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Jan. 11

The Afghan - Pakistan dispute over "Pakhtunistan"

11 January 1956

THE AFGHAN-PAKISTAN DISPUTE OVER "PAKHTUNISTAN"

At a press conference on December 18, 1955, Prince Naim Khan, Deputy Prime Minister and Foreign Minister of Afghanistan, observed that the "Pakhtunistan" problem, now in dispute between Afghanistan and Pakistan, would eventually be submitted to the Security Council.

The dispute arises from Afghanistan's demand for the application of the right of self-determination to the "Pakhtun" (also known as "Pathan") people, who inhabit the western region of West Pakistan, and who belong to the same race and speak the same language (Pushtu) as the major racial group in Afghanistan. Afghanistan advocates the creation of a "Pakhtun" state, which should be given the opportunity to determine for itself whether to remain independent.

Pakistan claims full sovereignty over the territory involved and considers the Afghan demand not a proper subject for negotiation.

The dispute involves about 170,000 square miles (over half the territory of West Pakistan, which in turn accounts for six-sevenths of Pakistan's area), with a population of about seven million. It is a strategic area bordering on the Hindu Kush mountain range and controlling the two major passes through the range. Its importance lies also in the fact that acquisition of the region would provide Afghanistan, a land-locked territory, with access to the sea.

The area encompassed by the Afghan demand includes: (1) the "settled" or "administered" region of the former Northwest Frontier Province with an area of 14,200 square miles and a population of about three million; (2) the tribal territory between the settled area and the frontier, with an area of 25,076 square miles and a population of two and a half million; and (3) the desert province of Baluchistan in the south, with an area of 134,002 square miles and

a population of about a million. The inclusion of Baluchistan, the population of which is heterogeneous, is significant because Baluchistan borders on the Arabian Sea.

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At issue between the two governments is the legal validity of the present frontier - known as the "Durand Line", after the British negotiator Sir Mortimer Durand - set by the Anglo-Afghan agreement of 12 November 1893<sup>1/</sup>. This frontier was demarcated in 1895, and confirmed by a treaty<sup>2/</sup> of 12 November 1921. Pakistan claims this line as the legal frontier of Pakistan, by virtue of her succession to British dominion in the area, and Britain supports this view. Afghanistan contends that the tribal territory along the frontier had been a protectorate and not part of British India, that Britain had recognized Afghanistan's interest in the area, and that Britain could not transfer it to Pakistan. The Anglo-Afghan treaty of 1921 was denounced by Afghanistan in 1949.

It would appear that the legal arguments of Afghanistan - which apply indeed only to the tribal territory - are advanced mainly to supplement a basically irrendentist political demand arising from the withdrawal of British power from the area. Afghanistan hopes to undo the frontier settlement of 1893 and 1921, which reflected its weakness in relation to British power. The artificial "Durand Line" had cut across the territories of various tribes, and pro-Afghan sentiment had existed in some degree beyond that line. Numerous military expeditions had to be conducted, even as late as 1938, to pacify the tribes on the British side, but the disturbances were generally not caused by political feelings.

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<sup>1/</sup> Text in British and Foreign State Papers, Vol. 95, pp. 1049-51.  
<sup>2/</sup> Ibid. Vol. 114, pp. 174-9.

In the settled area, the focus of attention since 1930 has been not violence or irrendentism, but a Gandhian movement led by Abdul Ghaffar Khan ("Frontier Gandhi") which was part of the movement for the independence of India. In 1947, when the partition and independence of India was contemplated, Afghanistan claimed that it should be consulted regarding the disposition of the frontier and raised the demand of "Pakhtunistan". Abdul Ghaffar Khan advocated a "Pathan state", denying, however, that his demand had any connection with the Afghan claim. A referendum held in the province in June, 1947, to decide its accession to India or Pakistan was boycotted by Ghaffar Khan and his followers, but a majority of eligible voters participated and overwhelmingly voted for joining Pakistan. Shortly after the establishment of Pakistan, Ghaffar Khan and many of his followers were imprisoned. Pakistan's policy on the frontier would appear to combine inducements and repression; the extent of the repression is uncertain, for Afghan reports that the tribes favour "Pakhtunistan", that they had frequently revolted, and that Pakistan had followed a violently repressive policy, are difficult to verify in the absence of impartial investigation.

In 1954, Pakistan released Ghaffar Khan and his elder brother, Dr. Khan Sahib, from jail. Early in 1955, Dr. Khan Sahib became a member of the Pakistan Cabinet and, a few months later, was named Chief Minister of the West Pakistan province, formed in October 1955 by the merger of several administrative units. Ghaffar Khan, however, continues to advocate a "Pathan state" and has opposed the merger of West Pakistan.

Unification of West Pakistan was conceived in Pakistan largely as a way out of governmental instability caused by provincial rivalry. While this step is opposed by several politicians, some of whom advocate provincial units based on linguistic affinity, there is no evidence to indicate that the Afghan intervention is welcomed by any leaders within the actual area of dispute.

A barrage of propaganda has ensued from the two parties to the dispute. In addition, Pakistan has repeatedly charged infiltration and sabotage from the Afghan side, while Afghanistan has charged that Pakistan has obstructed the free flow of her foreign trade through Pakistan territory.

The policies of four states - United Kingdom, India, Soviet Union and the United States - are of some significance in relation to this dispute. The United Kingdom supports the Pakistan position and appears to feel that Afghanistan may be dissuaded from its course by pressure from other states.

India has been accused by Pakistan of encouraging Afghan claims, but little evidence is adduced except the convocation of a "Pakhtun" conference in New Delhi and the publicity given to the issue in the Indian press. India and Afghanistan are united by a "neutralist" foreign policy and share concern over Pakistan's military agreements, but the Indian Government has not committed itself on the "Pakhtunistan" dispute.

Until recently, the Soviet Union had refrained from taking a position on the substantive question and confined itself to charging that the dispute was created by "Anglo-American intervention". In December 1955, however, Prime Minister Bulganin expressed sympathy with the Afghan policy on the question.

The United States has apparently been faced with a dilemma. While it has close relations with Pakistan, it is concerned lest strong counter-measures by Pakistan force Afghanistan into the Soviet orbit. In 1950 and again in December 1955, it offered its good offices to the two countries to arrive at a settlement.

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Relations between Pakistan and Afghanistan deteriorated in 1955 when the unification of West Pakistan into one province was resented by Afghanistan as a

move to counter the "Pakhtunistan" demand. The Soviet declaration of sympathy towards the Afghan demand has injected a new element into the situation.

Despite the Afghan Foreign Minister's statement, however, doubt may well be entertained regarding the likelihood of reference of the dispute to the Security Council in the immediate future in view of the improbability of support from other states. If relations between Pakistan and Afghanistan should deteriorate further, however, the question might be brought to the United Nations either in the form of a complaint by Afghanistan charging Pakistan with the establishment of a blockade, or as a complaint by Pakistan charging Afghanistan with frontier incidents.