

## **Review - Indus Divided: India, Pakistan and the Indus Basin Dispute**

Written by Raj Kaithwar

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RAJ KAITHWAR, MAY 2 2017

### **Indus Divided: India, Pakistan and the Indus Basin Dispute by David Haines, India: Penguin, 2017**

As the mainstream media in India and Pakistan blazed with rhetoric full of animosity in the mid 2016, the Indus Waters Treaty, an agreement which had so far survived the acrimonious relationship between the two states, came in the limelight. The Indian Prime Minister convened a meeting over the treaty and decided to maximize the utilization of Indus waters in accordance with the treaty. All this happened in the backdrop of continued Pakistani objections over the Indian construction works on the western rivers of the Indus basin. The above context shows that the question of who owns the rivers continues to remain salient in the water politics of the Indus Basin. In this sense, a historical understanding of the origins of the dispute can shed much light on its current status, something which Daniel Haines effectively does in *Indus Divided: India, Pakistan and the River Basin Dispute*.

The literature on the Indus dispute and the subsequent treaty has fallen in two broad categories. One takes a myopic view of the river dispute, explaining the negotiation process. The other locates the treaty as a given, explaining its legacy in the region. Haines makes a much needed intervention in this context by weaving together the geographical and historical dimensions which intersected in shaping the notions of sovereignty, territoriality and water rights between India and Pakistan: the factors which determined the origins of the Indus dispute and its trajectory on its way to resolution in the form of a treaty. In this process, Haines also explains the post-colonial state building in the region which was being attempted through a performance of power by the two states but was shaped in a much more layered manner by various competing interests.

Quite early in the book, Haines states that while the construction of national spaces in the two states was occurring through the notions of sovereignty and territoriality, the meanings attached to these notions varied between and within the two states. Reflecting this through the border crossing rivers of the Indus Basin, Haines argues that logics of geography, in terms of upper and lower riparians, determined how the two states constructed their understanding of sovereignty vis a vis water rights. Moreover, logics of colonial history also guided the states in their understanding of water, primarily as a resource which had to be controlled for the project of national development. However, Haines claims that this is an incomplete explanation of intersection of water rights, sovereignty and territoriality in the basin. Talking about 'provincial territorialities' in terms of the assertive role of East Punjab and 'extraterritorial sovereignty' in terms of Pakistan's complex relationship with Pakistan Administered Kashmir, Haines presents a complicated but a much more nuanced picture where claims to water hindered the smooth constructions of sovereignty and territoriality. These intersections brought competing and complicated claims over Indus waters which led to the dispute between the two states, in turn constituting the states as well.

The two chapters on Kashmir and Punjab's borderlands are particularly insightful, showcasing how constructions of sovereignty and territoriality were challenged and shaped through the Indus waters dispute. Investigating the water issue and Kashmir dispute, Haines argues that the meaning of territory was totally destabilized in Kashmir. For instance, in the case of Pakistan, claims to the territory of Kashmir were made not just on cultural and religious lines

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but also on the basis of hydraulic geography wherein “right to water conferred a right to control territory” instead of the other way round. In the case of Punjab Haines presents the relationship between fluvial flows of rivers, border spaces and territoriality where on the one hand changing river courses and seasonality of river islands destabilized the notions of fixed and stable territory. On the other hand, ‘territorial ambiguities’ with respect to the canal headworks and local politics- through the national frames of territoriality- countered the usual narrative of local actors circumventing territorialities imposed from above. Instead, it reflected the fissures within the state’s construction of territory and exercise of sovereignty.

The subsequent two chapters focus on the formal negotiation process providing two primary observations. One was that the three way relationship between territory, water and state-building resulted in internalization of the political dimension of the dispute. Hence, a mere technocratic solution keeping aside the politics, as was envisioned by the First World players, was bound to fail. Another observation by Haines was that despite the strong presence of ‘epistemic community’, it was politics which ultimately determined the contours of the treaty. Haines illustrates as to how external players such as the World Bank and David Lilienthal, the American technocrat who had first talked about the dispute in the West, were of the view that ‘technocratic internationalism’, that is a technical understanding of rivers as resource, with the assistance of Indian and Pakistani engineers could resolve the dispute. As such a conception was totally detached from the way water politics and regional politics was shaping up, it failed to leave a mark. Instead, the last leg of the negotiations was dominated by political maneuverings over the seemingly technical matters such as water flow, infrastructure development and so on. Such an argument runs counter to the dominant view in the literature that it was the prioritization of engineers in the negotiations and technical understanding of the rivers which produced the treaty. Instead, Haines is of the view that the intractable negotiations resulted in a treaty solely because of the ‘political opportunity’ which had emerged due to domestic reasons in India and Pakistan as well as Cold War politics of the late 1950s.

While the first five chapters of the book provides a rich understanding of the emergence of the dispute and its location in the state building process, the subsequent two chapters- which deals with the negotiation process- lacks this rigour. The narrative on the negotiations appeared to skip many instances worth explanation. For example, Haines does not present coherent reason/s as to why the engineers of the two countries, who were expected to understand the basin as a whole, would prioritize national interests. Moreover, as technical issues were overruled by political considerations in the latter half of the negotiations, how did the engineers adjusted to the developments? The reader is left wanting for answers on these issues. The author, in this context, fails to fill the gaps in the narrative, falling short of providing a detailed understanding of the negotiation process.

Although Haines outlines at the beginning of the book that it is not about environmental history, given the current context of ecological concerns, I find this as a limitation. More importantly, nature was not viewed solely in instrumental terms in the non-western societies in the mid 20th century. As a reader I would have been interested in knowing the views of the two states as well as the World Bank on such matters. While the author does offer the explanation that development imperative had trumped all other considerations, it does not directly engage with how the states understood the rivers beyond development considerations and were there alternative views on this matter.

Nevertheless, the book provides novel insights by drawing the Indus waters dispute on a much larger framework than what works on water politics have often alluded to. In doing so, it highlights the entanglement of territoriality, sovereignty and water rights as well as the layers within them which collectively continue to shape the relations between the two states even now. Given the emerging challenges of climate change, water scarcity and so on, the book broadens the horizon of the mind as one deliberates on these issues of the basin in the current times.

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## About the author:

Raj Kaithwar is working as a Policy Officer on a project titled ‘Transboundary Water Governance in South Asia’ at the South Asian University. His primary research interest is in the Politics of Environment (Water and Climate Change specifically). His Masters dissertation was on ‘Negotiating Climate Change in South Asia’. In parallel, he is also a

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photography enthusiast, seeking to understand and capture different cultures and environments.