani misfortunes, are convinced that the ANP is funded by the Indian

government as a countermeasure to Pakistani support for insurgent groups in the Kashmir region, and dismissed it as a fringe party. The ANP surprised many observers in February 2007, however, with a victory over the once-invincible MMA Party in elections in Bajaur and swept into power in the NWFP in February 2008. Border politics are not dead in Afghanistan either. Afghan President Karzai has stated that he does not accept the border demarcation because “it has raised a wall between the two brothers.”[lvi] Indeed, any other border policy position would be political suicide in Kabul. In short, the Durand line is accepted as a valid legal boundary by almost no one in the border region. 17. The notion of Pashtunistan for the Pashtuns (who constitute the largest ethnic group in the world without a nation-state) has never had any real international support. To counter the growing threat of Pashtun nationalism and the potential secession of Pashtunistan following the Bangladesh debacle, successive Pakistani governments, formalised by President Gen Muhammad Zia-ul-Haq in 1977, launched a different social force as a political counterweight: conservative Islam. Thus was born a massive experiment in social engineering in northern Pakistan. Beginning in the early 1970s, the Pakistani government embarked on the construction of thousands of conservative madrassas in Pashtun areas, funded by private Saudi sources that emphasised Islam over ethnic identity. Slowly but steadily, Pakistani governments began to invest the scarcely literate mullahs of the rural areas with more political weight, empowering them and their Ulema Shuras at the expense of the Tribal Elders, Khans, and Maliks. 18. Even so, such cultural meddling was unlikely to have any significant lasting impact on tribal behavior over such a wide area, barring some kind of huge social upheaval that would undermine the existing tribal structures. That upheaval came in 1979, when Soviet tanks rolled across the Amu Darya River at Termez, eventually killing more than 1 million Pashtuns, driving 3 million more into exile, and devastating the social fabric of tribal society. It was the response to the Soviet invasion and occupation of Afghanistan that dramatically accelerated Pakistan's social experiment and ultimately spun it out of control. 19. That response was largely in the form of massive covert international support for the jihad against the Soviets. The United States and Saudi Arabia poured \$7.2 billion of covert aid into the jihad against the Soviets, the vast majority of which was channeled by the ISI, with the acquiescence of the Central Intelligence Agency, to the most radical religious elements, deliberately marginalising Durrani Pashtuns and those parties with a less radical, more nationalist political vision for the future of Afghanistan. Foreign militants flowed into Pakistan for training and then deployed into Afghanistan. Among them were several thousand funded and paid by Osama bin Laden[lvii]. 20. After the

Soviets withdrew, the social fabric of the Pashtuns was further shredded by returning commanders and fighters who set themselves up in many cases as warlords outside the authority of the tribal elders. The result was anarchy, as Mujahideen groups, warlords, and common criminals fought over the carcass of Afghanistan. 21. When it became evident to Islamabad and the ISI that first, their favorite Mujahideen commander, Ghilzai Pashtun Islamist (and HIG Party leader) Gulbuddin Hekmatyar, would never gain political control over Afghanistan and, second, that the anarchy in Afghanistan was antithetical to a policy of strategic depth as well as potentially destabilising for Pakistan, the Taliban was born. Beginning from a minor local movement in Kandahar Province in 1994 with few weapons and even less money, with massive covert Pakistani financial and military support, the Taliban rose to power and took over Kabul in 1996[lviii]. The Taliban furthered the process of deconstructing the dominant role of the tribal elders in the rural areas from 1996 to 2001 and supplanting them with Ulema Shuras. There was no absence of sage counsel speaking against the creation of such a Frankenstein monster. 22. In 2008 the monster created in this ill-conceived experiment is virtually out of control. Apart from short-term tactical military successes, the political momentum of radicalisation in the north appears to have gone beyond the power of the Pakistani state to contain it, let alone suppress it, which suggests that the odds of the radical fundamentalist genie being put back into the bottle are slim. The near-term policy consequences of this ongoing radicalisation, and the failure of the Pakistani government to prohibit refuge for the Taliban as well as foreign jihadis in the FATA, are the continued destabilisation of southern Afghanistan, the spread of the Taliban insurgency, and the further subversion of democracy in Pakistan. The long-term consequences of this process of radicalisation, if left unchecked, are potentially devastating for the region.

## CHAPTER VII

“if the situation in Afghanistan is ugly today, it is not because the people of Afghanistan are ugly. Afghanistan is not only the mirror of the Afghans; it is the mirror of the world” Barnett R. RubinIn his Book “ The fragmentation of Afghanistan”

## RECOMMENDATIONS : THE ROAD AHEAD

The Pakistan-Afghanistan border area has become the most dangerous frontier on earth. Critically, the portion of the border region that is home to extremist groups such as the Taliban and al-Qaida coincides almost exactly with the area overwhelmingly dominated by the Pashtun tribes. 2. The instability in the borderlands between Afghanistan and Pakistan due to strained relations between the two nations and the Paskhtoon problem has become a regional concern. However, in the age of radical extremism and increasing role of global non state actors in terrorism, the very same problem that perplexed the British are now a problem for the world at large. 3. Pakistan enunciated its position on the border in 1947: [The] Durand Line delineated in the 1893 treaty is a valid international boundary subsequently recognised and confirmed by Afghanistan on several occasions. The drawing of this international border terminated any Afghan sovereignty over the territory or influence over the people east of [the] Durand Line. Pakistan as a successor state to British India derived full sovereignty over this region and its people and has all the rights and obligation of a successor state. In addition, the question of self-determination for Pashtuns was foreclosed by the British supervised plebiscite held in 1947 in NWFP in which 99 percent of votes cast were in favor of joining Pakistan. The Tribal Areas too expressed their assent through special Jirgas[lix]. 4. Despite Afghanistan's formal position, however, no government has made any serious effort to advance territorial claims either bilaterally or in international forums. Instead, its governments have used these claims as bargaining chips or to address domestic political concerns. 5. In practice, Pakistan has done more than Afghanistan to undermine the status of the Durand Line as an international border. Successive governments in Islamabad have exploited the porosity of the threefold frontier to use covert asymmetrical warfare as a tool of national security policy. While the Pakistani military's deliberate fashioning of the Afghan resistance on an Islamist model gave Pakistan strategic depth and neutralised Afghan nationalism, it also relied on transnational networks that ignored the Durand Line as consistently as any border tribe. Pakistan is now paying the price for this policy by losing control of much of the frontier area to groups it has supported, groups that exploit their ties in Afghanistan just as the Taliban exploit their ties in Pakistan. 6. The Pakistan military's relationship with cross-border Islamist groups also affected the domestic situation in Pakistan. It strengthened and spread beyond an alliance vis-à-vis Afghanistan and Kashmir to cooperation in domestic politics, including elections. Increasingly, however, Islamist



transnational goals have triumphed over the state's strategic objectives, as the Islamists have established a strategic presence in Pakistani state institutions, military, civil society, and campuses. 7. Since 9/11, a clear tension has developed between these visions. Pakistan's stated position as a frontline ally in the "war on terrorism" has led to tensions within the Islamist-military alliance over arresting Al Qaeda leaders, cooperating with the United States, and cracking down on the Taliban and local militants. Islamist militancy, however, remains Pakistan's most successful strategic weapon against Indian regional hegemony, including its penetration into Afghanistan. 8. Pakistan's hands-off approach which had allowed Taliban to exert the level of control it has, must be tackled, not with doubletalk or empty promises, but with strong action both military and diplomatic nature whenever required and at whatever cost. Given that the Taliban will only demand, and never negotiate, from position of strength, such agreements are not adhered to as they are seen as a sign of weakness. 9. In the end, the fate of the tribal territories will prove to be the ultimate test of Pakistan's abilities. Should it fail the ramifications for Pashtoon people, the nations of Afghanistan and Pakistan, and the region on the whole, will be worse than previously experienced. 10. The following recommendations are worth considering to effectively deal with the situation:- (a) The first element of success would be the use of military force to eliminate extremists - those disinclined to negotiate and create conditions for a political settlement. The importance of the military aspect cannot be overstated. Without tackling the active resistance, there is little possibility the non-military components of a counter-insurgency strategy will succeed. (b) The second aspect to a successful strategy should include the army conducting a number of synchronised small-scale operations, steering clear of artillery and air power. (c) The third element of success would consist of measures to address structural causes of the insurgency: unemployment, geographic isolation, lack of education, and lack of development assistance, among others. Ultimately, all aspects of the counter-insurgency effort must be geared toward achieving the common goal of establishing the rule of law, and the writ of the state. (f) The most important step to be taken is to include the FATA into the mainstream administration of Pakistan also requires a cognisant decision on the part of the Pakistani government to promote political rights and responsibilities within the FATA and to encourage investment in the human and economic development of the region.

## CONCLUSION

"We will not be a pawn in someone else's game, we will always be Afghanistan!" Late Ahmad Shah Masood 1. Afghanistan never has recognised the Durand Line as an international border. The administration of President Hamid Karzai, charging Pakistan with supporting the Taliban, has leaned toward India. Further antagonised, Pakistan blames rising Indian influence in Afghanistan for the violent nationalist insurgency in Baluchistan. 2. Pakistan and Afghanistan inherited their multilayered border and its complex governance mechanisms from the British Empire. In the late nineteenth century the British tried to make Afghanistan an isolated buffer state between their empire and Russia, but nineteenth century border arrangements on the margins of an empire do not work in an area at the heart of twenty-first-century global strategy. The instability in the borderlands between Afghanistan and Pakistan due to strained relations between the two nations and the Paskhtoon problem has become a regional concern. The Pakistan-Afghanistan border area has become the most dangerous frontier on earth, primarily due to strained relations between the two countries, policies followed by them and the inherited Paskhtoon divide legacy. 3. Afghanistan as a country that has suffered the most and the longest from terrorism and it took the WTC killings of over 3000 Americans on American soil, to force the US to come alive to the threat of International Terrorism. It is necessary that the world community must speak out against these crimes against humanity, and against the countries that sponsor terrorism, and aid terrorists. There are no 'good terrorists' and 'bad terrorists', the export of terrorism from Talibanised Afghanistan is a matter of great concern and has serious consequences for the world in terms of casualties and costs of countermeasures. 4. The neighbors now need to resolve the myriad problems of the border region. They have to overcome past differences and circumvent the violence unleashed by non state actors, sometimes with official support, to reach a comprehensive settlement. The international community in general and the United States in particular have to facilitate such a process through diplomacy and help pay for the long overdue reforms and economic development on the rugged frontier. They also may have to press reluctant actors to explore alternatives to deeply entrenched policies. Kabul and Islamabad must formulate policies to promote a peaceful and prosperous future rather than remaining hostages to the bitter disputes of the past.

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## Appendix A

### (Refers to para 1 of chapter III)

Durand Line Durand Line

## Appendix B

### (Refers to para 22 of chapter VI)

Growing Terrorism in FATA & North-West Frontier Militants End Ceasefire 68 “Operation Silence” Red Mosque State of Emergency 68 68 300 250 200 150 100 50 0 JUN JUL AUG SEP OCT NOV DEC FATALITIES INJURED ATTACKS [i] [https://en.wikipedia.org/wiki/Durand\\_line](https://en.wikipedia.org/wiki/Durand_line). 14 Aug 2009. [ii] Samarjit Ghosh. Centre for Land Warfare Studies (CLAWS): Insurgency in the FATA and NWFP Challenges and Prospects for the Pak Army. p.13. [iii] Pakhtoonistan is an area inhabited by the Pashto or Pakhto-speaking people. According to Afghan official sources, it broadly comprises two provinces of Pakistan, i.e., North-West Frontier and Baluchistan. Kulvant Kaur. Pak- Afghanistan Relations. pp. 9-17. [iv] [https://en.wikipedia.org/wiki/Pashtun\\_people](https://en.wikipedia.org/wiki/Pashtun_people) and <https://www.pakhtun.com>. 14 Aug 2009.

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