

# Beyond 'hearing' range



By C Christine Fair

**O**n February 9, 2012, the Oversight and Investigations Subcommittee of the United States House of Representatives Committee on Foreign Affairs convened a hearing on “Baluchistan” [sic], chaired by Congressman Dana Rohrabacher (Republican-California). I, along with Messrs Ralph Peters, T Kumar, Ali Dayan Hasan and Dr M Hosseinbor, testified as a witness in that hearing. Members of the Baloch diaspora in the United States, who are proponents of an independent Balochistan, were elated. They were further pleased when, a week later, Congressman Rohrabacher introduced a Resolution “Expressing the sense of Congress that the people of Baluchistan, currently divided between Pakistan, Iran, and Afghanistan, have the right to self-determination and to their own sovereign country.”

While there are no doubt numerous human rights problems in Balochistan both suffered by – as well as perpetrated by – ethnic Baloch, the hearing and concomitant resolution came at a time when US-Pakistan relations could not be more strained. Both American and Pakistani officials are deeply vexed that the past 10 years have demonstrated that the two countries seem to have more conflicting goals than common ones. Indeed, one of the congressional staff explained to me in stark terms that “we want to stick it to the Pakistanis” when I asked him for guidance on writing my testimony. This, along with other disturbing details about the hearing, suggests that Pakistanis have little fear of *actual* American interest in this controversial hearing.

This does not mean that the United States should be indifferent to the human rights abuses that afflict an array of ethnic, religious, and sectarian groups in Pakistan. However, if the United States is genuinely interested in advancing an agenda that would improve the appalling human rights situation for a wide swathe of residents of Balochistan or elsewhere, a hearing and a resolution are not the most efficacious ways to proceed. This is likely why the US State Department and other members of Congress have repudiated these bizarre initiatives.

## Whose Balochistan?

The United States has a long history of being swayed by influential diaspora communities which establish lobby groups that execute their interests among lawmakers who are often woefully ignorant of the facts on the ground. (Notably, only *one* Congressman at the hearing on Balochistan could actually pronounce the name of the province correctly with most, including Representative Rohrabacher, saying “Bloak-e-Stan”, conjuring up a territory peopled by drunk British male youths. This alone suggests at best a passing fascination with the province.)

Diasporas can manipulate the American legislative system by promising to rally funds for candidates through rousing the sentiment of fellow travellers. Alternatively, they can threaten foes of their agendas by seeking to fund the races of their opponents. This is patronage American style. Diasporas may even hire “journalists” to publish “articles” on their behalf. For example, Ahmar Mustikhan and Michael Hughes both publish on Balochistan under the guise of journalist when in fact they are Baloch lobbyists or employed by Baloch lobbyists.

The opening statements of the hearing demonstrated that the Congressmen had indeed been subjected to a highly stylized history of the province advocated by Baloch diaspora organisations. None of the Congressmen seemed to appreciate that far from some Baloch claims of exclusivity to the province, Balochistan is diverse in terms of religious communities who live there (Sunni and Shiite

Muslims, Sikhs, Hindus, Parsis) and while the Baloch speakers comprised about 55 percent of the province's population according to Pakistan's census in 1998, that figure also included Brahui speakers. This suggests that *at least* 45 per cent of the "Balochistanis" are not Baloch.

Thus demands by some Baloch for an independent Balochistan do violence to the wishes and aspirations of those who are not Baloch even if one heroically assumes that all Baloch have the same views. Of course, there is no such uniformity among the Baloch in Pakistan, many of whom actually live outside of the province.

## Possibilities for positive change: Role of the United States?

The United States must accept at least partial responsibility for the human rights challenges that plague Pakistan. It is a lamentable fact that the United States had long encouraged the General (ret'd) Pervez Musharraf government to "disappear" persons, many of whom were either remanded to mysterious detention centres in Bagram, Guantanamo or elsewhere or were "interrogated" on behalf of the United States. Naturally, the Musharraf government took advantage of this carte blanche to disappear persons who put at risk the interests of Rawalpindi.

The United States also provided unfettered support to the men in uniform over most of the 11 years following the events of 9/11. This no doubt fostered the sense of impunity among Pakistan's armed forces, paramilitary outfits, and intelligence agencies. Worse, American munitions have been used in Pakistan's military and paramilitary atrocities against their own citizenry in Balochistan and elsewhere. This contravenes the US law under the Leahy Amendment which prohibits provision of security assistance to units that engage in human rights abuses. Similarly, the United States tried to turn a blind eye to collective punishments in Pakistan's tribal areas (which is illegal under international humanitarian law) and the burgeoning accounts of mass graves in those areas. The United States only belatedly acted in October 2010 to (minimally) impose Leahy sanctions following disturbing revelations of extrajudicial killing by the army in Swat. However, it

did so while simultaneously announcing a 2 billion US dollar aid package, inclusive of military assistance.

If the United States genuinely cares about the multiple crisis besieging Balochistan (state violence against Baloch and violence by Baloch against Punjabis, Muhajirs and even UN workers), it is best that it encourage Pakistan to make good on important recent steps that offer some hope.

## Pakistan can and should address its internal problems

There is no evidence that the majority of Pakistan's Baloch are irreconcilable. Research by the US Naval Postgraduate School demonstrates that violence by Baloch decreases with overtures of engagement by the state and increases when the state uses force. Moreover, the problems stem from legitimate grievances such as resource allocation, devolution of power, lack of development, exploitation of resources



Members of the Baloch Students Organisation-Azad protesting illegal detention in Quetta

in the province to benefit the nation but not the residents of Balochistan, the ability to raise revenue from provincial resources and adherence to practices of rule of law. Nothing in this list of grievances poses existential threats to the Pakistani state. And thus it is mind-boggling that the state cannot undertake action to make good on current and past promises to address these grievances.

There have been recent developments that could help resolve this ongoing impasse should the state take a serious interest in doing so. Notably, in 2009 the current civilian government undertook a programme called "Aghaz-e-Huqooq-e-Balochistan" (Beginning of Right in Balochistan). This is a package of constitutional, economic, political, and administrative reforms, motivated by an

understanding that the government has failed to empower the provinces, as called for in the 1973 Constitution. This scheme – if fully implemented – would require the government to: obtain the consent of the provincial government before undertaking any major project; compensate communities displaced by violence; increase the representation of Baloch in the civil service; and grant provincial and local government authorities a greater share of revenues. The package also calls for a temporary hold on



Unrest and violence in Quetta in June 2010

construction of controversial military outposts and provides for the replacement of the military in the province by the Frontier Corps (which recruits locally even though its officers come from the Pakistan Army). Law and order operations would be placed under the control of the chief minister.

The initiative calls for investigations of targeted killings and other murders as well as into the cases of persons who have “disappeared,” and for the immediate release of all persons who are detained without charges. The federal government also released 12 billion rupees (roughly 140 million US dollars) in outstanding debts from Balochistan’s natural gas revenues and announced a 152 billion rupee (1.77 billion US dollar) budget for the province. It also announced a judicial inquiry into the killing of Nawab Akbar Bugti and other Baloch political leaders. Another important step is the 2010 18<sup>th</sup> Amendment which provides for greater devolution of powers from the centre to the provinces and further to sub-provincial governance institutions.

## Problematic politics in Balochistan

These moves by the centre are important, and will be even more so if they are fully executed with adequate attention to the provinces’ ability to raise revenue. Unfortunately, fractured politics and inadequate

capacity at the provincial level may well undermine national efforts. This is particularly acute in Balochistan. First, few politicians in the Baloch provincial assembly bother to show up for work. In 2008, I spent several hours with a member of the provincial assembly who told me bluntly that she had no interest in legislating. She is not alone. The provincial assembly frequently cannot conduct business because it lacks quorum.

Second, in the past, provincial bureaucracies have had trouble executing their budgets due to human capital and other capacity constraints. Simply augmenting the budget without expanding capacity is unlikely to translate into substantial improvements to any of Balochistan’s abysmal metrics. Third, it is difficult to envision the recruitment of sufficient teachers or other service providers for this chronically underserved population without going outside the province. Similarly, non-local civil servants will likely be necessary to increase government capacity. In other words, there is an immediate

need for external assistance in human service provision, even though in the future the province should eventually produce its own public servants.

If Balochistan is ever to transition from its current state of underdevelopment, those Baloch nationalists who are using violence as a tool of coercion must put down their weapons. Targeted killing based on ethnicity is abhorrent under all circumstances irrespective of the motivation or identity of the murderer. At the same time, the state needs to abandon its preferred militarised conflict resolution techniques in preference to engaging legitimate grievances, fortify its commitment to its own Constitution, continue devolution of power (and revenue generation) to the provinces, and pursue good faith efforts to expand development opportunities for all of its citizens.

These are tall orders that should not foster optimism. However, holding US Congressional hearings and subsequent proclamations of support for one ethnic group in a diverse province like Balochistan does nothing but exacerbate Pakistan’s long-standing concerns about its territorial integrity and will likely galvanize the state’s worse impulses in Balochistan rather than dampening the same. ■

*C Christine Fair is assistant professor in the Peace and Security Studies Programme in Georgetown University’s Edmund A Walsh School of Foreign Service.*