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Gulawar Khan

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**POLITICS OF NATIONALISM,
FEDERALISM, AND
SEPARATISM: THE CASE OF
BALOCHISTAN IN PAKISTAN**

GULAWAR KHAN

**A thesis submitted in partial
fulfilment of the requirements of
the University of Westminster for
the degree of Doctor of Philosophy**

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Author's declaration

This thesis is carried out as per the guidelines and regulations of the University of Westminster. I hereby declare that the materials contained in this thesis have not been previously submitted for a degree in any other university, including the University of Westminster. I further affirm that this thesis is based on my own research and that appropriate credit has been given (directly or indirectly) where references have been made to the work of others.

Gulawar Khan

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Abstract

This thesis is concerned with the principles of federalism and practice of federation in Pakistan, Baloch nation/nationalism and the politics of separatism. Since its inception, Pakistan adopted federalism as a system of government to manage a new country consisting of various ethno-national and linguistics groups. The purpose was to acknowledge diversity but discourage separatism. However, the history of Pakistan, including the creation of Bangladesh out of East Pakistan in 1971, shows its failure to fulfil this purpose of avoiding separatism. A key challenge faced by Pakistani federation for many years has been the conflict in its largest province of Balochistan. The conflict has multiple dimensions including a strong movement for separation of Baloch lands from Pakistan. This thesis investigates various phases of the Baloch conflict with Pakistani federation and analyses different strands of Baloch nationalism. It also explores the shifting power and relation of these strands – federalist and separatist - with the crises of federalism in Pakistan. It argues that the primary driver affecting Baloch nationalism is the failure of Pakistani federation to be genuinely federal. This thesis suggests that the Pakistan federation needs to revisit its constitution to make it more federal in a way wherein each ethno-national group feels the ownership of the country and can be convinced that its identity and language is protected and its land and resources utilised for welfare of the local inhabitants.

Key words: Pakistan, Balochistan, federalism, nationalism, and separatism

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List of Acronyms

AIML	All India Muslim League
AINC	All India National Congress
AKMC	Azad Kashmir Muslim League Conference
AL	Awami League
ANP	Awami National Party
AT	Awami Tehrik
BLA	Balochistan Liberation Army
BLF	Balochistan Liberation Front
BNM	Balochistan National Movement
BNP-A	Balochistan National Party, Awami
BNP-M	Balochistan National Party, Mengal
BNYM	Balochistan National Youth Movement
BPC	Basic Principles Committee
BRA	Balochistan Republican Army
BRP	Balochistan Republican Party
BSO	Baloch Student Organization
BSU	Balochistan State Union
BSYA	Baloch Students Youth Association
CA	Constituent Assembly
CM	Chief Minister
COAS	Chief of Army Staff
EBDO	Elective Bodies Disqualification Order
FATA	Federally Administered Tribal Areas
FC	Frontier Constabulary
GDA	Gwadar Development Authority
HRCPP	Human Rights Commission of Pakistan
IJI	Islami Jumhoori Ittehad

IOR	India Office Record
ISI	Inter-Services Intelligence
JI	Jamaat-i-Islami
JUI	Jamiat-ul-Ulema-e-Islam
JUP	Jamiat-ul-Ulema-e-Pakistan
JWP	Jamhoori Wattan Party
KPK	Khyber Pashtunkhwa
KSNP	Kalat State National Party
KT	Khaksar Tehrik
LFO	Legal Framework Order
LTTE	Tamil Tigers of Sri Lanka
MI	Military Intelligence
MMA	Muttahida Majlis-e-Amal
MNA	Members of National Assembly
MRD	Movement for Restoration of Democracy
NA	National Assembly
NAP	National Awami Party
NDP	National Democratic Party
NP	National Party
NSC	National Security Council
NWFP	North West Frontier Province
OUS	One Unit Scheme
PA	Provincial Assembly
PDM	Pakistan Democratic Movement
PDP	Pakistan Democratic Party
PIPS	Pak Institute of Peace Studies
PkMAP	Pashtunkhwa Milli Awami Party
PM	Prime Minister
PMKP	Pakistan Mazdoor Kisan Party

PML-F	Pakistan Muslim League, Functional
PML-N	Pakistan Muslim League, Nawaz
PML-Q	Pakistan Muslim League, Quaid-e-Azam
PNA	Pakistan National Alliance
PNP	Pakistan National Party
PODO	Public Office Disqualification Order
PPARC	Public Administration Research Centre
PPL	Pakistan Petroleum Limited
PPP	Pakistan People's Party
PRODA	Public and Representative Offices (Disqualification) Act
QMA	Quomi Mahaz-e-Azadi
RCO	Revival of the Constitution 1973 Order
SEATO	Central Treaty Organization
SEATO	Southeast Asia Treaty Organization
SPSS	Social Package for Social Sciences
TI	Tehrik-i-Istaqlal
UN	United Nation
USA	United State of America
VBMP	Voice for Baloch Missing Persons

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Chapter I: Introduction and Methodology

1.1. Introduction

Balochistan is one of the four federating units (called provinces) in Pakistan. It became part of Pakistani federation in 1947-48. The word 'Balochistan' is a combination of two words 'Baloch' and 'istan'. 'Stan' is a Persian word which means inhabitant or living place. Thus, Balochistan means the land of the Baloch people. The term Baloch¹ applies to an ethno-national group of people living in the south eastern parts of Iran, the southern tip of Afghanistan and the south western parts of Pakistan. Many Baloch are also living around the provinces of Punjab, Sindh and NWFP (now KPK –Khyber Pashtunkhwa). It must be made clear from the very outset that, while acknowledging the diverse geography and the scattered population of the Baloch, this project is mainly concerned with the recognised Baloch population in the province of Balochistan in Pakistan.

Besides the Baloch, there are other ethnic groups who have lived in Balochistan for ages but they do not consider themselves a part of the Baloch nation because they have their own ethnic and national identities. For instance, Pashtuns are the second largest group who have lived in 10 out of 30 districts of Balochistan for centuries. According to the 1998 Census Report, Baloch are about 55% of the population, Pashtun are about 30% and the rest 15% are the Punjabis, Sindhis,

¹The term 'Baloch' has various meanings and different historians and researchers define it differently. It is a common belief amongst the Baloch that "the word 'Baloch,' if applied in the sense of cultural implications manifests something magnificent, magnanimous, and powerful" (Dashti, 2012: 34). Therefore, it is possible that this perception of the term 'Baloch' led Janmahamd (1989 and 1982), a retired senior bureaucrat and Baloch intellectual, to believe that etymologically, the word 'Baloch' is a combination of two Sanskrit words: 'Bal' which means strength or power and 'Och' which means high or magnificent. The word 'Baloch', therefore, means very powerful and magnificent, according to Janmahamad (1989: 13-14).

Different writers and historians also spell the words Baloch and Balochistan in various ways. The then ruler of Kalat, Mir Ahmed Yar Khan, in his autobiography (1975) uses Baluch and Baluches for the people and Baluchistan for the land. Inayatullah Baluch (1987) also spells it as Baluch (nation) and Baluchistan (territory). Richard Issaq Bruce (2002) spells it as Beluch and Beluchistan. However, the Baloch themselves prefer to spell it as Baloch and Balochistan. Thus, in 1990 the provincial government of Balochistan decreed that the official English spelling of the word Baloch would be 'Baloch'. Similarly, under the 18th Amendment Act 2010, the word 'Baluchistan' was substituted by the word 'Balochistan'. Hereinafter, I will spell the words as Baloch (nation) and Balochistan (territory) in this dissertation, except for direct quotes, writers' names, and titles of books. Moreover, the word Balochi will be used for the language and culture.

Saraiki, Mahajir, Hazara and others. The Pashtun do not accept the 1998 census and termed it to be flawed. They claim that the Pashtun population is 50% of the total population of Balochistan. Pashtun nationalists such as Usman Kakar, Provincial President of Pashtunkhwa Milli Awami Party (PkMAP), claimed during an interview with the researcher that the Pashtun constitute 50% of the total population of Balochistan.² In recent years, the migration from Afghanistan to Balochistan (mostly to Pashtun areas) due to the war on terror might have affected the population balance between the Pashtun and the Baloch. I make this distinction because this research project is about Baloch nation and nationalism, and is not concerned with the Pashtun population who have their own struggles for Pashtun rights and demand a unified province consisting of the Pashtun majority areas.

After the division of British India into two sovereign states (India and Pakistan) in 1947, Pakistan adopted federalism as a system of government to run the affairs of the newly established country. The aim of adopting federalism in Pakistan was to keep united the disparate population which was divided ethnically, culturally and linguistically among various ethno-national groups. It is often claimed that federalism is vital to keep unity in a diverse society (Arora, 2010; Balcha, 2007; and Kymlicka, 1995 & 2006). In Pakistan, federalism could not function successfully for various reasons; as a result, the country was split and her eastern part became Bangladesh in 1971. However, the level of discontent did not end with breakup of the eastern wing. Recent years show that discontent is rife and the federation of Pakistan can be seen as being in imminent danger of further

² The two districts - Quetta and Bolan - which are inhabited by both the Baloch and the Pashtun, are controversial because both groups claim its ancestral ownership. This is in spite of the fact that they have lived together in cordial relations for centuries and have no grievances against each other except on economic and political issues (such as the quota in provincial services and the number of members in provincial and national legislatures) where the Pashtun demanded more representation.

disintegration (Kundi and Jahangir, n.d, and Cohen, 2005), especially in Balochistan.

Balochistan, which constitutes 45% of the total territory of Pakistan, has been in a state of confrontation with the Pakistani federation since 1948. The Baloch nationalists never accepted the merger/annexation in 1948 willingly and as the Pakistani federation faces serious crises resulting from various factors, the Baloch province too has had a conflicted and chaotic relationship with Pakistan (International Crisis Group, 2006 and Cohen, 2005). The native Baloch are convinced that not only has the dominant Pakistani polity (civil and military bureaucracy) usurped their independence, but it (Pakistan) has also been exploiting the natural wealth of the province ruthlessly for decades, without giving anything in return to the people of Balochistan (Rais, 2010; Stanton, 2007; and Grare, 2006). There have been a total of five phases of Baloch insurgencies against the federation of Pakistan. To suppress these insurgencies, the government of Pakistan launched five army operations in 1940s, 1950s, 1960s, 1970s and 2002 respectively (Cohen, 2005; Rahman, 2005; Bansal, 2006; and Baloch, 2007), but the Baloch struggle for Balochistan's more provincial autonomy and/or complete separation from Pakistani federation continues.

If we look at the history of Baloch nationalism and the conflict with the federation of Pakistan, it illustrates the key role of history, identity, and resources. Historically speaking, while Baloch nationalism is older than the formation of Pakistan, the Baloch conflict with the federation of Pakistan is a relatively new phenomenon that emerged soon after the division of British India into two sovereign states in 1947. The Baloch state, called the State of Kalat, was a semi-sovereign and autonomous state before the creation of Pakistan. It remained under the suzerainty of the British Government under the treaty of 1876 until the British

withdrew from United India. Under a communiqué issued by the Viceroy in Delhi on 4th August 1947, even the Government of Pakistan recognized the Kalat State as an independent and sovereign state having treaty relations with the British Government. Nonetheless, after the creation of Pakistan, the State of Kalat was incorporated into the Pakistani state under an agreement signed in March 1948 between the Khan of Kalat, Mir Ahmed Yar Khan and the first Governor General of Pakistan, Muhammad Ali Jinnah.³ The younger brother of the Khan of Kalat, Prince Abdul Karim, revolted against the agreement of accession but his insurrection was quelled by the Government of Pakistan within a few weeks.

According to the 1948 agreement, the Khan of Kalat was promised full autonomy on all subjects except defense, external affairs, and communication. However, with the passage of time, the successive governments in Pakistan did not implement the agreement. In April 1952, Balochistan State Union (BSU), consisting of Kalat, Lasbela, Khanran and Makran, was established in order to remove some of the defects in the 1948 agreement. From 1948 to 1955, Kalat had the same status as during the British colonial period. However, in 1955, West Pakistan--comprising the provinces of Punjab, Sindh, NWFP (now Khyber Pashtunkhwa), Commissioners' province of Balochistan and BSU--was merged into a single province under the One Unit Scheme (OUS). It was the OUS which compelled the Baloch to fight for gaining a province of their own on the basis of their different culture, language, and identity within Pakistan. The revolt by

³ It is important to mention that the two houses of the Kalat State Assembly (the Darul Awam or the House of Commons and the Darul Umrah or the House of Lords formed in December 1947) were not ready to accept the accession of Kalat into the Pakistani federation. A majority of the Baloch also believe that the Khan signed the agreement under duress. However, history tells us that at the very outset of the Baloch national struggle against the Pakistani federation, two different strands of nationalisms (separatist and federalist) emerged and each had a different approach to Baloch relations with Pakistan. The federalists accepted the federation of Pakistan got elected to the national and provincial assemblies of Pakistan in various years and demanded equal rights, more representation, provincial autonomy and control over the resources emanating from Balochistan. However, a separatist strand, though less powerful except in the recent years, has often existed along with the federalist strand.

Nawab Nauroz Khan (1958-1960) is well known in this regard.⁴ After the repression of this revolt, there was another surge in the fighting between the Baloch and Pakistani Army. A loosely-based guerrilla organization called *Pararis* (rebels) was established in 1963 by the Baloch, almost in response to the government attitude and policies towards Balochistan and its people. The Pararis movement continued until 1969, “when Yahya Khan, who succeeded Ayub Khan in that year, induced the suspicious Pararis to agree to a cease-fire by ordering the withdrawal of the One Unit Plan” (Harrison, 1981: 33). Balochistan - containing Kalat, Makran, Lasbela, Kharan, and British Balochistan - was declared to be a full-fledged province in 1970. This was seen as a positive move by many Baloch. For instance, a historic rally of the Baloch Student Organization (BSO) was arranged in Quetta under the leadership of Nawab Akbar Khan Bugti, Nawab Khair Bakhsh Marri, and Sardar Attaullah Mengal (the three famous leaders of the Baloch masses) to celebrate the undoing of the OUS and the recognition of Balochistan as a province in 1970s (Bugti, 2010) . During the first general elections in Pakistan in 1970, the Baloch nationalist under the platform of the National Awami Party (NAP) succeeded in forming a government in the province of Balochistan. However, this nationalist government was short-lived; the central/federal government made various allegations against the NAP’s leadership, calling them anti-Pakistani and accusing them of secessionist activities. According to one estimate, some 50 to 53 NAP leaders (both Baloch and Pashtun) were put behind bars by the federal government. These detainees were on trial on charges of treason, and the punishment for treason, according to Article 6 of the 1973 constitution, is either the death penalty or life imprisonment.

⁴ The Baloch leaders, under the leadership of Khan of Kalat, started campaign for undoing the OUS and demanded a separate province of Balochistan comprising the Baloch populated areas. Due to this campaign the palace of the Khan was raided and the Khan including his family members and political workers were arrested. It is therefore, Nawab Nauroz Khan revolted against the oppressive attitude of the Pakistani federation. The revolt of Nauroz Khan started in 1958 and ended in 1960 wherein Nauroz Khan and his close companions were arrested. Nawab was awarded life imprisonment while 7 of his close comrades, including his sons, were hanged in Hyderabad jail.

Thus, the dismissal of the Baloch assembly and the arrest of their top leadership on the charges of treason opened another phase in the conflict of the Baloch against the Pakistani federation. This time the conflict was the bloodiest. According to Harrison (1981), at least 3,300 Pakistani military personnel and 5,300 Baloch guerrillas and civilians were killed between 1973 and 1977. When General Zia-Ul-Haq came to power with a military coup in 1977, he released all the Baloch leaders who had been captured during the conflict. Thus, from 1977 until 2000s, the relations between most Baloch nationalists and the federation of Pakistan remained calm and there was no major offensive from either side. The Baloch nationalist parties and leaders resorted to gain more provincial autonomy and control over the resources of their province.

General Pervez Musharraf, who achieved power through a military coup d'etat, during his rule (1999-2008), ignored the Baloch views when it came to the development of Balochistan and the exploration of its mineral resources. He did not take the Baloch into confidence when making decisions on issues such as the construction of military cantonments at various localities in Balochistan (especially at resource-rich areas such as Sui-Dera Bugti and Kohlu) and the setting up of the Gwadar deep sea port. Owing to such a developmental approach, a perception of fear developed amongst the Baloch that the construction of cantonments in various parts of Balochistan reflected nothing but the desire to control and exploit the resources of Balochistan. It was also feared that the construction of the Gwadar deep sea port would convert the Baloch population into a minority in their own province by attracting an influx of non-Baloch population into Balochistan; something which would ultimately change the demographic realities not only of Gwadar but of the whole province in the future. For these reasons, all the political forces of Balochistan rejected and opposed the

construction of these mega-projects but the military regime was determined to go ahead anyway. Therefore, the fifth phase of the conflict emerged in response to the plans of Musharraf's military regime that aimed to establish a greater control over the resources and territory of Balochistan. This ongoing phase has clearly divided the differing federalist and separatist strands among the nationalists in Balochistan. The federalists hope to achieve control over their internal affairs and resources, and are optimistic in seeing a better future for the Baloch within federal Pakistan. On the other hand, the separatists maintain the view that Balochistan was a free and independent country which was occupied through the use of sheer force by the Pakistani state in 1948. They are resolute in their pursuit of regaining an independent Baloch state through guerrilla warfare.

What the above brief overview of Pakistani-Baloch relations shows is a crisis within the state of Pakistan when it comes to managing diversity and ethnonationalisms. A majority of the countries in the present world are culturally diverse (Kymlicka, 1995) and out of the 192 member states of the United Nation (UN), less than 20 states are ethnically homogenous (Brown, 1993). Scholars like Shachar (1999) and Kymlicka (1995) argue that conflicts often arise between ethnic groups or between an ethnic group and the state, on various issues including language rights, regional autonomy, political representation, educational curriculum and so on. Hence, they suggest two ways for the resolution of such conflicts. Firstly, the legitimacy of modern states ought to be based on the idea of equal political, economic, and cultural rights of all citizens irrespective of their geographic and ethnic background. According to this view, a state should not recognize ethnic, national or racial identities but rather enforce the political and legal equality of all individuals. Secondly, individual rights could also be preserved and protected within a legal paradigm and in a cultural construct which

guarantees the cultural, historical and linguistic identity of the members of a nation (Shachar, 1999 and Kymlicka, 1995). However, in the Pakistan-Balochistan relationship, neither approach to conflict-resolution works because the Baloch do not trust the Pakistani federation and the federation itself has shown no seriousness in addressing the Baloch issue honestly; therefore, the conflict between the state of Pakistan and the Baloch nation is ongoing.

A section of Baloch political leadership – the federalist⁵ - has been in favor of resolving central-province issues by devolving maximum provincial autonomy through a process of democratization within the orbit of the constitution of Pakistan (Grare, 2006 and Baloch, 2007). However, such federalist political voices in Balochistan have not been successful so far in convincing the federal/central Pakistani government to grant genuine provincial autonomy.

The wider politics of separatism requires the promotion of the sense of geographical, cultural, linguistic and ethnic separation from the larger group. A separatist leadership often demands greater power-sharing and sometimes even a separate state of their own based on their cultural homogeneity (Spencer, 1988). Similarly, the separatist leadership of Balochistan believes that Balochistan matter is unresolved until the latter has succeeded in gaining independence from Pakistan. They assert that the Baloch nation - which has its own separate history, culture, language and geography - has legitimacy under international law to regain its national identity and hence form an autonomous state in order to stop their exploitation that they see as being carried out by the dominant ethno-national group of the federation, the Punjabis. It may thus be argued that there are two

⁵ This refers to those political parties which are nationalist but are working for the Baloch rights within federal Pakistan, and believe that they can resolve the Baloch conflict by having greater provincial autonomy. The term federalist will be used for them in this research.

different strands of thought in Baloch nationalist politics: a) the separatists⁶ who are striving for, and demanding, complete independence from Pakistan; and b) the federalist elements that are struggling to get maximum provincial autonomy and control over their resources within the framework of the federation.

The federalists blame the central government and claim that it is the failure of the Pakistani federation that compels the Baloch to take guns against the Pakistani federation. They believe that if the Baloch nation is given complete provincial autonomy and control over their resources under the federal constitution then the conflict can be resolved; otherwise it will be further exacerbated and will destabilize not only Pakistan but the entire region. On the other hand, the separatists are of the view that Balochistan was a free and independent country which the Pakistani federation annexed through sheer force and therefore, they require a separate country of their own. The official stance of Pakistan is totally different from that of Baloch federalists and separatists. The Pakistani federation is in a state of denial and opines that some hidden enemies of Pakistan are behind the whole saga. Pervez Musharraf on his trip to Quetta in August 2008 made a statement regarding the Baloch insurgency and said that: "I am one thousand per cent sure that the elements involved in target killings and subversive activities are being financed and trained by foreign elements who do not want peace in the country" (The Daily Times, 8th August 2008). The matter deteriorated in the most recent and ongoing phase when the (previous dictatorial) regime of General Pervez Musharraf (1999-2008) decided to wage a large-scale indiscriminate army operation to crush both the nationalist-federalist and the nationalist-separatist leadership of Balochistan. Not only this military adventure further alienated the

⁶ This term refers to those who think that the Baloch nation - due to its geographical, historical, cultural, and linguistic differences from Pakistan - cannot survive within the Pakistani federation. Therefore, they have been demanding a separate country of Balochistan. The term separatist will be used for them henceforth.

Baloch masses from Pakistan, but it also restricted the role of those Baloch political leaders who still believe in a democratic and political solution of this issue. According to conservative estimates, the majority of Baloch favors the radical stance, and thinks that the Balochistan - Pakistan relationship is not viable and sustainable in the current political realm, and therefore, they have sympathy for an armed resistance struggle by Baloch separatist forces (Khan, 2012). Senator Shahid Hassan Bugti of the Jamhoori Wattan Party Balochistan (JWP) observes: “It does not matter whether nationalist politicians agree with the ideology and demands of the separatists. The fact is they have sympathies for those in the mountains” (Khan, 2012: n.p).

The existing literature on Baloch nationalism and Pakistani federation consists of two different kinds of writings, neither of which takes into account the links between Baloch nationalism and Pakistani federation. Most literature on Baloch nationalism revolves around the history, emergence, and evolution of Baloch nationalism. In this regard, a few authors are worth mentioning: Naseer Dashti (2012), Gul Khan Naseer (2010), S.M. Marri (2010), Hammeed Baloch (2009), Taj Muhammad Breseeg (2004), Inayatullah Baluch (1987), Janmahmad Dashti (1989), and Ahmed Yar Khan Baluch (1975). These authors present a comprehensive history of the Baloch nation including the emergence and evolution of Baloch nationalism before the creation of Pakistan and after the incorporation of the state of Kalat into the Pakistani federation. They also provide a significant historical discussion of Baloch nationalism, not only in the Pakistani part of Balochistan but also in the Iranian and Afghani parts where the Baloch have been living for hundreds of years. These works mainly focus on issues related to Baloch identity, language, and the centuries-old sovereign state of Kalat or Greater Balochistan. They are written from a nationalist perspective, and

therefore, they do not address or take into account the question of federalism. It should be noted that scholars on federalism have argued that federalism as a concept and as a political system is well suited to multi-ethnic, multi-national, multi-lingual groups of people (see Seymour and Gagnon, 2012). Federalism can help unite a diverse society under one state and one political system in a way that allows each ethno-national group to have its own unit wherein the people can enjoy self-rule and shared-rule, use their language, and promote their culture and also have control over their resources and internal affairs (Selassie, 2003). The writings from a nationalist perspective treat Baloch nationalism as monolithic and fail to highlight the internal divisions within it (see for example Dashti, 2012, Bresseeg, 2004, Inayatullah Baluch, 1987, and Janmahmad, 1981). They focus on Baloch nationalism with the explicit aim of portraying it as unified and shun any recognition of the internal divisions within it. This is because such writings are often self-consciously part of the historical Baloch struggle to regain the past historical sovereign state of Kalat.⁷

Meanwhile, researchers such as Samad (2014), Sandano (2014), Adeel Khan (2009) and Feroz Ahmed (1998) highlight the socio-economic factors behind Baloch insurgencies and separatism. After probing different viewpoints on issues related to the Baloch, Samad (2014: 314) finds that the main driver for Baloch “insurgency in Pakistan is...poor management of difference, which then feeds into distribution and control of resources.” A study by Sandano (2014) shows that the people of Balochistan are relatively deprived in terms of political, economic and

⁷ It is important to note that works by Dashti (2012), G. K. Naseer (2010), Hmmeed Baloch (2009) and Inayatullah Baluch (1987) confine themselves to highlighting the historical background of Baloch nationalism and the demand for the right of self-determination of the Baloch until 1948. Bresseeg (2004) is a comparative analysis of the rise, development, and evolution of Baloch nationalism in Pakistan, Iran and parts of Afghanistan. However, his investigation of Baloch nationalism is meant to make sense of it in terms of a right to self-determination. It is also pertinent to note that the authors of *Problem of Greater Baluchistan* (Inayatullah Baluch), *The Baloch and Balochistan: An Historical account from the Beginning to the fall of the Baloch State* (Naseer Dashti) and *Essays on Baloch National Struggle in Pakistan: Emergence Dimensions Repercussions* (Janmahmad) are presently living in exile due to their works and views on the Baloch national question.

financial power-sharing, and therefore, it sees Baloch separatism as a non-traditional security threat to the Pakistani federation. Others including Grare (2013), Noor Ul Haq et al (2012) and Shah (2007) consider the salience of socio-economic factors in the underdevelopment of Balochistan but they additionally opine that the centuries-old Sardari (Chieftain) system amongst the Baloch is equally responsible for the Baloch uprising against Pakistan. According to Grare (2013: n.p), the federal authorities present the Baloch conflict as a creation of Sardars and local tribal leaders who are “fighting for a greater share of provincial resources and opposing development in order to preserve their own power, the outdated relic of a feudal system.”

Along the same lines, Shah (2007: 2-3) holds that the “age-old Sardari System” is one of the main factors behind the Baloch conflict, which according to him “is the negation of development and prosperity in the region as well as a reflection of the bad governance in our society.”⁸ It can be argued that these authors also treat Baloch nationalism as monolithic. While Adeel Khan (2009) and Feroz Ahmed (1998) treat the Baloch as an ethnic group, the latter even rejects any common bases for Baloch nationalism. None of these scholars contextualize the principles and practices of the Pakistani federation as one of the main possible causes of the exacerbation of Baloch nationalism within federal Pakistan.

In his book *In Afghanistan's Shadow: Baluch Nationalism and Soviet Temptations* (1981: 67)--which is one of the most significant works on Baloch nationalism and national movement--Selig S. Harrison, an American journalist and scholar who specializes in South and East Asia, argues that the problem of the Baloch is not economic but rather one of preserving their cultural integrity in the over-

⁸ Conversely, there are 250 Baloch Sardars in Balochistan and most of them have cooperated with the federal government in various years. Only a few of them (especially Marri, Bugti, and Mengal) are against the federation of Pakistan (see Sandano, 2014: 58 and the Foreign Policy Centre Report, 2006: 46). Therefore, the validity of such arguments is highly questionable.

centralized federation of Pakistan. He analyses the Baloch nationalist movement of the 1970s within the larger context of the Cold War between the two super powers of that era (the USA and USSR). Given the present surge of the Baloch national movement (wherein there is a clear-cut division between the federalist and separatist variants of Baloch nationalism), Harrison's book seems outdated as it also treats Baloch nationalism as monolithic, undynamic and rather fixed and does not contextualize the federation of Pakistan and its principles vis-à-vis Baloch nationalism and separatism.

Likewise, if we look at the literature on the Pakistani federation, we notice that most researchers describe and detail the particular features of the historical process of the federation. Works by Syed Mehrunnisa Ali (1996), Jaffar Ahmed (1990), G. W. Choudhury (1955, 1956, 1959, 1969), Khalid Bin Sayeed (1954, 1959, 1960, & 1967), Hamid Khan (2009) and others, discuss federalism in Pakistan; the framing of the various Pakistani constitutions; constitutional features and workings during particular time periods. With the exception of Mehrunnisa Ali (1996), they hardly theorize federalism as a concept or analyze the issues associated with it. Most writers do not analyze the Pakistani federation in the light of diverging sentiments of the smaller ethno-nationalist groups such as the Baloch.

Mehrunnisa Ali (1996) discusses the nature of federalism in the context of constitutional theory and governmental practices. She maintains that a federation operates successfully when an equation is maintained between the forces of unity and diversity. Her main argument revolves around the imbalance between centripetal and centrifugal forces (i.e., forces of centralization and decentralization). According to her, "[t]he existence of a highly centralized government did not infuse a sense of national integration instead it gave birth to

centrifugal forces” (Ali, 1996: 119). However, her work is confined to a specific time period (1935 to 1970s) and it does not explicitly contextualize Baloch nationalism. Her focus is mainly on the historical development of the Pakistani federation and the centralization of powers, which, in her view, is a result of the predominant position of Punjab in the administrative and military spheres.

The most recent writings on Pakistani federalism--such as Katharine Adeney (2007a and 2012), Usman Mustafa (2011) and others--also do not examine the Baloch national movement and its rise in federal Pakistan. Adeney (2007a) is a comparative study of the federations of India and Pakistan; it is concerned with the management of diversity through federal structures. She concentrates on factors such as the degree of centralization, the number and composition of provinces, and the bicameral legislature. However, Adeney’s (2012) work is confined to the impact of the 7th National Finance Commission (NFC) award 2009 and the 18th Constitutional Amendment 2010.⁹ She argues that the federation of Pakistan suffers from numerous tensions over the distribution of powers, the number of units and their representation in the central institutions, as well as the unfair distribution of resources amongst the federating units. She upholds that such practices “have exacerbated tensions between the provinces and centre, some of which have taken a violent turn” (2012: 1). Her article and book deals with the phenomenon of Pakistani federalism per se, and not with the details of a situation where tensions in federal structures provoke dormant, or strong, nationalism in the smaller provinces, as in the case of Balochistan. Usman Mustafa’s article ‘Fiscal Federalism in Pakistan: The 7th National Finance

⁹ The NFC award is the distribution of financial resources among the provinces of Pakistan by the central/federal government on an annual basis while the 18th Constitutional Amendment restored the 1973 constitution of Pakistan to its original intent of a decentralized federation (See Mustafa, 2011 for the NFC award and Shah, 2012 for the 18th Amendment).

Commission Award and Its Implications' published in 2011 by Pakistan Institute of Development Economics, Islamabad, also focuses on fiscal decentralization with special reference to the 7th NFC award and considers it to be a positive step towards better federalism. In spite of the fact that the new award increased the share of Balochistan from 5.30% to 9.09% (Mustafa, 2011), the Baloch separatists have not been willing to participate in the political process under the existing federation of Pakistan, still preferring to strive for an independent Balochistan. On the other hand, the federal government is resolved to suppress the dissent by force and has ongoing selective military operations in parts of Balochistan, which would ultimately alienate the federalist faction of the Baloch nationalists in the long run.

The discussion above makes it clear that the existing research on Baloch nationalism and Pakistani federalism has progressed in parallel without relating the two concepts. In my work, I bring together federalism and nationalism in order to establish an argument that the failure of the former exacerbates the latter within federal countries, especially in the post-colonial federations. I also illustrate that nationalism as an ideology can be about creating a new state on the bases of being a nation or it might be a movement for achieving autonomy or self-determination. In contrast to the majority of scholars who consider Baloch nationalism to be monolithic, my research claims that Baloch nationalism is polyvocal and there are serious divisions within it. It has two main strands; the federalist and the separatist.

1.2. Research Question and Contribution

This project aims to explore and investigate various forms of Baloch nationalism in Balochistan by looking at the following two research questions. The primary

question is: what are the various forms of Baloch nationalism and how do they relate to the conflict in Balochistan province of Pakistan? Is it Baloch nationalism that generates the conflict or the other way round? The secondary question is: to what extent is the Baloch conflict a product of the weaknesses of Pakistan's federal structure?

Since 1948, relations between the federal government of Pakistan and the Baloch ethno-national group of Balochistan have remained chaotic. Due to this, five small and large-scales insurgencies have taken place. Each side has lost hundreds and thousands of lives during these insurgencies (Harrison, 1981). The currently ongoing insurgency erupted in 2006 when the Pakistani Army executed Nawab Akbar Khan Bugti, a prominent Baloch leader. He, throughout his life, had stood firmly in favour of maximum provincial autonomy for the province of Balochistan. His death played an important role in weakening federalists as encouraging separatists. After Bugti's death, the separatists banned the singing of the Pakistani national anthem and flying of the national flag in schools and other government buildings, in areas under their influence. State has acted strongly. A recent report published by the Human Rights Commission of Pakistan (HRCP) stated that from January 2000 to May 2012, some 198 cases of enforced disappearances have occurred in the province. Out of the 198 cases, 46 have been traced, 57 have been discovered dead (their corpses were found in various parts of the province) and the rest are still missing. The report also revealed that some 120 security personals have been killed and 61 injured.¹⁰ In contrast, various Baloch websites and nationalist leaders claim that the number of missing persons in Balochistan is more than 14000. Qadeer Baloch, Vice President of Voice for Baloch Missing Persons (VBMP) claims, "as many as 14362 people, including

¹⁰ For more details see, The Report of Human Rights Commission of Pakistan (2012).

150 women, have disappeared in Balochistan since 2001, and 370 mutilated bodies have been found in different parts of the volatile province so far” (Husain, 2012: n.p). There is an overt as well as covert civil war between many Baloch and the federation of Pakistan. The issue became internationalized when the Republican Congressman, Dana Rohrabacher, introduced a bill in a US Congress subcommittee, recognizing Balochistan’s right to self-determination, by asserting that:

The Baluchi like other nations of people, have an innate right to self-determination....[t]he political and ethnic discrimination they suffer is tragic and made more so because America is financing and selling arms to their oppressors in Islamabad. Historically Baluchistan was an independently governed entity known as the Baluch Khanate of Kalat which came to an end after invasions from both British and Persian armies. An attempt to regain independence in 1947 was crushed by an invasion by Pakistan. Today the Baluchistan province of Pakistan is rich in natural resources but has been subjugated and exploited by Punjabi and Pashtun elites in Islamabad, leaving Baluchistan the country's poorest province (Rohrabacher, 2012).

Despite the importance and severity of the matter, no serious and in-depth research has been conducted to answer questions such as: what are the different types of Baloch nationalism and how are they related to Pakistani federation?; To what extent are the Baloch conflict(s) and nationalism the product of the weaknesses of Pakistan’s federation?

Through my research, I identify the two dominant views that prevail in Balochistan regarding the crises it faces. The first view is that of the federalists who claim that the failure of federation and its policies towards Balochistan is the primary cause of the conflict. The second view is that of the separatists who argue that the Baloch are a centuries-old nation with every right to decide their own future. The upholders of the former view are of the opinion that if the federal government adopts federalism in its true sense and allows every ethno-national group to control their affairs and resources then the problem of the Baloch can be

solved within the framework of the Pakistani federation. However, the supporters of the latter view argue that the only solution to the Baloch issue is to gain an independent sovereign state of Balochistan for the Baloch masses.

So far as the existing literature is concerned, it often fails to identify the various types of Baloch nationalism and treats it as a monolithic entity (see Breseeg, 2004; Inayatullah Baluch, 1987; Dunne, 2006; and Dashti, 2012). The prevailing literature on the subject also fails to critically analyse the principles and practices of Pakistani federation vis-à-vis Balochistan. Hence, this research aims to identify and classify various types of Baloch nationalism and also explore how the conflict shifts the balance between the federalist and separatist variants of Baloch nationalism. Furthermore, this research also considers the principles and practices of Pakistani federation, which are, I argue, one of the major causes of Baloch unrest and separatism. In short, this research aims to fill the gap in the existing literature on the politics of nationalism, federalism and separatism in Pakistan and especially in Balochistan. This is a substantive contribution and could be used by academics and in policy-making circles. To the best of my knowledge, there is no other prior work on Balochistan that gives an insight to policymakers and academics about the variants of Baloch nationalism and the relations of Balochistan with the Pakistani federation.

1.3. Research Methodology

In any piece of academic inquiry, engagement with research methodology is essential to produce quality research; this involves reflexivity about the processes and explanations of all those steps with which the researcher is engaged throughout the research project. It highlights the issues and questions such as collection of data, choosing tools for the collection of data and its analysis. In the

realm of social sciences there are various methods of research but three of them are widely in use. These are: qualitative, quantitative and a mixture of the two, called mixed research method. The word quality “refers to what kind, to the essential character of something”, while “the word quantity refers to how much, how large, the amount of something” (Kvale, 1996, p.67). Therefore, quantitative research method is concerned with measurement and quantification of data; it determines the quantity or amount of a substance or a social phenomenon, while qualitative research method is concerned with qualitative phenomenon involving quality. The former involves numbers and uses digits in the form of tables, charts and graphs using different computer related programmes such as Social Package for Social Sciences (SPSS), while the latter is non-numerical and more descriptive and explanatory in nature. Furthermore, qualitative research method applies analysis through the uses of words rather than numbers (Punch, 2005 and Bryman, 2004).

Some scholars have tried to overcome these limitations by adopting mixed method, i.e., they employ both quantitative and qualitative methods. For example, in various comparative researches, before taking qualitative methods, some scholars use regression analysis to check if the cases are significantly related (Onwuegbuzie and Leech, 2006). By doing so, scholars can get more confidence in their results as the research then has a double-verification process.

However, bearing in mind the research objectives that I have outlined earlier, I have chosen qualitative research methodology with descriptive and analytical approaches. My research project requires a detailed description and analysis of the two main types of Baloch nationalists: the federalists and separatists. The project also requires a description of Pakistan’s official position concerning Baloch nationalism and the working of the federation. This research is not about

quantification but rather intends to describe, analyse and explain the views of various respondents with reference to Baloch nationalism(s), Pakistan's federation and its principles and practices. Since this project aims to examine historical details through an in-depth analysis of the relevant sources, it is questionable that a quantitative approach can be applied to elicit meaningful results in this research. It is not the purpose of this research just to highlight the general relationship between federalism and nationalism by interpreting the quantified and simplified data. In any case, it is doubtful how much the data and variables can be quantifiable and controlled, because the Baloch issue involves varied actors and agents, and is deeply complicated and changing.

However, statistical data from the available primary and secondary sources is utilized here in the form of tables, where necessary for furthering the arguments. In such tables I bring to light the numerical representation of various units (provinces) in the central parliament, central institutions (army and bureaucracy), and the share of finances allocated to each province. Instead of providing a quantitative analysis of this statistical data, I make observations about them in line with qualitative research methods.

It is important to mention that the two different types of Baloch nationalists have been identified on the basis of their party manifestos, rhetoric and political discourses. They both self-identify as Baloch nationalists, but their ways of upholding Baloch nationalism is different from each other. For instance, the federalists struggle to get more provincial autonomy and control over their own affairs and resources within the existing Pakistani federal structure, while the separatists stand for a separate and independent Balochistan and wage guerrilla warfare to achieve their goals. The Pakistani state (civil and military establishment) is in a state of denial and is of the opinion that a few Baloch

Sardars (tribal chiefs) are responsible for the whole saga. The establishment labels the separatists as miscreants. Thus, owing to these different viewpoints, I have selected three main categories of respondents to be interviewed (the focus is on elite opinion and not on identifying popular versions of nationalism).¹¹ They are: 1) Federalists – including the Baloch political leadership, academics and individual experts on the Baloch issue; 2) Separatists – including the separatist leadership in exile, student activists, pro-separatist intellectuals and journalists; and 3) Pakistan’s government officials, both retired and in-service, including Baloch and non-Baloch.

This project mainly relies on two types of data: primary and secondary. For the theoretical and conceptual understanding of the terms such as state, nation, nationalism and federalism, secondary sources are used in great detail. These secondary sources include a number of books, journal articles, working papers, media reports and various internet based forums and websites.¹²

Since the already existing literature fails to give a sufficient account of Baloch nationalism, its various types, and their relations towards the federation of Pakistan, therefore, primary and first-hand information was required to explore and investigate the Baloch issue(s), the dynamics of Baloch nationalism(s), and the place of the Baloch within the federation of Pakistan. Conducting in-depth interviews was particularly helpful for generating raw material for analyses. In addition to interviews, various websites, online newspapers, pamphlets, small booklets, and party manifestos produced by Baloch nationalists were also utilized.

¹¹ There are various explanations for this and the most important one is that: since 1948, Baloch nationalism is leadership driven nationalism and mainly revolves around prominent Baloch figures.

¹² Three major type of websites are included: the Baloch based websites such as ‘The Baloch’ (<http://thebaloch.com>), ‘Baloch Johd’ (<http://www.balochjohd.com>), and ‘The Baloch Hal’ (<http://www.thebalochhal.com>); the international websites such as ‘BBC Urdu’ (<http://www.bbc.co.uk/urdu>); and Pakistan based website such as ‘Pakistan Current Affairs’ (<http://www.pkaffairs.com>) and YouTube videos

Now, the task before me was how to collect the primary data and what kinds of tools and techniques to use. After reading Punch (2005), Patton (1980), and Kvale (1996), I decided that interviews would be my main tool for data collection and generation of raw material. This is because interviews are a main data collection tools and technique in qualitative research, and there are different types of interviews that allow conducting qualitative research in versatile manner (Patton, 1980; Punch, 2005; and Kvale, 1996). I chose three different kinds of interview procedures: 1) Face-to-face; 2) Skype-based; and 3) Electronic mail based. The samples that I selected for interviewing were spread around the world and it was not possible to approach all of them for face to face interviews due to limited time and financial constraints. Therefore, I decided to employ three kinds of interview procedure to approach the participants.

Face-to-face interviews were conducted with those individuals who were accessible, either in Pakistan or in the United Kingdom, while Skype and email based interviews were utilised for those who are living in countries such as Switzerland, Norway, Sweden, and USA. Face-to-face interviewing has some disadvantages. It is a relatively more time-consuming and financially demanding procedure. However, it is helpful to get more in-depth discussion and valuable feedback from interviewees. On the other hand, while Skype and email interviews are definitely advantageous in terms of time and budget limitations, but they were challenging owing to a small number of responses. In my case, I received 1 response from the 8 requests sent via email and Skype. Potential interviewees either refused to participate for unclear reasons or chose not to respond to my emails.

The majority of the interviewees I selected belong to the elite class. They are elite because they are political leaders, former and existing members of national and

provincial legislatures, bureaucrats, intellectuals, student activists, and journalists.¹³ I selected them for interviewing due to various reasons. Firstly, Baloch nationalism primarily revolves around leadership and is elite driven nationalism, and therefore, elites and experts on the subject can better explain Baloch nationalism and its relations with the federation of Pakistan. Secondly, Balochistan is a vast and conflict-ridden zone and it is not possible to conduct a general survey because of accessibility issues and security threats. Therefore, this research is primarily based on elite opinions from Balochistan (including some well-known individuals from academia, subject experts and journalists from Pakistan).

According to Wimmer and Dominick (2006), questioning in qualitative research is flexible and there is no strict rule to follow when developing a set of questions or a questionnaire. I prepared three different sets of questions: A, B, and C, each consisting of 17 to 18 questions. The purpose of the three sets of questions was to elicit more and different information from the respondents. The set of questions 'A' was meant for the federalists, 'B' for the separatists, and 'C' for the academics, intellectuals, and retired and in-service government officials (see appendix- I).

The main themes of the question sets were: 1) opinions of the different actors regarding Baloch issue vis-à-vis the federation of Pakistan and the federal practices of Pakistani polity; 2) causes of Baloch conflict and emergence of Baloch nationalism; and 3) the future of the federation of Pakistan. The questions sets were open-ended however, and during face-to-face interviews, further

¹³ The province of Balochistan is backward in terms of education therefore; any student who can avail college or higher education falls into an elite class as it is not possible for an ordinary Baloch to avail university education.

probing questions were put to the respondents where and when I felt the need to elicit more information.

One important thing to note is the potential restrictions that can occur while conducting interviews, owing to the sensitivity of the questions, the relationship between the interviewer and the interviewees, and the matter of trust. The issue of the sensitivity of questions is very real. This is the reason that I prepared three different set of questions in advance with great care and prior approval of supervisory team. As indicated above, the set 'A' contain questioned specifically for the federalists, 'B' for the separatists, and 'C' for academics, government officials, intellectuals, and journalists. Where possible, sensitive questions were avoided, because in the prevailing conflict-ridden situation it is not easy to ask the separatists if their close relatives still believe in federal politics and are of the opinion that they can resolve the Baloch issues within the federation of Pakistan through achieving maximum provincial autonomy and control over their resources. If one poses such questions to the separatists they would take it as disgrace and will be irate. However, such questions were addressed the federalists, academics, and intellectuals.

Regarding the relationship between the interviewer and the interviewees as well as the matter of trust, I overcame the associated restrictions because I developed good relations with some of the interviewees. In fact, I have served in Balochistan from 2001 to 2009 in various capacities at different educational institutions. My eight-year stay in Balochistan gave me an opportunity to know the problems of cultural sensitivities of the area. Thanks to these good background relationships, I personally talked with some of the interviewees and they assured me of their willingness to be interviewed. In addition, I also remained in constant contact with some of my Baloch friends and they accompanied me to my meetings with the

interviewees around various localities of Balochistan. Thus, the matter of trust was minimally problematic because I was introduced to most of the interviewees by my Baloch friends and to others by the potential interviewees themselves.

The respondents were given a choice of answering either in English or Urdu because while a majority of the interviewees were able to speak both languages, most of them felt at ease responding in Urdu. Out of 26 interviewees, 7 responded in English, 3 in a mix of Urdu and English, and the rest in Urdu. Each interview took 45 minutes on average. I spent 5 months on fieldwork, and due to the unresponsive attitude of some of the interviewees, I extended the fieldwork for another one month. After completing the fieldwork, and having interviewed the required number of subjects, I spent one and a half months transcribing the interviewees' responses. The relevant arguments from the interviewees' responses were then highlighted and referenced in the various chapters of the thesis for the purpose of analysis and furthering arguments.

When collecting primary data through interviews, it is often difficult to fix the exact number of interviewees as it depends upon the interviewees' responses as well as the time period that has been allocated for the interviews. For this research project, I tried to collect the views and opinions of representative of primary stakeholders, so as to make the thesis more balanced and objective. However, as mentioned earlier, some of the stakeholders and actors either refused to be interviewed or did not respond to my mails. The reasons might be security for some and risk of losing government jobs for others.

In total, I interviewed 26 people. I have categorised them in three different groups in the table 1 below on the basis of their political rhetoric and political party affiliation.

Age	25-35	35-45	45-55	55-65	65- 75	75- above
	6	10	6	2	1	1
Political view	Federalist	Separatists	Nonaligned	---	---	---
	11	5	10	---	---	---
Education	Illiterate	Secondary High School	Intermediate	Graduation	Post- graduation	---
	---	---	1	5	20	
Party Affiliation*	BNP-M	BNP-A	NP	BNM	PkMAP	Others
	4	1	4	1	2	14
Socio- Economic Status	Political leader	Student Activist	Intellectuals/ journalists	Academic	Political Activist	Govt. Official
	10	4	4	3	2	3
* Balochistan National Party, Mengal (BNP-M), Balochistan National Party, Awami (BNP-A), National Party (NP), Pashtunkhwa Milli Awami Party (PkMAP) are federalist parties of the province of Balochistan while Balochistan national Movement (BNM) is separatist political party.						

The federalists are represented by 11 participants belonging to various nationalist parties in Balochistan including two from the Pashtunkhwa Milli Awami Party (PkMAP), a Pashtun nationalist party based in the province. The separatists, who uphold the idea of an independent Balochistan, are less in number (5) because of the inaccessibility for various reasons. The third group (nonaligned) consists of 10 participants: among them 3 are academics, 4 are intellectuals/journalists, and 3 are government officials. Amongst the academics, intellectuals/journalists and government officials 4 are non-Baloch. All respondents in this study are between 25 and 76 years of age. The highest level of education of the participants ranges from intermediate to postgraduate level. Furthermore, I also utilised the interviews of various Baloch leaders where available in the form of booklets and on websites. The autobiographies of eminent Baloch leaders such as Mir Ahmed Yar Khan, the

Khan of Kalat (titled 'Inside Balochistan') and 'In Search of Solution: An Autobiography of Bizenjo' (edited by B. M. Kutty – Bizenjo's Secretary) were also a great help.

Anonymity and confidentiality are an important part of research ethics. In certain cases the subjects may want to remain anonymous. So, it is the ethical responsibility of the researcher to ensure appropriate precautions to protect the confidentiality of the participants' names, locations, and other data. Therefore, before conducting any interview, every participant was assured about the confidentiality of the interviews and prior approval was also taken from each individual for recording. However, during the entire fieldwork no participant except one, asked for any anonymity or confidentiality. They gave me permission to quote them freely.

During the interviews, some field-notes were also taken and incorporated in various parts of the thesis. As per plan, the face-to-face interviews were recorded and then transcribed in the language of the interviewees after the fieldwork. Also the interviews via electronic medium were read thoroughly and referenced where required.

1.4. Limitations of the Study

Firstly, Balochistan has been conflict zone since 2006 and it was difficult for me to interview some of the potential interviewees due to security reasons. Secondly, some well-known intellectuals and political personalities refused to be interviewed because of the perceived threat from either the separatists or the security agencies of Pakistan. Thirdly, Balochistan is male dominated society and culturally female rarely agree to be interviewed. It is also difficult for an outsider (non-Baloch) to access female for an interview around Balochistan. However, I

tried to include female in the research and sent out the set of questions via email to some well-known politically active females but could not get response from them due to unknown reasons. Fourthly, my Pashtun identity remained a source of limitation, because in the ongoing conflict the Frontier Constabulary (FC), largely drawn from the Pashtun areas of NWFP play a crucial role in fighting against the Baloch insurgents. Therefore, I was considered as an outsider and to some extent looked upon with suspicion. Fifthly, it is worth mentioning that the views and responses of some subjects were partial and biased due to their party affiliations and stake in Balochistan's conflict. In addition, I also interviewed some intellectuals, academics and non-nationalists to address the issue of blatant bias and partiality. While it is challenging to produce totally objective research, great care was taken during the analyses of the interviewees' responses to be as objective and dispassionate as possible. And for the purpose of enhancing the credibility and authenticity of the project, and to avoid subjectivity and bias, other sources of information such as newspaper reports, autobiographies of eminent Baloch leaders, reputable and scholarly works and relevant clauses of Pakistan's constitution in relation to federalism were also studied.

1.5. Structure of the Thesis

The thesis is divided into seven chapters. Chapter I is an introduction to the thesis and includes a discussion of research methodology and techniques. Chapters II and IV comprise the theoretical background of federalism and nationalism respectively. The second chapter is about theories of, and approaches to federalism. The main purpose of this chapter is to critically analyse the existing literature on federalism in order to later understand and analyse my own research ('Politics of Nationalism, Federalism and Separatism: The Case of Balochistan in Pakistan'). In this chapter, I discuss the meaning of federalism, federation and

federal political system, the nature of federal covenant, and some common characteristics and principles of federations around the world.

Chapter III concerns the principles and practices of federalism in Pakistan. It covers the pre-and post-partition constitutional history of Pakistan. Besides a brief history of federalism in British India, this chapter explore the following questions: What was the rationale behind the adoption of federalism by Pakistan? What were the early constitutional and political hurdles that delayed the working of the federation in Pakistan? Did it work successfully from 1947 to 1971? And, after the secession of Bangladesh, how has federalism worked under the constitution of 1973? This chapter also looks at the principles of federalism under the various constitutions of Pakistan and analyses the practices adopted by the federation in relation to its constituent regions. In this regard, I focus on matters such as representations of constituent regions in the central legislatures and institutions, distribution of powers between central and provincial governments, the role of the Judiciary and the demands of smaller ethno-national groups. Doing so enables me to assess whether it is the failure of the federation to keep intact the diverse society or the federal practices concerning representations and the distribution of powers which compel the smaller ethno-national groups to ask for more autonomy and/or complete separation from the federation.

In chapter IV, I discuss the concept of nation and nationalism. I examine the existing key theories of nationalism and identify their main features for the purpose of assessing which theory enables a better understanding of Baloch nation and nationalism. This chapter is divided into three sections. The first section has the definitions and brief analysis of important terms - such as state, nation-states, state-nation, multi-national states, and multi-cultural or multi-ethnic states – and the role of nationalism in different categories of state systems. In section two, I

discuss and define terms such as nation, nationalism, and nationality. In section three, I examine and critically analyse the key theories of nation and nationalism so as to establish which theory of nationalism is best suited to explaining the Baloch nation and nationalism.

In chapter V, I examine various theories regarding the origin of the Baloch nation. After an extensive research, it is found that the Baloch as a nation date earlier than the age of enlightenment and industrial revolution and were living under a tribal confederacy, called Kalat Confederacy. Therefore, neither the primordialist nor the modernist theories of nationhood can explain the Baloch nation. In fact, it is the ethno-symbolists that offer the best understanding of the Baloch nation. So far as Baloch nationalism is concerned, it falls under the purview of the modernist theories of nationalism. Modern Baloch nationalism is very much a product of the reaction to the foreign occupation, or what the Baloch sees as foreign occupation, including the British, Persian, and Pakistani.

Chapter V also goes on to give a historical account of the 'Baloch Confederacy' from the arrival of the British in 1839 to the fall of the State of Kalat to the Pakistani federation in 1948. This discussion in this chapter is divided into two sections. Section I investigate the origin of the Baloch and argue that as a nation it is heterogeneous in its composition, which is an admixture of various ethnic, racial, and linguistic groups over a long time. Section II is about the State of Kalat in its historical perspectives vis-a-vis the arrival of the British and the subsequent fall to the Pakistani federation. This structural analysis enables us to understand the emergence of the Baloch nation and nationalism respectively. This chapter also includes a detailed discussion on Baloch nation and nationalism based on the empirical data collected during the fieldwork. The responses received from the interviewees, especially the Baloch interviewees, are incorporated at relevant

places where necessary in order to examine how the Baloch look at themselves and the Kalat Confederacy.

Chapter VI is about the emergence and evolution of Baloch nationalism, both during the British era, and afterwards, during the phases of the Baloch conflicts with the federation of Pakistan which many Baloch see as an occupying force. In addition, this chapter also investigates the shift between the Baloch federalists and separatists as they continue to exist within the Pakistani federation from 1948 to 2013. In chapter V it is argued that the Baloch nation is pre-modern, having emerged under the leadership of Mir Naseer Khan Noori I (1749-1817) the fifth ruler of the State of Kalat, while Baloch nationalism is a modern phenomenon which emerged in the 19th and 20th centuries as a reactive force against occupiers and suppressors.

The overarching argument of chapter VI is that the Pakistani federal system has failed to accommodate the Baloch grievance within the federation and this failure of federalism has catalysed Baloch nationalism and separatism within Pakistan. In other words, it is the lack of federal character of the Pakistani state which is responsible for the increasing sense of Baloch nationalism including its separatist strands. This chapter explores how Baloch nationalism is not monolithic in its orientation after the 1970s. It has two main strands, the federalist-nationalist and the separatist-nationalist. The former is struggling for self-determination, maximum provincial autonomy and control over Baloch resources, while the latter, especially after 2000s, is waging a guerrilla war for an independent Balochistan. The increasing sense of Baloch nationalism seems to be a reaction to the unfair socio-economic policies of the federation of Pakistan towards Balochistan. This chapter thus also explores the socio-economic factors and

regional inequalities which can be held responsible for the growing of Baloch nationalism and separatism over the years.

The concluding chapter suggests that the federation of Pakistan (especially the civil-military elites) needs to restructure the existing boundaries of the federation by creating more provinces in such a way where every ethno-national group could feel ownership of the country through utilizing their respective provincial resources as per the requirements of their people. If otherwise, conflict such as the Baloch one would continue in one form or another, because other ethno-national groups such as Pashtun and Siddhi are also thought that they are not getting the due share from the central/federal government of Pakistan.

Chapter II: Federalism: Theories and Approaches

2.1. Introduction

The main purpose of this chapter is to critically analyse the existing theories of, and approaches to, federalism to help contextualise the thesis. It is important to mention at the outset that there is no ideal single form and model of federalism, federation or federal political system around the world. Each of the 27 existing federal countries functions differently vis-à-vis structures and institutions, centralization and decentralization, and distribution of powers and control over natural resources (Watts, 2008, 2007, 2002, 2001; Kymlicka and Adeney in He *et al*, 2007; and Adeney, 2000). Some are more democratic while others are less; for those Kymlicka uses the terms liberal and illiberal federations. For instance, Pakistan and Malaysia fall under the heading of ‘illiberal federations’ while Canada and the USA are seen as ‘liberal federations.’ However, in spite of variations, there are some characteristics and principles which are common to almost all the existing federal countries. I will consider such in section 2.4 later.

Further, it should be noted that every federal country uses different names for the constituent units and federal/central governments. For example, in the USA, Australia and India, the constituent units are called States, in Canada and Pakistan they are known as Provinces, in Switzerland, Germany and Austria as Cantons and Lander respectively and so on. In my research, I use the terms constituent region(s) or province(s) for the constituent unit(s) and federal/central government for the general government; the reason being that these expressions are applicable in my area, viz. Pakistan.

The idea of federalism as a governing system became more popular around the world especially after the Second World War II (1939-1945). At present, 27 countries globally are federal in character and more than 40% of the world's population lives under federal systems (Elazar, 1987: 6; Watts 1996: 4; and The Forum of Federation). The popularity of federation as a form of government is obvious for the following reasons: (1) it accommodates a diverse society under one political system wherein each group maintains its distinct identity through the principle of self-rule and shared rule, (2) it provides opportunities to all the constituent regions for greater economic prosperity, (3) it safeguards each unit from external and internal military threats, and (4) federalism is dynamic and flexibly democratic in character and every country can shape it as per its peculiar conditions and circumstances. For the purpose of this research, it is not necessary to look at the structure and actual working of every federation around the world.

2.2. Meaning of federation and its definitions

The idea of federalism is an ancient one and scholars trace it back to the earlier periods of ancient Israel, the Roman Empire, the age of Reformation, the early modern republics and to the modern federalists (Elazar, 1987: 4, 18-153; King, 1964: 8-10; and Watts, 1996: 2). Here, we are not concerned with the history of ancient federations which were different from the modern ones. They (the ancient federations) were loose confederations for trade and commerce, and defence purposes only. However, the ancient idea of a federation played an important role in transforming the world states into federations. The ancient federations were confederal in arrangement; they lacked the strength or ability to get things done

(Ricker (1964: 9 and Bhattacharyya, 2010: 11)).¹⁴ For instance, the American confederation before 1787 could be described as:

[I]t may make and conclude treaties, but it can only recommend the observance of them It may appoint ambassadors, but cannot even defray the expenses of their tables. It may make war, and declare what numbers of troops are necessary, but it cannot raise a single soldier. It can declare everything, but can do nothing (Baker, 1891: 11-12).

It was these shortcomings which led the states towards a more adequate and effective arrangement for their polities. In this regard, the creation of the American federation in 1787 under the Philadelphia convention is regarded as the first modern federation, and from there the idea gained popularity (Watts, 2008: 2, 2007: 3-5, 1996: 3; and Elazar, 1987: 6-11).

The term federalism is derived from the Latin word *foedus*, which means covenant, alliance or agreement and contract amongst individuals or collectivists/collectivities, with the aim of promoting common interests of covenant parties (Karmis and Norman, 2005: 5-6; Elazar, 1987: 5; and Riker, cited in Goodin *et al*, 2007: 612-617). The common interests of covenant parties may be of various kinds. For instance, in the case of the US, these common interests may be to defend their country from possible external military threats or and to secure greater economic benefits, while in the post-colonial federations such as India and Pakistan, they may be to keep the unity of a disparate population. In fact, the federations of India and Pakistan are the products of anti-colonial nationalism. The states which they formed after independence were almost always fragile and hence the political elite were anxious about the stability of the state. This anxious nationalism often led to privileging of stability and unity over diversity in federalism in such states.

¹⁴For more details of the con-federal insufficiencies, see Hamilton's Federalist No. 16.

Theoretically and politically, federalism (or a federation) emerges when two or more than two sovereign or independent entities sign a contract to work together for larger common interests. One should not confuse federalism or federation with other similar but different forms of organizations such as confederation, association, unions, federacies, associated states, condominiums, and leagues, because in a federation it is the federal/central government which possesses the ultimate sovereign powers (Watts, 2001; Elazar, 1987; and Dikshit, 1971). As McKeever *et al* (1991) mention, federalism is a political concept and a system of government under which various regions come together and establish a federation wherein the covenant parties remain bound by an agreement and constitutionally the sovereignty is divided between the federal government and the constituent units. Under federalism, it is the federal/central government which possess the ultimate sovereign powers, at least in external affairs, because sovereignty itself is indivisible, non-transferable and inalienable as per the theories of international relations. As Hans J. Morgenthau states, “sovereignty over the same territory cannot reside simultaneously in two different authorities, that is, sovereignty is indivisible” (Morgenthau, 1948: 350). Therefore, it can be said that to divide sovereignty is to destroy it altogether because it is not possible to have two sovereign bodies within one and the same state, and if otherwise, then it would simply mean dissolving the state into many parts. For that reason, the indivisibility, inalienability, and non-transferability of sovereignty is one of the necessary conditions of the unity of the state, whether it is federal or unitary (Bartelson, 2011). By sovereignty, in the framework of a federation, I mean the constitutionally delegated powers assigned to each level of government for the purposes of legislation, execution, administration and taxation only.

Before going into further details, it is pertinent to differentiate between the three terms i.e., federalism, federation and federal political system, because a study of the relevant literature on federalism indicates that these terms carry different meanings for different scholars.

According to Freeman (1893) federalism and federation are mechanisms of compromise between two political but opposing forces or two extremes i.e., small states and single great state. Wheare, in his classical work *The Federal Government*, states that “by federal principle I mean the method of dividing powers so that the general and the regional government are each, within a sphere, co-ordinate and independent” (Wheare, 1946: 10). Wheare’s *Federal Government* looks at federalism from a legalistic perspective essentially based a comparison of the federal constitutions and governments of USA, Canada, Switzerland, and Australia. This legalism in his work has been criticised by later scholars and researchers such as Livingston (1952), Riker (1964) and others. Livingston, in his article ‘A Note on the Nature of Federalism’ (1952: 83-84), is very critical and opines:

The essential nature of federalism is to be sought for, not in shapings of legal and constitutional terminology but in the forces - economic, social, political, cultural - that have made the outward forms of federalism necessary....The success of federalism lies not in the institutional or constitutional structures but in the society itself. Federal government is a device by which the federal qualities of the society are articulated and protected.

Thus, besides the constitutional legalities and structures of federalism, the principles and practices adopted by governments are also important elements in the operation of any federation. Furthermore, Watts states that ‘federalism’ is a normative term while ‘federal political systems’ and ‘federations’ are descriptive ones; federalism refers to the advocacy of a multi-tiered government characterized by the elements of shared-rule as well as regional self-rule, while federal political

systems and federations are terms applying to a particular and specific form of political organization (Watts, 2008: 8-11 & 1996: 6-7). In essence, federalism is a form of government and mechanism that aims at achieving both unity and diversity by accommodating and promoting distinct identities within a larger political union on some fixed constitutional basis (ibid, 2008 & 1992 and King, 1982).

Federalism and federation, like most of the concepts in the realm of social sciences, are contested and debatable. One reason for such contestation and debate of these terms is that there is no single ideal form of federalism around the world and every federal state follows a different model. There are states which are federal but have different types of governmental set-ups and structures that can be presidential (the USA), parliamentary (India, Canada, and Australia), and a hybrid of the two (Germany, Austria, Switzerland and so on). The following definitions will make clear what is meant by federalism or federation in this chapter.

According to Elazar (1987: 7), “[a] federation is a polity compounded of strong constituent entities and a strong general government, each possessing powers delegated to it by the people and empowered to deal directly with the citizenry in exercise of those powers.” Riker defines federation as a “set of constituent governments [that] acknowledge that a federal government has authority over all their territory and people for those functions covering the whole territory, while they retain for themselves those functions related just to their own territories” (Riker, 2007: 11). For Dikshit (1971: 98), “federation is born when a number of usually separate or autonomous political units (or units with some pretensions to autonomy) mutually agree to merge to create a state with a single sovereign central government, but retain for themselves some degree of regional autonomy.”

According to Watts, a foremost expert on federalism, federation is basically a scheme of voluntary self-rule and shared rule (Watts, 1998: 117-137).

There are a few fundamental differences in the above-mentioned definitions of the term and its scope. Elazar's definition does not mention the bases of the formation of the federal structure on the one hand, and on the other hand, he expects two strong entities to be recognized as one entity. For instance, he talks of 'strong constituent units' and 'strong general government' as if it is possible to have two powerful forces within one system of governance without there being any contradiction between the two. He also does not say how such a concept of central government emerges in the first place. As we see in the other definitions, the writers acknowledge the importance of 'mutual agreement' and need of living within one central government in a federal setting. However, despite the many differences of opinion regarding these terms and concepts of federation, federalism or federal political system, most of the theorists agree on it being a system of government under which there exists a mechanism of power sharing between levels of government within a single sovereign state. In such a mechanism, there are at least two tiers of government i.e., federal/central government and the governments at each constituent region(s) level. Generally, in such an arrangement, each constituent region retains its separate identity, regional autonomy is guaranteed constitutionally to each constituent unit, neither level of government subordinates to the other, the people directly elect the government both at federal/central level and at constituent region(s) level, and the jurisdictions are defined by a supreme law of the land (the constitution), not by another level of government (see Galligan in He *et al*, 2007).

In short, the state which emerges after such a covenant or a contract is called a federation or federal state and the system functioning within such a state is called

a federal political system, while federalism per se is a broader term which is in use for a combination of these terms. Therefore, federalism, federation, and federal political system mean a system of government in which there exists a double set of government, federal/central and regional governments. Under federalism, each level has the powers to legislate, administer, and levy taxes on the citizens in those areas which are entrusted to them by the constitution. In federalism and federation, there is a clear demarcation of constitutional powers between the two levels of government where neither can override the powers of the other. Structurally, there is no single ideal system of federation, but each has its own way to run and accommodate the diversity within the framework of federation (Kymlicka in He *et al*, 2007; and Watts, 2005). If federalism results when two or more than two previously independent entities merge together to form a single whole through a covenant or bargain amongst the previously independent entities, then what is the nature of the federal covenant or bargain. The next section explores this question.

2.3. The nature of the federal covenant

Researchers maintain that the nature of the federal covenant or agreement is such that it is based on trust, and if otherwise (based on force), the federation will collapse or disintegrate at some later stage (Riker, 1964 and King, 1982). Nonetheless, there are federations which came into being without any clear covenant or contract amongst the constituent units. Sometimes constituent units were not consulted, but annexed to federations, allegedly through the use of force or intimidation by the leading groups. Here, the best example is Pakistan, where Balochistan was annexed to the Pakistani federation in 1948, and since then, Balochistan has been striving to get either more autonomy or separation from the Pakistani federation. India and Switzerland are other relevant examples. In the

former case, not all of the 555 princely states were ready to join willingly the Indian federation, and in the latter case, the union was based entirely upon the military defeat of the Catholic (Sonderbund) cantons by the Protestant cantons in 1847 (King, 1982: 88-89 & 97). So, it can be seen that every federation has its own particular circumstances of emergence and the contract is not an essential part or characteristic of all federations. It can be argued that instead of covenant, the level of democratization, distribution of powers and resources (amongst the constituent regions and units) play an important role in keeping intact the federal polity (Sarita, 2009; He, Adeney, Kymlicka in He *et al*, 2007; and Pal & Aggarwal, 2010). We can find examples of successful and unsuccessful federations on the basis of democratization. In this regard, the USA, Canada, India, Belgium and others are the successful stories while Yugoslavia, the Soviet Union, Czechoslovakia, and Pakistan are the unsuccessful ones (Stepan, 1999:19-34 and Kincaid, 2002).

If we look at Pakistan and India, they emerged as independent sovereign states after the departure of the colonial masters from British India in 1947. Both adopted federalism without any clear-cut covenant amongst their respective dissimilar and diverse populations. However, Pakistan failed to hold its territory and population together under the federal setup, while India remained successful and still works as a federal union comprising 28 units/provinces and 7 union territories. This is because the former remained undemocratic and often ruled by the military junta.¹⁵ In contrast, India earned for itself the title of being the world's biggest democracy. India did not see any military coup. The Indian constitution under Articles 2-3 also empowered the parliament to form a new

¹⁵ Pakistan has experienced four eras of martial laws: (a) General Ayub Khan's era 1958-1962, (b) General Yahya Khan's era 1969-1971, (c) General Zia-u-Haq's era 1977-1988, and (d) General Pervez Musharraf's era 1999-2008.

state/unit/province whenever it thinks fit to avoid dissent. As King (1982: 88) states that federations, by nature, are democratic and non-absolutist (for which he uses the term constitutional). In his view, those federations where the voting population of the constituent regions remained dramatically unequal in size are undemocratic. And, if we look at the structural composition of the Pakistani federation either before 1971 or after 1971, it falls into the undemocratic category because its constituent regions and the population residing in each region was, and is, of an unequal size. Presently, the state of Pakistan has four constituent regions and Federally Administered Tribal Areas (FATA), and one of the provinces, the Punjab, constitutes a majority of the population (56%) in comparison to the rest of three constituent regions together. This is despite Balochistan being more than 45% of the total land area of Pakistan with having 5% of the total population, mostly rural, and the density of population per square kilometre is the lowest. It has no say in the central parliament due to its lesser number of representations. The following table illustrates the imbalances in Pakistan's federal structure.

Administrative Unit	Area (Sq. Km.)	1998 Population		Population Density per Sq. Km.	Proportion		Seats in Parliament	
		Number	%age		Urban	Rural	NA	Senate
Pakistan	796096	132352279	100.00	166.3	32.5	67.5	342	104
Khyber Pakhtunkhwa	74521	17743645	13.41	238.1	16.9	83.1	43	22
FATA	27220	3176331	2.40	116.7	2.7	97.3	12	8
Punjab	205345	73621290	55.63	358.5	31.3	68.7	183	22
Sindh	140914	30439893	23.00	216.0	48.8	51.2	75	22
Balochistan	347190	6565885	4.96	18.9	23.9	76.1	17	22
Islamabad	906	805235	0.61	888.8	65.7	34.3	2	4
Non-Muslim	---	---	---	---	---	---	10	4

Source: Population Census Organization, Government of Pakistan and constitution of Pakistan, 1973.

It can be argued that the balance of population, territory, and representation of the units in the central institutions play an important role in the success of federalism. Though, in case of Pakistan and with special reference to Balochistan, the story is quite different. The share of Balochistan in the upper and lower house of the parliament is very meagre. Therefore, owing to such a minor share in the parliament (which is the national decision making body), the Baloch have no say in the affairs of the country.

Further, many researchers also state that a federal agreement is permanent, and not temporary like that of unions and leagues or alliances where a member can withdraw unilaterally; under a federation, unilateral withdrawal is considered not just as a breach of the agreement, but as treason (Freeman, 1893; Wheare, 1946; Dikshit, 1971; and King, 1982). According to King (1982: 109), once a covenant is agreed upon amongst the members, than no state or Lander or province or whatsoever can opt for independence or secession because unilateral withdrawal

is treason, except in cases of civil wars. Here, the best examples are Pakistan and Malaysia. In the former case, Bangladesh became an independent country and seceded from Pakistan after a bloody civil war, while in the latter case, Singapore was excluded in order to avoid a bloody race war (King, 1982: 108-109). For King, there is no federal setup anywhere in the world that allows the constituent regions(s) to opt for separation, except the former USSR.¹⁶ Under the Soviet constitution of 1977, the USSR formally reserved the right of secession for every Union Republic under article 71, but this right was only granted in theory, in practice, secession was impossible due to the existence of the predominant power of the communist party and a highly centralized federal structure where ultimate decisions were always taken by the central government. Moreover, besides the political and economic factors, the USSR itself collapsed when the party's grip became weak and the republics started seceding (Goldman, 1997; Filipov *et al*, 2004; Gaidar, 2007; and Weiss & McFaul, 2009).

On the formation of federations, Stepan (1999:19-34) uses the words 'holding together' and 'putting together' for those federations which are not founded on any contract. He states that B.R.Ambedkar, the chairman of the Indian constitutional committee, while presenting the draft constitution before the constituent assembly said that "it was designed to maintain the unity of India....in short, to hold together." Thus, the Indian federation was created through an act of the constituent assembly to keep a diverse society united. The Indian states were

¹⁶ However, the Ethiopian constitution under article 39 also allows that every nation, nationality or people have the unrestricted right to self-determination up to secession. Nonetheless, this right under article 39 is subject to clause 4 and its sub-sections a, b, c, d, and e. The sub-section states that "a) [w]hen a demand for secession has been approved by a two-thirds majority of the members of the Legislative Council of the Nation, Nationality or People concerned; b) [w]hen the Federal Government has organized a referendum which must take place within three years from the time it received the concerned council's decision for secession; c) [w]hen the demand for secession is supported by a majority vote in the referendum; d) [w]hen the Federal Government will have transferred its powers to the council of the Nation, Nationality or People who has voted to secede; and e) [w]hen the division of assets is effected in a manner prescribed by law."

not consulted, so there was no agreement at all.¹⁷ Spain and Belgium are also examples of holding together federation. By ‘putting together’, Stepan implies a heavily coercive effort by some non-democratic centralizing power to put together a multi-national or multi-ethnic state where previously some of the components have been independent states or territories. In this regard, besides the former USSR, Pakistan is the best example. In Pakistan’s case, Balochistan declared its independence on 11 August 1947, but it was annexed to Pakistan in 1948 through coercion and intimidation (Breseeg, 2004: 233; Baloch, 1987: 172-173; Dehwar, 1994: 308; and Adeney, 2007b: 102).

In the light of the above discussion, what emerges is that although there are diverse ideas regarding the concept and practices of a federal form of government, federalism as a unique concept of modern state system exists with some common characteristics and principles, and it is these which make it different from other forms of governance. However, as a system of government, it works differently in different countries with various models and structures.¹⁸

In terms of diversity, Kymlicka (in He *et al*, 2007) comes up with a multinational model of federalism. According to him (*ibid*, 2007: 35-26), a multinational or multi-ethnic federalism is one where there are more than two nations or ethnic groups within the boundaries of the state wherein each has valid claim to language rights and self-government powers to maintain itself as a distinct society and culture. He further says that in multinational states, either federal or unitary, some of the national or ethno-national groups are battling against their respective states

¹⁷ However, later on, under the Indian constitution of 1950 Articles 2-3 the central government reserved the right to create new constituent units on such terms and conditions as it thinks fit.

¹⁸ Burgess points out that there are three models of federations: the Westminster model, the republican presidential model, and the hybrid or mixture of both (for which Wheare uses the term quasi-federalism) (Burgess, 2006 and Wheare, 1946). The Westminster model is based on the principles of a representative and responsible parliamentary democracy such as the federation of Canada, Australia and India, while the republican presidential model is associated with the United States of America (Burgess, 2006: 136). The hybrid or the quasi-federal model is that which combines the elements of the both, the Westminster and the Presidential models. The quasi federal model includes the federations such as Germany, Austria, and Switzerland.

over issues such as political representation, language, self-government, control over their natural and other resources, migration within the state, and the desire for preserving their distinct ethnic or national identities. We can find examples like Kurdistan in Iraq, Kashmir in India, and Balochistan in Pakistan. There are also some examples in western democracies, such as Quebec in Canada, the Flemish region in Belgium, and Scotland in the United Kingdom. Kymlicka finds that multinational federations of the west are successful because they are democratic in nature, they respect individual civil and political rights, and they have maintained inter-group equality (where none of the groups dominates others in the spheres of politics, economics, and culture). In contrast, many post-colonial federations, especially Pakistan, strongly object to the very basic notion of empowering national and ethnic groups within the framework of federation, and rather suppressed them. Therefore, it can be held that to suppress diversity simply means to negate the very formation and foundation of federalism. India is an exception in this regard because at least its constitution allows the central parliament to create new states on the basis of linguistic and cultural identities; when it sees fit; this is evident from the fact that initially there were 14 states/provinces in India, but now that number has reached to 28.

2.4. Main Characteristics and principles of Federations

All existing federations differ from one another in terms of economic and social diversities, in numbers of constituent unit(s), resources, scope of allocation of legislative, executive and financial responsibilities, allocation of taxing powers and so on. However, in spite of such differences, there are some features through which one can recognize the federal setup. Researchers such as Watts (2008: 22-23 and 1996: 7), Dikshit (1971: 97-115), Sarita (2009: 14-20), and Wheare (1946: part III) agree that the main characteristics and principles of a federation which

can be seen in major federations like USA, Canada and Switzerland (but may not be present in some of the federations practically) are as follows.

The most significant feature of every federation is a two-fold sovereignty or the sharing of powers between the constituent unit(s) and the central government; for this Watts (1998) and Elazar (1987) use the phrase self-rule and shared rule respectively. In every federal setup there are two set of government, one for the whole federation and the other for each constituent unit(s), where each government can act directly on its citizens.

Every federation has a supreme written constitution under which a formal distribution of power takes place between the two sets of government. Each set of government enjoys constitutionally delegated powers in the spheres of legislation and execution. The constitution also ensures some areas of genuine autonomy as well as the allocation of revenue resources between the two sets of governments. Such distribution of powers is one of the most common features of all federations around the world. Further, in federal states, the supreme law of the land, the constitution, is often rigid and cannot be amended easily or unilaterally. Procedurally, there are ways of amending the constitution in various federations, but these require the consent of a significant portion of the constituent units. As Burgess (2006: 157) states:

Since the written constitution represents the birth certificate of every federation, those aspects that establish its fundamental federal character should not be unilaterally amended by just one order of government because that would render the other level of government subordinate to it.

Because federalism is a compound polity consisting of one federal/central and various regional governments, there are always the chances of clash or conflict on issues such as the distribution of powers, control over resources and overlapping governmental functions. To avoid such clashes or overlapping of functions, every

federation has an umpire in the form of courts, provision for referendum or an upper house of parliament. This umpire, if it is in the form of courts, has some very important functions such as impartial constitutional interpretations, revision of the constitution to changing circumstances, and the resolution of inter-governmental conflicts (Watts, 1999: 10). If such an umpire is in the form of an upper house of the parliament than it must be given equal powers of legislation as compared to the lower house.

Federations are more democratic and participatory when compared to other forms of government. They are participatory because the legislative bodies both the federal/central and the regional units are directly elected by the vote of the citizens and responsible to them. In a federation the citizens have close contact with their respective representatives either at federal/central or at regional levels.

Additionally, there is a long list of characteristics of federations which are not common amongst all the federal systems. Some exist in one federation, while remaining absent in others. For instance, the prevailing literature maintains that the existence of multi-party system, bicameral legislatures, decentralization, a system of check and balances, rule of law, and tolerance are the main characteristics of a federation. It has also been argued by researchers that a multi-party system prevents dictatorship and authoritarianism. However, there are federations with multi-party system which have experienced authoritarianism, such as Pakistan. Equally, there are unitary systems with bicameral legislatures and federal structures with unicameral parliaments (Pakistan remained unicameral under the constitutions of 1956 and 1962). Again, people often mistake federalism to mean decentralization, but on the contrary, there are federations which are highly centralised and unitary systems where one can see much more decentralization. Thus, decentralization is not the yardstick with which to judge

whether a system is federal or not. Last but not the least, in a majority of federal and democratic systems, such as the USA, Australia, Switzerland, and Canada, we can find the characteristics of rule of law and tolerance. Rule of law and tolerance are the essence of federal democratic systems. In case of Pakistani federation, when it comes to Balochistan, the rule of law and tolerance is non-existent which we would see in chapter VI.

In this chapter, it has been argued that federalism is a broad concept in the realm of social sciences. There are many shades of opinion which make federalism a diversified form of government. However, modern scholarship has created a clear-cut distinction between a federation and other forms of governments such as confederation and unitary, despite the fact that federations like Canada and Switzerland describe themselves as confederation (Dikshit, 1971: 99). It is also worth noting that there are certain characteristics of federations which make it a unique and better way of state formation in a world which is hugely divided on ethnic, linguistic and religious lines. Human beings have always tried to live together in a social setting, but the conditions and terms of association, pose a fundamental question. The modern concept of federalism is a sophisticated and workable answer to the long-standing problematic questions of human association. In a federal union, a population of different ethnic, linguistic, regional and religious groups agrees to share the powers and responsibilities towards a common goal. Though, federalism is a superior form of government when compared to others such as confederal and unitary; is still faces issues such as the division of powers between the two sets of government and representations in central institutions and control over natural resources. The superiority of federalism over confederal and unitary systems is clear from the fact that, under the former, unilateral and arbitrary repossession of power is not possible because

of the entrenchment of ownership rights, while in the latter it is the other way around, and the possibility of unilateral repossession of powers cannot be ruled out (Breton, 2000: 1-16 and Federalist paper No. 9). Researchers argue that since federalism is democratic in nature and dynamic in character, it has the potential to resolve issues such as the division of powers and representation in central institutions through political dialogues and mutual consultations. However, when it (federation) came under an influence of undemocratic and authoritarian forces than it turned to be an illiberal federalism (Kymlicka and Adeney in HE *et al*, 2007) and give ways to dissent and ethno-nationalism. How does this work in practice in federation? This is the theme in chapter III.

Chapter III: Principles and Practices of Federalism in Pakistan: A constitutional History

3.1. Introduction

At its creation on 14th August 1947, Pakistan adopted federalism as a form of government for itself. The adoption of federalism by Pakistan should not be seen as a mere continuation of the colonial system but as a result of legacies of compromises made by the colonial administration; anti-colonial struggles of both the All India National Congress (AINC) and All India Muslim League (AIML); the movement for separate Muslim representation led by AIML culminating in the creation of Pakistan; and sheer geographical, cultural and linguistic differences between west and east Pakistan separated by thousands of miles of Indian territory. The leadership of AIML under Muhammad Ali Jinnah before 1947 had demanded a federal setup within united India but differences between AIML and AINC led to the demand for creation of a new state for the Muslims rather than separate representation within federal India. Thus, in a way, creation of Pakistan was a result of the failure of federal vision of united India and yet at the same time AIML saw federalism as the most appropriate form of government to keep together different provinces effectively.

Especially crucial was the fact that a majority of population of the new state lived in a single Bengali-speaking province of east Pakistan, while the Urdu-speaking elite who were the vanguards of Pakistan movement and the Punjabi elite who rapidly shared the dominance of military and civilian bureaucracies, inhabited west Pakistan. Though federalism was seen as the most feasible form of government in principle given the historical legacy, the experience of Pakistan movement, and the linguistic, ethnic and cultural diversity of the new country, the

actual form that the federation took evolved over time and was shaped by the then dynamics of civilian and military politics. This chapter charts the evolution of federation in Pakistan and contextualises the changes in the policy and practice in terms of constitutional and political history. It first provides a pre-history to the arrival of federation in Pakistan by giving a short account of the relevant constitutional and nationalist developments in British ruled India before 1947. It then goes on to analyse the shifts in the form of federation during the constitutions of 1956, 1962, 1973 and concludes by discussing a recent 18th Amendment that was said to bring about a radical shift in the distribution of powers between the centre and the provinces.

This enables us to later assess, whether it is the failure of the federation to keep intact a diverse society or the federal practices concerning representation and the distribution of powers which have compelled the smaller ethno-national groups to ask for more autonomy and/or complete separation from the federation.

3.2. History of Federalism in United India with Reference to Pakistan

India has long been a sub-continent with a diverse population vis-à-vis cultures, religions, languages, and ethnic composition. If we see the history of Mughals from 1526 to 1857, we can observe that they used devices of territorial autonomy as a means of managing the diversity and as methods of effective government control over the vast sub-continent. Later, the British also controlled India through *de facto* federal institutions since 1919, using the divide and rule policy as an important instrument for the administration of India (Adeney, 2007). Federalism, however, was never simply a top-down gift from colonial masters but a result of demands by the different sections of nationalist politicians and compromises by

the British. The emerging leaders of India were demanding it, though there were differences of opinion about its structure and working.

The history of the British India shows us that the struggle of AIML revolves around the politics of provincial autonomy and federalism before it became one for a separate state. In this regard, the first step was taken by the delegates of Simla Deputation of 1906. The delegates met the Viceroy, Lord Minto, at Simla to raise the demand of a separate electorate for the Muslims of India, and secured his consent on the matter (Aziz, 1998: 20 and IOR/L/PJ/6/791, File No. P&J.4372: 1-8). The demand for a separate electorate was later incorporated into the Government of India Act 1909 which also allowed weightage for Muslims in representation in those provinces where the Muslims were in minority, and allowed the propertied Indians to elect their representatives to various legislative councils (Keith, 1926). AIML and AINC were struggling against each other to gain more benefits in the realm of governance for their respective communities, but during World War I, they realized that confrontation with each other would not be productive for either side (Shah, 1994, 33). Thus, under the Lucknow pact 1916, the AINC agreed to the AIML demand of 1/3rd representation in the Central Legislative Assembly and separate electorates were also endorsed not only for the Muslims but for all communities, unless a community itself demanded joint electorates (Shah, 1994: 34; and Sayeed, 1960: 39-43). The Pact also led the two communities to demand Home Rule for India. This certainly signifies that the Indians were not happy with the reforms introduced by the British Government and therefore, they stood for more representation within the administration of India.

After the World War I, the British Government introduced another package of reforms known as Government of India Act, 1919. Under these reforms, the

suffrage, membership and powers of the provincial legislatures were expanded. It introduced a system of Dyarchy (dual form of government) at provincial level where the powers at this level were divided into two categories: the 'transferred' and the 'reserved' subjects. The transferred subjects such as local self-government, education, public health, and agriculture were given to the elected members who in turn were responsible to the provincial legislative bodies. Other more crucial subjects such as law and order, police, land revenue and irrigation were reserved for the Governor who administered these subjects through unaccountable executive councillors who were not answerable to provincial legislative bodies. The system of Dyarchy was unacceptable to the Indians because it made the ministers helpless; how could a local minister supersede the Crown under such a system of Dyarchy as the powers were shared by both (for details, see Mehra, 1928; Wallbank, 1958; and Keith, 1926). The 1919 reforms failed to satisfy the Indians and a majority of the leaders of the two parties did not approve these reforms because these were below their expectations (Shah, 1994: 34; Aziz, 1998: 33-34; and Vohra, 1997: 120-184).

The AIML in its 15th session, held in Lahore on 24th and 25th May 1924, demanded decentralized federation with complete provincial autonomy (Pirzada, n.d: 578), while on the other hand, AINC stood for centralized federation. The British Government also appointed a Statutory Commission in November 1927 under the leadership of Sir John Simon. The task of the commission was to investigate the Indian constitutional problems and make recommendations to the British Government for the future constitution of India. But since there was no Indian representative in it, the Indian political parties boycotted the commission outright.

After rejecting the Simon Commission, Indians accepted the challenge of Lord Birkenhead, Secretary of State for India, to produce a constitution acceptable to all sections of Indian society (Sayeed, 1960: 66-70 and Wallbank, 1958: 161-62). In an All Parties' Conference, held in Bombay on 29 May 1928, a ten member committee was appointed under the chairmanship of Motilal Nehru to draft a future constitution of India.¹⁹ When the report of the committee, called Nehru Report was made public, it received much criticism from AIML as it discarded important points such as separate electorates, 1/3rd representation for the Muslims in the Central Legislative Assembly, and weightage for minorities, all of which had previously agreed upon under the Lucknow Pact. The report recommended a responsible system of government in which the majority would be sovereign. The then leadership of AIML feared a permanent minority status within India. Consequently, as a response to the Nehru Report, Mohammad Ali Jinnah presented his fourteen points stressing that "the form of any future constitution for India should be federal with all residuary powers vested in the provinces. The Central Government to have control of only such matters of the common interest as may be prescribed by the constitution" (cited in Wallbank, 1958: 185). Jinnah further advocated in his 14 points that uniform measures of autonomy shall be granted to all provinces and no change be made to the constitution by the central legislature except with the agreement of the provinces constituting the Indian federation (Sayeed, 1960: 75 and Pirzada, 1986: 53).

After the Nehru Report and Jinnah's 14 points, communal strife widened (Aziz, 1998: 36-38 and Wallbank, 1958: 185). As per recommendations of Simon Report, a series of Round Table Conferences (RTCs) were convened in London

¹⁹¹⁹ The members of the committee were: Shuaib Qureshi and Sir Ali Imam (Muslim representatives), M.S. Aney and Mr. M.R. Jayakar (Hindu Mahasabha), Mr. G.R. Pardhan (the non-Brahmin), Sardar Mangal Singh (Sikh League), Sir Tej Bahadur Sapru and Mr. N.M. Joshi (Liberal and Labour respectively), and Subhas Chandra Bose including the chairman of the committee were to represent the Hindu point of view (All Parties Conference, 1928: 17 & 23).

for the purpose of reaching an agreeable solution on the future constitution of India, but all in vain. This is because AIML strongly advocated and supported the proposal of a federal system with maximum provincial autonomy while AINC favoured centralized federation (Ahmed, 1990: 26).

Thus, due to the uncompromising attitudes of AIML and AINC on any future constitution of India, the select Committee of the British Parliament presented its draft Bill on February 5, 1935 before the House of Commons. After a review, the House of Commons in July 1935 announced it as the working constitution of India, popularly known as the Government of India Act 1935.

The Act under section 5 (1) declared India to be a federation (The Government of India Act, 1935). Constitutionally, this was the first time when India was pronounced as a federation. The Act provided for a federation in which British-ruled provinces and princely states were taken as units. However, the Act was partially implemented at the provincial level and the federal aspect never came into operation because the states (i.e., the princely states which were under British sovereignty but not ruled directly by the British) did not join the federation.

Under the Government of India Act 1935, elections at provincial level were held in 1937. The AINC emerged victorious in 6 out of the 11 provinces. During the formation of ministries, when the AIML attempted to form a coalition government with AINC in United Province (U.P) - where the AIML had won 27 out of 64 Muslim seats (Ahmed, 1990: 27, and Pandey, 1978: 631) - the Congress put forward two conditions for the formation of such a coalition government. The conditions were:

[T]he League 'in the United Provinces Legislature shall cease to function as a separate group, the members of the Muslim League in the U.P. shall become part of the Congress Party and will fully share with other members

of the Party their privileges and obligations as members of the Congress Party', that 'the policy laid down by the Congress Working Committee for their members in the Legislature....shall be faithfully carried out by all members in the Legislature by the members of the Congress Party including their members', and that 'the Muslim League Parliamentary Board in the United Provinces will be dissolved, and no candidates will thereafter be set up by the said Board at any bye-elections' (cited in Pandey, 1978: 631).

Such conditions humiliated the AIML by preventing it from forming any coalition government (Ahmed, 1990; Aziz, 1998; and Pandey, 1978). After the installation of ministries in 8 out of the 11 provinces, the rivalry of AIML and AINC came out into the open. For instance, the Congress introduced new policies such as the educational policy (called Wardha educational scheme; which the AIML termed anti-Muslim), a national song (Vande Mataram; that contains some anti-Muslim stanzas), and Muslim Mass Contact Movement (aimed at diverting the Muslims towards Congress party) (for details, see Pandey: 1978 and Sayeed, 1960). The policies and attitude of the Congress ministries towards the Muslims provided an opportunity for the AIML to launch a strong propaganda campaign against the Congress rule and promote its own popularity amongst Muslims masses (Sarkar, 1983: 355). Communal politics were at their peak during this time and the League succeeded in inducing anti-Congress feelings amongst Muslims (ibid, 1983).

When the British Government declared war against Germany (World War II), the AINC resigned from its ministries in October 1939 to protest the fact that the British Government did not take the Indians into confidence for the declaration of war. On the other hand, the AIML observed this day as a day of deliverance on 22nd December 1939. Against this background, the AIML passed the famous Lahore Resolution of 1940 wherein it raised a demand for a separate state for the Muslims of India. The Resolution declared that:

No constitutional plan would be workable or acceptable to the Muslim unless geographically contiguous units are demarcated into region[s]

which should be so constituted with such territorial adjustment as may be necessary. That the areas in which the Muslims are numerically in majority as in the North-West and Eastern zones of India should be grouped to constitute independent state in which constituting units shall be autonomous and sovereign (Sherwani, 1969: 21).

This was the turning point in the League's policy which went from Indian federation to separatism and division of India. There were further missions, formulas, talks, and plans regarding the constitutional and communal issues in India; these included the Cripps Mission of 1942, Rajagopalachari formula of 1942, the Gandhi-Jinnah talks of 1944, Wavell and Simla Conference of 1945, and the Cabinet Mission of 1946 (for details, see Sayeed, 1960 & 1967). The aim of all such efforts was to resolve the Hindu-Muslim problem of preserving post-independent India's unity in one form or another, but eventually they failed to keep the country united.²⁰

The Act not only failed to hold Indian diversity together but it also created cleavages between the two main communal groups, the Hindus and Muslims, because there was no agreement between the two contending groups on the structure and working of federalism. According to Adeney (2007: 57) this was a "colonial imposition from above rather than a result of an agreement among the federating units for union." This imposition of a constitution from above on contending and different federating units is understood as the reason for the Act's failure (ibid, 2007). As discussed earlier (in chapter two), such agreement among units is an essence of successful federations, and those federations which lack agreement are often subject to failure or disintegration.

²⁰Janmahmad (1989), a veteran Baloch writer, is of the opinion that it was the British colonial masters who conspired to divide the Indians on the basis of religion. He straightaway rejects the notion of Muslims being a nation. He asserts that the British encouraged the Muslims of India towards separatism for various reasons such as: to punish the Hindus because they did not cooperate with British during their war efforts, to have a justification for the establishment of an Israeli state on the same religious footing as Pakistan, and to use Pakistan as a client state for their future adventures in the region.

Given the irreconcilable differences between the AINC and the AIML, the British Government decided to divide India into two sovereign states. On 18th July 1947, the British Parliament passed the Indian Independence Act 1947 whereby two sovereign states, India and Pakistan, emerged on the world map. The Act provided for the complete end of British control over Indian affairs from 15th August 1947. Both India and Pakistan adopted the Government of India Act 1935 as an interim constitution till they framed their own for their respective countries. India came up with its own constitution in 1950 while Pakistan took 9 years to frame its constitution. It was on 23rd March 1956 that Pakistan announced its first constitution.

Keeping in view the above discussion, it can be said that though the AINC and AIML were jointly struggling against the British rule, they differed in their views about the future setup of India. The League, throughout its struggle, stood for the rights of Muslims only; this is evident from the demands it made from time to time. The Congress accepted the League's demands under the Lucknow Pact. However, the Nehru Report and the Congress ministries created a gulf between the two parties on communal grounds to such an extent that the leadership of AIML opted for separatism and division of India instead of working for a federal India. This is because the Congress provincial ministries following on from the elections under the Government of India Act 1935, created fears within the leadership of AIML, and they (the League leadership) realized that within federal India under the British parliamentary system, the Muslims would become a permanent minority vis-à-vis the Hindu majority. The Congress did not apprehend the League's fears. The AIML passed the Lahore Resolution on 23rd March 1940 in which the demand was made that India should be divided into two sovereign states. In the same Resolution it was affirmed that each unit within the new state

of the Muslims would be autonomous and sovereign in its own affairs. But, unfortunately when Pakistan emerged, the wording of the Resolution was not honoured. The federating units were not allowed to enjoy autonomy but rather subjected to discrimination and exploitation at various levels. There are many reasons which led the federation of Pakistan to deprive the constituent units from enjoying provincial autonomy. I will discuss this under section four below. The next section is devoted to the examination of why Pakistan adopted federalism as a principle of government in spite of the fact that it had not worked within the larger Indian context.

3.3. Why Federalism for Pakistan? What was the Rationale Behind it?

Why did Pakistan choose to adopt federalism, given that it was a failure of the federal vision for united India that led to the demand and creation of Pakistan? There is no simple answer to this question. However, various explanations can be put forward in this regard. Firstly, the post-colonial phenomenon compelled the disparate nationalities or the leadership of the time to establish a federation for the purpose of keeping the diverse nations as a single whole to avoid the establishment of small and weak international entities. Further, the British Government did not allow the local masses a free choice. They were bound to join either India or Pakistan as per the third June Plan of 1947. Secondly, if we look at the literature on the formation of the Pakistani federation (such as Ali, 1996: 8; Waseem, 2010: 4; Watts, 1966: 93-95; Shah, 1994: 5; and others), it argues that federalism is the name of diversity and hold that pluralism (a plural society) is one of the basic requirements for federalism. Shah (1994: 5) argues that plural society (composed of various ethnic, cultural, and linguistic groups) made up of various ethno-nationalities is better suited to having a federal polity. Pakistan, being a plural society, is comprised of various ethnic groups such as Punjabi, Bengali,

Sindhi, Pashtun, Saraiki, and Baloch, where each group has its own separate language, culture, history and a definite territorial geography; thus fulfilling the requirement of becoming a federation. Therefore, it can be said that the diverse characteristics of the Pakistani society plus the distinct identity vis-à-vis language and ethnicity, compelled the leadership of AIML to opt for federalism. Thirdly, it was also promised long before and during the freedom movement that Pakistan would be a federal state with autonomous units. Fourthly, scholars such as Burks (1954), G.W. Choudhury (1956), and Sayeed (1954) argue that the approval of federalism by Pakistan was aimed at tying the diverse society so that each ethnic group co-exist without having to lose its separate identity. They maintain that to keep unity between the two wings of Pakistan (i.e., west and east), separated by a thousand miles of Indian territory, there was no better option other than federalism.

However, Ali (1996: 15) asserts that “federalism in Pakistan was a product of the conflicting pressures of unity and diversity” because after the partition of United India, there was no choice for Pakistan but to adopt federalism, which remained the only possible compromise between the forces of integration and separation. Conventional writings on federalism in the west are often concerned with the importance of a covenant which is seen as being central to the establishment and endurance of a federation. If we look at the Asian federations like India, Pakistan, and Malaysia, there is no covenant.

Furthermore, geographical factors also played an important role in the adoption of federalism. The eastern wing, now Bangladesh, and western wing, now existing Pakistan, were separated from each other by about 1100 miles of Indian Territory in between. The geographical remoteness of the two and the societal diversity of the people of Pakistan, coupled with other factors such as the perceived military

threat from India, historical familiarities of Indian Muslims with federation in United India under British Raj and the common religion, persuaded the Muslims of Pakistan to live under one general and common government wherein they could order their lives according to the principles of Islam (Ali, 1996: 10-15 and Ahmed, 2013b). Choudhury (1956: 245) states that there was a critical disagreement between the leadership of the two wings over the details of the federal structure.²¹

Ahmed (2004: 10) and Choudhury (1956: 246) are of the opinion that, both before and after the creation of Pakistan, there was a general consensus amongst the leadership of the AIML regarding the adoption of federalism and the issue was non-controversial. But did the then Muslim League leadership enjoy a democratic mandate of the smaller ethno-national groups about forming a federation, especially when it came to groups from Balochistan and NWFP? As Adeel Khan (2009: 168) states, “the party that created Pakistan, the All India Muslim League, was an elitist group of the aristocratic Muslim families predominantly from Muslim minority provinces of India with a very few members from the future Pakistan areas.”²² We can contend that the smaller provinces and ethnic groups such as NWFP (Pashtun) and Balochistan (Baloch) remained either ignored or intimidated on the issue of the adoption of federalism. For instance, the Baloch nationalists, a majority of the interviewees and the Baloch writers like Dashti (2012), Kutty (2009), Breseeg (2004), Inayatullah Baluch (1987), and others, are of the opinion that the Baloch were not consulted about the adoption of federalism

²¹ The population of the Bengali-speaking eastern wing was 56% and therefore, as per parliamentary democracy under federal system, it was the right of majority to rule over Pakistan. However, the western wing, dominated by the Punjabis and the Mohajir, did not allow the Bengali-speaking population to rule over Pakistan, but rather undermined it by using various tactics such as the allocation of seats in national legislature and the introduction of the One Unit Scheme (OUS) under which the western wing was merged into one unit vis-à-vis the eastern wing.

²² During 1946-47, out of the 23 members of the Muslim League Working Committee, only 10 were from the future Pakistani areas. After Partition, in December 1947, at the Muslim League Council Meeting, out of the 300 members, 160 were immigrants (Khan, 2005: 64 & 80).

but were annexed through intimidation and force. Thus the idea of the Baloch being a part of the Pakistani federation reminds us the controversial nature of the federation. The system of federalism, (though not the actual form and practice) was non-controversial amongst the AIML circle and for those leaders who belonged to the eastern wing in terms of the principle, but was controversial in terms of form; it was definitely controversial for the Baloch in every way. The question of accession and annexation of the Baloch will be dealt with detail in the following chapters.

Although, one cannot ignore the fact that the plural character of Pakistani society was better suited for a federal constitution, but there are questions which need to be answered: Why did federalism not succeed in keeping the two wings intact? What caused the creation of Bangladesh in 1971? Can federalism keep the remainder of Pakistan united now that the Bengali question has been settled through secession?

Finding answers to such questions would require having a look at the hurdles and issues which kept the Pakistani society or some of its component parts from being fully integrated into the federation of Pakistan. There may have been some flaws in the structure, principles or practices of the federation under the constitution of 1956, 1962, and 1973 which evidently led to disunity between the two wings where Bangladesh emerged as an independent sovereign state in 1971. Not only this but in the remaining parts of Pakistan such as the Baloch are dissatisfied and are struggling for either more autonomy and control over its resources or a complete separation from Pakistan.

3.4. Early constitutional problems from 1947-1956

Constitution as it has come to be understood in the realm of politics and statecraft is a set of basic laws with which a country is governed (Ahmed, 2004: 9). One cannot think of an organised life without laws. A state, being the highest organization of human beings, needs some sort of laws to put in order the governmental machinery which in turn will bring harmony, peace and progress to the inhabitants of a particular territory (Ahmed, 2004: 9). So, it is the constitution of a country, either written or unwritten, which gives a set of procedures for running the affairs of the government. It lays down the structures of the central institutions, the procedure of representations, the distribution of powers and resources and so on. When Pakistan emerged as an independent sovereign state, it had no constitution of its own. To run the business of the government, Pakistan adopted the Government of India Act 1935 with certain modifications under section 8 of the Indian Independent Act 1947. The Pakistan Provisional Constitutional Order 1947 established the federation of Pakistan that included east Bengal, the four provinces of west Pakistan (Punjab, Sindh, NWFP, the chief commissioner province of Balochistan) and any other areas that might, with the consent of the federation, be included therein, the capital of the new federation, and such Indian states as might accede to the federation (Choudhury, 1969: 23).

To have its own contemporary constitution which could represent the wishes of the people of Pakistan, the first Constituent Assembly (CA) of Pakistan came into being on July 26, 1947 and its inaugural session was held at Karachi from 10-14 August 1947. The CA was assigned with the dual task of preparing a constitution for Pakistan and also acting as a federal legislative assembly or parliament until it framed a new constitution (Ahmed, 2004: 10; Choudhury, 1969: 19; and Symonds, 1950: 45). After 18 months of labour, the CA passed the Objectives Resolution on March 12, 1949, under the first Prime Minister of Pakistan, Liaquat

Ali Khan. This Resolution provided the basic features on which the future constitution of the country was to be based. The passing of Objectives Resolution was described “as the most important occasion in the life of Pakistan, next in importance only to the achievement of independence” (Constituent Assembly of Pakistan Debates, Vol. 5, No.1; Choudhury, 1969: 35; and Symonds, 1950: 48). Besides other features, the Objectives Resolution provided for the federation of Pakistan by stating that:

Whereby the territories now included in or in accession with Pakistan and such other territories as may hereafter be included in or accede to Pakistan shall form a federation wherein the units will be autonomous with such boundaries and limitations on their powers and authority as may be prescribed” (Constituent Assembly of Pakistan Debates, Vol. V, No.1, 1-11).

After laying down the broad principles of the future constitution, now it was the turn of the CA to undergo a lengthy process of constitution-making. Next, the CA appointed a Basic Principles Committee (BPC) consisting of 24 members who further set up three other sub-committees to work out the principles on which the future constitution of Pakistan was to be drafted. Each sub-committee was assigned a different task. To wit, the first was assigned the task of working out the federal and provincial constitutions as well as the distribution of powers between the centre and provinces; the second was assigned the task of franchise for the purpose of recommending whether Pakistan retained a separate electorates system of elections or joint; and the third was to work on the judiciary (Basic Principles Committee Interim report, 1950: 1-3; Chaudhary, 2002; Ahmed, 2004: 10; and Choudhury, 1969: 21).²³

²³ However, during the course of constitution-making, the BPC faced many problems. The important ones were: the relationship between the state and religion, differences between east and west Pakistan on the structure of federation (especially on the question of representation in the federal parliament), the distribution of powers between the central and provincial governments, the controversy of language, and the issue of the national capital (Choudhury, 1969; Ali, 1996; and Burks, 1954). The controversy over the relationship between the state and religion was resolved, to a great extent after, passing the Objectives Resolution. Even so, the Resolution received criticism on many counts, especially from the non-Muslim members of the CA,

The problem of representation took a long time to be resolved. When the BPC presented its first report in 1950 it was criticised on many grounds throughout the country (for details, see Chaudhary, 2002 and Malik, 1988: 3-4). The first draft report provided for a federation of Pakistan with a bicameral legislature i.e., the House of Units and the House of People. The former was to represent the legislature of the units and the latter was to be elected directly by the people (Basic Principles Committee Report, 1950: 9; Waseem, 2010: 6; Chaudhary, 2002: 619; and Choudhury, 1969: 69). However, the report did not give details of the composition and size of the House of People. The report also did not mention anything about a state language “but Bengalis feared that Urdu alone might enjoy that status” (Sayeed, 1967: 68). It was made clear in the report that the existing provinces of Pakistan would enjoy equal representations in the House of Units. Under Part II Chapter II section 31, it gave the status of a province to Balochistan. It gave equal powers of legislations to both the houses of Parliament and stated that in case of any conflict on any matter, a joint session of both the houses would be convened for a final decision. The summoning powers were given to the head of state and were to be exercised in four cases only: if there arose a conflict between the two houses itself; if a conflict arose on the question of removal and election of the head of state; if a conflict arose on the question of consideration of the budget and money bills; and if a conflict arose on the question of consideration of a move of no-confidence in the cabinet. The report also recommended that the Ministry should be responsible to both the houses of Parliament (The Basic Principles Committee Report, 1950 and Choudhury: 1969: 69-70).

and from some of the orthodox Ulema (religious scholars) (for more details, see Constituent Assembly of Pakistan Debates, Vol. V, No. 2: 13-14 and Vol. V, No. 3: 38-49; Choudhury, 1955: 589-592; and Symonds, 1950: 48).

When this first report of the BPC was made public, it got severe criticism from eastern as well as western wings of Pakistan on various counts. The press in Punjab described the report as undemocratic and totalitarian (for details, see Malik, 1988: 3-4). The criticism from the province of Bengal was more severe. Consider: “the Pakistan Observer reported that Bengali reaction came from all walks of life – high officials, professors, teachers, students, medical men and police personnel etc, the first reaction of that of bewilderment [bewilderment]” (cited in Chaudhary, 2002: 619 and Malik, 1988: 4). The total population of Pakistan as per 1951 census was 75,842,000 of which 56% (42,063,000) were in the eastern wing, while 44% (33,779,000) were in the western wing (Burks, 1954: 546). In spite of this, the eastern wing was treated as one unit while the western wing was divided into four units and other tribal areas. With the first report, the eastern wing, which had a majority of population, was cut down to a minority in the central parliament. The eastern wing objected to the equality of powers of both houses and the equal representation in the House of Units. The Bengalis rejected outright the first report of the committee because they took it to be anti-Bengali (Kokab, 2011 and Chaudhary, 2002). A Provincial Convention was held in Dacca where promises were made to the people of the eastern wing that they would not be converted into a minority. The convention recommended “a republican form of government, having of two autonomous regional governments for the eastern and western units and one central parliament on the basis of population with powers to deal with foreign affairs, currency and defence only” (Choudhury, 1969: 72).

Due to the strong opposition and agitations from the eastern wing, the BPC was asked to submit another report. It took almost two years to present a second draft before the CA (under the premiership of Khawaja Nazimuddin) on 22 December 1952. This report again became the centre of controversy (Khan, 2009: 68;

Ahmed, 2004: 10; Chaudhary, 2002: 620; Choudhury, 1969: 73; and Choudhury, 1955: 589-600).²⁴

This report also proposed a bicameral legislature; the House of Units and the House of People. This time the composition of each house was made clear. The House of Units was to consist of 120 members, equally divided between eastern and western Pakistan. Out of the 120, the eastern wing would elect 60 members on the basis of proportional representation by means of single transferable vote and the remaining 60 were allocated to western units. The House of People was to consist of 400 members, equally divided between the two wings which were to be directly elected by the vote of the people. The number of members in House of Units and House of People allocated to western wing are given below in table 3.

Table 3: Nos. of seats of western wing in the Parliament under second draft		
Unit(s)	House of Units	House of People
The Punjab	27	90
Sindh	8	30
NWFP	6	25
Tribal Provinces Areas	5	17
Bahawalpur	4	13
Balochistan	2	5
Baloch States	2	5
Khairpur	2	4
Capital of Federation	4	11
Total	60	200
Source: Constituent Assembly of Pakistan Debates, Vol. XII, No.2: pp. 93 & 96 and Choudhury, 1969: 73-74.		

²⁴ The members who appended their signatures to this report were: Mualvi Tamizuddin Khan, Sir Chadra Chattopadhyaya, Mualana Muhammad Akram Khan and Nurul Amin from East Pakistan, Sardar Abdur Rab Nashtar and Khan Abdul Qayyum Khan from NWFP, Mian Mumtaz Mohammad Khan Daultana, Mian Iftharuddin and Begum Jahan Ara Shahnawaz from Punjab, and Abdul Sattar Pirzada from Sind (Ahmad, 1981: 17-18). After searching the relevant literature, I could not find any member from Balochistan.

Under the second draft, the House of People was given more powers as compared to the House of Units. In fact, the House of People was to enjoy the real powers. The role of the House of Units was diminished to being a revision and recommendation body in a time of urgency. The Council of Ministers were made responsible collectively to the House of People. All money bills were to be originated in the House of People only. The second draft report provided that if there arises any conflict between the two houses of the Parliament, then a joint session of both the houses would be convened where the matter will be decided by a simple majority (Constituent Assembly of Pakistan Debates, Vol. XII, No. 2: 92-107).

This draft clearly held the principle of parity between the two conflicting wings regarding the issue of representation in the central parliament. But this time the draft was rejected by the western wing, or more precisely by the Punjab, as the other smaller provinces like NWFP stood in favour of the draft (Choudhury, 1969: 75). The Punjab argued that the draft was treating a single unit as being of equal importance with all other units together. They “interpreted this report as an attempt to establish Bengali domination over the whole country” (Chaudhary, 2002: 620 and Sayeed, 1967: 68). Further, they termed the draft a violation of the federal principle, giving an example of USA where all the units enjoyed equal representation in the House of Units irrespective of their population and size. A hue and cry erupted in whole of the Punjab province against the proposed second draft. The press, the public, and the government officials, including members of Provincial Assembly, went about busily in criticising the parity formula of the draft (Malik, 1988: 8-12; Ahmed, 1981: 24; and Choudhury, 1969: 74).²⁵

²⁵ According to Sayeed (1960: 416), Daultana, the then Chief Minister of Punjab, was busy in mobilizing opposition to the Basic Principles Committee Report in west Punjab, even though he himself had signed the draft. Daultana has in favour of unitary form of government. He held the opinion that if there is a federation,

Therefore, the second draft too suffered the same fate as the first one. It was proposed that the draft would be discussed in CA on 1st January 1953, “but on the demand of various parties, its consideration was postponed. Particular pressure to this effect had come from All-Parties convention held at Lahore on 28th December 1953” (Ahmad, 1981: 25).

In the meanwhile, riots erupted in Punjab on the issue of Qadiani and this created a severe law and order problem.²⁶ It was believed that the Punjab Government of Mumtaz Daultana was an orchestrating force behind these riots in order to pressurize the federal Government of Daultana’s views on the constitutional issues (Ahmad, 1981: 25 and Sayeed, 1960: 361).²⁷ Ahmed (1981) contends that Ghulam Muhammad (Governor General of Pakistan, who was ethnically Punjabi) was looking for an opportunity to establish his power, and therefore, used the Qadiani issue as a pretext to dismiss Khwaja Nazimuddin, a Bengali Prime Minister, on charges of being unable to control the riots. He then called Muhammad Ali Bogra (a Bengali), who was serving as Pakistan’s ambassador to the USA, and appointed him as the Prime Minister of Pakistan. Bogra had accepted the Governor General’s commission to form a new cabinet and thus had no say in the selection of his cabinet. Initially, the new cabinet consisted of 10 members but later it was increased to 15 (Afzal, 2001: 142).²⁸ In all this, it was evident that the province of Punjab was not ready to accept the numerical majority of the eastern wing and was trying to impose the dominance of the western wing

then there should be equality of representation in the Upper House and no province in a federation should be in a position to dominate over the rest. See also Gupta in Grover and Arora eds. (1995:109-110).

²⁶ Qadiani was/is a sect that has no belief in the finality of Prophet Muhammad (PBUH). They were mostly concentrated in the province of Punjab. During the 1950s, an anti-Qadiani movement was launched by the Majlis-i-amal (Committee of Action) which demanded the Central Government to declare the Qadiani as a religious minority.

²⁷ However, Ahmed Saleem (1993: 17-22) in his work *Ghulam Muhammad se Ghulam Ishaq Tak: Adlia ka Siyasi Kirdar*, states that the whole saga was staged by the Army to enable intervention in the political life of Pakistan. This view is bolstered by the fact that the first Martial Law was imposed in the province of Punjab by the then secretary of defence, Iskander Mirza without any approval from the cabinet (ibid, 1993: 23).

²⁸ In this 15 member cabinet, 2 were picked from Armed Forces of Pakistan (i.e., Major-General Iskandar Mirza and General Ayub Khan).

at any cost (Sayeed, 1960: 416). Furthermore, after his appointment as Prime Minister of Pakistan in 1953, Muhammad Ali Bogra proclaimed that it would be the first and foremost duty of his government to produce an amicable scheme to overcome the constitutional deadlock over the representations in the federal legislature. He presented a new formula, called the Muhammad Ali Bogra formula, before the CA on October 7, 1953. This was approved by the CA but before it could be written down in the form of a constitution, the Governor General of Pakistan, Ghulam Muhammad, dissolved the CA on 24 October 1954 (Ahmed, 2004: 10 and Sayeed, 1960: 421). The reason behind the dissolution of the CA was that Ghulam Mohammad was not prepared to accept the curtailment of his powers by the CA. There had been some such instance: firstly, the CA had passed a bill on 2nd August 1954 according to which it had appropriated to itself the power to make laws for the whole of the country; secondly, an amendment was passed on 21st September 1954 which declared the Council of Ministers to be the sovereign executive of the state and bound the Governor General to the advice of the Prime Minister; and thirdly, another bill was passed which repealed the most hated Public and Representative Offices (Disqualification) Act of 1949²⁹ and thus stipulated that all the cases instituted under that Act shall be deemed to have been dropped (Ahmad, 1981: 42-43 and see also Gupta in Gover and Arora, 1995: 17-34; Sayeed, 1960: 421-422; and Saleem, 1993: 34-35).

The President of the CA, Moulvi Tamizuddin challenged the dissolution of the Assembly in Sindh High Court where the court unanimously concluded that “the Constituent Assembly’s purported dissolution was a nullity in law and that both the Constituent Assembly and its President continued to exist” (Dawood, 1994: 11

²⁹ The Public and Representative Offices (Disqualification) Act of 1949 was also known as PRODA. The Act provided that any person found guilty by the Federal or a high court moved in this behalf by an Order of the Governor General or a Governor of misconduct in any matter relating to his office as a Minister, Deputy Minister or Parliamentary Secretary of the Federal or Provincial Governments or as a Member of the Central or Provincial Legislature, might be disqualified from holding any public office for a period not exceeding ten years by an Order of the Governor General (see Sayeed, 1960: 347-48)

and Afzal, 2001: 146-150). However, the federal government submitted an appeal before the Federal Court of Pakistan and the Court by its majority Judgement set aside the judgement of Sindh Court and recalled the Writs issued by the latter Court (Dawood, 1994: 15; Afzal, 2001: 146-150; for more details, see Saleem, 1993).³⁰

The main features of the Bogra formula were as follows:

There was to be a bicameral legislature comprised of two houses of parliament to be known as the House of Units and the House of People, each consisting of 50 members and 300 members respectively. Under the Bogra formula, parity was maintained between the two wings, but this time instead of 10 units, he created five units: East Bengal, the Punjab, NWFP including frontier states and tribal areas, Sindh and Khairpur, and Balochistan including Balochistan Union, capital of the federation, and Bahawalpur. The seats in the House of Units were to be equally allocated to the five units so that each got 10 seats, while the numbers of seats in the House of People were to be allocated as per table 4.

³⁰ However, Afzal maintains that the Federal Court was pressurized by the Central Government as 'when asked to comment on the possible course of action by the federal government in case the Federal Court upheld the Sindh Court ruling, the law minister observed that the Governor General had the authority to strip the courts of powers to issue any such writs after declaring a new state of emergency' (see Afzal, 2001:148-149).

Table 4: Number of seats in House of People as per Muhammad Ali Bogra Formula	
Unit(s)	Number of seats
East Bengal	165
The Punjab	75
NWFP including frontier states and tribal areas	24
Sindh and Khairpur	19
Balochistan including Balochistan Union, capital of the federation, and Bahawalpur	17
Total	300
Source: Constituent Assembly of Pakistan Debates, Vol. XV, No.2: pp. 12-13 and Choudhury, 1969:76.	

Under the Bogra formula both houses were to enjoy equal powers. All decisions were to be made according to a simple majority on the conditions that such majority must include at least 30% of the members from each wing. The formula also provided for a joint session of the two Houses of Parliament in case of any difference of opinion between the two houses. Again all issues of differences were to be resolved by majority votes, but on the condition that such majority include 30% of the members from each wing (Choudhury, 1969: 77; Sayeed, 1960: 419; and Ali, 1996:78).

Muhammad Ali Bogra's formula was better than the previous two drafts of the BPC because, besides maintaining the parity between the two wings, it distributed the seats in the House of Units according to geographical facts so that each unit got 10 seats. Thus, the western wing got 40 seats in the upper house and 135 in the lower house, while on the other hand, the eastern wing was allocated more seats in the lower house as per her majority population (Choudhury, 1969: 77). Also, Bengali was declared as a national language alongside Urdu (Ahmad, 1981: 30).

However, this formula also received criticism from various quarters. It was criticised on the grounds that the 30% clause might obstruct the smooth working of the constitution and would ultimately result in a complete constitutional deadlock. But, generally, there was calm around the country and the major stakeholders seemed to agree on it. Here it can be said that this report remained unsuccessful because of the power struggle between the Governor General and the elected representatives, and not primarily due to the struggle over federal share of powers.

3.5. The Second CA and the One Unit Scheme Issue

In May 1955, the second CA was elected indirectly through the electoral college of provincial assemblies and held its inaugural session in July at Murree (Ahmed, 2004: 10 and Choudhury, 1969: 93). The first, most difficult and controversial task before the second CA was to create One Unit by merging the western wing of Pakistan into a single unit to be called west Pakistan. The logic behind the merging of west Pakistan into One Unit was to bring parity between the two wings of Pakistan as well as to make things simple when chalking out the

principles and structures of the new federal constitutions.

Map 1: East and West Pakistan



Source: BBC News 8th August (2007)

Nonetheless, this move was severely criticised by the smaller provinces such as NWFP, Sindh and Balochistan (Kutty, 2009: 82-84; Ahmad, 1981: 32-33; and Sayeed, 1960: 427-28). During the debate over the One Unit Scheme (OUS), some leaders such as Khan Abdul Qayyum Khan of NWFP and Abdul Sattar Pirzada of Sindh declared that they were not in favour of this scheme (Malik, 1988: 21 and Ahmad, 1981: 33). The merger was a move to counter the numerical majority of the eastern wing over the western wing (more specifically the province of the Punjab). Adeney (2007a) and Khan (2005) assert that the creation of One Unit was intended to remove the Bengali dominance in the federal legislature. For the smaller provinces, however, it was a move towards the domination of the western wing by the Punjab. To secure the favour of smaller provinces for the OUS, the provincial assembly of Sindh was dissolved and similar tactics were used in NWFP to get the scheme approved (Adeney, 2007a: 105-106; Ali, 1996: 80; and Malik, 1988). According to Sayeed (1967: 78), as the

Sindh Assembly under the Chief Ministership of Pirzada Abdul Sattar produced a statement (signed by 74 members out of 110) opposing the OUS, the Assembly itself was dismissed and replaced with Muhammad Ayub Khuhro in November 1954. Khuhro, after a month, succeeded in getting 100 votes from the same Assembly approving the OUS. Abdul Qayyum Khan, the Chief Minister of NWFP, who was a strong opponent of the OUS, was replaced by Abdul Rashid Khan. The latter agreed to the merger of NWFP with the other provinces because he was promised that the new capital of west Pakistan would be established in NWFP. He was also promised that Dr. Khan Sahab³¹ would not be installed as Chief Minister of the One Unit Government. However, such promises have never been honoured by the Central Government (Malik, 1988: 48).³² Thus, the One Unit Bill was passed in spite of formidable opposition, both within and outside the CA, from the people of the smaller provinces, including the princely states. An Anti-One Unit Front was established in 1956 by the smaller ethnic groups comprising of the Red Shirts (under the leadership of Abdul Ghaffar Khan), Awami League (NWFP under Pir Sahab of Manki Sharif), the *Ustaman Gul* of Balochistan, the *Wrore Pashtun* (Pukhtun Brotherhood of Balochistan) the Sindh *Awami Mahaz* and the *Azad* Pakistan Party. This front later became National Awami Party (NAP) (Afzal, 2001; Malik, 1988; Tendulkar, 1967; Zutshi, 1970; and Amin, 1988). The NAP leaders who stood against the OUS and demanded more provincial autonomy were arrested on various charges. For instance, when Abdul Ghaffar Khan became the President of the Anti-One Unit Front, he demanded autonomy for all the provinces and asked for the renaming of NWFP as Pakhtoonistan. The Government dubbed him 'anti-Pakistani' and an

³¹ Dr. Khan Sahab was the younger brother of Ghaffar Khan, the then leader of Khudai Khidmatgar Movement, while Abdul Rashid Khan was Muslim Leaguer.

³² It is also important to note that the opposition led by the NWFP branch of Awami League, under Pir Sahib of Manki Sharif, boycotted the session of the Assembly. The strong opponent of OUS, Abdul Ghaffar Khan was banned from entering the frontier province by that time (Malik, 1988).

arch disruptionist. He was arrested and imprisoned for three years (Tendulkara, 1967 and Zutshi, 1970).³³ Mr. Ghous Bakhsh Bizenju, a Baloch nationalist leader, was put behind the bars because he was found with a currency note on which the slogan of ‘undo the One Unit’ was written (Kutty, 2009: 122 and Afzal, 2001: 332).³⁴ Besides Ghaffar Khan and Bizenju, there is a long list of the many leaders who were arrested by the Central Government (1947-1969). These included Mujibur Rehman from east Pakistan, Wali Khan from NWFP, and Nawab Akbar Khan Bugti and Sardar Attaullah Mengal from Balochistan and many more (see Kutty, 2009; Afzal, 2001; Tendulkar, 1967; Janmahmad, 1989; Ahmad, 1992; and Zutshi, 1970).

The era from 1947 to 1956 was crucial in Pakistan’s history where, in order to counter Bengal’s numerical dominance, the civilian and military establishment (dominated by the Punjabis and Mohajirs) created an artificial Unit and sacrificed those who dissented from it. The central Government used the weapon of the Public and Representative Offices (Disqualification) Act of 1949, known as PRODA, against those who were demanding more autonomy within the framework of Pakistan. A corollary of this effort was to increase the influence of civilian bureaucracy and military in political life and reduce the role of elected political leadership. During the military regime (1958-1969), Ayub Khan wanted to eliminate the influence of politicians and therefore, he promulgated two presidential orders in 1959, namely, the Public Office Disqualification Order

³³ Ghaffar Khan was arrested on many occasions. He was arrested on 15th June 1948 and awarded three years rigorous imprisonment. This was because; he had (with other nationalist leaders of Sindh and Balochistan) formed the people’s party in opposition to the Muslim League government’s excesses. On the expiration of his three years imprisonment, he was awarded another three years imprisonment. After release in 1954, he was arrested again in 1956 on account of anti-one unit demonstrations. The arrest of Ghaffar Khan created a wave of resentment in the whole country, especially in NWFP where, according to one estimate, 150 of his followers were killed and 400 left injured. Several hundred of his followers were arrested including his son and brother. Along with many nationalist leaders from across the country, he was arrested during Ayub regime in 1958 and 1961 for various reasons. For more details, see Tendulkar (1967), Zutshi (1970) and Syed Viqar Ali Shah (n.d).

³⁴ During Ayub Khan’s regime, currency notes were circulated in the bazaars on which it was written or stamped undo one unit (see Kutty, 2009).

(PODO) and the Elective Bodies Disqualification Order (EBDO) (Rizvi, 1988: 86-88; Talbot, 1998: 154; and Afzal, 2001: 226).³⁵

3.6. The Constitution of 1956 and its Failure

After the approval of the OUS, the second CA succeeded in passing the first constitution of Pakistan on 29th February 1956, implementing it in the country on 23rd March 1956.

Article 1 of the constitution of 1956 declared Pakistan to be a Federal Republic, known as the Islamic Republic of Pakistan, that comprised the provinces of east and west Pakistan including other territories such as the capital of Pakistan, Federally Administered Tribal Areas (FATA) and other territories which might be acceded to Pakistan (see map 1). As mentioned earlier, there was an acute controversy regarding the issue of representations in the central parliament. To resolve this issue, the constitution of 1956, under Articles 43 and 44, proclaimed a unicameral legislature to be called the National Assembly. The total numbers of the members were fixed at 300 and were to be elected through universal adult franchise and equally divided between east and west Pakistan on a parity basis. 10 additional seats were reserved for women, 5 from each unit. The constitution

³⁵ The terms of PODO were almost the same as PRODA and it applied to all those individuals who held public offices and were found guilty of misconduct and corruption. The PODO was “applied *with retrospective effect* from 14th August 1947 [and] anybody found guilty....could be disqualified from holding any office of responsibility for a period of not exceeding fifteen years” (Rizvi, 1988: 87 italics added). Thus, the military authorities turned against some 1662 civilian officials wherein 218 were dismissed, 615 were forced to retire, 194 were demoted to lower ranks, 475 were put on special report, 6 were deprived of increments, 162 were issued warnings, and 2 were communicated with Government displeasure (Rizvi, 1988: 86 and Afzal, 2001: 227-228). The EBDO was basically an extension of the PODO under which members of the legislature were to be investigated for their misconduct. Special tribunals were formed and authorised to try the former politicians for misconduct. The term misconduct covered various meanings such as bribery, corruption, nepotism, favouritism, and wilful maladministration. The Martial Law Regulations/Orders had given the choice to former ministers, deputy ministers, parliamentary secretaries, and the members of legislative bodies either to retire from public life or face the consequences under EBDO (Rizvi, 1988: 87). And thus, according to one estimate some 3000 politicians in east Pakistan and more than 3000 in west Pakistan were disqualified till the end of December 1966 under EBDO (Afzal, 2001: 226). Only a few individuals such as H.S. Suhrawardy, C.E. Gibbon, and Makhdoom Hasan Mahmood decided to retire as they were not ready to take their cases to the tribunal for trial. It is important to note that the exact number and details of those affected by EBDO are not known because the then military Government announced that it would publish a white paper regarding the details of those affected by EBDO but this has not happened until even now (Rizvi, 1988: 87-88).

followed a parliamentary system of government where the President became the head of the state and the Prime Minister became the head of government (Article, 32 and 37). Each province was given the right to have its own legislature, directly elected through the vote of the people under universal adult franchise (Article, 76). Adequate provisions were made in the constitution for the Supreme Court to ensure justice in Pakistan. It was entrusted with the task of interpreting the constitution and resolving the conflicts between central and provincial governments as well as amongst the provincial governments (Article, 148, 156, & 157).

Under the fifth schedule of the constitution, the framers of the constitution provided three lists of powers: the 'federal' list containing 30 items, the 'provincial' list containing 94 items, and the 'concurrent' list, which was the smallest one of the three, containing 19 items. As per federal principles, the federal list was given under the jurisdiction of central government and the provincial list was given under the jurisdiction of provincial governments. On the concurrent list, both the central and provincial governments were given powers under the constitution to legislate on the matters contained in this list (Article, 105 & 106). However, the central government was empowered to such an extent that it (central government) could legislate for a province with the latter's consent even on the matters contained in the provincial list and in case of any dispute over the matters enumerated in the concurrent list, the central government was given overriding powers over the provincial governments (Articles, 107, 108, & 110). In principle, all the residual powers were granted to the provinces under Article 109, but the Central Assembly was empowered to amend the constitution regarding the residual powers without the approval or consent of the provincial assemblies (Article, 10, section 2).

The novel emergency powers of the President under Articles 191 and 193, provided the Central Government with overriding power which could easily undermine the provincial legislatures. For instance, Article 191(1) read:

If the President is satisfied that a grave emergency exists in which the security or economic life of Pakistan, or any part thereof, is threatened by war or external aggression, or by internal disturbances beyond the power of a Provincial Government to control, he may issue a proclamation of emergency, in which this article referred to as a proclamation.

Under the same article, clause (2), subsection (a) further undermined the provinces, because when the proclamation is in operation, the central parliament has the power to make laws for a province with respect to any matter not enumerated in federal and concurrent list.

These emergency powers of the President were severely criticised in the CA, but all in vain. Mahmood Ali, a member of the CA from east Pakistan criticised the emergency powers of the president by saying that he understood what was meant by the threats related to war and external aggression but was unable to understand what internal disturbances meant. He asserted that a movement against a particular measure of the Government may be interpreted as internal disturbances (cited in Ali, 1996: 98). Further, Article 193 empowered the President to proclaim an emergency in the Province after receiving a report from the Governor of a province, claiming that the Government of the Province is not functioning in accordance with the provisions of the constitution. In such situation, the President may by proclamation “assume to himself, or direct the Governor of the Province to assume on the behalf of the President, all or any of the functions of the Government of the Province, and all or any of the powers vested in, or exercisable by, anybody or authority in the Province, other than the provincial legislature” (Article, 193).

In administrative spheres, the Central Government was given an upper hand over the Provinces. Articles 125, 126, and 127 of the constitution established a marked tendency towards centralization. The Federal Government was held responsible for protecting each Province against external aggression and internal disturbances so as to ensure that each Provincial Government is carried on in accordance with the provisions of the constitution (Article, 125). Under Article 126, the Provincial Government was to exercise its authority in such a manner as to ensure compliance with federal enactments and existing laws applying to that province. Moreover, the Federal Government could issue directions to the Provinces with regard to the duties of the Provincial Government. Under article 27(2), the Central Government was empowered to delegate functions to the provinces in matters which did not fall under the jurisdiction of the Federal Government.

In general, the federal principle of the division of powers followed under the constitution of 1956 was quite deceptive because every item in the federal list included a large number of subjects for the purpose of extending the domain of the Central Government while the provincial list was seemingly lengthened by the division of one main item into several subjects. For instance, nine federal tax sources under item 26 were grouped together as one item in federal list while 20 provincial taxes from item 71 to 89 were numbered separately (see 5th schedule of 1956 Constitution of Pakistan).

The extension of the provincial list, the maintenance of parity between east and west Pakistan, and the grant of residual powers to the provinces, had all only occurred because of the regional pressures for more autonomy as well as to pacify the people of east Pakistan. However, in reality, the Central Government retained its upper hand in most of the important matters related to the legislative and executive spheres (Ali, 1996: 94). The emergency provisions made the federation

virtually unitary or a quasi-federal because it (the emergency provisions) took away all the powers that apparently were given to the provinces. The emergency provisions coupled with the many other stipulations mentioned above were gave enormous powers to the federal government which would enable the centre to override whatever autonomy the provinces enjoyed.

According to Ahmed (2004: 11), the constitution of 1956 was based on arbitrarily made compromises and thus failed to ensure stability. This is very true, as the Constitution of 1956 was federal in character, but in spite of strong forces of decentralization, it remained centralised. It created a parliamentary system in Pakistan but the emergency powers of the President made it a caricature of presidential and parliamentary forms. The artificial parity of representations in the central legislature, alongside the merging of the western wing into One Unit status, paved the way for further complexities and crises. In a short span of two years, Pakistan saw four prime ministers coming to office (Ahmed, 2004: 11). Ali asserts that the nine-year effort of constitution-making in Pakistan was full of intrigues, bargaining, political manoeuvring, and compromises, and it was this that enabled the framers of the constitution to draft the 1956 constitution for Pakistan (Ali, 1996: 86).

Here, it is important to note that the smaller ethno-national groups of west Pakistan, who stood for more autonomy, the abolition of One Unit, and a decentralised federation, either had no role or were marginalized due to their smaller representation in the CA. If we look at the territorial composition and party loyalties of the members of the second CA (that passed the first constitution of Pakistan), the unrepresentative character of the CA in relation to minor ethno-national groups is revealed. For instance, Balochistan and Balochistan State Union (BSU) was given one seat each, NWFP and Sindh were given four and five seats

respectively. The territorial composition and party loyalties of the second CA is given below in Table 5.

Table 5: Territorial Composition and Party Affiliations of the Second CA		
Territory	No. of Members	Party Loyalties and Affiliations
East Pakistan	40	Pakistan Muslim League (PML) = 25
The Punjab	21	United Front (UF) = 16
Sindh	5	Awami League (AL) = 12
NWFP	4	Muslim League (Independent) = 1
Balochistan	1	Noon Group = 3
Bahawalpur	1	Communist = 1
Tribal Areas	3	Pakistan National Congress (PNC) = 4
BSU ¹	1	
NWF States	1	Schedule Castes Federation = 3
Khairpur State	1	United Progressive Parliamentary Party = 2
Karachi	1	Independent = 12
Total	79	
Source: Afzal, 2001: 150-154.		

Pakistan Muslim League and its leadership manipulate the situation to form a coalition government. It (Pakistan Muslim League) first entered into a secret agreement with Awami League on conditions such as: full regional autonomy would be given to east Pakistan; parity in west and east Pakistan would be maintained in all respects; the OUS in west Pakistan would be implemented with the approval of the people; and besides Urdu, Bengali would also be declared as a state language (Afzal, 2001: 154). The Governor General, Ghulam Muhammad, also promised the Awami League leader, Hussain Shaheed Suhrawardy, the premiership, of the coalition government. However, such agreement and promises were not materialized. Ghulam Muhammad was replaced by Iskandar Mirza and

when the latter became the Governor General of Pakistan, the political situation changed completely. The new Governor General, Mirza with collaboration of General Ayub Khan bypassed the Awami League and formed a coalition government - consisting of United Front, the Pakistan National Congress, the Scheduled Castes Federation and the United Progressive Parliamentary Party- was formed. Ayub Khan decided to return to the Army as the Commander-in-Chief. Mirza and Ayub extended their full assistance to the coalition government in resolving all the constitutional issues through an indirect threat of military rule (Afzal, 2001).

Generally, the significant features of most of the federations (as discussed in chapter II) are: two-fold sovereignty or the sharing of powers (between the central and provincial governments), written constitution which is often rigid and cannot be amended unilaterally, and an umpire in the form of courts to avoid the clash or overlapping of functions. Pakistan possessed most of the basic characteristics of a federation under the 1956 constitution including the distribution of legislative and administrative powers, equal representation of provinces in federal legislature, two sets of governments, a written and rigid constitution, and a supreme court. Nonetheless, the artificial parity under OUS, the undermining of numerical majority of Bengalis, the ignoring of the diversity of the western wing, the overriding powers of the Central Government in provincial matters and the novel emergency powers of the President, left no room for the success of the federation in Pakistan under the 1956 constitution.

As mentioned in chapter II, there is no ideal form of federations. There are federations with multi-party systems such as the USA and federations with two-party systems such as Switzerland, Germany and Canada. Federations are bicameral as well as unicameral, but a majority of the existing federations are

bicameral, except a few such as St. Kitts & Nevis, Micronesia, and Venezuela. However, “in federal countries, it is largely accepted that citizens must be represented on a state basis as well as on a strict population basis. The creation of a second chamber where the weight of smaller units is inflated has often been a precondition for the birth of the federations” (Massicotte, 2010: 152). Further, most of the successful federations such as the USA, Canada, and Switzerland possess 50, 10, and 26 units respectively. Amongst the 2 dozen federations around the world, there is a variety of centralized and decentralized federations. For instance, Canada and Switzerland are decentralized federations while USA, India and Malaysia are centralized federations. The Malaysian federation remained asymmetrical because it allocated greater autonomy to the two Borneo states as a means of safeguarding their special Malayan interests. The Indian federation is centralized in so far as the constitution provides for pre-emptive and emergency powers for the purposes of preserving federalism in form and spirit (Watts, 1996: 25-26). So, it can be said that there is no ideal form of a federation; rather, the formal mean of managing a federal system and accommodating diversity within appear to be very context specific.

Unfortunately, the Pakistani elite did not accept the reality of diversity and did not try to accommodate the grievances of the smaller ethnic groups, in spite of the fact that there were strong forces of provincial autonomy. Quite the contrary, the entire effort was to undermine the demands of biggest ethnic group – the Bengalis and ignore those of smaller ones in the west. They (the elite – dominated by the Punjabis and Mohajir) always tilted the constitution in favour of the Central Government. The lack of strong national political parties, either two-party or a multi-party system, a minimal number of units (only two), and the unicameral legislature at the centre added to the failure of the Pakistani federation-cum-

parliamentary democracy. As Adeney (2007b) argues, multi-ethnic federations, in themselves, are not destined to failure but there are always some other factors that affected their success. She maintains that it is the institutional factors which lead the federations to failure; these can be the degree of centralization, the number and composition of units, the degree of consociationalism within the federal design, the composition of bicameral legislature and the representation of various ethnic groups in the federal institutions (Adeney, 2007b: 2 & 2009). Thus, applying Adeney's criteria to the first republic of Pakistan, it can be said that Pakistan's federal system under the constitution of 1956 remained highly centralised having only two units wherein each unit was dominated by a specific ethno-linguistic group with strong voices of autonomy. The centripetal forces and the army-bureaucratic nexuses (overwhelmingly dominated by the Punjabis and Mohajir/imigrants) marginalised and undermined the centrifugal forces deliberately, while using various tactics of divide and rule as well as threats of imposing an indirect military rule. The Pakistani elite was not ready to share the governmental powers with the smaller ethno-national groups of west Pakistan on the one hand, and undermined the numerical majority of east Pakistan on the other. As a result, the first federal republic under the 1956 constitution remained weak and had seeds of its self-destruction within itself.

A majority of writers including Sayeed (1959), Choudhury (1958), Azfar (1987), Afzal, (2001), Kutty (2009), and others, are of the opinion that the first federal-cum-parliamentary republic of Pakistan failed due to the lack of able and sincere leadership, lack of strong political parties, unprincipled politicians, political bickering and manoeuvring, palace intrigues, and the unending power struggle amongst the various ethnic and regional political groups and parties.

In addition to the factors mentioned above, regionalism and corruption on the part of the politicians as well as the civil bureaucracy, and the economic deterioration of the country were other factors which led Pakistan towards political instability and caused the failure of the first federal republic. This instability can be judged by the fact that between 1947 and 1958, the country saw seven Prime Ministers, four Governor Generals and one President (Khan, 2009; Kutty, 2009; Choudhury, 1969; Talbot, 1998; and Afzal, 2001).³⁶ The frequent dissolution and removal of the Prime Ministers at the centre and Chief Ministers at the provincial level made it difficult to lay down a strong foundation for the parliamentary-cum-federal democratic system in Pakistan. Consequently, the political and constitutional crises created an atmosphere of tension between the centripetal and centrifugal forces which, ultimately, gave way to the bureaucracy and the military, thus allowing them to maintain a superior and dominant position in the power structure (Hassan, 2011 and Rizvi, 1988).

President Iskander Mirza, on the night of 7th October 1958, declared martial law and abrogated the 1956 constitution, dissolving the Central and Provincial Assemblies and Cabinets. The imposition of the first martial law was driven by certain factors such as: the reliance of Pakistan's political leadership on the armed forces during times of calamities and for the restoration of law and order; the perceived security threat from India; the deteriorated economic environment of Pakistan; and the Cold War alliances which brought Pakistan's Army into the field of politics. These factors eventually led Pakistan's Army to impose martial law (Aziz, 2008 and Ahmed, 2013). Now, if we look into the history of the military and its interference in the political life of Pakistan, it will become clear

³⁶ The office of the Governor General was created by the British Government under the Government of India Act 1935, and the same Act was retained by Pakistan with certain amendments as an interim constitution till the formation of its own constitution. Thus, when Pakistan framed its own constitution in 1956, it replaced the title of Governor General of Pakistan by the President of Pakistan, wherein the then Governor General, Ghulam Muhammad, was sworn in and became the first President of Pakistan.

that it was Ghulam Muhammad, the Governor General (1951-55), who had included Iskander Mirza and Ayub Khan in his cabinet, thus paving the way for the military to interfere in the internal and external affairs of Pakistan. For instance, in spite of strong opposition from the left-wing civilian leadership of Pakistan, the army had signed the US sponsored military pacts - Southeast Asia Treaty Organization (SEATO) and Central Treaty Organization (CENTO) - in 1954 and 1955 respectively. It can be argued that if Ghulam Muhammad (a bureaucrat), General Iskandar Mirza (from bureaucracy) and General Ayub Khan (from the Army), had remained limited to their assigned and authorised roles as per the constitution, the history of Pakistan would have been different.³⁷

Accordingly, with the imposition of martial law, all the political parties were banned for the first four years i.e., from 1958 to 1962 (Mohiuddin, 2007: 164). Ayub Khan was appointed the supreme commander of the armed forces as well as the chief martial law administrator of Pakistan. On 27th October, 1958, Ayub Khan assumed the powers of the presidency as chief martial law administrator, while Iskandar Mirza was flown to Great Britain where he later died (Khan, 2009: 122 and Rizvi, 1988: 73-74). It was the first time in Pakistan's history that the Army had intervened in politics, but it paved the way for subsequent imposition of martial law by General Yahya Khan (1969-1971), General Ziaul Haq (1977-1988) and General Pervez Musharraf (1999-2008). And each time the martial law administrators have tried to justify their coup by saying that the country had to be saved from disorder and chaos. In this way, the Army always considered itself to be the saviour of the nation in the subsequent history of Pakistan.

3.7. The constitution of 1962 and its Failure

³⁷For a more detailed account of the role of Army and its interference in Pakistani politics, see Hasan (2011), Nawaz (2008), Aziz (2008) and Rizvi (1988).

Upon assuming power, a major task for the martial law administrator, General Muhammad Ayub Khan, was to frame a new constitution for the country. Therefore, under an executive order of 1959, he created the Basic Democracies system. The total number of Basic Democrats (local councillors) was fixed at 80,000 (later increasing to 120,000 through an amendment), equally divided between the two wings of Pakistan on a parity basis. The Basic Democrats were to act as an electoral college for the election of the president and the NA and provincial assemblies. The first non-party elections for the Basic Democrats were held in December 1959 and January 1960. Under a referendum, based on Basic Democracies, Ayub got himself elected as the president of Pakistan for five years. He had sought a political system that could suit his own control over political power. It was his belief that parliamentary democracy is not suitable for Pakistan and its people (Khan, 2009, for more details on Basic Democracies, see Choudhury, 1969; Afzal, 2001: 231-233; and Rizvi, 1988).

After being sworn in as an elected President, Ayub Khan appointed a Constitutional Commission in February 1960 under the chairmanship of the former chief justice of Pakistan, Justice Shahabuddin. The Commission was assigned with the dual task of examining the causes of the failure of parliamentary democracy under the 1956 constitution and submitting proposals in the form of a report for framing a new constitution. The Commission's report was presented for the careful scrutiny of the president and his cabinet in May 1961. A committee including law experts such as Manzoor Qadir and Abdul Hamid, drafted the constitution and Ayub Khan announced it in a broadcast to the nation on 1st March 1962 (Choudhury, 1969: 178).

Critics termed the constitution as the brainchild of one man, Ayub Khan, because the Ayubian regime did not allow the general public and civil or political

organizations to review or comment on the constitution (Azfar, 1987: 67; and Ghaznavi, 1967:574-575). The constitution as it finally emerged remained different in some respects from the recommendations of the Constitution Commission. The Commission had recommended that the form of government be of the kind as in India and Canada, and not unitary as in Great Britain. A bicameral legislature and direct mode of election through adult franchise was also recommended. But to Ayub these were unacceptable (Report of the Constitution Commission, 1961: 23-31, 40 & 46 and Singhal, 1962: 16).

To understand how the federation functioned under the 1962 constitution, it seems pertinent to have a look at some of the provisions related to federalism, central assembly, the president and the relation between the central and provincial governments.

The constitution was a lengthy document, divided into 12 parts, containing 250 articles, 3 schedules and the preamble. It bid farewell to parliamentary democracy and introduced a presidential form of government with a complete separation of powers between the executive and legislature. It retained the OUS as it was under the 1956 constitution.

The constitution of 1962 declared that the state of Pakistan shall be a Republic under the name 'Republic of Pakistan'. Here, one can notice that it signalled not only the change from parliamentary to presidential democracy, but it also removed the word 'federation' from the constitution. The word 'federation' only appears in the preamble to the constitution and nowhere else. The preamble to the constitution stated that the territories now and hereafter included in Pakistan should form a federation with the provinces enjoying such autonomy as is consistent with the unity and interest of Pakistan as a whole. The stress on the

unity and interest of Pakistan indicates a distrust of the provinces, especially since the eastern wing was demanding more provincial autonomy and the smaller ethno-national groups of western wing wanted an end of the One Unit arrangement.

Article 19 of the constitutions provided for a central legislature consisting of the President and one house of parliament, known as the NA of Pakistan. The NA was to have 156 seats (6 were reserved for women) equally divided between east and west Pakistan and these were to be elected indirectly by the Electoral College.³⁸ The President was given the right to veto bills passed by the NA under article 27 of the constitution. Such powers of the President over the NA meant the latter was not sovereign in the legislative spheres. The same can be said about the provincial Governments as the executive authority of each province was vested in the Governor (appointee of the President), and he enjoyed the same powers at the provincial level as the President at the central level.

A distinctive characteristic of federalism is that each set of government remains independent of the other. For this purpose, there are a set of procedures and ways of distribution of powers amongst the two levels of governments such as: 1) the powers to be exercised by the central government should be specified and the remaining items of legislation should be left to the provincial governments; 2) the subjects that are to be allocated to the provinces should be defined and the residuary powers should be left to the central government; and 3) the legislative powers should be distributed into three lists - federal, provincial, and concurrent list - stating the subjects on which federal, provincial or both legislatures are competent to legislate. Whichever method is adopted from the ones above, the

³⁸ Later on, the total numbers of seats were increased to 218 through an amendment (Rashiduzzaman, 1969-1970: 482).

spirit of federalism requires a division such that neither level of government remains subordinate to the other level (Ahmed, 1990: 70). The constitution of 1962 provided only one list of powers containing 49 items on which the central government was given exclusive powers to legislate, and the residual powers were left to the provinces. However, in case of inconsistency between the provincial and central laws, the latter were to prevail, according to Article 132 & 134. Furthermore, clause 2 of Article 13 enlarged the powers of the NA to an extent that it (NA) was empowered to make laws on any matter enumerated in the third schedule.³⁹

It is significant to note that, the principle of distribution of powers between the central and provincial governments was maintained constitutionally, but the principle of non-interference in each other's affairs was kept in doubt. This was because the central government was empowered to interfere and could usurp the provincial law-making powers on the pretext of national interest.

In this sense, a strong case can be made that under the 1962 constitution, the President became a reservoir of all powers. Hamid Khan, a former president of Supreme Court Bar Association (2001-2003) and an author of a number of books on various legal subjects, commented that "under the 1962 constitution, the President was like the repository of all powers. It was commonly said that the President under the constitution was like the clock-tower of Faisalabad where all the bazaars converged" (Khan, 2009: 139). Azfar views the Ayub era in terms as Asian despotism, stating that "Pakistan under Ayub like Prussia under Bismarck

³⁹ Clause 2 of Article 131 states that: "Where the national interest of Pakistan in relation to: a) security including the economic and financial stability of Pakistan; b) planning or coordination; or c) the environment of uniformity in respect of any matter in different parts of Pakistan, so requires, the central legislature shall have power to make laws (including laws having extra-territorial operation) for the whole or any part of Pakistan with respect to any matter enumerated in the third schedule."

became a state within an army rather than the army within the state” (Azfar, 1987: 77).

The federal principle was largely ignored by the ruling elites of Pakistan right from its creation till the separation of Bangladesh. The federal system under the constitution of 1962 was more unitary than federal. The 1962 constitution was more centralized as compared to the 1956 constitution. The question is, why did Ayub Khan opt to have a strong central government in spite of the fact that neither Bengal nor the smaller provinces of west Pakistan were ready to breathe under a strong central government? The centrifugal and the anti-One Unit forces had consistently demanded more provincial autonomy and a weak central government.⁴⁰ But Ayub Khan retained the idea of a strong centre for two purposes. Firstly, he believed that a strong centre would hold together the geographically distant and ethnically as well as linguistically diverse society, and secondly, he was of the opinion that under a strong central control, he could affect rapid economic development with the backing of the Army and the support of the civil bureaucracy and feudal aristocratic families (Ali, 1996: 131).

Ayub Khan ruled the country for almost 11 years as a constitutional autocrat but failed to unite the diverse society of Pakistan under a strong central government. The feeling of dissent in the people of Bengal and the smaller ethno-national groups of the western wing became so heightened that the former presented the six points from the platform of the Awami League,⁴¹ and amongst the latter, the

⁴⁰ It is important to note that, initially, the martial law regime banned all political parties and political activities for four years (1958-1962) in order to suppress the voices of autonomy and anti-One Unit forces, but once the ban was lifted, such forces got momentum and ultimately compelled Ayub to resign.

⁴¹ Awami Muslim League was established by the politicians of East Pakistan under the leadership of Maulana Abdul Hamid Khan Bhasani at Dacca on June 23, 1949. It was a reaction to the Muslim League and its policies towards East Pakistan. The party emerged as a leading force in Bengal. It was Sheikh Mujibur Rahman who presented the six points from the platform of the Awami League in Lahore in 1966. The six points were: 1) a federal constitution for Pakistan; 2) the central government should deal with defence and foreign affairs only; 3) the two provinces should have separate currencies or, alternatively, constitutional restrictions on the free movement of capital funds from one province to another; 4) the power of taxation and revenue collection should be vested in the provinces; 5) there should be two separate accounts for the foreign

Baloch (under the leadership of Nawab Nauroz Khan) started a small scale war against the repressive rule of Ayub Khan. In response, Ayub Khan sent troops to Balochistan to suppress the uprising of the Baloch masses.

Ultimately, countrywide movements started against Ayub Khan on various counts. For example, there was a section of public opinion that resented the concentration of powers in the hands of the President, the system of indirect elections, and the grant of limited financial powers to the National Assembly. Some sections of the society raised questions against the Basic Democracies system and asserted that the 120000 Basic Democrats could easily be bribed and intimidated by the President as well as through the offices of his hand-picked bureaucracy. In west Pakistan, the Pakistan People's Party (PPP) under the leadership of Zulfikar Ali Bhutto raised the slogans of Islamic socialism, National Awami Party (NAP) demanded more provincial autonomy and the religious parties were against Ayub because of his modernist approach towards Islamic laws (viz., family planning and family laws ordinance). The popular movement called the Pakistan Democratic Movement (PDM – which was an alliance of five major political parties against Ayub Khan and his repressive rule, consisted of Awami League, Council Muslim League, Nizami-i-Islamai, and National Democratic Front), the PPP, the NAP and others compelled Ayub Khan to step down from his post on 25th March 1969 (Khan, 2009: 189-201, Afzal, 2001; and Rizvi, 1988). Ayub Khan handed over the control of the country to another military General, Yahya Khan.

After assuming power as the chief martial law administrator, Yahya Khan abrogated the constitution of 1962 and dissolved the national and provincial

exchange earnings of the two wings which should be at their disposals; and 6) there should be a separate militia or Para-military force for East Pakistan (Khan, 2009: 180; Rizvi, 1988: 180-181; and Rashiduzzaman, 1970: 574-587).

assemblies. He announced that direct elections would be held on 5th October 1970 on the basis of universal adult franchise, and that the task of framing the constitution for the country would rest with the newly elected NA. He dissolved the One Unit system and restored the three earlier provinces of west Pakistan: the Punjab, Sindh, and NWFP, and also gave Balochistan the status of a province for the first time since the creation of Pakistan. The system of parity, which was maintained under the 1956 and 1962 constitutions, was also abolished.

The first ever general elections were held throughout the country on the basis of ‘one person one vote’ on 7th December 1970. The total numbers of seats were 313, out of which 13 were reserved for women.

Table 6 : The allocation of seats for the 1st general elections of 1970		
Province(s)	General Seats	Women Seats
East Pakistan	162	7
Punjab	82	3
Sindh	27	1
NWFP	18	1
Balochistan	4	1
FATA	7	0
Total	300	13
Source: Khan, 2009: 205 and Rizvi, 1988: 174.		

The Awami League (AL) contested the elections on the basis of its six point programme (see fn. 36) while the PPP contested with its slogan of ‘*rooti, kapra and makaan*’ (food, clothing and shelter). It is important to mention that Yahya Khan was convinced that in the elections results “there would be no decisive victors and that his regime would play the rule of a political broker” (Talbot, 1998: 195). Contrary to Yahya’s belief, the AL secured 160 seats and the PPP

won 81 seats in the NA. The former emerged as a major political party in the country.

Political Party	East Pak.	Punjab	Sindh	NWFP	Balochistan	FATA	Total
AL	160	0	0	0	0	0	160
PPP	0	62	18	1	0	0	81
ML (Q)	0	1	1	7	0	0	9
PML Council	0	2	0	0	0	0	2
JUI (Hazarvi)	0	0	0	6	1	0	7
JUP	0	4	3	0	0	0	7
NAP (Wali)	0	0	0	3	3	0	6
Jl	0	1	2	1	0	0	4
PML (Convention)	0	7	0	0	0	0	7
PDP	1	0	0	0	0	0	1
Independent	1	5	3	0	0	7	16
Total	162	82	27	18	4	7	300

Source: see Afzal, 2001: 396, Talbot, 1998: 200, and Rizvi, 1988: 176-177.

Now, as per democratic and parliamentary principles, it was the right of AL to form a government at the national level, but this never happened. In fact, the AL alone was in a position to form a government at the centre.

Yahya had been shocked by the results and felt that he had lost the chance to play the role of a political broker. Further, the top military leadership and the Pakistan's People Party (the PPP, which predominantly got its vote from Punjab) also feared that if the AL was allowed to install government at the centre, the AL's six points would be incorporated in the new constitution of the country. Furthermore, AL's rhetoric and the public speeches made by the leadership of the AL during and after the elections also worried the military establishment and the PPP leadership about the possible dismemberment of Pakistan or a conversion of

federation into a confederation if the AL was invited to form a national government.⁴²

Thus, owing to the six points and the public rhetoric and the speeches of the AL, the Army and the PPP leaders suspected a politics of secession, and therefore, did not allow Mujib to form the government at the central level. As Misra puts it, “the Punjabi ruling elite of West Pakistan, led by Yahya Khan and his advisers, again decided to obstruct the democratic process in order to continue their political dominance” (Misra, 1972: 31). Khan (2005: 66) claims that the results of the elections were not honoured simply because “that would have meant the transfer of power from Punjabi-Mohajir oligarchy to the Bengali majority.” Talbot (in Jaffrelot, 2002: 51-62) uses the phrase “Punjabization of Pakistan” for the dominant role of Punjab, and this same phrase is also prevalent amongst most nationalist around KPK, Sindh, and Balochistan except the Punjabis themselves.

There was a series of talks and negotiations on the question of forming a national government and a new constitution for the country (for more details, see Dunbar, 1972: 444-46; Talbot, 1998: 201-213; Afzal, 2001: 401-423; and Khan, 2009). But, nothing fruitful came out of it. The power-sharing arrangement failed and the AL or the Bengali majority was undermined by west Pakistan (Misra, 1972; Dunbar, 1972; and Talbot, 2002). This shows a failure of the true spirit of democratic federation in Pakistan since the very beginning. The centripetal forces

⁴² The following extracts from the speeches of the AL leadership would make this point clearer further. Mr. Tajuddin Ahmad, who was the General Secretary of east Pakistan’s AL, once stated that “[a] class of exploiters belong to Western region had sucked East Bengal for the last 23 years. History of Pakistan is a history of conspiracy and a history of continuous oppression (cited in Rizvi, 1988: 181-182). When the elections were over, Mujibur Rahman, the president of AL (1966-74), while addressing a public meeting at Dacca, said: “over 80% of all foreign aid obtained has been for the benefit of the vested interests of Western Pakistan....Foreign exchange earnings of Bangladesh to the extent of over Rs. 500 crores [50 million] has been utilised in West Pakistan. Bangladesh has been used as a protected market of 70 million for the benefit of a handful of the industrialists of West Pakistan, who had been enabled to make gigantic profits....We can, on no account, allow the state of affairs to continue (The Pakistan Observer, 25th Feb. 1971 cited in Rizvi, 1988: 182).

always tried to tilt the constitution towards the central government and deprived the centrifugal elements of their due rights. And when the centrifugal forces got a chance to establish a truly federal democratic system, as was once promised under the Lahore Resolution of 1940, they were subjected to undemocratic restrictions.

As mentioned in the previous chapters, under a federal system neither level of government can dominate the other. But in the case of Pakistan, it was the political and economic dominance of the west over the east Pakistan that created a huge gulf between the two wings which ultimately resulted in the separation of east Pakistan in 1971. The following table illustrate this dominance of west Pakistan and the marginality of Bengal.

Name of Post(s)		East Pakistan		West Pakistan	
Civil	Military	Civil	Military	Civil	Military
Secretary	Lt. Gen	0	0	19	3
Joint Secretary	Maj. Gen	0	0	38	20
Deputy Secretary	Brig.	10	1	123	34
Under Secretary	Col.	38	1	510	49
---	Lt. Col.	---	2	---	198
---	Major	---	10	---	590
---	Naval Officer	---	7	---	593
---	Air Force Officer	---	40	---	640

Source: Misra, 1972: 31-32; Talbot, 1998: 162; and Harun, 1984.

Misra reveals that the overall share of east Pakistan in the armed forces and its establishment was 4% and 10% in the years of 1963 and 1970 respectively. Between 1950 and 1969, Pakistan allocated about 56% of her federal spending on defence out of which only 10% was used in east Pakistan (Misra, 1972: 32). Moreover, all the ordinance factories were situated in the territory of west Pakistan.

The civil services (bureaucracy) played an important role in policy-making and implementation in Pakistan. This is because unlike political governments, which come to power for a fixed period of time, the bureaucracy is a permanent institution, and in most developed and developing countries including Pakistan, it ensures the continuity of government policies, political order and stability, upholds the rule of law, promotes economic development and cultural cohesion (Shafqat, 1999). In spite of being a majority province, the eastern wing was deprived of its due share in the civil services of Pakistan. The following table shows this.

Year(s)	Civil Services group(s)	East Pakistan	West Pakistan
1968	Civil Services of Pakistan	186	326
1967	Pakistan Taxation Services	86	141
1967	Pakistan Custom & Excise Services	40	76
1967	Pakistan Railways Account Services	20	36
1967	Pakistan Audit & Account Services	44	95
1967	Pakistan Military Account Services	18	50
1967	Police Services of Pakistan	82	128
1967	Central Information Services	19	49

Source: Misra, 1972: 32.

Numerically, the distribution of all employees of the central government institutions between east and west Pakistan during the 1960s remained quite unbalanced. For instance, east Pakistan got 1338 gazetted and 26310 non-gazetted officers while west Pakistan got 3708 gazetted and 82944 non-gazetted officers (Khan, 2009: 178).

In the field of economics, the story of east and west imbalance is more striking. The sweeping victory of AL in the general elections of 1970 shows the dissatisfaction of the people of Bengal. AL attracted them because of its six point

formula and opposition to the exploitative policies of west towards east Pakistan. Misra (1972) rightly terms the exploitative nature of Pakistan's polity as 'Intra-State Imperialism.' The following table gives a clear picture of the economic imbalances between the two wings; east Pakistan lagged behind and felt frustration and discontent at the policies of the west-dominated central government and other federal institutions such as the Army and the Civil Services.

Item	East Pakistan	West Pakistan
Foreign Exchange for various developments	20	80
Foreign Aid (excluding US aid)	4	96
US aid	34	66
Pakistan Industrial Development Corporation	42	58
Pakistan Industrial Credit and Investment Corporation	20	80
Industrial Development Bank	24	76
House building	12	88
Total	23	77
Source: Misra, 1972:33.		

In a nutshell, the story of united Pakistan comprising of the two wings came to an end when the military regime of Yahya Khan moved its forces to east Pakistan to resolve the matter. The eastern wing was subjected to military action on 25th March 1971 and the leader of the AL, Mujibur Rahman, was put behind bars. Without going into details of the events that led to the creation of Bangladesh, one should note that a massive massacre of Bengali population made any compromise impossible, and further India's intervention ensured the liberation and creation of the new state of Bangladesh on 25th December 1971 (Komireddi, 2009; The Muslim World, 1998: 94; and Adeney, 2007: 109).⁴³ The Islamic bond which was once meant to keep the diverse society together was now broken. Thus, as Ali

⁴³ On the 1971 issue and the events leading to the separation of Bangladesh and the disintegration of Pakistan, see Alqama (1997), Zaheer *et al* (1990), Afzal (2001), and Rizvi (1988).

states, “without uniform economic progress of all the federating units and their participation in the federal decision-making process, the religious bond cannot be the lasting cementing force for disparate regions as is evident from the separation of East Pakistan” (Ali, 1996: 142, also see Khan, 2009).

The disintegration of Pakistan and the emergence of Bangladesh as an independent sovereign state resulted not because of the failure of federalism itself, but due to the lack of federal principles and practices in the then leadership backed by the Punjabi and Mohajir dominated military and civil bureaucracy. As discussed earlier, in British India, the AIML stood for having a federal India with a weak centre and autonomous federating units, while the AINC was determined to have a strong central government with minimal autonomy for the federating units. Neither the League nor the Congress had been ready to accede to each other’s point of view on the future course of federal India. Thus, it can be said that, besides other factors, it was the failure of federal vision which led to the Partition of India and the emergence of Pakistan.

Now, as India was partitioned, the new state of Pakistan was supposed to put into operation a truly federal system with autonomous federating units as was promised to the people under the Lahore Resolution of 1940. But, the AIML leadership and the Punjabi and Mohajir dominated military and civil bureaucracy oligarchy, did not materialise the federal scheme as envisaged earlier. On the contrary, whenever the minority ethno-national groups of west Pakistan and the majority of Bengalis demanded a federal system with autonomous units (as per the essence of Lahore Resolution), they were suspected as secessionists and termed ‘anti-Pakistan.’ In fact, the military and civil bureaucracy always tried to deny and subvert the democratic process from arriving at its legitimate outcome of creating a genuine federation in Pakistan. For them, a genuine and democratic

federation could only mean the transfer of power to the Bengali majority for which they were not ready. Therefore, it was the failure of federal vision and the inability of the establishment to implement it with sincerity that led to the liberation of Bangladesh in 1971 and continues to pose a threat to what remains of Pakistan.

3.8. The Constitution of 1973 and its Working (1973 to date)

This section will examine the principles and practices of federalism under the constitution of 1973 in order to identify the possible weaknesses of the constitution. In the following paragraphs, I discuss the nature of federalism and the distribution of powers between the centre and the provinces, the composition of the bicameral legislature, the relations between the central and provincial governments, and the role of the judiciary with reference to the 1973 constitution.

Four days after the separation of Bengal and the defeat of the Army in the war, the military and the President, General Yahya Khan, was left with no option but to hand over powers to the civilian leader, Zulfikar Ali Bhutto. The Army then stayed dormant until 1977 owing to its 90000 prisoners of war and the humiliating surrender to the Indians on 16th December 1971 at Dacca. Bhutto became the President of Pakistan as well as the Chief Martial Law Administrator of Pakistan. In April 1972, he lifted the martial law and got the approval of the opposition for his interim constitution which was to be used to govern the country till new organic laws were framed to shape the constitution for what was left of Pakistan.

In the meanwhile, a constitution committee was formed that consisted of the members of the government as well as the opposition. Out of 135 members, 125 agreed on the new constitution of Pakistan (Ali: 1996: 145 and Feldman, 1974: 136). The draft constitution was then presented before an assembly composed of

the members elected during the general elections of 1970 on an all-Pakistan basis. The assembly unanimously passed it on 10th April 1973 and presented it to the President for his assent.⁴⁴ The President, Zulfikar Ali Bhutto, approved it on 12th April 1973 and it was enforced in the country on the 23rd Independence Day, 14th August 1973. Bhutto stepped down from his previous post and became the first Prime Minister of Pakistan since the separation of Bengal.

The Constitution of 1973 (which continues to be in operation today with 21 amendments) is a written document which contains a preamble, 12 parts, 280 articles, and 5 schedules. Like the previous constitutions, its main features were: 1) it was Islamic in character; 2) it maintained the federal principles; 3) contrary to the previous ones, it adopted a bicameral legislature; 4) it retained parliamentary system; and 5) it provided an independent judicial system. It was a unique constitution in many respects. For instance, it was framed by the representatives who were directly elected by the people of Pakistan during the election of 1970. It was agreed upon by a majority of the members of NA. And above all, to accommodate the interests of smaller provinces in the central parliament, it introduced a bicameral legislature in the country for the first time.

Article 1 of the constitution declared Pakistan as a Federal Republic to be known as Islamic Federal Republic of Pakistan. It was, and is, comprises of the four provinces (Balochistan, NWFP, the Punjab, and Sindh), the Federal Capital, Federally Administered Tribal Areas (FATA), and other “such states and areas as are or may be included in Pakistan, whether by accession or otherwise” (The Constitution of Pakistan 1973). Thus it made clear, at the very outset, the federal character of the country.

⁴⁴ It should be noted that out of the five MNAs (Member of National Assembly) from Balochistan, only two, Ghaus Bakhsh Bizenjo and Abdul Haq put their signatures on the 1973 constitution, while the rest, Dr. Abdul Hayee, Nawab Khair Bakhsh Marri, and Jennifer Musa refused to sign the constitutional document (Breseeg 2004: 312).

The distribution of powers between the central and provincial governments, which is a basic and important characteristic of every federation around the world, had remained a key issue throughout the constitutional history of Pakistan. Therefore, the original constitution of 1973 provided two lists of powers in the fourth schedule: the federal list and concurrent list. The residual matters were given to the provinces under Article 142 (c) which stated that “a Provincial Assembly shall, and Parliament shall not, have powers to make laws with respect to any matter not enumerated in either the federal legislative list or the concurrent legislative list.” The central legislature was empowered to legislate on matters that were enumerated in the federal legislative list (containing 67 items) and both the central and provincial governments were empowered to legislate on matters enumerated in the concurrent list (containing 47 items). However, in the case of conflict, the central law would prevail, according to Article 143 of the constitution of 1973. This simply meant that the central government had actual competence not only on the subjects mentioned in the federal legislative list but also on the matters enumerated in the concurrent list (Ahmed, 2004: 16).

Under the 1973 (original) constitution, the federal legislative list was divided into two parts wherein part I contained 59 items and Part II had 8 items. Part I included important matters - such as defence, external affairs, currency, major ports, and financial affairs - on which only the NA was given the power to legislate. Part II consisted of more general matters - such as railways and industrial development - on which both the houses were given equal powers of legislation. In case of any differences between the two houses on the matters enumerated in part II, the issue would be resolved at a joint sitting of the parliament (The constitution of Islamic Republic of Pakistan 1973; Article, 70-72 and also see Baxter, 1974: 1081).

If we look at the composition of the federal parliament, there was no chance (or very little chance) that the smaller provinces could override the majority province, the Punjab, in either house separately or in any joint sitting of the parliament. This was because of the overwhelming majority of a single province in the central parliament. Owing to its 56% population, the province of Punjab could pass or reject any bill if it stood against her interests. As Waseem (2011) rightly suggests, Pakistan's federation is majority-constraining federalism, wherein the smaller provinces are committed to constraining the majority of one province in the parliament. Due to the dominant position of Punjab in the central parliament, the smaller provinces have persistently demanded more provincial autonomy, control over their resources, some taxation powers, and the abolition of the concurrent list from the constitution. For instance, Balochistan has been striving to get hold of its mineral resources and ports, NWFP has struggled for the ownership of electricity, and Sindh had demanded the ownership and control over oil and gas in its province (Ali, 2010). Unsurprisingly, the province of Punjab has never raised such demands.

Furthermore, the concurrent list was a powerful instrument in the hands of the central government to negate the federal character of the Pakistani state wherein "[i]n a large number of matters, over which the federation and a province both have right to make laws, a federal law prevails over provincial legislation on the same subject" (Mushtaq, 2009: 288). Not only this, but the concurrent list contained 47 items which were traditionally supposed to belong to the domain of the provincial legislatures. As far as the residuary powers were concerned, they were given exclusively to the provinces; but there was hardly anything that the two lists left out (Mushtaq, 2009).

It is important to mention that the framers of the 1973 constitution and Zulfikar Ali Bhutto had promised the advocates of provincial autonomy (especially the Baloch and Pashtun nationalists) that the concurrent list of powers would be removed from the constitution after a lapse of 10 years and that it would be entrusted to the provinces. However, such promises did not materialize even after 37 years. The withdrawal of the concurrent list only became possible under the 18th Amendment Act on April 2010 (I will discuss this later). There are various reasons for such a delay. The military coup of 1977 was the most important one. The prelude to the military coup was the general election of 1977 when the military General, General Zia-ul-Haq imposed martial law in July 1977 and then stayed as the President of Pakistan for 11 consecutive years.

During the general elections, which were scheduled to be held on 7th and 10th March 1977 respectively, for NA and PA? The NA elections for 200 seats were held at the scheduled time. There were two main opponents, the PPP and the Pakistan National Alliance (PNA).⁴⁵ Announcement of the results showed that the PPP had won 151, the PNA had secured 36, the Pakistan Muslim League (Qayyum) got 1 and 8 went to independent candidates (Rizvi, 1988: 219 and Talbot, 1998: 241). However, the opposition parties rejected the results and claimed that the polls had been massively rigged by the ruling party; they refused to accept their seats in the NA and withdrew from the subsequent provincial elections (see Rizvi, 1988; Qureshi, 1979; and Weinbaum, 1977). Here it is important to mention that by this time most of the prominent Baloch and Pashtun leaders, including political workers and activists, were in jail due to the conflict between the Baloch and federation of Pakistan from 1973 to 1977. They were on

⁴⁵ The PNA consisted of nine political parties. They were; i) Tehrik-i-Istaqlal (TI), ii) Jamaat-i-Islami (JI), iii) Jamiat-ul-Ulema-e-Islam (JUI), iv) Jamiat-ul-Ulema-e-Pakistan (JUP), v) Pakistan Muslim League Pagaro Group, vi) National Democratic Party (NDP- was a successor to the defunct NAP), vii) Pakistan Democratic Party (PDP), viii) Khaksar Tehrik (KT), and ix) Azad Kashmir Muslim League Conference (AKMC) (Rizvi, 1988: 218-219 and Talbot, 1988: 240).

trial under Hyderabad Conspiracy Case (this will be discussed in detail in Chapter IV). At this time, a mass movement was launched by the PNA which paralysed the entire country and subsequently gave way to a military takeover by General Zia-ul-Haq.

The military regime suspended the constitution of 1973, dissolved the federal and provincial assemblies, and arrested the leading opposition leaders as well as the Prime Minister Bhutto along with his cabinet members.⁴⁶ After assuming all the powers as a Chief Martial Law Administrator, Zia-ul-Haq, in his first address to the nation on 5th July 1977, declared:

My sole aim is to organize free and fair elections which would be held in October this year [1977]. Soon after the polls, power will be transferred to the elected representatives of people. I will give a solemn assurance that I will not deviate from this schedule. During the next three months my total attention will be concentrated on the holding of elections and would not like to dissipate my powers and energies as Chief Martial Law Administrator on anything else (Talbot, 1998: 256 and for full text see Rizvi, 1988: appendix H).

Nonetheless, elections were postponed time and again and not held till Zia got himself elected as the President through a country-wide referendum in December 1984. He then announced that the general elections would be held on 25th and 28th February 1985 on a non-party basis for the NA and the provincial assemblies (Talbot, 1998 and Rizvi, 1988). However, the Movement for Restoration of Democracy (MRD)⁴⁷ which was formed earlier in 1981, boycotted the elections as their demands - such as party-based elections and restoration of the constitution - were not met. Zia's military regime was not ready to see any strong political opponent therefore; it successfully used various tactics to keep the political forces

⁴⁶ Later on, Bhutto was "charged with conspiracy to murder Nawab Muhammad Ahmad Khan, the father of a maverick PPP politician, Ahmed Raza Kasur" and finally executed on 4th April 1979 (for more detail see Talbot, 1998: 256-58 and Qureshi, 1979: 910-921).

⁴⁷ MRD consisted of 11 political parties. These were: i) PPP, ii) PML (Khwaja Khaiuddin Group), iii) Pakistan Democratic Party (PDP), iv) Pakistan Mazdoor Kisan Party (PMKP), v) Pakistan National Party (PNP), vi) Quomi Mahaz-e-Azadi (QMA), vii) Jamiat-i-Ulema Islam (JUI), viii) National Awami Party (NAP), ix) Tehrik-i-Istiqlal (TI), x) National Democratic Party, and xi) the Awami Therik (AT). The main points of MRD were: the end of martial law, restoration of 1973 constitution, early parliamentary elections, and the transfer of power to the public representative of Pakistan (Rizvi, 1988: 239).

away from the parliament (Talbot, 1998; Rizvi, 1981 & 1986; and Zahid, 2011: 1-29). Soon after the completion of NA elections, on 2nd March 1985, Zia issued the ‘Revival of the Constitution 1973 Order’ (RCO) which introduced almost 67 amendments in the constitution that completely changed the original shape of the 1973 constitution.⁴⁸ The RCO “incorporated the December 1984 presidential referendum in the constitution and provided a legal coverage to all presidential orders, martial law regulations and decrees, and the actions taken by the martial law authorities since the military takeover in July 1977” (Rizvi, 1988: 249). Thus, under the RCO, the president became an all-powerful figure who had the powers to appoint and remove the Prime Minister, the Chiefs of Armed Forces, the provincial Governors, the judges of the Supreme as well as the High Courts, and other top officials of the government (Rizvi, 1988 & 1986; and for more detail see RCO, 1985).

During the first joint session of the parliament which was held on 23rd March 1985, General Zia took oath as an elected President and appointed Muhammad Khan Junejo as the Prime Minister of Pakistan. Provincial ministries were also installed. However, martial law was not lifted for another nine months and Zia also retained the office of the Chief Martial Law Administrator. Owing to the pressure of the general public as well as the central and provincial parliaments, the then Prime Minister declared in August 1985 that martial law would be withdrawn by the end of the year and Zia also endorsed this declaration (Rizvi, 1988). In fact, as per parliamentary and democratic principles, there was no reason for martial law once the elections were held and ministries were installed at the central and provincial levels. As Rizvi (1988: 250) notes, the military General was determined to remain as the President, and therefore, he got the parliament to

⁴⁸ For details, see the Revival of the Constitution of 1973 Order, 1985, The President’s Order No. 14 of 1985 (Pak.).

approve two major legislations as pre-conditions for the withdrawal of martial law. Firstly, he brought about the passing of 18 articles and 2 schedules of the 8th Constitutional Amendment and added a new seventh schedule. Secondly, there was “the Political Parties (Amendment) Act which revised and expanded the Political Parties Act, 1962, in order to regulate the formation and working of political parties and delimit their role in the body-politic” (for details, see Rizvi, 1988: 251-253).

These legislative measures, especially the 8th Constitutional Amendment Act which received the assent of the President on 9th November 1985, granted constitutional protection to the military coup d'état of 1977, the presidential referendum of 1984, and the RCO of 2nd March 1985. This 8th amendment changed the nature of Pakistan's parliamentary system to a presidential or a semi-presidential one. The most important and highly controversial part of the 8th amendment was the insertion of section 2(b) in Article 58 of the constitution. Article 58(2) and its sub-sections (a) and (b) after the 8th amendment read as follows:

Notwithstanding anything contained in clause (2) of Article 48, the President may also dissolve the National Assembly in his discretion where, in his opinion, (a) a vote of no-confidence having been passed against the Prime Minister, no other member of the National Assembly is likely to command the confidence of the majority of the members of the National Assembly in accordance with the provisions of the Constitution, as ascertained in a session of the National Assembly summoned for the purpose; or (b) a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary.⁴⁹

The main aim of the 8th amendment was a control of the parliament by the President, General Zia. Due to this amendment, the President became an all-

⁴⁹ For details of the text of the 8th amendment, see *The Constitution of the Islamic Republic of Pakistan*, (n.d) on-line. A more detailed discussion can be found in Siddique (2006).

powerful authority within the federation. Under Article 112 section 2 and sub-sections (a) and (b), it also entrusted the same discretionary powers to the Governors of the provinces who could dissolve the provincial assemblies with the prior approval of the President. Thus, due to this amendment the federation and the parliamentary system of Pakistan virtually became a unitary state with semi-presidential system. Further, since the insertion of section 2(b), General Zia and the successive presidents have invoked to these powers to dissolve the NA at four different occasions (Siddique, 2006).

After General Zia death in August 1988, the political situation of the country turned to be a transitory one i.e., transition from military rule to democracy. However, the military did not allow a democratic culture to be flourished in Pakistan because as observed by Akhtar, “the army once having tasted power has never really let go. Whenever it has had an excuse to move in, it has not hesitated to do so” (Akhtar, 2008: 20). The military chief, Mirza Aslam Beg – predecessor of General Zia - along with his senior commanders backed the idea of holding elections but decided to run the country clandestinely. In the election of 1988, the Inter-Services Intelligence (ISI) supported the newly established ‘9 right-wing-Islamist party alliance’, Islami Jumhoori Ittehad (IJI) against the PPP, to prevent the latter from gaining majority seats in the NA (Pildat, 2013: 19 and International Crises Group, 2002: 8), but however, the results were quite contrary to the expectation of the armed forces.

Out of 206 general seats of the NA, the PPP won 94 seats and emerged as the single largest party in the house, while IJI secured 55 seats. Out of the remaining 57, 7 won by JUI-F, 2 went to Awami National Party (ANP), 40 secured by independent candidates, and others won 8. The PPP formed a coalition government at federal level with the independent members including the ANP,

while IJI sit in opposition. But it is important to note that before being sworn in as a PM of Pakistan, Benazir Bhutto is said to have made three commitments to the army to assume the office of the PM. Firstly, she agreed to elect the acting President, Ghulam Ishaq Khan, as the President of Pakistan; secondly, she retained Lt. General Yaqub Ali Khan as the Foreign Minister; and thirdly, she promised to not reduce the defence budget unilaterally (Pildat, 2013: 20). She was also excluded from decisions on major policy matters such as amending the constitution, the Afghan policy and the nature of Pakistan's nuclear weapon programme.

Thus, it can be argued that from 1988 to 1997, the military of Pakistan did not directly hold the power, but in real practice the country was in their hands. President Ghulam Ishaq Khan – with military backing – dissolved the first government of Benazir Bhutto on 6th August 1990 on corruption related charges using the weapon of 8th amendment under Article 58 (2) b (International Crises Group, 2002: 9; for details, see Kamran, 2008).

Furthermore, in the 1990 election, Nawaz Sharif's IJI won simple majority in the NA and secured 106 seats, while the PPP got 44 seats.⁵⁰ The rest went to other parties. This election brought Nawaz Sharif to power as PM but in real practice it was the military that ran the country from behind the scenes, and Nawaz just worked as military's political protégé (international Crisis Group, 2002: 9). IJI also willingly accepted the military role in internal and external affairs. When Nawaz tried to disregard the Army by appointing his own nominee as the chief of armed forces in 1993, he was sacked with another military backed dismissal by

⁵⁰ According to Pildat (2013:21-22), "the caretaker administration, especially at federal level, were partisan and they were tilted in favour of the IJI. Like the 1988 election, the ISI restored to manipulation of the election in favour of IJI. Under direction from the election cell of the Presidency and with full knowledge of the Army Chief General Mirza Aslam Beg, the ISI obtained Rs. 140 million (about US \$ 6.45 at the exchange rate of 1990). Rs. 60 million were distributed among the IJI liked political leaders and some journalists opposed to the PPP." See also Ahmad (2010: 50).

Ghulam Ishaq Khan while invoking Article 58 (2) (b). As a result of 1993 election, Benazir Bhutto once again came to power under a power sharing pact with the Army, but when she transgressed and disobeyed the Army, her government was dismissed on 5th November 1996 by President Sardar Farooq Ahemd Khan Leghari. This is in spite of the fact that Leghari was an old ideologue of PPP and reached to the office of the President with an express support of the PPP.⁵¹

In 1997, however, the political landscape changed in favour of PML (N). Nawaz Sharif came to power for the second time with an overwhelming (2/3rd) majority in the NA. He brought an amendment, called the Constitution (Thirteenth Amendment) Act, 1997 which omitted sub-section (2) (b) of Article 58 and sub-section (2) (b) of Article 112. With this, the powers of the President and the Governors of the provinces to dissolve the elected national and provincial assemblies were taken away and their roles were reduced to acting as ceremonial figure heads. Thus, it can be said that 58 (2) (b) was a kind of tug-of-war between the office of the President and the PM. It had greatly affected the smooth working of federal-cum-parliamentary democracy, which had not been allowed to flourish in Pakistan since the beginning. Now Nawaz was in a position, due to his 2/3rd majority in the NA, to put the country on a stable democratic path, but he failed and gave way to another military takeover in 1999. According to International Crisis Group (2002: 9):

Had Sharif governed democratically, the military would have been deprived of either the opportunity or the justification to intervene. Instead, he placed his personal interests over democratic reforms, targeted the opposition leader (Bhutto) and attempted to undermine judicial

⁵¹ According to Robert LaPorte, Jr (1997: 118), the relations between the President and the PM became tensed on the selection of the chief of armed forces. It “began in late 1995 with the selection of Lieutenant General Jehangir Karamat, the most senior officer and the choice of the army, as chief of the army staff to replace General Adbdul Waheed, who retired in January. The prime minister’s candidate for COAS (Chief of Army Staff)...had been an officer junior to Karamat whom Leghari vetoed in favour of the army’s chice.”

independence. Shrif also angered the military when he forced Army Chief Jehangir Karamat to resign after Karamat demanded a constitutionally sanctioned political role for the military.

The military decided to remove Nawaz Sharif and he (Nawaz) gave an opportunity to the former to do so (ibid, 2002: 10). After the dismissal of General Karamat and appointment of General Pervez Musharraf as the new Chief of Army Staff (COAS), Nawaz Sharif thought that now he could run the country with the backing of his hand-picked General. However, as observed by Kamran (2008: 167):

All came back to square one on 12th October 1999 when he tried to sack his own hand-picked General Pervez Musharraf. Musharraf was appointed COAS at the expense of Ali Quli Khan, the senior most in the hierarchy. The tension between the military top brass and the Prime Minister was brewing up for quite some time. Nawaz Sharif's initiative to bring about rapprochement between Pakistan and India sowed the seed of discord which had exacerbated substantially in the aftermath of Kargil operation. However the sad denouement for the nascent democracy came when Nawaz Sharif tried to sack Pervez Musharraf, while he was on a visit to Sri Lanka. The military top brass assumed the reins of power yet again.⁵²

When General Pervez Musharraf came to power through a bloodless coup d'état on 12th October 1999, he dissolved the elected government of Nawz Sharif, and once again, restored and revived the discretionary powers of the President and governors of the provinces through the 17th Amendment Act, 2003. The revival of Articles 58(2)(b) and 112(2)(b) yet again shifted the powers of the dissolution of the assemblies to the office of the President. With such discretionary powers, the President can easily undermine the elected assemblies either directly or through his agents, the Governors of the provinces. This is evident from the fact that since the insertion of 58(2) (b) in 1985, the so called federal government has intervened

⁵² According to BBC News Asia (24th September 2013), Nawaz Sharif was arrested and sentenced to life imprisonment on charges such as hijacking Musharraf's plan and corruption. He was also banned for life from political activities. "But an alleged deal, brokered by the Saudis, saved him and other family members from being put behind bars. Mr Sharif, along with 40 members of his family, were exiled to Saudi Arabia for what was supposed to be a period of 10 years. His years in the political wilderness lasted until his triumphal return to Pakistan in 2007 following a deal with the military."

in provincial matters various times and often undermined the federating units. Whenever the federal government wants to impose its will against the wishes of the federating units, it imposes Governor Rule in those provinces that do not follow the federal dictates. For example, the Governor Rule's was imposed in NWFP in 1994 to install a favourable government there. The province of Punjab also witnessed Governor's Rule in 1995 (for details, see Mushtaq, 2009).

Under the constitution of 1973, the executive authority was vested in the office of the PM while the President was a ceremonial/titular head of the state. The 17th Amendment Act, 2003 gave enormous power to the President such as: the President was empowered to appoint the chairman of the Joints Chief of Staff and the three services chiefs of the armed forces and veto the PM appointments of judges of the High Court and Supreme Court (International Crisis Group, 2002). Musharraf also gave constitutional and legal role to the armed forces in the politics of Pakistan through an introduction of National Security Council (NSC) under Legal Framework Order (LFO) of 2002.⁵³ The establishment of NSC grossly violated the principles of federalism in Pakistan. As observed by the International Crisis Group (2002: 23), a body that “dominated by the President and his military and political appointees, the NSC will advise the President on all vital issues, including dissolution of the provincial assemblies. As a result, provincial governments will become hostage to military dictates.” Musharraf distorted the constitution to such an extent that the leader of the Alliance for Restoration of Democracy, Nawabzada Nasrullah Khan, commented that “the constitution will be neither presidential nor parliamentary nor federal. Not presidential because there will be no checks on the president's authority, not

⁵³ The NSC was to serve as a forum for consultation on strategic matters pertaining to the sovereignty, integrity and security of the state; and the matters relating to the democracy, governance and inter-provincial harmony. There were 13 members in total. The President was the chairman of the council and its other members were the PM, the Chairman of the Senate, the speaker of the NA, the leader of the opposition in the NA, chief ministers of the provinces, the Chairman Joint Chiefs of Staff Committee, and the chiefs of staff of the Pakistan Army, Air Force, and Navy (see Legal Framework Order, 2002).

parliamentary because the parliament will not be independent, and not federal because the President will dictate terms to the provinces” (cited in International Crisis Group, 2002: 21).

Thus it could be said that from 1999 to 2008, General Pervez Musharraf ran Pakistan in a highly autocratic and dictatorial way. He side-lined all the important institutions (such as Supreme Court and its judges which gave birth to a popular lawyer moment against Musharraf) and also tried to diminish the political parties and their top leadership, something that ultimately led to his resignation in 2008 (Abbas, 2008; International Crisis Group, 2002; and Farwell, 2011). These factors played an important role in the downfall of General Musharraf, coupled with other factors such as: the dubious role of the regime against the war on terror and the use of force against the Baloch to suppress dissent and so on (Farwell, 2011 and Adeney, 2007b).

However, the tug of war between the President and the PM and the saga of 58(2)(b) did not end here as the PPP with its coalition partners, elected in February 2008 general elections, once again repealed the discretionary powers of the President under article 58(2)(b) by the passing of the 18th Amendment Act, 2010 (which will discuss in the latter part of this chapter).

The original constitution of 1973 provided for a central parliament consisting of two houses to be known as the National Assembly (NA) and the Senate (Article 50). The number of seats in the former house was allocated on the basis of the population of each province and in the latter, equal representation was given to all the provinces.⁵⁴ During Musharraf’s era, under the Legal Frame Work Order

⁵⁴ Originally, the total number of the members of the NA and Senate were fixed at 200 and 63 respectively but various amendments to the constitution of 1973 increased the number of seats of the NA and the Senate. The NA seats increased to 206 under the 4th amendment Act 1975 which added 6 seats for non-Muslims’, the 8th amendment Act 1985 increased the number of general Muslims’ seats to 207 and non-Muslim seats to 10.

(LFO) 2002, the numbers of seats were raised to 342 including 10 reserved seats for non-Muslims and 60 for women. At the same time, the Senate seats were increased to 104. As of now, the 1973 constitution allocated the following number of seats to each province in the central parliament (the NA and Senate).

Table 11: The Distribution of seats of NA and Senate of Pakistan Under 1973 Constitution				
National Assembly			Senate	
Province(s)	General	Women	General	Others*
Balochistan	14	3	14	8
NWFP	35	8	14	8
Punjab	148	35	14	8
Sindh	61	14	14	8
FATA	12	--	8	--
Federal Capital	2	--	2	2
Non-Muslim	--	10	--	4
Total	272	70	66	38
Grand Total	272+70 = 342		66+38 = 104	

* According to Article 59, each province has given with 4 seats for women, 4 for technocrats, 1 for non-Muslim and 2 from the capital area wherein 1 should be woman and 1 technocrat.
Source: The Constitution of the Islamic Republic of Pakistan, 1973 (as modified up to 20th April 2010).

From 1947 to 1973, there was only one House of Parliament (the NA), but during the elections of 1970, the NAP demanded “complete provincial autonomy, leaving only three subjects, namely, defence, foreign affairs and currency, with the centre” (Baxter, 1974: 1078). Later in order to pacify the demands of the smaller ethno-national groups and the smaller provinces in what remained of Pakistan, the Senate (Upper House) was introduced in the constitution for the first time. However, if we look at the powers and composition of the central parliament, the smaller provinces still have little say in national affairs.

Regarding the powers of the NA and the Senate, the constitution provided the Senate with limited powers. For instance, a money bill shall only be originated in

the NA and a copy of the same bill will be transmitted to the Senate for recommendations, but the NA has the power to pass the bill with or without the recommendations of the Senate and present it before the president for assent (Article 73). As the Senate has no control over money bills, the interests of the smaller provinces in this respect seem to be at the mercy of the majority province, the Punjab.

Composition-wise, the province of Punjab enjoys a majority status in the NA with 183 members as against 159 members of the rest of Pakistan. Moreover, a majority of the Members of National Assembly (MNA) who belong to FATA, the Federal Capital and the non-Muslim minorities often join the ruling party for their personal and vested interests. Besides the majority in the NA, the province of Punjab also dominates the key and central institutions of Army and bureaucracy. Therefore, it can be said that the interests of the smaller provinces have always remained precarious with regard to any legislation, with Article 239 clause 4 being an exception that states:

A bill to amend the constitution which would have the effect of altering the limits of a province shall not be presented to the president for assent unless it has been passed by the Provincial Assembly of that province by the votes of not less than two-third of its total membership.

Rigidity of the constitution is one of the most important characteristics of federalism. The constitution of 1973, under part XI Article 239 provided for rigidity, implying that the constitution cannot be amended easily or unilaterally. Both the Houses are given equal powers vis-à-vis amendment of the constitution. According to Article 239, a bill to amend the constitution may originate in either House of the Parliament. If the bill is passed by a 2/3rd majority of the originating house, it would be transferred to the second house for voting. The second house could either pass or amend it with a 2/3rd majority. In the former case, the bill will

be presented to the President for assent and in the latter case the bill will be sent back to the originating house for reconsideration, and if the bill, as amended by the second house, is passed by the originating house by the votes of not less than $2/3^{\text{rd}}$ of its total membership, the bill, subject to the provision of clause 4 as mentioned above, will be presented to the President for assent.

However, as mentioned earlier, the province of Punjab enjoys a majority position, and under the parliamentary democratic system, it (Punjab) can easily manipulate and get passed or make null and void any bill it so wishes. And under Article 239 (5), no one can challenge an amendment of the central parliament in any court of law on any ground whatsoever. Therefore, it is argued that the province of Punjab needs to reorganize in such a way where its dominant role in the central parliament and other institutions could bring at some par with the rest of the provinces.

Umpires in various forms play an important role in any federation around the world. They facilitate the resolution of constitutional disputes between various levels of governments and interpret the constitution in case of legal issues. All the constitutions of Pakistan provided for an umpire in the form of the judiciary.

The 1973 constitution under Article 175 states that there would be a Supreme Court of Pakistan for the whole of the country and a High Court for each province and Islamabad. The Supreme Court represents an exclusive jurisdiction in all inter-governmental disputes such as a dispute between the central and provincial governments or any dispute between provincial governments themselves (Article, 184). According to the constitution, it is the President who appoints the chief justice of Pakistan and determines the number of judges therein. The president also has the power to transfer the judges of the High Courts. The judiciary, under

various constitutions of Pakistan, was given constitutional guarantees of independence, but the executive authority has consistently pressurized the judiciary in legal ways, either through misusing the power of appointment of the judges or by the establishment of other parallel courts such as Federal Shariat Court, Anti-Terrorists Courts, and Military Courts. The central executive has also made amendments to the constitution for curtailing the powers of the judiciary (Ahmed, 2005: 5 and Siddique, 2006). As mentioned above, within a short span of 11 years (1988 to 1999) five assemblies have been dissolved on almost the same charges of corruption and inefficiency and each of them was challenged in the Supreme Court, but on every occasion, the decision of the judiciary remained different (for details, see Ahmed, 2005 and Siddique, 2006).

The judiciary itself has not defended federalism but always reinforced the official discourse of one nation and left very little room for the plural character of the society. Let me give an example. After the dismemberment of Pakistan in 1971, the NAP, which spoke for the interests of the smaller nations and more provincial autonomy, formed coalition governments in Balochistan and NWFP. The central government of Zulfikar Ali Bhutto considered the NAP a threat to his authority, and therefore, made various allegations against the NAP's leadership (Chaudhry, 2011: n.p; Feldman, 1974:136-137; Nagori, 2010: 41-60; and kutty, 2009). The federal government moved to dissolve the Provincial Assembly of Balochistan in 1973 and the NWFP ministries resigned in protest. Latter in 1975, the central government banned the NAP on the grounds that it worked against the ideology and sovereignty of Pakistan (Chaudhry, 2011: n.p).⁵⁵As mentioned earlier, it was the diverse character of Pakistani society which had initially led the Muslim

⁵⁵ During the elections of 1977, NAP re-emerged as the National Democratic Party (NDP). However, later the leadership of NAP, owing to their differences on certain issues, established their own parties in their respective provinces. For instance, Wali Khan established Awami National Party (ANP), Bizenjo formed Pakistan National Party (PNP) and Attaullah Mengal formed Balochistan National Party (BNP), while some leaders such as Nawab Khair Bakhsh Marri went to Afghanistan and eventually came back to Pakistan in 1990s when the situation in Afghanistan had turned against the leftist elements therein.

League leadership to adopt the federal principle to run the affairs of the Pakistani state. However, the judiciary, while commenting on the NAP's political programme, clearly indicated that it (the judiciary) refutes the principle of federalism. The court reasoned that:

The *raison d'être* for the creation of Pakistan was that the Muslims of this sub-continent were a separate nation and they desired to have separate homeland of their own, where they could live and prosper according to their own code of life as laid down in Holy Quran and Sunnah. To say, therefore, that Pakistan does not consist of one 'nation' but several 'nationalities', each having ethnic, social and political differences, is to deny the very basis of Pakistan and if along with this is also demand the right of self-determination for each nationality then it is a demand for the breaking up of Pakistan, destroying its integrity and setting up of several independent states in Pakistan itself. The concept of nationalities is opposed also to the fundamentals of Islam which preaches that the entire Muslim Millat is one nation under one Khalifa (PLD 1976 SC 57 cited in Chaudhry, 2011:n.p).

The judiciary as an umpire between the members of the federation has been ambivalent. The federal government and the judiciary have always juxtaposed the concept of diversity to homogeneity and not seen it as unity in diversity (Chaudhry, 2011). Furthermore, as Chaudhry (2011: n.p) states, "the legal system of Pakistan has almost failed to accommodate the parallel identities within the country." Looking at the concept of Pakistan's ideology as being solely based on the notion of the Two Nation Theory⁵⁶ is in itself a contradiction to the federal principle of unity in diversity. The Two Nation Theory superseded the other identities of the people of Pakistan which are based on language, culture, ethnicity and socio-economic factors. It can thus be argued that Bangladesh got independence due to the fact that the migrant elite (Mohajir) and the military establishment (mostly Punjabi dominated) were not ready to accept sub-national identities and continued to suppress them in favour of 'one nation' of Pakistan

⁵⁶ It is believed that the Two Nation Theory is the basis of the creation of Pakistan. It simply means that Hindus and Muslims are two different nations and could not live together in one and United India. The concept of Two Nation Theory thus refutes all other identities based on language, culture and ethnicity. For more details, see Jalal (1995) and Jaffrelot (2002).

which they saw as being based on the concept of the Two Nation Theory. Furthermore, Pakistan still faces threats of further dismemberment. To avoid this possibility, the federal government needs to restructure the federation so as to pacify the deprived sub-national groups, especially the Baloch of Balochistan, who have been subjected to discrimination and exploitation since the creation of Pakistan. They must be assured that they will be equal shareholders of the federal government and its institutions such as armed forces and bureaucracy.

3.9. The 18th Amendment

The 18th Amendment Act is important in many ways because, besides other things, it abolished the concurrent legislative list - a decades-old demand of the smaller provinces. The concurrent list had always been a source of conflict between the central and the provincial governments. Some of the matters regarding taxation that were enumerated in the federal legislative list part I were omitted and given to the provinces (such as duties in respect of succession to property and estate duty in respect of property). This amendment fulfilled the historic demand of the Pashtuns living in the north-east of Pakistan by renaming NWFP as Khyber Pashtunkhwa. Further, the 18th amendment was also an attempt to stop the possibility of future military coup d'états in Pakistan. As we have seen, the original shape and the federal character of the constitution of the 1973 was virtually changed by the military dictators to that of a unitary one. With every military takeover, the dictators abrogated or subverted or suspended the constitution and this remained one of the major hurdles in the way of a successful functioning of federalism in Pakistan. Thus, the 18th Amendment Act amended Article 6 clause 1 to 3 to state that:

(1) Any person who abrogates or subverts or suspends or holds in abeyance, or attempts or conspires to abrogate or subvert or suspend or

hold in abeyance, the Constitution by use of force or show of force or by any other unconstitutional means shall be guilty of high treason. (2) Any person aiding or abetting...the acts mentioned in clause (1) shall likewise be guilty of high treason....An act of high treason mentioned in clause (1) or clause (2) shall not be validated by any court including the Supreme Court and a High Court....(3) [Majlis-e-Shoora (Parliament)] shall by law provide for the punishment of persons found guilty of high treason.

However, the amendment did not transfer matters such as electricity, major ports, and gas/mineral resources to the provinces. Rather, it placed these items under the federal legislative list, part II wherein the Senate has the opportunity to legislate on these matters equally with the NA. Prior to the 18th Amendment Act 2010, “all lands, minerals and other things of value within the continental shelf ... were vested in the Federal Government” (Adeney, 2012: 11). The provinces had no control over the resources that existed in their territorial limits. The 18th Amendment Act revised Article 172 and provided that “[s]ubject to the existing commitments and obligations, mineral oil and natural gas within the Province or the territorial waters adjacent thereto shall vest jointly and equally in that Province and the Federal Government.” This new situation still differs from that of other relevant federations such as the USA, Germany, and Australia, where oil and gas including natural resources are subjects under provincial jurisdiction (Ali, 2010: 195-197). Nonetheless, the transferring of the above mentioned items to Part II of the federal legislative list, was/is a good step forward in strengthening federalism though, the overall progress on addressing the grievances of the smaller provinces remains to be seen.⁵⁷

After the aforementioned discussion, it can be argued that the state of Pakistan faced the imperative to have a federal structure to accommodate diversity but there were continuous efforts to undermine the spirit of federalism by centralising the state to maintain the dominance of the Punjab and Mohajir-based military and

⁵⁷ For detailed discussion on the 18th Amendment Act 2010, see Hussain *et al* (2012), Ahmad (2010), and Adeney (2012).

civilian bureaucratic elite. From the very beginning, the federal government was dominated by specific ethno-national groups as well as autocratic leaders who did not allow democratic institutions and practices to flourish. The elites first undermined the majority of Bengalis through the implementation of various tactics such as the OUS and the parity formula of representations. Later, even after the separation of Bengal, the federal government did not change its policies of exploitation and continued to undermine the smaller ethno-national groups to the extent that secessionist movements emerged (for example, the Baloch nationalist-cum-separatist movement).

It has also become clear that the adoption of federalism in Pakistan is almost non-controversial, at least after the separation of east Pakistan in 1971, because most of the present day Baloch separatists were once members of the national and provincial parliaments.

The 18th amendment empowered the provinces to a large extent but it did not entrust the provinces with the power to have control over their mineral and other land resources. However, grievances on the part of the smaller ethno-national groups including the Baloch, remained the same, and the forces of decentralization continued their struggle for maximum provincial autonomy and control over resources within federal Pakistan. It is argued that the smooth functioning and future of Pakistan's federalism depends upon the dominant province (the Punjab) and the elites of the smaller provinces; how they manage a diverse society within the federal setup to fulfil the demands of the smaller ethno-national groups. The existing federal structure does not seem very successful in holding together a diverse society because of the harsh realities such as the fact that the smaller provinces, even all together, cannot pass any bill in either house without the goodwill of the dominant province, the Punjab.

The rule of the majority under parliamentary democratic system is not in itself a problem in societies which are more homogeneous than Pakistan. As Adeney (2007a: 111) puts it, the rule of the majority becomes a problem when the inhabitants of a state are divided into different ethno-national groups, and where they are self-defined or other-defined through the prism of their distinct identity based on religion, language, culture, race and regional affiliations. If we look into the heterogeneous character of the Pakistani federation, it becomes clear that each ethnic group thinks in terms of regional, instead of national, interests. Thus, the smaller ethno-national groups see themselves as marginalized and so they criticize the Pakistani state. For the nationalist forces in the smaller provinces, the larger national interest only designates the interests of the dominant province. And the dominance of the Punjab to them indirectly refers to the elites such as the Army and the bureaucracy which are predominantly from Punjab. They have, therefore, formed various alliances at various times to counter the dominant ethno-territorial group.

This dominance by one group may also prohibit the Pakistani federation from adopting or developing alternatives to the state system, in particular, consociationalism (see Adeney, 2007a, 2009; and McGarry & O'Leary, 2005). Indeed, scholars such as Lijphart (1969 & 1977) McGarry and O'Leary (1993 & 2004) advocate consociationalism as an alternative in order to address the issue of majority versus minority conflicts in federal states. Consociationalism is a kind of power-sharing mechanism in plural societies; its purpose is to accommodate the grievances of smaller ethno-national, religious, and linguistic groups and to restrain the dominant group from lording it over the lesser groups in state affairs. The primary advocate of consociationalism, Lijphart (2002: 39; 1977: 25-52; & 1969: 207-225), characterized the concept as having four vital political tenets: 1) a

grand coalition government of elite from various segments of the society; 2) a mutual veto for the purposes of serving as an added protection of vital minority interests; 3) proportional representation in the election/voting system, in employment in the central institutions and in the distribution of resources; and 4) segmental autonomy in the cultural and educational sectors. He also pointed out some conditions for the success of consociationalism (consociational democracy) such as there being no solid majority, a small number of political parties, equal sizes of segments or provinces, small population, and the presence of an external threat (Lijphart, 1996: 262-63).⁵⁸ Now, if we keep in view the aforementioned characteristics and the required conditions for the success of consociationalism, we find the case of Pakistan to be deeply problematic for the following reasons.

Firstly, consider the fact that the majority, the Punjab, always dominates the Pakistani federation in political and economic spheres and this shows no sign of changing. It is highly doubtful that Punjab will give up or share power with other ethno-national groups; this can make the implementation of consociationalism impossible in Pakistan. In fact, it is this reluctance to share power that was one of the major reasons why Bangladesh became an independent country in 1971.

Secondly, the favorable conditions chalked out by Lijphart are missing in, and problematic for, the Pakistani federation. For instance, as per the Election Commission of Pakistan, the number of political parties in Pakistan reached 288 in the year 2013. Moreover, the sizes of segments (provinces) are unequal in terms of area and population. Balochistan is the largest province in terms of geographic area (45% of the total territory of Pakistan) while Punjab is the most populous province of Pakistan, with 56% of the total population of the country. In

⁵⁸ It is important to note that the factors favorable to consociationalism as per Lijphart have undergone significant modifications in number and content over time (for details see Muhammad Mushtaq, n.d: 35).

this regard, the prerequisite conditions of consociationalism--a small number of parties and no solid majority--cannot be found in the Pakistani federation.

Thirdly, so far as the external threat is concerned, the Pakistani state considers India as an external threat to the integrity of Pakistan. However, the Indian threat has different meanings for the different ethno-national groups in Pakistan. Many Baloch nationalists consider the Indian threat as non-existent. They consider it (the Indian threat) as a tool of exploitation used by Punjab and its massive army.⁵⁹ Given these significant differences, consociationalism is not a feasible option for Pakistan. Therefore, it is the existing federal system that needs to be reformed to make it more federal in principle and in practice and allow more power, autonomy, control over resources and dignity to the provinces.

In this chapter, I demonstrated that there were, and are, flaws in the federal setup under the constitutions of 1956, 1962 and 1973. Under the first two republics, the diverse character of society was completely ignored. Instead of accepting diversity - which is one of the basic requirements of federalism - the centre always tried to hold the diversity together through intimidations, suppressions and false promises. The idea of one Pakistani nation was imposed from above in spite of the fact that there were different ethno-national groups each of whom defines itself in terms of their distinct ethnic and racial background.

Even under the 1973 constitution (continuing in the present), the federation is not working successfully. The third republic also faces the same problems as the first two. The period from 1947 to 1971 witnessed the violation of parliamentary and

⁵⁹ Sardar Attaullah Mengal, the first Baloch Chief Minister of Balochistan in 1970s, said in one of his interviews with Syed Mehtab Ali Shah in 1991 that "the Kashmir dispute with India has been exploited by the Punjabis to keep the conflict alive with that country in order to keep a huge army intact. This army is not only a major source of their earnings but also gives them clout over the smaller nationalities. The maintenance of the status quo or minor territorial adjustment are required to settle the Kashmir dispute once for all" (cited in Shah, 1997: 106).

democratic norms where the numerical and elected majority was not allowed to rule. In the present republic, the majoritarian rule (which comes from Punjab) is in itself a problem. Therefore, there is the need for a restructuring of the federal system of Pakistan. In this regard, there are various ways to make Pakistan's federalism a successful one. One step forward has been taken by passing the 18th Amendment Act 2010 and time will decide its eventual success. Meanwhile, the smaller ethno-national groups have lost their faiths in the federation, and thus look at it with suspicion and argue that if the military can abrogate the whole constitution, one cannot expect much from a single amendment. In the following chapters, I will examine the Baloch question, the Baloch and their land, the relations of the Baloch with the federation of Pakistan, various phases of the Baloch conflict with federation of Pakistan, and the different kinds of Baloch nationalism.

Chapter IV: Theories of Nationalism

4.1. Introduction

Nationalism as a political ideology and as a doctrine has played an important role in shaping the modern world; millions of people have laid down their lives willingly in the name of nation. As Salutati said, “thou knowest not how sweet is the amor patriae: if such would be expedient for fatherland’s protection or enlargement, it would seem neither burdensome nor difficult nor a crime to thrust the axe into one’s head, to crush one’s brothers, to deliver from the womb of one’s wife the premature child with the sword” (cited in Ozkirimli, 2000: 1). If we look at the 20th century closely, we are reminded that it is the century, neither of communism nor of capitalism, but that of nationalism (Anand, 2010). Anand further declares that, “[w]ars took place, murders were celebrated and mourned, people were encouraged to look beyond their immediate family and identify with a collective and at the same time the locus of empathy was particularized – all in the name of nationalism” (ibid, 2010: 280).

The aim of this chapter is to explore the various meanings of nation and nationalism and critically analyse how different scholars have approached the concept of nationalism. I will examine the existing key theories of nationalism and identify their main features to later assess which theory enables a better understanding of Baloch nationalism. This chapter is divided into three sections. In first section, I provide the definitions and brief analyses of terms such as state, nation-state, state-nation, multi-national state, and multi-cultural or multi-ethnic state. I will also briefly discuss the role of nationalism in different categories of state systems as mentioned above. In section two, I discuss and define terms such as nation and nationalism. In section three, I turn to examine and critically analyse

the key theories of nation and nationalism and establish which theory(ies) of nationalism are best suited to the Baloch nation and nationalism.

4.2. State (nation-state, state-nation, multi-national state, multi-cultural state)

The reasons for defining and discussing terms such as state, nation-state, state-nation, multi-national state, and multi-cultural state are threefold. Firstly, these terms are closely linked with the concept of nation and nationalism, and therefore, without knowing these terms, it is not possible to categorize and analyse the existing theories of nation and nationalism. Secondly, nationalism works differently in different settings. For instance, nationalism within a nation-state would be different from that in a multi-national state or a state-nation. In other words, nationalism in the former case could be state building and in the latter case would be either state building or state destroying, depending on the degree of integration of the nations within the state (Ma, 1992). Thirdly, as these terms have been used in different ways categorising different states of the world becomes problematic (Guibernau, 1996 and Stepan, 2010).

Generally speaking, state and nation are often confused with each other and sometimes used interchangeably.⁶⁰ In terms such as ‘United Nations’, ‘International Relations’, ‘National Income’, ‘Nationalization’, and ‘National Interest’ the highlighted part- nation- in fact refers to state. The interchangeable and inappropriate use of these two terms in everyday discussions and discourses is largely based on the common belief that the present era is an era of globalized nation state system (Connor, 1972 and Stepan *et al*, 2010). However, this view of

⁶⁰ Almond and Powell in their popular introductory textbook ‘*Comparative Politics Today: A World View*’ use the terms states, nations, and nation-states very inconsistently. At the beginning of the book they write that the entire surface of the world is covered by independent countries and they call these independent countries as states or nations or nation-states. Mayer *et al* (1996) in their work ‘*Comparative Politics: Nation and Theories in a Changing world*’ also follow the same pattern as Almond and Powell (1996).

nation state system is contentious and based on Eurocentric and western models. As Ma (1992: n.p) contends, the nation states taxonomy “do not represent the majority of states in today’s global state system. Then why is there a common misconception that we are now in an age of nation-states?” He declares that one reasons for such a misconception might be the fact that a majority of the western scholars are preoccupied with the concept of the modern western state system familiar to them. Nielsson (1985) also observed that the idealised nation state system is mostly found in Europe and North and Latin America, but rarely in Asia, Africa and Middle East.

The nation-state system, in a civic and territorial sense, is a modern phenomenon. The ‘nation-state’ is a state consisting of one culturally uniform nation. The term implies “states in which a community that is culturally homogeneous enough to consider itself a nation [which] dominates the state, and no other significant group articulates similar claims” (Stepan *et al*, 2010: 51). Countries such as England, France, Italy, Japan, Portugal, Denmark, 19th century Germany and most of the Scandinavian countries fall in the nation-state category (Ma, 1992 and Stepan *et al*, 2010). Ma (1992) categorizes ‘nation-states’ into two types: ideal nation-states and multi-national states. In the former, “there is a one-to-one perfect match between the nation and the state” for example, Japan, while in the latter category each state consists of more than one nation (ibid, 1992: n.p).⁶¹ This latter category is labelled multi-national on the basis that the nations existed prior to the states. However, Ma’s multi-national category of states seems problematic because the modern state system does not follow from the nation but precedes it (Anand, 2010). And even his one to one match category (one nation within one state) is atypical as almost all states are either multi-national or multi-cultural. For

⁶¹Guibernau (1996: 59) uses ‘legitimate’ and ‘illegitimate’ terms for Ma’s categories of ideal nation-state and multi-national states, p.59

instance, as Nielsson (1985) pointed out, only 19 states (such as Japan, Denmark, and Iceland) out of 164 fall or fit the one nation in one state criterion. These states constitute merely 10% of the world's population (Ma, 1992).

According to Stepan *et al* (2010: 50) multi-national states are those “[s]tates that have strong cultural diversity, some of which is territorially based and politically articulated by significant groups with leaders who advance claims of independence in the name of nationalism and self-determination.” In this regard, states such as Canada, India, and Pakistan (owing to the issues of Quebec, Kashmir and Balochistan respectively) fall in the multi-national category.⁶² On the other hand, multi-cultural or multi-ethnic states are those which are culturally diverse but where such diversity is not organized on territorial basis (cf. multi-national states). In multi-cultural or multi-ethnic states, we cannot find major political groups that mobilize nationalist demands for independence. Countries such as Switzerland and the United States of America are multi-cultural states. This is because neither country has a significant territorially based group that can mobilize the claims for independence though both the countries are sociologically diverse in character (Stepan *et al*, 2010). There is a very slight difference between multi-national and multi-cultural or multi-ethnic states. The former includes the existence of considerable territorially based communities that articulate and raise slogans for more autonomy or independence while the latter does not.

In multi-national states, nationalism and the loyalties of the people are often divided on the basis of two sets of identities: the national and the state. It is fairly possible that the political activities of various nations under multi-national states

⁶²The state of Pakistan also falls in the state-nation category of states. This is because Pakistan emerged as an independent country owing to the minority-led nationalism against the British colonial rule as well as the fear of Hindu domination in late 1930s. Majority of the people of NWFP (now Khyber Pashtunkhwa) and Balochistan (formerly Kalat state) did not take part in Pakistan's movement but rather were struggling for their own independent countries of Pakhtunistan and Balochistan.

may create, at some point, a situation for political elites or general masses to mobilize the people of their respective nations against the domineering role of the state. In such circumstances, there are chances that a sub-nation oriented nationalism may emerge and lead to a conflict within the multi-national state. Scholars such as Ma (1992), Horowitz (1985) and others suggest that federalism, which is a form of government based on the principle of self-rule and shared rule, be used as a common approach to overcome and solve such problems. Hence, many multi-national states like Canada, the former Soviet Union, Switzerland, India, and others, adopted federalism to solve the national question of sub-nations within the boundaries of the state. The success of such a federal approach depends upon the degree of integration of nations within the state and the level of democratization (see Stepan *et al*, 2010). In addition, scholars also assert that nationalism in multi-national states is either state-building or state-destroying and this depends upon the degree of integration of nations within the state (Ma, 1992).

In the state-nation category (such as Pakistan), the states often appeal to promote nationalism from above to overcome the heterogeneous nature of society. However, such attempts can be state-destroying because they increase the tension between the state and the tribes and/or ethnic groups.

4.3. Nation and Nationalism

If we look closely at the prevailing literature on the subject of nation and nationalism, we see different views about their origins, meanings, and definitions. This is not surprising, because scholars have adopted various approaches to the study of nation and nationalism; even amongst the so called modernists, there is no agreement on the exact origin of nationalism. The next section looks at the

definitions of nation and nationalism and asks which came first: nation or nationalism?

4.3.1. Nation

The term nation is derived from the Latin word '*natio*' which means 'to be born'. *Natio* initially had a pejorative meaning because it referred to a community of outsiders within the boundaries of a city who grouped together when their members increased and could not be integrated by a community, thus becoming known as *natio*. The word later became nation (Plesu, 2001: 10). In French, it refers to the community of elites of a state. As Maistre has stated, a nation is the sovereign plus the aristocracy (in Plesu, 2001: 10). By the term nation, Durkheim means a group that includes both the state and the nationality (cited in Guibernau, 1996: 28). In the same vein, Weber defines nation as a community of sentiments which would adequately manifest itself in a state of its own; hence, a nation is a community which normally tends to produce a state of its own (cited in Smith, 2001: 25 and see Guibernau, 1996: 33). The essential condition for a group or community of people to be called a nation, according to Durkheim and Weber, is a sovereign state. According to them, a nation is only possible within a state of its own. One can criticise this notion as there are nations which have no states of their own. Such nations have been included, absorbed or annexed by a strong nation-state or state-nation and become nations without a state. Catalonia, Northern Ireland, Balochistan, Tibet, and Kurdish people (Kurdistan) are the best examples.⁶³

⁶³ Many nations under multi-national, multi-cultural or multi-ethnic state structures are striving for secession or more autonomy for their respective national or ethnic groups. In the case of Balochistan, the nationalist forces are struggling to gain either more autonomy or complete separation from Pakistan; in Tibet, the Dalai Lama is seeking greater autonomy within China (though the Chinese government accuses him of seeking independence in disguise); the case of Tamil Tigers of Sri Lanka (LTTE) was a similar example where the Tamils were once determined for a separate Tamil state. Likewise, we can find a number of cases in India

In contrast to Durkheim's and Weber's definition of 'nation', Guibernau views 'nation' as "a human group conscious of forming a community, sharing a common culture, attached to a clearly demarcated territory, having a common past and a common project for the future and claiming the right to rule itself" (1996: 47). Guibernau sets out five conditions or constituent elements for a group of people to be called a nation. These conditions are: group consciousness (this condition is purely psychological), a common culture, territory, politics, and history. Note however, that this does not mean that every nation possesses or fulfils these conditions. For instance, if we look at the history of Jews prior to the establishment of the state of Israel, they were without territory or political setup, though they retained their status as a nation. There are a plethora of definitions for the term nation, and Uzelac (2002) observes that irrespective of their school of thought, theorists are inclined to define the term by setting certain conditions for its existence, wherein they emphasise on one or several constituent elements. Those like Anderson (1983), Hasting (2005), and others underline that a common language is one of the basic requirements for a nation and for national existence. To Anderson 'nation' is "an imagined political community – and imagined as both inherently limited and sovereign" (1983: 6). By an imagined community, he means that members of a nation may never know most of their fellow nationals, but in their minds they have a feeling of being in common in them. Such feelings might be the sense of some common interests amongst members of a nation or it might be specific characteristics such as culture and language. Anderson also argues that "the convergence of capitalism and print technology on the fatal diversity of human language created the possibility of a new form of imagined community, which in its basic morphology set the stage for the modern nations"

such as the Khalistan movement of the Sikhs (though suppressed by the security forces in 1980s) and the on-going struggle of Kashmiris for self-determination.

(1983: 46). And Hasting (2005: 37-38), though he does not provide a working definition of nation itself, argues along the same lines:

Ethnicities naturally turn into nations or integral elements within nations at the point when their specific vernacular moves from an oral to written usage to the extent that it is being regularly employed for the production of a literature....Once an ethnicity's vernacular becomes a language within an extensive living literature of its own, the Rubicon on the road to nationhood appears to have been crossed. If that fails to pass that point – and most spoken vernaculars do fail that hurdle – then transformation to nationhood is almost certain never to take place.

Additionally, Connor (1994: 75) defines nation as “a group of people characterized by a myth of common descent.” Scholars like Breuilly (2005) and Billig (2005) stress that control over a specific piece of land (territory) is one of the most important constituent element of a nation. There are numerous other examples of scholars who come up with a single constituent element of nation.

Against this, there are many scholars who hold the view that nation cannot be defined through a single element but requires a combination and variety of constituent elements. For instance, Smith defines a nation as “a named human community occupying a homeland, and having common myths and a shared history, a common public culture, a single economy and common legal rights and duties for all members” (Smith, 2001: 13). According to Brass (1991: 20), a nation is “an ethnic community politicized, with recognized group rights in the political system.” On the very first page of its introduction, Seton-Watson (1977: 1) views nation as “a community of people whose members are bound together by a sense of solidarity, a common culture, and a national consciousness.”

The contention is that all of the above definitions of nation, either with single constituent element or with various constituent elements, are concepts of ideal-types (Uzelac, 2002). Although, scholars provide their own direction for analyses

of a specific nation, none of their definitions can be generalized because there are numerous cases where a nation exists without a state of its own or a common language, or a common economy, or common legal rights, or national consciousness (ibid, 2002). In some of the definitions stated above, even a few constituent elements are vague. For instance, Smith uses the terms, 'single economy' and 'common legal rights'. If one applies Smith's 'common legal rights' criterion to the English nation, which is considered to be the first nation or prototype by Hastings (2005) and others, it would not fit the definition because it was only at the beginning of 20th century when women got equal civil rights and duties as those of men. If we look at the 'single economy' as a constituent elements (asserted by Smith), then Kashmiri, Baloch, Tibetans, Kurds, and many others would not fit the criterion of a nation because they are part and parcel of their larger states (India, Pakistan, China, and Iraq respectively). Further, according to a conservative estimate, there are 193 sovereign member states of United Nations Organization, 5000 ethnic groups, and all of them together form 6000 language groups (in Topic, 2011). Therefore, if we apply the criterion of a common language as per Anderson (1983) and Hastings (2005) to the above language groups then there would be 6000 nations around the world. Similarly, applying the criterion of common descent and ancestry as proposed by Connor (1994), would lead to 5000 nations around the world. Generally, if we agreed with Durkheim and Weber, there would be 5000 to 6000 sovereign states.

Keeping in view the aforementioned discussion, it can be argued that nation is a social phenomenon, and processes of change (formation and reformation of nations with varying degree of constituent elements) take place around the world constantly. The constituent element or elements of a nation depend upon time and space. Neither a single constituent element nor a combination of elements is

sufficient to define a nation; rather every definition of nation “could be perceived as an operational definition for an analysis of a theorist’s specific research, on a specific case study, at a specific historical period” (Uzelac, 2002, 38).

For my research project, by the term nation I imply a sufficiently large group of people possessing a particular piece of land (or having a claim to particular land) where there exists a sense of oneness and belonging amongst its members who share some commonalities. By commonalities I mean features which knot them together such as a common history, culture, language, religion, heritage, race, ethnicity and or a future course and plan of action. This definition includes almost all the constituent elements of nation as presented by the scholars discussed above. However, this does not mean that every nation possesses all the above-mentioned commonalities or constituent elements; some nations possess all the commonalities while others enjoy one or two or more. In case of the Baloch nation, it is probable that a majority of the nationalists would claim Baloch is a nation by every definition of the word ‘nation’ and would also assert that all the above-stated constituent elements and commonalities exist amongst its members in one form or another.⁶⁴

So what is the ultimate aim of a nation to be called as a nation? Scholars, who perceive nationalism as a political ideology and doctrine, argue that the ultimate aim of a nation is to achieve a state of its own where they could live according to their set ideals and aspirations or at the very least have a right to self-determination (Anand, 2010).

4.3.2. Nationalism

⁶⁴Compare this with the opposite view presented by writers such as Feroz Ahmed (1998) who asserts in his book *‘Ethnicity and Politics in Pakistan’* that Baloch is not a nation but a tribal society which lacks a common historical past, linguistic cohesions, and ethnic bases for nationalism. He is of the opinion that the socioeconomic aspects of Baloch nationalism play an important role in boosting it.

Like nation, nationalism is also a contested and debatable concept. We cannot separate the two terms from each other. They are interlinked, and therefore, we cannot think of nationalism without a nation at least in the present world of the nation state system. As with nation, nationalism has different meanings dependent on people and circumstances. It may be an idea, behaviour, sentiment, doctrine, political movement, and/or a political principle.

According to Breuilly (1993: 404), nationalism refers to ideas, sentiments and actions. He points out three senses of nationalism. Firstly, nationalism can be understood as the work of intellectuals; secondly, it can be understood as sentiments, attitudes, values; and finally, nationalism can be viewed as a movement which focuses on political action and conflict. He claims that “nationalism is, above and beyond all else, about politics and that politics is about power. Power, in the modern world, is principally about control of the state” (ibid, 1993: 1). On the other hand, Kellas (1991:27) asserts that nationalism is both an ideology as well as a form of behaviour. According to Kellas, it is an ideology which builds on the idea of the nation and makes the nation the basis for action. The action can be a political and/or non-political. The political and apolitical behaviour can be judged, for example, in sports, where masses of people passionately support their national team what seems like nationalist behaviour, but the same people may not display nationalism in politics (Kellas, 1991: 28).

Kedourie (1994: 1) defines nationalism in two ways. Firstly, according to him, “[n]ationalism is a doctrine invented in Europe at the beginning of nineteenth century” and secondly, he says:

Nationalism pretends to supply a criterion for the determination of the unit of population proper to enjoy a government exclusively its own, for the legitimate exercise of power in the state, and for the right organization of a society of states. Briefly, the doctrine holds

that humanity is naturally divided into nations, that nations are known by certain characteristics which can be ascertained, and that the only legitimate type of government is a national self-government (ibid, 1994: 1).

Keldourie believes that humanity is divided into various nations and that the aim of each nation is to have a state of its own.

Gellner, who is a proponent of the modernist school of thought, defines nationalism as “a political principle, which holds that the political and national unit should be congruent” (Gellner, 1983:1). Thus, Gellner views nationalism within the parameters of the modern nation-state system and as nothing more than an ideological support for it. While for Smith nationalism means an ideological movement for the attainment and maintenance of autonomy, unity and identity of a human population, some of whose members conceive it to constitute an actual or potential nation (Smith, 1991: 51 and the Warwick Debates, 1995). Smith (1995: 55) further states that:

[N]ationalism holds that the world is divided into nations, each of which has its own character and destiny; that an individual’s first loyalty is to his or her nation; that the nation is the source of all political power; that to be free and fulfilled, the individual must belong to a nation....and that a world of peace and justice can only be built on autonomous nations.

Further, Guibernau (1996: 43) defines nationalism as:

[A] sentiment that has to do with attachment to a homeland, a common language, ideals, values and traditions, and also with identification of a group with symbols such as a flag, a particular song, and piece of music or design which define it as different from others. The attachment to these signs creates an identity; and the appeal to that identity has had in the past, and still has today, the power to mobilize people.

Keeping in view the diverse meanings and definitions of nationalism, it can be said that nationalism can be anything at all! It can be state-oriented or nation oriented. It might revolve around autonomy or self-determination. It can be a movement to construct a nation and demand a separate state on the basis of that nation. It can be defined in terms of ethnicity, language and or territory.

However, the dichotomy of civic and ethnic nationalism has been used by a majority of the researchers in their works (see for example, Smith, 2001; Ozkirimli, 2000; Wirth, 1936; and Storey, 2001). The main difference between the two is that the former is based on the guarantees of individual rights and defines nation on geographical and territorial basis while the latter defines nation in ethnic terms and excludes all those from the nation who are not members of their ethnic group (Wan & Vanderwerf, 2009, n.p). According to Shevel, civic nationalism is linked to tolerance and liberalism in that it overcomes ethnic divisions whereas ethnic nationalism is more aggressive, xenophobic (intolerant), and authoritarian (Shevel, 2009: 160-161). The upholders of ethnic nationalism claim that being a member of a particular nation is neither a choice nor a voluntary phenomenon but is rather determined by birth, while on the other hand, the proponents of civic nationalism opine that it is the citizenship which determines one's affiliation with a nation. The advocates of civic nationalism criticize the ethnic concept of nationalism on the grounds that it impedes the growth towards liberal democracy. Smith holds that the ethnic-civic dichotomy of nationalism is incorrect and misleading since it was the ethnic nations that have transformed into more territorial and political communities (Smith, 2001: 101-102).

I prefer Smith's (1991) definitions of nationalism. This is because it explains better the rise of Baloch nationalism. If we look into the history of Baloch nation and the rise of Baloch nationalism, which is the subject matters of chapter V and VI, it shows us that Baloch nationalism is an ideological and political movement that emerged in the 19th century against the forces of suppression and exploitations i.e., the British colonizers and the federal Pakistan. It (Baloch nationalism) revolves around the politics of self-rule, unity and identity of the

Baloch populace as well as demands for securing Baloch land and resources from the intrusion of outsiders.⁶⁵

4.4. Theories of nationalism

Besides the definition of various types of state, the nation and nationalism, there is also the puzzling and problematic questions: Which one is prior, nation or state, nation or nationalism? The theorists approach this question in different ways depending on their school of thought. Scholars such as Ozkirimli (2000), Smith (1995 and 2001) and others identify three main approaches to the study of nation and nationalism: primordialist, modernist, and ethno-symbolist. In the following section, I will briefly describe and analyse each category to establish which approach is best for conceptualizing Baloch nation and nationalism.

Primordialism is one of the oldest academic approaches to the study of nation and nationalism. The primordialists consider the nation a permanent part of human history. They argue that nations are prior to both state and nationalism, and not the other way around. According to the primordial theorists, nations and ethnic identities precede the nation states. They assert that nation is a cultural community that has survived from time immemorial (Madianou, 2005: 9 & 2002: 22).⁶⁶

⁶⁵ Majority of the Baloch nationalist leaders, historians, and researchers consider the Baloch to be a nation with the right to decide their own future. As I mentioned earlier (in the methodology section, which will further discussed in chapter VI), that there are various types of Baloch nationalism. The federalists are engaged politically to secure the political and economic rights of the Baloch masses and preserve the national identity of the Baloch nation within the existing boundaries of the Pakistani federation, while the separatists struggle to establish a free, sovereign and independent Baloch state on the basis of Baloch being a different and separate nation. Therefore, nationalism is a political ideology and a movement which revolves around a nation such that nationalists would focus on the betterment and emancipation of their fellow nationals. They (nationalist) would either demand more autonomy or self-determination and/or a separate state for its fellow nationals.

⁶⁶ Primordialism is an umbrella term used to describe scholars who hold that nationality is as natural as other parts of human beings such as speech, sight or smell and that nation have existed since time immemorial (Ozkirimli, 2000: 64 and Anand, 2010: 282-83). However, a majority of theorists who belong to the primordial school of thought would concede that the concept of nationalism is a new phenomenon that emerged during the 18th and 19th centuries, even though; they might assert that the nation and national culture has ancient roots.

The primordialists do not form a single and monolithic category, and therefore, one can identify different versions of primordialism such as naturalist, socio-biological, culturalist, and perennialist (Madianou, 2005: 9-10; Ozkirimli, 2000: 9-10 & 64-74; and Smith, 1995; & 2001).⁶⁷

Overall, the primordialist approach did not make any distinction between nations and other groups such as ethnicity and other collectivities which are subject to change with the passage of time and owing to their various needs. As Smith (1995: 30-32) asserts:

The cultural contents and meanings of ethnic identities tend to change with cultures, periods, economic and political circumstances, according to the perceptions and attitudes of each member. They are never static, never fixed. It is vain to search for an essence in such identities, because they are always being transformed and can always be refashioned according to need.

In a similar vein, Madinau (2002: 25 and 2005: 11) argues that the primordialist approaches to the study of nation and nationalism “fail to capture the changing and often contradictory character of identities through time. By stressing the given and fixed nature of identity they sit uncomfortably close to theories that have privileged race and biological differences.” Also, scholars such as Anand (2010: 283) are of the opinion that “the assumption that primordial attachment and the cultural sources that generate them are ‘given’ does not square with facts – they are evidently invented/constructed. National cultures have evolved and are often ‘invented traditions’” (see also, Hobsbawm & Ranger, 1983). Therefore, owing to

⁶⁷ The naturalist approach is the most extreme, and according to this approach, national identities are a natural part of all human beings, just like speech or sight. The socio-biological approach examines the links between biological ties, kinship and ethnicity and treats the nation as an extension of the idiom of kinship, or a kind of super family (Madianou, 2005: 9; Wan & Vanderwef, 2009: n.p; and Smith, 1995:32). The culturalists, who are also known as cultural primordialists (Shils, 1957 and Geertz, 1993), hold three main ideas: primordial identities or attachments are given; primordial sentiments are ineffable and indescribable; and primordialism is essentially a question of emotion and effect (Ozkirimli, 2000). The perennialists generally have the same view of nation and nationalism as those of primordialists. The main distinction between their views is that the perennialists hold that nations existed throughout history but they have a belief, founded on some empirical observations, that nation – or at least some nations – have existed for a long period of time, for whatever reason. So they do not have to regard nations as natural, organic or primordial phenomenon. They reject such non-historical accounts (Smith, 2001: 49-51). For more details, see Smith (2001) and Machin (2008).

these limitations on the part of primordialists, another school of thought, known as the modernist or constructivist, developed which considers that nation and nationalism are modern constructs and phenomena.

Proponents of the modernist school of thought hold quite different views about nation formation and nationalism. Their main argument is that it is nationalism which creates nations. The modernist theorists such as Gellner (1983), Kedourie (1960), Anderson (1983), and Hobsbawm (1990) are of the opinion that nationalism engenders and creates nations, and not vice versa. They discard the primordialists' notion of antiquity by saying that nations, like states, are a contingency, and not a universal necessity, and therefore, neither nations nor states exist at all times and in all circumstances (Gellner, 1983: 6 and Ozkirimli, 2000: 85-86). Their central contention is that it was modernity which inevitably came in the shape of nationalism and that created nations. For instance, Hobsbawm asserts that "nationalism comes before nations" and argues that "[n]ations do not make states and nationalism but the other way round" (Hobsbawm, 1990: 10). Nationalism, for modernists, is thus a program for creating nations and it exists prior to the formation of nations and states. However, modernists, like primordialists, do not form a single and monolithic category.⁶⁸ They have different views when they deal with questions such as when nations emerged. For instance, Gellner (1983) relates the emergence in the

⁶⁸ The first is a socioeconomic approach where scholars such as Tom Nairn (1977) and Michael Hechter (1975) argue that nationalism and nations are derived from such novel economic and social factors as industrial capitalism, regional inequality, class conflict and so on. The second is socio-cultural and attached to Ernest Gellner. According to this approach, nationalism and nations are a sociologically necessary phenomenon and are the products of a modern, industrial age, emerging in the transition to modernization. Thirdly, according to Smith, scholars like John Breuilly (1993), and Anthony Giddens (1985) view nations and nationalism through a political prism via modern professionalized state systems. Such scholars would say that "not only is the modern state the best predictor of nations and nationalism, its relationship with society forms the crucible for a reintegrative nationalism, which is the inevitable concomitant of state sovereignty" (Smith, 2001: 48). Fourthly, nationalism is an ideological movement originating in Europe, and on the basis of its quasi-religious power and sentiments, it plays an important role in breaking up empires while creating new nations where none existed (Kedourie, 1960 & 1971). And finally, there is the constructivist approach which emphasises the construction of nation and nationalism. The constructivist theorists assume that nations and nationalism are modern phenomena but they emphasise its constructive character.

industrial age, while for Anderson (1983) the crucial event that engendered a period of nation-formation was the invention of the printing press and capitalism.

Briefly, the common denominator of this school of thought is that they believe in the modernity of nation and nationalism. According to them, both nation and nationalism appeared in the last two hundred years (during the French Revolution) and they are the products of some specific processes and conditions of modern age such as capitalism, industrialism, the emergence and establishment of the modern bureaucratic state, mass communication and secularization (Smith, 1995: 29 and Ozkirimli, 2000: 85).⁶⁹

However, there are concerns about the modernist paradigm on the question of nation-formation and national identity. Adrian Hastings' (1997) work '*The Construction of Nationhood: Ethnicity, Religion and Nationalism*' is one of the main critiques of the mainstream theories and theorists such as Gellner, Anderson, and Hobsbawm. He argues that English national identity can be dated back at least to 1066 and that the main European nations had already emerged by the sixteenth century. He suggests that "England presents the prototype of both a nation and a nation-state in the fullest sense" (1997: 4), and so the English case in Europe is unique and as such it became a model, "...which was then re-employed, remarkably little changed, in America and elsewhere" (1997: 5). But English nationhood preceded English nationalism, the latter manifesting itself visibly during the long fourteenth-century wars with France.⁷⁰

⁶⁹See also 'The Warwick Debates: The Nation: Real or Imagined?' which was an event held at Warwick University on 24th October 1995 and chaired by Edward Mortimer. In this debate, the two most prominent scholars on nation and nationalism, Anthony D. Smith and Ernest Gellner, shed light on nation and nationalism. Both their positions are quite different to each other on many issues relating to the emergence of nation and nationalism. The former belongs to an ethno-symbolist school of thought while the latter to modernist.

⁷⁰See Greenfeld (1992: 14), '*Nationalism: Five Roads to Modernity*' in which she asserts that the original idea of the nation emerged in 16th century England, which according to her is the first nation in the world (and the only one, with the possible exception of Holland, for about 200 years). See also Ozkirimli (2000: 70).

Smith (1995 & 2001) also challenges the modernists by contending that it is the nation and nationalism which engenders modernity. In his book *'Nations and Nationalism: A Global Era'*, he argues that the modernist approach towards nation and nationalism is misleading and out of date. For him, "it isn't the modernity that directly creates nations", but there were some sort of ancient and primordial identities which shape the modern nations.⁷¹ Smith (1996) asserts that the modernist theorists lack on account of some of elements such a shared memories and traditions, myths and symbols which play an important role in the creation of nations:

[M]odernism can tell us only half the story. It tells us in general why there have to be nations and nationalism in the modern world; it does not tell us what those nations will be, or where they will emerge, or why so many people are prepared to die for them. Nor does it tell us much about the character of particular nationalisms, whom they address, and whether they are religious or secular, conservative or radical, civic or ethnic - issues that are vital both for the participants and their victims, and for a scholarly understanding of nations and nationalism (ibid, 1996; n.p).

Thus, to understand modern nations and nationalism it is important to investigate not only the processes and requirements of modernity, but also the descents and ancestries of nations (ibid, 1996: n.p). The notion that industrialization and modernity are prerequisites for the emergence of nation and nationalism is misleading and outdated precisely because there are many examples of nationalist movements before the arrival of modernity, such as in Finland, Serbia, Ireland, Mexico, Japan, and others, including post-revolutionary France and pre-Bismarckian Germany (Smith, 1995 and Coversi, 2007: 19).

Now, for the ethno-symbolist, it is the nation and nationalism which engenders modernity. Their main argument is that modern nations are the extended forms of older communities, called ethnic groups, and to them (the ethno-symbolist) it is

⁷¹ See Smith's lecture (1996) on Memory and Modernity: Reflections on Ernest Gellner's Theory of Nationalism.

these pre-existing ethnic and cultural groups on which the phenomenon of modern nationalism is built (Smith, 1995; 2001; and 2004).

The ethno-symbolist approach arises as a reaction to the modernist and primordialist paradigms because the former fails to capture the pre-modern history of nation as well as the exact event or date for its formation while the latter “fails to capture the changing and often contradictory character of identities through time” (Ozkirimli, 2000; Smith, 2001; Madinau, 2005; and 2002: 25).

This approach adopts a middle-way position between the primordialists and modernists in the debate. The ethno-symbolists agree to the fundamental principle of modernism that nations are a modern phenomenon. However, they assert that although nations are modern, they have their roots in primordial attachments since ancient times. They “accept the continuity of ethnic traits, but recognise their transformation through modernity” (Madianou, 2005: 9).

For them, the primordial ties are the product of culture, history, myths, symbols, and memories. Smith, who is one of the most famous proponents of this school of thought, proclaims that for ethno-symbolist theorists such as himself (1986, 1999 and 2001), Armstrong (1982 and 1995), and Hutchinson (1994):

[N]ations and nationalism can only be understood through an analysis of collective cultural identities over *La longue durée* (over a long term). But the connections of the past to the present and future can never constitute a single one-way causal relationship; there are different kinds of links, depending on external circumstances and the resources of the community (Smith, 2001: 83).⁷²

The ethno-symbolist approach is more homogeneous towards the study of nation and nationalism when compared to the primordialist and modernist. Their central theme is that it was ethnicity which shaped the modern nations, and they stress the

⁷²It is important to note that the taxonomy is not clear-cut regarding the ethno-symbolist paradigm. For Smith and Hutchinson, Armstrong is a perennialist, while for Hutchinson, both Smith and Armstrong are ethnicists. Armstrong does not use the term ethno-symbolism himself although his arguments are strikingly similar to those by Smith (Ozkirimli, 2000: 168-173; Smith, 2001: 59-60; and Madianou, 2002: 23).

need to contextualize the rise of modern nations within the larger phenomenon of ancient ethnic groups (Hutchison, 1994: 7). The founders of this approach acknowledge the modernity of nationalism but at the same time maintain that nations are prior to nationalism in certain cases. For instance, Smith (2001: 60) states that:

I have become interested in the possibility of nations prior to nationalism, at least in few cases, and its implications. But, in general, my approach has focused on the way that prior, and often pre-modern, ethnic ties and ethnies have influenced, and in some cases formed the basis for, subsequent nations and nationalism.

Thus, the ethno-symbolists highlight the continuity between pre-modern and modern forms of social consistency, without ignoring the changes that are brought about by modernity. Nonetheless, like the previous two approaches, they also fall prey to a number of criticisms raised by Conversi (2007), Ozkirimli (2000 and 2003) and others. For instance, Conversi observes that the ethno-symbolists are weak in their conceptual foundations. His main problem revolves around Smith's definition of nation, which he claims is unclear. He states that "[t]he inclusion of 'common rights and duties' in the definition seems to refer to *citizenship* rights which can be fully granted by the existence of a state or autonomous region" (Conversi, 2007: 23). Though, Conversi admits that there are cases that seem to verify Smith's definition but he still finds it too comprehensive to be efficient and see it as confusing nationhood with citizenship and/or nation with state (ibid, 24, see also Connor, 2004).

However, in my view Conversi's criticism overlooks Smith's understanding of rights and duties for all members. Smith does not invoke modern citizenry rights and duties, as we know them today; rather he is talking about certain common understandings amongst ethnic or racial groups dwelling together. Further, Conversi and others do not take into account the fact that most of the nations

around south Asia and parts of Africa were dwelling in the form of ethnic and tribal groupings without any modern state structure and had their own ways of protecting and upholding common rights and duties of all members of the society.⁷³

With regard to Smith's definition, we can assert Baloch nationalism is based on the ethno-symbolist view because as an ethnic and tribal people, Baloch shared most of Smith's defined attributes of nationhood and nationalism. Furthermore, the ethno-symbolist approach is applicable to the study of Baloch nation and nationalism for the following reasons.

Firstly, a majority of the Baloch writers and nationalists would affirm that Baloch is an ethnic group that has existed since time immemorial but the sense of nation and national identity emerged only during the 12th century with the establishment of the first Baloch confederacy (consisting of more than 40 Baloch tribes) under Mir Jalal Khan, followed by the subsequent confederacies of Rind-Lashar in the 15th century, the Maliks, the Dodais, the Boleidais, the Gichkis, and the Khanate of Balochistan (Kalat Confederacy) in the 17th century. This Khanate lasted till the merger of Kalat to the Pakistani state in 1948 (Baloch, 1987; Breseeg, 2004; and 2009). A quote from Breseeg's article 'Heterogeneity and the Baloch Identity' (2009: 51-65) is illustrating:

Since the 12th century the Baloch formed powerful tribal unions. The confederacy of forty-four tribes under Mir Jalal Khan in the 12th century, the Rind-Lashari confederacy of the fifteenth century, the Maliks, the Dodais, the Boleidais, and the Gichkis of Makkoran, and the Khanate of Balochistan in the 17th century, united and merged all the Baloch tribes at different times. Moreover, the invasions of the Mughals and the Tatars, the wars and the mass migrations of the

⁷³ As noted by Ichijo and Uzelac (2005:13), it is also important to note that the modernist theorists are inescapably Eurocentric. "it was Europe, after all, that experienced changes at its political, economic and social levels around the end of the eighteenth and beginning of nineteenth century, changes so dramatic that they deserve a label as beginning of a new era."

thirteenth and the fourteenth centuries, and the cross tribal alliances and marriages, contributed to the shaping of the Baloch identity.

Secondly, as mentioned earlier, a nation is a social phenomenon, with varying constituent elements, is that subject to the process as of formation and reformation from time to time. No single constituent element or a combination of elements is sufficient to define a particular nation. In view of this observation, Baloch is a nation of pre-modern epochs, and the definition I set out in section 4.3.1 can best conceptualize the case. A majority of Baloch scholars including historians and nationalists would claim that Baloch is a nation by every definition of the word nation and would also assert that the Baloch are a sufficiently large group of people possessing a particular piece of land; they have a strong sense of oneness and belonging amongst their member tribes; there is a common history and culture, religion and heritage, race and ethnicity and even a future course and plan of action (either in the form of a separate state or self-determination or more autonomy and control over their resources).

And thirdly, Baloch nationalism is a recent and modern phenomenon of the early 19th and 20th centuries which gained popularity and strength during subsequent years due to events related to the Baloch and their land, Balochistan. The nationalist feelings arose amongst the various Baloch tribes with the occupation of eastern Balochistan by the British in 1839 during the 'Great Game' era of struggles between the Russian and British Empires for control and supremacy over Central Asia and parts of south Asia (Fani *et al*, 2011 and Breseeg, 2004). Nationalist feelings further developed when "the British succeeded to break up the original Baloch homeland into several pieces by using their tried and tested method of divide and rule and one-fourth of Baloch area was detached from Khanate of Kalat and added to Iran in 1871 and a small strip was ceded to Afghanistan in 1894" (Fani *et al*, 2011: 660). As part of the divide and rule policy,

the eastern part of Balochistan was further divided into two parts, British Balochistan and the princely state of Kalat comprising Lasbela, Kharan and Makran (ibid, 2011: 660). British Balochistan came under the direct rule of British India while the princely state of Kalat was subject to rule under treaties signed between the Khan of Kalat and British India. The most important period of Baloch nationalism in eastern Balochistan (Pakistani Balochistan) started after the First World War (1914-1918) up to the Second World War (1939-1845) and reached its peak with the division of India in 1947 when both British Balochistan and the princely state of Kalat (including Kharan, Lasbela, and Makran) were annexed to the newly born state of Pakistan.

While historically relevant, the ethno-symbolist theory may not be enough to explain the modern Baloch nationalism (1947 to 2013) in terms of socio-economic factors within Pakistani federation. This is because current Baloch nationalism also seems to be a reaction towards the socio-economic policies of the federal/central government of Pakistan. Therefore, in my work, I will also explore the exploitative nature of the federal government of Pakistan towards Balochistan vis-à-vis regional inequalities in terms of development, control over provincial affairs and resources as well as representations in the central institutions, especially parliament, civil and military bureaucracy.

To sum up, it can be said that nations are pre-modern occurrences. Nations are the extended forms of ancient ethnic, cultural and other identity groups while nationalism is a modern phenomenon that emerged during the 18th and 19th centuries with the establishment of the modern nation state system. The question of the exact date and event of the emergence of nation and nationalism is problematic and will remain as such. My own inclination is towards the ethno-symbolist approach because I feel that the existing nations are the extended forms

of ancient cultural, ethnic and other identity groups. So far as nationalism is concerned, it is a political ideology and principle (which is at work around the world in varying shapes); it may be civic or ethnic; it may aim for greater autonomy or for separation and creation of new state. But certainly it is most dynamic subject area which has been active since French Revolution and will continue to be important till every nation attains an independent state of its own, or has self-determination or may be some kind of political and economic autonomy. Applying ethno-symbolist approach, the issue of Baloch nation and nationalism will be examined in the proceeding chapters' vis-à-vis the colonial and post-colonial forces of occupation and exploitation.

Chapter V: The Baloch and Balochistan

5.1. Introduction

This chapter will examine the various theories about origin of the Baloch nation to argue that neither the primordialist nor the modernist theories of nationhood can explain the Baloch nation. In fact, it is the ethno-symbolists that offer the best understanding of the Baloch as a nation. Baloch nationalism, however, is best understandable via the modernist theories of nationalism, because it is very much a product of the reaction to the foreign occupation (or what the Baloch see as foreign occupation including that by Britain, Persia, and Pakistan). Baloch nationalism and its evolution is the subject matter of the next chapter. I discuss the origin of the Baloch nation and Baloch nationalism separately because of the complexities that emerge from the concepts of nation and nationalism. For example, the theoretical question as to which among ‘nation’ and ‘nationalism’ or ‘state’ prelude the others. As the primordialists and nationalists maintain that the nation is something given, fixed and existing at all times, while the modernists argue that nationalism gave birth to the nation. As far as the Baloch nation is concerned, it is neither primordial (ancient) nor modern because it emerged as a nation before the era of enlightenment and the French revolution. It was the Baloch ethno-national group that created a state in 17th century and subsequently gave birth to Baloch nationalism in the 19th and 20th centuries as a reaction against the forces of suppression and exploitation. Since, it is useful to look at the Baloch nation (and its formation) and nationalism, separately. The rest of this chapter is about the ‘Baloch Confederacy’⁷⁴ in its historical perspective, from the arrival of

⁷⁴ The Baloch Confederacy has being given various names in the prevailing literature. It has been called the State of Kalat (A.Y.K. Baloch, 1975), the Baloch Confederacy (Imperial Gazetteer of India, 1908), the Brahui Confederacy (Khanam, 2005), the Khanate Kalat (Dashti, 2012 and Swidler, 1992), the State of Kalat (Breseeg, 2004), and the Khandom or Tribal Chiefdom of Kalat (Axman, 2009 and Swidler, 1992). I will use all such terms interchangeably as per the context of the discussion in this dissertation.

the British in 1839 to the fall of the State of Kalat into the Pakistani federation in 1948.

This chapter is divided into three sections. Section I investigates the origin of the Baloch and argues that as a nation it is heterogeneous in its composition, being an admixture of various ethnic, racial, and linguistic groups over a long period of time. Section II discusses modern Baloch nation. Section III concerns the State of Kalat in its historical perspectives vis-à-vis the arrival of the British and the state's incorporation into the Pakistani federation. This framework will enable us to understand the emergence of the Baloch nation. This chapter also provides a detailed discussion based on the empirical data collected during the fieldwork (as per the plan set out previously in methodology section and chapters IV of this dissertation). The responses received from the interviewees, especially the Baloch interviewees, are incorporated at relevant places in order to examine how the Baloch look at themselves as a nation and the Kalat Confederacy.

The term Baloch and Balochistan are already discussed in the introductory chapter. So far as the land of Balochistan is concerned it is an historical place. Due to its strategic location, parts of the land have historically remained under various rulers and dynasties, including Alexander the Great (550- 323 BC), the Sakas (2nd and 1st century BC), the Parthian dynasty (250 BC - 227 AD), the Sassanid dynasty (227 - 651 AD), the Hephthalites or white Huns, the Roy dynasty of Sindh (489 - 690 AD), the Arabs (632 - 750 AD), and others that led up the British (1839 – 1947) (for more details, see Dashti, 2012; S.M. Marri, 2010; Hameed Baloch, 2009; and Ahmad, 1992).

In ancient and medieval times, Balochistan had various names. During the time of Alexander, it was Gedrosia and in times of Sassanid Empire, it was Turan. During

the reigns of Mir Naseer Khan Noori I (1749-1817), the name Turan was changed to Balochistan (A.Y.K. Baluch, 1975: 84 and S.M. Marri, 2010: 414), the name with which it has to be known since then. The word Balochistan means the land of the Baloch. Besides the Baloch, there are other ethnic groups who have lived in Balochistan for ages but they do not consider themselves a part of the Baloch nation because they possessed different ethno-national identities. In this regard, Pashtuns are the second largest who have lived in 10 out of the 30 districts of Balochistan for centuries. Pashtun nationalists such as Usman Kakar, Provincial President of Pashtunkhwa Milli Awami Party (PkMAP), claimed during an interview with the researcher that the Pashtun constitute 50% of the total population of Balochistan. Here the concern is not the percentage of population of the Pashtun and Baloch but to know about the origin of the Baloch as a nation and their confederacy, Kalat Confederacy. So who are the Baloch? Where did they come from? What is their ethnic or racial background? When did they emerge as a unified nation? What does Baloch nationalism stand for?

5.2. History and Origin of the Baloch Nation

The origins of the Baloch are vague and obscure (Ahmad, 1992 and Harrison, 1981). Historians of the 20th century, both Baloch and non-Baloch, have held divergent views regarding the origin and ethnic or racial background of the Baloch. The earlier non-Baloch researchers – including George Rawlinson (1873), a professor of ancient history at Oxford University; Henry Walter Bellew (1874), an Indian-born medical officer and author of many books on India and Afghanistan; L. M. Dames (1904), a British official in Indian civil Services posted in the Punjab (Dera Ghazi Khan) from 1870 to 1897; and Sir Henry Pottinger (1972 eds.), a British armed officer and others – associated the Baloch with different racial entities of the region.

Rawlinson is in favour of a Chaldean (Arab-Semitic) origin of the Baloch. Bellew on the other hand, align the Baloch people with the Rajput, who are of an Indian origin. He identified the name Baloch with 'Ballicha', a clan of Chuahan Rajputs. Pottenger (1972) believed that the Baloch are of Turkmen ethnic origin and he rejected the theory of the Arab origin. Dames (1904) considered them to be from the Aryan and Iranian groups of tribes. He held this opinion on the basis of the physical structure of the Baloch. He considered the Brahui to be a different race because of the linguistic differences with the Baloch and linked the former to an Indian origin. Dames (1904) opined that those who speak the Balochi language are Baloch while those living around Kalat, who speak the Brahui language, were of an Indian origin. M.S.K. Baluch (1958: 265) also considers the Brahui as a different race (linguistically) to the rest of the Baloch, and asserts that "the origin of Brahui race is an enigma of history."

Many Baloch historians and nationalists reject such racial theories and argue that the British Government and its officers, travellers, and researchers deliberately divided the Baloch people on the basis of languages for the purpose of advancing colonial interests and ruling them (see Dashti, 2012; G. K. Naseer; 2010; Breseeg, 2004; and Inaytullah Baluch, 1987).⁷⁵

Though, the works of the above-mentioned non-Baloch writers provide a great deal of literature on the Baloch nation and Balochistan, but as observed by Dashti (2012:3), they are of little concrete value:

During the latter part of the twentieth century, extensive and authentic researches on many languages of Iranian plateau disclosed definite links of the Baloch with other ethnicities of the region. From these research works on the roots of Balochi and other languages, it became clear that theories

⁷⁵Breseeg (2004: 131) stresses that '[w]hatever their ethnic origin may be....the Brahui regard themselves as part and parcel of Baloch nation, sharing a common culture, religion, historical experiences and unifying symbols with the Baloch, and above all....there is strong desire among them to emphasise on a common origin with the Baloch and that is politically very important.'

of the Baloch origin of being Chaldeans, Arabs, or the indigenous population of Balochistan had no logical or scientific credentials.

However, in contrast to Dahsti assertions, many Baloch historians such as G. K. Naseer (2010), Muhammad Sardar Khan Baluch (1958), Justice Khuda Bakhsh Baijarani Marri Baloch (1974), A.Y.K. Baluch (1975), and nationalist leaders such as Hyrbyair Marri, son of Nawab Khair Bakhsh Marri, Assadullah Baloch, General Secretary BNP-A, and Agha Hassan Baloch, Central Information Secretary of BNP-M and others are of the opinion that the Baloch have migrated from Halab (Syria), and ethnically, they are Arabs and Kurd.

In view of the aforementioned discussion, it is important to investigate the origin of the Baloch. As stated earlier that due to lack of a sufficient historical account on the Baloch; their origin is vague and obscure and would remain as such. But nevertheless, there continue to be three to four dominant theories about the origin of the Baloch: firstly, that they are Arab (Semitic); secondly, that they are Aryans; thirdly, that they are the aboriginal people of Balochistan; and fourthly, that the Baloch as a nation are an admixture of various ethnic, racial, and linguistic groups over a long period of time. The last theory could better explain the Baloch as a nation. I elaborate and examine each of these in turn.

5.2.1. Baloch are Arab/Semitic

A group of Baloch historians, intellectuals, and political leaders hold that the Baloch are of Arab (Semitic) origin. These include M.S.K. Baluch (1958), Justice Khuda Bakhsh Baijarani Marri Baloch (1974), A.Y.K. Baluch (1975), G. K. Naseer (2010), Hyrbyair Marri, son of Nawab Khair Bakhsh Marri,⁷⁶ Assadullah Baloch, General Secretary BNP-A, and Agha Hassan Baloch, Central Information

⁷⁶ It is alleged that Hyrbyair is leading the BLA (Baloch Liberation Army) which is a guerrilla organization striving for achieving an independent Balochistan. Hyrbyair prefers to be called a Baloch patriot rather than a separatist. At the moment, he is living in London in exile and working for the liberation of greater Balochistan from Pakistan and Iran.

Secretary of BNP-M and others. Assadullah Baloch and Agha Hassan Baloch during their interviews with me strongly argued that the Baloch have migrated to the present-day Balochistan some thousand years ago from Halab (Syria), and ethnically, they are Arabs and Kurds.

M.S.K. Baluch (1958: 4-5) states, “[t]he term Baluch or Belos is apparently a combination of Bal-uch, or Bel and Os. The very name of the race, if probed deeply, takes back our mind towards a race or a civilization which once dominated, in many fold, the then known world.” According to him, Bel is the Babylonian deity, a different form of the Canaanite B’al (the Quranic god). The god ‘Bel’ is first introduced from Babylon and is defined with Greek god Zeus. Thus, S.M.K. Baluch (1958) is of the opinion that the Baloch are the original inhabitants of the Tigris-Euphrates valley, belong to the Nimrud or Belus – who was the god of its tribe – and so, are Arab (Semitic).

G.K. Naseer (2010), A.Y.K. Baloch (1975) and others believe that the ancient home of the Baloch was in the valleys between the Tigris and Euphrates near Aleppo (northern Syria), and from here they migrated to Iran. According to A.Y.K. Baloch (1975: 55), Baloch and Kurds were two units of the same tribe that had lived in Aleppo in or around 4 A.D, but due to their mutual and tribal feuds over the green pasture lands and waters, they had started migrating from their ancestral homeland in two different directions. The former had opted to migrate towards the Caspian Sea, while the latter penetrated into Iraq, Turkey and northern regions of Persia. Initially these migrations were less in number and the mass migration to join their brethren Baloch around the Caspian Sea only started during 529 A.D (A.Y.K. Baloch, 1975: 55). After that, the Baloch population spread from north-west of Tabriz to north of Koh-e-Elburz (Elburz Mountains), and north-eastern parts of Mashhad (G.K. Naseer, 2010: 1).

Historical accounts tell us that the Baloch have been nomads since ancient times. They moved from place to place in search of fresh pastoral lands and waters for their cattle (Dashti, 2012; Bugti, 2007; and A.Y.K. Baloch, 1975). G.K. Naseer (2010) mentions that the main professions of the Baloch since those times were cattle rearing and robbing the nearby cities and populated areas. The *Shahnameh Ferdowsi*⁷⁷ states that, in 531 AD, the peasants around Koh-e-Elburz complained against the excesses of the Baloch to the Persian king, Anushirvan the Just. The king ordered his army to drive away the unwanted guests.⁷⁸ Following the emperor's orders, many Baloch, including women, children and old men, were massacred and therefore, the circumstances compelled the Baloch to flee to safer areas. According to A.Y.K. Baluch (1975), they divided themselves into groups and the first group under the leadership of their chief, Mir Qambar, migrated towards eastern Balochistan via Sistan, Chaghi and Kharan and finally settled in the mountainous terrain of Jhalawan (highlands) around Kalat, Surab, and Khuzdar (see also G.K. Naseer, 2010). The second group of the Baloch, consisting of some 44 tribes migrated to Iranian Balochistan under the leadership of Mir Jalal Han (Khan) Rind. Dames (1904) mentions that it is said that Jalal Khan had four sons and one daughter (Rind, Lashar, Hot, Korai, and Jato), and according to the traditional Baloch ballads, the son Rind Baloch later left Iranian Balochistan and settled down in Makran. With the passage of time, his tribe spread in the eastern parts of Balochistan. Thus, according to the Balochi ballads and folklore, the Baloch are the offspring of Amir Hamza, a foster brother of the

⁷⁷The *Shahnameh* are poetic verses written by a Persian poet Ferdowsi, meaning the book of kings. It narrates the mythical and historical past of the greater Persian Empire until the 7th century. For an English translation of the poem concerning the complaint to Anushirvan against the Baloch and their killings, see S.M.K. Baluch (1958: 29-31).

⁷⁸The Persian Empire (also called Sassanid Empire) has a long history, but its peak era started when Khosro I (531-579 AD), known as Anushirvan the Just, came to power. He was one of the most celebrated Sassanid emperors and his empire was spread through vast lands including modern Afghanistan, Balochistan, Iraq and some northern parts of the Arabian Peninsula (A.Y.K. Baloch, 1975: 55 and Dashti, 2012).

prophet of Islam, Hazarat Muhammad (peace be upon him) (see Hameed Baloch, 2009).

History tells us that the areas of Jhalawan, towards which the first group of Baloch had migrated, were under the control of an ancient Hindu ruler, probably speaking a Dravidian language.⁷⁹ Since the Baloch had migrated from Koh-e-Elburz, the native Dravidian population called them as ‘Burzkohi’⁸⁰ and the word later became Brahui (G.K. Naseer, 2010). It is believed that the Baloch then intermarried with the local Dravidians in order to preserve their women from Persian atrocities, and so the Baloch tribe forgot their mother tongue (the Balochi) and started speaking a different language similar to the Dravidian language (G.K. Naseer, 2010). With the passage of time, these migrants became powerful and by 1530, they established the first Baloch rule in Kalat, which later became to the Baloch Confederacy under Mir Ahmed Khan in 1666 (Imperial Gazetteer of India, 1908: 277) .

However, this theory is questionable on various grounds. Firstly, it is based on mythology, and myths or legends cannot explain the historical roots of people, their identities, and ethnic origin. This is because the concept of identity is fluid and ever-changing. Secondly, the Baloch have lived for thousands of years in and around the vicinity of the Persian Empire and various other Indian rulers (for details, see Dashti, 2012 and M.S.K. Baluch, 1958) and therefore, “the [Baloch] pretension to an Arab decent [is] probably rooted in the consistent suspicion and distrust between them and their powerful Persian and Indian neighbours” (Breseeg, 2004: 115). Furthermore, Breseeg (2004) postulates that the Arab-leaning theory of Baloch origin also has some political motivation. For instance,

⁷⁹ The Dravidians were the descendants of the primitive inhabitants of India. They also resided in parts of Balochistan before the arrival of the Aryans and the Baloch from Central Asia and the Caspian Sea areas respectively (see Sen, 1999).

⁸⁰ In Balochi language, ‘Burza’ means upper and ‘Koh’ means mountain.

when the Arabs invaded Iran in 651 A.D, the Baloch commander of an Iranian Army, Siah Sawar refused to fight against the Arabs but rather supported them against the Iranians. An Iranian poet and historian, named Bahar held Siah Sawar responsible for the Iranian defeat (cited in Inayatullah Baluch 1987: 93-96). This line of argument is clarified by Inayatullah Baluch (1987: 41) when he states that: “[T]he belief of the majority of the Baluch that they are of Semitic or Arab descent, and are thus a non-Iranian and non-Indian race, justifies to themselves their status as a separate nation on the basis of a different background in Pakistan and Iran.”

Furthermore, though the Balochi folklore and legend tell us that the Baloch are the offspring of Amir Hamza, a foster brother of the prophet of Islam (Hameed Baloch, 2009). It is also said that the Baloch were the followers of Hazrat Ali and after the battle of Karbala (680 A.D), they migrated to Kerman and later travelled to Kech (the present day Makran) under the leadership of Jalal Khan. It is not possible to conduct historical research based primarily on mythology. Surat Khan Marri, a Baloch intellectual and a retired Government official (who was interviewed at his residence in Quetta on 20th February 2013) negates the Arabian and Semitic origin theory of the Baloch by sayings that ‘Hamaza had no children at all. So, how one can believe that the Baloch are the offspring of Hazrat Amir Hamza?’

Keeping in view the discussion, so far it can be argued that the Arab and Semitic origin theory of the Baloch is insufficient to explain exactly where the Baloch came from and what their ethnic background is.

5.2.2. Baloch are Aryans

The word Aryan is used in academic work for a group of tribes which are believed to be the original residents of Central Asia. It is said that these people migrated towards Europe, India, and parts of the Iranian plateau before the Christian era. These tribes were semi-nomadic in character and linguistic scholars have divided them into Indo-European and Indo-Iranian group of languages. These linguistic groups of tribes later became the present day nations around Europe, India, and Iran (Dashti, 2012: 11-12, see also Morris, 1888).

The Baloch historian Dashti (2012), London based academic Shahzavar Karmizadi, nationalist leaders including Jahanzeb Jamaldini of BNP-M and Tahir Bizenjo, a former senator and Central General Secretary of NP and many others are of the opinion that Baloch are Aryans belonging to the Indo-Iranian linguistic group.

Dashti (2012: 3-4) in his recent book *'The Baloch and Balochistan'* states that: "from the available evidence on linguistic and cultural aspects, it can be deduced that the Baloch migrated along with other migrating Indo-Iranic tribes from Central Asia towards the Caspian Sea region of the Iranian plateau, most probably around 1200 BC."

He (Dashti) considers that the Baloch and the Kurds are of the same origin. But then, we can ask here was it that the Kurds remained in their original place while the Baloch migrated towards the present-day Balochistan? Dashti fails to mention that there are tribes of Kurds who are living in the present-day Balochistan, and they are fully incorporated in the larger Baloch nation. Furthermore, Dashti (2012: 353-354) contradicts his own theory of the Aryan stock by saying that it is difficult to declare the people who presently call themselves Baloch as belonging to a homogenous racial identity.

Karimzadi, during an interview with me maintained that the Baloch came from the Caspian Sea situated in northern Iran. He highlights the anthropological, cultural, and historical similarities between the Baloch and the people living around the Caspian Sea; there are still communities around the Caspian Sea called Talesh, Giliki, and Kurds who are very close to the Baloch in terms of language, culture, and appearances. He asserts that, linguistically, the word 'Baloch' cannot be pronounced in Arabic as Baloch but rather as Balos. This is because the 'ch' (چ) does not exist in Arabic language. The Arabs pronounce 'ch' (چ) as 's' (ص). He suggests that if one looks at the Balochi language, it does not have alphabets such as 'zaay' (ز), 'gh' (غ), and 'kh' (خ). These alphabets are prominent in the Arabic language, and in Balochi language we cannot find these alphabets. Thus, he negates the Arabian theory of the origin of the Baloch people, and says that the Baloch came from the Caspian Sea to the present-day Balochistan. According to him, "those who suggest that Baloch came from Arabia is really a new phenomenon and I think that this notion regarding the Baloch origin is the product of 1960s and 1970s – and it was the notion of those people who used the notion of Islam to make the Baloch close to Arabs."

I am not rejecting the ethnic origin of the Baloch as presented by Dashti and Karimzadi but I do contend that they fail to mention the aboriginal people of the land now called Balochistan. What happened to them? Where did they go? Did they assimilate amongst the Baloch ethnic group? Or did the Baloch push them towards Indus? These are the important questions. It seems logical to be sceptical of mono racial theory and see the Baloch as a mixture of various ethnic, linguistic, and cultural groups over time.⁸¹

⁸¹ On the issue of language, there are scholars such as Dames (1904) and M.S.K. Baluch (1958) who think that the Brahui language belongs to a Dravidian group of languages, and thus it is problematic to assert, on the basis of language, that the Baloch are Arabs or Aryans. Be that as it may, the Barhui consider themselves

5.2.3. Baloch are the aboriginal people of Balochistan

Another group of researchers and intellectuals hold that the Baloch are the aboriginal and indigenous people of Balochistan. They believe that the Baloch are the original cave-dwellers and hunters of Balochistan who created the first known civilisation of the world, called the Mehrgarh Civilization. Shah Muhammad Marri (2010) is a well-known proponent for this theory.

S.M. Marri (2010) asserts that most scholars link the Baloch on the basis of their language to either with Persian (Pahlavi), or Sanskrit, and or Dravidian etcetera, but they fail to consider the Mehrgarh civilization, according to which the Baloch are 11000 years old aboriginal people of present-day Balochistan. He claims that the Baloch (or Mehrgarh) is the centre of civilization and language of the people of Central Asia and south Asia (S.M. Marri, 2010: 54).

During an interview with S.M. Marri at Quetta,⁸² he strongly rejected all the other theories regarding the origin of the Baloch. He advocated that Mehrgarh is one of the oldest civilizations of the known world, and based on the Mehrgarh excavation, he opines that it may perhaps be the place of origin, not just of the Baloch, but of all those people who live in the vicinity of Balochistan (including the Pashtun and Sindhis). To support this argument, S. M. Marri said:

As a race or as nation the Baloch did not come from anywhere but the aboriginal people of this land. Rather I would say that Mehrgarh is the origin of life. As a wheel fish has found in Barkan (Balochistan) and the archaeologists say that it is 42 million years

a part and parcel of the larger Baloch nation. For instance, after the establishment of the Kalat Confederacy, the ruling Khans, who spoke the Brahui language, used the word Baloch after their names in all official correspondence as well as on their graves after their deaths (Breseeg, 2004: 129). Also, the relation between language and race or ethnic group is complicated because people may speak mutually unintelligible languages which still belonging to one racial or ethnic stock. On the issue of physical appearance, suffice to say that the "classification and comparison of races based on physical observation and measurement...have largely been misinterpreted, often giving rise to false notions of superiority or inferiority of various races and people" (Janmahmad, 1989: 34).

⁸² Shah Muhammad Marri is a medical doctor by profession. He is the chief editor of Monthly Sangat (Urdu Monthly Magazine) Quetta. He is Baloch intellectual and has written and edited many books on Balochistan including *The Baloch Nation* (Urdu). He was interviewed on 26th January 2013.

old. Therefore, it can be said that may be the origin of life relates to this area.

However, the indigenous theory of the origin of the Baloch is not well researched yet. It requires more research in the years to come. Thus, it would be speculation to assume that the people of the present-day Balochistan, who call themselves Baloch, belong to one and the same ethnic and linguistic group are indigenous people of the land.

For instance, Surat Khan Marri, a Baloch intellectual and an ex-Government Official said, during an interviewee at his Quetta residence on 20th February 2013, that it is difficult to determine the exact origin of the Baloch. If we look into the history of the Baloch society and its characteristics, it seems a heterogeneous society with federal characteristics such as autonomy, equality, and consultation. These characteristics have been a part of the Baloch society for ages. After saying this, S.K. Marri asked the question: how was it that the aboriginal and indigenous people of the land did not unite under one single kingdom until 1666? He argues that the concept of the Baloch as a nation is politically manipulated for various reasons. Earlier, the British researchers divided the Baloch amongst various linguistic groups for the purposes of divide and rule, while now the Baloch historians and researchers are trying to present the Baloch as a unified and homogeneous nation to confirm to the existing norm of nation state systems around the world.

5.2.4. Baloch are Mixture

After studying the available literature, I argue that the Baloch nation is mixture of various ethnic groups such as Aryans, Arabs, Persians, Turks, Kurds, Dravidians,

Sewais (Hindu),⁸³ and the black African people. This is because in present-day Balochistan, we can find all these people; with passage of time they have merged into the larger Baloch nation and consider themselves Baloch.

According to G.K. Naseer (1998: 40-42 & 53), before the arrival of the Barahui (a Baloch tribe) into Kalat, a Hindu dynasty, called Sewa dynasty, ruled this part of the country. In fact, the Brahui later intermixed with the local Sewa people, and when the former became dominant and established their own rule, the local Sewa people, with passage of time, merged into the Baloch tribal people (ibid, 1998). In this regard G.K. Naseer (1998) views that *Nichari, Pandrani, Sasoli, Zehri, and Sajidi*⁸⁴ tribes of the present-day Balochistan are the remnants of Sewa people and hence the indigenous people of Balochistan.

Further, there is a section of the Baloch ethnic community that is made up of people of African origin, known as Sidi/Sheedi or Makrani.⁸⁵ They live in Karachi and other parts of Balochistan. It is believed that during the 18th and 19th centuries, these people were brought as slaves for trade purposes from Zanzibar to the Western Indian Ocean by the Arabs of Oman and others (Nicolini, 2006; Narang *et al*, 2011; and Hameed Baloch, 2009). According to Nicolini (2006: 365):

The Makrani-Baluch came to East Africa as soldiers, warriors, and bodyguards of the Arab leading dynasties. Later on during the XIXth century....the Baluch, called bulushi in Kiswahili [a language of the people of African Great Lakes], took gradually knowledge of lands and people, intermarried with African women, and became traders themselves.

⁸³ According to the Imperial Gazetteer of India (1908; 276), all traditions asserts that before the Ahmadzai Khans of Kalat, who brought together western Balochistan into an organized state in 1666, the former rulers of Kalat were Hindus, Sewai by name.

⁸⁴ Malik (n.d: 331) suggests that the Sajidi is the perverted form of 'Seghthai'. The people of Saka dynasty were known as Seghthai. So according to Malik, the present Sajidi tribes of Balochistan belong to Saka group of tribes (for more details of the Saka see Dashti, 2012).

⁸⁵ The term Makrani should not be confused with the Baloch living in Makran. The Sidis/Sheedis and the Baloch are two different people because of their ethnic backgrounds, though now they are part and parcel of the Baloch nation.

The main slave centres were Jhalawan, Makran, and Kharan. According to one estimate the total number of slaves reached to 17800 in Kalat by 1911 (Hameed Baloch, 2009: 288 and see also Matheson, 2009: 42-43). According to a survey report conducted in 1926, it was estimated that the percentage of slaves in Jhalawan (the area under direct control of the Khan of Kalat) and the Marri-Bugti areas, the north-eastern part of Balochistan, was 4% of the total population, while in Makran and Kharan it was 6% and 15% of the total population respectively (Hameed Baloch, 2009: 289).⁸⁶ After the ban on slavery, the Sheedi (a local word used for the African slaves) gained relaxation from their masters, and most of them settled in Lyari (Karachi) and other coastal areas of Balochistan such as Lasbela and Makran (ibid, 2009). Now, they are an integral part of the Baloch nation and considered themselves Baloch. In fact, Lyari was said to be the home and base of Baloch nationalism in the 1920s (Sanaullah Baloch, 2012).

Furthermore, the Gichki (the ruling family of British Makran during mid-18th century) are said to have migrated from the Rajputana under Jagat Singh and settled in Kech (Makran) and their descendants are called as Gichkis who ruled over Makran for decades (Sheikh, 1901; see also Pastner, 1979; and Hameed Baloch, 2009: 257-268). The Gichki tribe has been living in Balochistan since 18th century and consider themselves as Baloch.

It is also believed that the Rind tribe of the Baloch belongs to the Arab and are Semitic. Abdul Rahman Brahui (2009: 28) states that the ruling family of Kalat belonged to the Arabs who had migrated from Oman to Balochistan. He maintains that the Marri and Bugti tribes, living around the eastern mountains of *Koh-e-Sulaman*, are also belonged to the Rind tribe of Baloch. In his view, the Marri and

⁸⁶ For more details on slavery and its trade, see *Native States 1922 Abolition of slavery in the Indian States and in tribal areas in Baluchistan*, File Z/5, Indian Office Records (IOR/R/1/34/48: 1922), Hameed Baloch (2009), and Jahani *et al* (2003).

Bugti came to Balochistan, either with the Arab invaders or afterwards. Furthermore, Tajik and Iranian origin tribes can also be found in the present-day Balochistan. According to Abdul Rahman Brahui (2009) the *Dehwar* or *Durzada* (a tribe in Balochistan) are of Tajik origin while *Nausherwanis* (once the ruler family of Kharan state) are purely Iranian.⁸⁷ Hameed Baloch (2009: 36-38) is in agreement with the opinion that the present Baloch nation is an admixture of various ethnic and racial groups over a long period of time.

In the light of the above discussion, it is credible to argue that the Baloch nation is a mixture of various ethnic, racial, and language groups.

5.3. Modern Baloch Nation

As argued in Chapter IV, a nation is a social phenomenon, with varying constituent elements, that is subject to the processes of formation and reformation from time to time. By nation, I mean a sufficiently large group of people possessing (or having a claim to) a particular piece of land, where there exist a sense of oneness, belonging and some commonalities amongst its members (such as common history, culture, language, religion, heritage, race, ethnicity and or a future course and plan of action). A majority of the Baloch nationalists claim that the Baloch are a nation by every definition of the term.⁸⁸

Mir Muhammad Ali Talpur, a Baloch human right activist and columnist (interviewed at his residence at Hyderabad on 7th March 2013) argued that:

⁸⁷ See also Swidler (1992: 556) and *Frontier and Overseas Expeditions from India* (1910).

⁸⁸ However, and contrary to this, some writers such as Feroz Ahmed (1998) assert that the Baloch is not a nation but a tribal society which lacks a common historical past, linguistic cohesions, and ethnic bases for nationalism. He is of the opinion that the socioeconomic aspects of Baloch nationalism play an important role in boosting Baloch nationalism within Pakistan. Ahmed might be right regarding the ethnic cohesion but he ignores the historical past of the Baloch. The Baloch existed in the 7th century as a tribal or an ethnic group and much later, when they become dominant, they established the state of Kalat in 1666. The ruler of Kalat incorporated most of the inhabitants of present-day Balochistan, except the Pashtun population. Ahmed also seems to fail to distinguish between nation and ethnicity or tribalism. Nation is basically the extended form of ethnicity and tribalism. In the case of the Baloch, tribalism is very much a part and parcel of the Baloch society and nationhood, but cannot be used to deny claims to nationhood.

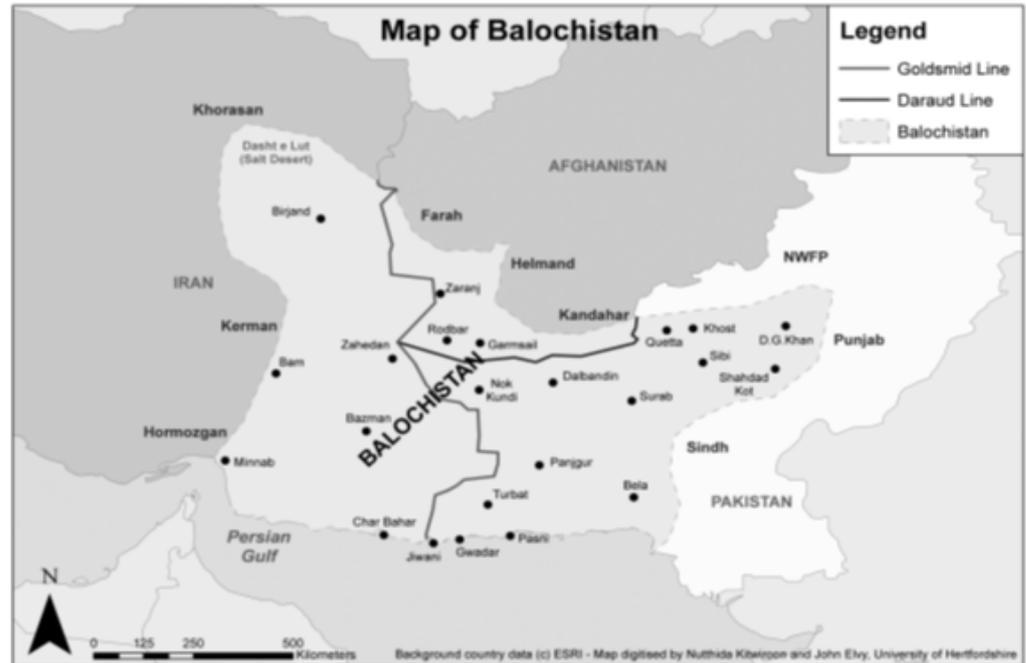
The Baloch is a nation in its own right. They have their own territory [though occupied by Iran, Pakistan, and Afghanistan], language, history, and culture and therefore, the Baloch is a nation by itself. Though, politically it assumes the status of a nation under Mir Naseer Khan Noori.

The theories of the origin of the Baloch explain that “when people have common memories of past historical events and achievements, of victories won and struggles waged, they tend to regard themselves as one nation. Thus, the common historical experiences of the past give birth to a nation” (Inayatullah Baluch, 1987: 90).

There is a consensus among Baloch nationalists and political activists that the state of Kalat was the base and foundation of the Baloch nation. For instance, Qambar Baloch, President of the Baloch Students Youth Association in the United Kingdom (BSYA, UK), during an interview with me, held that:

The history of the Baloch is 300 years old. They migrated to the present day Balochistan centuries ago. They have established their national identity when they established their own state, called the State of Kalat. Now they are scattered into three countries i.e., Iran, Pakistan, and Afghanistan.

It can be argued that the Baloch emerged as a nation with the establishment of the Kalat Confederacy by Mir Ahmed Khan in 1666. Initially, the Kalat Confederacy consisted of the areas of Sarawan (highlands – areas to the north of Kalat) and Jhalawan (lowlands – areas to the south of Kalat), which now figure at the top of the Baloch nationalist struggle (Siddiqi, 2012: 53). Later on, it was the 5th Khan, Mir Naseer Khan Noori I (1749-1817) under whom the Kalat Khandom evolved into a centralised institution of power and authority, and therefore, he is credited with uniting the dispersed Baloch tribes, from Sistan (Iran) to Dera Ghazi Khan and from Karachi to parts of Afghanistan, under the banner of Kalat Kingdom (see G. K. Naseer 2010; Inayatullah Baluch, 1987; and Breseeg, 2004).

Map 2: Kalat during the reign of Mir Naseer Khan Noori I

Source: Dashti (2013: 186).

Mir Naseer Khan Noori established a centralised institutional setup with two houses of parliament known as *Majlis-e-Masahibben* (Upper House) and *Majlis-e-Mashawarat* (Lower House), and with 15 to 20 thousand of fighting forces drawn from the various Baloch tribes for the defence of his state (G.K.Naseer, 2010: 60-62 & 100; S.M. Marri, 2010: 393-399; A.Y.K. Baluch, 1975: 90-92).

From 1666 until 1928 (in 1928, Iran occupied parts of the Baloch land) and then till the incorporation of the State of Kalat into the Pakistani State in 1948, the Baloch preserved a major part of their territory and their semi-independent status (Breseeg, 2004: 3). They also maintained diplomatic relations with Mughal India, Ottoman Turkey, Iran, Afghanistan, Oman, and British India (Inaytullah Baluch, 1987: 164-168).

Thus, it can be said that the Baloch nation defies the primordialist and modernist theories of nation on various grounds. For instance, nation, according to the primordialists, is something given and natural since times immemorial. They

argue that national identity is fixed and unchangeable. The Baloch nationalists lay claim to the antiquity of the Baloch as a nation irrespective of ethnic, racial, or linguistic differences. To take an example, Jahanzeb Jamaldini, Senior Vice President of BNP-M, during an interview with me, opined that the Baloch migrated to the present-day Balochistan some 9 to 10 thousand years ago from parts of Central Asia and Russia due to droughts.⁸⁹

But the study of the origin of Baloch nation shows how there is no uncontested essence; hence, a primordial theory does not work. As Smith (1995: 30-31) makes this point about the fluidity of nations:

The cultural contents and meanings of ethnic identities tend to change with cultures, periods, economic and political circumstances, according to the perceptions and attitudes of each member. They are never static, never fixed. It is vain to search for an essence in such identities, because they are always being transformed and can always be refashioned according to need.

The primordial theories of nation lack historical and empirical evidence. It is difficult to say with certainty a particular nation existed during the prehistoric periods; the same can be said about the Baloch nation as well. The name Koch-o-Baloch has been mentioned in the 7th century historical records such as *Shahnameh Ferdowsi*, but it is not clear whether it was a group of tribes and/or an ethnic entity.

Modernist theorists such as Gellner (1983), Kedourie (1960), Anderson (1983), Hobsbawm (1990) and others are of the opinion that nationalism engenders and creates nations, and not vice versa. They believe in the modernity of nations and nationalism. However, in the case of Balochistan, the notions that industrialization and modernity are prerequisites for the emergence of a nation are misleading. The

⁸⁹ Jamaldini contended that pro-Pakistani scholars have often portrayed the Baloch and the Brahui as two different racial or ethnic groups because they speak two different languages (the Balochi and the Brahui).

Baloch as a nation existed prior to the industrial revolution, printing press, and capitalism; these developments reached Balochistan only in the 20th century.

5.4. The Kalat Confederacy and Balochistan

The history of the Kalat Confederacy can be divided into three eras: the era from 1666 to 1839, the British era from 1839 to 1947, and the era of incorporation of the State of Kalat and its feudatories into the Pakistani federation from 1947 to 1948. The latter two eras witnessed the emergence of the modern Baloch nationalism. I shall look of each era briefly.

5.4.1. The Kalat Confederacy from 1666 to 1839

Some Baloch historians such as Inayatullah Baluch (1987) are of the opinion that the first Baloch Confederacy was established by Mir Jalal Han (Khan) in the 12th century with 44 Baloch tribes who were forced to migrate from Sistan and Kerman (Iranian Balochistan) to Makran. Others such as Justice Khuda Bakhsh Marri (1974) and Sabir Badal Khan (2004) consider Mir Chakar Khan Rind's era (1479-1524) as the golden era of the Baloch nation. Traditional Baloch folklore also considers Mir Jalal Khan as the founding father of the Baloch nation (Khan, 2004). However, as mentioned earlier that legend cannot explain the origin or history of nations; Baloch mythology does not give much detail of Jalal Khan's rule and administration. The Chakarian era on the other hand, was a time of internal wars and feuds over the green pastoral lands of Balochistan. Rind and Lashar, the two main tribes of the Baloch, fought each other for 30 years over controlling of the green pasture lands and other petty issues.⁹⁰ It can be argued that this was an era of tribalism rather than nation and nationalism.

⁹⁰ The inter-tribal rivalries and wars compelled the leader of the Rind tribe, Chakar Khan, to migrate to the Punjab. After his death, he was buried in Satghara, a place in the district Okara, Punjab.

Therefore, and historically speaking, the first Baloch Confederacy was established by Mir Ahmad Khan in 1666-7 with Kalat as its centre (Imperial Gazetteer of India, 1908: 277, see also A.Y.K. Baluch, 1975: 77-79). Initially, it was a weak confederacy consisting of the areas of Sarawan and Jhalawan (see Siddiqi, 2012: 53). At this time, the Baloch were divided into various contending tribes and small dynasties (see G.K.Naseer, 2010). It was Naseer Khan Noori I (the fifth Khan of Kalat), who brought the scattered Baloch tribes under the suzerainty of the Kalat State. He provided Kalat with a representative and constitutional structure setting up the houses of parliament, and created a fighting force comprising of individuals from each tribe (A.Y.K. Baluch, 1975; G.K. Naseer, 2010; and Dashti, 2012). He also established diplomatic relations with neighbour countries (see Swidler, 1969; Inayatullah Baluch, 1987; Axman, 2009; G.K. Naseer, 2010; and S.M. Marri, 2010). However, after his death in 1817, a period of crises erupted again in Kalat on various grounds. According to Axman (2009: 24):

[T]he succession of his son and grandson [to the throne] were challenged by the cousins supported by various Sardari faction....and as the Khans espoused a feudal system, the Sardars advocated a decentralized confederation and believed the Khanate to be based on tribal rather than feudal principles” (for more details, see G.K. Naseer, 2010: 106-137).

By 1830s, Kalat was riven by internal disputes; the agents of Khan had killed several important Sardars and most parts of the Sarawan (the northern tribes of the Kalat state) were in revolt (Swidler, 1992; Axaman, 2009; and G.N. Khan, 2010). Such lack of law and order compelled the British to intervene in Kalat for the purposes of securing the British Indian Empire from the Russians incursion via the state of Kalat.

5.4.2. The Kalat confederacy from 1839 to 1947

In the 19th century, the British were concerned about the protection of the Indian Empire and tried to create buffer zones on the borderlands. It was against this background that the British decided to enter the State of Kalat due to Kalat's geostrategic location and proximity to the Russian Empire, combined with its delicate confederal setup and internal instability (Swindler, 1992).⁹¹ Kalat was not in a position to counter or stop Russian expansionism on its own. The British, therefore, arrived into Kalat to stop Russian encroachment. According to Siddiqi (2012: 54):

[The] British involvement in Balochistan was in lieu of its imperial rivalry with the Russian Empire. Balochistan bordered Afghanistan, the latter being susceptible to Russians because of its geographical proximity to the Central Asian region, where the Russians were now slowly and gradually expanding.

The British decided to make Afghanistan strong and stable in order to use it as a buffer state against Russian designs of expansionism. They opted to support Shah Shuja, an exiled Afghan leader, for the throne of Kabul (Axman, 2009: 27 and G. K. Naseer, 2010: 138); an adventure which resulted in the first Anglo-Afghan war from 1839 to 1842. But to undertake this, it was necessary for the British to get the support of the Khan of Kalat for a safe passage to Kandahar, because the path to Kandahar for the British forces lay through the Khan's territory (Kachi and Bolan Pass). Thus, the British sent an envoy to see the Khan and negotiated an agreement with him that secured the safe passage of forces and gave permission for them to buy supplies along the way. It was the first time that the British had come into direct contact with the Khan of Kalat and a treaty was signed in 1839 between the then Khan, Mehrab Khan (1721-1839) and Alexander Burnes, an envoy of the British Government (G.K. Naseer, 2010: 141 and Inayatullah Baluch, 1987: 129). According to Article 3 of the treaty, "[a]s long as the British

⁹¹ For more on the geostrategic importance of Balochistan, see Ahmad (1992) and Harrison (1981).

army continues in the country of Khorasan [Kachi and Bolan], the British Government agrees to pay Mehrab Khan the sum of one lakh and a half lakh [150000] of company's rupees from the date of this engagement by half-yearly instalment" (for the text of the treaty, see A.Y. K. Baluch, 1975: 219-212 and Hameed Baloch, 2007: 856-57). Article 4 bound the Khan to procure supplies, carriage, and guards to protect the provisions and stores going and coming from Shikarpur by the route of Rozan, Dadar, the Bolan Pass, through Shal (Quetta) to Khuchlak from one frontier to another.

The British were in possession of various colonies around the world and they knew how to deal with the local and tribal people. They pursued two different policies at different times towards Kalat i.e., the closed border policy and the forward policy. According to the closed border policy (1854-1872), it was maintained that the British could best defend their Indian Empire through the support of the local rulers of Kalat and Afghanistan (Axman, 2009: 28). They did not interfere directly in the affairs of the Kalat state but through local agents. Thus, following this policy, the British entered into a treaty with the Khan of Kalat in 1841 and then again in 1854. The aims of these treaties were to maintain peace in the area and to gain the Khan's allegiance. Under the treaty of 1841, Mir Naseer Khan II (1841-1857) tendered his allegiance and submission both to the British Government and to His Majesty Shah Shujaaul Mulk of Afghanistan. He also acknowledged himself as the vassal of the King of Kabul.⁹²

The treaty of 1841 was annulled through a new treaty in 1854 wherein it was agreed that there would be continuous friendship between the British Government and the Khan of Kalat and that the Khan was to act in subordinate cooperation with the British Government. The Khan also agreed to protect the safe, to and fro,

⁹²For full texts of the treaties of 1841 and 1854, see Hameed Baloch (2007: 857- 860) and A.Y.K. Baluch (1975: 219-227).

passage of merchants between the British dominion and Afghanistan whether by way of Sindh or the Seaport of Somyani or other Seaports of Makran. The aims of the treaty were not to interfere in Kalat affairs directly; it rather allowed the Khan of Kalat to maintain peace in his territory for the safe passage of the British forces and their movements. The British, in fact, wanted a peaceful Kalat for their own purposes, but owing to the vast landscape and the scattered population, the Khan failed to maintain peace in his state. The eastern tribes of the Baloch such as the Marri and the Bugti were in revolt and often targeted the British convoys on their way to Afghanistan and back (see Dashti, 2012 and G.K. Naseer, 2010). As a result, the closed border policy failed to achieve its desired goals since the Khan was unable to secure the communication route owing to the internal instability of the State of Kalat. The tribal chiefs were not happy with the content of the treaty of 1854. As Axman (2009: 29) states:

The British began to assume the status of power broker between the Khan and his Sardars, and Anglo-Kalat relations increasingly defined internal politics of the Khanate [Kalat]. By entering into the agreement of 1854, the Khan had put himself in a position [in] which he was acceptable to the British more than to the Sardars. The consequences of this policy manifested themselves in general insecurity which led to a permanent quasi-state of war among the tribes and, in process, weakened both them and the Khan militarily and economically.

Due to the failure of the closed border policy, the British adopted the forward policy towards Kalat from 1872 onwards. This was because the British feared that the internal instability of the Kalat State could encourage Russian advancement towards their Indian Empire. The forward policy meant to interfere directly in the affairs of Kalat and in the resolution of conflicts between the Khan and the various tribal Sardars. To give legal cover to the policy of interference in the internal affairs of Kalat, another treaty was signed in 1876 between the British Government and the Khan of Kalat, Mir Khudadad Khan (1857-1893). According

to this treaty, the British become the sole arbitrators in all cases of conflicts within the State of Kalat. It also prohibited the Khan from engaging in any type of foreign or treaty relations with the outside world other than the British. In return, for his utmost opposition to all the enemies of the British Government, the British agreed to respect the independence of Kalat and to aid the Khan in case of any need.⁹³

In short, Kalat was reduced to playing the role of a buffer state, and the forward policy of the British Government, called the Sandeman system,⁹⁴ succeeded in overcoming most of the issues relating to the insecurities caused by possible Russian expansionism. The Sandeman system produced a very politically fragmented Balochistan with many centres of power, the Khan being just one, and in actual practice, he (the Khan) lost his role as the Khan of Kalat. The situation of Kalat and the status of the Khan after the introduction of Sandemanian system can best be explained by the 1886 Administrative Report of the Balochistan Agency. The Report (1886: 9) states:

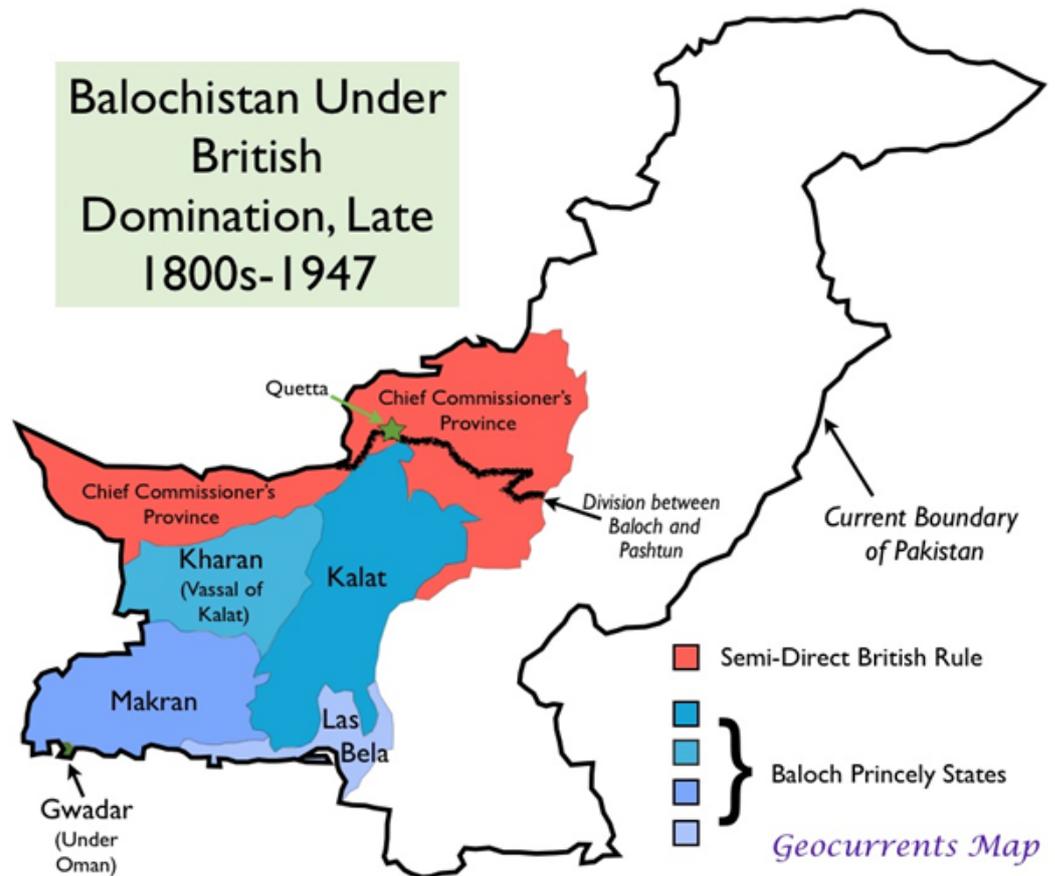
The Agent to the Governor General has practically taken the place of the Khan as head of the Baluch confederation. His Highness [Khan of Kalat] is still the nominal head, the Sarawan and Jhalawan chiefs still sit on his right hand and his left hand in Durbars [court]....and till he [Sardar] is invested by the Khan with the khilat [robe] or mantle of succession, a Sirdar [Sardar] is not to be legitimised as the representative of his tribe. But in essential questions of nomination of Sirdars, the summoning of Jirgahs [a tradition judicial system] for settlement of inter-tribal disputes, and the general preservation of peace in the country, the Agent of the Governor General is recognised all over Balochistan as having taken all the place of the Khan, and his mandate naturally commands a great deal more respect and obedience than ever did that of His Highness.

⁹³ For the full text of the treaty of 1878, see Hameed Baloch (2007: 868-870) and A.Y.K. Baluch (1975: 230-234).

⁹⁴ Major Robert Sandeman (1835-1892) was a Scottish man familiar with the tribal setup. He introduced a system, called the Sandeman System, which can briefly be described thus: 1) to establish and maintain peace and order; 2) to administer justice promptly, with little interference and with possible native usages; 3) to promote the good feeling of the chiefs and tribesmen by associating them with the British as far as possible in the work of Government; and 4) to improve communication, promote trade, provide medical aid for the people, develop irrigation, preserve forests (Axman, 2009: 30). Ahmad (1992: 98) asserts that Sandeman system was worthy of Machiavelli.

Thus, the British not only restored their full authority over the State of Kalat but also brought about major administrative changes in the Kalat and Pashtun areas of Afghanistan. They divided Kalat and parts of the Afghan areas into the following five administrative zones:

Map 3: Administrative and Zones-wise map of Balochistan under British India



Source: Lewis (2011)

Zone 1: Dera Ghazi Khan, which was a part of the Khan of Kalat and a purely Baloch area, was combined with the province of the Punjab (see map 2);

Zone 2: Jocoabad, then called Khangarrah, and its adjoining areas were cut off from Kalat and made a part of Sindh;

Zone 3: the Murri, Bugti, Khetrان, and Chagi areas were declared to be tribal areas and were cut off from the Kalat State. The tribal areas (along Nasirabad,

Bolan, Quetta, and Nushki), Afgan areas (such as Sibi, Hernai, Pishin, Chaman, Zhob, Loralai) and other Pashtun areas (lying to the north and east of Quetta) acquired from Afghanistan were adjoined together to form a province of British Balochistan (Commissioner's province);

Zone 4: Lasbela and Kharan which were feudatories of Kalat were declared to be special areas with a different political system and placed under the supervision of the Political Agent of Kalat;

Zone 5: the remaining areas of Sarawan, Jhalawan, Kachi, and Makran were placed under the suzerainty of the Khan of Kalat (IOR/L/PS/12/3174, no. 23/48; also see Siddiqi, 2012: 55; Dashti, 2010; and G. K. Naseer, 2010).

Furthermore, a considerable tract of the Baloch borderland areas was ceded or handed over to Iran and Afghanistan by the British Government in 1871 and 1892-3 under the Goldsmith and Durand Line Boundary Commissions respectively (see map 2). The former divided the Baloch land and population into western and eastern Balochistan, while according to the Durand Line Boundary Commission, parts of the Baloch areas were handed over to Afghanistan and parts of the Afghan areas were cut off from Afghanistan and included in the larger British Empire. Latter, the British amalgamated parts of Pashtun and Baloch areas together and established British Balochistan, called the chief commissioner province of Balochistan (see Map, 3, 4 & 5 at appendix- II).⁹⁵

The Goldsmith line was drawn by the British and the Persian Governments without the will and consent of the Khan of Kalat and its people. The British wanted to strengthen their buffer zones against the southward thrust and expansionism of the Russians. In the same way, the 2640 kilometers long Durand

⁹⁵ For more details of the division of Baloch land into various parts, see Dashti (2012), Breseeg (2004), and Inayatullah Baluch (1987).

line was also drawn by the British Government and the ruler of Afghanistan in order to secure the borders of British India. This division of land and population belonging to the same ethno-national groups was resisted by the Baloch people and their Khan, as well as by the Pashtun population on both sides of the border, but all in vain (Bajoria, 2009). Present Baloch nationalism is an offshoot of the feelings generated by the British division of Baloch land and people. This is because a majority of Baloch nationalists and intelligentsia consider the State of Kalat to have been their first national state in the history of Balochistan. This is the case even though the State of Kalat was not like modern nation states but was a kingdom run by the family of the Khan with the assistance of tribal sardars close to them.

Colonial history tells us that the colonisers often kept the colonised people underdeveloped and uneducated (see Bagchi, 1982 and Frank, 1978). The colonisers only adopted those policies through which they could better administer the colonised and exploit their resources for colonial interests. Indeed this was what happened in the case of Balochistan from 1839 to 1947. The areas comprising British Balochistan, Kalat and its feudatories were denied all types of reforms, be it in education, health, judiciary, and/or democratic norms (see Ahmad, 1992 and Khan, 1950). In contrast to other parts of India, the British considered Balochistan simply as an important geo-strategic territory and did not pay enough attention to introduce any reforms there. They consciously kept the Baloch backward and controlled them through a few tribal chiefs. The educational and political consciousness of the Baloch was of no interest to the British because it was not in their favour. As colonisers, they were aware of the fact that educational and political consciousness would awaken feelings of nationalism among the Baloch and would ultimately create problems for the British in

controlling the area so as to keep the Russians at arm's length. This is evident from the fact that until 1947 there was no degree awarding college in entire Balochistan; there were only 6 high and 6 middle schools (both for girls and boys) and around 100 primary schools (Khan, 1950). Factories were non-existent. There were very few hospitals built around Quetta such as Sandeman Civil Hospital, Lady Dufferin Hospital, Mission Hospital, and Railway Hospital (Bugti, 2009). Even, these hospitals were built for their own (the British) armed forces at Quetta - a garrison town - and not in other parts of Balochistan. The total population of Balochistan at the time of division of Indian was 8,52,000, out of which 5,00,000 inhabitants belonged to British Balochistan and 3,52,000 to the Kalat State Union (IOR/L/PJ/7/12616). Thus, these were the circumstances in Balochistan when the British announced the division of India into two dominions, India, and Pakistan on 3rd June 1947.

5.5. Prelude to the fall of the State of Kalat

Since 1839, the British Government had considered Kalat a frontier state and had not been interested in making it an Indian state. However, under the Government of India Act of 1935, India was declared to be a federation and Kalat was included in the list of Indian states (Axman, 2009: 104 and Inayatullah Baluch, 1987: 170). Before, the passing of the this Act, the Khan had tried on many occasions to impress upon the British Government that Kalat was not a part of the Indian princely state system and therefore, must be treated as an independent sovereign state (for details, see IOR/ L/PJ/7/12616 and A.Y.K. Baluch, 1975). When Kalat was included in the list of Indian states, the Khan was shocked. His uneasiness can best be explained by the following report, prepared by Hugh Weightman, a Political Agent of Kalat, who reported to the Secretary to the Governor General at Quetta. The report states:

I sounded His Highness yesterday on his attitude towards the federation. He has, of course, only the very vaguest conception of what federation means, but so far as he does understand it, he thinks little of it. He said he is not a 'Hindustani' and does not want to get mixed up with 'Hindustani affairs'. Also he cannot see any financial or other advantages to himself in federating and he is obsessed with the idea that if he does federate, his connection with the British Government will suffer. In brief His Highness' attitude is at present definitely hostile towards federation and I see little likelihood [sic] of any change for a long time to come (cited in Axman, 2009: 104).

The Khan refused to accept the Government of India Act of 1935 on the grounds that Kalat was not consulted and was not a party to it. The Government of Kalat claimed that if the British Government was incorporating Kalat into the larger Indian continent, then it would be equally legal for the British to incorporate Iran and Afghanistan also within the borders of India by introducing a clause to that effect in one of its Acts (Inayatullah Baluch, 1987: 170 and A.Y. K Baluch, 1975). But the circumstances of India were changing rapidly and therefore, in October 1940, the Khan wrote a letter to the Viceroy, Lord Linlithgow, in which he asked for a settlement of the issues related to the future of Kalat:

In view of daily changing circumstances and in order to avoid delays in the settlement of issues involving my state, I beg to bring to your Excellency's notice paragraph IV of the treaty of 1876, which provides for the appointment at the seat of the Government of India of a properly accredited representative of Kalat State in order to avoid all possible chances of misunderstanding, to render correct explanation of facts concerning the state and to safeguard the legitimate rights and interests of the state (cited in Inayatullah Baluch, 1987: 170).

When the Khan lodged a protest against the provisions of the Act of 1935 relating to Kalat State and its future, (which according to him were in violation of the Treaty of 1876), he was assured through a personal letter from the Crown Representative to the following effect:

[S]uch reaffirmation was unnecessary, and that His Excellency recognised the Treaty of 1876 as fully valid in every respect, and that it would henceforth form the basis of the relations between the British Government and the Kalat State (ibid, 1987: 267).

When the Cabinet Mission arrived in India in 1946, Mir Ahmed Yar Khan hired the services of Muhammad Ali Jinnah, who was an eminent lawyer of India and a key leader of AIML, to present Kalat's case before the members of the mission. A memorandum prepared by Sir Sultan Ahmed Khan (constitutional advisor to the Khan of Kalat) presented by Jinnah before the Cabinet mission in 1946. The memorandum explains the constitutional position of Kalat and its future set up as under:

1. The State of Kalat is an independent sovereign state whose relations with the British Government are governed by the Treaty of 1876;
2. Historically, Kalat has never been a part of India and its association with India is merely due to its connections with the British Government;
3. The people of Kalat, its Government, and the ruler can never agree to Kalat being included in any form of Indian Union; and
4. With the termination of the Treaty of 1876 with the British Government, the State of Kalat will revert to its original status of pre-British era and will be free to choose its own future.⁹⁶

Nonetheless, on 3rd June 1947, the British Government declared that two dominions, India and Pakistan, were to be established wherein all the princely states were given the choice to join either dominion and/or remain as an independent entity. In the wake of this announcement, the same Muhammad Ali Jinnah as the primary leader of AIML also made the following declaration on 17th June 1947 to clarify the position of the AIML vis-a-vis the Indian princely states (Mss Eur D971/2):

...Constitutionally and legally the Indian States will be free and independent after the lapse of British paramountcy to follow any line of action of their choice and they will have the freedom to join either the Constituent Assembly of India or Pakistan or to remain independent. In the latter case they are free to enter into arrangements or relations according to their convenience and choice with India or Pakistan. The policy of the All India Muslim League has been clear from the very beginning. It is not our intention to interfere in the internal affairs of any princely state because it is a matter for settlement primarily between the ruler of a state and its inhabitants. Those states which are willing out of their free will to

⁹⁶ For details of the memorandum, see A.Y.K. Baluch (1975: 255-296) and Inayatullah Baluch (1987: 204-224).

join the Constituent Assembly of Pakistan and desire to seek our advice or negotiate with us would find us willing to do so. If however, any state selects to remain independent and wants to negotiate with us or seek association in the commercial economic and other spheres with Pakistan, we should be agreeable to negotiate for mutually advantageous arrangement....In my opinion the Indian states have every right to remain independent; if they wished to do so and neither the British Government nor British parliament nor any other power or party can force them to act against their free will....

In order to judge the demands and position of Kalat, a meeting was called on 4th August 1947 in Delhi, which was chaired by Lord Mountbatten (the then Viceroy of India) and his constitutional advisor Lord Ismay. Muhammad Ali Jinnah and Liaquat Ali Khan (the first PM of Pakistan) represented Pakistan, while the Khan of Kalat (Mir Ahmed Yar Khan), Prime Minister of Kalat (Muhammad Aslam Khan), and a constitutional advisor to the Khan of Kalat (Nawabzada Sultan Ahmed) represented Kalat. After lengthy discussions over the future organization of Kalat, an agreement was reached which was issued in the form of communiqué from the Viceroy's House in Delhi on 11th August 1947 (Mss Eur D971/2 and IOR/R/3/1/166). The communiqué states that:

1. The Government of Pakistan recognizes Kalat State as an independent and sovereign state in treaty relations with the British Government with a status different from that of other Indian states.
2. Legal opinion will be sought whether or not agreement of leased areas between the British Government and the Khan of Kalat will be inherited by Pakistan Government.
3. When their legal opinion has been received further meetings will be held between the representatives of Khan of Kalat and Pakistan.
4. Meanwhile a standstill agreement has been made between Pakistan and Kalat.
5. Discussions will take place between Pakistan and Kalat in Karachi at an early date with a view to reaching a decision on defence, external affairs, and communication.

If one closely analyses the clauses of the above agreement, there are ambiguities and the future situation of Kalat seems unclear, except in clause 1, according to which Kalat was accepted as an independent sovereign state. At the same time, clause 5 of the agreement is about a future federal or con-federal setup between

the two. However, clause 2 of the agreement seems to recognize that after the departure of the British, the Government of Pakistan will be the legal, political, and constitutional heirs of the British Government. Therefore, as a corollary of this standstill agreement (owing to clause 5), Kalat virtually became a part of Pakistani federation [or confederation] few days before even its formal announcement on 14th August 1947.

It is clear that these aforementioned announcements and standstill agreements were not honoured, either by Pakistan or by Kalat. The British Government was not ready to see or recognize Kalat as an independent sovereign international entity because of various reasons (see Ahmad, 1992). A telegraph sent by the Secretary of India, Lord Listowell to the last Viceroy of India, Lord Mountbatten, on 2nd August 1947, clearly discourages the acceptance of Kalat as an independent sovereign state. An extract of the telegraph states that:

We have been at pains in parliament to discourage claims by states to be regarded as separate international entities and to accept such a claim by Kalat will surely encourage other states to press similar claims. There is, moreover, particular danger in admitting such claims by frontier states since it is easier for them to make their independence effective. Apart from the risk to integrity of India and Pakistan, the emergence of new weak international entities is undesirable (Mss Eur C357, ff 26-36: 2 Aug. 1947 see also Hameed Baloch, 2007: 310 & 315).

In spite of all this, soon after the lapse of the British supremacy, and in view of the declaration of 11th August 1947, the Government of Kalat declared its independence on that day.⁹⁷ Here, it is important to mention that the destiny of British Balochistan was decided through a referendum on 29th June 1947 amongst the members of Shahi Jirga⁹⁸ and the Quetta Municipality. The Shahi Jirga and

⁹⁷ In the prevailing literature various dates have been given regarding Kalat's independence. For instance, G.K. Naseer (2010: 542) claims 12th August, while the Baloch nationalists observe 11th August as Independence Day of Balochistan. The then Khan of Kalat, Mir Ahmed Yar Khan, used 15th August 1947 as the date of independence of Kalat in his autobiography (1975: 151).

⁹⁸ The Shahi Jirga was a council of elders who were selected from the tribal elders by the British authorities. The Shahi Jirga and Quetta Municipality were meant for the Chief Commissioner Province of Balochistan

Quetta Municipality voted en bloc to join the new Constituent Assembly to be set up in Pakistan. According to G.K. Naseer (2010), the Khan of Kalat played a very ambiguous role with regard to the British Balochistan. On the one hand, he was demanding a reversion of the leased areas to Kalat, while on the other; he was convincing the people and sardars of British Balochistan to vote in favour of Pakistan (for details, see G.K. Naseer, 2010: 536-537). Most Baloch Nawabs and sardars of British Balochistan (including Nawab Akbar Khan Bugti) voted in favour of Pakistan (Bugti, 1996: 93-97).⁹⁹

Even so, the Khan sent his Prime Minister and Foreign Minister to Karachi to negotiate with the Government of Pakistan the terms and details of the agreement of 11th August 1947 (Mss Eur D971/2). Through their High Commission in Karachi, the British Government warned the Government of Pakistan of the dangers of recognizing Kalat as an independent international entity (Inayatullah Baluch, 1987: 173). The involvement of the British Government is obvious from the secret memorandum, prepared by the Minister of State for the Commonwealth Relations on 12th September 1947, which states that:

Pakistan has entered into negotiations with Kalat on the basis of recognizing the state's claim to independence and treating the previous agreements as between the Crown and Kalat providing for the lease of Quetta and other areas, which would otherwise lapse under Section 7(1)(b) of the Indian independence Act, as instrumental agreements untouched by the termination of paramountcy. The Khan of Kalat whose territory marches with Persia is of course in no position to undertake the international responsibility of an independent state, and Lord Mountbatten, who before the transfer of power, was warned of the dangers of such a development doubtless passed on his warning to the Pakistan

(called British Balochistan) and had nothing to do with the State of Kalat. The total numbers of Shahi Jirga and Quetta Municipality were 54 and 10 respectively. Out of these members, only eight non-Muslim members of the Quetta Municipality and the Shahi Jirga did not attend the meeting while the rest voted in favour of joining Pakistan (see Ahmad, 1992: 112 and Bugti, 1992: 93-97).

⁹⁹ Nawab Akbar Khan Bugti was a chieftain of one of the important Baloch tribes, the Bugtis. He was assassinated in Musharraf era on 26th August 2006. He became a legend of the present Baloch national movement and the hero of the ongoing conflict of the Baloch with the federation of Pakistan. After his death, his grandson, Brahmhdag Bugti is allegedly leading the fifth phase of the Baloch liberation struggle against the Pakistani federation.

Government. The United Kingdom High Commissioner in Pakistan is being informed of the position and asked to do what he can to guide the Pakistani Government away from making any agreement with Kalat which would involve in recognition of the State as a separate international entity. One consequence might well be that the Pakistan Government would be obliged to concede to Kashmir a similar recognition, although Kashmir has certainly never been independent, having been created by the British for the present dynasty on the conclusion of the Sikh wars and is hardly equipped to maintain the international responsibilities of an independent state vis-à-vis its neighbours Russia and China (cited in Hameed Baloch, 2007: 345-346).

Thus, the Khan of Kalat was asked by Jinnah and by British officials to accede to Pakistan unconditionally (Mss Eur D971/2; see also G.K. Naseer, 2010; Inayatullah Baluch, 1987; and Dashti, 2012). Pakistan's Government also made it clear to the Government in Kalat that the leased areas would only be reverted to Kalat after the latter's unconditional accession to Pakistan (Mss Eur D971/2). All this was contrary to the agreement of 11th August 1947 as well as to the earlier announcements such as the 3rd June Plan of 1947 and the Muhammad Ali Jinnah's speech of June 1947.

With increasing pressure on the Khan of Kalat, he referred the issue of Kalat's merger to the newly elected and nominated houses of the Kalat State, the Darul Awam (House of Commons) and the Darul Umrah (House of Lords).¹⁰⁰ The issue was debated in the House of Commons for various days in mid-December 1947 (for details, see G.K. Naseer, 2010: 546-554). During these debates, a resolution was adopted, which unanimously rejected the proposal of the accession of Kalat into Pakistan. The resolution stated that the "[r]elations with Pakistan should be established as between two sovereign states through treaty based upon friendship and not by accession" (cited in Inayatullah Baluch, 1987: 184). The House of

¹⁰⁰ Elections were held in early December 1947 for the two houses of the parliament. The total members of the House of Commons were 52 (out of which 47 were to be elected through a restricted franchise and 5 were to be nominated by the Khan). The House of Lord was consisted of 46 members (out of which 10 were to be appointed by the Khan and the rest were hereditary chiefs of their respective tribes) (G.K. Naseer, 2010: 544-545 and Kutty, 2009).

Lords also approved this decision of the House of Commons in January 1948 (G.K. Naseer, 2010 and Dashti, 2012). However, the Government of Pakistan was unhappy with this resolution and pressed the Khan for the accession again, and therefore, “the Khan once again referred the accession issue to both the Houses for reconsideration” (Dashti, 2012: 336). Once again, both the houses rejected the accession of Kalat into Pakistan (IOR/R/15/6/187 and Kutty, 2009).

The Government of Pakistan chose to coerce and manipulate the local rulers of Lasbela, Kharan, and Makran, which were the feudatories and subordinate areas of the State of Kalat (Siddiqi, 2012). According to India Office Records, a kind of historical enmity had already existed for a long time between the State of Kalat and its feudatories on issues such as revenue collection and subordination towards Kalat. During British rule they had been almost independent in their internal affairs. For instance, when the Khan of Kalat, Sir Mir Mahmood Khan died, on 3rd November 1931, a Jirga of all Baloch Sardars was called at Mastung on 12th December 1931 for the nomination of a new Khan. Some 29 Sardars participated in the Jirga. Out of these Sardars, the Nawab of Kharan, Mohammad Habibullah Khan Nousherwani, signed the decision of the Jirga with a note saying that “I am not a member of the Brahui Confederacy but since I was summoned to sit on the Jirga I express my opinion that I fully concur in the proposal made by the Jirga” (IOR/ R/1/34/51: 113 & 117). Likewise, the Jam of Lasbela, Jam Mir Ghulam Mohammad Khan, neither attended the Jirga nor signed the decision of the Jirga. In a letter to the Political Agent of Kalat dated 1st December 1931, the Jam wrote that “my state is not under Khan Sahib of Kalat nor have I any concern with the Kalat affairs....Therefore, I have no right to give an opinion in the affairs of the Kalat State” (for full text of the letter, see IOR/R/1/34/54).

Owing to such internal resentments and historical differences between the rulers of Kalat State and its federated states, it was easy for the Government of Pakistan to manipulate these feudatories (Kharan, Makran, and Lasbela). It is said that the Sardars of these feudatories had already applied for the accession of their states to the newly-born state of Pakistan but it (Pakistan) was waiting for the response of the Kalat State on the issue of peaceful accession (cited in Janmahmad, 1989: 185). However, when there were no signs of Kalat accession to Pakistan, the latter accepted the accession of Lasbela, Kharan, and Makran to Pakistan on 17th March 1948.¹⁰¹ The Baloch writers such as Dashti (2012), Inayatullah Baloch (1987), Breseeg (2004) including the nationalist leadership around Balochistan opine that the Government of Pakistan bribed and intimidated the rulers of these feudatories to join Pakistan.

According to India Office Records and Private Papers:

[The] armed forces of Pakistan were alerted to stand by for police action if the Kalat State did not accede to Pakistan unconditionally by 12th April 1948, and this was conveyed to Khan of Kalat. Faced with these circumstances and not even permitted to call a meeting of the State Assembly when lawlessness, bribery and corruption were promoted to bring about the desired effect and then faced with complete annihilation and disgrace the Khan of Kalat signed the instrument of accession on 27th March 1948 (Mss EUR D971/2).

The Khan of Kalat in one of his notes states that:

The armed forces at Quetta were ordered by the Government of Pakistan to be ready for an assault against the State of Kalat. The Agent to the Governor General (A.G.G) of Balochistan was also ready for police action against Kalat. Thus, I sense a very dangerous collusion and therefore, keeping in view the situation I decided to accede to Pakistan in my personal capacity without the will of my people (cited in Bugti, 1996: 105).

Soon after the annexation, the Pakistani Government announced that Kalat would be treated in the same manner as during the British rule. Thus, a Political Agent

¹⁰¹ The instruments of Accessions for these three states were signed on 17th March 1948. The details of these instruments and the instrument signed with Khan of Kalat on 31 March 1948 can be seen from 'Instrument of Accession and Schedules of States According to Pakistan (1959)' available in British Library Ref. No. I.S.PA 5/7.

(an officer subordinate to the Agent to the Governor General) was appointed and was entrusted with the powers to look after the administration of the state and guide the government in all internal matters of Kalat State (Siddiqi, 2012: 60-61). The Kalat State National Party (KSNP) was banned and outlawed and most of its influential leaders such as Mir Ghus Bakhsh Bizenju, Mir Gul Khan Naseer and others were put behind bars.

The accession of Kalat to Pakistan is one of the most important events in the history of the Baloch nation; Baloch nationalists have grieved about it. The three-hundred-year -long rule of the Baloch came to an end with a single stroke of the pen on the day that Kalat acceded to Pakistan. The reaction of the people towards this unconstitutional decision, made under duress by the Khan of Kalat, was of surprise and despair. This event laid the foundation of mistrust and betrayal in the relations between the Baloch and the federation of Pakistan. In the years to come, the lasting and adverse effects of this event gave birth to dissent, conflict and Baloch nationalism within the Pakistani federation in contemporary times.

Chapter VI: The Emergence and Evolution of Baloch Nationalism and the Conflict with the Federation of Pakistan

6.1. Introduction

This chapter will discuss the emergence and evolution of contemporary Baloch nationalism and the phases of the Baloch conflicts with the federation of Pakistan. In addition, this chapter will also investigate the shift from 1948 to 2013, between the Baloch federalists and the Baloch separatists within the Pakistani federation.

As argued in the previous chapter, the Baloch nation is pre-modern and it emerged as a unified entity under the leadership of Mir Naseer Khan Noori I (1749-1817), the fifth ruler of Kalat. Baloch nationalism, however, is a modern phenomenon that emerged in the 19th and 20th centuries in reaction to the forces of occupation and suppression (the British colonisers from November 1839 to August 1947 and the federal Pakistan from March 1948 onwards).

The overarching argument of this chapter is that the Pakistani federal system has failed to accommodate the Baloch grievances within the federation and this failure of federalism (principles of federalism) has catalysed Baloch nationalism, especially its separatist variant within Pakistan. In other words, it is the lack of genuine federal character of the Pakistani state, which is responsible for the increasing sense of Baloch nationalism including separatism. It is important to note that Baloch nationalism has not been monolithic in its orientation and reorientation, especially since the 1970s. It has two main strands: the federalist-nationalist and the separatist-nationalist. The former are struggling for maximum provincial autonomy and control over Baloch resources within the Pakistani federation, while the latter, demand self-determination, especially since 2000s,

and are waging a guerrilla war for an independent Balochistan. The increasing sense of Baloch nationalism also seems to be a reaction to the unfair socio-economic policies of the Pakistani federation towards Balochistan.

6.2. The Emergence of Baloch Nationalism (1839 -1947)

Baloch nationalism can best be explained through the ethno-symbolist approach, which sees modern nations as extended forms of older communities called ethnic (ethnic groups), and modern nationalism as being built on these pre-existing ethnic and cultural groups (see Smith, 1995, 2001 & 2004). History tells us that they (Baloch) existed in the historical records of the 7th century, such records fail to mention whether it was a tribe, group of tribes, an ethnic group, or a nation. However, historical accounts of the 19th and 20th centuries do tell us that when the Baloch became a dominant group in Kalat (Balochistan), they established the Kalat State in 1666, which later became the Kalat Confederacy under Mir Naseer Khan Noori I. Baloch nationalism emerged with the arrival of the British in Kalat (Balochistan) in 1839 and evolved subsequently over the years.¹⁰²

As mentioned in chapter V, the British sought the cooperation of the ruler of Kalat, Mir Mehrab Khan (1721-1839) for the safe passage of their troops and goods to Quetta and Kandahar. However, owing to the rough geographic terrain including the sparse and belligerent tribes around Kalat, it was not possible for the Khan to facilitate the free movement of the British forces through his land to Afghanistan (see Soomro, 2012; G.K. Naseer, 2010; and Hughes, 2002). On the other hand, the British believed that the Khan did not like to cooperate with the British and also had doubts about the Khan's relations with Dost Muhammad, the

¹⁰² Some Baloch writers such as Mir Khuda Bakhsh Marri (1974) give more prominence to Mir Chakar Rind, who in the 15th century established a short lived tribal Baloch confederacy reaching from the Makran coast to the Marri tribal area south of Quetta. However, such a confederacy or nationness can hardly be called a confederacy and a nation because of its apolitical and very fluid nature owing to the 30 years inter-tribal war between the two leading and contending Baloch tribal groups, the Rind and the Lasharis.

ruler of Afghanistan.¹⁰³ When Mehrab Khan realized that conspiracies were being hatched against him by the British in collaboration with some of his closest officials and his cousin Shah Nawaz Khan (a contender for the throne of Kalat), Mehrab Khan signed an agreement in which he guaranteed a safe passage to the British forces through Kalat's land to reach Afghanistan (see Dashti, 2012; G.K. Naseer, 2010:138-43; and Hughes, 2002).

However, the British with the collaboration of Mir Shah Nawaz Khan and some of the Kalat states' officials succeeded in conspiring against the Khan, and during the first Anglo-Afghan war (1839-1842), they instigated the nomadic tribes around Kachi (Bolan) to invade the British convoys. Thus, owing to Khan's failure in providing a safe passage to the British convoys, the British commanders decided to invade Kalat and assumed control through a puppet ruler like Shah Nawaz Khan (G.K. Naseer, 2010; Soomro, 2012; and S.M. Marri, 1992). According to Soomro (2012: 73):

The Bombay contingent upon its return from Afghanistan under the command of General Thomas Wilshire attacked Kalat on November 13, 1839. Some chiefs (Sardars) of the Kalat already having been bribed by the English administration, the Khan's force offered no serious resistance. The Khan himself bravely fought but was killed by the British forces. The English authorities nominated Shah Nawaz Khan, a puppet of themselves, as Khan of Kalat.¹⁰⁴

Initially, the Khan was not aware of the attack, but when he realized that the British forces were advancing towards Kalat, “[h]e then appealed to the chiefs of the Baloch tribes for assistance, but only a few responded to the call” (Hughes, 2002: 204). A sense of nationalism was certainly present in the minds of the Khan and those close to him, but they did not receive a great support from fellow

¹⁰³ Dost Muhammad was pro-Russian and therefore, the British considered him a threat to their empire (Dashti, 2012 and S. M. Marri, 1992).

¹⁰⁴ Historically, this is the first known confrontation of the Khan with the British forces to safeguard his land from the latter's occupation. In this confrontation, besides Mehrab Khan, some 400 of his people and close fellows died fighting against the British, swords in hands, for safeguarding of their land. According to one estimate, some 2000 of the Khan's men were also taken prisoner by the British (Hughes, 2002: 204-205).

Baloch due to the internal tribal divisions and feuds. The Khan as well as some close aides laid down their lives to safeguard the Baloch land. This is why the present-day Baloch separatists observe 13th November as the Day of Remembrance of Baloch Martyrs (Balochwarna News, 2013).

During Mehrab Khan's time, Baloch nationalism was in a primary state; hence, it was hardly an assertive or dynamic nationalist movement. This crude form owed to society being divided on the bases of tribes, sub-tribes, clans, and sub-clans that commanded superior allegiance and interest.¹⁰⁵ Though, the Baloch tribes resisted the forces of occupation, the loyalty of these tribes and sub-tribes to the larger Baloch nation was non-existent. Many small and large-scale skirmishes took place between the British forces and the Baloch tribes - especially the Marris and Bugtis, the two main Baloch tribes living in the north west of Balochistan (see Dashti, 2012; S.M. Marri, 1992; and Bruce, 1900) - but these skirmishes were apolitical and non-nationalistic in nature. This is because the loyalties of these tribes were associated with their immediate tribe or clan rather than the larger Baloch nation (see Matheson, 2009). Furthermore, the Marri and Bugti combats with the British were too localised and cannot be called a nationalist struggle or movement against the occupiers. There was the lack of a strong and coherent central command, a common national agenda and a political organisation that could unite the Baloch to aspire for sustainable nationalism.

Later, the anti-colonial movements in India and the division of greater Balochistan among current Pakistan, Iran, and Afghanistan, created a sense of unity within the rank and file of the educated youth of Kalat. Consequently, in the 1920s, a group of Baloch emerged on the political landscape to organise the Baloch masses along

¹⁰⁵ Like all other tribal societies around the world, the Baloch society too is divided into some 17 major tribal groups with some 400 sub-tribal groupings (see Harrison, 1981: 9). For more details of the number of Baloch tribes in Pakistan, Iran, and Afghanistan, see Khuda Bakhsh Baijarani Marri Baloch (1974: 370).

nationalist lines. Mir Abdul Aziz Kurd, the son of a civil servant of the Kalat State, formed the first Baloch national organization in 1920, named the 'Young Baloch' (Siddiqi, 2012: 56 and Dashti, 2012: 302). The very name of this organization shows its nationalist connotations. In 1928, Mir Yousaf Ali Magsi, son of the chief of the Magsi tribe (Nawab Kaiser Khan Magsi) was impressed by the revolutionary environment of India, and wrote an essay titled *Balochistan Ki Faryad* ('The Lament of Balochistan') which was featured in one of the newspapers, *Masawat* ('Equality'), published from Lahore in November 1929. This essay, about the socio-economic and political situation of Balochistan, was a call for the unity of the Baloch against the colonial rulers. It stated that the whole world was on its way to progress but the people of Balochistan were asleep as doomsday approached. The essay appealed to the people of Balochistan to awaken and resist the slavery of the colonisers (see S. M. Marri, 2009).¹⁰⁶ According to S.M. Marri (2009: n.p), when the essay reached Balochistan, the general public of Balochistan was impressed by its tone, however, the British, their Prime Minister at Kalat (Shamas Shah), and the self-centred Sardars, were unhappy with the revolutionary ideas contained therein. Therefore, as a result of this essay, Yousaf Magsi was arrested in June 1930, and under a special Jirga, held in Kalat on July 17th, he was sentenced to 4 months' imprisonment, one year solitary confinement and some 20000 rupees fine (see Dashti, 2012; Kutty, 2009; and S. M. Marri, 2009).

While Yousaf Magsi was in jail, Mir Abdul Aziz Kurd and some of his comrades had already established a clandestine political organization known as *Anjuman-e-Ittehad-e-Balochan* ('an Organization of Baloch Unity' - hereafter Anjuman), and

¹⁰⁶ The Baloch historians and writers on the subject of Baloch nationalism are of the opinion that Yousaf Magsi's essay *Balochistan Ki Faryad* is one of the first written documents regarding the Baloch rights. It created awareness amongst the Baloch for the surge of nationalism (see Dashti, 2012, G. K. Naseer, 2010, S.M. Marri, 2009, B.M. Kutty, 2009, Syed, 2007, Inayatullah Baluch, 1987, and others).

the members of this covert organization were in contact with Yousaf Magsi. After Magsi's release from jail in 1931, he, alongwith his comrades such as Abdul Aziz Kurd, Muhammad Hussain Unqa, Malik Faiz Muhammad Yousafzai, and others, officially announced the news about the party and its main demands. Yousaf Magsi became its president and Abdul Aziz Kurd became its general secretary. The demands of the Anjuman were: 1) introduction of reforms in Kalat State (Balochistan); 2) unification of the traditional Baloch land; and 3) an establishment of united, independent, and sovereign Balochistan (see Janmahmad, 1989; Dashti, 2012; and G.K. Naseer, 2010).

These demands, once again, went against the interests of the British and their co-opted Sardars, because they were asking for the introduction of democratic and elected institutions, such as parliament with a cabinet responsible to the people of Kalat. In such a parliamentary-democratic system, the role of the British and the Sardars would be challenged, and so, Sir Shamas Shah, the Prime Minister of Kalat issued orders to arrest Yousaf Magsi. Yousaf Magsi knew in advance that this would happen and he managed to take refuge in Jacobabad (now a district of Sindh but part of Kalat in the past).

Further, Abdul Aziz Kurd with the collaboration of Yousaf Magsi published a 64 pages pamphlet titled *Shamsgardī* (a critique of the unjust rule of Sir Shamas Shah) on 20th November 1931. The preface to this was written by Yousaf Magsi where he stated that:

This is an account of a destroyed and forsaken nation. It is aimed at their awakening. It should act like Moses's staff against a Pharaoh of the twentieth century. It is a loud and clear call for our inactive and indifferent brethren in Balochistan to wake up. It calls the British Government to honour the right of people in the choice of their rulers.¹⁰⁷

¹⁰⁷ For detail see *Shamsgardī* (1931) and S. M. Marri (2009).

In the introduction, Abdul Aziz Kurd, criticising the despotic and corrupt rule of Shamas Shah, stated that it was bad luck for the State of Kalat that its ruler Shamas Shah - aged 70 - was an egotistical, greedy, corrupt individual with no mercy for the people of the Kalat State. Naturally, the pamphlet was disliked in the echelons of power in Kalat; it was full of critical accusations about the despotic rule of Sir Shamas Shah, who was ethnically a Punjabi from Gujrat (see Siddiqi, 2012: 56 and S.M. Marri, 2009). The Kalat administration was unhappy with its authors and therefore, issued warrant of arrests for Yousaf Magsi and Abdul Aziz Kurd. The latter was arrested, tried by the Shahi Jirga and sentenced to three years' imprisonment (see, Kutty, 2009: 35 and Syed, 2007: 83), while the former managed again to take refuge in Jacobabad, from where he started agitation called 'the Magsi Agitation'. This was an agitation against the despotic rule of the Prime Minister of Kalat. During this agitation, many Baloch of the Magsi tribe migrated to parts of Sindh and a delegation of about 100 individuals went to Delhi to inform the Viceroy of India about the atrocities of the Prime Minister and the plight of the people of Kalat. The main purpose of this agitation was to compel the administration of Kalat to introduce a representative and responsible system of Government in Kalat, and to remove the existing Prime Minister (see S. M. Marri, 2009: n.p).

When the Khan of Kalat, Mir Mahmud Khan II (1893-1931) became ill, Shamas Shah comprehended the situation and "started to make endeavours to contact the British authorities to get the nomination of Mahmud Khan's elder son, Mohammad Anwar Khan, as his successor" (Breseeg, 2004: 210). Shamas Shah was of the view that Mohammad Anwar, thus selected, would certainly depend upon him for running the administration of the Kalat State. But the members of the Anjuman (the party founded by Magsi, Kurd, and others) also had covert

relations with the younger brother of the Khan, Prince Muhammad Azam Jan (1870-1933). There was an understanding between Muhammad Azam Jan and the members of the Anjuman that on becoming the Khan of Kalat, he (Muhammad Azam Jan) would replace the Prime Minister and also introduce reforms in the state. The British, on their part, refused the Prime Minister's proposal of appointing Mohammad Anwar Khan as the Khan of Kalat due to Anwar's poor health and the agitations against the British by various Baloch tribes (see Inayatullah Baloch, 1987: 152). Hence, the British nominated Muhammad Azam Jan as the next Khan of Kalat in December 1931. Upon coming to power, he replaced the Prime Minister as per the agreement with the members of the Anjuman, but he did not introduce any political reforms in the state. Rather, he asked the members of the Anjuman to stop their political activities in the state of Kalat (see G. K. Naseer, 2010; S. M. Marri, 2009; Breseeg, 2004; and Inayatullah Baluch, 1987). The reason for such a u-turn on the part of the new Khan was that, '[t]he formation of a constitutional and responsible government would have reduced them [the Sardars and the Khan] to rulers in name only' (Inayatullah Baluch, 1987: 152). The British Government was also interested in maintaining the status quo in Kalat because the Sardars and a puppet Khan were both in their interests. This is evident from the words of the Viceroy of India, Lord Wellington at the coronation of the new Khan as the representative of the British Crown in April 1932 in Quetta:

You [the Khan of Kalat] are not only the ruler of the State of Kalat but are also the head of an ancient and strong Confederacy. Therefore, it is appropriate that you work together and in consultation with the Sardars, while respecting their rights and restoring their rank and dignity....Every ruler has to face times of difficulty and anxiety. If, God forbid, such time should arrive, you should be certain that our officer will provide you with every kind of aid and advice. Be assured that I, myself, will always be continuously and deeply interested in the affairs of your state (cited in Inayatullah Baloch, 1987: 152 and G. K. Naseer, 2010: 469-471).

In the face of these assurances and protections to the Khan and the Sardars by the British, the members of the Anjuman continued their struggle for the emancipation of the Baloch masses from the controls of both the British and the Sardars. The Anujman's members put forward their claims for an independent Balochistan with democratic and representative forms of government. Abdul Aziz Kurd, General Secretary of the Anjuman, said on 13th December 1932:

In the magazine 'Zamindar' of September 9, 1931, I have presented an ideology to separate Baluchistan from India and form an independent Muslim government in this country, which I had formulated not today but twelve years ago in 1920 in view of local conditions, and which I had expressed before the world earlier in 1922 in a publication of the newspaper 'Hamdarad'....I want to see a constitutional government in Baluchistan which is purely Islamic and independent in all aspects. That is, just as I cannot like the Baluchistan remains under the slavery of the Hindus, I am also opposed to any country wearing the enslaving chains of the colonizing Europeans (cited in Inayatullah Baluch, 1987: 153).¹⁰⁸

The reactions of the Indian press, especially the Muslim press, to the explicit demands of the Anjuman for an independent, free, and sovereign Balochistan, were not favourable. For instance, the Muslim Outlook, published from Lahore in 1932, saw the idea of a free Balochistan to be a British imperialist conspiracy (cited in Inayatullah Baluch, 1987: 153), while the "Zamindar, a pro-Muslim League newspaper, opposed the idea and advised the creation of a United Muslim front against the Hindu bureaucracy" (cited in Breseeg, 2004: 214). However, both the fear expressed in the former publication, and the idea of a united front advised by the latter, was futile in the case of Balochistan for two reasons. Firstly, the Baloch did not consider Balochistan to be a part of Indian subcontinent, and secondly, "[t]he Baloch [nationalist] activists were confronted with a Muslim, principally Punjabi bureaucracy. For the Baloch the problem of Hindu bureaucracy was non-existent" (Breseeg, 2004: 214).

¹⁰⁸ Here it may be noted that the demand for an independent Balochistan, thus, dates before the demand for Pakistan (which was made by AIML in 1940). Before 1940, the league leadership, having faith in united India, was struggling for the preservation of the rights of the Indian Muslims within a loose federal structure.

The members of the Anjuman decided to convene an All Baloch Conference to discuss matters relating to the Baloch national movement. The following statement was issued in the Daily Zamindar on 22nd October 1932:

It has been decided to convene the Baluchistan and All Baluch Conference at Jacobabad in the month of December (1932). The Baluch are properly acquainted with democratic principles but our nation is being tremendously affected by external influences. Consequently, we have no choice but to organize ourselves by establishing bonds of unity and alliance. Otherwise, this will result in our lagging behind all other nations.¹⁰⁹

The aims and objectives behind this conference were: 1) unity of the Baloch; 2) compulsory education and protection of the Baloch rights; and 3) religious education and legal reforms in Balochistan. The member of the Anjuman also announced that they were confident that the Baloch nation would spare no efforts to make this conference a success (Marri, 2009). The conference continued for three consecutive days at Jacobabad in Sindh from 27th December 1932 onwards. According to S. M. Marri (2009), besides Abdul Samad Khan Achakzai, a Pashtun nationalist and founder of PkMAP, representatives of the Baloch from Punjab, Sindh, Iran, Afghanistan, and India also attended this conference. Breseeg (2004: 215) mentions that about 200 Baloch delegates participated in this conference. The conference reiterated the Anjuman demands for democratic and social reforms in Kalat (Balochistan) and called for the reunification of the Baloch regions and the establishment of educational institutions and industries in Balochistan (see S. M. Marri, 2009; and Inayatullah Baluch, 1987). After 11 months (in November 1933), another conference was convened; called the 'All India Baloch and Balochistan Conference', it was held at Hyderabad in Sindh. Here again, the same demands were stressed to establish a constitutional

¹⁰⁹ Cited in S. M. Marri (2009: n.p), Breseeg (2004: 214), and Inayatullah Baluch (1987: 153-54).

government in Balochistan and to unify the Baloch land (see Inayatullah Baluch, 1987 and Breseeg, 2004).

The Anjuman members were quite active in the political mobilizations of the Baloch masses. Abdul Aziz Kurd, the General Secretary of the Anjuman, wrote articles in various newspapers demanding the return of the leased and the tribal areas of Marri and Bugti to the State of Kalat (Breseeg, 2004). This mobilization and these demands were not in line with the interests of the British Government or the co-opted Sardars. According to Kutty (2009: 37):

Such public manifestation of political awakening among the Baluch not only unnerved the government circles in Kalat but also caused serious concern to the British Administration. Pressure began to be exerted from all sides on the young pioneers of the movement in a bid to nip it in the bud. The Sardars, who wielded absolute power over their tribes and fiefdoms, also felt uneasy at the emerging new political trend and did their best to thwart it.

Therefore, Kurd was arrested in January 1934 and sentenced to three year's rigorous imprisonment. Many other educated Baloch, who were serving at various posts in Kalat, were also ousted from their jobs due to the fear of their nationalistic agenda. By this time, Yousaf Magsi was in England. In such circumstances, the Anjuman's activities were minimal and the organization was almost on the verge of disappearing (Bugti, 1992: 85). When Kurd was arrested, he gave the following message to his comrades:

Comrades! You must understand Britain's position in Baluchistan very well. Do not view it from the perspective of Indian politics. Keeping in view the significance of our country for all of Asia constitutes your political ideology under provisional exigencies in accordance with local conditions and national aspirations. The Baluch nation should not imitate Afghan, Indian or any foreign politics. You should impress on your minds the fact that Britain has neither conquered your country nor bought it from any one. Therefore you are not her slave and she is not your master. In fact, Britain has set up temporary camp in your country with the status of a trader holding special concessions by virtue of friendly and equal treaties. Therefore you must always be aware of your true status and political dignity (cited in Inayatullah Baluch, 1987: 154).

When the leading soul of the movement, Yousaf Magsi, returned to Balochistan from England in 1935, he went to Quetta where he was caught in an earthquake and died on 31st May 1935.¹¹⁰ The role played by the members of the Anjuman eventually culminated in the formation of the Kalat State National Party (KSNP) in 1937. In subsequent years, the KSNP remained at the forefront of demanding an independent Balochistan when the British were to pulling out of India (see Dashti, 2012; G.K. Naseer, 2010; S. M. Marri, 2009; Kutty, 2009; Breseeg, 2004; and Inayatullah Baloch, 1987).

Mir Ahmed Yar Khan, the last Khan of Kalat (1933-1948), was sympathetic to the nationalist cause and wanted an independent Balochistan, but as mentioned earlier in Chapter V, neither the British nor the new state of Pakistan was ready to endorse this. The aspiration of the Baloch can best be judged from the manifesto of the KSNP.¹¹¹ The main points of the manifesto were:

All the Baluch should be united by eliminating the differences among them; We the Baluch have a glorious past with excellent traditions but are deprived of our national rights; The Central Government of Baluchistan should be a responsible government consisting of the elected representatives of the people, with the Khan of Kalat as a 'Constitutional Head'; The Central Government should be the custodian of the Baluch traditional heritage; The Central Government should adopt a nationalist approach; The State should be strengthened enough to play its significant role in the family of nations; Baluchistan is not the slave of the British Government; rather the British have acquired facilities through friendly agreements; hence, our national integrity should not be destroyed; Baluchistan is as much a separate land as is Iran and Afghanistan (Kutty, 2009: 40-41).

When the British decided to quit India by dividing it into two sovereign states, India and Pakistan, Mir Ahmed Yar Khan accelerated his struggle to maintain Kalat as an independent sovereign state. As outlined before, a Standstill Agreement was signed between the representatives of Kalat, Pakistan, and British

¹¹⁰ On 31st May 1935, Quetta (the capital of the province of Balochistan) was hit by a massive and devastating earthquake (of 7.7 magnitudes) which claimed thousands of lives. Unfortunately, the name of Yousaf Magsi was amongst the list of casualties.

¹¹¹ For detailed discussion of the KSNP see G. K. Naseer, (2010: 492-528)

India, wherein Kalat was recognized as an independent sovereign state having treaty relations with the British Government on 11th August 1947. However, after 9 months of Kalat's independence, Mir Ahmed Yar Khan was asked by the Pakistani authorities and the British officers to accede to Pakistan. The Khan was reluctant to do so, and therefore, referred the issue to Kalat's newly formed parliament, Darul Awam and Darul Ummrah. On the issue of the accession to Pakistan, Mir Ghaus Bakhsh Bizenju, the leader of the Darul Awam, delivered a speech which is worth mentioning. An extract from the Bizenju speech, which appeared in his autobiography edited by Kutty (2009: 62-63), is given below:

The British Government, by force of arms, enslaved most of Asia. British Government was tyrannical, oppressive. It robbed us of our independence. We had never been a part of Hindustan. Pakistan's demand that Kalat, which had earlier been known as Baluchistan and had been the national homeland of the Baluch, should merge with Pakistan is unacceptable.

Our Khan helped in the formation of Muslim league in Baluch territory. Our homes and vehicles were donated for its propagation. And a large majority of the people of Kalat under Khan's leadership did everything to help the Muslim League succeed. But what is Pakistan giving us in return? How is Pakistan reciprocating? Pakistan does not want to return to us the leased tribal areas which belong to us. We don't want to keep them in the bond of slavery. They are our brothers. In this capacity they have all along been [an] integral part of Kalat. Pakistan has refused to talk about them. Pakistan's condition is that until and unless the government of the Baluch went to them with bowed heads and in humility, Pakistan would not talk. We are ready for friendship with honour not in indignity. We are not ready to merge within the frontiers of Pakistan.

We have a distinct culture like Afghanistan and Iran, and if the mere fact that we are Muslims requires us to amalgamate with Pakistan, then Afghanistan and Iran should also be amalgamated with Pakistan. They say that we Baluch cannot defend ourselves in the atomic age. Well, are Afghanistan, Iran and even Pakistan capable of defending themselves against the super powers? If we cannot defend ourselves, a lot of others cannot do [so] either.

We are asked to sign the death warrant of one and half crore [15 million] Baluch of Asia. We cannot be guilty of such a major crime.

Granted that we have no money but we have abundant mineral resources; we have vibrant seaports; we have unlimited sources of income. Don't try to force us into slavery in the name of our economic compulsions. If Pakistan as an independent nation wants to have an agreement with us, we

shall extend the hand of friendship (cited in Kutty, 2009: 62-63, emphases added).

Both the houses also unanimously refused to accede to Pakistan. The Pakistani authorities, however, wanted the Khan to accede to Pakistan unconditionally. As mentioned earlier in Chapter V, the state of Pakistan, with the guidance and help of the British Government, manoeuvred the rulers of the vassal states of Kalat to accede to Pakistan. When the Pakistani State realized that the people of Kalat were not ready to join the Pakistani federation, it (Pakistan) announced the accession of Kharan, Lasbela, and Makran to the Pakistani federation. Subsequently, the Khan of Kalat was coerced and compelled to sign an agreement of accession to the Pakistani state on 27th March 1948. This led to the first revolt of the Baloch against the federation of Pakistan; headed by the younger brother of the Khan of Kalat, Prince Abdul Karim Khan.

In view of the discussion so far, it can be argued that the Baloch nationalist movement is modern, and it emerged two decades prior to the creation of Pakistan. Initially, it was targeted at the semi-indirect rule of the British. But, after the British withdrawal from India, Baloch nationalism continued to evolve within Pakistan. The next section is about the phases of the Baloch conflicts with the state of Pakistan and the evolution and changing patterns of Baloch nationalism within federal Pakistan.

6.3. The phases of Conflict and the Evolution of Baloch Nationalism within Pakistan (1948 to 2012)

The relations between the Pakistani federation and the Baloch nation are extended over 63 years. During these years the state of Pakistan has witnessed five conflicts of the Baloch against the federation of Pakistan. The demands of the Baloch nationalists have fluctuated over time; initially, they wanted an independent

Balochistan, but in the subsequent years, various voices were raised asking for provincial autonomy, self-determination, and separate state respectively. Therefore, each successive conflict is different from the one preceding it, in terms of magnitude, extent, and political orientation. This section analyses the evolution of Baloch nationalism vis-à-vis the federation of Pakistan. It also investigates the impact of each conflict on the subsequent ones, and the responses of the state of Pakistan to resolve the conflict within the federal structure of Pakistan. Hence, this section will consider whether the ongoing conflict is about power sharing, complete independence of Balochistan, or the failure of the Pakistani federation (federal principles and practices) to resolve the issue within the parameters of federal Pakistan.

6.3.1. The first phase of the conflict and its importance in the evolution of nationalism

The first conflict erupted just two weeks after the annexation of Kalat into Pakistan. It was led by Prince Abdul Karim Khan who, at the time of the Kalat merger to Pakistan, was serving as a Governor of Makran. According to the British Library's Archives and Manuscripts Records, the Prince crossed over to the Shorawak territory in Afghanistan, together with a sizeable number of people and a considerable quantity of arms, ammunition, and food grains, to lead a revolt against the forceful annexation of Kalat to Pakistan (Mss Eur D971/2). The exact number of people accompanying the Prince is not known; historians and researchers give various citations. For instance, figures range from 200 to 5000.¹¹²

¹¹² G. K. Naseer (2010: 582) states that the total numbers of rebels accompanying the prince were 5000, Breseeg (2004: 240) states 1000, Harrison (1981:26) cites 700, Hameed Baloch (2007: 436) comes up with 500, and the British Library's archival records reveal the rebels to be 200 in number (Mss Eur D971/3).

According to Harrison (1981: 26), the prince “issued a manifesto in the name of Baloch National Liberation Committee disavowing the unconditional accession agreement signed by the Khan, proclaiming the independence of Kalat, and demanding fresh negotiations with Pakistan.” It is believed that the Prince had the secret support of the Khan himself, who saw the Prince’s insurrection as a final means of asserting pressure on Pakistan to regain some kind of princely privileges (Harrison, 1981: 26 and Inayatullah Baluch, 1987: 193). However, this insurrection of the Prince put the Khan, outwardly, in a difficult situation with the Government of Pakistan. When rumours spread in Kalat that Prince Karim was planning to invade, the Kalat State forces were ordered to find out his location (Mss Eur D971/3). The Khan also sent Karim’s uncle and one of his teachers to persuade the Prince and bring him back to Kalat. However, the Prince insisted on fighting a guerrilla war against the Government of Pakistan due to the forceful annexation of Kalat to Pakistani federation (see Mss Eur D971/3). He was confident that he would get the support of the Government of Afghanistan because of the following reasoning:

[S]ince Afghanistan had objected to the inclusion of the Baloch and Pashtun areas in Pakistan and had even opposed the admission of Pakistan to the United Nation, Kabul could be persuaded to support a military initiative by the Baloch before the new Pakistani state became too well established” (Harrison, 1981: 26).

However, Afghanistan did not extend the expected support to the Prince because the idea of a greater Balochistan was contradictory to Afghanistan’s national interests. A sizeable Baloch population was living (and continue to live) in Afghanistan in the provinces of Nimroz and Helmand wherein too the Baloch nationalists were claiming (and still claim) the Baloch regions in Afghanistan as part of a greater Balochistan (see Map of Greater Balochistan in appendix II). Thus, the Afghan Government was mindful of an internal insurgency due to its

own Baloch population. And the same can be said about the Iranian parts of Balochistan (see Jelty, 2010: 22; Breseeg, 2004: 242-243; Inayatullah Baluch, 1987: 195-196; and Janmahmad, 1989: 195).

When the Khan realized that the Prince could not get any support from anywhere, he also issued a *Firman* (decree) against the rebellious attitude of his brother. The *Firman* stated that:

I am disappointed to find that in spite of my proclamation of March 27th 1948, some people of Kalat and Pakistan continue to misrepresent the wishes of my people and the policy of my Government. After consulting my Sardars and my Government, I wish to make the position clear once and for all. I am Muslim and my people are [mostly] Muslims. Both before and after the departure of the British Government we have prayed and worked for Pakistan. Kalat's accession was delayed for some special difficulties of form, not because we desired any other friendship than Pakistan....There is a small negligible element in the state who [has] opposed my Government in this policy. These persons have seduced my younger brother Agha Abdul Karim Jan to leave the state and settle with a few followers on the border of Afghanistan. He has taken this action without my knowledge and without my approval....I have called upon the Government of Pakistan who [is] responsible for the foreign affairs and the defence of the state to take strong steps in cooperation with my administration to see that no attack upon the state is possible....To those of my people who are with Agha Abdul Karim Jan and have not already returned I say that there are/is still time to return to their homes, while they have committed no crimes. I give them extended time till August 1st [1948] to return and lenient treatment will be given to those who have committed no offense [offence] in the Kalat State. But if they do not return before that date, they will forfeit the right be citizens of Kalat and to hold property in the state (Mss Eur D971/2).

The Baloch nationalists grouped into two opposite camps during Karim's revolt. The camp led by the Prince was in support of armed and guerrilla struggle against the annexation of Kalat. This included important figures such as Muhammad Hussain Unqa (a teacher, journalist and poet), Malik Muhammad Saeed (who later became the Secretary of KSNP), Qadir Baksh Nizamani (a member of the Baloch league Karachi and a prominent member of the Communist party, Sindh-Balochistan branch) and several others. The second camp was of those who

wanted to avoid confrontation and “were cool to the idea of a military showdown with Pakistan”, and included leading Baloch nationalists such as Mir Ghaus Bakhsh Bizenju (the first Governor of Balochistan in the 1970s) and Mir Gul Khan Naseer (a poet, historian, and the first education minister of the Government of Balochistan in the 1970s) (see Harrison, 1981: 26 and Kutty, 2009: 70). Thus, at the very outset of the Baloch national struggle against the Pakistani federation, two strands emerged that had different approaches to Baloch relations with Pakistan. History tells us that in the subsequent years, many Baloch nationalists, especially of latter camp, accepted the federation of Pakistan, and may got elected to the national and provincial assemblies of Pakistan and demanded equal rights, more representation, provincial autonomy and control over the resources emanating from Balochistan. However, a separatist strand, though less powerful except in the recent years, often existed along with the federalist strand.

The forces of Karim tried their best to mobilize and get support of the Baloch Sardars from the Iranian part of Balochistan, British Balochistan, and Kalat, but could not get the desired help. So, “being disillusioned, Prince Agha Abdul Karim and his party returned to Balochistan on 8th July 1948” (Breseeg, 2004: 243). The administration of Kalat and the armed forces of Pakistan under the command of Major General Akber Khan, waited at Harboi (a mountainous resort in the east of Kalat) for the arrival of the Prince and his people. It is stated that the “Pakistani officials signed a safe conduct agreement with the Prince’s party at Harboi and swore an oath on the Muslim holy book, the Kuran [Quran], to uphold it” (Inayatullah Baluch, 1987: 197). However, the agreement was dishonoured and the Prince, along with hundreds of his men, was arrested and tried by a special Jirga that sentenced them to various terms of imprisonment (Kutty, 2009: 70).

Over the years to come, “the Baloch regard this as the first of a series of ‘broken treaties’ which have cast an aura of distrust over relations with Islamabad” (Harrison, 1981: 27). Most Baloch nationalists consider this to be the first symbolic movement of the Baloch nation against the federation of Pakistan. Their view is that the Baloch state has been forcefully annexed to Pakistan (without the will and desire of the Baloch masses) and then subjected to exploitative and oppressive policies.

According to Sardar Attaullah Mengal,¹¹³ the accession of Balochistan to Pakistan was against the will of the Baloch people. Once it became a historical fact, the Baloch accepted it and tried to accommodate and adjust themselves within the Pakistani federation. Mengal asserts that, in spite of this, “the Baloch were always reminded that you are slaves and should behave as such.” He further states that the Government of Pakistan did not accept the significance of the Baloch within the federation of Pakistan. The Pakistani State and its bureaucratic machinery, both civil and military, always looked at the Baloch as hostile, traitors, and anti-Pakistani. Numerous present-day Baloch federalists such as Tahir Bizenju (NP), Agha Hassan (BNP-M), Jahanzeb Jamaldini (BNP-M), and others hold the same opinion that the Pakistani establishment has always looked at the Baloch nationalists as anti-Pakistani secessionists. When I interviewed him, Attaullah Mengal recalled:

A Jirga was called in district Khuzdar few decades ago. It was presided over by the District Commissioner (DC), a Punjabi by ethnicity. When I reached to the Jirga hall, another Sardar was also present there. I said salaam (a gesture of greetings) to him in a way where I joined my palms

¹¹³ Saradar Attaullah Mengal was interviewed at his Karachi residence on 4th March 2013. He is one of the most influential Sardars of his tribe (the Mengal) and has been an important nationalist political leader of Balochistan since the 1950s. He became the first Chief Minister of Balochistan as a result of the elections of 1970s. His son, Sardar Akhtar Mengal, is an active political leader of the Baloch and heads the BNP-M. Akhtar Mengal was also served as the Chief Minister of Balochistan in the 1990s, and recently took part in the general elections of Pakistan held in 2013.

and bowed my head a bit down as a gesture of respect which is customary in Baloch culture. The Sardar also replied in the same way. When the Jirga was over, the DC called the Sardar to his office and asked him, you people had not forgotten the Congress yet. The Sardar asked him, what you mean. The DC replied, I observed that you and Attaullah were saying Namaskar to each other.

In spite of such mistrustful behaviour of the bureaucracy towards the Baloch, the latter tried to accommodate themselves within the Pakistani federation. In line with their rights, the Baloch demanded a separate province with maximum and unadulterated autonomy, comprising the Baloch areas. For instance, when Prince Abdul Karim Khan and Muhammad Hussain Unqa were released from prison in June 1955, they formed a political organisation, namely the *Ustaman-e-Gal* (National Party) having the following primary aims: 1) to obtain a separate province for the Baloch on the basis of their race, culture, language and geography, wherein Balochi would be the official language; and 2) to make Pakistan a republic with a federal form of government with equal rights and complete provincial autonomy for the federating units (Janmahmad, 1989: 196 and Bugti, 2009: 138). These demands were consistent with the concept of federalism, but instead of creating a consensual federal Pakistan, the Government of Pakistan announced the One Unit Scheme (OUS) under, which all the provinces of western Pakistan were grouped together and made into 'west Pakistan' as One Unit against the numerical majority of 'east Pakistan' (now Bangladesh) as another Unit. The One Unit move was strongly opposed by Pashtun, Sindhi, and Baloch nationalists. In any case, the Baloch demand of having their own province was partially fulfilled (later in 1970) only after 23 years of political struggle with on and off conflicts of the Baloch with the Pakistani federation.

6.3.2. The imperatives and dimensions of the conflict from 1958 to 1960 and its repercussions on nationalism

According to international law, a state, if it is under the suzerainty of any other state, cannot be entered into a treaty with another state without the will and permission of its suzerain (see Triska and Slusser, 1962). However, in the case of Kalat the situation was different. The three feudatories/vassal states of Kalat - Lasbela, Kharan, and Makran -¹¹⁴ acceded to Pakistan through a treaty without the will and permission of the ruler of the Kalat State. After the dismemberment of Kalat State, the Government of Pakistan attempted to establish the Union of Kalat in order to give a legal shape to its illegal actions against Kalat. On 11th April 1952, the rulers of Kalat, Lasbela, Kharan, and Makran were entered into a covenant and they agreed to the formation of Balochistan State Union (BSU). The Khan of Kalat was made a lifetime Khan-e-Azam (the Great Khan) of the Union (Mss Eur D972/2). He signed a supplementary instrument of accession, not only on behalf of Kalat proper, but also on behalf of his three feudatories, and in this way, the Government of Pakistan removed the legal defects of the earlier accession deeds (see G.K. Naseer, 2010). Thus, from 1948 to 1955, Kalat enjoyed almost the same status as during the British colonial period. However, in 1955, west Pakistan - comprising the provinces of Punjab, Sindh, NWFP (Khyber Pashtunkhwa), Commissioners' province of Balochistan and BSU - was merged into a single province under the OUS.

In essence, the introduction of the OUS relegated the Khan to the position of an ordinary citizen and he lost the title of Khan-e-Azam of the BSU. The Khan and other political forces around Balochistan started campaigning for the division of west Pakistan into various provinces along linguistic lines (Mazari, 1999: 82-83). The Khan envisaged creating a province consisting of the Baloch areas of Balochistan, Dera Ghazi Khan, and Jacobabad (A.Y.K. Baluch, 1975: 171). When

¹¹⁴ According to some scholars such as Dushka H. Saiyid (2006), G. K. Nasser (2010), and others, Makran was a district of the State of Kalat which had later become semi-independent territory under the influence of the British.

the anti-One Unit campaign was at its peak, a large gathering took place in Karachi in October 1957 under the leadership of the Khan of Kalat. On the day of this gathering, Sikandar Mirza, the then president of Pakistan invited the Baloch leaders, namely Mir Ahmed Yar Khan, Nawab Akbar Khan Bugti, Nawab Khair Bakhsh Marri, Ghaus Bakhsh Bizenju, Mir Jaffar Khan Jamali, Balakh Sher Mazari, and Sherbaz Mazari to the President's palace for tea. During the discussions, the President blamed the Khan, saying:

Why are you trying to mislead these Sardars....these days you are opposing the One Unit and talking about new linguistic provinces, but when the same One Unit was created you were making long gushy speeches in its favour. What you really hanker for, is recreation of your old Kalat state. All the rest is merely eyewash. You now just want to fool these people into supporting you (cited in Mazari, 1998: 82-83).

According to Mazari (1998), the Government of Pakistan blamed the Khan for trying to secede Kalat from Pakistan and accused him of approaching the Shah of Iran to merge Kalat into Iran as an autonomous region. According to another account, the Khan was requested by the President to help Pakistan financially and in return he (President Sikandar Mirza) would restore the previous status of Kalat. The Khan was also asked by the President to call a Jirga of the Baloch Sardars to prepare the ground for the restoration of the Kalat State. However, Hasil Bizenju (leader of the NP and a member of Pakistan's Senate) and Musa Jan (the son of Mir Ahmed Yar Khan) hold the opinion that President Mirza was consciously creating a situation to enable the imposition of martial law on pretext that the Baloch want to secede from Pakistan.¹¹⁵ It was against this background that the Pakistani forces once again entered into Kalat on 5th October 1957. The Khan was

¹¹⁵ Mir Hasil Khan Bizenju and Prince Musa Jan on Capital Talk show at Geo News with Hamid Mir, 4th October 2012.

arrested on charges of treason and a few of his men were killed during the resistance (see Mazari, 1999: 83 and Ahmad, 1992: 167).¹¹⁶

The arrest of the Khan, his family members and the raid on his residence was considered an insult to the Baloch culture and honour. Consequently, the 90 year-old Nawab Nauroz Khan Zehri revolted against the Government of Pakistan and its policies towards Balochistan. He assembled a force of around 500 to 1000 men in the mountains of Jhalawan (Ahmad, 1992: 169 and Harrison, 1981: 28) and demanded the release of the Khan and his family members, a commitment from the Government of Pakistan to respect the tribal traditions and customs, and the annulment of the OUS (see Mazari, 1999 and A.Y.K. Baluch, 1975). However, the Government of Pakistan paid no attention to Nauroz Khan's demands, but rather his "house was bombarded and razed to the ground" (A.Y.K. Baluch, 1975: 186 and Harrison, 1981:28).

Therefore, a guerrilla war broke out which lasted for one and a half years and ended only when Nawab Nauroz Khan's own nephew, Sardar Doda Khan - carrying the Quran - assured his uncle that the authorities had accepted all his (Nauroz's) demands.¹¹⁷ When Nawab Nauroz and his followers came down from mountains of Molla (a tehsil or town of district Khuzdar), they were surrounded by the armed forces, taken into custody, and sent to Hyderabad Jail. Nawab Nauroz was awarded life imprisonment and he later died in prison. His elder son, five of his family members, and comrades were hanged in Hyderabad jail (see Kutty, 2009: 103; Mazari, 1999: 84-85; Ahmad, 1992: 169; Janmahamd, 1989:

¹¹⁶ In addition, some 300 Baloch activists were arrested by the state of Pakistan (see Ahmad, 1992: 168; Harrison, 1981: 27; and A.Y.K Baluch, 1975).

¹¹⁷ It is believed that the Quran was supposedly sent by Brigadier Riaz Hussain of the Pakistan Army in order to bring the guerrilla commander down from the mountains; however, later Riaz Hussain denied that this had been the case (Mazari, 1999: 84).

202; and A.Y.K. Baloch, 1975:186-188).¹¹⁸ Once again, the army had dishonoured its promises. Sardar Attaullah Mengal, during an interview with me disclosed that he (Attaullah), Ghaus Baksh Bizenju, and Sardar Muhammad Hasani had also been asked by the Government to negotiate with Nauroz Khan and bring him down from the mountains, but they had refused as they were aware of the intentions of the Government and the armed forces in not sparing Nauroz Khan and his men.

Nauroz Khan's revolt was basically revolving around a political issue and it could have been resolved through dialogues without any bloodshed or death penalties, but the Government of Pakistan and its armed forces failed to address the issue amicably. They preferred suppression and adopted a harsh attitude towards the Baloch. Doing so inflamed the nationalist forces around Balochistan who saw the Government of Pakistan as an oppressor and exploiter.

Be that as it may, in the subsequent years, many prominent Baloch Sardars decided to work within the system. They participated in the 1960s elections under the military regime of Ayub Khan. Sardar Attaullah Mengal and Nawab Khair Bakhsh Marri, the two prominent leaders of the Baloch, were elected to the National Assembly from Kalat and Quetta divisions respectively (see Kutty, 2009: 105 and Junejo, 2010: 19). They continued the struggle for the Baloch rights within the Pakistani federation by demanding a decentralized federation with more constituent units based on ethno-national identities so that every unit could have equal rights and a just share in the political and economic affairs of the country. However, as mentioned earlier, each time the Baloch demanded a due share in the federation, they were portrayed as traitors and anti-Pakistani. Most

¹¹⁸ Those sentenced to death were: 1) Batay Khan (the elder son of Nauroz Khan); 2) Wali Muhammad Khan Zarakzai; 3) Bahawal Khan Musiani; 4) Mir Sabzal Khan Zehri; 5) Gulam Rasool Nichari; and Masti Khan (see Kutty, 2009: 103 and Janmahmad, 1989: 202).

present-day Baloch nationalist parties such as BNP-M, BNP-A, and NP still believe in a loose federation wherein the units should be given full autonomy and control over their resources. For instance, Jahanzeb Jamaldini, Senior Vice president of BNP-M, during an interview on 24th February 2013 with the author said:

We (the Baloch) want such a federation where there is no exploitation of smaller units. We want that the colonial style of governing must be finished. We want such a federation in which every province should be autonomous except in few matters such as defence, communication, and foreign affairs. We want that the Baloch should be given the right of self-determination as per the charter of UNO.

Furthermore, I observed during my fieldwork that a majority of the nationalists, intellectuals, as well as provincial bureaucrats from the province of Balochistan opined and argued that Pakistan has never been a proper federation; one ethnic group, the Punjabis, have always been dominant. The individuals I interviewed maintain that Pakistan needs to be converted into a loose federation, wherein apart from defence, currency, and communications, all other powers are given to the federating units. They emphasize that the provinces should be given control over their resources and internal affairs as well as an equal and adequate share in all federal institutions such as the parliament, civil and military bureaucracy, the judiciary, and corporations. They are of the opinion that the present federal structure is not in the interests of the people of Balochistan who have no say in the national and international policy making bodies. This is in contrast to the separatist leadership of the Baloch who have a one-point agenda of self-determination and have fought (and are still fighting) a guerrilla war for an independent Balochistan.

6.3.3. The nature and motives of the third phase of the Baloch conflict from 1960 to 1969 and its implications on Baloch nationalism

The third phase of the Baloch conflict was a continuation of the second one. During the military rule (1960-1969), the Ayubian regime adopted repressive policies towards Balochistan and its people. According to Ahmad Yar Khan (1975), when General Ayub Khan visited Quetta in August 1962, a meeting of political workers was organized, where the Baloch leaders cautioned Ayub Khan against considering a military solution of the Baloch issue. However, the dictator was enraged and in a public meeting held under heavy military guard, he threatened the Baloch with 'total extinction' if they continued the resistance (ibid, 1975: 189).

The military regime looked at the Baloch leadership with suspicion. It blamed the Baloch for anti-state activities, which it saw as being aimed at the secession of Balochistan from Pakistan. According to Tahir Bizenju, the Central General Secretary of NP (interviewed at his residence in Karachi in March 2013):

It is an historical fact that neither the Pashtun nationalists such as Abdul Ghaffar Khan nor the Baloch nationalists such as Ghaus Bakhsh Bizenju were ready to be part of Pakistani federation. But however, once it (Pakistan) incorporated the Pashtun and the Baloch areas to the federation of Pakistan then the nationalists said that now it is a fact and we are part of Pakistani federation. Now let's make it more democratic and federal wherein each ethno-national group may have an equal and just share in the country's affairs. But whenever the Baloch or the Pashtun nationalists demanded more autonomy, control over their resources and a just and equal share in federal institutions and resources, they were termed as traitors and anti-Pakistani.

As mentioned earlier, the Baloch leadership was determined to undo the OUS as they struggled to get the status of a province for Balochistan. To suppress the Baloch leadership voices, the military regime took provocative and repressive steps. General Ayub announced the removal of Sardar Attaullah Mengal, Nawab Khair Bakhsh Marri, and Nawab Akbar Khan Bugti from their hereditary positions as Sardars and Nawabs of their respective tribes and appointed some government sponsored Sardars in their places (see Kutty, 2009: 106). Later, most

Baloch leaders such as Ghus Bakhsh Bizenju, Mir Gul Khan Naseer, Mir Abdul Aziz Kurd, Hashim Khan Ghilzai, Mir Muhammad Aziz, Sardar Attaullah Mengal and Nawab Akbar Khan Bugti were arrested on various grounds and charges (Mazari, 1999: 103). By that time, Nauroz Khan was in jail and his comrades were awaiting execution.

These were the circumstances which compelled the major and powerful tribes of Balochistan - the Mengals, the Maris, and the Bugtis under the leadership of Ali Muhammad Muhamdzai, Sher Muhammad Marri, and Mewa Khan Bugti - to join the ongoing political movement against the military regime of General Ayub Khan (Kutty, 2009: 108). A loosely-based guerrilla organization called *Parair* (rebel) was established in 1963, almost in response to the Government attitude and policies towards Balochistan and its people. The exact number of the *Parari* is uncertain. However, according to Mazari (1992: 112) and Harrison (1981: 30) the *Pararis* (plural of *parari*) claimed that by July 1963 they had established 22 base camps, each with 400 fulltime volunteers and several hundred part time reservists, spread over 45000 square miles, from the Mengal tribal area of Jhalawan in the south to the Marri-Bugti area in the north.

The *modus operandi* of the *Parari* movement was to avoid large-scale and direct confrontations with the armed forces. They preferred to wage guerrilla warfare in order to harass the Pakistan's armed forces. They were attacking military convoys, 'bombing trains, sniping at sentries', and raiding temporary military camps around Balochistan (Harrison, 1981: 30). They made various attacks on the Pakistan Army in areas belonging to the Marri, Bugti, and Mengal tribes (see Janmahmad, 1989:202-203 and Harrison, 1981: 29-33).

It is believed that Sher Muhammad Marri was the prime mover of the *Parari* movement and according to him; the objectives of the *Parari* were:

We were struggling to save the Baloch nation, which was being crushed by the Pakistani government. We did not define our long-range objectives at that time on the question of independence or autonomy within Pakistan, because we were too busy concentrating on our immediate objective, namely, ousting the Pakistan Army from Balochistan (cited in Harrison, 1981: 29).

The fighting between the *Parari* and the Army continued sporadically until 1969, “when Yahya Khan, who succeeded Ayub Khan in that year, induced the suspicious *Pararis* to agree to a cease-fire by ordering the withdrawal of the One Unit Plan” (ibid, 1981: 33). Balochistan containing Kalat, Makran, Lasbela, Kharan, and British Balochistan - was declared a full-fledged province in 1970. A rally of the Baloch Student Organization (BSO) was arranged under the leadership of Nawab Akbar Khan Bugti, Nawab Khair Bakhsh Marri, and Sardar Attaullah Mengal to celebrate the undoing of the OUS and the recognition of Balochistan as a province (Bugti, 2010: 10).

The *Parari* movement was an organised guerrilla movement against the military forces of Pakistan. More organized than previous such moments, it had spread over to Marri-Bugti areas in the eastern part of Balochistan and the Mengal area to the south of Kalat. The *Parari* leadership had been influenced by Marxist-Leninist ideas and they fought for equal rights for all the oppressed people around Pakistan. In the weekly newspaper *Al-Fatah* (30th December 1977 to 6th January 1979, Karachi), Sher Muhammad Marri in his interview with Wahab Siddiqi, said that:

The mission of my life is to change the society. I want such a society where a man could not exploit his fellow man; where there is no rich and poor; and where the lower classes of society and the people of smaller provinces cannot be exploited anymore. I want to create such a society

where everyone could get equal political, economic, and cultural rights (see Junejo, 2010: 63-64).

Once Sher Muhammad Marri was asked: did the Baloch want to be separated from Pakistan? He responded in the negative and said that would be wrong. In his view, the central leadership had misled the people of Pakistan on this pretext to rule the country easily. They (the ruling elite) had created regionalism and provincialism in their own interests. The *pararis* had fought for the depressed and oppressed nationalities of Pakistan (ibid, 2010: 60).¹¹⁹ Furthermore, in one of his speeches, Sher Muhammad Marri articulated that:

In Pakistan, there are four main nationalities i.e. the Sindhis, the Baloch, the Pashtuns, and the Punjabis. Each has its own national identity, culture, and history. Therefore, the ruling elite would have to accept this fact and would have to allow the smaller provinces to enjoy full autonomy and equal share in Central Government (ibid, 2010: 39-53).

In 1969, a group of students called the London group, who were studying at various universities around London, flew to Balochistan and joined Sher Muhammad Marri in his struggle against Pakistan's government and military excesses.¹²⁰ Assad Rahman,¹²¹ in an interview with a prominent Baloch journalist, Malik Siraj Akbar stated that during his (Assad Rahman's) stay in London he had studied Marxist, Maoist, and Leninist literature along with the other members of the London group because such literature was unavailable in Pakistan in those days. He further stated that this literature had inspired them and as it "gave us [them] an understanding of humanity, human rights and understanding of

¹¹⁹ Such kinds of rhetoric on the part tall leadership such as Sher Muhammad Marri highlighted the progressive aspect of the Baloch separatist movement.

¹²⁰ The names included in the London group were: 1) Muhammed Bhabha, who was a ringleader and the son of big businessman from Karachi; 2) Assad Rahaman (late), the son of Justice Rahman of the Punjab High Court; 3) Rashid Rahman, the elder brother of Assad Rahman; 4) Najim Sethi, who belonged to a multimillionaire family and worked as a caretaker Chief Minister of the Punjab in 2013; 5) Ahmad Rashid an author of the best-selling book, 'Taliban'; and 6) Dilip Das (late) and others. The group was also joined by other young leftists from Lahore and Karachi including Mir Muhammad Ali Talpur, the son of Mir Ahmed Ali Talpur, who was a defence minister from 1978 to 1985 under the Zia-Ul-Haq regime (for more details, see Harrison, 1981: 71-91 and Akbar, 2011).

¹²¹ Assad aged 21, was the youngest amongst the members of the London group. He was included in my list of interviewees, but sadly he died in October 2012 due to a heart attack and we could not meet for an interview. However, I did to interview his elder brother, Rashid Rahman at his Lahore residence with reference to Muhammad Ali Talpur.

exploitation by the ruling elite of the poor. That is what drove me [us] to Balochistan” (Akbar; 2011: 269).

The London group joined the Baloch resistance movement thinking that they could use Balochistan as a testing ground for an armed national liberation struggle which was to be a model for the rest of Pakistan. When I asked Rashid Rahman - Editor-in-Chief of ‘The Daily Times’, Pakistan; an elder brother of Assad Rahman and also remained as a member of the London group - about the role of the London group that whether the group had joined the movement in order to liberate Balochistan or for the rights of the oppressed nations of Pakistan, he stated that:

No, they [the members of London group] did not come with the programme of an independent Balochistan. They were with the oppressed nations. They were fighting for their rights. They were fighting for their autonomy. And there were hopes that they would be able to mobilize similar progressive nationalist movements in Sindh and in NWFP and democratic and progressive movements in Punjab to fight together to transform Pakistan as a whole, starting from Balochistan as a base.

It can, thus, be that the movement was committed to the revolutionary transformation of Pakistan along socialist lines. However, it did not succeed because of the emergence of internal rifts on various issues including the issue of an independent Balochistan. Meanwhile, the *Pararis* were working in different groups around Balochistan. Mir Hazar Khan Bijarani was dominant in Marri and Bugti tribal areas; Mehrullah Mengal, brother of Sardar Attaullah Mengal, was leading a group in Jhalawan; and Aslam Gichki’s group was working in the Lasbela area. It is believed that some of the member groups of the *Parari* movement split over the idea of an independent Balochistan. For instance, Mehrullah Mengal’s and Aslam Gichki’s groups gave in and disbanded their respective groups to go Afghanistan (Akbar, 2011). Assad Rahman, while commenting on the capitulation of Mehrullah Mengal and Aslam Gichki, said the following:

I think due to insufficient commitment [they gave up the movement]. You have several instances in the Baloch movement when the members of the elite gave up the comforts of life and led the Baloch resistance movement. For example, Nawab Nauroz Khan and Prince Abdul Karim Khan belonged to the elite families but still went to the mountains. No doubt, Aslam Gichki and Mehrullah were Balochs and I have nothing against them but I think they were not able to adjust with this kind of atmosphere. So, they disbanded and went to Afghanistan in 1974 (cited in Akbar, 2011: 275).

In short, the hostility of the *Pararis* continued until the 1970s, when Yahya Khan abolished the OUS and the Baloch agree to a ceasefire. Though, “the *Pararis* assumed that the renewal of hostilities with Islamabad would be unavoidable sooner or later [and therefore], the organizational infrastructure was kept intact and cadres continued to be trained” (The Foreign Policy Centre Report, 2006: 37). This is because the *Pararis* thought that Islamabad cannot be trusted and it (Islamabad) can change mind at any time regarding the provincial status of Balochistan. So, they did not abolish the *Parari* organization absolutely but attacks on government installations and armed forces were stopped.

6.3.4. A wave of nationalism in multi-ethnic and multinational federalism of Pakistan from 1973 to 1977

As explained before in chapter III, the first general elections in Pakistan were held in December 1970 in which the Awami League (AL) of Mujibur Rahman emerged as a majority parliamentary party. As per democratic and parliamentary principles, it was the right of Mujib to install ministries at the centre. However, the AL was not allowed to form a government at the centre and therefore, Bengal took its own way and became an independent country in 1971. In the remainder of Pakistan, national and provincial governments were formed on the basis of the elections of 1970 which were meant for a united Pakistan. In principle after the dismemberment of the country, it was supposed to hold new general elections and form government at central and provincial levels. However, it did not happen and

the government at centre and provinces were formed on the bases of the general elections held for united Pakistan.

In Balochistan, out of 5 National Assembly seats, 3 were won by the candidates of the National Awami Party (NAP); namely, Nawab Khair Bakhsh Marri, Abdul Hayee Baloch and Ghaus Bakhsh Bizenju. The 4th went to Maulvi Abdul Haq Baloch of Jamiat-ul-Ulema-e-Islam (JUI), and 5th that was reserved for women saw Jennifer Musa (Mrs. Jehan Zeba) being elected from the NAP platform.¹²²

The NAP and JUI formed coalition governments in two provinces; NWFP and Balochistan. In Balochistan, the NAP enjoyed a majority in the house of 20.¹²³ Thus, Sardar Attaullah Mengal became the Chief Minister while Mir Ghaus Bakhsh Bizenju was appointed as the Governor of the province.¹²⁴ After the formation of the government in Balochistan by the nationalists, the situation there became quite smooth and the new government was functioning well (Kutty, 2009). The NAP leadership was keen on improving the province to bring it on a par with the rest of the provinces of Pakistan. It (the NAP) was a progressive liberal political party, advocating greater provincial autonomy in the interests of the smaller nations. However, Bhutto, who was rather autocratic and focused on centralising powers, was not happy with the NAP leadership and its ideological orientation (ibid, 2009). Therefore, Bhutto made various allegations against the NAP's leadership, calling them anti-Pakistani and accusing them of secessionist activities (see Chaudhry, 2011: n.p; Kutty, 2009: 175-191; Feldman, 1974: 136-137; Ahmad, 1992: 178-182; Harrison, 1981: 34-36; and Awan, 1985: 266-273).

¹²² Jennifer was Irish lady and a nurse by profession. She had been married to Qazi Muhammad Musa in 1940 when Qazi was studying at Exeter College, University of Oxford. Qazi was the eldest son of the Prime Minister to the Khan of Kalat, and his family belonged to district Pishin in Balochistan.

¹²³ Out of the 20 seats, 2 were PML (Q), 3 were JUI, 8 were NAP, 6 were independent candidates, and 1 won by minorities (Mazari, 1999:175).

¹²⁴ Apparently, it was Khair Bakhsh Marri who put forward the name of Bizenju for the Governorship in one of the meetings attended by Sardar Attaullah, Bizenju, and Wali Khan with Zulfiqar Ali Bhutto (Kutty, 2009: 165). In NWFP, Mualana Mufti Mehmood (JUI) and Arbab Sikandar Khalil (NAP) became the Chief Minister and Governor respectively.

Bhutto dissolved Balochistan's Assembly 9 months after it began work (from May 1972 to February 1973), in spite of the fact that it had 2/3rd majority in the house; a clear violation of the parliamentary and democratic principles. The coalition partners in NWFP (now Khyber Pashtunkhwa) also resigned in protest. The NAP was declared an unlawful political party on the grounds that it had allegedly worked against the ideology and sovereignty of Pakistan. The Central Government later banned it in February 1975 and the Supreme Court too endorsed the Government decision in October 1975. It was alleged that the party was working for an independent Pashtunistan and a greater Balochistan at the cost of Pakistan's territorial integrity. Thus, the national and provincial assembly memberships of all the party's office-bearers were nullified (see the Express Tribune, 2013 and Chaudhry, 2011).

Furthermore, the important Baloch and Pashtun leaders of NAP such as Ghuas Bakhsh Bizenju, Nawab Khair Bakhsh Marri, Sardar Attaullah Mengal, Wali Khan, and Ajmal Khattak were arrested on charges of treason. Saradar Attaullah Khan Mengal, during an interview with me, revealed that some 50 to 53 NAP's leadership were put behind bars. They were on trial on charges of treason by a special tribunal called Hyderabad Tribunal. At this critical juncture of history, Nawab Akbar Khan Bugti, a legend of the fifth phase of the Baloch insurgency played an ambiguous role. According to some accounts, Bugti worked as an agent of Bhutto against the NAP and the nationalist government in Balochistan (see Mazari, 1999: 289; Kutty, 2009: 202; Siddiqi, 2010:788; Matheson, 1997: xiv-xv; and Harrison, 1981: 36). He replaced Bizenju and became the Governor of Balochistan, but in later years, realized that the federal government was trying to divide the Baloch tribes and use them against each other to exploit the Baloch land and resources, and so he resigned in October 1973 (Mazari, 1999), and Mir

Ahmed Yar Khan, the ex-ruler of Kalat State, was appointed as the Governor of the province.

Bhutto constituted a special tribunal in the city of Hyderabad (known as the Hyderabad Tribunal) for the treason trial of the NAP leaders. The punishment for treason, according to Article 6 of the 1973 constitution, is either the death penalty or life imprisonment. Sardar Attaullah Mengal, while commenting on the Hyderabad Tribunal Case, revealed before the author of this dissertation that:

It was a fake case against all of us. Bhutto prepared some 600 fake witnesses against us. But in meanwhile, the court after listened to 7 or 8 witnesses, Bhutto was arrested. When the court summon the compiler of the case and asked: Did you read the complaint and the report of the witnesses? He (the dummy complainer) replied in negative and said: whatever Bhutto directed us, we followed him (Bhutto).

In such circumstances, a hostile reaction from the Baloch masses was not surprising since the central authorities had accused their civilian leadership of being traitorous and anti-Pakistani. The leaders and activists arrested by the Bhutto regime were important to the cause of Baloch rights and aspirations.

According to Harrison (1981: 36):

To Baluch, the dismissal of their elected government and the arrest of their leaders on what were regarded as trumped-up treason charges constituted a direct affront. The *ryvaj*, the traditional code of honour, requires the 'true Baloch' to fight, if necessary, to defend his personal and tribal honor, and the overwhelming majority of Baloch tribal leaders regarded Bhutto's action as deliberate insult to all Baluch, requiring military redress.

The dissolution of an elected Government and the arrest of the top Baloch leadership marked the opening of another phase of conflict between the Baloch and the federation of Pakistan. This time the fighting was more widespread than in the previous conflicts, and it touched almost all the Baloch population at one time or another (ibid, 1981: 36). It was bloodiest conflict so far; the Government of Pakistan deployed more than 80,000 troops to suppress the insurgents in

Balochistan (ibid, 1981: 36). The exact number of the Baloch guerrillas is not known as they were fighting in groups at various localities from the Marri area in the north to the Khuzdar in the south. However, according to Harrison (1981: 139), there were almost 55,000 Baloch guerrillas who were fighting in late 1974, some 11,500 of them in organized, hard core units. He reveals that at least 3,300 Pakistani military personals and, 5,300 Baloch guerrillas including hundreds of women and children caught in crossfire, were killed from 1973 to 1977. “A total of 178 major engagements and another 167 lesser incidents during this little mini-war” took place between the Baloch fighters and the Pakistani Army (ibid: 139).

According to Janmahmad (1989), an ex-bureaucrat, when the armed forces failed to control the situation in Balochistan, the Government of Pakistan sought help from the Shah of Iran. The Shah of Iran was also apprehensive of the Baloch movement as it would have an impact on the Baloch population in Iranian Balochistan (see Jelty, 2010). Therefore, the Shah extended help and provided pilots to fly the American-built Cobra helicopters in search of the Baloch fighters. They bombarded the Baloch villages and took away the leftovers. For instance, as pointed out by Janmahmad (1989: 306), during the operation some 500000 heads of cattle of the Baloch went missing. Harrison (1981: 40) also mentioned that some 6000 Baloch were jailed on charges of supporting the guerrilla fighters.

Meanwhile, the political situation of the country changed. As mentioned in Chapter III, after the elections of 1977, Bhutto’s PPP (Pakistan Peoples Party) came under severe attack and the Pakistan National Alliance (PNA) boycotted the provincial polls, refusing to accept the results of the NA elections. The PNA launched a countrywide mass movement against Bhutto. As a result, General Zia-Ul-Haq intervened and imposed martial law wherein he arrested the main opposition leaders as well as the then Prime Minister Bhutto along with his

cabinet members. Soon afterwards, Zia released all the Baloch leaders and the other prisoners caught during the conflict. He also announced a general amnesty for the Baloch guerrillas both those camped in Balochistan and those who had gone to Afghanistan.¹²⁵

The Baloch leadership such as Bizenju, Mengal, and Marri parted ways for the years to come over the future of Balochistan. Bizenju, who was a staunch believer in democratic politics, opposed an armed struggle and chose to fight for Baloch rights within the framework of the Pakistani federation. Mengal went into self-imposed exile in London for some time. Later, on his return to Pakistan in the 1990s, he founded a party known as Balochistan National Party- Mengal (BNP-M) (PIPS, 2008). Since its formation, the party has presented itself as a champion of Baloch rights and has been critical of Islamabad's policies towards Balochistan; one of its main demands is to have new social contract as per the Lahore Resolution of 1940 that provided for greater autonomy (PIPS, 2008: 95). Lastly, Nawab Marri, after Zia's general amnesty, restrained from Pakistani politics and went into exile in Afghanistan. Marri changed his mind in 1977 and since then has been in favour of a free Balochistan through an armed struggle. In one of his interviews in June 2008, Nawab Marri said that:

Baloch are a big nation. We are fighting for Baloch national liberation. We want a Baloch state which is not dependent and subservient to any other nation. Within the Baloch, some people are fighting on the political front who believe[s] that they can achieve their goals by participating in parliamentary politics but I subscribe to the other school of thought which talks of independence and supports the armed groups (Akbar, 2008, also see Sabir, 2011).

Marri has his own definition of nation and nationalism. In one of his interviews with Rashid Rahman, Nawab Marri said:

¹²⁵ Khair Bakhsh Marri along with thousands of his supporters, went to Afghanistan in 1981. During his stay in Afghanistan, he patronized Baloch guerrillas and their camps. He returned back to Balochistan after the fall of Najeeb Government in Afghanistan in 1992 (see Bugti, 2010: 189).

I asked her [a Mohajir lady who interviewed Marri] how could she, with her background of Delhi, be a part of my nation. They were urban people and we in Balochistan were nomads. How do these two entities constitute a nation? A nation is made up of shared interests, shared economic interests, shared history and shared culture. Our union in one nation cannot be taken for granted. If we are to become one nation, we need to undertake sustained efforts to understand each other. There are enormous differences in our understanding of things. We have not adopted proper ways to forge nationhood. Nations are not built by decree, by fiat or an executive order. And when a part of the equation resists forcible cohesion, we accuse them of being traitors, enemies of Islam and the country. Different components of Pakistan were so different, so diverse, that they cannot be called a nation by default (Rahman, 2008).

Marri is of the opinion that those Baloch political parties which are participating in Pakistani federal-cum-parliamentary politics believing that they can safeguard Baloch rights are mistaken; their participation does not protect the Baloch rights but rather safeguards their own vested interests. He agrees that the parliament is for debate and for solving ordinary people's problems, but maintains that in the Pakistani parliament, dominated by one ethnic group, no one would listen to a voice if it is not in their interests (Sabir, 2011).

Nawab Khair Bakhsh Marri had himself been active in the parliamentary politics of Pakistan from 1950s to 1970s. He was provincial President of the NAP during the 1970s in Balochistan. He also remained a Member of Parliament in the 1960s and 1970s. However, "[c]iting his immaturity and lack of political sagacity at an earlier age, [Marri said] now he regretted his participation in parliamentary politics on the platform of the National Awami Party (NAP) as it did not yield any fruits in terms of achieving the rights of his people" (Akbar, 2008, also see Sabir, 2011: 97-106 & 155). The Government of Pakistan accuses Nawab Khair Bakhsh Marri and his sons of being involved in the ongoing insurgency (2002- till date) in Balochistan, and believes that Marri's family is leading the ongoing insurgency in Balochistan. The present insurgency is led by various clandestine organizations such as Balochistan Liberation Army (BLA - allegedly headed by the Marri

family), Balochistan Liberation Front (BLF- led by Dr. Allah Nazar), Balochistan Republican Army (BRA - allegedly led by Bramdagh Bugti) , and Balochistan National Movement (BNM- led by Khalil Baloch). The leadership of BLF and BNM are openly accepting that they are involved in targeting government installations and security individuals around Balochistan, while the BLA and BRA are clandestine organizations and people believed that these are under the command of Marri and Bugti family respectively.

6.3.5. Assimilation in federalism: A new element in nationalism from 1977 to 1999

The era from 1977 to 1999 is an era of assimilation in federalism and political pragmatism in the politics of Balochistan. During this period, the relations between the Baloch and the federation of Pakistan seemed to remain calm. There are various explanations for this. Firstly, the Baloch leaders Marri and Mengal went into self-imposed exile and remained almost inactive politically. Secondly, the Baloch guerrillas (dominated by the Marri tribe) were scattered and busy organizing themselves in the neighbouring Afghanistan under the leadership of Khair Bakhsh Marri. Thirdly, General Zia, with the help of Saudi Arabia and the United States of America, established Islamic Madrasas around Balochistan to inculcate Islamic ideological thoughts among the people of Balochistan so to use them against the Russians in Afghanistan. As a matter of fact, in 1950 Balochistan had only 7 Madrasas and by the end of 2003, the number had reached to 1045 (See PIPS, 2008: 87). And fourthly, the environment of unity amongst the Baloch was non-existent and each leader had established his own political party. For instance, from 1977 to the start of the 5th insurgency there were numerous Baloch nationalist parties such as the Pakistan National Party (PNP) founded by Ghaus Bakhsh Bizenju in 1979; the Balochistan National Youth Movement (BNYM), a

splinter group of the PNP founded by Dr. Abdul Hayee Baloch in 1987; the Jamhoori Wattan Party (JWP) founded by Nawab Akbar Bugti in 1990; the Balochistan National Party - Mengal (BNP-M) founded by Sardar Attaullah Mengal in 1996; the Balochistan National Party-Hayee group (a splinter group of BNP-M); the Balochistan National Party - Awami (BNP-A); and the present ruling Party of Dr. Abdul Malik, the National Party (NP) and others. Besides the Baloch nationalist parties, other countrywide parties such as the Pakistan Muslim League Functional (PML-F); the Pakistan Muslim League Nawaz (PML-N, then known as Islami Jamhoori Ittehad or IJI); the Pakistan People's Party (PPP); Jamiat-Ulema-e-Islam (JUI); and others were also active in Balochistan from 1980s to 1990s (for details, see PIPS, 2008; Bugti, 2009; and Paracha, 2013).

Thus, the Baloch nationalism became polyphonic in this era that was marked by the contradictory forces of assimilation and political pragmatism. Political pragmatism during this time was at its peak amongst a majority of the political and tribal chiefs of the province. It was an era of divisions within divisions, alliances, and factionalism (Bugti, 2009; Jaffrelot, 2002: 30; and The Foreign Policy Centre Report, 2006: 46-47). However, in spite of this, most Baloch nationalist parties possessed a common stand on Baloch national issues such as provincial autonomy, control over resources, and constructions of mega projects in Balochistan (see Manifestos of BNP-M; NA; BNP-A; and PIPS, 2008: 85-130). At the same time, it is important to note that Nawab Khair Bakhsh Marri remained inactive in Pakistani politics after 1977 and did not contest any elections. In his view, working within Pakistani federation simply meant subjugation to the majority of the Punjab (Sabir, 2011). Upon his release from jail in the 1970s, he started working with the ideology of an independent Balochistan in mind. As Mir

Muhammad Ali Talpur during an interview dated 7th February 2013 with the author of this thesis said:¹²⁶

Many people are of the opinion that from 1977 to 2000 the Baloch resistant movement went into dormancy. They believe that, perhaps, the Baloch were accommodating themselves within Pakistani federation. However, it is a wrong assertion. From 1977 to 1991-92 there were some 13000 to 14000 Baloch who were living in exile in neighbouring Afghanistan. I think they were not supporting the Pakistani federation but rather they were working on the ideological basis of the movement.

Hyrbyair Marri during an interview with me dated 30th March 2013 argued along similar lines that the Baloch were not sitting idly in Afghanistan but rather preparing for the liberation of Balochistan. While acknowledging that on his return from Afghanistan in 1992, he had contested elections and become the Education Minister of Balochistan (1996-1999), he explained that his purpose in doing so was not to become part of Pakistani system, but rather to see what was wrong with the system. He stated that:

When you listen to the experiences of your elders that are one thing and when you go into the system and you see that the whole system is corrupt; there is nothing to do with Islam or Muslims or being one Muslim country. The whole system stands to serve the Punjabis. So, we have to serve them. Our land has to be used for the Punjabi benefits. We have to accommodate the growing Punjabi population through building of Merani Dam and Gwadar port - for the purpose to bring millions of exploiter brothers and sisters from Punjab; not Muslim brothers but exploiters to accommodate them in Makran and Gwadar. I became member of Pakistani parliament to see that can Muslim live side by side. I realized that it is not possible to live with the Punjabis. They never tolerate the Baloch, the Sindhis, and the Pashtun.

It should be noted that Nawabzada Jangayz Marri, an older brother of Hyrbyair Marri, has been known to be a staunch supporter of a united and federal Pakistan. In recent elections, held in 2013, he contested from his ancestral constituency (Kohlu) for the Provincial Assembly of Balochistan on a PML-N ticket and after

¹²⁶ Talpur himself participated in the Baloch movement during the 1970s and lost both of his hands in one of the blasts. He is still working for the Baloch cause and writes articles in various newspapers. Quoting Mao's statement that war is a continuation of politics by other means, he says that for him 'writing is continuation of war by other means.

winning the seat, he was nominated by the party for the position of the Chief Minister (CM) of Balochistan. However, Dr. Abdul Malik Baloch¹²⁷ of the NP was unanimously elected as the CM of Balochistan by the coalition partners (PkMAP and PML-N). In an interview to Pakistan Today on 18th May 2013, Jangayz said that:

Balochistan is an integral part of Pakistan and it would always remain a part of the federation....For years I have been defending Pakistan and its interests against all those who are trying to break it. I would continue my campaign of defending this country.

As opposed to his family members, Jangayz believes in parliamentary democracy and has opined that Baloch's "political and economic issues could only be solved through a democratic process" (ibid, 2013). Regarding the ongoing separatist movement in Balochistan, he states that:

The so called agenda of independent Balochistan is nothing but to add to the miseries of the Baloch people. I fail to understand what kind of independence these militants are talking about. The Baloch people are already living in an independent state of Pakistan (ibid, 2013).

Notwithstanding these words, if we looked at the federal-cum-parliamentary system in Pakistan, the flaws are apparent. It has no space for minority ethno-national groups to run their affairs as per the mandate they achieved from their electorate in elections. For instance, the first provincial nationalist Government of Sardar Attaullah Mengal was dissolved in 1973 in spite of the fact that it had a 2/3rd majority of 20 in the house. After Attaullah Mengal's ministry, two other nationalist leaders came to power in Balochistan - Nawab Akbar Khan Bugti (February 1988 to August 1990) and Sardar Akhtar Mengal (February 1997 to

¹²⁷ Dr. Abdul Malik is said to have been one a hard-core Baloch student activist during his student life before 1985 under the platform of the BSO (Baloch Student Organization). In the TV talk shows 'Capital Talk' (with Hamid Mir on Geo News, Dr. Malik acknowledges that he was a Baloch militant before 1985 and was struggling to bring change through guns not only in Balochistan but in the rest of the world. He admits that he did not believe in Pakistani democracy at that time. However, after 1985, he changed and opined that he could better safeguard the Baloch rights, identity, and resources under democratic and federal Pakistan (listen to Dr. Abdul Malik at Geo News in 'Capital Talk Show' with Hamid Mir dated 22nd January 2014.

July 1998). The former was the grandfather of Baramdagh Bugti, an alleged leader of the BRA (Balochistan Republican Army), and the latter was the son of Sardar Attaullah Mengal, the first Chief Minister of Balochistan. However, the ruling central parties i.e., PPP and PML-N as well as the intelligence agencies did not allow the Baloch nationalists to rule over Balochistan to resolve the Baloch issues. For instance, Bugti's Government was dissolved by Benazir Bhutto in 1988 but was revived under orders from the High Court of Balochistan (Kokab, 2006). In Akhtar Mengal's case, a majority of the Baloch nationalists alleged that the ruling PML-N and the intelligence agencies had played a role in splitting Akhtar's coalition after 14 months to make his Government fall.¹²⁸ According to a news report which appeared in dawn.com on 11th January 2013:

Mr Sharif [Mian Nawaz Sahrif) admitted that removing the Akhtar Mengal government in Balochistan was not a wise decision of his government. He also conceded that the government later formed by his party in the province could not deliver like Mr Mengal. He alleged that the chief minister of his party used to meet the then army chief.

Many Baloch nationalists are of the opinion that the civil-military bureaucracy never allowed the true representatives of the province of Balochistan to get elected to the central and provincial parliaments. They assert that the federal establishment (referring to the civil-military bureaucracy) always supported the 'fake' candidates from the province and got them elected in various elections. Such 'fake' candidates, in turn, served the federal interests and not those of their people. In this regard Agha Hassan Baloch, Central Information Secretary of BNP-M, during an interview, dated 16th February 2013, with the author said that: since 1948, the Baloch nationalists have ruled over Balochistan for just 2-3 years. Even then, they were not allowed by the Pakistani establishment (civil-military

¹²⁸ Sardar Akhtar Mengal resigned in protest at the conduct of the nuclear test in May 1998 in Chagi district of the province of Balochistan because the Provincial Government led by Akhtar himself had not been consulted when conducting the test (Jaffrelot, 2002: 30 and Foreign Policy Centre Report, 2006: 47).

bureaucracy) to rule over their own land as per the wishes of their people. This is because these nationalists were trying to create a meaningful and true federal system in Pakistan; a federation where every unit(s) could have the right of self-rule within its own boundaries and control over its internal affairs and resources.

Assertions of this kind by the Baloch nationalists cannot be denied because if we look at the history of Pakistani elections, there are many instances where the civil-military bureaucracy have been involved in supporting or funding one party or candidate against the other(s). A good example (as discussed in chapter III) is the formation of Islami Jamhoori Ittehad (IJI), presently known as the PML-N, wherein the armed forces of Pakistan, especially the Inter-Services Intelligence (ISI), had allegedly been involved in supporting and financing the IJI and other politicians against the PPP in the general elections of 1988 and 1990 (for details, see Pildat, 2013: 21-22; Ahmad, 2010: 50; and the Dawn.com, 9th November, 2012). Moreover, one also cannot refute the fact that the Baloch themselves are so divided internally that it could easily provide chances to others to downplay the Baloch nationalist and provincial interests.

The Baloch nationalist parties such as JWP, BNM, and BNP took part in the general elections held under General Pervez Musharraf in 2002 but failed to form a provincial government because the Pakistan Muslim League, Quaid-e-Azam (PML-Q) formed a coalition Government with Muttahida Majlis-e-Amal (MMA), an alliance of various religious right wing parties of Pakistan. However, after assuming power, Musharraf adopted an aggressive developmental attitude and policies towards Balochistan and this gave birth to a new era of nationalism and separatism in the restive province.

6.3.6. The current surge of insurgency and multidimensional aspects of nationalism from 2000 to till date

The Baloch nationalist political parties that took part in the general elections under Musharraf in 2002 were trying to accommodate themselves within the Pakistani federation. A common agenda point for most nationalist parties was maximum provincial autonomy and control over their resources. However, the announcement of mega-developmental projects (such as the establishment of military cantonments, construction of Gwadar deep sea port, and exploration of mineral wealth) by the Musharraf regime created a sense of suspicion and mistrust amongst the Baloch nationalists who had not been taken into confidence. A perception of fear developed amongst the Baloch that the construction of cantonments in various parts of Balochistan, especially Dera Bugti, Kohlu, and Gwadar, meant the control and exploitation of the resources of Balochistan. It was also feared that the construction of the Gwadar deep-sea port would convert the Baloch population into a minority in their own province by attracting an influx of non-Baloch population into Balochistan; something which would ultimately change the demographic realities not only of the Gwadar but of the whole province in the future (see Bugti, 2009 and Akhtar, 2007). For these reasons, all the political forces of Balochistan rejected and opposed the construction of these mega projects but the military regime was determined to go ahead anyway. Therefore, it is argued that the 5th phase of conflict had emerged in response to the plans of Musharraf's military regime that aimed to establish a greater control over the resources and territory of Balochistan. Tensions developed between the central government of Musharraf and the Bugtis (a Baloch tribe in the southeast of Balochistan) over the construction of these mega projects, especially the construction of cantonments at Dera Bugti and Kohlu.

However, the immediate cause of the 5th phase of the conflict is believed to be the rape of Dr. Shazia, allegedly by an army officer, Captain Hamid, in January 2005. Shazia, who was ethnically Sindhi, served as a doctor at the Pakistan Petroleum Limited (PPL) in Sui, Dera Bugti Balochistan. Dera Bugti is a semi-independent tribal area which has its own code of conducts called *Balochi Rasam-o-Riwaj*. According to Balochi Rasam-o-Riwaj, the punishment for cases such as Dr. Shazia's rape case would be the death penalty. Still, the Bugtis did not take the law into their own hands but rather demanded quick justice for her; it was all in vain. So, a clash erupted between the Bugti tribal chief, Nawab Akbar Khan Bugti, and the central government of Musharraf. The Bugtis attacked the military units and installations at the Sui Gas facility, managing to disrupt the flow of 45% of the Sui Gas to the rest of the country. When Musharraf was attacked at Kohlu, he warned the Baloch "[d]o not push us....It is not the 1970s when you can hit and run and hide in the mountains....This time you won't even know what hit you" (see Swami, 2012: n.p and Khan, 2012: n.p).

Nawab Bugti, who had striven throughout his life for a federal Pakistan with maximum provincial autonomy, was looking forward to a political solution of the conflict through dialogue. A Parliamentary Committee was formed under the leadership of Chaudhury Shujaat Hussain, the President of PML-Q to look into the issue and present its recommendations. The Committee presented its report to the NA on 2nd May 2005 with some 20 recommendations. Some of them were; 1) development grant of Rs. 4 billion for the city of Quetta; 2) removal of FC/Army check posts from district Lasbela and Shelbagh in district Killa Abdullah; 3) the removal of the special levy force from Kohlu and its absorption into other departments; 4) the acquisitions of vast lands for the armed forces was found unjustified; 5) the job quota should be strictly observed and all the vacant posts

should be filled within 90 days; 6) the head of office of Gwadar Development Authority (GDA) should be shifted to Gwadar from Karachi immediately; 7) the arrears of royalty on account of Sui Gas should be paid by 31 December 2005; 8) 50% of the Board of Directors of GDA should be hired from Balochistan; and 9) 7% of the gross revenue collected by GDA, should be spent on the development of Balochistan (for details, see Senate of Pakistan, Report No. 7, 2005).

However, “[e]ven when a compromise with Akbar Bugti seemed imminent, Musharraf deliberately opted for confrontation” (Grare, 2013: 11). He issued a warning that he would hit the Baloch insurgents in such a way that they would not know what had hit them. On the other hand, Nawab Akbar Buti, an egotistical Sardar went on mountains to combat against the armed forces. This gave way to a full-fledged military operation against Nawab Bugti and his men. At this time, the fight was mostly localised and confined to Dera Bugti, but once the armed forces had killed Akbar Bugti in an army operation in 2006, the whole Baloch population raised their slogans against the killing of their legend (Akhtar, 2007). The killing of Nawab Bugti gave a new strength to Baloch nationalism. According to a news report in the ‘Daily Dawn’ on 21st January 2014, since 2006, some 50000 Bugtis have been displaced from their ancestral land of Dera Bugti due to the military operation.

In earlier conflicts, a majority of Baloch nationalist had demanded maximum provincial autonomy and control over their resources, however, after the tragic death of Nawab Akbar Khan, a new discourse of separatism came to the surface and the hardline Baloch nationalists openly and publically started demanding the separation of Balochistan from the Pakistani federation. Furthermore, I observed during my fieldwork that most schools across Balochistan, except in the Pashtun dominated areas, did not hoist the Pakistani flag on their buildings. Also, the

national anthem of Pakistan cannot be sung in most schools because the militant groups have warned the public to abstain from hoisting the flag and playing the Pakistani national anthem.¹²⁹

Thus, an ongoing overt and covert mini civil war is being waged in Balochistan between the Baloch separatists and the Pakistan's army and its secret agencies. It is covert because the Government of Pakistan and its military are in denial and claim that there is no such war or operation in Balochistan but rather that some miscreants are creating problems and the security forces are just trying to clean them out. It is overt because hundreds of Baloch activists have been killed and thousands have been abducted since 2002. The families of the victims held by the security agencies - ISI (Inter-Services Intelligence), MI (Military Intelligence) as well as the Frontier Corps (FC- a Federal Para-military force) - claim that these agencies are responsible for the killing and abduction of their loved ones. The Baloch nationalists and human rights organizations including Baloch political activists also blamed the civil-military establishment for their criminal policies against the Baloch people. According to Sanaullah Baloch (2012), a senior politician, member of BNP-M and an ex-Senator:

This policy of criminalisation is extended to the entire province. Islamabad has failed to win the sympathy of the courageous Baloch masses against its ruthless policies as government agencies have extended their support to petty criminals and devastated the very social and harmonious fabric of Baloch society. Since the start of the military operation in 2002, around 10,000 people have been killed, a quarter million people have been displaced, 4,000 are missing and 600 have been killed extra-judicially. According to a recent official report of the interior ministry, at least 868 people have been killed, 619 kidnapped and 2,390 have gone missing from the province since

¹²⁹Major General Ejaz Shahid, head of the Frontier Constabulary (FC) in Balochistan, while commenting on the law and order situation of the province, acknowledges that in most of educational institutions the singing of national anthem and hoisting of national flag was non-existent. However, he states that they (FC) succeeded in bringing back the culture of hoisting the national flag in educational institutions of the province (BBC Urdu, dated 23rd January 2014).

2010. Furthermore, 600 bodies of Baloch activists have been found in different parts of Balochistan.¹³⁰

Baloch separatist organizations such as the Baloch Liberation Army (BLA), the Baloch Liberation Front (BLF), the Baloch Republican Army (BRA), and others, are fighting a guerrilla war against the government of Pakistan. The scale and magnitude of the insurgency in the current 5th phase of the conflict is widespread. It has elements from all over Balochistan. In the four earlier conflicts, the regions affected mostly were the Jhalawan, Murri and Bugti areas but this time the insurgency has reached the Makran belt of Balochistan which previously was one of the most secure areas of Balochistan. In the past conflicts, the Baloch leadership was confined only to Balochistan and Afghanistan, but now, owing to greater globalisation the Baloch Diaspora is scattered around the globe, and they are working to familiarise the world with the Baloch national movement. As discussed in the introductory chapter, the best example of internationalization of the Baloch issue is the move by Republican Congressman, Dana Rohrabacher, to introduce a bill in one of the sub-committees of the US Congress, recognizing Baluchistan's right to self-determination (Rohrabacher, 2012).

The separatist leaders such as Hyrbyair Marri and Baramdagh Bugti are living in exile in the United Kingdom and Switzerland respectively. Many Baloch political and human rights activists are also settled in various European countries and in the United State of America, wherein they are trying to persuade and convince the western world to intervene in Pakistan and save the Baloch nation from genocide.

The exiled leadership mostly have a one-point agenda - an independent sovereign

¹³⁰ The number of killed and missing persons is not certain because different organizations give different estimates. For instance, according to a report published by the Human Rights Commission of Pakistan (HRCP) on 30th August 2012, from January 2000 to May 2012, some 198 cases of enforced disappearances have occurred in the province. The report reveals that out of 198, 46 were traced, 57 were killed and their dead bodies were found in various parts of the province, and the rest are still missing. The report also reveals that some 120 security individuals were killed and 61 were injured. On the other hand, various Baloch websites and nationalist leaders claim that the number of missing persons in Balochistan is more than 14000. Mama Qadeer Baloch, Vice President of the Voice for Baloch Missing Persons (VBMP), claims "as many as 14362 people, including 150 women, have disappeared in Balochistan since 2001, and 370 mutilated bodies have been found in different parts of the volatile province so far" (Husain, 2012).

Balochistan. For instance, when I asked him what he wants, Hyrbyair Marri said that Balochistan was an independent country and the Pakistani forces occupied it through military force without the will of the Baloch masses. According to him, the only solution to the Baloch problem is that the Pakistani forces withdraw from Balochistan and allow the Baloch to have a pre-1948 independent Balochistan. Hammal Haider,¹³¹ a spokesman of the BNM is of the same opinion and upholds that the BNM has single point agenda - an independent Balochistan. While explaining his party manifesto, he emphasized that:

The world must know that the Baloch are fighting for their independence and they (Baloch) will not negotiate on anything other than an independent Balochistan. The world will have to recognize that the Baloch problem is a national problem. It is not a problem of a particular group but rather it is a national issue of the Baloch for which the Baloch nation is struggling. The Baloch have decided to live independently and the world will have to recognize it....We know that the world is not supporting the Baloch movement but they do not oppose it either.

At the same time, those who believe in federal and parliamentary politics have not been side-lined and think that they can better safeguard Baloch rights and identity by getting more provincial autonomy and control over their mineral and geographical resources within the Pakistani federal structure. Therefore, the federalist political parties such as the BNP-M, the BNP-A, and the NP took part in the general elections held in May 2013, while the separatist groups such as the BLA, the BLF, the BRA and the allied political parties such as the BNM and the Baloch Republican Party (BRP - a splinter group of the JWP), did not participate and rather called upon the Baloch masses to abstain from casting their votes in the elections.¹³² This is not surprising as most of the present-day pro-independence and separatist leadership were once part of provincial and national legislatures of

¹³¹Hammal Haider a pro-independence political activist in exile and a member of the Central Committee of the BNM. I interviewed him on 1st April 2013 at Uxbridge, London.

¹³² According to Election Commission of Pakistan (ECP), the overall turnout in 2013 elections for the NA was 55%. However, the turnout rates varied widely throughout the country, with the Islamabad Capital Territory experiencing the highest at 62%, Punjab 60%, Sindh 54%, KPK 45%, and Balochistan experiencing the lowest at 40%. Certain constituencies around Balochistan experienced extremely low turnout, such as PB-41 (Awaran), Balochistan, where turnout was only 1.18% (see NDI, 2013: 45 and ECP, 2013).

Pakistan. They gave up parliamentary politics precisely because they realized that the civil-military bureaucracy, dominated by the Punjabis, could not be trusted. So, they believe that those Baloch who participate in parliamentary politics within the Pakistani state would one day join their ranks, sooner or later. Mir Muhammad Ali Talpur, during an interview with the author of this dissertation said that “there are many Baloch nationalists who are sitting on the fence and there are possibilities that they could join the separatist groups instead of joining those forces which are involved in the killing of the Baloch masses.” Further, as stated by Akhtar (2007: 77), there are some Baloch nationalist parties such as the JWP and the BNP-M that “have adopted a dual policy of negotiating with the state for greater power sharing whilst bolstering their bargaining power by providing support to militants.”

However, the JWP did not participate in the May 2013 elections as the grandson of the founder of the party (Bramdagh Bugti) formed a new party called the BRP (Balochistan Republican Party) which also stands for an independent Balochistan. On the other hand, Mengal’s BNP, the BNP-A, and the NP participated in these elections which resulted in the NP forming a coalition government in the province under Abdul Malik. As mentioned earlier, Malik too once believed in an armed struggle for Baloch rights but now he is determined to achieve those objectives within the Pakistani federation.

In view of the discussion so far, it can be argued that it was/is the failure of the structure, workings and principles of the Pakistani federation that fuelled Baloch nationalism in general and separatism in particular. But how did federalism give birth to ethno-nationalism/regionalism, conflicts and separatism? The next section will address this question.

6.4. How federalism gave birth to ethno-nationalism/regionalism, conflicts, and separatism

As discussed in chapter II, federalism is essentially a system of government under which a diverse population can be accommodated in a way where each group would be able to maintain its own distinct identity and control over its affairs and resources. It aims at unity in diversity. The newly independent post-colonial states of Asia and Africa adopted federalism in order to govern and accommodate the ethnically and linguistically diverse population and to avoid small and weak international entities. Thus, Pakistan also adopted federalism due to its diverse population and territory.

Constitutionally, federations represent a specific system of government under which neither the federal/central nor the constituent region(s) is subordinate to the other. Federation is the name of institutional arrangement where the federal government incorporates its sub ethno-national groups into its decision making procedures at national as well as international levels. It safeguards socio-economic, political, and cultural rights of the sub-ethno-national groups through various means. However, as argued in the earlier chapters, there is no ideal type of federation and the existing world federations work differently.

Scholars have put forward various rationales for the adoption of federalism. They opine that a federations comes into being because: 1) it is based on mutual consultations; 2) it accommodates the diverse society wherein each group maintains its distinct identity through the principle of self-rule and shared rule; 3) it provides opportunities to all the constituent regions for greater economic prosperity; 4) it safeguards each unit from external and internal military threats; and 5) it is dynamic and flexibly democratic in character.

When a federation deviates from its basic idea and the rationales of its formation and violates the basic principles on which a federation can be called a federation, then it can fuel ethno-nationalism/regionalism, conflicts, and separatism. To what extent this happens, depends upon the structure, composition, policies and attitudes of the federation towards the regionally based identity groups, coupled with the levels of democratization of the polity. Now let us examine, very briefly, each of the above-mentioned rationales/features/principles of federation in historical context of the Pakistani federation vis-à-vis the province of Balochistan.

6.4.1. Rationale No. 1: Mutual consultations

As discussed in Chapter V, the State of Kalat was incorporated into the Pakistani federation without the will of its ruler, Mir Ahmed Yar Khan and the Baloch people. Thus, it is argued that the federal agreement was grossly ignored during the formation of the Pakistani federation vis-a-vis the State of Kalat. Once the State of Kalat was annexed, the Baloch nationalists tried to accommodate themselves within the Pakistani federation and attempted to make it more federal, but they were always perceived as traitors and anti-Pakistani. As explored earlier that a majority of Baloch nationalists, political workers, academics, intellectuals, and government officials state that: whenever the Baloch or Pashtun nationalists asked for more autonomy, a just and due share for their respective provinces and control over their internal affairs and resources, they were labelled as secessionist, anti-Pakistani, and traitors by the ruling elite of the country. Prominent Pashtun and Baloch figures such as Abdul Ghafar Khan, Abdul Wali Khan (son of Abdul Ghafar Khan), Abdul Samad Khan Achakzai, Ghaus Bakhsh Bizenju, Khair Bakhsh Marri, Attaullah Mengal, and many more, spent years in various Pakistani jails on charges of treason and disloyalty. It is ironic that, on the one hand, the dominant group wants the smaller ethno-national groups to be a part of the larger

whole; while on the other hand, they do not allow them to voice their social, political, and economical grievances. Some federalist nationalists and academics suggest that the ruling elites of Pakistan (referring to civil-military bureaucracy) need to revisit the federal bargain and chalk out a new contract which would be acceptable to all the stakeholders.

6.4.2. Rationale No. 2: The concepts of unity in diversity and the self-rule and shared rule

The concepts of unity in diversity and of self-rule and shared rule are the essence of a federation. Unfortunately, in the ideological, federal and constitutional history of Pakistan, these concepts have been grossly violated in various ways since the birth of Pakistan. Firstly, Urdu was declared to be the national language of Pakistan and this undermined all the other regional languages. In fact, Urdu was the language of only 7.5% of the total population of Pakistan (those who had migrated from various parts of India to Pakistan). Secondly, the introduction of the OUS in west Pakistan challenged the concept of unity in diversity. Thirdly, the ideological discourse of the Pakistan movement itself goes against the very basic rationale and concept of unity in diversity. As mentioned in chapter III, the ideology of Pakistan is based on the idea of Two Nation Theory, and it simply refutes all other identities based on language, culture and ethnicity (Jalal, 1995 and Jaffrelot, 2002). This negates all the other identity groups such as Bengali, Baloch, Punjabi, Pashtun, Sindhi, and so on. Contrast this with the view of the ethno-nationalist leaders such as Abdul Wali Khan, the founder of the NAP, who in 1977, strongly defended his primary ethnic identity by saying that he has been a Pakistani for 30 years, a Muslim for 1400 years, and a Pashtun for 5000 years (see Suryanarayan, 2013). Moreover, the Bengalis who were considered vanguards of the movement for Pakistan became estranged on the question of the national

language soon after the creation of Pakistan. The Bengali Muslims had preferred to call themselves Muslims first, but at “independence [in 1947] they insisted upon the primacy of their Bengali identity” (Rahman, 1997: 833). So, instead of creating linguistically and ethnically based units, the central government, mostly dominated by the immigrants from India and the Punjabis, not only ignored the fact of linguistic, cultural, and ethnic diversity, which is the core of federalism, but rather started suppressing the ethnic groups in various ways.

Furthermore, the concept of self-rule and shared rule was totally discarded from 1947 to 1970, an era which largely remained non-federal. For 9 years, Pakistan had no constitution of its own. The 1956 constitution was so unitary in nature that it could hardly be called a federal constitution. In another two years, the country went directly into the hands of the armed forces for 11 years. The military regime introduced a new constitution in 1962, in which the question of a federation was non-existent. It was even more centralised than the 1956 constitution since it made the military dictator the reservoir of all powers. It was only during another dictator (Yahya Khan from 1969 to 1971), that general elections were announced in the country and Balochistan was given the status of a province.

After the elections of 1970, as mentioned earlier in chapter III, the ruling elites predominantly from the province of Punjab coupled with the Mohajirs; once again violated the principles of parliamentary and federal democracy and did not allow the majority party to form government at the centre. According to Misra (1972: 31), the ruling elite of west Pakistan - dominantly Punjabis, led by Yahya Khan and his counsellors- hinder “the democratic process in order to continue their political dominance.” This undemocratic and non-federal character ultimately led the country towards dismemberment where Bangladesh emerged as an independent sovereign country in 1971.

In the remainder of Pakistan, the Baloch nationalists formed a coalition government in the province of Balochistan under the platform of NAP, but it was dissolved on various pretexts in spite of the fact that it had the support of a majority in the house. Thus, it is argued that the Pakistani federation failed to uphold the rationale of unity in diversity and self-rule and shared rule. This is because the ruling elite propagated the religion of Islam as the unifying force of national unity and identity. According to Hussain Haqqani (2005:14-15):

They defined Pakistani national identity through religious Symbolism....Islam, hostility to India, and the Urdu language were identified as the cornerstones of this new national ideology. Emphasis on Islamic unity was seen as a barrier against the potential tide of ethnic nationalism, which could undermine Pakistan's integrity.

6.4.3. Rationale No.3: Equal Opportunity and Economic Well Being of the Units

Federalism is said to provide equal opportunities to all the constituent regions for the greater economic prosperity and well-being of the people. But consider the plight of the province of Balochistan and its people: it is one of the most backward regions in all Pakistan; it has the highest infant mortality rate (130 deaths per 1,000 live births as compared to Pakistan's national average of 70); it has the highest poverty rate (63%) as compared to the other provinces of Pakistan (the poverty rate of KPK is 29%, in Sindh rural poverty is 38% and urban is 27%, the Punjab 26%); it has the lowest literacy rate (41%) as compared to the rest of Pakistan which is 58% (see Baloch, 2007; Ahmed, 2013a; and Pakistan Economic survey, 2011).

The federal government never showed any intention to bring Balochistan on a par with the rest of the provinces economically, socially, and educationally. Although, it is one of the richest provinces in terms of energy and mineral resources, it has

not reaped the benefits of these endowments. For instance, gas has been exploited in Balochistan at Sui since 1952, and it has reached various parts of Pakistan from Sui, but the inhabitants of the areas from where the gas originates, have been deprived of this facility till date. Quetta, the capital city of Balochistan, itself received the Sui Gas facility only in the 1980s.¹³³ According to Muhammad Ali Talpur (2013), Balochistan produces 374,161 Million Cubic feet (MCFT)/year, Sindh produces 536,452 MCFT/year, and Punjab produces 67,691 MCFT/year. There are about 2,760,238 domestic consumers in the province of Punjab, while in Balochistan there are only 179,372. Similarly, there are about 4,792 industrial consumers in Punjab and only 56 in Balochistan. In terms of employment the share of Balochistan, Sindh, and Punjab is 353, 3613, and 5,454 respectively, while the price of the gas wellheads are Rs. 66.3 per MMBTU, 142.57, and 162.93 respectively (Talpur, 2013). The Baloch gas is much cheaper compared to Sindh and the Punjab and therefore, the federal government has to pay fewer royalties to Balochistan. This royalty is one of the major sources of income for the province (see Khwaja, 2009 and Gazdar, 2007).

Apart from this, the land of Balochistan is also rich in various precious metals such as copper and gold. Especially, the Saindak and Reko Diq Copper-Gold mines are very important (both situated in district Chaghi, Balochistan). The Saindak Copper Gold Project is managed by Saindak Metals Limited, an organization which is under the control of the federal Ministry of Petroleum and Natural Resources. This Saindak Project was leased to Chinese Metallurgical Construction Company in 2002 and “[u]nder the agreement the Chinese company would fetch 80% of the total profit back home, pay 18% to the federal government of Pakistan and disburse only 2% to Balochistan as royalty charges”

¹³³ Out of the 30 districts of Balochistan, only 2-4 have been provided with gas facilities, though with very limited access.

(Ahmed, 2013a: 106). Presently, Saindak is in the production stage. According to official estimates, it has the capacity to produce 15,800 tons of blister copper annually; containing 1.5 tons of gold and 2.8 tons of silver (see Fazl-e-Haider, 2005).

Reko Diq is another project which is the second largest copper-gold mining project in the province of Balochistan. It is believed that it holds the world's fifth largest deposits of gold and copper. According to Tethyan Copper Company (TCC) website:

The deposit at Reko Diq is a large low grade copper porphyry, with total mineral resources of 5.9 billion tons of ore with an average copper grade of 0.41% and gold grade of 0.22 g/ton. From this, the economically mineable portion of the deposit has been calculated at 2.2 billion tons, with an average copper grade of 0.53% and gold grade of 0.30 g/ton, with an annual production estimated at 200,000 tons of copper and 250,000 ounces of gold contained in 600,000 tons of concentrate.

Initially, the exploration at Reko Diq was launched in July 1993 through a Joint Venture Agreement between an Australian company, BHP Company limited (Broken Hill Proprietary) and the Government of Balochistan, with an interest of 75% and 25% respectively. Later BHP sold its 75% interest to Tethyan Copper Company (TCC) which is owned by Barrick Gold of Canada (37.5%) and Antofagasta Minerals of Chile (37.5%). However, the Government of Balochistan, on 24th December 2009, decided to take over the Reko Diq Project and cancel the agreement with the TCC on the grounds that the TCC violated the provisions of clause 14(i) and 14.3-1 of the Joint Venture Agreement by transferring its share to other companies at the exploration stage without the consent of the provincial government (for details, see Civil Petition no. 796 of 2007, Supreme Court of Pakistan). The TCC has already spent \$400 million on exploration and technical assistance over the last one decade (Fazl-e-Haider, 2013). The Supreme Court of Pakistan, in its recent judgment in January 2013,

declared the Joint Venture Agreement to be null and void.¹³⁴ Therefore, the TCC took the issue to an International Court of Settlement of Disputes. According to Dr Abdul Malik, the incumbent Chief Minister of Balochistan, after a 15 day hearing at the International Court for Settlement of Disputes, the court termed the issue a complicated one and advised the parties involved to find a solution out of court (The Express Tribune, 12th December 2014).¹³⁵

Indeed, the issue of Reko Diq is deeply complicated and there are no reliable sources to consult. However, it is argued that the powerful civil and military bureaucracy as well as the federal government sees Reko Diq as a strategic resource and hopes to keep the mineral wealth out of the control of the Balochistan government. The Baloch nationalists and political activists are not happy with the exploration at Reko Diq because they are of the opinion that it would bring more misery to the Baloch masses instead of the promised prosperity (see Gwaraam, 2010 and Baloch, 2014). These disputes over mining are symptomatic of a widespread feeling amongst Baloch nationalists that they have no control over the resources in Balochistan. According to Sanaullah Baloch (2014: n.p), “[t]he multi-dimensional conflict in Balochistan includes grievances by Baloch nationalists that the Pakistani state is using all sorts of means to control and exploit Balochistan’s wealth with no transparency and benefits to the locals.”

Furthermore, if we look at the issues surrounding the Gwadar Port (situated in western Balochistan alongside the 790 km-long Makran coast), we can clearly see the apprehensions of the Baloch nationalists. Gwadar has an immense strategic and economic importance in the region; it is located just 200 miles from the Strait

¹³⁴ The Supreme Court reasoned that the “agreement dated 23.07.1993 was held to have been executed contrary to the provisions of the Mineral Development Act, 1948, the Mining Concession Rules, 1970 framed there under, the Contract Act, 1872, the Transfer of Property Act, 1882, etc., which was even otherwise not valid, therefore, the same was declared to be illegal, void and non est”. See Civil Petition no. 796 of 2007, Supreme Court of Pakistan (2013: 149).

¹³⁵ Furthermore, Dr Malik said that “the government-constituted committee, which comprises both provincial and federal officials, [which] would decide a course of action in the best interest of Balochistan and Pakistan” (The Express Tribune, 12th December 2014).

of Hormuz, an important oil conduit of the Persian Gulf. According to Grare (2006: 4), “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.” The federal government has various plans of turning Gwadar into a free trade zone so as to make Pakistan the center of all commercial activities in the region (Gazdar, 2007 and Grare, 2006). Hence, the federal government of Pakistan is engaged in building roads and rail networks connecting Gwadar to Afghanistan, China and the Central Asian Republics. The main purpose of these roads and rail networks is to provide these landlocked countries with an easy access to the Arabian Sea (see Grare, 2006 and Yousaf, 2012).

Now, what are the concerns of the Baloch nationalists vis-à-vis the Gwadar port? The separatist faction of the Baloch nationalists is totally against such development and sees it as the colonization of Balochistan. For instance, Hyrbyair Marri (a prominent Baloch leader), during an interview in 2013, put forward the view that Baloch land is being used for the benefits of the Punjab and that the Baloch are having to accommodate the growing Punjabi population through the building of mega-projects such as the Gwadar port.

On the other hand, the federalist forces are of the opinion that they have never opposed any developmental project in Balochistan but rather tried to convince the federal government to bring Balochistan on par with the rest of the provinces of Pakistan. The federalist section of the Baloch nationalists is in favor of the construction of Gwadar port because they know that it will bring the feel of development to Balochistan, but their apprehensions too are that it will convert the Baloch population into a minority on their own soil. In one of his interviews in

2006, Sardar Attaullah Mengal expressed his fears concerning the construction of Gwadar port as follows: Gwadar will transform from a small coastal town to a big city and this will entail massive demographic transformation through influx of migrants; the Baloch masses will be outnumbered on their own soil (cited in Malik, 2011: 241 and see also Adeel Khan, 2009).

Sanaullah Baloch (an ex-member of the Senate of Pakistan, 2003-2008) and others are of the opinion that the Pakistani federation is using all means to control and exploit the Baloch wealth with no transparency and benefits to the locals (see Baloch, 2014 and *The Dawn*, 7th September 2003). According to one estimate, Gwadar would “create three million jobs, with most of the Baloch locals to be employed there” (cited in Yousaf, 2012: 26). However, the total population of Gwadar was only about 185,498 as per the census of 1998. Furthermore, the ground realities of the province of Balochistan are such that the apprehensions of the Baloch nationalists may not be misplaced. Balochistan has been historically backward in the education and technological sectors, and therefore, the lack of human resources would likely go against the interests of the Baloch people; instead of the Baloch being hired for the technical jobs, other Pakistanis would dominate the job market.

Moreover, the fears of the Baloch nationalists are genuine to a large extent as they have no say in the development of the Gwadar port, not even in the matter of the roads and rail networks connecting Gwadar to Afghanistan, China, and the Central Asian Republics. This is because according to the fourth schedule of the 1973 constitution of Pakistan, all national highways and strategic roads fall under the jurisdiction of federal government whereas all major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of port authorities therein fall under the federal legislative list part II on which both the

provincial and federal government has the power to legislate. However, according to article 143 of the constitution of Pakistan, in case of any conflict between the two, the federal laws would prevail.¹³⁶ The Baloch nationalists (especially the federalists) maintain that the federal government has not been sharing any details regarding the construction and contract of the port, its use and management, including cost, revenue sharing, and the security arrangements (Baloch, 2013).

In view of the aforementioned, it can be argued that the policies of federal Pakistan have not functioned to provide equal opportunities or to enhance the well-being of the units; this is especially true in the case of Balochistan.

6.4.4. Rationale No. 4: The Security Argument of Federalism

Most federations around the world emerged due to a bargain amongst the various ethno-nationals, territorial, and regional groups, mainly for two purposes: to safeguard themselves from external military threats; and to achieve greater economic opportunities of being part of the larger whole. Applying this argument on Pakistani federation vis-a-vis Balochistan, the situation is the other way around. As discussed in earlier chapters, the federal bargain between the Baloch and the federation of Pakistan is either non-existent or too ambiguous owing to the changing patterns of politics in Pakistan and the shifts in the ranks of the Baloch nationalists towards the Pakistani federation. However, going back to the various phases of conflict, the federal government did not try to solve the Baloch issue politically but rather each time prefers to use force to suppress the dissent.

After each round of conflict, the Baloch nationalists (both federalists and separatists) tried to accommodate themselves within federal Pakistan, but every

¹³⁶ According to article 143 of the 1973 constitution of Pakistan “If any provision of an Act of a Provincial Assembly is repugnant to any provision of an Act of Majlis-e-Shoora (Parliament) which Majlis-e-Shoora (Parliament) is competent to enact, then the Act of Majlis-e-Shoora (Parliament), whether passed before or after the Act of the Provincial Assembly, shall prevail and the Act of the Provincial Assembly shall, to the extent of the repugnancy, be void” (The 1973 constitution of Pakistan: 74).

time they were termed as traitors and anti-Pakistan. Histroy tells us that the Baloch nationalists (both federalists and separatists) had tried to function with the federation, but it was the Pakistani federation that had failed to include the former within its framework. For instance, in spite of the forceful annexation and suppression of the first symbolic resistance of the Baloch offered by Prince Karim Khan and the federal demands of Nawab Nouroz Khan (such as the udo of One Unit and respect of the Baloch culture and traditions), the federation of Pakistan violated all its promises vis-à-vis the Baloch. As mentioned earlier that prince Karim (in 1948) and Nawab Nauroz (in 1959) were bring down from mountains on the name of the Holy Quran and it was promised with them that they would not be arrested and their demands would be fulfilled. However, it never happened but rather they were put behind bars and awarded various punishments including death sentences to Nauroz Khan's companion. These broken promises are still at the core of the Baloch nationalist discourse until now.

Furthermore, after the dissolution of Balochistan's Assembly in the 1970s, the NAP was declared unlawful and about 50 of its prominent leaders, both the Baloch and the Pashtun, were arrested on charges of treason. A reaction from the Baloch masses was natural. They reacted against the dissolution of the Balochistan's Assembly as well as against the arrest of their leaders. Thus, this led to a 6-7 years conflict between the Baloch and the federal government of Pakistan. The conflict lasted for 6-7 years. Now, it was the task of the federal government to solve the issue democratically and amicably, but instead of that, the federal government used military force against the Baloch. According to Harrison (1981) about 80000 armed personnel were deployed by the government of Pakistan in the province of Balochistan for the purpose of suppressing the insurgents and protesters. On the other hand, about 55000 Baloch fighters took part in this

combat against the federal government, in which more than 5000 Baloch and 3300 security personnel were killed (ibid, 1981). Hundred of Baloch activists were put behind bars and some are still missing.

Even so, the Baloch leadership, with the exception of Nawab Khair Bakhsh Marri, opted for federal politics, but when the military dictator, Pervez Musharraf came to power (1999 to 2008), he adopted aggressive developmental policies towards Balochistan without the consent of the Baloch nationalists, and so a new surge of resistance emerged. Again, the military establishment, instead of solving the issue politically, used force against those who were offering resistance, especially Nawab Akbar Khan Bugti, who was killed in 2006 in an army operation. After the death of Bugti, there is a kind of mini civil war in which hundreds of the Baloch insurgents were killed and thousand abducted and gone missing. The Baloch nationalists held the security agencies of Pakistan responsible for this killing and abduction.

In view of the aforementioned discussion, it is argued that the fourth rationale of a federation in relation to safeguarding of units from internal and external military threats, fails in the case of Balochistan. On the contrary, the federal government used its own security forces against the Baloch population due to which the feelings of the latter developed into separatism.

6.4.5. Rationale No. 5: Federation is Dynamic, Flexibly Democratic in Character and offer Greater and just share of Representation

The principles and features of federalism - which are regarded as the basis of federations by renowned scholars such as Watts (2008 & 1996), Dikshit (1971), Wheare (1946) and others - are also non-existent or very bleak in Pakistan's federal history, especially under the constitutions of 1956 and 1962. The first two

constitutions had no relevance to Balochistan because Balochistan was given the status of a province only in the 1970s. So far as the constitution of 1973 is concerned, it provided two lists of powers; the federal and concurrent lists. The former was specifically for the federal government, while on the latter both the governments (federal and provincials) were given equal powers of legislation. However, owing to Article 143 of the original constitution of 1973, the federal government was given an overriding power, and in case of conflict between the two sets of government vis-a-vis the matters enumerated in the concurrent list, the federal laws would prevail (Article, 143). The same Article was retained under the 18th constitutional amendemnet as well which reads as:

If any provision of an Act of a Provincial Assembly is repugnant to any provision of an Act of Majlis-e-Shoora (Parliament) which Majlis-e-Shoora (Parliament) is competent to enact, then the Act of Majlis-e-Shoora (Parliament), whether passed before or after the Act of the Provincial Assembly, shall prevail and the Act of the Provincial Assembly shall, to the extent of the repugnancy, be void.

This simply means that before and the 18th Constitutional Amendment Act of 2010; the federal government had possessed actual competence not only on the subjects mentioned in the federal list but also on the matters enumerated in the concurrent list. Under the 18th amendment, law and order went to be provincial subjects, however, Article 234 (a) empowered the president to “assume to himself, or direct the Governor of the Province to assume on behalf of the President, all or any of the functions of the Government of the Province, and all or any of the powers vested in, or exercisable by, anybody or authority in the Province”, in circumstance where the government of the province could not be carried on in accordance with the constitutional provisions of the land. In the presence of such clause in the constitution, the smaller provinces are always seems to be at the weak side because the federal government can bypassed any law made by the province by portraying it as against or clash with the federal laws.

As mentioned earlier chapter II and III, federation requires written and rigid constitution which cannot be amended unilaterally. However, in the case of Pakistan, the structure and composition of the federal parliament is so designed that one of the provinces, the Punjab, with its 56% population can overrule any legislation if it is against its benefits. Therefore, rigidity of the constitution in case of Pakistan has no meaning for the smaller provinces. It is because of this fact, the smaller provinces persistently demand more provincial autonomy, control over their resources, some taxation powers, and the abolition of the concurrent list from the constitution altogether.

Furthermore, referring to chapter II and III, federal countries possessed an impartial umpire as that can avoid clashes between the federal government and its units. The main function of such a body is to look into the subjects such as distribution of powers, control over resources, and overlapping of the governmental functions. This umpire takes the form of courts, provision for referendum or an Upper House of the Parliament.

In Pakistan, since the passing of 1973 constitution, such bodies have existed in the form of the Upper House (Senate) and the Supreme Court of Pakistan. However, until the 18th amendment, the Senate remained just a debating club and the real powers rested within the NA. Prior to the 18th Amendment Act 2010, all lands, minerals and other things of value within the continental shelf were vested in the federal government. The 18th Amendment placed matters such as electricity, major ports, and gas/mineral resources under the federal legislative list (part II) wherein the Senate was given powers to legislate on these matters equally with NA. It did not transfer these matters to the provinces and it also made the provision that in case of conflict, the issue would be referred to a joint sitting of parliament for the final decision. However, as mentioned earlier, the province of

Punjab can easily override all the existing provinces in any joint sitting of parliament if any law or amendment goes against its own interests. Furthermore, the senate has no powers vis-à-vis the money bills. All money bills can only originate in the NA. According to Article 73 of the constitution, after the 18th amendment, the Senate can only give recommendations to the NA. The NA has the power to pass the bill with or without the recommendations of the Senate and present it before the President for final assent. So far as the role of the Supreme Court (SC) is concerned, Article 184 (1) provides that the SC of Pakistan has the original jurisdiction in any dispute between any two or more Governments and can pronounce a declaratory judgement only. It has no authority to change the constitution. It can only decide the cases, if there are any, in accordance with the constitution. Thus, it can be argued that the role of an umpire, which is an essential principle of federal countries, is lacking when it comes to Pakistan.

Moreover, it has been argued that if a federation is structurally imbalanced in relation to its demographic composition, then there are occasions where a majority or tiny skilled groups would override the smaller groups in the central institutions such as the parliament, the armed forces, developmental projects, and policy-making at home as well as abroad. In return, the smaller identity groups would feel that they are deprived and are denied equal opportunities in the said areas. This is what has happened and is happening in Pakistan where the Baloch nationalists feel that they are deprived and denied an equal and due share in central institutions and state affairs, either internal or external. Initially, it was the tiny and skilled immigrants from India who occupied the central power structure of the Pakistani federation and did not allow countrywide elections due to the fear of losing powers. In latter years, the majority group, the Punjabis joined this tiny

group and ultimately emerged as a dominant group and become the sole possessor of the state powers and all its central institutions.

In the central parliament, the NA and the Senate, the strength of the province of Balochistan is 17 and 20 out of the total memberships of 342 and 104 respectively, under the constitution of 1973. According to one estimate, the numbers of ethnic Baloch in the central cabinets from 1947 to 1977 were only 4 out of the total of 179 (Foreign Policy Centre, 2006: 50). Consider also that Pakistan's military one of the most influential organizations in Pakistan, having ruled the country for more than half of its total life since 1947. For instance, it (Pakistan) has suffered four military dictators; Ayub Khan (1958 to 1969), Yahya Khan (1969 to 1971), Zia-ul- Haq (1978 to 1988), and Pervez Musharraf (1999 to 2008). This rule of the armed forces in the political life of the country has been variously described by researchers. For instance, due to the dominant position of the armed forces in the country's affairs, Ayesha Jalal (1990) calls Pakistan a state of martial rule. Along the same lines, Siddiqi (2007) calls it a praetorian state ruled by the military elites, while Ahmed (2013b) terms it a garrison state owing to the internal (ethno-nationalist movements) and external (Indian) threats to Pakistan's existence. Besides directly ruling over the country under various martial laws, Pakistan's army has also remained locus of the real power in every civilian government, ruling the country clandestinely. In fact, the Army is one of the main determinants of Pakistan's polity both internally and externally (see Ahmed, 2013b; Nawaz, 2008; Siddiqi, 2007; and Kukreja, 2003).

The numbers of Baloch in the armed forces have always been extremely small. It is next to impossible to find reliable data on the strength of Pakistan's armed forces and their ethnic composition. Therefore, one has to rely on the available research and figures put forward by various writers. According to Kukreja (2003:

132), “[o]ne study reveals that from the areas that later became Pakistan, British recruitment was 77 per cent from Punjab, 19.5 per cent from NWFP, 22 per cent from Sindh, and 0.6 per cent from Balochistan.” In post-colonial Pakistan, the proportion did not change much. The ethnic strength of the armed forces of Pakistan, especially the officer corps, in the 1970s was estimated as 70% Punjabis, 15% Pashtuns, 10% Mohajjir, and 5% Sindhi and Baloch (see Ahmed, 2013b: 204; Siddiqa, 2007: 59; Kukreja, 2003: 132-133; and Foreign Policy Centre Report, 2006: 50-51). The Chief of the Armed forces, General Ashfaq Parvez Kayani, while addressing the cadets at the Sui Military College in Balochistan on 7th September 2013, said that during “the past three years, Baloch representations in the army have been raised from 1.7 percent to 3.5 percent. [Furthermore, he said that] 760 Baloch officers were actively playing their role in the Pakistan Army” (The News, 2013). However, this number seems to be overstated because Balochistan is home to 55% Baloch, 30% Pashtun, and 15% Punjabis, Mohajjirs, Hazara, Saraikis and others, and as the quota in the armed forces is on a provincial basis, it is probable that most of the recruits from the province of Balochistan are either Pashtun or the 15% settlers rather than the ethnic Baloch (see Foreign Policy Centre Report, 2006).

Similarly, the representation of the Baloch in the Civil Services (civil bureaucracy) of Pakistan is also very small. For instance, “of the 830 Civil Services posts in Balochistan, only 18 were held by Baloch in 1979....As regards the police, all high officials were non-Baloch and so was three-quarters of the police force ” (Foreign Policy Centre Report, 2006: 51). The constitutional share of the province of Balochistan in the federal services has over the years, been

raised from 2.5% to 6%.¹³⁷ However, it still is under-represented in the federal services (see the table).

Table 12: Sanctioned and domiciled-wise actual strength of federal employees for the year 2010-2011 by Basic Pay Scale (BPS) 22-17.

BPS	Sanctioned posts	Actual filled posts	Islamabad	Punjab	Sindh (R+U)	KPK	Balochistan	AJ&K	GB	FATA
22	112	101	0	58	19	18	3	0	2	1
21	470	406	6	240	75	65	10	2	1	7
20	1350	1079	7	645	179	160	34	15	12	27
19	3339	2579	24	1411	447	363	111	38	127	58
18	8040	6291	69	3618	879	847	215	84	478	101
17	14720	10780	149	5865	1696	1389	408	145	935	191
Total	28031	21236	255	11837	3605	2842	781	286	1555	385

Source: The Annual Statistical Bulletin of Federal Government Employees (2010-2011: 24), prepared by Pakistan Public Administration Research Centre (PPARC).

The above table reveals that Balochistan is not only deprived of its due share in federal services but also that the already sanctioned quota has not been completely fulfilled. The sanctioned posts for the province of Balochistan under BPS 22, 21, 19, 18, and 17 are 3, 10, 34, 111, 215, and 408 respectively. According to *the Annual Statistical Bulletin of Federal Government Employees*, the actual strength (position held by the people of Balochistan in the federal bureaucracy) for BPS 22, 21, 19, 18, and 17 are 0, 0, 2, 19, 26, and 77 respectively (2010-2011: 26).

Furthermore, the number of the ethnic Baloch employees in most of the federal corporations, autonomous and semi-autonomous bodies is also less as per its actual share of 6% (see the table below).

¹³⁷ According to the revised provincial quota, the share of each province is as under;

Punjab	Sind	KPK, FATA, and Gilgit-Baltistan	Balochistan	Azad Jamu & Kashmir
53 %	20 %	18 %	6 %	3 %

Table 13: Overall Domicile-wise Position of Employees in Corporation/Bodies (Actual Strength 201-2011)			
Domicile	Officer BPS-17-22	Officer BPS- 1-16	Total
Islamabad	829	2509	338
Punjab	3081	166844	197654
Sindh (Rural + Urban)	8899+13017=21916	28667+35006=63673	85589
KPK	7866	46275	54131
Balochistan *	2665	13334	15999
AJ&K (Azad Jamu and Kashmir)	863	4202	5065
GB (Galgit Baltistan)	328	1739	2067
FATA	604	2285	2889
Without Domicile (Islamic International University, Islamabad)	750	1793	2543
Grand Total	66631	302654	369285
* The share of Baloch in BPS- 17-22 and BPS-1-16 as per its 6% must be $66631 \times 6\% = 3997.86$ and $302654 \times 6\% = 18159.24$ respectively. Source: Annual Statistical Bulletin of Employees of Autonomous/Semi-Autonomous Bodies/Corporations under the Federal Government (201-2011: 29), prepared by Pakistan Public Administration Research Centre (PPARC).			

Balochistan is home to various ethnic groups and generally it is believed that the majority of the federal service positions for the province are occupied by the 15% settlers followed by the 30% Pashtuns. Thus, the number of the ethnic Baloch in the federal institutions is virtually non-existent; this has enhanced a sense of deprivation amongst the ethnic Baloch and led to a majority of the Baloch nationalists claiming that the Baloch have no say in policy-making bodies, either internally nor externally. According to one estimate, out of the 568 officers and 1,833 supporting staffs serving at Pakistani missions abroad, only 7 officers and 12 supporting staff members are from Balochistan (Gishkori, 2014). If the 6% share of the province of Balochistan was being maintained, there should have been 34 officers and 109 supporting staff members in such missions.

As we saw earlier, the concepts of self-rule and shared rule are one of the main principles of federalism. According to Watts (1998), federalism is a kind of political organization that is marked by the combination of shared rule and self-rule. However, when it comes to Pakistan's relation to Balochistan, these concepts have ignored since the latter's incorporation to Pakistan. For instance,

out of the 25 chief secretaries in the Government of Balochistan from 1970 to date, only six are ethnic Baloch.¹³⁸ Further, according to a signboard displaying names of finance secretaries from 1970 to 2013 in the office of the Finance Secretary, Government of Balochistan, out of 25 names, only 4 are ethnically Baloch. And even, these ethnic Baloch have been raised to such positions only since 2010. The same could be said of the other provincial departments in Balochistan. Thus, Baloch nationalists argue that the people of Balochistan have no share in the governmental affairs at either central or provincial levels. They are of the opinion that the Baloch are being ruled by the dominant ethnic groups from outside Balochistan, and they perceive this kind of administration as being a neo-colonial system of administration.

In brief, it has been established in this chapter that Baloch nationalism emerged during the 19th and 20th centuries as a reactive force against the forces of occupation and exploitation. Initially, it was the British colonizer against whom the scattered Baloch tribes fought many small and large scale wars at various places around Balochistan, but by that time the Baloch itself was divided internally into various contending tribes, clans, and sub-clans, which did not allow them to merge as a unified national force against British imperialism but rather facilitate the British to rule over them. It was argued in this chapter that the origin of Baloch nationalism can better be linked to the anti-colonial movements in India during the 20th century. In the early 20th century, an organised Baloch nationalist struggle was started by the middle class youth, mostly educated in the British educational institutions. The anti-colonial nationalist movements in India such as the AINC and AIML impressed the Baloch youth to form anti-colonial

¹³⁸ The Chief Secretary's (CS) office is one of the highest bureaucratic positions in any Province. The ethnic Baloch who served as CS to the Government of Balochistan are: 1) Faqir Muhammad Baloch; 2) Sikandar Hayat Jamali; 3) Ahmed Bakhsh Lehri; 4) K.B. Rind; 5) Pervaiz Saleem; and 6) Nasir Mahmood Khusa. However, out of these 6 the latter 3 belong to the province of Sindh and Punjab.

organizations. In this regard the 'Young Baloch' of Abdul Aziz Kurd, Balochistan ki Faryad of Magsi, Anjuman-e-Ittehad-e-Balochan, and KSNP played a leading role in Baloch nationalism and political consciousness of the people of Balochistan.

It has been established in this chapter that the Baloch nationalists tried to accommodate themselves in the Pakistani state structure without losing their Baloch identity and resources of Balochistan. However, the federal government failed to resolve the Baloch issue within the framework of Pakistani federation. The chapter also argued that the various phases of the Baloch conflict are the product of the lack of the federal character of the Pakistani state coupled with others factors such as lack of trust amongst the Baloch vis-a-vis federation of Pakistan, lack of democratic norms, lack of adequate share of the Baloch in central institutions and so on.

Going back to 1970s, Mir Hazar Khan, a guerrilla commander of the 1970s conflict, once said:

[I]t will never again be like the last time....Next time we will choose the time and place, and we will take help where we can get it. In the beginning the Bengalis didn't want independence, but if Pakistan continues to use force to crush us, we'll have no alternative but to go that way (Harrison, 1978: 139-140).

Thus, after the killing of Nawab Bugti in 2006, the Baloch nationalists have adopted an alternative way; the way that they hope will lead to an independent Balochistan. They went off to the mountains and started guerrilla warfare against the Pakistani state and especially its armed forces. The Baloch guerrillas along with various underground organizations such as the BLA, the BRA, the BLF, and others are waging a war for an independent sovereign Balochistan. Instead of going for meaningful political dialogues and creating trust between the Baloch

and the central authority, the federal government, coupled with the armed forces, has been determined to crush dissent through military force. During an informal meeting with a Baloch federalist politician and a former minister in the government of Balochistan from 2008 to 2013, I was told that the security establishment of Pakistan does not want the Baloch issue to be solved because they secretly get a share of the black money (on smuggled goods between Pakistan-Iran and Pakistan-Afghanistan borders) around Balochistan at various check posts. It is rumoured that they collect around Rs. 3 billion per month from the Makran division and Rs. 5 billion per month from the Shella Bagh check post near the Pakistan-Afghanistan border. This amount is not auditable and goes directly to the security forces' purse. The armed forces, according to him, are one of the main hurdles in the way of the political forces normalizing the situation in Balochistan. He opined that such conflicts are essential for the Pakistani Army to survive.

Finally, this chapter and chapter III demonstrate that the province of Punjab is home to 60% of the country's population, and owing to this, it dominates the Pakistan armed forces (60-70%), which is one of the country's prime organizations. In addition, it also dominates the parliament and civil bureaucracy. So it is the seat of political and military power in the country and it decides the country's internal and external affairs. The nationalists of Balochistan argue that if the political leadership of the province of Punjab wants to confine the armed forces to their barracks, they could do it easily. Doing so would make an exemplary federation, however, the interests of the Punjab are the interests of Pakistan's army and vice versa (Siddiq, 2007), and it seems highly unlikely that this change would happen. Therefore, I have argued and established that the Pakistani federation fails to resolve the Baloch issue within the framework of

federation because one ethnic group, the Punjabis, have a dominant position, and this failure of federation has compelled the Baloch separatist to demand an independent Balochistan.

Chapter VII: Conclusion and Recommendations

The main question this research has investigated is: what are the different types of Baloch nationalism and how do they relate to Pakistani federation? The main objectives set forth for this research were: 1) to examine the theories regarding the origin and emergence of the Baloch nation and nationalism; 2) to critically analyse the principles and practices of the Pakistani federation vis-à-vis Balochistan; 3) to demonstrate the link between dynamics of Baloch nationalism and the federation of Pakistan. Further, I have also investigated the various phases of the Baloch conflict with the federation of Pakistan and critically analysed how the conflict has seen a shifting balance between the federalist and the separatist variants of Baloch nationalism over time.

This research has found that the prevalent scholarship and discourse in Pakistan is silent on the issue of nationhood and nationalities within federal Pakistan. Most researchers hold that Pakistan is a 'federal state' composed of various ethnic and linguistic groups. They avoid looking at Pakistan as a 'multinational state' in fear of further disintegration following on from the secession of Bengal in 1971. The state narrative has also failed to recognize Pakistan as a multinational state but has rather tried to construct the Pakistani nation on religious grounds and shun its ethno-national, linguistics, and geographical realities. The Punjabi dominated civil and military bureaucracy tried to construct and run Pakistan as a state inhabiting by one nation, based on religion Islam. However, the nationalist forces emanating from ethno-national groups (Baloch, Pashtun, and Sindhi) resisted such construction on various grounds. The undemocratic and unjust behaviour of the federal government vis-à-vis Balochistan gave birth to the Baloch conflict within federal Pakistan. Thus, after discussing various concepts such as nation-state, state-nation, multi-ethnic state, and multi-national state, chapter II concludes that

Pakistan falls into the category of a state nation as well as multi-ethnic and multi-national state, depending upon the researcher's perspective.

Before 1947, there was no Pakistani nation as such. Even before the idea of Pakistan, people living in the present day Pakistan were belonged to various ethno-national identities. It is, therefore, concluded in chapter V that the Baloch as a nation existed prior to the creation of Pakistan. The Pakistani state and Pakistani nationhood are political constructs of the post-colonial time. While after looking into the history of the Baloch and Balochistan, the Baloch emerged as a unified nation during the reign of Mir Naseer Khan Noori I (1749-1817). The Baloch as a nation existed as a tribal confederacy prior to the present day nation state system, and they defy the modernist and primordialist theories of nationhood. Various theories have been put forward by researchers and historians regarding the origin, ethnic and racial background of the Baloch, but none of these theories explain the origin satisfactorily. Thus, after intensive research, it has been argued in chapter V that the Baloch as a nation is an admixture of various ethnic and racial groups such as the Aryans, Arabs, Persians, Turks, Kurds, Dravidians, Sewais (Hindu), and the Africans. Initially, the people around Balochistan were divided into various small and large fiefdoms but when the Baloch became dominant in the region, they assimilated the other into the larger Baloch nation. Now, due to various political reasons, all these different people strongly call themselves as the members of the larger Baloch nation. On the other hand, the contemporary Baloch nationalism is a political and modern phenomenon that emerged in the 19th and 20th centuries as a reactive force of nationalism against the occupation and suppression by the British colonisers and others including federal Pakistan and Iran.

The Baloch engaged with the British at various times to protect their land but they (the Baloch) were internally so divided, owing to the imperial divide and rule policy, that they could not develop an assertive nationalism against the British imperial forces. Besides, the imperial divided and rule policy, the internal Baloch rivalries and tribal culture also remained an obstacle in assertive and dynamic nationalism. However, after World War I, the anti-colonial movements in India created a sense of unity amongst the educated youth of Balochistan. Consequently, in the 1920s, a group of Baloch emerged on Balochistan's political landscape to organise the Baloch masses along nationalistic lines. In this regards, the names of Mir Yousaf Ali Magsi, Mir Abdul Aziz Kurd, Muhammad Hussain Unqa, Malik Faiz Muhammad Yousafzai and others are pre-eminent. The first ever Baloch political party the *Anjuman-e-Ittehad-e-Balochan* (1931), demanded political reforms in the state of Kalat, unification of the traditional Baloch land, and establishment of a sovereign homeland for the Baloch. In opposition to the newly emerging Baloch national aspirations, the British, while departing from India in 1947, divided it (India) into two sovereign states, India and Pakistan and the State of Kalat was annexed to the Pakistani federation in 1948.

As discussed in chapter II and then articulated in chapter III and VI, federations emerge on the basis of mutual consultations to accommodate a diverse society in such a way that each group maintains its distinct identity through the principles of self-rule and shared rule. A federation offers greater economic opportunities to the constituent regions. It safeguards each unit from external military/diplomatic threats and internal political aggrandisement. Federations are dynamic and flexibly democratic in character. However, the adoption of federalism in Pakistan and its subsequent history tells us a very different story.

Firstly, as indicated in chapters III and V, from the creation of Pakistan until 1970s, the principles of federalism remained not only weak but were rather largely ignored and violated. For instance, the federation of Pakistan did not come into being because of the mutual agreement of the constituting regions and ethno-national groups but rather through intimidation and force, especially in the case of Balochistan.

Secondly, the politically dominant groups (initially, the Mohajir and then the Punjabi) both mutually did not allow the smaller groups (Baloch, Pashtun, and Sindhi) as well as the major group (the Bengali) to enjoy the fruit of federalism under the concept of self-rule and shared rule. The latter groups (as discussed in chapter III) strongly voiced for a loose and decentralised federation but the former never paid heed to such voices and imposed a much centralised federation marginalizing the dissenting voices by using various strategies such as the imposition of Urdu as national language of Pakistan and the establishment of One Unit Scheme (OUS).

Thirdly, the Baloch, due to small number of population (5%) of the total population of Pakistan, were not convinced about their identity in future setup of Pakistan. Even though majority of the Baloch joined the federation and contested elections to national and provincial parliaments in various years, they were often considered as traitors and secessionist by the federal Pakistan and its civil-military establishment. The dissolution of the first ever Baloch nationalist government in the province of Balochistan in 1973 is the best example in this regard. During the military rule of General Musharraf, the central government adopted an aggressive attitude to establish mega projects in Balochistan including the construction of cantonments at various localities and the Gawadar deep sea port in Makran division, which made Baloch suspicious about losing identity and their resources.

The Baloch nationalist believed that the construction of such mega projects, especially the Gawadr deep sea port, would cause a heavy influx of non-Baloch population on Baloch land, which ultimately would change the demographic realities of the province. They believed that the Baloch will convert into an ethnic minority on their own land where they inhabited for many centuries.

Fourthly, as demonstrated in chapter VI, the Pakistani federation failed to provide equal economic, political, and social opportunities to the diverse ethno-national groups. While looking into the statistics regarding the province of Balochistan, it is one of the most backward regions in all Pakistan. The infant mortality rate is 130 deaths per 1,000 live births as compared to Pakistan's national average of 70. It is richest province in mineral resources but has the highest poverty rate (63%) as compared to the other provinces of Pakistan.¹³⁹ Furthermore, it has also the lowest literacy rate (41%) as compared to the rest of Pakistan which is 58%. Balochistan is one of the richest provinces of Pakistan, possessing hugely valuable mineral resources and having projects such as Saindak and Reko Diq Gold-Copper mines. In terms of geostrategic importance too, the province of Balochistan occupies an important position in the region. It provides Pakistan with trade and transit routes to most of the regional countries including Afghanistan, Tajikistan, Uzbekistan, Turkmenistan and other Central Asia Republics (see Gazdar, 2007). Furthermore, the Gwadar deep sea port will provide an outlet to the landlocked countries in the region. Gwadar port will enable Beijing to establish an over land trade route to the Arabian Sea via Gwadar in Balochistan, saving China time and money.¹⁴⁰ However, these strategic assets will work for Balochistan only if there is a better and just sharing of resources between the

¹³⁹ The poverty ratio of KPK is 29%, in Sindh rural poverty is 38% and urban is 27%, and the province of Punjab is 26%.

¹⁴⁰ Currently, China transports 60% of its oil from Persian Gulf to Shanghai, a distance of approximately 16000 kilometres. The journey takes months and the ships are also vulnerable to pirates, political rivalries, bad weather conditions and other associated risks. Using the Gwadar port instead will reduce the distance these ships must travel and will also enable oil transfers to be made year-round (Jafar, 2013).

federation and the province and if Baloch are given some ownership over this process of development. Without that, the development becomes seen as part of the strategy of Pakistani state to suppress the Baloch.

Fifthly, the smaller ethno-national groups, especially the Baloch, strongly opine that the Baloch are being ruled by the civil-military bureaucracy emanating from the province of Punjab, and perceived such kind of an administration as being a neo-colonial system of administration. Since the incorporation of Balochistan into federal Pakistan, the Baloch nationalist ruled over their own province only for 3 to 4 years, excluding the present government of Abdul Malik Baloch (2013 to date).

Finally, Pakistan remained under direct military rule for more than 35 years, out of its 66 years of life span. During the periods of so called democratic rule, the Army also kept involved covertly in Pakistani politics. It often engineered the Pakistan elections and supported candidates of its own choice against those whom they believe would not listen to their dictates in formulating external and internal policies of the state.

This thesis demonstrates that the federation of Pakistan and its principles and practices with reference to Balochistan are responsible, over time, for the increasing sense of Baloch nationalism, conflict, and separatism. Equally, it is also important to keep in mind that Baloch nationalism is not a monolithic entity that has stayed the same since the first Baloch conflict with the federation of Pakistan in 1948. As shown in chapter six, there has been a shift in balance between the federalist and the separatist variants of Baloch nationalism. Initially, the federalists were politically stronger in articulating the public support. However, with the passage of time, or more precisely, after the announcement of mega-projects by General Pervez Musharraf's regime in the province of

Balochistan and the killing of Nawab Akbar Khan Bugti in 2006, the separatists became more popular amongst the Baloch masses. Presently, the separatist leadership has a one-point agenda of waging guerrilla warfare against Pakistan to struggle for an independent Balochistan, while the federalists are optimistic about a better future for the Baloch masses within a federal Pakistan so long as the Baloch have control over their internal affairs, resources and coastal areas including the Gwadar deep sea port.

Theorist and researchers opine that federalism is a device to overcome intrastate or ethnic conflicts by allowing the regionally concentrated ethno-national groups to have self-rule and shared rule so that the regional governments can enjoy maximum provincial autonomy with a fair and equal share in the state's resources in administrative, social and political spheres. But to date as noted in chapter VI, the Baloch are not only debarred from self-rule, but they also have a lesser share in the central institutions of the state, especially in civil and military bureaucracy. They have no control over resources emanating from their land and as well as no say or influence in the policy making, either national or international.

As argued in chapter III, the structure and composition of the Pakistani federation under the constitution of 1973 failed to solve the Baloch issues vis-à-vis autonomy, control over resources and construction of national mega projects. The distribution of powers between central and provincial governments, which is a basic and important characteristic of every federation around the world, remained a key issue throughout the constitutional history of Pakistan. The original constitution of 1973 provided two lists of powers - the federal list and the concurrent list. The central legislature was empowered to legislate on the matters enumerated in the federal list and both the central and provincial governments were empowered to legislate on the matters enumerated in the concurrent list.

However, in presence of Article 143, the federal government had actual competence not only on the subjects mentioned in the federal list, but also on the matters enumerated in the concurrent list. And, due to the dominant position of the province of Punjab in the central parliament, it (the Punjab) could pass or reject any bill if it stood against her interests.

However, the Pakistan Peoples Party (PPP), under the 18th constitutional amendments 2010, tried to strengthen the federal and democratic structure of the country and to create cooperative and working relationship between the federal and provincial governments. Theoretically, the 18th amendment stopped the possibility of future military coup d'états in Pakistan by amending Article 6 clause 1 to 3. However, the amendment did not transfer matters such as electricity, major ports, and gas/mineral resources to the provinces, which is decades old demand of the nationalist parties. Rather, it placed these items under the federal legislative list, part II wherein the Senate has the opportunity to legislate on these matters equally with the National Assembly (NA). Though, as mentioned earlier, the province of Punjab can easily override all the existing provinces in any parliament sitting if any law or amendment goes against its own interests. The problems notwithstanding, these are good steps forward in strengthening federalism, though much depends on the satisfaction of the smaller provinces and the removal of their grievances. It is argued that to strengthen federalism in Pakistan under the constitution of 1973, it is important for the dominant group and its civil-military elites to implement the 18th amendment on an urgent basis. A timely implementation would reassure the smaller ethno-national groups who have already lost faith in the federation and look at this amendment with suspicion, arguing that if the military can abrogate the whole constitution, than what can one expect from a single amendment?

Under the present constitution of 1973, the majoritarian rule that emanates from the province of Punjab is still a problem. Presently, the Baloch nationalists strongly felt that due to the policies and structure of the Pakistani federation, Baloch identity is at risk and there are chances that they would convert into minority in their own land in future Pakistan. It is therefore, as discussed in chapter II and III; federations with impartial umpire and more provinces are more successful than those that possess a lesser number of provinces having weaker umpire.

Therefore, this thesis recommended restructuring of the current federal system of Pakistan under the 1973 constitution. In this regard, there are three ways to make Pakistan's federalism more successful. Firstly, as the smaller provinces have continuously demanded more provincial autonomy, giving them control over their resources and more taxation powers would enable them to run the affairs of their respective governments. For instance, Balochistan, which is at odds in its relations with the federation since 1947, is striving to get hold of its mineral resources and ports, Khyber Pashtunkhwa is struggling for the ownership of electricity, and Sindh demands the ownership and control over oil and gas in its province. Therefore, the federal government should give up these subjects and put them under the jurisdiction of the concerned provinces. As argued earlier, there is no ideal type of a federation; successful functioning largely depends upon the federation and its ruling elite in how they manage the diversity. There are examples of federations like USA, Germany, and Australia that granted all the items mentioned above to their respective units.

Secondly, to allay the fears of the smaller provinces, it is suggested that the Senate must be empowered with equal powers as those enjoyed by the National Assembly. This is because the Senate of Pakistan is the only institution which

represents all the provinces on a parity basis. In any joint sitting of the parliament, a 2/3rd majority must be made essential to pass any bill, including money bills which are related to the financial matters and annual budgets. By doing so, the grievances of smaller provinces will be addressed, and ultimately, the people will be oriented towards their own elected representatives rather than opting for separation and conflict.

Thirdly, to manage the Pakistani federation in better ways, the remedy lays in dividing the dominant province, the Punjab (which is over 50% of the total population of Pakistan), and in also dividing those provinces where there is a sense of ethno-national groups wanting their own separate provinces. Such demands already exist. For instance, the people of southern Punjab, speaking Saraiki language, demand their own province with the name of Saraikistan, the inhabitants of Bahawalpur (which was a princely state before the creation of Pakistan) demand a Bahawalpur province, and the Pashtuns of Balochistan demand either to merge with Khyber Pashtunkhwa or have their own province with the name of southern Pashtunkhwa. Many Baloch nationalists also demand the return and amalgamation into Balochistan, of areas such as Dera Ghazi Khan and Rajanpur, which were once under the state of Kalat and contain millions. Unsurprisingly, it is only the province of Punjab that has never demanded the creation of new provinces or asked for a decentralised federation. This is because the province of Punjab not only dominates the central legislature and other institutions such as the army and the bureaucracy, but it also gets a lion's share in the allocation of national resources. Therefore, the issues and problems of Pakistani federation are connected to the dominant position of the Punjab in all matters including internal and external affairs of the country. The creation of new provinces and the redistribution and realignment of the existing ones would be a

really difficult task and a hard decision for the province of Punjab, but at least it will put the federation of Pakistan on the right track, allowing every ethno-national group to breathe a sigh of relief and the ethno-national movements would set aside with the passage of time. Successful federations around the world such as the USA, Canada, and Switzerland possess 50, 10, and 26 units respectively. India, a contemporary of Pakistan, also possesses 28 states, and continues to create more. So, there is no harm in creating more provinces but rather it strengthened the federation.

The Baloch separatists are determined to establish an independent state for the Baloch through guerilla warfare. They are claiming not only the Pakistani province of Balochistan but also parts of Sindh (Jacobabad), Punjab (Dera Ghazi Khan), the Iranian province of Sistan and Balochistan, and the adjacent areas of southern Afghanistan; all the areas where the Baloch population has been living for centuries. So, the Baloch separatists are challenging the integrity of the Pakistani federation and also, at the same time, antagonizing other ethnic groups within Pakistan and the neighboring countries of Iran and Afghanistan. The idea of a Greater Balochistan is, therefore, highly challenging for the separatist leadership to implement. Their only hope of liberation for Balochistan lies in getting international support or intervention against the excesses of the Pakistani state. However, in the prevailing circumstances, this will not happen any time soon. Pakistan possesses a huge well trained army, sophisticated weaponry (including nuclear weapons), and it is also an important ally of the international forces (especially the USA, Great Britain, as well as China); it is clearly not an easy task for the international forces to intervene in favour of supporting the Baloch separatists in their struggle against Pakistan.

On the other hand, the Baloch federalists are engaged in political processes within the federation of Pakistan and seem optimistic regarding their future prospects in the federation. In the long run, they have a chance of success if the federation of Pakistan accommodates the Baloch grievances sincerely and allows them to have control over their internal affairs and all the resources that emanate from the province of Balochistan (including the lion's share of the benefits from the Gwadar deep sea port). In case the federal government does not address the grievances of the federalist Baloch nationalists, then it is quite likely that the latter would lose their political support amongst the Baloch masses, and would ultimately join the separatist groups in Balochistan. Given the present state of affairs, the Baloch separatists would continue waging their struggle intermittently, always seeking opportunities to secede Balochistan from Pakistan. Likewise, the other ethno-national groups are also not happy with highly centralized character of the Pakistani federation and therefore, they too would continue to try to break away from the federation of Pakistan, if the Pakistan state did not mend its federal character as per the wishes and aspirations of the smaller ethno-national groups. The responsibility for maintaining the stability of Pakistan thus lies with the federation. Only with a more magnanimous and just sharing of power and resources it can fulfil the vision of a stable Pakistan that works for all its constituent population including the Baloch; without that, it faces an existential crisis.

Appendices

Appendix I: The Set of Questions

Set of Questions - 'A' for federalists

Personal Information

1. Your name please:
2. Your age please: i) 25 to 35 ii) 35 to 45 iii) 45 to 55 iv) 55 to 65 v) 65 to 75.
3. Your gender please: i) Male ii) Female
4. Your political affiliation and position please:
.....
5. Your ethnic background please: i) Baloch ii) Pashtun iii) Punjabi iv) Sindhi v) Saraiki and vi) Mohajir.

Federalism and Baloch Nationalism

6. Could you please say something about the Baloch. Who are they?
کیا آپ بلوچوں کے بارے میں کچھ بتا سکتے ہیں کہ بلوچ کون ہیں؟
7. Federation(s) emerged due to mutual agreement amongst various regions, ethnic, lingual and national groups. What is your opinion regarding the federation of Pakistan? How did it come into being?
فیڈریشن تب وجود میں آتا ہے کہ جب کئی علاقے، نسلی و لسانی گروہ یا قومیں ساتھ رہنے کا معاہدہ کر لیتے ہیں۔ پاکستانی فیڈریشن کے بارے میں آپ کی کیا رائے ہے، یہ کیسے وجود میں آیا؟
8. In your opinion what are the main problems and grievances of the Baloch? What do they want?
آپ کے خیال میں بلوچوں کے اہم مسائل اور شکایات کیا ہیں؟ وہ کیا چاہتے ہیں؟
9. What advantages/disadvantages does the Pakistani federal structure have for the Baloch? [Or To what extent is the Baloch conflict a product of the weaknesses of Pakistan's federal structure?]
پاکستانی وفاقی نظام میں بلوچوں کیلئے کیا فائدے / نقصانات ہیں؟ یا پھر کس حد تک بلوچ مسئلہ پاکستانی وفاقی نظام کے کمزوریوں کا پیداوار ہے؟
10. There are various conflicts between some Baloch nationalists and federation of Pakistan in various years. Do you think that these conflicts are an ongoing phenomenon or are there different phases?
کئی بلوچ قوم پرستوں اور وفاقی پاکستان کے درمیان مختلف ادوار میں جھگڑے ہوتے رہے ہیں، کیا آپ سمجھتے ہیں کہ یہ جھگڑے ایک ہی کڑی کے تسلسل ہیں؟ یا پھر اس کے مختلف ادوار اور مقاصد تھے یا پھر ہیں؟
11. Every problem has some sort of solutions. Could you please suggest something to resolve the Baloch problem within or without the federation of Pakistan? [Probing questions: Within Pakistan how? Without Pakistan how?]
ہر مسئلے کا کوئی نہ کوئی حل ہوتا ہے۔ کیا آپ بلوچ مسئلے کے حل کیلئے، پاکستانی فیڈریشن میں رہتے ہوئے یا فیڈریشن کے بغیر، کوئی تجویز دے سکتے ہیں؟ کیسے؟

12. Are there various types of Baloch Nationalism? Or do you see differences within Baloch nationalism?
کیا بلوچ قوم پرستی (نیشنلزم) کے مختلف اقسام ہیں یا پھر کیا آپ بلوچ نیشنلزم کے اندر کوئی فرق دیکھتے ہو؟
13. It has been said that the Pakistani state is complete denial and is of the opinion that a few Baloch Sardars (tribal chiefs) are responsible for the Baloch problem. What is your opinion in this regard?
یہ تاثر دیا جاتا ہے کہ پاکستانی ریاست انکاری ہے اور رائے رکھتی ہے کہ چند بلوچ سردار بلوچ مسئلے کے ذمہ دار ہیں، اس بارے میں آپ کی کیا رائے ہے؟
14. In your opinion what is the future of Baloch nationalism and the federation of Pakistan?
آپ کے خیال میں بلوچ نیشنلزم (قوم پرستی) اور پاکستانی فیڈریشن کا مستقبل کیا ہے؟
15. Do you think that the federation of Pakistan after the 18th constitutional amendment is acceptable to Baloch nationalists?
کیا آپ کے خیال میں پاکستانی فیڈریشن اٹھارویں ترمیم کے بعد بلوچ قوم پرستوں کو قابل قبول ہو گا؟
16. It is observed that you believe in a true/real federation of Pakistan. Could you please comment what kind of federation you want to be a part of? [Probing or follow up question(s)].
یہ تاثر ملتا ہے کہ آپ ایک صحیح پاکستانی فیڈریشن میں یقین رکھتے ہو، کیا آپ بتا سکتے ہیں کہ آپ کس طرح کی فیڈریشن کا حصہ بننا چاہتے ہیں؟
17. Is there anything else you want to say regarding the politics of nationalism, federalism and separatism in the context of Baloch nationalism and federation of Pakistan? Or if you have any questions for me, you are most welcome to ask them.
کیا آپ بلوچ نیشنلزم اور پاکستانی فیڈریشن کے بارے میں مزید کچھ کہنا پسند فرمائیں گے، یا پھر اگر آپ کا کوئی سوال ہو، مجھے بڑی خوشی ہوگی۔

Thank you very much for your precious time and valuable opinions, comments, and suggestions.

Set of Questions - 'B' for separatists

Personal Information

1. Your name please:
2. Your age please: i) 25 to 35 ii) 35 to 45 iii) 45 to 55 iv) 55 to 65 v) 65 to 75.
3. Your gender please: i) Male ii) Female
4. Your political affiliation and position please:
5. Your ethnic background please: i) Baloch ii) Pashtun iii) Punjabi iv) Sindhi v) Saraiki and vi) Mohajir.

Federalism and Baloch Nationalism

6. Could you please say something about the Baloch. Who are they?
کیا آپ بلوچوں کے بارے میں کچھ بتا سکتے ہیں کہ بلوچ کون ہیں؟

7. Federation(s) emerged due to mutual agreement amongst various regions, ethnic, lingual and national groups. What is your opinion regarding the federation of Pakistan? How did it come into being?
 فیڈریشن تب وجود میں آتا ہے کہ جب کئی علاقے، نسلی و لسانی گروہ یا قومیں ساتھ رہنے کا معاہدہ کر لیتے ہیں۔ پاکستانی فیڈریشن کے بارے میں آپ کی کیا رائے ہے، یہ کیسے وجود میں آیا؟
8. In your opinion what are the main problems and grievances of the Baloch? What do they want?
 آپ کے خیال میں بلوچوں کے اہم مسائل اور شکایات کیا ہیں؟ وہ کیا چاہتے ہیں؟
9. What advantages/disadvantages does the Pakistani federal structure have for the Baloch? [Or To what extent is the Baloch conflict a product of the weaknesses of Pakistan's federal structure?]
 پاکستان کے وفاقی نظام میں بلوچوں کیلئے کیا فائدے / نقصانات ہیں؟ یا پھر کس حد تک بلوچ مسئلہ پاکستانی وفاقی نظام کے کمزوریوں کا پیداوار ہے؟
10. There are various conflicts between some Baloch nationalists and federation of Pakistan in various years. Do you think that these conflicts are an ongoing phenomenon or are there different phases?
 کئی بلوچ قوم پرستوں اور وفاق پاکستان کے درمیان مختلف ادوار میں جھگڑے ہوتے رہے ہیں، کیا آپ سمجھتے ہیں کہ یہ جھگڑے ایک ہی کڑی کے تسلسل ہیں؟ یا پھر اس کے مختلف ادوار اور مقاصد تھے یا پھر ہیں؟
11. Every problem has some sort of solutions. Could you please suggest something to resolve the Baloch problem within or without the federation of Pakistan? [Probing questions: Within Pakistan how? Without Pakistan how?]
 ہر مسئلے کا کوئی نہ کوئی حل ہوتا ہے۔ کیا آپ بلوچ مسئلے کے حل کیلئے، پاکستانی فیڈریشن میں رہتے ہوئے یا فیڈریشن کے بغیر، کوئی تجویز دے سکتے ہیں؟ کیسے؟
12. Are there various types of Baloch Nationalism? Or do you see differences within Baloch nationalism?
 کیا بلوچ قوم پرستی (نیشنلزم) کے مختلف اقسام ہیں یا پھر کیا آپ بلوچ نیشنلزم کے اندر کوئی فرق دیکھتے ہو؟
13. It is said that the Pakistani state is in a state of complete denial and is of the opinion that few a Baloch Sardars (tribal chiefs) are responsible for the Baloch problem. What is your opinion in this regard?
 یہ کہا جاتا ہے کہ پاکستانی ریاست انکاری ہے اور رائے رکھتی ہے کہ چند بلوچ سردار بلوچ مسئلے کے ذمہ دار ہیں، اس بارے میں آپ کی کیا رائے ہے؟
14. In your opinion what is the future of Baloch nationalism and the federation of Pakistan?
 آپ کے خیال میں بلوچ نیشنلزم (قوم پرستی) اور پاکستانی فیڈریشن کا مستقبل کیا ہے؟
15. Do you think that the federation of Pakistan after the 18th constitutional amendment is acceptable to Baloch nationalists?
 کیا آپ کے خیال میں پاکستانی فیڈریشن اٹھارویں ترمیم کے بعد بلوچ قوم پرستوں کو قابل قبول ہو گا؟
16. It is said that you have only one agenda i.e. an independent Balochistan. Is that true? Do you think that the federation of Pakistan as well as the international community will allow the Baloch masses to have their own state of Balochistan? [Probing or follow up question(s) from the discussion].
 یہ کہا جاتا ہے کہ آپ کا ون پوائنٹ ایجنڈا ہے، آزاد بلوچستان۔ کیا یہ درست ہے؟ کیا آپ سمجھتے ہیں کہ پاکستانی ریاست اور انٹرنیشنل کمیونٹی بلوچوں کو ایک آزاد ریاست دینے پر رضامند ہوگی؟
17. Is there anything else you want to say regarding the politics of nationalism, federalism and separatism in the context of Baloch

nationalism and federation of Pakistan? Or if you have any questions for me, you are most welcome to ask them.

کیا آپ بلوچ نیشنلزم اور پاکستانی فیڈریشن کے بارے میں مزید کچھ کہنا پسند فرمائیں گے، یا پھر اگر آپ کا کوئی سوال ہو، مجھے بڑی خوشی ہوگی۔

Thank you very much for your precious time and valuable opinions, comments, and suggestions.

Set of Questions - 'C' for Academics, Intellectuals, and Government Officials

Personal Information

1. Your name please:
2. Your age please: i) 25 to 35 ii) 35 to 45 iii) 45 to 55 iv) 55 to 65 v) 65 to 75.
3. Your gender please: i) Male ii) Female
4. Your political affiliation and position please:
.....
5. Your ethnic background please: i) Baloch ii) Pashtun iii) Punjabi iv) Sindhi v) Saraiki and vi) Mohajir.
6. For how long you served or remained in Balochistan and at what post or position:
i) period..... ii) post.....

Federalism and Baloch Nationalism

7. Could you please say something about the Baloch. Who are they?
کیا آپ بلوچوں کے بارے میں کچھ بتا سکتے ہیں کہ بلوچ کون ہیں؟
8. Federation(s) emerged due to mutual agreement amongst various regions, ethnic, lingual and national groups. What is your opinion regarding the federation of Pakistan? How did it come into being?
فیڈریشن تب وجود میں آتا ہے کہ جب کئی علاقے، نسلی و لسانی گروہ یا قومیں ساتھ رہنے کا معاہدہ کر لیتے ہیں۔ پاکستانی فیڈریشن کے بارے میں آپ کی کیا رائے ہے، یہ کیسے وجود میں آیا؟
9. In your opinion what are the main problems and grievances of the Baloch? What do they want?
آپ کے خیال میں بلوچوں کے اہم مسائل اور شکایات کیا ہیں؟ وہ کیا چاہتے ہیں؟
10. What advantages/disadvantages does the Pakistani federal structure have for the Baloch? [Or To what extent is the Baloch conflict a product of the weaknesses of Pakistan's federal structure?]
پاکستان کے وفاقی نظام میں بلوچوں کیلئے کیا فائدے / نقصانات ہیں؟ یا پھر کس حد تک بلوچ مسئلہ پاکستانی وفاقی نظام کے کمزوریوں کا پیداوار ہے؟
11. There are various conflicts between some Baloch nationalists and federation of Pakistan in various years. Do you think that these conflicts are an ongoing phenomenon or are there different phases?
کئی بلوچ قوم پرستوں اور وفاق پاکستان کے درمیان مختلف ادوار میں جھگڑے ہوتے رہے ہیں، کیا آپ سمجھتے ہیں کہ یہ جھگڑے ایک ہی کڑی کے تسلسل ہیں؟ یا پھر اس کے مختلف ادوار اور مقاصد تھے یا پھر ہیں؟

12. Every problem has some sort of solutions. Could you please suggest something to resolve the Baloch problem within or without the federation of Pakistan? [Probing questions: Within Pakistan how? Without Pakistan how?]

ہر مسئلے کا کوئی نہ کوئی حل ہوتا ہے۔ کیا آپ بلوچ مسئلے کے حل کیلئے، پاکستانی فیڈریشن میں رہتے ہوئے یا فیڈریشن کے بغیر، کوئی تجویز دے سکتے ہیں؟ کیسے؟

13. Are there various types of Baloch Nationalism? Or do you see differences within Baloch nationalism?

کیا بلوچ قوم پرستی (نیشنلزم) کے مختلف اقسام ہیں یا پھر کیا آپ بلوچ نیشنلزم کے اندر کوئی فرق دیکھتے ہو؟

14. It is said that the Pakistani state is in a state of complete denial and is of the opinion that few a Baloch Sardars (tribal chiefs) are responsible for the Baloch problem. What is your opinion in this regard?

یہ کہا جاتا ہے کہ پاکستانی ریاست انکاری ہے اور رائے رکھتی ہے کہ چند بلوچ سردار بلوچ مسئلے کے ذمہ دار ہیں، اس بارے میں آپ کی کیا رائے ہے؟

15. In your opinion what is the future of Baloch nationalism and the federation of Pakistan?

آپ کے خیال میں بلوچ نیشنلزم (قوم پرستی) اور پاکستانی فیڈریشن کا مستقبل کیا ہے؟

16. The Baloch remained at war with the federation of Pakistan since 1948. However the 18th amendment is a big step forwards to remove the Baloch grievances. Keeping in view the ongoing crises in Balochistan, do you think that the Baloch as a nation or as an ethnic group can accommodate themselves within the federation of Pakistan anymore?

بلوچ مختلف اوقات میں ریاست پاکستان کے ساتھ کئی وجوہات کی بنا پر لڑتے آ رہے ہیں۔ تاہم اٹھارویں ترمیم بلوچوں کے شکایات دور کرنے کیلئے ایک بہت بڑا قدم ہے۔ لیکن بلوچستان کے موجودہ حالات کو سامنے رکھتے ہوئے کیا آپ کے خیال میں بلوچ اپنے آپ کو پاکستانی ریاست میں اکوموڈیٹ کر پائیں گے؟

17. It is said that Baloch nationalism is the product of the lack of democratic rule in Pakistan, including the lack of socio-economic development in the province of Balochistan. They (the Baloch) think that the federation of Pakistan needs the land and resources of Balochistan and not the people of Balochistan. What is your opinion in this regard?

یہ کہا جاتا ہے کہ بلوچ نیشنلزم پاکستان کے غیر جمہوری رویے، بشمول صوبہ بلوچستان کے معاشی اور معاشرتی ناانصافیوں کا پیداوار ہے۔ بلوچ قوم پرست خیال کرتے ہیں کہ پاکستانی فیڈریشن کو بلوچستان کی زمین اور وسائل سے غرض ہے ناکہ بلوچستان کے لوگوں سے؟ اس بارے میں آپ کی کیا رائے ہے؟

18. Is there anything else you want to say regarding the politics of nationalism, federalism and separatism in the context of Baloch nationalism and federation of Pakistan? Or if you have any question for me you are most welcome.

کیا آپ بلوچ نیشنلزم اور پاکستانی فیڈریشن کے بارے میں مزید کچھ کہنا پسند فرمائیں گے، یا پھر اگر آپ کا کوئی سوال ہو، مجھے بڑی خوشی ہوگی۔

Thank you very much for your precious time and valuable opinions, comments, and suggestions.

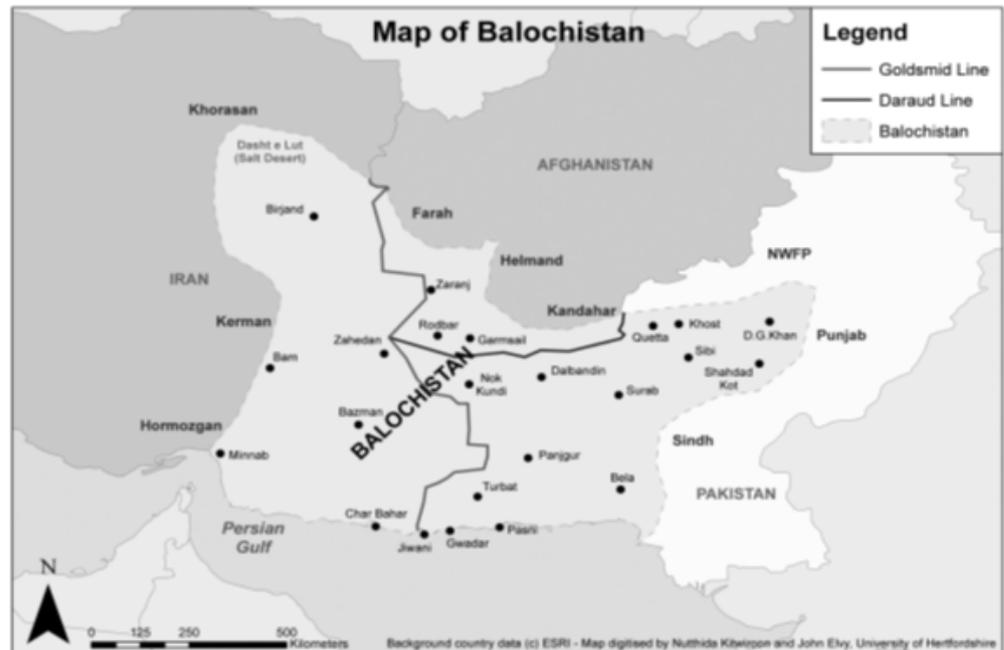
Appendix II:

Map 1: East and West Pakistan



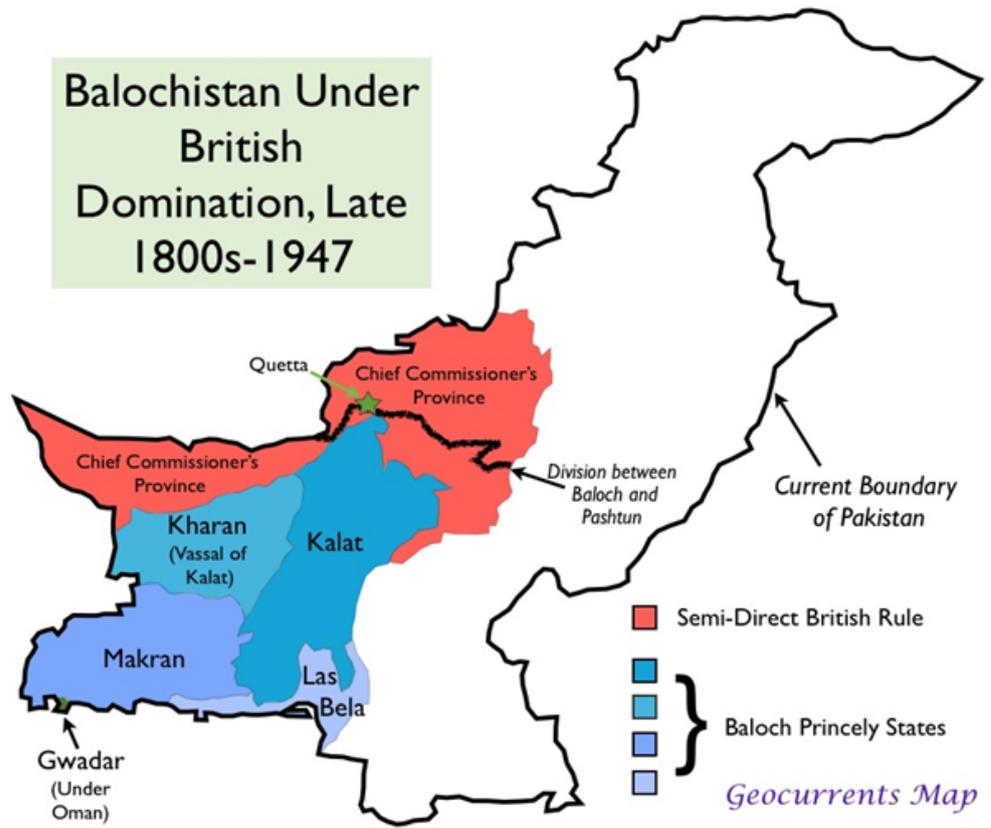
Source: BBC News 8th August (2007)

Map 2: Kalat during the reign of Mir Naseer Khan Noori I



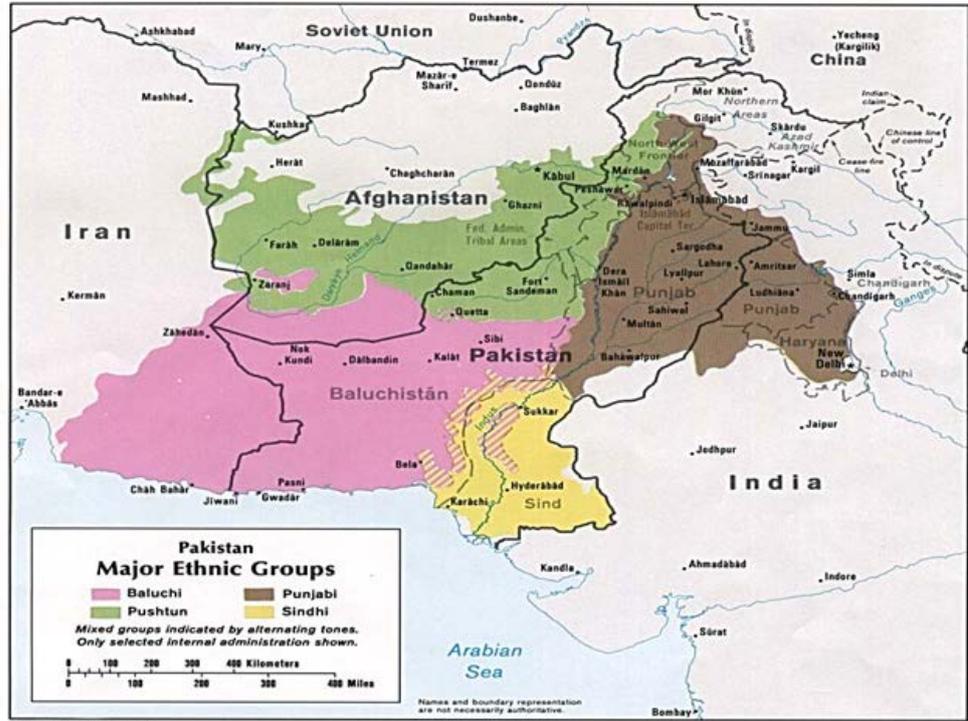
Source: Dashti (2013: 186).

Map 3: Administrative and Zones-wise map of Balochistan under British India



Source: Lewis (2011)

Map: 4: Kalat (Balochistan) after the Goldsmith and Durand line showing the division of land and ethno-national Baloch amongst Iran, Pakistan, and Afghanistan



Source: <<http://www.paknewz.com/ethnic-map-of-pakistan/>>

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Baloch, Assadullah, (Quetta 21thFeb.2013), General Secretary ABNP-A and Provincial Minister of Agriculture (2009-2013).

Baloch, Haleem, (Quetta, 17th Feb. 2013), former Chairman BSO-P.

Baloch, Imran (Karachi, 4th March 2013) Vice president of BSO-M.

Baloch, Qambar (London, 20th March 2013), President Baloch Youth Association, UK branch.

Baloch, Rehmat (Quetta, 16th Feb. 2013), Central Secretary Labour of NP and X-MPA Balochistan Assembly.

Barech, Kaleemullah, (Quetta, 26th Feb. 2013), Chairperson, Department of History, University of Balochistan.

Bazai, Naseebullah (Quetta, 25th Feb. 2013), Secretary Health Govt. of Balochistan.

Bizenjo, Tahir, (Karachi, 4th March 2013), Central Secretary General of NP and former Senator.

Bugti, Aziz (Quetta, date 25th June 2013 via written response to the set of Questions).

Dashti, Naseer, (London, 10th April 2013), a Medical Doctor, Historian and Baloch intellectual, affiliated with Baloch National Struggle.

Haider, Hammal, (London on 1st April 2013), an exile pro-independence political activist and Member of Central Committee of BNM.

Jamaldini, Jahanzeb, (Quetta, 24th Feb. 2013), Acting President of BNP-M.

Jan, Ahmed, (Quetta, 17th Feb. 2013), former Chairman of PSO and existing member of the Central Committee, PkMAP.

Jan, Khair, (Quetta, 22nd Feb. 2013), Member of Central Committee of NP and former District Nazim, Awaran and Chairman of BSO.

Kakar, Usman, (Quetta, 17th Feb. 2013) Provincial General President and Member of Central Committee of PkMAP.

Karimzadi, Shahzvar, (London on 30th March 2013) Senior lecturer, Metropolitan University, London and a Baloch political and human rights activists.

Kashani, Liaquat, (Quetta, 15th Feb. 2013), Provincial Govt Official, Deputy Director Mining.

Khan, Kahoor (Quetta, 17th Feb. 2013), a senior Govt. Official and a Baloch intellectual.

Marri, Hyerbyair (London, 30th March 2013), an exile Pro-independence leader and an alleged leader of BLA and BLF.

Marri, Shah Muhammad, (Quetta 26th Feb. 2013), Professor, Bolan Medical College, Quetta and Baloch intellectual as well as writer.

Marri, Surat Khan, (Quetta, 20th Feb. 2013), retired Govt. Official and Baloch Intellectual.

Mengal, Sardar Attaullah, (Karachi, 4th March 2013), the first Chief Minister of Balochistan 1970s and founder of BNP-M.

Rahman, Rashid, (Lahore, 9th March 2013), Editor Daily Times, Pakistan.

Sajjid, Assim Akhtar, (Islamabad, 11th March 2013), Assistant Professor, Quaid-e-Azam University, Islamabad.

Shah, Prof. Muhammad Ali, (Balochistan University, Quetta, 19th Feb. 2013), Head Department of Political Science, University of Balochistan.

Talpur, Mir Mohammad Ali, (Hyderabad, 7th March 2013), prominent columnist, the Daily Times and Baloch human right activist.