

PAKHTUNISTAN
DAY

9th OF SUNBOLA 1328 A.H.

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September 2nd is Pakhtunistan Day. This day is celebrated throughout Pakhtunistan, in Afghanistan, and by Pakhtuns in India, Australia and the United States of America, to mark the occasion when the flag of Independent Pakhtunistan was first hoisted in 1949.

The purpose of this pamphlet is to outline the causes which led to the setting up of the Constitution of the State of Pakhtunistan.



PAKHTUNISTAN

Pakhtunistan is the territory between the border of Afghanistan and the natural and historical border of the Indian sub-continent—the River Indus. It is separated from Kashmir by 350 miles of frontier, covering an area of more than 190,000 square miles, extending from Chitral in the north to Baluchistan in the south.

“Pakhtunistan” means “the land of the Pakhtuns”. The Indian form “Pathanistan” is derived from the Indian pronunciation of the word “Pakhtun” as “Pathan”, which has been used by most of the foreign writers.

The most important districts and passes, which have been the scene of many historical events, are Chitral, Hazara, Kohistan, Swat, Dir, Buner, Peshawar, Tirah, Bajaur, Kohat, Bannu, Dera Ghazi Khan, Dera Ismail Khan, Waziristan, Gomal and Baluchistan, including the famous passes of Khyber, Kohat, Pezu, Gomal, Bolan and Malakand.

THE PAKTUNS

The population of 7 millions are known as “Pakhtuns”. This name is related historically to “Bakhti” or “Bakhtar” the ancient Bactria, today known as Balkh, which is situated in northern Afghanistan in the Afghan province of Mazar. It was from this province that during the period of the Aryan migration the Pakhtuns migrated to inhabit the western, eastern and southern provinces of Afghanistan, to the banks of the River Indus.

In the ancient documents of Avesta and Rigveda the Pakhtuns are referred to as “Pak-ht” and their land as “Paktia” or “Paktica”. The Greek historian Herodotus

mentions the Pakhtuns as “Paktyes”, or the inhabitants of Paktya. They are described as warlike cavaliers who inhabited one of the most mountainous regions in Central Asia and who, as a powerful community of the Aryan race, succeeded in establishing themselves on the fertile bank of the Indus river, to which river they gave the name of “Sindh”, from which is derived the word “Hind” or “India”. The word Sindh, meaning ‘river’ in Pakhto, was given to the river Sindh (the Indus) by the Pakhtuns to mark the boundary of the Indian sub-continent.

PAKHTO

The language of the Pakhtuns is called “Pakhto” and is spoken in Afghanistan and Pakhtunistan and understood in the adjacent regions surrounding these countries by over 20 million people. It is an Aryan language, closely related to Sanskrit and to Zend, and belongs to the Indo-Aryan group of languages. According to the recent works of eminent orientalisks and philologists, Pakhto has preserved the form of words closest to the original tongue of the Aryans and provides the direct link, preserved in the mountains of Ariana (ancient Afghanistan), with the Indo-Aryan languages.

HISTORY

Before the 19th century, the history of Pakhtunistan forms an inseparable part of the history of Afghanistan, as it was only in the 19th century that this territory was separated from Afghanistan, as a result of the extension of the British influence from India to Central Asia, breaking the Afghan Empire in India.

It is not the purpose of this pamphlet to go further into the early history of Pakhtunistan, but it is essential to acquaint readers with the situation before the partition of India.

Before India was partitioned, the territory between Afghanistan and British India was known as “no-man’s-land”. The status of this territory is described by a British historian as “the country of the independent tribes, as it is often termed, between the British administrative border and the Durand line, is in political theory a British protectorate.

It has not been annexed; the tribes have not accepted our rule.” (Sir William Barton—“*India’s North West Frontier*” page 19).

After the partition the situation should be studied more carefully because of the complications which were created as a result of the policies adopted in this part of the world.

When the sub-continent of India was granted its independence, it was welcomed by all Asian people as one of the greatest events history had ever witnessed. The love of freedom that never died in the heart of the peoples of Asia was a leading factor in the recognition of the significance of this event. The Afghans, among other peoples, rejoiced at this event and hoped that some of the political problems which existed would be solved.

The partition of India, however, led to some unexpected results. Some of the basic problems of this part of the world were solved, but unfortunately serious difficulties and political differences in India and Central Asia ensued. The dividing of India, which all through history had remained a unit, was the real cause of the trouble, as the policy of partition, being based purely on a religious principle, completely ignored other important factors.

The problem of Kashmir arose from the miserable situation of hatred and bloodshed between the Hindus and Muslims. The question of Pakhtunistan became a source of differences between the Muslims of Pakhtunistan and Pakistan.

There are two sides to this story at the present time, namely, the point of view of the Pakistan Government and the claim of the Pakhtun people for the independence of “Pakhtunistan”. Before any explanation can be given of these varying points of view, it is essential to emphasize that the history of the dispute over this territory between the Governments of Afghanistan and Great Britain goes back to the 19th century, when it was separated from Afghanistan. Since their territory was reft by military force from Afghanistan, the Pakhtuns have been fighting continuously for their

independence and Afghanistan has always supported their cause.

THE PAKISTAN POINT OF VIEW

The Pakistan Government's point of view is based on the claim to inheritance of the territory from the British, after India was partitioned, as a successor authority to the British Government of India in one of the parts into which British India was divided. Pakistan's claim is that as the population of this territory are followers of the Islam religion it should be included in Pakistan. Moreover, some of the Pakistani sources of propaganda bring forth the argument that as a result of a referendum held after the partition of India, this territory was annexed to the new State of Pakistan.

THE CLAIM OF PAKHTUNISTAN

In claiming their independence the Pakhtun people contend:—

- (a) That the land of Pakhtuns, neither geographically nor historically, can be considered a part of the Indian sub-continent as "India stops abruptly at the Indus".
- (b) That religion can in no way be considered the sole factor by which the fate of peoples should be decided.
- (c) That even if this territory were a part of British India, all different communities in India should have been granted their independence as the Indian Hindus and the Indian Muslims were granted the right of self-administration. But the third community, namely the Afghans or Pakhtuns, as a non-Indian Muslim community, were deprived of their legitimate right to independence against their will. This argument is based on the fact that the Pakhtuns are completely different from the Indian Hindus and also from the Indian Muslims in race, culture, language and way of life. The only thing they have in common with the Indian Muslims is that they share the same religious belief.
- (d) That Pakhtunistan, since its separation from Afghanistan,

has never had a stable character and this cannot be imposed upon it from outside territory through the agency of violent conquest.

- (e) That the right of self-determination should be respected as a fundamental human right.
- (f) That as stated in the Atlantic Charter and confirmed by the Charter of the United Nations:—
 - (i) The desire to recognise any territorial changes only in accordance with the freely expressed wishes of the people concerned.
 - (ii) The respect for the right of all people to choose the form of government under which they will live; and the wish to recognise the sovereign rights of self-government restored to those who have been forcibly deprived of them.
- (g) That secession does not render the agreements pertaining to a dismembered state liable to be transferred to a newly constituted state. This point is of particular significance in the light of the principles stated in the International Charter of the United Nations.

In the analysis of the controversial points of view, held by the Pakistan Government and the people of Pakhtunistan, it is essential to consider that Pakhtunistan is historically, geographically and ethnically a separate unit from the Indian sub-continent and was, in fact, a part of Afghanistan reft from her by military force in the 19th century by the British Government of India. There is only a short period between the coming into power of the British in Central Asia and the period when politically this territory belonged to Afghanistan. This was during the Sikh rule in the Punjab. Those who claim that this territory was inherited from the Sikhs by the British ignore the fact that Pakhtunistan was in a state of continuous war with the Sikhs and they never succeeded in annexing the land of the Pakhtuns. Moreover, the political influence of the Afghan Kingdom, then termed as the Kingdom of Kabul, was recognised by the Sikhs and the territory remained under dispute between the Sikhs and the Afghans.

In a memorandum, Sir Lepel Griffin, officiating secretary to the Government of Punjab, states "We succeeded to an inheritance of anarchy, the result of the Sikh management of the Trans-Indus districts. They had ever been in a state of war with the border tribes and even with the people in the interior of the districts." (*Parliamentary Papers* Vol. 58)

After the Sikhs were overthrown and the British came into power, the matter remained under dispute between the Afghan and the British Governments. Whenever an attempt was made on the part of the British Government to spread their political influence in this territory, it met with opposition from the people of Pakhtunistan and Afghanistan. Lord Lytton, Viceroy of India, describes the situation as follows:—"I believe that our North West Frontier presents at this moment a spectacle unique in the world; at least I know of no other spot where, after 25 years of peaceful occupation, a great civilised power has obtained so little influence over its semi-savage neighbours, and acquired so little knowledge of them, that the country within a day's ride of its most important garrison is an absolute 'terra incognita' and that there is absolutely no security for British life a mile or two beyond our border." (*Parliamentary Papers* Vol. 58).

In the two wars between the British and the Afghans, known in history as the First and the Second Anglo-Afghan Wars, the people of the territory fought against the British for the preservation of the independence of Afghanistan as their fatherland, until the so-called Durand Agreement in 1893, which was signed under duress, resulted in the separation of this territory from Afghanistan.

After the separation, British political influence was recognised in this territory according to the first agreement, along with the recognition of the interest of Afghanistan in the affairs of this territory, both in the case of military operation and that of administration in a British protectorate.

In a report presented by the Government of India to the Secretary of State for India, 10th July, 1894, the situation is described: "We have assumed a measure of responsibility for the peace of the Afghan border which has not hitherto been ours, and which under present arrangements we have

no adequate means of discharging. We understand that Her Majesty's Government concur in this view . . . that while we emphatically repudiate all intention of annexing tribal territory we desire to bring the tribes whom this settlement concerns further within our influence.' (Parliamentary Papers 1898, Vol. 63)

There is no doubt that certain attempts were made to bring this territory under the same system of administration as that carried out in British India, but these attempts never succeeded and the last decision of the British Government was to separate the territory into two parts by an administrative border, as a result of which one part of the territory remained independent. The attempt to put the other part under British administration was met by the opposition and hostility of the Pakhtuns and led to the realisation by the British Government of the fact that this policy would never succeed and in consequence, even the territory on the Indian side of the administrative border was recognised as a separate unit from other provinces of India and was given the name of the North West Frontier Province.

TREATIES. Information sources of the Pakistan Government, however, misrepresenting the facts, have used the existence of certain treaties between Afghanistan and Great Britain for propaganda purposes. As it is almost impossible to judge the accuracy of such information, it becomes essential to acquaint the readers with the nature of the treaties which have not been revealed to the public.

There is no article in the agreement imposed in 1893 on Amir Abdur Rahman of Afghanistan that refers to the annexing of the territory separated from Afghanistan to British India. The Durand Line is supposed to fix the limit of the respective spheres of influence and interference of the Government of Afghanistan and the British Government on both sides of the line. The main object of the agreement being that the British political influence was to be recognised by the Afghan Government by an agreement being forced on Afghanistan under duress. The map attached to the agreement was never signed by the Amir of Afghanistan and he himself afterwards explained the circumstances in which the

agreement, resulting in the separation of this territory under the Durand Agreement, was signed by him.

All historians, western and eastern, British as well as Afghan, recognise the unhappy circumstance under which the Durand Agreement was imposed upon Afghanistan. The Amir himself gives in his autobiography the following account of some of the events which preceded the Durand mission to Kabul:

“ . . . At certain times when they (the Imperialists) are defining their boundaries with another Government, certain countries or provinces on which they have cast their eye they leave undecided; these they call neutral, and they say to the neighbouring Power: ‘Now, this must be left independent; neither you nor we must interfere’. By the pretence of calling such countries or provinces neutral, they cancel the claims of the neighbouring weak Governments to these provinces, which either wholly or in part belong to them. This being done, they begin to play their game in this so-called neutral country . . . In this manner the Indian Government took all the provinces lying to the south-east and north-east of Afghanistan, which used to belong to the Afghan Government in early times . . . ”

Regarding the Durand mission, the Amir writes:

“The Viceroy was so insistent on this matter that he addressed a letter to me which was practically an ultimatum, to the effect that ‘the Indian Government cannot wait for your indefinite promise of uncertain date, and therefore at such-and-such a time will draw its own conclusion’ . . . ”

“ . . . It is necessary to mention here that in the map sent to me by the Viceroy, all the countries of Waziri, New Chaman and the railway station there, Chageh, Balund Khel, the whole of Mohmand, Asmar and Chitral and other countries lying in between, were marked as belonging to British India. I accordingly wrote to the Viceroy a long letter of predictions about the frontier tribes . . . ”

“ . . . But my advice was not appreciated, and the British Government was so anxious to get these frontier tribes from me that they expelled my officials from Buland Khel and Wana Zhob by force and threat of arms, saying that if they

did not leave by such-and-such an hour, they would be compelled to leave. As I was not desirous of making war and enmity with Great Britain, I had instructed all my officials to leave the place immediately after receiving such notice from the Indian officials then in residence.

“ . . . In Kafiristan, throughout the whole of Yaghistan, of Baluchistan and towards Chaman also, the Indian frontier officials were making constant interferences. The only thing that surprised me was that on the one hand the Indian Government said: ‘We do not require any more country towards Afghanistan; we only desire to see Afghanistan a strong and independent kingdom’ and on the other hand, having cut a tunnel through the Khojak Hills, they were pushing the railway line into my country just like pushing a knife into my vitals, and rumours that they intended making a railway line up to Kandahar with or without my consent, were being circulated everywhere and discussed in Parliament, about which I was constantly informed by my agents. In addition to this, Russia was making trouble with me about Roashan and Shignan.”

The pressure which was brought to bear upon the Amir is also indicated by Durand himself: “The Amir wastes time in lengthy stories and dissertations, but, on the whole I am satisfied with the way things have gone. In any case I hope to have persuaded him of our friendly feeling towards him. He told me squarely the other day, ‘I would fight you if you drove me to it. I am not a coward and I would fight though I know what the result would be.’”

The people of Afghanistan constantly voiced their opposition to any attempt that would separate a part of the Afghan territory from Afghanistan. Sir Percy Sykes, Durand’s biographer, explains the attitude of the Afghan people in connection with the delimitation of the boundary between India and Afghanistan. He says that they were hostile to the situation and “feared that it would ultimately end in annexation. Not that this step was intended by Durand, who did not propose to move forward the administrative border of India, but merely wished for political control. This policy

has stood the test of more than 30 years, and the tribes have retained their independence.”

Mr. Frank Noyce records that: “The negotiations between the Amir and Sir Mortimer Durand were conducted in private and no detailed account of them has ever been made public”. Noyce also writes that the Amir was not satisfied with the settlement of the dispute: “He was very desirous that the independent frontier tribes should be acknowledged as coming within his sphere of influence . . . The second commission demarcated the Indo-Afghan frontier in accordance with the Durand Agreement, but the result was not altogether satisfactory and the unrest which had been prevalent along the frontier for some years previously was little, if at all, diminished.”

The independence of the tribes was left practically unimpaired. The fact that the negotiations could not be made public, together with the circumstances in which the Amir had to avoid war against the British, at a time of civil wars in Afghanistan, and the threat of an attack by Russia on his country, obviously leads to the conclusion that the agreement which resulted in the demarcation of the so-called Durand Line was signed under duress. Noyce emphasizes that the agreement was signed in such a way as to impose it upon the King of Afghanistan, whose political fate it was to decide, while keeping its signature a secret from the public. He continues: “They did not at first realize. They are beginning to understand the fact that they are subject to British rule and to treat the Durand Line as non-existent”. He further adds: “the Amir administers the country right up to his own boundary, but on the other side of it are tribes whose independence we have promised to respect”.

The British Boundary Commission was attacked by the Mahsuds at Wana in 1895, which led to a fresh invasion of Waziristan. Sir William Barton, after admitting that the separation of this territory from Afghanistan was a deprivation which has since proved a permanent source of weakness to the Afghan Kingdom and that that Durand Line “excludes over a third of the Afghan people from their national kingdom”, emphasizes that “the frontier obtained in 1894 (the

Durand Line) was in many respects far from what military and political considerations required. Even so it was more or less extorted. One could hardly expect Kabul not to resent being deprived of the best fighting material on the border; it emphasized the bitter feeling of the loss of Afghanistan Irredenta from the foothills to the Indus; the Amir had not forgotten or forgiven the British for excluding the Afghans from the sea when they induced his feudatory, the Khan of Kelat, to transfer his allegiance to India. Can we wonder that with such grievances against his mighty neighbour the Amir should have endeavoured by means of allowances and presents of arms to keep up a strong Kabul party among the tribes whom the Durand Line had, as he thought, severed from his kingdom?"

Mr. Holditch clearly states his views on the subject as a result of his experience in the North West Frontier:

"Our first negotiations for a mission to Kabul were not altogether successful . . . Next, Sir Mortimer Durand was nominated as envoy, and with his nomination, the mission took practical shape. In October 1893, a distinguished company of officials left Peshawar for Kabul, there to enter into a boundary agreement with the Amir which should for ever settle the responsibilities of the Kabul Government as regards the outlying independent tribes on our border. No survey officer was permitted to accompany the mission . . . This proved to be a mistake. No one but a survey officer could possibly give an authoritative opinion on the subject of the maps which were to illustrate the line through 1,300 or 1,400 miles of boundary . . . There is also a certain value in the proper use of technical expressions in formulating an agreement which is (and must always be in the case of boundaries) based on geographical considerations."

". . . It requires no great strain of the imagination, and not much reading between the lines of official correspondence, to conceive that the Amir disliked the boundary exceedingly. There was little or no military glory to be won in Kafiristan. But Bajaur and Swat and the Mohmand country . . . were they not full of his own people, who being allied to him by

ties of faith, of language, and of kinship, should learn to recognise his direct authority?

“In the far south, too, his outposts had pushed forward into Baluchistan, and had occupied positions which gave them command of the trade routes between Sistan and Quetta which it was most desirable that we should open without Afghan interference and Afghan imposts. Here again he must not only stay his hand, but actually withdraw his troops.”

As for the independent tribes themselves, he adds, “they were not afraid. They probably knew very little till the matter was explained to them by their mullahs. Their general view of the situation (as I gathered, not from one, but from every tribesman whom I have questioned) was that the Indian Government meant annexation. Hitherto there had been no very definite ideas about a boundary between themselves and Afghanistan. Their back doors opened on to the Afghan country, and they could pass through them in times of difficulty occasioned by their own lawless proceedings on the Indian border, and be certain of that asylum which no true Mahomedan can refuse to a brother in distress. Possibly they might even get active assistance in opposing the Sirkar. Under any circumstances they were connected by ties of faith and brotherhood with the West (Afghanistan) and not with the East (India) . . . They were not afraid of Afghan annexation. They had held their own from time immemorial, and could hold it still (or believed they could), but they were afraid (speaking generally that is, for there were small communities who officially protested that they wished to be taken under British protection) of the ever-advancing overlap of the red spaces in the map of India.”

In the Third Anglo-Afghan War of 1919, it was once again proved that the Pakhtuns were in no way inclined to side with the British Government. On the contrary, they fought against the British with the Afghans. In the words of Sir Kerr-Fraser Tytler “The modified forward policy required for its fulfilment a similar penetration by the Afghan Government to a point where they could ensure the peace of the

Afghan side of the border; it also required that the time-honoured policy of Afghan interference on the Indian side of the Durand Line should henceforth cease.” The writer adds that: “Before 1919, it would have been quite useless to attempt to inculcate such a spirit of co-operation into the Afghan Government.”

The Anglo-Afghan Treaty of 1921 throws much more light on the situation. Article XI of the treaty makes it clear that the Afghan interest was recognised by the British Government in connection with the problem of Pakhtunistan. It reads:—

“The two High Contracting Parties having mutually satisfied themselves each regarding the goodwill of the other and especially regarding their benevolent intentions towards the tribes residing close to their respective boundaries, hereby undertake each to inform the other in future of any military operations which may appear necessary for the maintenance of order among the frontier tribes residing within their respective spheres, before the commencement of such operations.” (See *Treaties, Engagements and Sanads* by C. V. Aitchison, 1929 Vol. 13, page 292).

To explain the situation more clearly the study of a letter from the British representative to the Afghan Foreign Minister is of particular interest and significance:—

“As the conditions of the frontier tribes of the two Governments are of interest to the Government of Afghanistan, I inform you that the British Government entertains feelings of goodwill towards all the frontier tribes and has every intention of treating them generously, provided they abstain from outrages against the inhabitants of India. I hope that this letter will cause you satisfaction”.

There is no doubt that the above text is deliberately composed in a vague style, but to those who are acquainted with the circumstances then prevailing, it is not difficult to explain that it conveys clearly the recognition of the rights and interest of Afghanistan in connection with the Pakhtuns, their relationship with the British Government of India and the Anglo-Afghan understanding on this matter. The concern

of Kabul in this matter is implicitly recognised by the British Government. Hence, it is not true, that the Government of Afghanistan ever admitted disinterest in events which would effect in any way the people of Pakhtunistan. It is of particular significance that this dispute always remained between the Governments of Afghanistan and Great Britain and was not originated by the coming into existence of the new State of Pakistan. In the light of the treaties between Afghanistan and Britain, one can see clearly that, although the British Government considered the Durand Line as a frontier, even the English themselves believed it to be a purely incidental feature and felt that Afghanistan was justified in demanding its modification in view of changes in the political, economic and military circumstances which prevailed, in contrast to those which existed when this line was originally drawn up.

Article XIV of the treaty of November 1921 states that the provisions of the treaty "shall remain in force for three years" from the date of its signature (twenty-second day of November, Nineteen hundred and twenty-one). It states further that: "In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said three years the intention to terminate it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it".

It should be remembered that in the first place, this treaty constituted the basis of Anglo-Afghan relations up to the time when the British left India. Therefore it is obvious that with the British departure from India, one of the contracting parties ceased to exist. In the second place, it is not a treaty of unlimited duration and the existence of the time limit indicates that it could be terminated, when so desired, by one of the contracting parties even if the other contracting party still maintained some authority.

Just before the departure of the British from India, the Government of Afghanistan had expressed their desire that consideration should be given to this matter by the British Government in view of the new circumstances created by social and political development in India. In 1943, when

Sir Stafford Cripps went on a mission to India, the political leaders of Pakhtunistan and also the Government of Afghanistan, through official diplomatic channels, brought to the attention of the Cripps Mission the anxiety of the people of Afghanistan and Pakhtunistan in connection with the preservation of the rights of the Pakhtuns, as a non-Indian community and a separate unit, to independent status and self-government. The British Government gave their assurance that full consideration would be given to the matter.

When Lord Louis Mountbatten went to India, the Pakhtun question was again raised by the political leaders of Pakhtunistan and the Afghan Government once again expressed their views to the British authorities concerned. The declaration of June 3rd could not fail to draw a protest from the Afghan Government. Admiral, Lord Louis Mountbatten, however, in a statement in 1947, addressed to the Pakhtuns of the Khyber Pass, declared: "The British leave India in June 1948. It is up to you to negotiate new agreements with the succeeding authority." It is obvious that when this statement was made the new circumstances were foreseen by Lord Louis Mountbatten. The contradictory manner of the reply to the Afghan Government's protest was a disappointment to the people of both Pakhtunistan and Afghanistan. However, it was stated by the British Government that the provisions were settled on very broad lines and would enable the Pakhtuns to negotiate their future relations with the successor authority, but as partition had not yet taken place the successor authority was not known. The Pakhtun political leaders stated clearly that they desired to form their own state in their own land regardless of any changes that might take place in India, and that any foreign power, whether British, Indian or Pakistani, that attempted to suppress the desires of the Pakhtuns would be met with opposition. However, the matter was settled without recognition of the interests of the Pakhtuns themselves or the Afghan Government, contrary to the promise made by the British Minister in Kabul that consideration would be given to the special position of Afghanistan in connection with negotiations or arrangements relating to the withdrawal of

the British authority in India. This was in answer to the Afghan appeal to the Cripps Mission in 1943. Afghanistan, however, was confronted with an accomplished fact without any previous notification when the partition of India took place.

The study of the question at this stage reveals that Pakistan propaganda sources tried to confuse world opinion by two arguments, the analysis of which is of particular importance in explaining the facts and for a closer understanding of the real situation.

THE RELIGIOUS ARGUMENT

The first argument is that since India was partitioned on a religious basis, the Pakhtuns as Muslims should be considered a part of the population whose newly established Dominion is called Pakistan. The second argument is that a referendum was held and in this referendum the Pakhtuns joined Pakistan.

As far as the first argument is concerned, it must be understood that, as already mentioned, although the Pakhtuns are followers of the Islam religion they are not an Indian community. In the second place, the undemocratic principle that the will of the people should be ignored is morally wrong. If it is the wish of certain groups to accept a method which they know to be unacceptable to another group within the whole community (especially when admittedly the latter group forms a considerable majority with distinguishing characteristics—from the point of view of race, culture, language, way of life and an ancient historical background) then the desires of those who have expressed their disagreement on the principle of recognised differences should be considered, otherwise no room is left for peaceful settlement between different political groups. To accept this method is tantamount to the acceptance of a theory which would create, not only different states inside one state based on the difference of religion between the populations of the respective states, but would also give any state the right to annex the territory of a neighbouring state because they had the same religion.

Speaking of Asia, if this method is to be adopted, it will mean that Pakhṭunistan, Afghanistan, Iran and even some of the Soviet Socialist Republics like Tajikistan and Uzbekistan and all the Arab countries should be considered integral parts of each other because the different peoples of these countries believe in the same religion. The clearest example would be that of the Arab countries, who belong to the same religion and yet share with each other the attachment to the same race, language, culture, etc., the only difference being the national sovereignty of each Arab state. From this one can clearly see how ridiculous and unfounded is the point of view so much emphasized by some Pakistan Government writers and unfortunately supported by some British writers. The Pakistan propaganda sources can be held responsible for the confusion of these writers as they have failed to give sufficient information regarding the real situation, together with their unfavourable political attitude, their unawareness of the dangers that could be created from such political designs, resulting in the continuation of unfavourable circumstances in that part of the world, and the complication of the problems created by those who, in the past, failed to understand the significance of the situation and allowed their irresponsible way of thinking to become a source of trouble for the present generation. Some of these writers, to avoid getting lost in their own confused theories, sometimes try to link their thoughts with the theory of Pan-Islamism. Pan-Islamism, whatever it may be to other people, is an altogether different thing to the Muslims of the world. To these irresponsible writers, the purpose of this theory seems to be the formation of a political block to serve their own purpose, the aims of most of them being contrary to the common interest of the Muslim world. This is an old theory which has always been looked upon as an impracticable wish to exploit the interests of the Muslims; a wish that was never fulfilled, even when the Muslims themselves did not have the chance to consider their own problems in their own interest. To cherish a hope of this nature when the Muslim world is free and powerful enough to deal with its own affairs seems far from the realization of the facts and factors which

rule the minds of the thinking Muslims of the world. Pan-Islamism, it should be clearly understood, means one thing to all Muslim states of today and that is mutual respect, understanding and the preservation of their mutual interests between themselves; to maintain a friendly policy based on sympathy for each other over their problems and to help in every possible way to maintain this relationship, which is established on the principle of the interest and progress of the entire Muslim World. This is the realistic and practical understanding of Pan-Islamism by the Muslim states. There is no need to create a means of establishment as it is already firmly established. There is also not the slightest disagreement for the preservation of these friendly ties and the Muslim world is alert to the realisation of all kinds of political designs which would endanger the interest of the Muslims in the guise of Islam.

A SPIRITUAL, THOUGH NOT SOLELY RELIGIOUS, WAR

Another point in the Pakistan propaganda to confuse world opinion, especially the public in the western hemisphere, is to admit that the Pakhtuns have been fighting continuously for their independence, but they maintain that this fight has always been in the nature of a religious struggle against the British. They conclude that, since Pakistan is a Muslim state, the Pakhtuns will not oppose them as they opposed the Christian British. It is interesting to find out how much truth there is in this clever misrepresentation of facts. Before doing so, it should be noted that this misrepresentation was one of the important factors which misled the politicians, whose decision to partition India resulted in the bloodshed between Hindus and Muslims, the insoluble problem of Kashmir, permanent differences between India and Pakistan and the complication of the Pakhtun question. It was a false hope cherished by the politicians that the establishment of Muslim and Hindu states would stop the people fighting for the restoration of their fundamental rights. It is difficult to believe that the British did not realise that the struggle of the

people against them was purely political. There is no doubt that most of the time the political leaders of these people, in order to achieve their aims, allowed the religious zeal of the people to work as an effective factor and sometimes went so far as to give the name of a Holy War to their fight against oppressors, but this in no way means that the people fought the British only because they belonged to a different religion. The British statesmen also had reasons to misrepresent the real nature of the political opposition against themselves, not only to the world, but even to their own people. It was done in the same manner in which they sought excuses for their treatment of certain people by introducing them to the world as an uncivilised and barbarous people, knowing that no civilised people would allow them to act in a manner which would not attract human sympathy. By calling the wars 'religious wars' they wanted to divert the attention of the people, especially the public opinion of the masses in Europe and on their own island, from seeing the facts; and moreover to enlist the support and attract the sympathy of the innocent masses of people in their unjustified policy against their fellow creatures in remote lands. Unfortunately, the only medium of information to the rest of the world, and to their own people, was themselves. Thus, among other things, the nature of the circumstances were misrepresented and the real causes of the Pakhtun opposition were not revealed to most people in the western hemisphere. The responsibility of such policies in the past rested with the statesmen abroad who, even at a most critical point, omitted to clarify to the authorities at home the facts which could be turned into effective factors in solving the problems of this part of the world. Some of these responsible people, to the surprise of the political circles in Central Asia, succeeded in allowing themselves to adhere to their misapprehension of the past and not to help the situation for the purpose of bringing about a better future to the peoples of the lands they had to leave in a most irresponsible manner. Thus, at the time of the partition of India, the political minds in Great Britain were influenced to cherish false hopes that ultimately met with results which should have been foreseen. This,

together with the misleading policy of certain individuals, became the main cause of one of the greatest political mistakes ever committed; that is to say, the partition of India and the establishment of a new State of Pakistan on a solely religious basis. They expected the Pakhtuns to stop fighting as soon as a Christian power was replaced by a Muslim power, but as the struggle was not a religious one the Muslim State was met by much stronger opposition on the part of the Pakhtuns. This in itself proves that it never was a religious fight, but a political struggle against any oppressing power, Muslim or non-Muslim. It can even be said that the opposition proved to be stronger against a Muslim oppressor than a non-Muslim power, because the British authority could not be considered so permanent as to result in perpetual domination of the people and deprivation of their right to independence, as it was felt that the British, being a western power, would one day or another have to quit; but the Pakhtuns were always conscious of the danger of the power of oppression of their neighbours as a permanent and everlasting danger to their existence as free people in their own land.

The study of the history of this part of the world sheds more light on the situation. Pakistan is not the only Muslim power which has tried to deprive the Pakhtuns of their independence. There are other examples similar to the present situation recorded in the history of the Pakhtuns which should have been taken into consideration by those who put their hopes in a solution to the Pakhtun problem and in the idea of the possibility of the termination of the Pakhtun opposition by the creation of a Muslim power in India. The Monguls, with their vast and powerful empire in India, were great patrons of the Islam religion. They succeeded in ruling over "India proper" with a policy which, admittedly, was acceptable to all the religious communities of India, but they never succeeded in ruling over the non-Indian community of Pakhtuns who continued to fight against them. The "Islam of the Monguls" in the language of the Pakhtuns conveyed the meaning of pseudo-Islam: "Mogul-Wali" still means the process whereby a person is deprived by unprincipled

methods of something which he and others hold most dear.

The history of the past and events taking place daily at the present time clearly show how ridiculous it is to think that simply by sharing the religious belief of a community one should hope to be able to deprive that community of her legitimate fundamental right of independence and self-government, contrary to all humanitarian principles, and to ignore the significance of the national aspirations of a people who, throughout history, have shown themselves capable of defending their rights.

In the simple and sincere words of a Pakhtun leader, who spoke in Tirah, lies the explanation of the Pakhtun outlook in connection with this question. He said "We are in a peculiar situation. When we fought the British we fought them with a sword in one hand and the holy Qoran in the other. The holy Qoran was the spiritual power that strengthened our right hand to strike powerfully and with all our national zeal. The holy Qoran tells us to fight for the right cause and to fight against any aggressor who would attempt to suppress the Right and to weaken himself by choosing the Wrong. We can only know the Muslim and the non-Muslim by their actions. If a Muslim acts contrary to the principles of Islam, he should be corrected and instructed until he is directed to the Right Path. There is no aggression in Islam and an aggressor is always an aggressor no matter to which religion he belongs. Christianity is a divine religion, there is no aggression in Christianity. We did not fight the British as Christians, we fought them as aggressors. We fight the Pakistanis as aggressors not as Muslims. In Islam we are brothers with those who are true followers of Islam, but to be a brother does not mean that the one who is granted brotherhood should have the right of possession of another brother's house and honour. We have received messages from the Pakistan Government that now that the British have left, we should live with them in Pakistan because the Pakistanis and we are Muslims. It is very simple to understand even for the villagers who live in the same village. As Muslim brothers we pray in the same mosque, but everyone of us lives in his own house and to those with whom we pray

in the same mosque, we will never give the right of interference in our own household for the mere reason that we have a common mosque and a common religion. If such interference is attempted by any individual in a Pakhtun village the other villager will defend his house against him in the same way as he would against any foreigner or a man of any religion. We want the Pakistanis to live in Pakistan and the Paktuns in Pakhtunistan, with no interference on either side by anyone. As Muslims, we realise our responsibilities for another Muslim individual or state. We hope that the Pakistan Government will realise this at the eleventh hour or we shall have to fight them with the sword in one hand and the Qoran in the other and in their case, unlike that of the British, we shall be able to tell the Pakistanis that the Qoran tells them to stop aggression and tells us never to stop defending our right to freedom as long as aggression continues.

THE REFERENDUM

As far as the second argument is concerned the so-called referendum was held under circumstances, which it is necessary to study in order to understand the unfair treatment the Pakhtuns received against their will and the deceitful policy which was adopted in this matter. As soon as the question of a referendum began to be discussed in some political circles it was realised that a certain amount of difficulty would be experienced in reaching an agreement on the nature of the referendum. Several alternatives formed the topic of discussion among the public in India, Pakistan and Pakhtunistan. Some people thought that the referendum should be contested on the issue of Hindustan and Pakistan; that is to say, on the issue of the Hindu and Muslim religions. Others maintained that the referendum should give the people of Pakhtunistan a fair chance to choose whether they desired to join Hindustan, Pakistan or Afghanistan. The third school of thought was that ways and means should be devised to ascertain the real desire of the people. Those who thought in this way believed that the will of the people was the most important factor to be considered in the shaping of

their future political life and in deciding their fate. Thus, they suggested that the referendum should be contested on the issue of joining Pakistan, Hindustan and Afghanistan, if it were desired to join anyone at all, and at the same time the people should be given their legitimate right to form an independent state of their own if they so desired. This was considered to be the fairest and most just alternative. It was supported by Afghanistan, who proclaimed that if it were the desire of the Pakhtuns not to rejoin their fatherland—Afghanistan, then Afghanistan would drop her claims in favour of the method that would lead to the establishment of an independent state of Pakhtunistan. The political leaders of Pakhtunistan declared that the Pakhtuns were prepared to contest the referendum on the issue of Pakhtunistan and Pakistan, and not on the issue of Pakistan and Hindustan. (See Khan Abdul Ghaffar's speech delivered 22nd June, 1947 at a public meeting at Bannu): Khan Abdul Ghaffar said: "Recent developments have placed great difficulties in our way. In the announcement of June 3rd it has been stated that a referendum will be held in the North West Frontier Province where the only alternative before the electors of the present Legislative Assembly will be whether to join the Indian Union Constituent Assembly. This limits our choice to two alternatives, neither of which we are prepared to accept. We cannot vote as we want to vote for a free Pakhtun state." Maintaining that the great majority of the Pakhtuns were for the establishment of a free Pakhtun state, he said: "In these circumstances I am convinced that we cannot associate ourselves with this referendum . . . but this does not mean that we should sit still. A new struggle has been forced upon us. However, I wish that even at the eleventh hour Jinnah had recognised the justice of our position and refrained from dividing the Pakhtuns from the Pakhtuns."

Khan Abdul Ghaffar, addressing another public meeting near Charsadda on June 28th, 1947 said the Pakhtuns wanted Pakhtunistan as an independent state ruled by the Pakhtuns. "The main object" he adds, "is to make the Pakhtun free from domination. For this independence of the Pakhtuns we sided with Congress and fought our common enemy jointly.

We were then called Hindu agents. Now, when we have refused to join Hindustan, we are forced to fight the referendum issue of Pakistan versus Hindustan”.

On 1st July, Sir Rob Lockhart, Frontier Governor, declared at a Press Conference that a referendum should be held despite the boycott of it by the most important political party.

Thus, the referendum was held against the will of the Pakhtuns, of whom the most powerful and well organised political bodies, comprising well over 50% of the population, did not take part. Afghanistan protested against the referendum and declared it to be a forced referendum carried out by a most unjust policy contrary to the principles of democracy and it was announced that Afghanistan would not recognise the results of such an obligatory and unjust referendum. (See *Afghanistan Magazine*, issue No. 3, 1947).

Moreover, the political leaders of Pakhtunistan were arrested and sent to gaol where they still remain. The statement made by Sir Rob Lockhart was contradictory to the statements made previously by Lord Louis Mountbatten on June 3rd 1947, which were more clearly explained by him in a Press Conference on June 4th, 1947. In the Press Conference, when the Viceroy was asked whether the frontier people were free to select the issue on which they would vote in the referendum, he said “Yes, it is very simple” but to Sir Rob Lockhart it was simple not to allow them to choose the issue.

The referendum was, in fact, a sham. In the first place it was carried out under the control of British and Indian troops without the employment of referees or impartial observers. Secondly, it appears to have been less of a popular referendum than of a gathering of tribal chieftains susceptible to pressure by the authorities and officials resident in their localities. Thirdly, while it may have resulted in a majority vote it is apparent that only about half the population went to the polls. Therefore, the true object of the referendum was not attained and the people were prevented from expressing their opinion on the question concerned. The voters had to choose between their country

being awarded to one or other of the two Dominions, whereas in fact they did not wish it to be incorporated in either. They were not asked whether they wished their country to return to the rule of Afghanistan, neither were they asked if they desired to organise themselves as a separate and distinct independent state. In other words, they were given no opportunity to exercise the right to decide their own destiny. On the horns of a dilemma, there was, of course, little doubt of the choice which would be made by those who were resigned to the lesser of two evils, but it is apparent that the greater porportion of those concerned were unable to express their true desire. Then the Pakistani authorities hastened to take advantage of the faked results of the referendum. On the 31st July, Mr. Jinnah addressed an appeal to the inhabitants of the North West Frontier, thanked them for the adherence to the newly-formed Mohammedan state, assured them that they would enjoy the same autonomy as all other provinces in the state, and in particular promised the free tribes that they could rely on retaining all the same rights, concessions and privileges as they had previously enjoyed. At the same time a proclamation by the Kaid-I-Azam, published in Karachi, confirmed this policy. Finally, two letters dated the 1st and 3rd January 1948 respectively, from the Minister of Foreign Affairs and the Prime Minister of Pakistan to Dr. Najibullah Torvayana, the special envoy of His Majesty the King of Afghanistan, at Karachi restated, in very harsh language, the same announcements as those of the British representative at Kabul. It was to be understood that Pakistan, as from that date, was constituted as an indivisible State without distinction of race or creed; within the limits of the Treaty of 1921, the Constituent Assembly—the trustee of her sovereignty—would grant to the provinces a Constitutional Charter of equal rights while reserving unto herself the power to change their name and structure; that the independent tribes, although to be endowed by a special statute, would be granted the right to establish themselves in the new provinces of the North West Frontier if they so desired: and finally, that on the questions of internal order, any foreign state who

intervened would risk producing regrettable misunderstandings.

In this manner, as by a mere dismissal of it, it was considered that a dispute of over two hundred years' standing could be resolved.

Despite all this, the Afghan Government had given proof of the greatest goodwill in the matter. Wishing to demonstrate her regard for her new neighbour and her peaceful feelings towards her, she had agreed to recognise Pakistan and to send a special representative to Karachi with powers to negotiate. The conference, which at first Mr. Jinnah himself attended, seemed to hold out a possibility of agreement being reached; but these hopes rapidly disappeared, the Pakistan Government having concluded they could settle the matter only by force. In face of the exposure of their deceits and the outbursts of anger and revolt, which they could hardly fail to arouse among the populations of the territories concerned, Pakistan did not hesitate to employ her Army, and even her Air Force, to subdue what she chose to consider as internal disorders. From that moment the situation worsened, the Pakhtuns ceaselessly clashing with the troops and frontier police. Pakistan had indeed made a fatal choice. The security and prosperity of India, so constantly invoked can certainly never be assured by such a state of affairs. As the Pakistan Government is also attempting to blockade Afghanistan's trade towards the Indus and the sea, she is being forced to turn towards her northern and western neighbours to preserve her economy. The situation has, in fact, become untenable and extremely dangerous.

THE AFGHAN POINT OF VIEW

Afghanistan wholeheartedly supports the principles on which the claim for an independent Pakhtunistan is based. Afghanistan is anxious to see peace and prosperity prevailing in Pakhtunistan, not merely as a neighbouring country, but also because Afghanistan cannot remain unaffected by any situation which might arise in Pakhtunistan. Unrest in Pakhtunistan affects Afghanistan, not only for political and economic reasons, but also from administrative point of view.

The importance of the Pakhtunistan territory, which lies along the Afghan borders, is therefore obvious. As a land-locked country, Afghanistan's economic interests depend on her relationship with her eastern neighbours for communication with the outside world.

The people of Pakhtunistan are closely related to the people of Afghanistan and the frontier which separates them does split up, in some instances, an entire family and their land and property. It is, therefore, not surprising that the Afghan Government finds it almost impossible to prevent Afghan citizens from assisting their kinsmen in Pakhtunistan when they are driven to defend themselves against any foreign power. This is obviously important from the point of view of administration.

In most cases, as recorded in the history of Pakhtunistan proves, the Afghan Government finds it difficult to prevent the people of Pakhtunistan seeking refuge in Afghanistan, where they are naturally welcomed by their kinsmen.

Foreign elements, taking advantage of these circumstances, have used the land of the Pakhtuns for military propaganda purposes against Afghanistan. Thus, Afghanistan has suffered a great deal in the past and the influence of non-Pakhtun elements on the Afghan borders is considered a permanent threat to the security of Afghanistan.

The deep interest of the people of Afghanistan in the preservation of the Pakhtun culture is of great significance to the Afghan Government. The policy of the Pakistan Government is a threat to the Pakhtun culture. Steps have already been taken by the Government of Pakistan to arrange for the migration of great numbers of people from Punjab and Sindh to Pakhtunistan. Measures of this kind not only economically affect the interest of the Pakhtuns, but is also considered to be against their desire for the preservation of their own culture.

Economically the importance of this fact should not be overlooked, as Pakhtunistan is one of the territories which has not yet suffered from the miseries of over-population, which spreads over the Indian sub-continent and is the source of grave economic difficulties for Pakistan and India. During

the Sikh and British rule in the past, it was as a result of the same policy that a great number of the Pakhtuns were driven to the hilly parts of their land, where they had the most limited means of livelihood. The result of this policy, as recorded in history, has been continuous war and bloodshed between the Pakhtuns and Sikhs and the Pakhtuns and the British.

In an earlier period of history, the Pakhtuns had continuously fought against the great Islamic Empire of the Monguls. Thus, no peace can be expected in this land as long as suppression continues to exist. All through these different periods of history, the people of Afghanistan have shared the miseries of their kinsmen and have been deeply affected by the results of such aggressive and unjust policies adopted by Muslim and non-Muslim powers. Thus, the solution of the Pakhtun problem is of vital importance to Afghanistan. The interests of Afghanistan in this matter have always been recognised throughout history.

Afghanistan supports the Pakhtuns in their claim for the right to determine their own destiny, which is the very same principal invoked by the Pakistanis themselves in the present dispute between Pakistan and India over Kashmir, during the course of which Pakistan has continually reiterated her demand for a free plebiscite to be held in the state.

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