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Routledge Handbook of Contemporary Pakistan

Edited by Aparna Pande

ROUTLEDGE HANDBOOK OF CONTEMPORARY PAKISTAN

With a population of 190 million, Pakistan is strategically located at the crossroads of the Middle East, Central and South Asia, and has the second largest Muslim population in the world. The *Routledge Handbook of Contemporary Pakistan* provides an in-depth and comprehensive coverage of issues from identity and the creation of Pakistan in 1947 to its external relations as well as its domestic social, economic and political issues and challenges.

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- Foundations and identity
- Islam and Islamization
- Military and jihad
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Aparna Pande is Research Fellow and Director of the Initiative on the Future of India and South Asia at the Hudson Institute, USA.

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To my parents, Vinita and Kamal Pande,
for their lifelong love and support.

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INTRODUCTION

Aparna Pande, Shefali Dhar and Sidhanta Mehra

Created in 1947, Pakistan is often in the news, usually because of religious or political strife. The news stories, however, are not enough to explain the complexities of Pakistan's origins and the divisions within its complex politics. This volume hopes to shed light on the context for the developments that make Pakistan part of our daily news intake.

Pakistan is strategically located at the crossroads of the Middle East, Central and South Asia. This geographic placement was key to Pakistan becoming a key Western ally during the Cold War and a critical ally in the war against terrorism after 9/11. In spite of this, in recent years Pakistan has become one of the epicenters of radical Islam – or jihadism. In most cases of jihadi terrorism around the world, a link can be traced back to Pakistan. Pakistanis have also suffered immensely with over 21,409 civilian fatalities since 2003 (Fatalities in Terrorist Violence in Pakistan, 2003–2016, South Asia Terrorism Portal).

In the words of historian and diplomat Alexis de Tocqueville, all nations bear "marks of their origin" and the circumstances of their birth also influence their future (de Tocqueville, 1838). To understand Pakistan one needs to comprehend the circumstances of its birth. After two centuries of colonial rule, the end of the British Indian Empire led to the creation of two countries in 1947: India and Pakistan. The idea of a historic Indian civilization predated the modern Indian state. In the case of Pakistan, however, the idea of Pakistan was recent. The word Pakistan is derived from an acronym for the Northwestern Muslim majority region of the British Raj: Punjab, Afghania, Kashmir, Sindh and Baluchistan. Thus in the years immediately succeeding partition and the creation of Pakistan, the country's founding elite sought to craft a national identity for its diverse people as well as ensuring the survival of this new state.

Pakistan's national identity is based on fears of external threats, primarily from India. Pakistan was created on the notion of historic India's Muslims and Hindus needing separate states to protect their faith and culture. After independence, Pakistanis were told to see 'Hindu' India (notwithstanding its large Muslim minority, almost equal in size to today's Pakistan) as the mortal threat to their new country. A religion-based identity and a national narrative about Pakistan's origins and creation were constructed after independence, inculcated in the minds of the populace through educational curricula and media propaganda.

Pakistan was the first country to call itself an Islamic Republic and the 1949 Objectives Resolution of Pakistan's First Constituent Assembly emphasized the need for "ordering lives in accordance with the teachings and requirements of Islam". School syllabi were crafted to help

build a national identity based on religion and opposition to the Indian threat. Islam was seen as the binding glue, as Pakistan's leaders feared that ethno-linguistics differences between Pakistan's various provinces – and ethno-linguistic similarities with both India and Afghanistan – would exacerbate centrifugal tendencies.

The geographic anomaly of Pakistan as it came into being in 1947, when it had two separate wings including what is now Bangladesh, exacerbated fears of its undoing. The two halves of Pakistan were separated by India, which, Pakistanis believed, wanted to reverse partition and break up Pakistan. The separation of erstwhile East Pakistan as Bangladesh in 1971, with Indian military support, reinforced the elite's fears about Pakistan's fragility. Instead of trying to look for a new basis for the country other than religion, Pakistan's leaders chose to enhance the role of Islam in public and political life.

This slow Islamization of Pakistani society is demonstrated in the views of its younger generation. According to a 2013 British Council Pakistan survey, more than two-thirds of young Pakistanis describe themselves as conservative. Further, 38 percent of young Pakistanis believe Sharia is the best political system, 32 percent see military rule as the answer to their problems and only 29 percent choose democracy (Next Generation Task Force, 2013).

Anxiety about its survival, combined with lack of sufficient resources, deepened the insecurity of the Pakistani state. In his 2005 book, *Pakistan between Mosque and Military*, scholar and former ambassador, Husain Haqqani, points out that at Independence Pakistan inherited only 17 percent of British India's economic resources, 21 percent of its population and 33 percent of its army (Haqqani, 2005). This disproportionate share of the military in relation to resources meant that Pakistan's military had to dominate the new country's policy-making to survive intact as an institution. This bloated military establishment deepened the aura of Pakistan being perpetually under siege in order to perpetuate its role.

In its external relations Pakistan views every other country through an Indian prism. The desire for a powerful ally that will provide Pakistan economic resources and build its military capability still remains an underlying principle. For decades that country was the United States, but increasingly many Pakistanis view China as the new security (and economic) provider. During the Cold War Pakistan sought to position itself as a key ally of the Western bloc. Today Pakistan seeks to leverage its geopolitical location by forming a closer relationship with China.

Of its 70 years of history, Pakistan has been under military rule for 34 years. Even when the military has not been in power it has dominated the institutions of state and the public narrative. With a population of 200 million, Pakistan has the third largest Muslim population in the world. Pakistan has the sixth largest army and the sixth largest nuclear arsenal in the world but in all other metrics of power it is found lacking. Pakistan stands at 147 out of 188 countries in the United Nations' Human Development Index. Pakistan's literacy rate stands at 55 percent and the country has the second largest number of children out of school in the world.[1]

Pakistan's GDP (gross domestic product) on a PPP (purchasing power parity) basis stands at $931.6 billion while it is only $271.1 billion on a nominal basis. Pakistan is still a cotton-textile dependent economy when it could boost manufacturing through value addition. Trade with India and Afghanistan would boost Pakistan's economy as well as provide access to much needed energy resources, economic investment and open access to the huge Indian market. However, for that to happen the Pakistani state would need to change its India-centric policies.

This volume aims to provide an in-depth comprehensive coverage of certain key issues that are important when studying Pakistan: national identity and the creation of Pakistan, political institutions, social issues, Islamization, economy and development, and foreign relations.

Foundations and identity

Almost seven decades after the creation of the country in 1947, who is a Pakistani and what defines Pakistani nationalism – religion or territory – is a question that has yet to be fully resolved to the satisfaction of its majority. According to a 2009 survey conducted by the British Council in Pakistan, three-quarters of young Pakistanis surveyed believed they were Muslims first and Pakistanis second (Next Generation Task Force, 2009). This is in sharp contrast to the vision of Pakistan envisaged by Pakistan's founding father, Mr Muhammad Ali Jinnah. A secular lawyer, Mr Jinnah, in a speech three days before the founding of Pakistan stated:

> You are free; you are free to go to your temples, you are free to go to your mosques or to any other place or worship in this State of Pakistan. You may belong to any religion or caste or creed – that has nothing to do with the business of the State.
>
> *(Jinnah, 1947)*

Under Jinnah's successors, however, the Pakistani state chose to emphasize Islam as the basis of Pakistani identity. In *Pakistan between Mosque and Military*, Haqqani lays down what he refers to as the Pakistani tripod: Islam as the unifying factor, India as the perennial threat, and the United States as the provider of economic and material resources (Haqqani, 2005). In *Making Sense of Pakistan*, Farzana Shaikh refers to Pakistan as "an enigma" that has yet to choose between being a Muslim state or an Islamic one, a military dictatorship or a democracy, and between political Islam or Western constitutional politics (Shaikh, 2009). In *Pakistan: Nationalism without a Nation?* Christophe Jaffrelot echoes these views by stating that instead of solving problems Pakistan's search for its identity has generated newer ones (Jaffrelot, 2002). In the late 1990s, Canadian political scientist Khalid Bin Sayeed perceptively asked: "Pakistan, with all its weaknesses, has a state but does it have a nation?" (quoted in Jaffrelot, 2002).

The first theme (and section) of this volume takes up this issue with four authors examining the role of religion in the formation of Pakistani identity, how the Pakistani state has viewed ethnic nationalism, and a detailed look at the vision of Mr Jinnah.

At independence, fears were expressed that Pakistan would not survive. This fear of collapse, whether from within or caused by external agents, has lasted for almost seven decades. Fear of ethnic breakup and a belief that India (seen as Hindu) would never accept the creation of Pakistan (and would actually seek to undo partition) led the Pakistani state to craft an Islam-centered nationalism at the heart of which lies anti-Hindu sentiment. According to Pande in 'Escaping India' (Chapter 1), the desire to escape an Indian civilizational identity ended up framing Pakistan's domestic politics and foreign policy. Instead of choosing to build ties with its neighbors in South Asia, Pakistan sought succor in pan Islamism with the global ummah.

In 'Religion, Ethnicity and Violence in Pakistan' (Chapter 3) Muhammad Ismail Khan takes this argument further. Khan asserts there has been a constant conflict between the advocates of a religious identity versus those who emphasize ethno-linguistic nationalism. Those who argue that Pakistan was created as an Islamic state continue to champion Islamization at all levels of state, society and personal life. For others, Pakistan is an ethno-linguistically diverse state and should espouse territorial nationalism like its two neighbors, India and Afghanistan. As Ismail demonstrates, there has been consistent interplay between these two strands and their respective interpretation of history, both the immediate past and ancient times, in an attempt to frame Pakistani identity.

India was not the only neighbor Pakistan feared at independence: Afghanistan was the other. A newly created country with a religion-based national identity bordered two countries that

were civilizationally older, shared ethno-linguistic similarities with Pakistan, and in Pakistan's eyes refused to accept its creation. In 'Pashtunistan: Postcolonial Imaginaries along Borderlands, 1947–57' (Chapter 2), Amna Qayyum argues that "the specter of Pashtunistan" led the Pakistani state to re-imagine it "as a space of shifting political allegiances" that was and built upon "older colonial tropes of barbarity, wilderness, and the fiercely independent nature of its inhabitants" and the Afghan support for Pashtun irredentism.

In 'Jinnah's Pakistan: Debating the Nature of the State, 1947–49' (Chapter 4) Yaqoob Bangash examines why 68 years after Mr Jinnah's death the concept of 'Jinnah's Pakistan' still remains "a hotly contested notion." Bangash's chapter analyzes Jinnah's own speeches in an attempt to better understand Jinnah's views and the impact of their legacy. However, as he notes, Mr Jinnah's more than life-like presence in the Pakistani imagination has resulted in the naïve belief "that if somehow Pakistanis ascertain what Jinnah actually wanted for Pakistan, all their existential [and at times practical] confusion will vanish and they would achieve a logical, cogent and sensible national ideology and identity."

Art and culture play a role both in formulating as well as sustaining identities and nationalism. Muneeza Shamsie's 'The Encounter with Modernity in the Rural and Tribal Areas of Pakistan in Pakistani English Fiction' (Chapter 5) examines six Pakistani English novels written between 1967 and 2013 to illustrate how Pakistan's "timeless" rural and tribal societies were impacted by the formation of Pakistan. Partition, mass migration and conflict with India, industrialization, political upheaval and a praetorian state's desire to impose control and the rise of radical Islam ended up "disrupting the cultural dynamics of traditional societies."

In 'Cricket – What Unites Us' (Chapter 6) Ahmer Naqvi asserts that cricket is a "cultural force" that has taken deep root inside Pakistani consciousness. According to Naqvi, in a country torn apart by ethnicity, language and sectarian identities, cricket "has become an increasingly vibrant and resilient component of the Pakistani identity."

Politics and institutions

In 1947 Pakistan inherited a strong civilian (former colonial) bureaucracy and one-third of the Raj's colonial army. The All India Muslim League, the political party that led the Pakistan movement, however, lacked grassroots presence in the country it helped form. The Muslim League's support lay primarily in the Muslim-minority provinces that ended up becoming a part of India. Of the four provinces of British India that Pakistan inherited, the only one in which the League had popular support was East Bengal (which later became Bangladesh). In Punjab the Unionist Party was dominant, the Sindh Muslim League followed its own path (and repeatedly challenged Jinnah) and in the North West Frontier Province (now called Khyber Pakhtunkhwa) the Khudai Khidmatgars (Servants of God) led by Pashtun nationalists were allied to the Congress.

The Muslim League collapsed within a few years of independence, though its name remains the most popular name for any new political party seeking to benefit by association. The death of Mr Jinnah within one year of independence and Prime Minister Liaquat Ali Khan's assassination in 1950 created a leadership vacuum that was filled by bureaucrats and the military. In 1958 the first of Pakistan's three military coups took place, and the country has had four military dictators since then. The first nine years (1947–58) was the only period when civilian political leaders were really in control. After that period, civilian leaders attempted to wrest control of foreign and domestic policy back from the bureaucratic-military-intelligence establishment but it became almost impossible especially after the 1980s reign of General Zia-ul-Haq (1977–88).

In the words of Lawrence Ziring, "Noble intentions breathed life into the Pakistan dream, but the country has been stalked by tragedy from its inception" (Ziring, 1979, p. 10). Why is it that Pakistan has been unable to achieve stable democratic rule and strong political institutions? Philip Oldenburg argues that right from the beginning Pakistan had a "bureaucratic military rule" (2010, p. 8), starting with Mr Jinnah's "viceregal system" (Sayeed, 1968). In subsequent decades, brief periods of procedural democracy have not survived, constitutions have come into force only to be abrogated and, throughout, the military has maintained its authority, whether directly or behind the scenes (Oldenburg, 2010, p. 8).

The second part of the book looks at the rise and development of political parties, the nature of the state, its political economy and its judiciary.

In 'Talk the Talk: Why Parties Walk and Matter (Even in Pakistan)' (Chapter 7), K. Haroon Ullah examines the roots of "the Muslim democratic movement" in Pakistan with a special focus on the Muslim League. He argues that conventional wisdom in Western democracies is that political parties moderate over time. This, however, is not as easily applicable to countries like Pakistan. Instead in Pakistan "moderate confessional parties" pre-date their "religiously extreme counterparts" and both continue to co-exist without having a moderating influence on the other.

In 'A Weberian Perspective on the Nature of the State in Pakistan' (Chapter 8) Ajay Darshan Behera asserts that a weakening of state power in Pakistan has been accompanied by rising violence in society. Even though Pakistan is not yet a failed state (Messner et al. 2016). Behera argues "there are more reasons to worry, when a state [like Pakistan] does not fail but consistently remains on the verge of failure."

Umair Javed's chapter, 'Profit, Protest, and Power: Bazaar Politics in Urban Pakistan' (Chapter 9), makes the case against using "the simplified dictatorship–democracy binary" as it masks the key feature of Pakistan's political economy: "the enduring political power of socio-economically dominant groups and classes across time and regime types." Javed demonstrates that demographic changes, economic factors and the rise of "bazaar classes" have resulted in certain groups "monopolizing the public sphere, embedding themselves in structures of political power, and closing off space for alternative forms of political mobilization."

Pakistan's judiciary has often played a critical role in the history of that country. At times the higher judiciary has acquiesced to the diktats of the military dictators and at other times projected itself as the only institution capable of standing up to autocratic rule. In *Judging the State: Courts and Constitutional Politics in Pakistan* (1995) Paula Newberg shows that "incomplete constitution making" has resulted in placing the "burdens of constitutional interpretation" on Pakistan's judiciary. In an "executive dominated" state, Newberg asserts, it is natural for the top judiciary to play a larger than life role. In Pakistan the courts "engage in rituals of recreation: they interpret the constitution of the day and read political history and constitutional language to establish new understandings of political community" (Newberg, 1995, p. 2).

Recent years have seen a rise in higher judicial activism led by the Supreme Court of Pakistan primarily during the long (though interrupted) years of Chief Justice Iftikhar Chaudhry (2005–7, 2009–13). Chaudhry's dismissal from office in 2007 led to what has become known as the Lawyers Movement. In 'Judiciary in Crisis: Judicial Politics in Pakistan' (Chapter 10) Nida Paracha delves deep inside the Pakistani judicial system to examine the friction-ridden relationship between the bar and the bench. In the aftermath of the Lawyers Movement, Paracha's research provides an "insight into the reasons behind the weakening professional culture in the judicial complex and the perception issues that underlie it."

In 'Pakistan's Patchwork of High Court Justice' (Chapter 11), Waris Hussain examines Pakistan's High Courts to argue that there has been a rise in their activism for the last sixteen

years. Hussain also demonstrates that these courts are understaffed and overworked, uniformity in decision-making is absent across these courts and, finally, they are, as in every other country, interpreters of the law and are dependent on organs of the state to enforce their judgments.

Economy and development

During the 1950s and 1960s Pakistan achieved fast economic growth and was seen by many around the world as a model economy. Pakistan also received economic assistance from Western countries, especially the United States. Yet six decades after first becoming an American ally Pakistan is often referred to as a failing if not failed state. Christopher Candland blames Pakistan's current state on the specific development model chosen by Pakistan's early leaders. This model paired economic growth with impoverishment and was based on the principle that "an impoverished labor force and increasing inequality were necessary for industrialization and industrial development was necessary for economic growth" (Candland, 2015, p. 743).

In Part III, four chapters examine how aid has distorted Pakistan's economic growth, the role played by Pakistan's elite, its energy crisis and Pakistan's banking system.

In 'Pakistan, the United States, and the Bretton Woods Institutions (BWIs): A Continuing Great Game?' (Chapter 14) Ehtisham Ahmad and Azizali Mohammad argue that American economic assistance to Pakistan has created a "Dutch Disease-like effect" in Pakistan, where geopolitical location is traded instead of oil. This has resulted in the creation of a rentier class that is dependent on "external handouts" and insists on supporting "sixty-five-year old 'infant' industries that are unable to compete" with their counterparts in other countries. American economic largesse, especially from the late 1970s, thus "weakened the desire for self-reliance" in Pakistan and led to a system that in the words of Ahmad and Mohammad is unsustainable.

Imtiaz Gul's chapter, 'Pakistan's Elite Capture and the State of Insecurity' (Chapter 12), argues that "elite capture" occurred early in Pakistan's history and resulted over the years in a tripartite nexus between politicians, bureaucrats and the bureaucracy. This nexus, according to Gul, "has stunted the prospects of improving the political economy."

Energy shortages right now lead to 2 percent of lost GDP every year. In 'From Chaos to Building a Secure, Sustainable Energy Future' (Chapter 13) Atta Ali Malik argues these shortages are the result of rising demand, an insufficient increase in energy supply, and a growing circular debt, coupled with failure to develop energy infrastructure.

In 'The Banking and Financial Sector of Pakistan' (Chapter 15) Feisal Khan examines in depth Pakistan's "relatively advanced and sophisticated" commercial banking system. Feisal's chapter looks at both private and government banks and analyzes whether they are "too big to fail." The real danger the Pakistani banking system faces, however, according to Feisal, is related to "the fragile state of the Pakistani economy and its myriad structural economic problems that continue to drag down its GDP growth rate."

Social issues

According to historian Ayesha Jalal, Pakistan's "artificially demarcated frontiers and desperate quest for an officially sanctioned Islamic identity" led to the crafting of an educational system that "became hooked to officially concocted national soporifics very early on" (Jalal, 1995, p. 74).

During the 1960s, under Pakistan's first military dictator, General Muhammad Ayub Khan, an overhaul of the educational curricula started. 'Pakistan studies' replaced social studies and history from elementary school to university. Under General Zia-ul-Haq the indoctrination continued with Islamization becoming an integral part.

In 2003 a group of Pakistani academics undertook an in-depth analysis of Pakistani textbooks. Titled *Subtle Subversion: The State of Curricula and Textbooks in Pakistan*, the report argues that Pakistani textbooks "systematically misrepresent," distort and omit historic events. They teach students to "marginalize and be hostile" towards Muslim and non-Muslim minorities. Pakistani nationalism as taught in these textbooks "is defined in a manner that excludes non-Muslim Pakistanis from either being Pakistani nationals or from even being good human beings" (Nayyar and Salim, 2003).

In this section two authors provide an in-depth examination of Pakistan's educational system and one examines laws that impact women in Pakistan.

Ayesha Jalal blames Pakistan's educational system for creating "cautious optimism" instead of inculcating "critical thinking" among the populace (Jalal, 2014). Madiha Afzal takes this forward through an in-depth examination of Pakistan Studies textbooks. According to Afzal, Pakistan's educational curricula contains "historical errors, biases, omissions, a distorted, one-sided view of history, and impose Islam on non-Muslims." Afzal argues that this is not something inadvertent but rather a result of state policy. In 'Dissimilar Histories: History Curricula in Government and Elite Pakistani Schools' (Chapter 16) Afzal examines and contrasts Pakistan Studies Matric textbooks from all four of Pakistani provinces with O-level textbooks. Her study shows that the O-level curriculum is "more nuanced" "less focused on Islam and more inclusive and tolerant" than the Matric texts. The Matric texts, on the other hand, encourage memorization over critical thinking and are more prone to "spewing conspiracies and hate," especially when it comes to issues like India and religious minorities.

In 'Pakistan's Philanthropic Education Alternative' (Chapter 17) Marie Lall reviews two of the largest philanthropic school networks in Pakistan, TCF and CARE. These schools have become increasingly popular because they have low fees but are not driven by the motive of profit. Pakistan's education crisis means the country needs as many schools as possible, but as Lall rightly argues, one of the many challenges is to ensure that quality education is provided to the disadvantaged sections of society. This means more resources need to be spent on training not only more but also better-qualified teachers, something that has not been adequately addressed as yet.

In 'Sanctioning Subordination? The Politics of Gender Laws Promulgation and Reform in Pakistan' (Chapter 18) Bushra Asif explains that "the promulgation, content, and reform of gender laws" is shaped by a regime's political ideology, its relations with coalition partners, and interactions with outside individuals and groups including feminists but also Islamists. Once these laws are instituted, however, Asif argues, they have a path dependency affect, meaning that they will either facilitate or constrain future law-making (Pierson, 1993).

Islam and Islamization

In 1949, Pakistan's Constituent Assembly approved the Objectives Resolution of Pakistan, which articulated the goals of the new state and the guiding principles of the future national constitution. In some ways it was ironic that the new state's objectives were not decided and announced until two years after the actual formation of Pakistan. The Objectives Resolution effectively attached the identity of the Pakistani state to Islam, and its publication marked the start of what ultimately became an Islamist slippery slope.

Over the years, civilian and military leaders have thus defended the idea that Pakistan was established on the basis of Islamic ideology and that the purpose of the state was to implement and safeguard this ideology. Instead, they are more aligned with the views of Islamist ideologues like Maulana Abul Aala Maududi, the founder of the Islamist organization Jamaat-e-Islami.

The educational curricula and government policies that championed Islam at home and pan Islamism abroad created an atmosphere over the years in which it became difficult for the government to act against groups who justified violence against the perceived enemies of Islam. The Pakistani state has often condoned the actions of Islamist groups and even provided covert support. The state, especially the military-intelligence establishment, saw potential in alliances with these Islamist groups for both its domestic and foreign policy agendas. Domestically, these perceived enemies range from Muslim minority sects to non-Muslim minorities.

In the foreign policy arena, Islamist groups and their militant offshoots have helped the Pakistani state fight asymmetrical covert wars with both of Pakistan's immediate neighbors, India and Afghanistan. A majority of the Islamist militant groups operating in Indian-administered Kashmir have ties with some Pakistani Islamist group and Pakistan's military-intelligence establishment sees these groups as proxies, helping tie down a larger adversarial neighbor. Similarly, state support for Islamist groups and militias operating in Afghanistan serve both domestic and foreign policy goals: subdue the rise of Pashtun irredentism and work towards setting up a pro-Pakistan, Pashtun-led Afghan government.

Chapters in Part IV look at the issue of rising sectarianism, the history of Pakistan's religious minorities and the impact of Islamization on women.

In 'Explaining Support for Sectarian Terrorism in Pakistan: Piety, Maslak and Sharia' (Chapter 19), Christine Fair examines the discourse around sectarian violence in Pakistan by looking at whether or not piety and personal preferences for sharia "predicts support for sectarian and other forms of Islamist violence." Using regression analysis, Fair demonstrates that instead of piety, personal characteristics – "the particular school of Islam respondents espouse, ethnicity, several demographics" – are a more predictable indicator of support for sectarian violence.

In 'Pakistan's Descent into Religious Intolerance' (Chapter 20) Farahnaz Ispahani demonstrates how, starting from 1949, the gradual "purification" of Pakistani society of its religious minorities, both non-Muslim and Muslim, has taken place. From 23 percent in 1947, non-Muslim minorities now only comprise 3 percent of Pakistani society. "Much of the prejudice against religious minorities can be traced to the effort by Islamist radicals to make Pakistan 'purer' in what they conceive as Islamic terms." Ispahani demonstrates how this policy started from 1949 and not, as is usually believed, from the 1980s under Zia-ul-Haq.

In 'Competing Visions of Women's Rights in Pakistan: State, Civil Society and Islamist Groups' (Chapter 21), Anita Weiss digs deep into the complex and deeply contentious issue of women's rights. Weiss' chapter considers state policies and legal reforms related to women's rights, the influence of civil society groups especially women's organizations and how Islamist groups, especially the Jamaat e Islami, views the issue. As Weiss notes, not only are there divergent views within the state and civil society but even within the Islamist groups. Even though Hanafi fiqh is the major school of Islamic jurisprudence in Pakistan, "different voices have called for conflicting actions all 'based on Islam.'" Some demand the complete withdrawal of the conservative laws passed under Zia, others seek progressive legislation to prohibit certain practices that discriminate against women, and still others believe a woman's primary responsibility are domestic and they should only enter the work force after completing all their obligations.

Military and jihad

The skewed civil–military relationship and the relationship between the military and the jihadis has been the study of a number of works. Among them are Husain Haqqani's *Pakistan between Mosque and Military* (2005), Ayesha Siddiqa's *Military Inc: Inside Pakistan's Military Economy* (2007), Ayesha Jalal's *The State of Martial Rule: The Origins of Pakistan's Political Economy of*

Defense (2008), Aqil Shah's *The Army and Democracy: Military Politics in Pakistan* (2014) and Christine Fair's *Fighting to the End: The Pakistan Army's Way of War* (2014).

Jalal blames both internal and external factors for the "institutional imbalance" while Shah argues that the praetorian institution's incessant involvement stems from the belief held by the army that it is the only institution that can defend Pakistan from its threats, internal and external (Jalal, 2008; Shah, 2014). Siddiqa contends that Pakistan's military does not just control the country it also runs a massive commercial empire that in turn perpetuates the military's "predatory" policies (Siddiqa, 2007).

According to Haqqani, Pakistan's military intelligence establishment has used jihad as an instrument of its foreign and security policy. Desirous of parity with but unable to keep up with a much larger neighbor, India, Pakistan's security establishment sees jihad as a low-cost option to help keep India tied down. In the eyes of Pakistan's strategists, jihad inside India, not only Kashmir, keeps India's security forces engaged and will prevent India from attacking Pakistan. Support for jihad in Afghanistan is predicated on the view that this will help prevent an alignment between India and Afghanistan. Fear of a 'pincer movement' – India and Afghanistan joining forces to attack Pakistan – is still strong 70 years after the creation of Pakistan.

The four chapters in Part V examine the interconnected relationship between Pakistan's military-intelligence establishment and the jihadi groups.

If there was any expectation that over time Pakistan's military would change its calculus, in 'Wither Dr Jekyll and Mr Hyde?' (Chapter 22) Mohammad Taqi seeks to dispel those notions. Pakistan military's policies have not changed, neither on the domestic nor the foreign front. The military still refuses to accept civilian supremacy at home and insists on using jihadis as a tool of foreign and security policy with respect to India and Afghanistan. Taqi argues that instead of any wholesale turnaround in policy, all that the Pakistani army will do is "contain jihadi blowback at home while continuing to prosecute the regional policy through its preferred jihadist proxies. Absent a cohesive international diplomatic effort chastising it, Pakistan's Dr. Jekyll and Mr. Hyde act seems unlikely to wither away."

In 'Rules for the Double Game' (Chapter 23) Stephen Tankel takes a deep look at Pakistani Islamist groups and creates a typology that places Pakistan's Islamist along a spectrum ranging from belligerence, to collaboration, benign neglect, and finally coopetition. Tankel agrees with Taqi that Pakistan's actions against certain Islamist jihadi groups should not be seen as "a strategic shift" in Pakistan's policy. Further, if Pakistan ever decided to go against these groups the policy would be a gradual policy not a sudden, drastic one. Unlike Taqi, however, Tankel believes that instead of coercion the policy should be to focus on specific requests that can be measured.

In 'Violent Non-State Actors in the Afghanistan–Pakistan Relationship: Historical Context and Future Prospects' (Chapter 24) Daveed Gartenstein-Ross and Tara Vassefi argue that the jihadi groups are here to stay for a long time and "remain a part of the landscape." They agree with Taqi and Tankel that Pakistan's policy of supporting jihadis inside Afghanistan will continue for the foreseeable future. However, Ross and Vassefi believe that the blowback suffered by the state – weakness and potential for collapse – is what may force Pakistan to change its policies.

In 'The Other Pakistan: Understanding the Military–Jihadi Complex' (Chapter 25) Pranay Kotasthane, Guru Aiyer and Nitin Pai argue against viewing the Pakistani state as one entity, asserting that it comprises, on the one hand, the civilian state and, on the other, what they refer to as the Military–Jihadi Complex (MJC) or a "meta-structure" comprising "the army, jihadis, crime syndicates and financing networks." Their core argument is "policies towards Pakistan will continue to be ineffective unless the dominant of the two Pakistans, i.e. the MJC, is conceptualized and explicated as a whole."

External relations and security

According to veteran diplomat Agha Shahi, at independence Pakistan sought to have friendly ties with its neighbors but the "tyranny of power disparity in the region" – i.e. India as the larger neighbor – meant that Pakistan needed friends and allies "to safeguard the independence, strengthen the security and build the economic sinews of the infant state" (Shahi, 2005). Pakistan's foreign policy has been dominated by the desire for parity with India, a perennial search for a superpower ally who will provide economic and military resources, and a hope that the Muslim ummah will come together under Pakistan's banner.

The chapters in this final part analyze Pakistan's ties with India, Afghanistan, Iran, Saudi Arabia, the United States and China.

In 'India as a Factor in Pakistan's Policy' (Chapter 26) Savita Pande argues that Pakistan has historically sought to balance India by seeking an external partner – the United States earlier and now China – that would help achieve that goal. While Pakistan has obtained some benefits from ties with the United States, the Gulf Muslim countries and China, these have been limited in nature. Despite trying for almost seven decades, Pakistan has yet to find a partner who "shares its objective of containing India/Indian influence."

In 'The Afghanistan–Pakistan Conundrum: History and a Likely Future Scenario with a Focus on the Pashtun Areas' (Chapter 27) Farhat Taj and Syed Rashid Ali trace the history of Pakistan's relations with Afghanistan. According to Taj and Ali, Pakistan's policies of using jihad have made both these countries "dysfunctional" and created a threat to both regional and international security. Like Taqi, Tankel, Ross and Vassefi, Taj and Ali too believe that the Pashtun region of Pakistan will remain turmoil ridden for the foreseeable future unless, or until, India, China and Russia pressure Pakistan to rid itself of "religious extremism and *Jihadism*."

In 'Iran and Pakistan: A Case of Keeping a Distance' (Chapter 28) Alex Vatanka argues against the belief that Iran–Pakistan ties have always been one of "close friendship, cooperation and broadly compatible worldviews." Vatanka traces the history of this relationship to demonstrate that despite civilizational, religious and economic ties the two countries have not been close. He argues that while formal relations are "cordial" there is immense suspicion on both sides of the border. However, the reason why tensions are not high is that both countries are currently focused on bigger threats.

In 'Saudizing Pakistan: How Pakistan Is Changing and What This Means for South Asia and the World' (Chapter 29) Pervez Hoodbhoy argues that a cultural "continental drift" within Pakistan has sought to tear Pakistan away from South Asia and make it part of the Muslim Middle East. Hoodbhoy traces the historical evolution of this relationship and demonstrates how it has hurt Pakistan by creating an environment that has bred extremism within its society.

In 'Pakistan and the United States: Strategic Partnership, Discordant Goals' (Chapter 30) Teresita and Howard Schaffer define the relationship as "three marriages and two divorces." Schaffer and Schaffer argue that Pakistan looked to the United States because it needed an external ally who would "provide security against a much larger neighbor [India] that many Pakistanis consider an existential threat." The United States, on the other hand, valued Pakistan primarily for its geopolitical location. The chapter argues that the deepening Sino-Pakistani relationship could both help and hurt US interests. Chinese funding under CPEC could stabilize Pakistan economically and result in a change in Pakistani policies. It could, however, have the opposite impact and lead Pakistan to continue to follow its India-centric policies under the protective umbrella of China.

In 'Pakistan and the One Belt, One Road Initiative: Prospects for the China–Pakistan Economic Corridor' (Chapter 31) Andrew Small and Ben Lamont analyze the Sino-Pakistan relationship in the context of the China Pakistan Economic Corridor (CPEC) that is part of China's One Belt, One Road initiative. Small and Lamont argue that CPEC has added the critical economic dimension to the long-standing but primarily India-centric China–Pakistan relationship. China has always carried a mythical status in Pakistan and the challenge it faces will be to fulfill Pakistan's expectations The future of this relationship, Small and Lamont argue, "is now tied to a significant degree to an ambitious investment scheme facing significant uncertainties – if the gamble does not come off, it will potentially have a greater impact on Sino-Pakistani ties than any development since the 1960s."

Conclusion

Some seven decades after independence in 1947, Pakistan is still a state seeking to become a nation. A religion-based identity and nationalism has resulted in an ideological state backed by an omnipresent security establishment.

Pakistan's strongest institution remains its military and its intelligence service. Political parties have grown in number but their ability to continue in government is still contingent on the desires of the military. The superior judiciary has grown in stature but its activism is consistent with its historical evolution.

Gradual state-sponsored Islamization has resulted in the replacement of the more tolerant Sufi strain of Islam of the subcontinent by an intolerant radical version that has helped in the emergence of radical jihadi groups. Minority groups, whether religious (Muslim as well as non-Muslim) or others (especially women) face the brunt of this radicalization.

The security apparatus continues to use jihadi non-state actors for both domestic politics and foreign policy. The military intelligence establishment still views these jihadi groups as useful and is unwilling to totally eliminate all these groups.

Pakistan remains a 'rentier' state, dependent on foreign assistance instead of indigenous production. Pakistan's foreign policy paradigm has remained unchanged with India still the prism through which Pakistan views its external relations. While China appears to have temporarily replaced the United States as the superpower ally of choice, the overall framework of Pakistan's foreign relations has not changed.

Note

1 All the data on this page and the next has been taken from World Development Indicators, United Nations Human Development Report and UNICEF Report.

Bibliography

Candland, Christopher. 'Poverty and Inequality: Persistent Effects of Pakistan's Formative Development Model.' In Roger Long (ed.) *A History of Pakistan*, Karachi: Oxford University Press, 2015, pp. 743–766.

De Tocqueville, Alexis. *Democracy in America*. New York: George Dearborn & Co., 1838.

Fair, Christine. *Fighting to the End: The Pakistan Army's Way of War*. New York: Oxford University Press, 2014.

Fatalities in Terrorist Violence in Pakistan, 2003–2016, South Asia Terrorism Portal.

Haqqani, Husain. *Pakistan between Mosque and Military*. Washington, DC: Brookings Institution Press, 2005.

Jaffrelot, Christophe. *Pakistan: Nationalism without a Nation?* Delhi: Manohar, 2002.
Jalal, Ayesha. *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*. Cambridge: Cambridge University Press, 1995.
Jalal, Ayesha. *The State of Martial Rule: The Origins of Pakistan's Political Economy of Defense*. Cambridge: Cambridge University Press, 2008.
Jalal, Ayesha. *The Struggle for Pakistan: A Muslim Homeland and Global Politics*. Cambridge, MA: Harvard University Press, 2014.
Jinna, Muhammad Ali. First Presidential Address to the Constituent Assembly of Pakistan, August 11, 1947.
Messner, J.J., Haken, N. et al (eds). *Fragile States Index 2016*. Washington, DC: Fund for Peace, 2016.
Nayyar, A.H. and Salim, Ahmad (eds). *Subtle Subversion: The State of Curricula and Textbooks in Pakistan*. Islamabad: Sustainable Development Policy Institute, 2003.
Newberg, Paula. *Judging the State: Courts and Constitutional Politics in Pakistan*. Cambridge: Cambridge University Press. 1995.
Next Generation Task Force. *Next Generation Goes to the Ballot Box*. British Council in Pakistan Survey, 2013.
Next Generation Task Force. *Pakistan: The Next Generation*. British Council in Pakistan Survey, 2009.
Oldenburg, Philip. *India, Pakistan and Democracy: Solving the Puzzle of Divergent Paths*. London: Routledge, 2010, p. 8.
Pierson, Paul. 'When Effect Becomes Cause: Policy Feedback and Political Change.' *World Politics*, Vol. 45, No. 4, pp. 595–628.
Sayeed, Khalid Bin. *Pakistan: The Formative Phase, 1857–1948*. Ann Arbor, MI: University of Michigan Press, 1968, p. 340.
Shah, Aqil. *The Army and Democracy: Military Politics in Pakistan*. Cambridge, MA: Harvard University Press, 2014.
Shahi, Agha. Foreword. In Abdul Sattar, *Pakistan's Foreign Policy 1947–2005: A Concise History*. Karachi: Oxford University Press, 2005.
Shaikh, Farzana. *Making Sense of Pakistan*. New York: Columbia University Press, 2009, pp. 1–9.
Siddiqa, Ayesha. *Military Inc: Inside Pakistan's Military Economy*. London: Pluto Press, 2007.
South Asia Terrorism Portal (SATP). *Fatalities in Terrorist Violence* http://www.satp.org/satporgtp/countries/pakistan/database/casualties.htm
Ziring, Lawrence. *Pakistan: The Enigma of Political Development*. Folkestone, UK: Dawson, 1979.

PART I

Foundations and identity

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1
ESCAPING INDIA
Pakistan's search for identity[1]

Aparna Pande

Since 2001 Pakistan has become the center of a global war on terrorism. In an interview in April 2008 former President Bush said that Pakistan, and not Afghanistan or Iraq, had now become the most likely place where "Al Qaeda had established safe havens and was plotting attacks against the United States" (Iqbal 2008). Soon after taking office in January 2009, President Obama reiterated that Afghanistan and Pakistan were the "central front in our enduring struggle against terrorism and extremism" (Iqbal 2009).

Pakistan has over the decades become a hotbed for the terrorist ideology often referred to as Jihadism.[2] To a large extent this is the outgrowth of Pakistan's attempts to define foreign policy in the context of a state ideology and the aim of this book is to trace the origins of Pakistan's foreign policy and analyze its key ideological drivers.

The Indian Muslim elite that helped create Pakistan, and led it in its formative years, consciously oriented Pakistan's foreign policy towards a paradigm designed to create a unique Pakistani identity. Islam and Islamic unity were the principal drivers of this ideological foreign policy, which fit in with the leaders' conviction that Islam could be a substitute for nationalism as the basis of Pakistani identity.

The core of this ideological foreign policy rests on a particular perception of Pakistan's security environment. Pakistan's relations with its neighbors (India, Afghanistan) and its allies (the United States, China, the Muslim world) reflect both an Islam-centered worldview and the security dilemma resulting from the perceived Indian threat. In some ways Pakistan has been trying to escape its Indian legacy – historic, geographic and civilizational – and attempting to find security in a virtual relocation through ideology.

Constructing an identity

According to Benedict Anderson, nations are "imagined communities," and how they define themselves and perceive others helps determine both their domestic and foreign policies. Pakistan's founding fathers constructed a religion-based identity for Pakistan and a national narrative about Pakistan's origins and creation (Anderson 1991). They also developed a view of the 'other' that is 'Hindu' India. Identity here refers to an individual's comprehension of the 'other' as a discrete or separate entity.[3] The feeling of mistrust towards India, which is seen by Pakistanis as Hindu in identity, and the insecurity about India's larger size and perceived desire to reabsorb

Pakistan, led Pakistanis to believe that India posed an existential threat to Pakistan. The fervent desire to check this existential threat from 'Hindu' India led Pakistan's leaders to construct an ideology-driven[4] national identity and a corresponding foreign policy.

Crafting a Pakistani identity was considered a matter of national survival (Khan 1950: 11, 15, 121). India could not be allowed to eliminate Pakistan's distinctiveness as that was as important as securing the new country's borders and building its economy. This constructed ideology-driven identity had both an internal and an external dimension. The identity within emphasized religious nationalism as the ideology to bind the country together. Pakistan was the first country to call itself an Islamic Republic and the 1949 Objectives Resolution of Pakistan's First Constituent Assembly emphasized the need for "ordering lives in accordance with the teachings and requirements of Islam".

Externally, Pakistan's policy makers saw their regional environment through a realist lens albeit with an ideological tint. It was an anarchical Hobbesian[5] world wherein Pakistan envisioned a mortal threat from its larger neighbor, India, which at the time of partition was not reconciled to Pakistan's creation as an Islamic state. Over time, the existential threat to Pakistan has been expanded to include all global powers engaged in conflict with Muslims. This has included, at different times, the Soviet Union, Israel and the United States.

Reflecting this view of Pakistan's leaders, even in the midst of the crises attending partition in 1947, Pakistani officials advocated sending trained ex-soldiers to Palestine to prevent the creation of Israel (Bourke-White 1949). Decades later, Pakistan's military ruler General Zia-ul-Haq in an interview in 1980 said that Pakistan believed Israel's close ties with India reflected an "organized conspiracy against Pakistan" (Kaufman 1980). These fears of 'unbelievers' ganging up against Pakistan surfaced long before India had close relations with the US or Israel. Good relations between India and these other perceived enemies of Islam have reinforced the ideological rationale for Pakistan's security concerns. In August 2009 during a press conference the Pakistani Foreign Office spokesman stated that the "India–Israel nexus" posed a "serious threat to regional security" and stressed the need for countries in the region to "demonstrate utmost circumspection" on this count especially in the wake of the prevailing nuclear environment of the region (Online News Network Pakistan 2009).

The need to shape a separate identity meant that Pakistan wove a very intricate pattern of ideological differentiation with India. The crafting of a historical narrative in Pakistan's textbooks, the creation of a 'Pakistan Studies' curriculum at all levels of schooling and the depiction of any gesture from the Indian side as an offer from the Hindu *bania*[6] – by inference untrustworthy – were elements of a contrived state ideology. The elite narrated Pakistan's history in such a manner that in the words of a Pakistani journalist, "it appears natural to people that to be Pakistani you have to be anti-Hindu: it is part of the definition, like the core of the being. You have to define yourself in opposition to the other. India has become the definite other for the Pakistanis."[7]

Governments fashion nationalism through appeals to language, civilizational heritage, cultural ties, history and links to territory. Pakistan, however, was different. It was an ethnically diverse country comprising initially two separate territories divided by a stronger neighbor that was not reconciled to its creation. Pakistan's leaders were consistently worried about ethnic and linguistic nationalism trumping Pakistani nationalism. They found the way out in an "ideology" that would create "a sound, solid and cohesive nation" and thus help Pakistan play "its destined role in history" (Khan 1967: 186). Pakistan's Islamic identity would thus be an "ideological safeguard" (Khan 1967: 16) protecting its territorial integrity and preventing any disputes and disruptions from within, in addition to uniting the diverse ethnicities against external threats.

According to Liaquat Ali Khan, Pakistan's first prime minister, the ideology of Pakistan was the Islamic way of life, which meant "a body of faith, tradition and belief which has been a part of man's heritage for over thirteen hundred years." When this ideology was "applied to statecraft and the conduct of human affairs" it would be bound to promote human welfare (Khan 1950: 46) Geography and history are key factors in shaping the foreign policies of most nations but Pakistan's policy-makers emphasized ideology as a third dimension. As former Pakistani Foreign Secretary Tanvir Ahmed Khan stated in an interview with this author:

> A whole mythology was created to justify the two nation theory and ideology came to occupy a disproportionate place in the Pakistani thinking by and large mostly for instrumental reasons. For the elite it was to help differentiate the created identity. No army can do without the need to postulate a possible enemy and the enemy had to be defined in ideological terms. So in a way ideology has always hung like a cloud on Pakistan's foreign policy.[8]

There are certain unique circumstances surrounding the creation of Pakistan, arising from the impact of partition from India in 1947, and the experience of the second partition in 1971, when Bangladesh was hived off. No other post-colonial country could be said to have come into being on the basis of religious nationalism, with the possible exception of Israel. Alongside these circumstances, Pakistan's foreign policy was also influenced by all those issues which matter to any nation such as the need to safeguard national security and the demands of diplomacy, including the desire to increase its power with other countries.

The origins and idea of Pakistan

> Till the advent of Pakistan none of us was in fact a Pakistani . . . . prior to 1947 our nationalism was based more on an idea than on any territorial definition . . . ideologically we were Muslims, territorially we happened to be Indians, and parochially we were a conglomeration of at least eleven smaller, provincial loyalties . . .
>
> *(Khan 1960: 549)*

The history of a nation and the circumstances leading to its birth play an important role in defining the foreign policy of any country. Pakistan is the only state created by what, to many, appeared to be an unnatural partition – which did not represent the reality on the ground. The subcontinent was partitioned purely on religious lines even though the people of the two religions were ethnically the same and historically had largely common linguistic, cultural and regional identities. The two communities in undivided India, Hindus and Muslims, had lived together under various regimes for over a thousand years and neither community significantly interfered with the religious and social practices of the other. In order to understand the creation of Pakistan it is, therefore, important to look at the pre-partition history of the Indian subcontinent.

Despite having been under Muslim rule from the tenth century onwards, India had remained largely Hindu. Having been rulers for so many centuries, their numerical inferiority with respect to the Hindus had never really concerned Muslims. With the establishment of the British Indian Empire[9] in 1858[10] the Muslim elite did not just lose political and economic power but, more importantly, they developed a 'feeling of powerlessness.' The Indian Muslim leaders had always known they were a numerical minority but they had never 'felt like a minority.' The advent of British rule made them realize their minority status and that had a tremendous impact.[11]

The reaction of the Indian Muslim elites to the establishment of British rule saw the development of two broad strands of nationalism. For some Muslim leaders the answer was territorial nationalism: Indian Muslims were Muslim in religion and Indian in nationality. The Indian National Congress which was founded in 1885 was a secular nationalist party. Many Muslims joined the Congress but Muslim Congressmen only comprised 6.6 percent of the total delegates who took part in the annual meetings of the Congress between 1892 and 1909 (Brown 1985: 178). The Congress was, therefore, hard put to justify that it spoke for Muslims too.

Many other Muslim leaders, however, looked upon religious nationalism as the defining characteristic of Indian Muslim identity. To them Muslims of India were unique in their historic experience and, therefore, a distinct community. They had known they were a numerical minority but it had not mattered earlier as they were the ruling elite. Now, not only did the census instituted by the British, starting from 1882 onwards, reinforce their numerical minority status, but the British decision to introduce democratic institutions created new fears. In the age of parliamentary democracy numbers mattered far more than in the era of Muslim monarchs. A firm belief that they needed to safeguard their interests (and those of their community) led the Muslims to set up organizations that would champion their interests as well as demand safeguards for British India's Muslims.

The decision by the British to change the official language to English from Persian, which had been the court language for the last eight hundred years, reinforced the Muslim leaders' sense of loss of political and cultural power. The establishment in 1870 of the All India Muslim Education Conference, the foundation of the Mohammedan-Anglo Oriental College at Aligarh in 1875 and other attempts to bring the Muslim community together reflected the desire of this Indian Muslim elite for increased Muslim awareness and unity, as well as for a share in the new alignment of political and economic influence.

The late nineteenth century also saw rising tensions between Hindus and Muslims with a growing sense of community-based identity. Urdu, or Hindustani, had been the spoken language of the Indian elite, both Hindu and Muslim, since the seventeenth century. Now there were demands by many members of the Hindu elite, partly under British influence, to separate their language (and script) from the Muslims. These Hindu leaders raised the demand for Hindi to be written in the Sanskrit-Devanagri script and not in the Arabic-Persian script. Correspondingly, Muslim spokesmen put forth a counter demand – that their language, Urdu, should be written exclusively in the Arabic script.

Riots between Hindus and Muslims were rare in the earlier eras. The late nineteenth–early twentieth centuries saw a rise in the incidence of riots between the two communities, often over issues which earlier would have been resolved by community leaders but which were now allowed to inflame popular passions. Issues like cow slaughter by Muslims or playing of music in front of mosques by Hindus now began to cause large-scale riots.

Most of the Muslim elite also mistrusted the Congress because they saw it as a largely 'Hindu organization'[12] which would work for the benefit of Hindus and not for the Muslims. There was thus a lack of trust in the Hindus and a belief that Muslims needed allies, preferably ideologically similar allies in order to stand up to the numerically stronger Hindus. Even after partition this legacy of mistrust can be seen in the foreign policy of Pakistan in relation to India and in Pakistan's search for allies in the West and the Muslim world to help it stand up to a much larger 'Hindu' India.

Mistrust led to demands placed on the British Indian government for guarantees to protect Muslims against the 'untrustworthy' Hindus. The Muslim demand for separate electorates needs to be seen in this context. Parliamentary democracy in India meant the creation of a number of territorial parliamentary constituencies in various parts of British India which would

elect Indians to the legislative assemblies. In a democracy constituencies comprise common electorates – called joint electorates in the Indian subcontinent – where the entire voting population of a country or region is part of a single electorate which votes for the candidates who contest elections. In the case of separate electorates, the voting population of a country or region would be divided into different segments, based on certain factors like religion or caste. Here, members of each segment voted only to elect representatives for their community, thereby reinforcing communal politics and the communal divide. In British India this meant division of the electorate on the basis of religion (i.e. Hindus electing Hindu candidates and Muslims voting only for Muslims).

In a Hindu-majority country like India elections under a joint electorate system would invariably have resulted in a situation where the majority of those elected would be Hindu. If the Muslim elite wanted a substantial say in any legislative set-up they had to ensure that a certain minimum number of Muslims were elected. They could achieve this objective either by ensuring that all political parties had a certain number of Muslim candidates (in effect using the minority's block voting clout) or they could ask for separate electorates. The British were to announce legislative changes in the years 1905–6. In 1905 a delegation of the Muslim leaders, led by the Aga Khan, went to meet the Viceroy in Simla and asked for the provision of separate electorates.[13] The inclusion of this provision in the 1905 Minto-Morley Reforms was thus viewed by many members of the Muslim elite as a positive step, even though it was seen as a 'divisive' British ploy by the Congress.

The establishment of the All India Muslim League in 1906 at Dacca was in continuation of the belief that Muslims needed separate organizations which would represent them and help safeguard their interests. Separate electorates, reservation of seats for Muslims in the legislative assemblies of Muslim-minority provinces and inclusion of the Muslim League in any discussion about the future of India were among some of the other constant demands of the Muslim League through the 1910s–1920s. Its psychological importance and appeal can be seen in that even after Independence the policy-makers of the newly formed Muslim-majority country – Pakistan – still insisted on keeping separate electorates. The only dissent for this came from East Pakistan where there was a demand for joint electorates.

Attempts were made on both sides to bring the Congress and the League together on the same platform. However, except for the 1919–20 Khilafat-Non Cooperation movement[14] these were largely unsuccessful. Tensions between the Muslim League and the Congress were in a certain way a clash of nationalisms. The Congress had a territorial conception of Indian nationalism, whereas the Muslim League had a religio-national conception. The Congress believed it represented all communities in India and thus felt there was no need for it to link up with what it viewed as an elitist communal organization. The Congress leadership thus never provided the Muslim League with a kind of a framework where the two could have worked together.[15] This attitude of the Congress towards the Muslim League continued until the British Cabinet Mission Plan of 1946, by which time it was too late. The Muslim League, fearful of what would happen once the British left, and resentful of the fact that they were not initially given a seat at the policy-making table (while the Congress was), viewed every Congress speech and decision with suspicion. This became a lasting and obdurate legacy, and independent Pakistan has often viewed every decision and every comment in India with the same suspicion.

Right from 1906, the fear of the Muslim elite sprang from their numerical inferiority and their key demand was safeguards for Muslims in relation to the British as well as the Hindu-dominated Congress. In 1927–8 the British government challenged the Indian leaders to come up with a constitutional framework for an independent India. The Congress and the Muslim League tried to work together on this report. However, they clashed over the safeguards that

the Muslim League demanded and which the Congress was unable to accept. Muhammad Ali Jinnah, a well-known barrister and prominent member of the Muslim League, put forth his famous 'Fourteen Points,' which were a set of demands that the Muslim League wanted included in the report prepared by the Congress if the Muslim League was to acquiesce to it.

In return for accepting joint electorates and giving up their demand for separate electorates the Muslim League asked for reservation of seats for Muslims in the Muslim-minority provinces, reservation of seats for Muslims in the Muslim majority provinces of Bengal and Punjab on the basis of the exact proportion between population of the communities and their representation, one-third Muslim representation in the federal legislature, and the separation of Sindh from the province of Bombay (in order to create an additional Muslim-majority province in British India).[16]

Jinnah's Fourteen Points reflected the perception of the Muslim elite: the fear that they were a minority, the desire to somehow escape this minority status and become an equal player alongside the majority community. If the Hindu majority was willing to concede one-third of the seats to the Muslim minority (even though Muslims constituted only one-fourth of the population) the Muslim League would be willing to consider a compromise. Otherwise there would be none. Jinnah brought out this fear of being overwhelmed by the majority very clearly when in response to Gandhi's statement that Hindus and Muslims were brothers and equals, he stated: "Brother Gandhi has 3 votes, I (Brother Jinnah) have only one" (Pirzada 1969, in Wolpert 1985: 181).

Throughout the 1930s the fear of minority status and the belief that safeguards would provide safety and insurance continued to shape the Muslim League's policies. However, the 1930s also saw the emergence of the idea of a potential future nation. In his presidential address to the All India Muslim League in 1930, Sir Muhammad Iqbal, leading poet and thinker, and to many Pakistan's 'spiritual founding father,' stated:

> I would like to see the Punjab, North West Frontier Province, Sind and Baluchistan amalgamated into a single state . . . formation of a consolidated North-West Indian Muslim state appears to me to be the final destiny of the Muslims at least of North-West India.
>
> *(Sayeed 1968: 103, 104)*

Iqbal's scheme caught the imagination of some Indian Muslim students at Cambridge who in 1933 coined the phrase 'PAKSTAN' as an acronym for the states of Punjab, Afghania (the North West Frontier region), Kashmir, Sindh and Baluchistan. For them 'Pakstan' – later Pakistan – "means the land of the Pak – the spiritually pure and clean. It symbolizes the religious beliefs and the ethnical stocks of our people; and it stands for all the territorial constituents of our original Fatherland" (Ali 1933: 105). Though there was still no talk of a separate nation, the contours of what a future nation might comprise were now emerging, albeit with limited political support at this early stage.

Under internal pressure from members of the British Indian government, and pressure from the Indian leaders, the British government devolved more power to their colonial subjects by the Government of India Act of 1935. This Act allowed elections to be held in British India for the first time at the provincial level and thus opened the way for Indian politicians to hold power, albeit limited, and gain administrative experience. Muhammad Ali Jinnah, now the leader of the Muslim League, believed that in order to safeguard Muslim interests it was imperative for the community to speak in one voice and thus he took upon himself and the Muslim League the right to be the Muslims' "sole spokesman" (Jalal 1985). The belief that the Congress represented the Hindus and was able to safeguard their interests because there was only one

'Hindu' organization, meant that the Muslims also needed to have one organization which would safeguard their interests and prevent the British (or the Congress) taking advantage of any 'dissension' in the ranks.

Parity with the Congress lay at the heart of the demand of the Muslim League, under Jinnah, to be the 'sole spokesman' of the Indian Muslims. The attempts of the Muslim League to incorporate within itself the regional parties in all the Muslim majority provinces of British India were a reflection of this policy, as was its refusal to attend any conference called by the British or be part of any interim government where a Muslim candidate was represented by any party but the Muslim League.

The elections of 1937 were particularly significant because they demonstrated the relative strength and support base of each political party. Prior to the elections, unsure of how many seats they would win, the Congress and the Muslim League agreed that irrespective of who won more seats the two parties would form joint governments in each province. However, in the 1937 provincial elections the Muslim League failed to garner more than 4.4 percent of the total Muslim vote. In Punjab the local Unionist party came to power, in Bengal the Muslim League was part of a coalition government and in Sindh and the North Western Frontier province the Muslim League failed to win a single seat.[17]

The Congress did much better and was able to form ministries (on its own and with allies) in 7 out of the 11 provinces into which the British Indian Empire was at that time divided. The Congress now refused to honor its promise of sharing power with the League and insisted instead that any Muslim Leaguer who wanted to be part of the provincial governments would have to give up his League membership and join the Congress. This raised the old fear of the Muslim League leaders about their minority status and that the 'Hindu' majority would not only renege on its promises after Independence from the British, but also might try to subsume the minority unless adequate safeguards were instituted.

This mistrust and suspicion of the Congress increased when the Congress-led governments implemented 'Muslim mass contact programs' in the provinces in which they came to power in 1937. The aim of the exercise was to increase Congress support within the Muslim community but it did not work out as planned because of poor implementation and faulty propaganda.[18] Out of the four Muslim-majority provinces of British India – Sindh, Punjab, North Western Frontier Province (NWFP) and Bengal – the Muslim League had not been able to form a government in any. This was not only because the Congress had done very well in the 1937 elections, but also because regional parties were dominant in the Muslim-majority provinces and they had refused to tie up with the Muslim League. The fear of Hindu majority rule was thus exacerbated. The belief was reinforced that unless the Muslims of India came together under one organization they would not be able to get out of their minority status and stand up to the majority.

This disastrous failure in 1937 led to a change in the policies of the Muslim League. The initial claim by the Muslim League for safeguards on the grounds of being a minority, put forth both before the British and the Congress, was now encapsulated in the demand for parity with the Hindus. The Muslim League no longer stated that it was a minority and therefore needed safeguards. The demand now was that there were two separate nations in India, the Hindus and the Muslims, and that both had an equal right to rule and live in India, and that their minority status should not in any way deprive the Muslims of a say in any future governmental set up in India.

The 1938 Karachi resolution of the Muslim League was the manifestation of this change in mood and tempo. The Karachi resolution reflected on the wrongs inflicted on Muslims by the provincial Congress governments and pointed out that Hindus and Muslims were two separate nations. As emphasized by Jinnah:

> Muslims have made it clear more than once that besides the question of religion, culture, language and personal laws, there is another question of life and death for them and that their future destiny and fate are dependent upon their securing definitely their political rights, their due share in the national life, the Government and the administration of the country.
>
> *(Sayeed 1968: 179)*

This was the first time that the Muslim League officially talked about the two nation theory, which after Independence is cited as the raison d'être for Pakistan.

On 23 March 1940 the Muslim League passed the Lahore Resolution – in later years referred to as the Pakistan Resolution – which further developed the two nation theory. In his presidential address to the All India Muslim League in Lahore in 1940, Quaid-e-Azam[19] Jinnah said that

> The problem in India is not of an intercommunal but manifestly of an international character, and must be treated as such . . . Islam and Hinduism are not religions in the strict sense of the word, but are in fact, different and distinct social orders . . . It is a dream that Hindus and Muslims can evolve a common nationality, and this misconception of one Indian nation has gone far beyond the limits, and is the cause of our troubles, and will lead India to destruction, if we fail to revise our actions in time. The Hindus and the Muslims belong to two different social philosophies, social customs and literatures. They neither intermarry, nor interdine together, and indeed they belong to two different civilizations which are based mainly on conflicting ideas and conceptions. Their aspects on and of life are different . . . To yoke together two such nations under a single State, one as a numerical minority and the other as a majority, must lead to growing discontent and the final destruction of any fabric that may be so built up for the government of such a state.
>
> *(Ahmed 1952: 173–178)*

Not all leading Indian Muslims agreed with this theory. A rejoinder to Mr Jinnah's speech and the Lahore resolution was given by Maulana Abul Kalam Azad, a prominent Congressman and close confidant of Nehru and Gandhi, in his presidential address to the Congress in 1940:

> It was India's historic destiny that many human races and cultures should flow to her, finding a home in her hospitable soil, and that many a caravan should find rest here . . . Eleven hundred years of common history [of Islam and Hinduism] have enriched India with our common achievements. Our languages, our poetry, our literature, our culture, our art, our dress, our manners and customs, the innumerable happenings of our daily life, everything bears the stamp of our joint endeavor . . . These thousand years of our joint life [have] molded us into a common nationality . . . Whether we like it or not, we have become one Indian nation, united and indivisible. No fantasy or artificial scheming to separate and divide can break this unity.
>
> *(Maulana Azad in Guha 2007: 41)*

Attempts to reconcile the Congress and the Muslim League continued, reflected in the talks between Mahatma Gandhi and Quaid-e-Azam Jinnah in the 1940s. The major point of disagreement was Gandhi's refusal to accept that Muslims were a separate nation; he was willing to accept a separation "not because they formed a separate nation but only because they wanted to

separate themselves from 'one family consisting of many members'" (Sayeed 1968: 125). The Muslim League and Jinnah could not accept this because only if Muslims were a separate nation could they justify their demand for a separate homeland.

Both parties started preparations for the next elections to be held in 1945–6. The 1946 elections would be held at both the provincial and federal levels and for the first time elected Indians would be part of the Viceroy's Cabinet and would hold ministerial ranks. Each party wanted to ensure that it won a sufficient number of seats in the elections of 1946 so as to be able to be members of the Cabinet. From the Muslim League's point of view it was all the more important as they required public support in order to prove they were a 'nation' equal to the Hindus led in their view by the Congress.

In order to be the 'sole spokesman' and a key player in any future Indian set up the Muslim League thus needed to win a majority of the Muslim votes in the 1946 elections, both in the provinces and at the center. In order to win those seats the Muslim League required support in the Muslim majority provinces of Punjab, Bengal, Sindh and North Western Frontier Province. The politics of the Muslim majority provinces were dominated by local parties which were not always favorably disposed to the Muslim League.

By the mid-1940s, however, the Muslim League managed to convince some of these provincial parties to work closely with the Muslim League and allowed their leaders dual membership in the Muslim League. Not only were the party leaders promised a say in the future governance of their provinces but the Muslim League also promised more regional autonomy in any future administrative set up for India. Since the Congress talked about a more unitary centralized system and the Muslim League a more federal decentralized set up, the provincial parties thought they had made the right choice.

The irony is that after Independence it was the Congress which gave more autonomy (and allowed the creation of new states on a linguistic basis) in India whereas the Muslim League, fearful of the balkanization of Pakistan, adopted a more centralized system.

Another problem facing the Muslim League in the 1946 elections was that the Muslim League had originally been a party which drew most of its support from Muslim minority provinces. The loss of privileged status and the fear of the Hindu majority was more pronounced in the Muslim-minority provinces than in the Muslim-majority ones. In order to make the argument that Muslims were a separate nation in India and deserved to have a say in any future Indian set up the Muslim League needed to show wide electoral strength. This meant winning seats in both Muslim-majority and Muslim-minority provinces.

Realizing the vast cultural, ethnic and linguistic differences among Muslims living in the various provinces of British India, the Muslim League emphasized their religious commonality. This led to the free use of Islamic slogans and symbols during the election campaign of 1946. Furthermore, in order to win the support of both the local leaders and the masses, the Muslim League in Muslim majority provinces sought help from traditional power centers and networks: the landowners (*zamindars*), clan or community (*biraderi*) linkages and the hereditary religious elites (*pirs/sajjadanashins*). The term Pakistan was put forth as the panacea for all problems facing Muslims. Its meaning was kept deliberately vague so that it could mean all things to all people.[20]

The strategy paid off and the League did exceptionally well in the 1946 elections receiving 75 percent of the total Muslim vote in the provincial assemblies and a majority of the Muslim vote in the federal assembly as well.[21] A seat at the policy-making table, where the future of India would be deliberated, was thus assured to the League. The only problem now was to see what the future would unfold. Would it be possible for the League and the Congress to work together within a united Indian federation, with a great deal of autonomy for federating units, or would there be a partition of British India?

Though the British Indian government had allowed limited parliamentary democracy from the 1930s in India, and some British officials had even considered granting India dominion status at some future stage, most of them had not contemplated complete independence. The British government both in India and in London hoped to leave behind a united India when they left. The key reason was not just emotional attachment to the 'jewel in their crown,' but also the strategic importance of the British Indian army to British imperial defense and the British Indian Empire's strategic location in Asia, bordering Afghanistan, the Soviet Union and China.

The 1942 Cripps Mission was part of the effort to bring the Congress and the League together as was the 1946 Cabinet Mission Plan. The Cripps Mission was an attempt by the British government to secure the cooperation and support of the Indian political elite during World War II. The Mission was led by a left-leaning and pro-India Labour Party politician, Sir Stafford Cripps. London's reluctance to grant Indians control over defense matters angered the Congress leadership and led to increased mistrust of any British offer.

The reaction of the Muslim League to these British proposals showed its strong desire for 'parity' with the Congress. The Cabinet Mission Plan of 1946 did not accept Pakistan as a viable option (Sayeed 1968: 140, 141). Instead it offered a decentralized federation consisting of three groupings with two Muslim majority areas and one largely Hindu majority area. Each grouping would have an executive and a legislature and the overall federation would also have an executive and a legislature. If the Muslim League had wanted nothing short of a separate country, Pakistan, they would have unequivocally said no to this option. Jinnah, however, announced acceptance of the Plan, indicating that fulfillment of the Muslim League's desire for parity with the Congress (and, by extension, between the Hindu and Muslim majority areas) was an acceptable compromise short of an independent Pakistan. This is explained eloquently by historian Ayesha Jalal (1985: 260):

> "[P]arity in any all-India arrangements" was the substance, not the shadow, of Jinnah's demands. "Here was the narrow and stony path by which Jinnah hoped to arrive at the ultimate goal of parity in all-India arrangements by achieving parity over external defense. After all, however moth-eaten and truncated the Pakistan on offer, any division of the army on communal lines would leave Hindustan with an army of its own which was equally moth-eaten and truncated, since it would be stripped of the Muslim regiments from the Punjab that had been its mainstay for the past ninety years. Mountbatten came impressively close to getting this point when he reported that his search for parity had put Jinnah into the ridiculous situation in which he looked as if he might end up not only with a horribly mutilated Pakistan but also still have to accept common arrangements with Hindustan at the center. If Mountbatten had stated that Jinnah's entire strategy was aimed at securing such common arrangements, and that Jinnah was prepared to go to almost any length to achieve them, he would have been nearer the mark. As the Viceroy himself explained: "The real difference lies in the fact that in the former case [i.e. a truncated but sovereign Pakistan] there would be parity at the Centre and the League would not be outvoted. But it shows what value the League sets on parity, since to obtain it they are prepared to sacrifice the richest plums of Pakistan" (Mansergh 1947: 407).

The Congress, however, was unwilling to concede parity to the Muslim League at the federal level even at the cost of sacrificing the dream of a united India. Sardar Patel, leading Congressman and India's future Home Minister, informed Viceroy Mountbatten: "if you raise the question of parity you will incur the everlasting enmity of Congress; that is the one thing we have been

fighting against and will never agree to."[22] Congress's final rejection of the Cabinet Mission Plan led to Jinnah's withdrawal of his initial acceptance of the complex confederal scheme. Thus the gap between the two parties, the Congress and the Muslim League, had by now widened and all last-minute efforts by the British government to leave behind a united India failed.

By the late 1940s the attention of the British government was diverted from the Indian subcontinent.[23] For the British, World War II had led to economic chaos and depletion of resources and manpower. The government in London was worried also about the emerging Soviet threat as well as trying its best to convince the Americans to be more involved with global security. Under these circumstances, despite the reluctance of former Prime Minister Winston Churchill, the British government was more amenable to leaving behind a partitioned India instead of staying on until the Muslim League–Congress deadlock could be broken. On June 3, 1947, the last British viceroy, Lord Mountbatten, put forth a plan to partition India[24] into two countries: India and Pakistan. The Muslim majority provinces of Punjab and Bengal were to be divided, and government handed over to both countries with Dominion Status at the same time. The All India Muslim League announced that though it did not agree to the terms of partition it accepted it as a compromise. The Congress response to partition was to accept it as a fact while continuing to contest its logic.

The All India Congress Committee resolution approving the June 3 plan as a temporary solution insisted that "when the present passions have subsided India's problems will be viewed in their proper perspective and the false doctrine of two-nation will be discredited and discarded by all" (Jehu 1948: 945). The Congress resolution also reaffirmed the territorial unity of the Indian subcontinent by stating,

> Geography and the mountains and the seas fashioned India as she is . . . Economic circumstances and the insistent demands of international affairs make the unity of India still more necessary. The picture of India we have learnt to cherish will remain in our minds and in our hearts.[25]

The Hindu right-wing nationalist organization, the Hindu Maha Sabha, was more strident when it declared: "India is one and indivisible and there will never be peace unless and until the separated parts are brought back into the Indian Union and made integral parts thereof."[26]

These statements, and others like them made then and later on by Indian leaders, only served to heighten the sense of insecurity that the newly created nation of Pakistan felt in relation to India. The fear that India's primary objective would be to undo partition had a lasting impact on Pakistan's foreign policy.

Partition and the idea of parity

> [T]he wish to see the kingdom of God established in a Muslim territory . . . was the moving idea behind the demand for Pakistan, the corner-stone of the movement, the ideology of the people, and the raison d'etre of the new nation-state. . . . If we let go the ideology of Islam, we cannot hold together as a nation by any other means. . . . If the Arabs, the Turks, the Iranians, God forbid, give up Islam, the Arabs yet remain Arabs, the Turks remain Turks, the Iranians remain Iranians, but what do we remain if we give up Islam?
>
> *(Waheed-uz-Zaman)*[27]

The belief that India and the Indian leaders had never accepted partition or the rationale of the creation of Pakistan and the fear of being "swamped beneath a massive, hostile, nearby Hindu

culture" (Stephens 1963: 29, 30) shaped both Pakistan's creation and its future. At partition the Muslim League tried, unsuccessfully, to convince the British that the two independent countries should be called Hindustan and Pakistan but neither the British nor the Congress gave in to this demand.[28] It is important to note that Jinnah and the majority of the Pakistani policy-makers have often referred to independent India as 'Hindustan,' as an affirmation of the two nation theory. In some ways there is a desire to assert that the name 'India' belonged to both Hindus and Muslims and when the Muslims broke off to form Pakistan what was left was only 'Hindu' India or Hindustan.[29]

The Muslim League and Jinnah also felt that partition had been unfair to them in so far as they had received what Jinnah called a "moth-eaten Pakistan." The Muslim League had expected to get all of Punjab and Bengal and not just their Muslim majority districts. The key rationale behind this feeling was parity: only if Pakistan contained a substantial majority of the population could it have parity at some level with India. Inclusion of undivided Bengal and Punjab would have resulted in the presence of huge non-Muslim minorities in Pakistan. Jinnah and many Muslim League leaders believed in what is referred to as the 'hostage theory' – that the presence of substantial religious minorities in 'Hindustan' and 'Pakistan' would ensure that each country treated its minority properly. They had not contemplated the mass migrations – especially in Punjab and Bengal – which coincided with partition.[30]

The partition of the British Raj had not been straightforward or without complications. There was frenzied communal violence and one of history's most massive unplanned migration of populations. Around 14 million people migrated and crossed borders at partition. Another one million were killed in large-scale riots that engulfed the entire subcontinent. The refugee crisis and riots were not just an emotional issue. They also had practical consequences. Around 6 million refugees entered India but it was the entry of over 8 million homeless and moneyless people into the newly created, weak country of Pakistan that had the more lasting impact.

The circumstances of Pakistan's birth accentuated its feeling of insecurity and created an aura of the new state being under siege. 'Hindu' India was seen as deliberately causing riots or creating problems and sending more and more refugees into Pakistan so as to break it up from within.[31] There were people on both sides who believed that forced transfer of populations might create a more purely Muslim Pakistan and a clearly 'Hindu' India. These communalist thinkers sought to fit territory with population and create uniform homogeneous countries. Their plans did not materialize but the events that accompanied partition, especially the forced as well as voluntary migration, left a permanently bitter legacy in both countries.

Questioning of the logic of partition by Indian leaders, along with the statements by refugee leaders and their supporters in India, exacerbated the fears on the Pakistani side of the border. On the Indian side, too, there were pressures for acting tough with Pakistan. Any accommodation of Pakistan's needs was seen by Hindu nationalists as capitulation. "The real question to be considered now is to find out the next issue on which Jawaharlal will surrender to Pakistan – Kashmir, or more probably Evacuee Property," said one communalist in India. "In order to become a world leader, Nehru can go to the extent of surrendering the whole of India to Pakistan" (Guha 2007: 239).

Hindu nationalism was given a boost by partition. Gandhi was assassinated in January 1948 for being allegedly soft on Pakistan. The next year when Nehru tried to introduce social changes through the Hindu Code Bill there were protests by the Hindu right-wing militant organization Rashtriya Swayamsevak Sangh (RSS) (National Volunteers Organization), which shouted slogans like "*Pakistan tod do, Nehru Hakumat Chhod do*" ("Pakistan should be broken up, Nehru should leave office") (Guha 2007: 240). Statements and slogans such as these contributed to Pakistan's fear of an existential threat from India.

Not contemplating the partition of the provinces of Punjab and Bengal and not visualizing the wide-scale migration of population, the Muslim League had also not visualized that Pakistan would end up as a country whose two territories would be separated by a hostile India. When the separation of Pakistan's two wings and the problems this might pose was first raised, the League attempted to ask for a corridor linking its two wings which would go through the heart of India. The Congress rejected that demand (Jalal 1985: 277). Soon it was realized that the partition-inspired migration had left only a small Hindu population in Pakistan but that almost one-third of British India's Muslims (around 35 million out of the total 95 million Muslims) would still live in India. This necessitated an explanation as to why, if Pakistan was the answer to the problems of undivided India's Muslims, had so many remained behind in the India resulting from partition.

The geography of the new country, with two separated wings, was ill-suited to forging a single nation. It also gave birth to the geopolitics of water. India and Pakistan are co-riparian states. They share the rivers which form part of the Indus system: Indus, Jhelum, Chenab, Ravi, Beas and Sutlej. Until 1971, East Pakistan (now Bangladesh) shared the Ganges system with India. One of the long-term legacies of partition was the division of the Indus and Ganges systems. Pakistan became the lower riparian state, dependent to some extent on river flow from across the Indian border. The fear of India suffocating Pakistan's water supply has been a constant theme in India–Pakistan conflicts. "No army with bombs and shellfire could devastate a land as thoroughly as [West] Pakistan could be devastated by the simple expedient of India's permanently shutting off the resources of water that keep the fields and the people of [West] Pakistan alive."[32] This happened when on April 1, 1948, India cut off the supply of water from the two head-works of the Punjab canal system under her control.[33] The 1960 Indus Water Treaty did settle issues to some extent, but the fear of India shutting off water still survives among many Pakistani strategic thinkers and policy-makers and permeates their thinking. Bangladesh and India still continue to disagree over the waters of the Ganges.

Pakistan's founding fathers were desirous of finding 'a place in the sun' for the new country. They faced an uphill task compared to India. British India had been a signatory to the League of Nations as well as the Charter of the United Nations and India took over the seat of 'British India' in all international organizations. Pakistan, however, had to start afresh. Nehru, India's first prime minister, had not only travelled extensively abroad during the 1930s–40s but had held the portfolio of external affairs in the interim administration during the last days of the British Indian Empire. Hence, both internally as well as in the international fora, India started off with an advantage, while Pakistan faced handicaps. The government in Delhi was the successor state; Karachi – and later Islamabad – had to always play catch-up.

Pakistan's insecurities were exacerbated by the fact that it had to deal with the additional problems of creating a new state from scratch, keeping the disparate provinces together and managing a massive refugee problem (Khan 1950: 58, 59, 103). All of these were accentuated by the fact that India initially withheld assets and funds (later released under pressure from Mahatma Gandhi)[34] and also because the balance of trade was skewed against Pakistan. The new country inherited regions producing only primary products while India got the factories that used the primary commodities grown in Pakistan. Pakistan's fears about India were reaffirmed by a statement by the outgoing commander-in-chief of the British Indian army, Field Marshal Auchinleck, on October 28, 1947: "I have no hesitation whatsoever in affirming that the present India Cabinet are implacably determined to do all in their power to prevent the establishment of the Dominion of Pakistan on a firm basis" (in Connell 1959: 920, 921). What was for Auchinleck an observation became the belief of the leaders of Pakistan.

When in September 1949 India devalued her rupee following the devaluation of the British pound sterling with respect to the US dollar, Pakistan did not follow suit. India in return shut off

the urgently needed supply of coal to Pakistan in December 1949, leading to almost complete stoppage of official trade between the two countries. The deadlock was broken with the signing of a new Indo-Pakistani trade agreement in February 1951 (Choudhury 1968: 148). Since then, though India and Pakistan are neighbors, their inter-state trade has been at a very low level. Part of the reason has no doubt been very high tariff barriers and political conflict, but at the root is Pakistan's fear that, if free trade takes place with India, not only will Indian goods and industries sweep the Pakistani market and wipe out Pakistani goods and companies but that the smaller Pakistani economy would become subservient to the larger Indian economy. A desire for parity in economic relations and the fear of subjugation lies at the core of why Pakistan has not been able to develop better economic ties with India.

In such an atmosphere the two countries also fought their first war, over Kashmir, within months of Independence. In 1947 the 562 princely states of the British Raj had the choice of acceding to either Pakistan or India based on two key principles: the will of their people and their geographic contiguity to the state they wished to join. Hyderabad, Kashmir and Junagadh were three princely states where tensions arose between India and Pakistan because the will of their princely rulers differed from the wishes of their people, a majority of whom belonged to a faith different from that of the ruler.

Junagadh had a Muslim ruler with a Hindu-majority populace. Located in the Kathiawar peninsula of Gujarat, surrounded by India and with no border with Pakistan, on August 15, 1947, Junagadh's ruler decided to accede to Pakistan. Exactly a month later Pakistan accepted the accession. In a letter to Governor General Jinnah, India's governor, General Mountbatten, maintained that Pakistan's acceptance of Junagadh's accession was "in utter violation of principles on which partition of India was agreed upon."[35] India soon deployed troops around Junagadh and took control of the state. In a subsequent plebiscite the result was in India's favor. Pakistan, however, complained to the United Nations and its complaint against India, claiming Junagadh as Pakistani territory, is still pending in the Security Council. Also, most official Pakistani maps show Junagadh as part of Pakistani territory.

Hyderabad was another state with a Muslim ruler and a Hindu majority populace. The Nizam, the richest Indian prince with annual revenue of around Rs. 260 million,[36] desired independence. However, as a landlocked state situated in the heart of Indian territory, Hyderabad had very little grounds for independence. Pakistan had close ties with Hyderabad and the Nizam even gave an emergency loan to the Pakistani government just after Independence. This was not viewed favorably by India. The Indian government, especially Indian Home Minister Sardar Patel, as part of his plan of integrating the various provinces and princely states, wanted Hyderabad to accede to India. In the aftermath of communal riots in Hyderabad and the surrounding areas, on September 13, 1948, the Indian army entered Hyderabad on the grounds that riots would spread beyond Hyderabad and "might break out all over India."[37]

The dispute over Kashmir, however, persists to this day. Kashmir was contiguous to both countries, had a Muslim-majority population, and was ruled by a Hindu Maharaja. The Kashmiri ruler, Maharaja Hari Singh, initially refused to join either country. However, when faced with a rebellion in his kingdom that was aided and abetted by Pakistan, the Maharaja signed the instrument of accession to India. This was followed by the induction of Indian army troops to quell the Pakistan-backed rebellion and secure the Himalayan state for India. This led to the first war between India and Pakistan in 1947–48. The war ended only after a ceasefire ordered by the United Nations. For India, Muslim-majority Kashmir manifests its secular identity and the fear that its secession might lead to balkanization of the multi-ethnic, multi-religious Indian state.

For Pakistan, Kashmir is the 'unfinished business' of partition and evidence of the two-nation theory; it represents the letter "K" in the acronym Pakistan. As Zulfikar Ali

Bhutto, Pakistan's first democratically elected civilian prime minister, said in his book: "If a Muslim majority [region] can remain a part of India, then the raison d'être of Pakistan collapses . . . Pakistan is incomplete without Jammu and Kashmir both territorially and ideologically" (Bhutto 1969: 180).

According to historians like Charles Tilly, territorial conflicts are very important in the formation of nascent states. They provide both internal and international legitimacy to the state (internally for the coercive apparatus and externally among the nations of the world), nurture feelings of nationalism and accelerate the process of centralization of the state.[38] Kashmir plays such a role in Pakistan's foreign policy.

Since 1947 Kashmir has been referred to by Pakistanis as the 'unfinished business of partition' and every Pakistani leader, and government, has tried to solve the problem whether through war or peace. In September 1950, Liaquat Ali Khan, Pakistan's prime minister, insisted that "the liberation of Kashmir is a cardinal belief of every Pakistani. . . . Pakistan would remain incomplete until the whole of Kashmir has been liberated" and that "for Pakistan, Kashmir is a vital necessity; for India it is an imperialistic adventure" (Brecher 1953: 47, 111). Pakistani leaders have always believed that India has hegemonic and imperial ambitions. Starting with Junagadh, Hyderabad and Kashmir right down to Goa and Sikkim, Pakistan has always cited inclusion of states in the Indian union as a reflection of this policy and as the basis for Pakistan's fears that India is waiting to undo partition by taking over Pakistan at some later stage.

The ideology that framed Pakistan's foreign policy and shaped its national identity both within and without was influenced by the aspirations of the Muslim elite in pre-partition India, the two nation theory of the 1930s–40s and the perceived threat from India. That 'Hindu' India wanted to undo partition meant that the two nation theory, the belief that Hindus and Muslims were different and could never live together without separate polities, had to be continually justified – both to Pakistanis and the world – even after the creation of Pakistan.

Several reasons were cited to reiterate the two-nation theory. These included the centrifugal tendencies among Pakistan's various provinces, the fact that the two halves of Pakistan were separated from each other by 'Hindu' India (which, it was believed, would try its best to break them up) and the problems of Kashmir, Hyderabad and Junagadh. The fact that around 35 million Muslims had stayed behind in India after partition also meant that Pakistan needed to repeatedly assert the justification for its creation and to keep reinforcing the belief among its peoples that the decision to create Pakistan was the right one. As a result, Pakistani nationalism comprises a very strong sense of the other.

The ideology formulated by Pakistan's leaders was largely India driven in addition to being based on religion. Leading Pakistani thinker Khaled Ahmed states that Pakistani nationalism comprises "95% anti-India hatred . . . They named it Islam because that is how we learn to differentiate between ourselves and India."[39] Or as one American academic remarked, Pakistani identity came to mean "a South Asian Muslim who is not an Indian."[40]

As a newly independent state, Pakistan, facing both internal and external problems, saw the 1947–8 Kashmir war as an attempt by India to wipe out Pakistan. The massive military disparities between the two countries only accentuated Pakistan's feeling of insecurity and its need for international allies and alliances. It was in this atmosphere that the founding fathers in both countries formulated the key principles of their foreign policy. Apart from the ideology based on the two-nation theory, Pakistan's foreign policy is also reflective of its national security requirements as seen through the prism of the Indian threat.

Former Pakistani Foreign Minister Agha Shahi, referring to the "tyranny of power disparity" in Pakistan's regional security environment, gives the rationale for both the constructed identity and the realist foreign policy when he says,

> Gaining independence by the exercise of the principle of self-determination, the nascent state of Pakistan wished, as its founding father repeatedly said, to build friendly and cooperative relations with its neighbors. Idealistic in aspiration, the state's foreign policy had soon to come to grips, however, with the reality of the challenge to its right to peaceful coexistence. . . . in order to ameliorate the situation, Pakistan did what many other states in a similar predicament had done and began to look outwards for friends and allies to support its own efforts to safeguard the independence, strengthen the security and build the economic sinews of the infant state.[41]

Pakistan in 1971 suffered a second partition assisted by armed military intervention by 'Hindu' India. It lost its eastern wing, East Pakistan, resulting in the creation of Bangladesh. Until 1971 East Pakistan was the largest province of Pakistan in population terms. But power in Pakistan was held exclusively by a West Pakistani oligarchy. This created among the East Pakistani leadership and populace a sense of being treated as second-class citizens. East Pakistanis felt deprived of their due share in Pakistan's economic growth. Their share in the civil and military services and in the political system was inadequate and disproportionately less than their population share. By the late 1960s these issues had boiled into a demand for more autonomy.

After Pakistan's first general election in 1970, when East Pakistan's Bengalis overwhelmingly voted for a party (Awami League) that sought to write a constitution that would end West Pakistan's dominance, a military crackdown ensued. This led to civil war and a war with India that Pakistan lost badly. The 1971 break up and separation of East Pakistan as Bangladesh did not dilute the two nation theory in the remainder of Pakistan. It only reinforced the belief of Pakistan's policy-makers that Pakistan faced constant threats to its identity and that 'Hindu' India was committed to undoing partition.

The idea of Pakistan

> . . . all nations bear some marks of their origin. The circumstances that accompanied their birth and contributed to their development affect the whole term of their being.
> *(de Tocqueville,* Democracy in America*, Vol. 1, chapter 2)*

The 'idea' of Pakistan has a relatively short history. The word originated in the 1930s, the Lahore Resolution (later referred to as the Pakistan Resolution) of 1940 talked about the two nation theory and in 1947 Pakistan was created. Born amidst conflict, lacking a history distinct from India's, fearing the intentions of a stronger neighbor and deficient in resources, Pakistanis had to create a nation and a national identity while also fighting what they saw as a threat to their national survival.

According to political scientist Vali Nasr, in post-colonial Muslim countries there is a policy of state-led Islamization both to gain legitimacy and subdue the secular opposition. States may be able to dominate their people physically but to rule effectively they also need to control their subjects ideologically (Nasr 2001: 4–13). In the case of Pakistan, its founders perceived the need for the binding glue of ideology to tie the Muslims in various provinces of former British India into one people.

The Muslim League, lacking a grassroots organizational structure, had deployed Islamic slogans as a binding glue even in the 1940s. What else could unite a Punjabi Muslim, a Pathan, a Sindhi Muslim, a Bengali Muslim and a Muslim from the United Provinces except their religion? The Muslim League and its leaders, including the secular Jinnah, used Islamic rhetoric and

symbols freely in their attempt to gain more votes for their party. In one of his speeches during the campaign for the 1946 elections Jinnah pointed out that "if you want Pakistan vote for the League candidates . . . if we fail to realize our duty today you will be reduced to the status of *Sudras*[42] and Islam will be vanquished from India" (Ahmad 1960: 1241–3). The Muslim League even set up a *Mashaikh*[43] committee in 1946 and *fatwas*[44] were issued on the League's behalf during the 1946 elections. The Muslim League campaign benefited from slogans like "Islam is in danger" and statements such as "We have two alternatives before us, whether to join or rather accept the slavery of Bania Brahman Raj in Hindustan or join the Muslim fraternity, the federation of Muslim provinces."[45]

The key question in political discourse about Pakistan has been whether Pakistan is a "land for Muslims" or a "nation of Muslims moving towards its destiny as an Islamic state" (Talbott 1998: 1). After Independence the crafting of a Pakistani national ideology thus necessitated the use of Islam and Muslim distinctiveness for creating a state identity. Pakistan was officially declared the Islamic Republic of Pakistan and its evolution in an Islamic direction has been consistently stated state policy.

In the domestic sphere, Pakistani policy-makers adopted a policy of Islamization to legitimize their rule and to bind together what they saw as a weak multi-ethnic state and stand up to any threat envisaged from 'Hindu' India. Each one of Pakistan's constitutions (1956, 1962, 1973 and even the Legal Framework orders under military rule) have reiterated the important role of Islam and asserted that no law in the country should contravene any of the tenets of Islam (Newman 1962: 13). In the 1980s, General Zia-ul-Haq, president and army chief, would echo General Ayub's views[46] when he stated, "the ideology of Pakistan is Islam and only Islam. There should be no misunderstanding on this score. We should in all sincerity accept Islam as Pakistan's basic ideology . . . otherwise . . . this country [will] be exposed to secular ideologies."[47] General Zia also believed that the Pakistani military were the "guardians of ideological as well as geographical frontiers"[48] of Pakistan. On the eve of Pakistan's 62nd year of independence in August 2009, Pakistan's Chief of Army Staff General Ashfaq Pervez Kayani reiterated that the Pakistani army will continue to defend the country "against all internal and external threats." General Kayani further emphasized that, "Islam is the soul and spirit of Pakistan. It is our strength and we will always be an Islamic republic."[49]

A national ideology, based on and derived from Islam, was to serve as an answer to frequently raised questions about national identity. Over time it has come to define Pakistani nationalism. Defining this national ideology also involved crafting a national narrative and view of history, which does not always conform to historic facts. Partition of the British Raj into India and Pakistan led to the separation of the new Pakistani state from the heart of the Muslim empire in South Asia, which now formed part of 'Hindu' India. For centuries Delhi had consistently been the capital of India's Muslim empires. The legacy of Indo-Muslim culture had evolved in kingdoms such as Oudh, Hyderabad, Rampur, Bhopal, Murshidabad, Golconda and Bijapur. The territory of these former kingdoms was located now in India and not in Pakistan. This left the new country with little within its territory to connect with the golden symbols of Muslim South Asian traditions. Even Aligarh Muslim University, the legacy of Sir Syed Ahmed Khan, and the major font of modern Muslim education that had been the alma mater of the majority of Muslim League leaders remained in India.

As if the lack of historical continuity was not enough, the logic and legitimacy of Pakistan was questioned by many around the world, not least by India's post-Independence leadership. Pakistan was created in the teeth of rejection and intellectual opposition to the idea. As late as 1956, American political scientist Hans Morgenthau observed,

> Pakistan is not a nation and hardly a state. It has no justification in history, ethnic origin, language, civilization, or the consciousness of those who make up its population . . . Thus it is hard to see how anything but a miracle, or else a revival of religious fanaticism, will assure Pakistan's future.
>
> *(Morgenthau 1956: 15, 16)*

India's entrance on the world stage was widely welcomed but there was widespread criticism of the creation of Pakistan.[50] British Prime Minister Clement Atlee declared, "For myself, I earnestly hope that this severance may not endure and that the two new Dominions which we now propose to set up may, in course of time, come together again to form one great member State of the British Commonwealth of Nations" (Burke 1974: 73). And the last British secretary of state for India, Lord Listowel, stated, "It is greatly to be hoped that when the disadvantages of separation have become apparent in the light of experience, the two Dominions will freely decide to reunite in a single Indian Dominion, which might achieve that position among the nations of the world to which its territories and resources would entitle it" (Burke 1974: 73). Remarks like these point to the fact that many British officials and leaders thought Pakistan and India would eventually come together in a union similar to the England–Scotland union. They never contemplated a complete and permanent division of the British Indian Empire.

The dominant Western attitude of both scholars and politicians was negative and to Pakistan's surprise the attitude of most of the countries in the Muslim world was not as friendly as expected. Under such circumstances, Pakistan's leaders were continually under pressure to explain to the world their country's creation.

For some scholars, Pakistan has "nationalism without a nation" (Jaffrelot 2002) because of the difficulties that have emerged in defining Pakistani nationalism and nationhood and for others it was a place "insufficiently imagined" (Rushdie 1983: 87). As late as 2000 an article in the leading Pakistani newspaper *Dawn* showed how deep this debate is even today in Pakistani society. It stated:

> Since the beginning Pakistan has been confronted with the monumental task of formulating a national identity distinct from India. Born out of a schism of the old civilization of India, Pakistan has debated over the construction of a culture of its own, a culture which will not only be different from that of India but one that the rest of the world can understand.
>
> *(Ali 2000)*

Having seemingly resolved the issue of national identity within, Pakistan's founders turned their focus to resolving the issue of identity and national role without. Pakistan's foreign and security policies reflected this quest.

The perceived threat to national survival from India was the key determinant. As Pakistani policy-makers, both civilian and military, saw it, they lived in a Hobbesian world in which they faced a mortal threat from India. They believed that India would never tolerate Pakistan unless Pakistan submitted to Indian diktat. Comments of the Indian National Congress at partition as well as periodic assertions of right-wing Hindu nationalists have fed into this view.

Most Pakistanis believe that India has never accepted the creation of Pakistan. Some even claim that soon after partition the Indian Ministry for External Affairs prepared a secret Cabinet document, which advised, "The first object of India's foreign policy must be the liquidation of Pakistan, by fair means if possible, by other means if necessary" (Feldman 2008: 860). No proof of the actual existence of this paper has ever been found or presented. However, it enhanced

already existent paranoia even though most Indian political leaders, from Jawaharlal Nehru and Indira Gandhi down to Atal Bihari Vajpayee and Manmohan Singh, have stated that for India the partition is now a settled fact and India seeks normal relations with Pakistan as a neighbor.

Every country pursues her foreign policy in accordance with her national interests, howsoever she may define them. As Professor Khalid Bin Sayeed points out, though political, economic and historical factors play a role in determining national interests,

> [T]here often is an overriding objective which is not based purely on rational considerations. Every country has a ruling passion in her foreign policy. When one calls it a passion, one is not suggesting that this is something entirely emotional or irrational. It may be based on genuine fears and hatreds which have accumulated over the years and which may be intertwined with material and religious considerations. Pakistan is no exception to this. Indeed very few countries were born in an atmosphere so surcharged with intense ill will and mutual hatred as Pakistan was in 1947 as a result of the partition of the sub-continent. Almost every action of Pakistan can be interpreted as being motivated by fear of India.
>
> *(Sayeed 1964: 745–7)*

A leading Pakistani newspaper editorial in the 1960s reflected this view when it stated "If the main concern of the Christian West is the containment of Chinese Communism, the main concern of Muslim Pakistan is the containment of militarist and militant Hinduism" (*Dawn News* 1963). Aslam Siddiqui in his work on Pakistan's security and foreign policy explains how the leaders of Pakistan saw their neighborhood and the world. For Siddiqui the path adopted by Pakistan was necessitated by the security hazards it faced and the geo-political location of the country (Siddiqui 1960). A life-threatening conflict with and perennial fear of a larger and ideologically different neighbor, 'Hindu' India played a defining role. As Siddiqui points out:

> Pakistan was born under inauspicious circumstances. Powerful forces were at work to cripple and thwart its very establishment as a viable state. These pressures created many complications and complexes. Strategically, Pakistan occupied a critical position in the region as well as in the world. It constitutes the borderland of the free world; it cannot therefore escape the strains of global rivalries. Pakistan also has an ideology which entails certain preferences. This is not liked by its major neighbors. All these factors have combined to create many problems for the young State of Pakistan. (Siddiqui 1960: preface)

Decades after Siddiqui, former Pakistani ambassador Shahid Amin stated that: "the quest for security vis-à-vis India has been an unvarying and almost obsessive dimension of Pakistan's foreign policy from the very beginning. Much that Pakistan has done in its foreign relations has been influenced greatly by its perception of a mortal threat from India" (Amin 2000: 10).

Foreign policy-making is by nature somewhat confidential, behind-the-scenes and secretive. In comparison with several other countries, scant literature exists on Pakistan's foreign policy-making process. Retired officers of Pakistan's foreign service say the foreign policy debate is somewhat limited, a view endorsed by experts. Years of military rule have led to the ascendance of the military and intelligence institutions in Pakistan's foreign policy decision-making. According to a former Pakistani diplomat, it is "understandable" that the military has "influence" on foreign policy because the "army has played a very substantial role in Pakistan's history."[51]

In an interview with the author, a former Pakistani foreign secretary acknowledged that the growth in power and influence of the military gave it "a disproportionate say in defense and

security matters." While laying out the timeline of rise in military ascendancy in foreign policy decision-making, the former diplomat asserted that in the initial decades the army's influence was limited mainly to Pakistan's relations with the West, especially the United States and the United Kingdom, and the various military pacts Pakistan joined. The foreign service, however, was "reasonably strong and effective" and was able to "loosen" Pakistan's allegiances to the various pacts and move Pakistan towards bilateralism and non-alignment.[52]

During General Zia-ul-Haq's rule (1977–88), in addition to establishing military dominance in domestic politics, the influence of the military and especially the Inter Services Intelligence (ISI) in foreign and security policies became entrenched. The real change came after the Soviet invasion of 1979 and Pakistan's involvement in the anti-Soviet Afghan jihad. This decision "monopolized Pakistan's foreign policy" to such an extent that foreign policy debate and decision-making "started getting out of the hands of the foreign office and into the hands of the ISI." ISI's powers came from its growing involvement in domestic affairs and in coordinating the resources and policy during the anti-Soviet Afghan jihad. Increasingly, since 1979, the Inter Services Intelligence developed a virtual veto power over issues related to external and security policy. As the former Pakistani foreign secretary pointed out, "the space they [ISI] gained as an expedient, later on they claimed as a right."[53]

For Pakistan's founders, domestic politics and foreign policy were to complement each other. Pakistan's foreign policy was cast in the same terms as its domestic policy: because India is dominated by Hindus, with whom Muslims have little in common, Pakistan must draw closer to the Muslim states to its west. Pakistan's first prime minister, Liaqat Ali Khan, claimed that "Even when we were subject people we regarded the distress of Muslim countries as our own . . . today we are bound by those natural postulates of Islamic Fraternity which were formulated for our guidance thirteen centuries ago" (Afzal 1967: 216). To fortify the ideology of the state, the national identity within and without, there was constant emphasis on the universal nature of Islam, hence the pan Islamist orientation of Pakistan's foreign policy.

S.M. Burke, in his comprehensive work on the mainsprings of Pakistan's foreign policy, traces Pakistan's focus on relations with Muslim countries and attributes Pakistan's joining anti-Communist Western alliances to Islam (Burke 1973). Burke also connects Pakistan's ideological foreign policy and India's non-aligned foreign policy to their respective religious beliefs.

> Islam being an unequivocal faith inculcates the attitude of viewing everything in sharp tones of black or white, good or bad, friendly or inimical. Hinduism providing no clear answers and concrete guidance makes it possible for all shades of opinion to coexist, or even to contradict one another.
>
> *(Burke 1974: 22)*

Burke also traces Pakistan's pan Islamist foreign policy to Islam's international vision. According to him, even before partition Indian Muslims believed they were part of a global *Ummah*[54] and this was reflected in their vision for Pakistan. Shahid Amin repeated Burke's views decades later, reflecting their constancy: "Any attempt to understand the various policies followed by Pakistan would be incomplete, if not impossible, without keeping this Islamic dimension in mind" (Amin 2000: 3).

Cultural and ideational factors often play a definitive role in determining which actors in a nation's security environment – both at the regional and global levels – are perceived as its enemies and who are seen as its allies.[55] Thus "definitions of identity that distinguish between self and other imply definitions of threat and interest that have strong effects on national security policies" (Katzenstein 1996: 18, 19).

The way a state defines itself and defines the 'other' determines who the state imagines as a 'threat' and which policies it follows to counter that threat and guarantee its own survival. In this case, 'Hindu' India was envisioned as a threat to the very survival of 'Islamic' Pakistan. Thus, in the eyes of the policy-makers, it followed that Pakistan's interests lay in 'containing' India, 'seeking parity' with India, 'gaining' allies against India and 'escaping' an Indian identity or heritage. Pakistan's policy towards India, Afghanistan, the United States, China and the Muslim world reflects various aspects of this basic construct.

One of the first allies sought by Pakistan was the United States. For their part, Americans saw Pakistan's overtures in the context of their expanding role in post-World War II Asia. Under President Roosevelt, the American administration had put persistent pressure on Britain to grant independence to India.[56] However, with the loss of China to Communism and the start of the Cold War there was a global search for allies by American policy-makers. India, a democratic and secular country, was a natural candidate as ally from the American point of view but independent India, under a left-leaning and non-aligned Nehru, did not respond positively to initial American overtures. Over time, Americans saw India as a difficult country to deal with and impossible to have as a Cold War ally. Pakistan, a large Muslim state with more Western-leaning policy-makers starting with Liaquat and Ayub, coupled with its geo-strategic location at the crossroads of South Asia, Central Asia, South East Asia and West Asia, was more favorably disposed to a military alliance with the United States.

In addition to alliances with major powers, Pakistan's ties with the Muslim world, especially the Middle Eastern countries, were an important part of its identity and ideology-based foreign policy. The underlying assumption was that 'Islamic' Pakistan would be able to stand up to 'Hindu' India because it would have the support of the larger Muslim *ummah*.

Notes

1 This chapter has been taken from the author's book *Escaping India: An Explanation of Pakistan's Foreign Policy* (London: Routledge, 2011).

2 Jihadism here refers to a radical version of Islamism (Political Islam) which justifies the use of violence in order to gain power. In this context the definition for Islamism has been taken from the International Crisis Group (ICG) March 2005 publication, *Understanding Islamism: Mid East/North Africa,* Report no. 37 where they define Islamism as being "synonymous with Islamic activism, the active assertion and promotion of beliefs, prescriptions, laws or policies that are held to be Islamic in character. There are numerous currents . . . what they hold in common is that they found their activism on traditions and teachings of Islam as contained in scripture and authoritative commentaries." Accessible at http://www.crisisgroup.org/home/index.cfm?id=3301

3 For more details see Tajfel and Turner (1986).

4 The term ideology here denotes ideas that functioned to "maintain the existing social order." See Freund (1981).

5 Thomas Hobbes, a leading classical realist, whose picture of the state of nature as "solitary, poor, nasty, brutish and short" was juxtaposed on the international system.

6 *Bania* = Hindu moneylender.

7 Author's interview with veteran Pakistani journalist Khaled Ahmed, Lahore, July 2008.

8 Author's interview with former Pakistani foreign secretary Tanvir Ahmad Khan, Islamabad, July 2008.

9 For the purpose of this book the terms 'British Indian Empire' or 'British Raj' refer to both 'British India,' i.e. the 11 provinces which were directly administered by the British and the 562 odd Princely states which were governed indirectly under the Doctrine of Paramountcy.

10 The British East India Company built its political and economic base in the Indian subcontinent from early seventeenth century. By 1857 the British East India Company had political and administrative control over large parts of the subcontinent. Due to political and economic reasons soon after the 1857 Revolt the British government took over control and set up the British Indian Empire or the British Raj.

11 See M.J. Akbar's "Introduction" in Rafeeq Zakaria, *Indian Muslims: Where Have They Gone Wrong?*, Mumbai: Popular Prakashan, 2004, for examples from writings of that time to show how Indian Muslims started 'feeling' like a minority.
12 Sir Syed Ahmed Khan, leading Muslim reformer and intellectual and founder of the Mohammedan Anglo Oriental College at Aligarh (later Aligarh Muslim University) was among those who believed that the way out for Muslims lay in support towards the British and not in allying with the Hindus. The paradox lies in that Sir Syed Ahmed Khan had many Hindu friends and often used to describe Hindus and Muslims as 'the two beautiful eyes' of India. This is something we see in later Indian Muslim leaders, like Mr M.A. Jinnah, who had many Hindu and Parsee friends, was a modern Muslim and yet espoused the two-nation theory for political reasons.
13 It is interesting that at this time there were relatively few sectarian differences between segments of the Muslim elite and Shia Muslim elite played a significant role. The Aga Khan is the spiritual head of the Ismaili sub-sect within Shia Muslims. Pakistan's founding father M.A. Jinnah himself was born a Shia Muslim and Pakistan's first Foreign Minister Zafarullah Khan was an Ahmediya. However, in 1974 Ahmediyas were declared as non-Muslims. From the 1980s Pakistan has also faced rising sectarian conflict. Though the Agha Khan foundation does a lot of work in South Asia, the Agha Khan does not live in Pakistan.
14 After the end of World War I in order to protect and keep the Ottoman Empire intact many leading Indian Muslims came together to launch the Khilafat movement – a movement to protect the Khilafat or Ottoman Caliphate. At the same time in 1919 Gandhi launched the first of his civil disobedience movements in India, called the Non Cooperation Movement. Gandhi realized the enormous political advantage of tying up his movement with the Khilafat movement and so the two movements were joined together and called the Khilafat-Non Cooperation movement of 1919–20. For more details on the Khilafat-Non Cooperation Movement please see Gail Minault, *The Khilafat Movement: Religious Symbolism and Political Mobilization in India*, New York: Columbia University Press, 1982.
15 For a more developed version of this argument please see Ram Manohar Lohia, *Guilty Men of India's Partition*, New Delhi: Kitabistan, 1960. A recent book on a similar theme is by Jaswant Singh, *Jinnah, India and Partition*, New Delhi: Rupa Books, 2009.
16 Sindh was finally created as a separate province in 1936 under the 1935 Government of India Act.
17 Figures and details for the 1937 elections have been taken from: Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge: Cambridge University Press, 1985.
18 The Pirpur report, a report by a group of Muslim Leaguers on this program and other policies of the Congress ministries in the various provinces, used stray incidents to discredit many of the Congress policies and show them in a bad light.
19 Mr Jinnah was given the title of Quaid-e-Azam of Great Leader.
20 For a detailed discussion of this point please see Khalid Bin Sayeed, *Pakistan: The Formative Years 1857–1948*, Karachi: Oxford University Press, 1968; and Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge: Cambridge University Press, 1985.
21 The figures and details related to the 1946 elections have been taken from Ayesha Jalal, *op cit.*, p. 172.
22 Ayesha Jalal, *Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge: Cambridge University Press, 1985, p. 260; as Nehru repeatedly pointed out to Mountbatten all that Partition meant was that "the Congress had allowed certain Muslim areas to opt out of the Union." Cited in Ayesha Jalal, *op cit.,* p. 272.
23 An interesting example of this is the fact that none of the last few Viceroys of India spoke any of the local languages. The last Viceroy who spoke a local language was Curzon and he spoke Persian which had been abolished as the lingua franca and replaced by English.
24 Interestingly, 1947 was not the first time that the British partitioned the 'British Indian Empire.' In 1905 Viceroy Lord Curzon partitioned the province of Bengal into two parts with the western half being a Hindu-majority area and the eastern half a Muslim-majority area. Lord Curzon gave administrative reasons for this partition stating that the older province of Bengal was too large to be governed properly. However, in his speeches Curzon told Muslim elite that this partition would help them get rid of the Hindu majority in their area. Under immense public pressure and demands by the Indian elite and political organizations like the Indian National Congress the partition was reversed in 1911. However, its psychological damage remained – many Muslim elite felt they had been deprived of a Muslim-majority province because the British had given in to Hindu pressure.
25 *The Statesman* (Delhi), June 14, 1947.
26 *The Statesman* (Delhi), June 9, 1947.

27 Waheed-uz-Zaman, "Editor's Note," in "The Quest for Identity," Proceedings of the First Congress on the History and Culture of Pakistan, University of Islamabad, April 1973. Islamabad: University of Islamabad Press, 1974, p. i. Cited in William Richter, "The Political Dynamics of Islamic Resurgence in Pakistan," *Asian Survey*, Vol. 19(6), 1979, p. 549.

28 As Ayesha Jalal shows very well in her book, in deference to the wishes of the Congress, Mountbatten agreed that "partition would not be construed as a division of India between Pakistan and Hindustan; it would merely mean certain areas with Muslim majorities were to be seen as splitting off from the Union of India" (Jalal 1985: 279–80).

29 "If the British decide that India must be divided and it follows that the armed forces must be divided and power transferred to the divided parts, then the Central Government must be dissolved and all power should be transferred to the two Constituent Assemblies formed and representing Pakistan and Hindustan." – Jinnah's statement in New Delhi, May 11, 1947. Cited in Ayesha Jalal (1985: 273).

30 Greater details about both these arguments about parity and hostage theory can be found in Khalid Bin Sayeed, *Pakistan: The Formative Years 1857–1948*, Karachi: Oxford University Press, 1968, and Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge: Cambridge University Press, 1985.

31 In a speech during his first trip to the US in 1950 Prime Minister Liaquat Ali Khan stated: "Certain elements in the neighboring country which had resented the emergence of Pakistan tried to break Pakistan by throwing upon it within the space of a few weeks the economic burden of seven million refugees, who, driven out of their ancestral homes, sought shelter with us" (Khan 1950: 73).

32 David Lilienthal, "Another Korea in the Making," *Colliet's Magazine*, August 4, 1951. This article was the result of Lilienthal's visit to India and Pakistan where *Colliet's* had sent him for a first-hand report. Lilienthal had formerly headed the Tennessee Valley Authority and the Atomic Energy Commission. Cited in S.M. Burke, *Pakistan's Foreign Policy: An Historical Analysis,* London: Oxford University Press, 1973, p. 11.

33 The canal system had been built by the British (Burke 1973: 12).

34 The partition of India involved not just the creation of two new states but also the division of the assets of British India. Fearful of each other this division – of military and economic assets – did not take place amicably. At partition the cash balances of undivided India stood at Rs 40 billion. After discussion and debate in December 1947 it was agreed by both sides that Pakistan's share in this would be Rs. 7.5 billion. Rs. 2 billion was paid to Pakistan as an interim installment and the remainder was outstanding. With the continuation of the Kashmir conflict, however, Indian Home Minister and Deputy Prime Minister Sardar Patel refused to pay the money until the Kashmir dispute was resolved. Mahatma Gandhi's intervention on the side of Pakistan in the form of a fast unto death was what led the Reserve Bank of India to transfer the remaining amount to Pakistan.

35 United Nations Security Council, *Official Records*, 250th Meeting, February 18, 1948. Cited in (Burke 1973: 17).

36 At present day Indian Rupee–US dollar conversion it comes to around $4 million dollars; in 1947 it would have accounted for much more.

37 An Indian Official, 'India as a World Power', *Foreign Affairs*, July 1949.

38 For details of this argument please see Charles Tilly, "War Making and State Making as Organized Crime," in Peter Evans, Dietrich Rueschmeyer and Theda Skocpol (eds) *Bringing the State Back In*, Cambridge: Cambridge University Press, 1985; and Charles Tilly, *Coercion, Capital and European States: AD 990–1992*, New York: Wiley-Blackwell, 1990.

39 Author's interview with veteran Pakistani journalist Khaled Ahmed, Lahore, July 2008.

40 Author's interview with an American scholar who did not want this remark attributed by name, Washington, DC, November 2008.

41 Former Foreign Minister Agha Shahi's *Foreword* in Abdul Sattar, *Pakistan's Foreign Policy, 1947–2005*, Karachi: Oxford University Press, 2007.

42 *Sudras* = low caste Hindus.

43 *Mashaikh* means spiritual teachers, normally referring to a group of sufi *sheikhs* or *pirs.*

44 *Fatwa* is a religious opinion concerning Islamic law issued by an Islamic scholar.

45 Speech by Maulana Abdul Sattar Khan Niazi, *Dawn*, Delhi, July 2, 1947.

46 Echoing the views of the founding fathers, General Ayub Khan, who ruled Pakistan from 1958 to 1969, and as army commander-in-chief played a crucial role in the country's formative years, went further and explained both the need for a national ideology and its definition in Pakistan's case. "Man as an animal is moved by basic instincts for preservation of life and continuance of race but as a being conscious of

his power of thinking he has the power to control and modify his instincts. His greatest yearning is for an ideology for which he should be able to lay down his life. . . . The more noble and eternal an ideology, the better the individual and the people professing it. Their lives will be much richer, more creative and they will have an enormous power of cohesion and resistance. Such a society can conceivably be bent but never broken. Such an ideology with us is obviously that of Islam. It was on that basis that we fought for and got Pakistan, but having got it, we failed to order our lives in accordance with it . . . The time has now come when we must . . . define this ideology in simple but modern terms and put it to the people, so that they can use it as a code of guidance." Cited in Ayub Khan, *Friends Not Masters: A Political Autobiography*, Karachi: Oxford University Press, 1967, pp. 196–197.

47 "The President on Pakistan's Ideological Basis," Address by President General Zia-ul-Haq at the inauguration of Shariat Faculty at the Quaid-i-Azam University, Islamabad, 8 October 1979 Islamabad: Ministry of Information and Broadcasting, n.d., p. 2. Cited in C.G.P. Rakisits, "Center Province Relations in Pakistan under President Zia: The Government's and Opposition's Approaches," *Pacific Affairs*, Vol. 61(1), 1988, p. 79.

48 Speech given to the graduates at the Officers Training Academy at Kakul, *Pakistan Times*, April 14, 1978.

49 "We are against terrorism, not religion, says Kayani," *Dawn*, August 14, 2009.

50 The wording of the resolution passed by the Indian National Congress committee on the eve of partition said "The picture of India we have learnt to cherish will remain in our hearts. The All India Congress committee earnestly trusts that, when present passions have subsided, India's problems will be viewed in their proper perspective and the false doctrine of two nations will be discredited and discarded by all." From K. Sarwar Hasan (ed.), *Documents on the Foreign Policy of Pakistan,* Karachi: Pakistan Institute of International Affairs, 1961, p. 261. Cited in S.M. Burke, 1973, *op cit.,* pp. 57–58.

Time magazine wrote favorably about "the mass movement" leading to Indian Independence but called Pakistan "the creation of one clever man, Jinnah," *Time,* 25 August, 1947. Cited in Husain Haqqani, *Pakistan between Mosque and Military*, Washington, DC: Carnegie Endowment of International Peace, 2005, pp. 8–10.

51 Author's interview with former Pakistani ambassador Arif Kamal, Islamabad, July, 2008.

52 Author's interview with former Pakistani foreign secretary Tanvir Ahmed Khan, Islamabad, July, 2008.

53 Author's interview with former Pakistani foreign secretary Tanvir Ahmed Khan, Islamabad, July, 2008.

54 *Ummah* refers to the global Muslim community.

55 Constructivist theorists like Alexander Wendt and Peter Katzenstein put forth this view in their works.

56 President Roosevelt agreed with his Chinese ally, Chiang Kai-Shek, that an independent India would be a much stronger ally in World War II. The president also sent one of his close associates as his Special Representative to India in the late 1940s, Col. Johnson.

Bibliography

Afzal, M.R. (ed.). (1967). *Speeches and Statements of Quaid-I-Millat Liaqat Ali Khan, 1941–51*. Karachi: Research Society of Pakistan, p. 216.

Ahmad, J.D. (ed.). (1960). *Speeches and Writings of Mr Jinnah*, Vol. I. Lahore: Ashraf, pp. 241–3. Cited in K.B. Sayeed (1968), *Pakistan: The Formative Phase 1857–1948*. Karachi: Oxford University Press, p. 199.

Ahmed, J.D. (ed.). (1952). *Some Recent Speeches and Writings of Mr. Jinnah*. Lahore: Muhammad Ashraf. Vol. 1, pp. 173–8. Cited in C.M. Ali (1988), *The Emergence of Pakistan*. Lahore: Services Book Club, p. 39.

Ali, C.R. (1933). "Now or Never, Are We to Live or Perish Forever?" pamphlet. Cited in K.B. Sayeed (1968), *Pakistan: The Formative Phase 1857–1948*. Karachi: Oxford University Press, p. 105.

Ali, M. (2000). "In Search of Identity." *Dawn News*, May 7.

Amin, S.M. (2000). *Pakistan's Foreign Policy: A Reappraisal*. Karachi: Oxford University Press, pp. 3, 10.

Anderson, B. (1991). *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.

Bhutto, Z.A. (1969). *The Myth of Independence*. London: Oxford University Press, p. 180.

Bourke-White, M. (1949). *Halfway to Freedom*. New York: Simon and Schuster, p. 94.

Brecher, M. (1953). *The Struggle for Kashmir*. New York: Oxford University Press, pp. 47, 111.

Brown, J. (1985). *Modern India: The Origins of an Asian Democracy*. Delhi: Oxford University Press, p. 178.

Burke, S.M. (1973). *Pakistan's Foreign Policy: An Historical Analysis*. London: Oxford University Press, p. 11.

Burke, S.M. (1974). *Mainsprings of Indian and Pakistani Foreign Policies*. Minneapolis: University of Minnesota Press, p. 22

Choudhury, G.W. (1968). *Pakistan's Relations with India (1947–66)*. London: Pall Mall Press, p. 148.

Connell, J. (1959). *Auchinleck*. London: Cassell, pp. 920–21. Cited in S.M. Burke (1973), *Pakistan's Foreign Policy: An Historical Analysis*. London: Oxford University Press, p. 10.

Dawn News. (April 26, 1963). Quoted in S.M. Burke (1973), *Pakistan's Foreign Policy: An Historical Analysis*. London: Oxford University Press, 1973.

Dawn News. (2009). "We Are Against Terrorism, Not Religion, Says Kayani," August 14.

Evans, P., Rueschmeyer, D. and Skocpol, T. (eds). (1985). *Bringing the State Back In*. Cambridge: Cambridge University Press.

Feldman, H. (2008). "The End and the Beginning: Pakistan, 1969–71." In *The Herbert Feldman Omnibus*. Karachi: Oxford University Press, p. 860.

Freund, P. (1982). "Ideology." *Encyclopedia of Sociology*. Connecticut: DPG Reference Publishing Inc, p. 132.

Guha, R. (2007). *India after Gandhi: The History of the World's Largest Democracy*. New York: HarperCollins, p. 41.

Haqqani, H. (2005). *Pakistan between Mosque and Military*. Washington, DC: Carnegie Endowment of International Peace, pp. 8–10.

Indian Official. (1949). "India as a World Power," *Foreign Affairs*, July.

Iqbal, A. (2008). "Bush Calls FATA Most Dangerous Region," *Dawn News*, April 13.

Iqbal, A. (2009). "FATA Insurgency Challenge of Highest Order: Obama," *Dawn News*, January 23.

Jaffrelot, C. (ed.). (2002). *Pakistan: Nationalism without a Nation?* London/New Delhi: Zed Books/Manohar.

Jalal, A. (1985). *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*. Cambridge: Cambridge University Press.

Jehu, I.S. (ed.). (1948). *The Indian and Pakistan Year Book 1948*, Vol. 34. Bombay: Bennett, Coleman, p. 945. Cited in K.B. Sayeed (1968), *Pakistan: The Formative Phase 1857–1948*. Karachi: Oxford University Press, p. 175.

Katzenstein, P. (ed.). (1996). *The Culture of National Security: Norms and Identities in World Politics*. New York: Columbia University Press, pp. 18–19.

Kaufman, M. (1980) "Interview," *New York Times*, September 23. Cited in *President of Pakistan General Zia ul Haq: Interviews to Foreign Media*. Islamabad: Directorate of Film and Publications, Ministry of Information and Broadcasting, Government of Pakistan, Vol. III, p. 299.

Khan, A. (1967). *Friends Not Masters: A Political Autobiography*. Karachi: Oxford University Press, pp. 196–7.

Khan, L.A. (1950) *Pakistan: The Heart of Asia*, Cambridge, MA: Harvard University Press, pp. 11, 15, 121.

Khan, M.A. (1967). *Friends Not Masters: A Political Autobiography*, Karachi: Oxford University Press, p. 186.

Khan, M.A. (1960). "Pakistan Perspective," *Foreign Affairs*, July, p. 549.

Lohia, R.M. (1960). *Guilty Men of India's Partition*. New Delhi: Kitabistan.

Mansergh, N. (ed.). (April 24, 1947). "Transfer of Power Documents," *Viceroy's Report*, No. 4. Vol. 10, p. 407. Cited in A. Jalal (1985), *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*. Cambridge: Cambridge University Press, p. 260.

Minault, G. (1982). *The Khilafat Movement: Religious Symbolism and Political Mobilization in India*. New York: Columbia University Press.

Morgenthau, H.J. (1956). "Military Illusions," *The New Republic*, March 19, pp. 15–16.

Nasr, S.V.R. (2001). *Islamic Leviathan: Islam and the Making of State Power*. New York: Oxford University Press, pp. 4–13.

Newman, K.J. (1962). "The Constitutional Evolution of Pakistan," *International Affairs*, Vol. 38(3), p. 13.

Niazi, M.A.S.K. (1947). *Dawn News*, July 2. Cited in K.B. Sayeed (1968), *Pakistan: The Formative Phase 1857–1948*. Karachi: Oxford University Press.

Online News Network Pakistan. (2009). "No Accord Exists between Pakistan and US for Drone Attacks: FO Spokesman," *Online News Network Pakistan*, August 9.

Pirzada, S.S. (1969). *Foundations of Pakistan*, Vol. II, p. 327. Cited in S. Wolpert (1985), *Jinnah*. New Delhi: Oxford University Press, 1985, p. 181.

Rakisits, C.G.P. (1988). "Center Province Relations in Pakistan under President Zia: The Government's and Opposition's Approaches," *Pacific Affairs*, Vol. 61(1), p. 79.

Richter, W. (1979). "The Political Dynamics of Islamic Resurgence in Pakistan," *Asian Survey*, Vol. 19(6), p. 549.

Rushdie, S. (1983). *Shame*. New York. Random House, p. 87.
Sayeed, K.B. (1964). "Pakistan's Foreign Policy: An Analysis of Pakistani Fears and Interests," *Asian Survey*, Vol. 4(3), pp. 745–7.
Sayeed, K.B. (1968). *Pakistan: The Formative Years 1857–1948*. Karachi: Oxford University Press.
Shahi, A. (2007). "Foreword." In A. Sattar (2007). *Pakistan's Foreign Policy, 1947–2005*. Karachi: Oxford University Press.
Siddiqui, A. (1960). *Pakistan Seeks Security*. Lahore: Longmans, Green & Co.
Singh, J. (2009). *Jinnah, India and Partition*. New Delhi. Rupa Books.
The Statesman. (June 14, 1947). "Delhi." Cited in S.M. Burke (1973), *Pakistan's Foreign Policy: An Historical Analysis*. London: Oxford University Press.
The Statesman. (June 9, 1947). "Delhi." Cited in K.B. Sayeed (1968), *Pakistan: The Formative Years 1857–1948*. Karachi: Oxford University Press.
Stephens, I. (1963). *Pakistan*. London: Ernest Benn, pp. 29–30.
Tajfel, H. and Turner, J.C. (1986). "The Social Identity of Intergroup Behavior." In S. Worchel and L.W. Austin (eds.), *Psychology of Intergroup Relations*. Chicago: Nelson-Hall.
Talbott, I. (1998). *Pakistan: A Modern History*. New York: St. Martin's Press, p. 1.
Tilly, C. (1990). *Coercion, Capital and European States: AD 990–1992*. New York: Wiley-Blackwell.

2

PASHTUNISTAN

Postcolonial imaginaries along borderlands, 1947–57

Amna Qayyum

In September 1947 the question of Pakistan's admission to the United Nations was raised before the General Assembly. Afghanistan was the only member-state to oppose the motion, objecting that aspirations of independence for Pakhtuns under the British Raj were thwarted with the formation of Pakistan as a nation-state (Haroon 2007: 189). Although Afghanistan rescinded its negative vote within three weeks, this incident set the tone for future relations between the two states. Support for the creation of an independent Pashtunistan formed the linchpin of Kabul's policy towards Pakistan during most of this decade, leading it to question Pakistan's authority as one of the successor states to British India, and its mandate to govern the Tribal Areas.

This chapter explores Pashtunistan, both as a spatial and conceptual construct, within the context of decolonization and the global Cold War. Pashtunistan, or Pashtunistan, depending on the dialect, literally translates to land of the Pakhtun people living in Pakistan and Afghanistan. Much contemporary writing on the Afghanistan–Pakistan borderlands has taken Pashtunistan as a pre-formed, historic entity. Working largely within a "war on terror" framework, writers point towards a shared linguistic heritage and code of honor to make their case for the existence of a Pashtunistan that exists to this day. However, conceptions of Pashtunistan, and the politics underlying it, were deeply rooted within their specific historical context (Kurtzman 2014: 303).

The "Pashtunistan Movement" in the first decade after Pakistan's creation has been broadly understood as a unified separatist movement centered in the settled districts of the North West Frontier Province (now Khyber Pakhtunkhwa) and the Tribal Areas, and supported by Kabul. In reality there was little consensus in its conceptualization and goals: different actors in the Afghan government, religious leaders and *maliks* in the Tribal Areas of Pakistan, and political parties in both Kabul and the North West Frontier Province all articulated calls for Pashtunistan, but with varied economic and political imperatives.

Existing historiography on the politics of the northwest frontier primarily stops at 1947, once nationalist movements have achieved their goal in the form of a tangible nation-state. It then argues for a disjuncture between the colonial and postcolonial. On the other hand, scholarship that does deal with postcolonial Pakistan primarily reads it through the lens of a march towards military authoritarianism and Islamization. Such scholarship misses out on aspirational politics along linguistic, regional, ethnic, and other lines that can help that can help reach a more nuanced understanding of relations between Pakistani state and society.

The wake of the postcolonial moment in Pakistan is especially fruitful for investigating state-formation and nation-building, and alternate visions to these processes. It was at this time that vigorous debates over the place of religion in the state, the dialectics between the center and the regions, and the role of various institutions in helping govern were being carried out in the Constituent Assembly. It was also during this period that Pakistan's place in the global order was forged – through its position as an ally of the United States in the Cold War and due to territorial tensions with both Afghanistan and India. Only with the creation of Pakistan did the modern state of Afghanistan put forward an official stance on Pashtunistan.

The process of decolonization possessed the potential of forging new models of sovereignty, and provided groups an avenue to espouse alternate visions of governance and territoriality – one of which was Pashtunistan, variously imagined. Although the nation-state of Pakistan was created in August 1947 this did not imply that its borders were firmly fixed and that all parts were incorporated into the nation's geo-body. Rather, integration was (and is) an ongoing process –attested through the annexation or consolidation of various princely states, islands, enclaves, and frontier spaces within the borders of Pakistan (Bangash 2015). However, even when these spaces were legally incorporated into Pakistan, debates over the modes of governance often arose. What was the nature of sovereignty in so-called frontier spaces, and would it be embodied through local leaders, state agents, elected officials or some other political arrangement? How did these differing modes of engagement between the state and its inhabitants create variegated spaces of governance, and how were arguably inclusionary ideals of citizenship and development instrumentalized to approach such differences?

An exploration of Pashtunistan brings to light the nature of aspirational politics as the state sought to forge a relationship with its constituent parts in its first decade. I argue that the specter of Pashtunistan led to the reconstruction of a frontier in the Pakistani state's imagination, and enabled the northwest areas to be reimagined as a space of shifting political allegiances. This conceptualization was built upon older colonial tropes of barbarity, wilderness, and the fiercely independent nature of its inhabitants. Added Afghan interest further cemented the conception of this space as a borderland where opposing forms of sovereignty clashed.

The Pakistani state used authorizing discourse of Islam and development for integration. The discourse of Islam was built upon Pakistan's position as a locus of sovereignty and a homeland for Indian Muslims previously living under the British Raj. However, these efforts at integration were circumscribed to a large extent, especially in the Tribal Areas. This was due to the limited capacity and willingness of the state, and also the modes of engagement employed – many of which were still deeply rooted in colonial anthropology.

The fate of the Khudai Khidmatgars

The use of Pashtunistan as a political construct can be linked to the politics of partition in the North West Frontier Province (NWFP). As a branch of the Indian National Congress in the NWFP, the Khudai Khidmatgars supported the party's vision of a united India – albeit one with substantial autonomy for regional units (Shah 1999; Rittengerg 1988). However, with both Congress and the Muslim League agreeing to partition at an all-India level with the June 3rd plan, a referendum was scheduled in the NWFP with the option of joining either India or Pakistan after partition. News of the referendum upset Khan Abdul Ghaffar Khan, leader of the Khudai Khidmatgars, who had repeatedly been assured by Congress leadership that any plan partitioning India would not be accepted. Betrayed by the failure of Congress to consult him before accepting the referendum plan, Ghaffar Khan remarked that Congress "had deserted us and thrown us to the wolves" (Shah 1999: 121).

In June 1947 a joint meeting of the Khudai Khidmatgars and Frontier Provincial Congress Committee opposed the referendum and put forward a call for the establishment of a "free Pathan state of all Pakhtoons," comprising both the administered districts of the NWFP and the Tribal Areas (Ali 1990: 87). Given the contingent nature of this claim for an independent Pashtunistan, the details of its realization were vague. When it failed to be included as an option the Khudai Khidmatgars decided to boycott the referendum, leading to a vote in favor of Pakistan (and by extension the Muslim League) by 50.49 percent of the total electorate (Toru and Marwat 2005: 27).

The specter of Pashtunistan had a robust afterlife in postcolonial Pakistan: soon after independence, Ghaffar Khan was asked to elucidate what was meant by the concept at a session of the Constituent Assembly in March 1948. Pointing towards examples of the people inhabiting Sindh as being called Sindhis, and Punjab as Punjabis he called for a "separate political unit" uniting all Pakhtuns east of the Durand Line (Ali 1990: 27). The contours of such a political arrangement are open to various interpretations, but it would be wrong to see it as an explicit call for separatism. Ghaffar Khan had officially accepted the creation of Pakistan at this point, and stated his desire to serve politically within the parameters of the state (Khan 1969: 207). His statement equated Pakhtuns with other communities already part of the Pakistani state, and was arguably a call for politically uniting Pakhtuns living in both the administered districts of the NWFP and the Tribal Areas. It also showcased how the political status of regions and modes of governance were open to alternate articulations in the immediate wake of partition, and these visions included reorganization and autonomy along ethno-linguistic lines.

Ghaffar Khan's vision and calls for autonomy did not sit well with a Pakistani state looking to establish and centralize authority over a recently formed political entity. Given the popularity previously enjoyed by the Khudai Khidmatgars, and by extension the Congress, the Muslim League was especially sensitive to political opposition in the NWFP. This resulted in Muhammad Ali Jinnah's, Pakistan's first Governor General and Founding Father, unconstitutional summary dismissal of the elected Congress ministry of Khan Sahib, Ghaffar Khan's elder brother, and the systematic persecution of the Khudai Khidmatgars for most of the decade after 1947.

The politics of consolidating the power of the Muslim League in the NWFP included the persecution of any perceived opposition. In 1950 police opened fire on a gathering of Khudai Khidmatgars in Charsadda, killing at least fifteen people, banning any political activity by them, and arresting hundreds of its workers. Moreover, through a mix of "cajoling and coercion" political leaders of the Khudai Khidmatgars changed parties to become members of the Muslim League, which was headed in the NWFP by Chief Minister Abdul Qayyum Khan (Kamran 2009: 268). By the time elections of the NWFP Legislative Assembly were held in 1951, amid allegations of fraud and tampering, the Khudai Khidmatgars had been rendered virtually powerless.

Remarking on his conflict with Pakistan's rulers, Ghaffar Khan noted that securing representation for Pakhtuns at the national level through electoral politics was the main issue (Khan 1969: 213). In 1948, soon after forming the opposition People's Party, along with G.M Syed, the Sindhi nationalist leader, and Abdus Samad Achakzai, the Baluch nationalist leader, Ghaffar Khan was promptly imprisoned for "collaboration with the agents of Faqir of Ipi with a view of stirring up trouble on the border." Although a communiqué issued by the NWFP provincial ministry after Ghaffar Khan's arrest makes clear that the thorny issue was his opposition to the political hegemony enjoyed by the Muslim League, the specter of Pashtunistan – including collaboration with Tribal Areas leaders and sedition on the Pakistan–Afghanistan frontier – was used to justify his arrest (Ali 1990: 123–5).

During the first decade after independence, Ghaffar Khan maintained that his program was one of autonomy and rights within the framework of the state. However, branding the Khudai Khidmatgars as separatists, and invoking fears of Pashtunistan, proved to be an effective tactic used by Abdul Qayyum Khan to bolster his power and to create a state of emergency for crushing dissent.

Autonomy and the Tribal Areas

While there is no evidence of links between the Faqir of Ipi and Ghaffar Khan in the early years after Pakistan's creation, the Faqir's arrest on these grounds underscores that the Muslim League leadership understood calls for Pashtunistan – whether from the NWFP or the Tribal Areas – as unified and sharing similar goals. The Faqir of Ipi, a religious leader from the Waziri tribe and veteran of anti-colonial uprisings against the British Raj, started his program against the Pakistani state in 1948 by gathering a *lashkar* (informal army) and occupying a military post in the Tochi Valley of North Waziristian. Afridi tribesmen also joined the Faqir and his followers, and they jointly set up the Pashtunistan National Assembly, calling for the withdrawal of Pakistan from Pakhtun territory (Jannson 1981: 237).

The Faqir of Ipi's agitation against Pakistan was deeply rooted in legacies of colonial governance in the space designated as the 'Tribal Areas', and the ambiguity in its political status as a result of decolonization. The inhabitants of the Tribal Areas were not allowed to vote in the NWFP referendum. A statement produced along with the 3rd June plan noted that previous treaty agreements with British India "will have to be negotiated by the appropriate successor authority" (Ali 1990: 82). The exclusion of the Tribal Areas from political decision-making was symptomatic of a "frontier governmentality" that created a separation between "settled" areas that could be cultivated, administered, and taxed – such as the NWFP – and the "tribal" areas that were conceptualized through tropes of barbarity and lawlessness. British colonial policy in the five agencies of the Tribal Areas included rule through natural leaders and local customs – many of which were arguably invented, or at least reified – in a careful balance between allowances, employment, fines, and blockades (Hopkins 2015: 369).

Recent historiography shows that by 1947 the Muslim League had created significant political networks with the Tribal Areas. In Jinnah's bid to unite all Indian Muslims, and act as their "sole spokesman," he traveled to the region in 1936 meeting Afridi *maliks* (tribal leaders) and reaffirming the cultural and geographic distinctiveness of the Tribal Areas to them. Although maintaining the Tribal Areas as a space of exception, Jinnah's visit linked the space to nationalist imaginaries – the fate for the Tribal Areas upon independence could now be imagined as a Muslim issue, providing the League a mandate to speak on the tribesmen's behalf (Haroon 2007: 165). Over the next few years links between some religious leaders of the Tribal Areas and League officials strengthened, leading to the *pir* (holy man) of Manki Sharif founding the *Anjuman-us-Asfia* – an organization of religious leaders supporting the League's demand for Pakistan (Jannson 1981: 161).

Soon after independence, but before the political status of the Tribal Areas within a newly independent Pakistan could be determined, the tribesmen became the center of international attention through their participation in the Kashmir conflict. As the *maharaja* of Kashmir decided between acceding to either India or Pakistan, tribesmen invaded the princely state under the pretext of violence against Muslims in Poonch. Although the Pakistani state and military denied any involvement in this incident, reports of financial and munitions support suggest otherwise (Haroon 2007: 180). The Kashmir conflict allowed the Pakistani state to build on the Muslim League's prior connections with the Tribal Area's religious leaders, and harness their manpower

for security needs. Although understanding the tribesmen's motivations for participating in the conflict is a grey area it is likely that a combination of factors, including both material benefits and a desire to protect Muslims, were at play (Haroon 2007: 179). In any case, the symbolic use of Islam allowed the state to build upon prior links with the Tribal Areas, and conceptualize the tribesmen as sharing similar goals of insuring Pakistan's security.

Over the course of 1948, with many tribesmen fighting in Kashmir, the governor of NWFP convened *jirgas* and renegotiated treaties with all the tribal leaders, except the Waziris. These treaties were an extension of the colonial mode of governance – rather than being based on models of equal citizenship they maintained the *maliki* system guaranteeing the maintenance of allowances, and mediating state relations with the tribesmen through the *malik* and Political Agent (Haroon 2007: 182). During this year both Prime Minister Liaquat Ali Khan and Muhammad Ali Jinnah visited the Tribal Areas on separate occasions. Driving through the Khyber Pass, Jinnah formally accepted the accession of the Tribal Areas to Pakistan and thanked the tribesmen for their support in Kashmir. Appealing to the tribesmen as fellow Muslim brothers he also announced the demilitarization of the Tribal Areas as a token of his gratitude, and confidence in the tribesmen loyalties (Abid 1997: 428).

Jinnah's decision to demilitarize the Tribal Areas seen as motivated by a lack of military capacity, however this decision was also an astute political maneuver aimed at building the confidence of the tribes in the Pakistani state. While the post-colonial state aimed at erasing difference through centralization, the process of decolonization also threw open competing visions of regional autonomy. Demilitarization of the Tribal Areas, and the invocation of Islam in addressing the tribesmen, was a method of gaining the support of tribal leaders in the face of perceived threats of regional autonomy or separatism.

Pashtunistan, argued to be one such major threat in the eyes of the Muslim League leadership, seemed to be gaining momentum. Although most tribal *maliks* had pledged their support to Pakistan, there were still some protesting against the new postcolonial power. In 1950 Wali Khan Kuki Khel, an Afridi *malik*, raised a *lashkar* to blockade the Khyber Pass.[1] Over the next four years several other *lashkars* were also raised by *maliks* advocating for a Pashtunistan. The territorial ambitions and goals of this call were at times obscure, and conflicting, depending on the tribal *malik* espousing them.

A rare interview by Christopher Rand, a journalist for the *New Yorker*, provides some of the few insights into the movement for Pashtunistan in the Tribal Areas. Traveling from Afghanistan to Waziristan with an interpreter, Rand was able to secure an audience with the Faqir of Ipi and his team – which included Muhammad Zahir Shah, chief of internal affairs. Shah answered Rand's questions primarily, noting that the guiding idea behind the movement was freedom and that "Pakistan cannot claim to inherit what the British did not possess" (Rand 1955: 111). Drawing upon notions of their historic autonomy, he noted that the Waziris had not been conquered by the British, and did not mean to be conquered by the Pakistanis.

Shah further delineated the organizing features of the movement to Rand, where Waziristan formed Central Pashtunistan under the Faqir of Ipi. At the same time a North Pashtunistan and South Pashtunistan also existed under different tribal leaders. The Faqir was purported to possess all the machinery of a central government – including a cabinet, advisory council, and a representative assembly of a "hundred members or so" (Rand 1955: 102). Rand characterized this movement as a mixture of "simple mountain democracy and traditional paternalism" whereby each village sent one man of age to Faqir's security forces. Although this shows the strength of the Faqir's bond with the tribe as a religious and political leader, his movement also invoked modern notions of statecraft to garner international support. Showing the existence of government machinery, he addressed declarations by the Pashtunistan Assembly to "all rank

and files of Pashtunistan, the entire Muslim World (particularly Afghanistan), Pakhtuns living abroad, and the UN organization" (Franck 1952: 59). However, actual numerical support for Pashtunistan, and the existence of some form of alternate governance structure, was debatable and the Pakistani state always alleged that these assemblies existed "only on paper."[2]

Rand's travels and interview also reveals how Pashtunistan was grounded in the context of each tribal agency, and did not have political connections with the movement in the NWFP. Rather than a unified movement, different 'Pashtunistans' existed across the Tribal Areas. What linked these calls in the Tribal Areas was a shared history of notions of autonomy, and a desire to maintain such characteristics in this space. However, there was little talk of an alliance with the politics for Pashtunistan in the NWFP. Ghaffar Khan's movement in the NWFP was originally inspired by nationalist politics at an all-India level, and aimed to work within the fold of electoral politics to gain more autonomy. It was informed by notions of non-violence and populism, and included a program of reform for the administered districts. Although he included the Tribal Areas in his vision of Pashtunistan, he had little direct connection with tribal leaders in this period.

The Tribal Areas fell largely outside the realm of electoral politics, even in the postcolonial period, and they were more interested in preserving a governance structure for elite interests in the face of a new postcolonial power. The Faqir of Ipi's actions, much like his earlier uprisings against the British, aimed to preserve the autonomy of tribal elites from a possibly encroaching state. The economic aspects of these actions – especially the question of allowances, and who receives them – was also crucial in fostering calls for Pashtunistan (Nichols 1995: 24).

For Pakistani state officials the uprisings in the Tribal Areas were symptomatic of larger problems of integration. Even though the borders of Pakistan had been mostly delineated at this point there were swaths of land such as princely states and political agencies where the nature of British political authority had been largely nominal. Establishing sovereignty and modes of governance in such spaces was proving to be problematic for a state already dealing with a refugee crisis, and severely lacking in administrative capacity. State officials argued that the Pashtunistan National Assembly was actively propped up through Afghan support. Although the veracity of these assemblies and the numerical support they enjoyed cannot be verified, any uprisings in the Tribal Areas only added to the anxieties of a state already nervous about existential threats on its frontiers. Following the colonial policy of aerial bombing on the frontier, the Pakistan army took action against the Waziris and Afridis (Haroon 2007: 187). These actions were roundly condemned in the Kabul press, only increasing Pakistan's belief that the Afghans funded the Pashtunistan assemblies.

Decolonization, space, and authority

In 1950 the Afghan Information Bureau in London published a booklet entitled *The Pakhtun Question*, which was widely circulated in diplomatic circles, aiming to "provide general information of the land of the Pakhtun's with a brief history of its people, so as to enable the reader to follow current events relating to the Pakhtun movement" (*The Pakhtun Question* 1950: 1). Invoking theories of International Law, the publication questioned Pakistan's sovereignty over the NWFP and Tribal Areas based on two arguments. First, the *ipso factor* incorporation of administered Pakhtun territories into Pakistan constituted an innovation with no basis in law since the 1947 referendum in the NWFP did not include an option for Pashtunistan, and was boycotted by half the population. Second, the theory of state succession was called into question, arguing that the Tribal Areas were juridically independent and merely *administered* by the British. In this reading, the succession of the Tribal Areas could not be passed on from British

India to Pakistan, since the former did not exercise sovereignty over this region (*The Pakhtun Question* 1950: 56–9). Indicative of Kabul's official stance, the publication called for the formation of a separate Pashtunistan, and not the incorporation of these territories into an Afghan polity. However, the geographic visions of this Pashtunistan changed over time, depending on the goals for deploying this construct. Whereas the original Afghan argument was only for the Tribal Areas, by 1950 it was noted to include "the whole area from Chitral in the north to Baluchistan in the south, and Khyber to the west to Indus to the east."[3] Why did this change take place?

These claims were based on a particular understanding of the history of Afghan relations with both the tribal territories, and the British colonial government. The construction of British India's northwest into a frontier was deeply tied to the discourse of the Great Game, and the perceived need to defend British India's borders from external threats – be they Russian or Afghan. This led to a flurry of British efforts to delimit areas of control, and in the wake of the Second Anglo-Afghan War the border between Afghanistan and India was demarcated (Hevia 2012: 91–106). The Durand Line, born out of these efforts in 1893, was aimed at marking zones of economic and political involvement into definable spheres of influence. Although the agreement called for halting Afghan subsidies and involvement with tribes on the British side of the border, Sana Haroon notes how the Afghan emir continued to be involved in tribal affairs through economic activity and patronage of *pirmuridi* lines well into the late 1920s (Haroon 2007: 105).

The partition of British India brought the question of Kabul's relationship with these areas to the forefront again. Right before partition Kabul submitted a formal claim requesting that in the event of a demission in British authority the "Pathan country as far as the Indus" should revert to Afghan sovereignty (Caroe 1958: 436). This was based on questions of the Durand Line's validity, which Kabul alleged was signed under duress "by military force, and through political and economic pressure which was forced upon Afghanistan at a critical moment in the development of a country when the Amir's policy was to avoid at all costs another war with the British" (Pazhvak 1951: 73).

The discursive power of a common history based on a shared linguistic heritage, border crossings, and patronage networks was key in Kabul's imaginaries of Pashtunistan. Discussing Pashtunistan, a British Foreign office report from Kabul stated that it "arouses considerable Afghan national interest, and question of the independence of the administered tribal areas has been, and remains a historical problem. It is by no means a recently invented propaganda stunt."[4] Although Kabul's control over the vast tribal territory in both Afghanistan and Pakistan had historically been precarious, and a source of anxiety, the "tribal question" was fundamental to the Afghan government since they had always relied on the support of the tribes. In the eyes of British officials this question was as important for Shah Mahmud Khan, the Afghan Prime, as it was as important as it was for Abdur Rehman in the late nineteenth century.[5]

The emotive appeal of Pashtunistan was also noted by Olaf Caroe, a former British governor of the NWFP, who understood Afghan claims as tied to the dynastic lineage of the ruling family. As Zahir Shah and his family were direct descendants of the Peshawar *sardars*, who ruled the areas before the Sikhs, the "lure of Peshawar is a passion deep within their hearts" (Caroe 1958: 435). Robert Crews also gives some credence to "the weight of history, emotion, the colonial origins and memory of Afghanistan's contested Durand Line," but notes their importance along with geopolitical considerations (Crews 2015: 178). However, the Afghan press, and certain government officials, regularly invoked emotion and shared historical memory with the tribes to make the case for Pashtunistan.

The creation of an independent Pakistan, encompassing territories with Pakhtun inhabitants, was a matter of urgent concern for both economic and political reasons for Kabul's political

elite. Soon after partition Najibullah Khan, a special envoy of Zahir Shah, visited Karachi to negotiate a "treaty of friendship." Indicating an Afghan desire to address frontier matters – both territorial and economic – Najibullah's meeting was partially fruitful. Although both parties agreed to trade terms, Kabul's desire for Pakistan to grant "complete administrative and political autonomy" to the Pakhtuns of the Tribal Areas and NWFP did not amuse Liaquat Ali Khan (Abid 1997: 429). Negotiations soon reached a deadlock over this issue, and Najibullah returned to Kabul empty-handed. In early 1949 a *loya jirga* was convened to determine the tenor of Afghan relations with Pakistan (Haroon 2007). Although the proceedings of this meeting are not available it is indicative of the importance attached to relations with Pakistan, the linchpin of which for the next few years would be Pashtunistan.

Politically, the Afghan objection to the incorporation of the Pakhtun-speaking regions into Pakistan was tied to its self-projection in a changing global order. Robert Crews notes the two imperatives underlying Afghan foreign policy during this period: they tied their developmentalist goals to Cold War patrons and vigorously adopted an anticolonial posture against Pakistan, criticizing it as an instrument of British imperialism (Crews 2015: 177). Such actions were arguably driven by concerns over how the existence of an independent Pakistan could disrupt Afghanistan's claims as being the "bastion of free Islam" in the region (Haroon 2007: 187). Pakistan, ostensibly created in the name of Islam, had the power to reconfigure regional power and global alliances. Delegitimizing Pakistan's position as a successor state to British India was one way of asserting an Afghan power in a new regional order.

Over the course of 1949 the relationship between the two countries deteriorated rapidly, and it was noted that Afghan calls for Pashtunistan became more vehement and better organized. One reason for this was speculated to be Sardar Muhammad Daoud Khan's appointment as the Interior Minister, which made him responsible for a newly established directorate of tribes and provided him more power over directing Afghan policy.[6] There were indications of dissensions within Kabul's ruling elite over the Pashtunistan issue: whereas Zahir Shah's enthusiasm for Pashtunistan was arguably tepid, Daoud effectively deployed the Pashtunistan issue starting in the late 1940s to cement his political power. In 1950 he reportedly opened a Pashtunistan fund to raise money, with many contributions coming from Indian Pakhtuns.[7]

While the Afghan state had historically been seen as Persianate in nature, Daoud's vision actively propagated a Pakhtun vision of the nation. To advance this agenda the government actively supported the *Wish Zalmyan* (Awakened Youth), a political party comprising southern and eastern Pakhtun intellectuals. Operating largely on ethno-nationalist lines the party argued for the liberation of Pakhtuns from Pakistani rule, and treated Pashtunistan as a domestic issue. However, the party did not gain much popularity, even among the Pakhtun elite. Although certain other political parties, such as Hizb-i-Watan (party of the homeland), supported the creation of an independent Pashtunistan, they argued that the issue did not require active Afghan involvement. Rather, most political parties argued for domestic socio-economic improvement (Bezhan 2014: 209). By providing a space for political parties to operate, and actively propping up Pashtunistan through government funding, Kabul could deflect attention from domestic issues and portray itself as supporting populist elements. Calls for Pashtunistan tied in to the advancement of Daoud's Pakhtun nationalist platform at home. However, rather than uniting Afghans around a common cause, the opening for political parties provided an avenue to voice dissent against the ruling elite, leading to their eventual banning by 1952.

Another immediate reason for increasing hostilities between Pakistan and Afghanistan was the bombing of a hostile *lashkar* at Moghalgai, a village on the Afghan side of the border, by the Pakistan air force. Although a joint Afghan–Pakistan commission later determined that the

pilot had fired at the 2,100 people collected on the Afghan side of the border by mistake, the immediate Afghan reaction was a renunciation of all treaty agreements they had entered into with British India (Franck 1952: 59). This pronouncement did not directly affect Pakistan's sovereignty over the Tribal Areas and the NWFP, but it caused enough concern for Pakistan to bring this up with the British Parliament for clarification. Reaffirming the legitimacy of Pakistan as the successor state, a House of Commons debate in 1949 declared the Durand Line as the international border (Abid 1997: 432).

The hostilities in 1949 also brought forward the economic anxieties underlying Afghan calls for an independent Pashtunistan. In response to what was viewed as Afghan questioning of Pakistan's territorial integrity, Karachi leveraged its control over trade routes. Previous transit concessions negotiated under colonial rule for goods traveling by rail from Afghanistan to Karachi were canceled. Regulations were also introduced for seasonal migration across the border: special passes were introduced for laborers, nomads, and merchants looking to enter from Afghanistan into Pakistan, and on to India (Crews 2015: 178). In 1950 the export of petrol from Pakistan to Afghanistan was also canceled on the grounds that Afghan lorries did not meet safety guidelines.[8] The effects of such policies were still evident in 1952 when an American traveler to Pakistan noted that "the supply of gasoline and other essentials coming in to Afghanistan through the port of Karachi has been slowed down or reduced, and the transit of Afghan-bound goods is wrapped up in king-sized rolls of red tape" (Franck 1952: 60).

As a landlocked state, Afghanistan's economic dependence on trade with and through India and Pakistan was widely recognized. The Anglo-Afghan Treaties of the previous decades had also largely been trade agreements through which Kabul negotiated custom exemptions and transit terms, including access to the port at Karachi ("The Implications of Pashtunistan" 1955: 397). With the departure of colonial power, Kabul was eager to insure that it had access to the same trade terms and facilities. The creation of a separate Pashtunistan, with close ties to Kabul through a shared ethnic identity, implied more Afghan control over a space where major trade routes were located. The shifting of Pashtunistan's geographic imaginary from solely the Tribal Areas to NWFP and more importantly Baluchistan, a space providing access to the Arabian Sea, is essential in understanding the economic dimensions underlying the calls for Pashtunistan.

Pakistan recognized Kabul's dependence on trade with and through the country, and was able to leverage the economic tools at its disposal effectively. Although the regulation of transit and trade ties was part of the state's attempt to shape its economic policies, it was also aimed at softening Afghanistan stance over Pashtunistan. However, this led to even stronger anti-Pakistan rhetoric in Kabul, with the Afghan Chief of Protocol remarking, "Afghanistan is a human being, the neck of which would be missing as long as Pakistan was out to throttle the country's trade."[9] The economic difficulties resulting from this shift in Pakistan policy, and the uncertainty of future ties, also contributed in part to Kabul signing a trade agreement with the Soviet Union in 1950.

The perceived danger of closer Afghan–Soviet ties resulted in active US interest in the Pashtunistan issue starting in 1950. The United States, which was forging its place as a key player and future benefactor in the region, mainly saw the Pashtunistan issue through a Cold War lens. It contended that improved relations between Pakistan and Afghanistan, along with a good dose of military and economic aid, would make the region less susceptible to communism. Insuring peace over the Pashtunistan issue was key, and in 1950 the US State Department agreed to negotiate a settlement between the two countries. The negotiations broke down since Pakistan insisted on recognizing the Durand Line as the international border; however, the US was not ready to take an explicit side for fear of alienating the Afghans, and pushing them closer towards the Soviets.[10]

Although US involvement to resolve the Pashtunistan issue was largely ineffectual, the tying of this issue to Cold War politics provided both Pakistan and Afghanistan with an opportunity to make their respective cases to an international audience. Afghanistan lobbied hard for a separate Pashtunistan, circulating propaganda materials in both London and Washington, DC. While meeting with State Department representatives, Afghan officials also portrayed the creation of Pashtunistan as a step forward in US Cold War strategy. However, Pakistan's increasingly cozy relation with the US, and the signing of mutual defense agreements between the two countries, caused significant strain on the US–Afghanistan relationship. Kabul hardened its stance, remarking that it would only co-operate with Pakistan after a resolution to the Pashtunistan issue. It also entered into further economic agreements with the Soviet Union and satellite states (Leaske 2013: 790–91).

Pakistan's anxiety over separatism was also rooted in debates over linguistic and regional autonomy in other parts of the country, such as East Pakistan. The specter of Indian involvement, and support of Kabul, also loomed large in official discourse. Pakistani officials, calling Pashtunistan a "figment of the imagination of certain Afghans," argued that the NWFP and Tribal Areas had demonstrated their will to join Pakistan through a referendum and agreements with tribal *maliks*.[11] Any questioning of Pakistan's territorial integrity, and acceptance of separatist tendencies by the state, would likely encourage other movements in the country at a time when its unity was still tenuous. Discussions by the Pakistani government over tribal matters with Kabul would arguably provide the impression that the status of the Tribal Areas was up for debate again, thereby undermining the processes of state-formation.

The Pakistani state's response was to further entrench and centralize state power. In 1955 the One Unit Scheme was instituted, merging all provinces of West Pakistan along with princely states and the Tribal Areas into a single unit (Jalal 2014: 77). Largely instituted to insure electoral parity with East Pakistan, the scheme was opposed by Kabul on the grounds that it changed the governing structures of Pashtunistan and was an "encroachment upon the rights of Pakhtuns against all the canons and international law" (Leaske 2013: 792).

Kabul's swift response to the One Unit Scheme showcases how both states were actively involved in public relations and media campaigns around the issue of Pashtunistan. The local press in Kabul regularly published articles calling for autonomous Pashtunistan and resistance against an expansionist Pakistani state, attempting to evoke feelings of a shared Pakhtun brotherhood. Robert Crews has also noted an active Afghan policy of dispatching agents to the frontier for recruitment into the Pashtunistan campaign – the success of whom among the Shinwaris, Mohmands, and other tribes was proudly exclaimed in the Kabul press. The reactions of tribes living on the Pakistani side towards Pashtunistan were in reality more lukewarm than exhibited in the Afghan press. While some tribes sent representatives to Kabul, others viewed their place within the framework of the Pakistani nation-state (Crews 2015: 179). While roundly condemning such activities and propaganda, Pakistan produced its own press materials. An article published in a leading English language daily, *Dawn*, featured discussions of Kabul's unpopularity among the Afghan masses – especially with Uzbek and Turkmen. As per norm, it also accused Kabul of being manipulated by foreign powers, including India (Crews 2015: 179).

Tensions over Pashtunistan reached boiling point in 1955 when protestors in student uniforms attacked the Pakistani Embassy in Kabul – reportedly in response to the One Unit Scheme. Accounts circulating in Pakistan stated that protestors had burned the national flag, and hoisted one of Pashtunistan atop the building (Qureshi 1966: 105). Pakistani citizens responded quickly with a counter-attack on the Afghan consulate in Peshawar. These events culminated in a five-month closure of the Afghan–Pakistan border.

Even after the border was reopened, and relations normalized to some extent, tensions over Pashtunistan continued well into the 1970s. With the ascension of Ayub Khan to power in 1958 the issue entered a new phase. Not only was it tied more closely to global Cold War politics, but starting in the 1960s the Pakistani government also reportedly launched a counter-attack by supporting Islamist ideologies in Afghanistan to counter the forces of ethno-nationalism (Haqqani 2005: 174–6).

Postcoloniality and the frontier

The process of decolonization was accompanied by alternate visions of governance and territoriality that did not always fit well with the imperatives of the Pakistani state. Pashtunistan, variously imagined, provided visions for articulating differing interests including autonomy, allowances, transit concessions, and enhanced regional power. However, these specters of Pashtunistan were at odds with the interests of the Pakistani state and its representatives, who sought to centralize political authority and erase cultural difference through efforts at nation-building during Pakistan's first decade.

Starting with the unconstitutional dismissal of the Congress Ministry in the NWFP, subsequent air strikes in the Tribal Areas, and arrests of any perceived opposition in the administered districts, the state used its coercive power to weed out dissent. This sovereign power of the state, and its ability to coerce, was embodied in the Political Agents of the Tribal Areas and Muslim League leaders in NWFP. These agents of the state often invoked the specter of separatism to an alarming extent – primarily to declare a state of exception in these spaces, and employ violence as a tool to serve their own needs and enhance their power. By the end of the first decade this power of "cajoling and coercing" had largely worked in the NWFP to weed out political dissent.

Coercion was not the only method used by the center to integrate these spaces and bring them within the framework of an increasingly centralized nation-state. Much like the use of anthropology to reify tribal identities in the colonial period, the Pakistani state also actively purported a discourse delinking Pakhtuns in Afghan from those in Pakistan. A book published by Olaf Caroe in 1958, through the initiative and support of the Government of Pakistan, divided Pakhtuns into western Afghans (Durranis and Ghilzais) and eastern Afghans (Yusufzais and others inhabiting the Peshawar plains). Between these two Afghans he interposed the highlanders: the Afridis, Waziris, Khattaks and other groups in the Tribal Areas. Using the Durand Line as the divider, and confirming Pakistan as the successor state of the British Empire, Caroe noted the linguistic affinities and similarities between the eastern Afghans and highlanders and relegated western Afghans to a separate category (Caroe 1958: xvii).

The Pakistani state apparatus through administrators and scholars fought claims of perceived Afghan irredentism at a discursive level. This was achieved by conceptualizing the Pakhtun population within Pakistan as oriented towards the Indus, rather than Kabul, thereby making them integral to the Pakistani state. Caroe noted that the hill Pakhtuns shared trade and cultural links towards Peshawar, rather than Kabul and Ghazni, remarking that "conversely the Eastern Afghans feel an undoubted sense of identity with the hill-tribe, a sense which hardly as yet attained to any concept of unity, but transcends tribal particularism" (Caroe 1958: xvii). Caroe's writings confirmed the British delineation of the Durand Line as a largely natural border, and effectively delinked the connections and shared histories with the other side of the border – a project suiting the Pakistani state well. Writing in 1966, SMM Qureshi also confirmed Caroe's conceptualization by noting that the highlanders, although never under the control of any government, had trade ties towards the east and not the west (Qureshi 1966: 100).

Although discursive power was employed, development schemes were the most powerful way that the state made itself felt and tried to integrate the Tribal Areas into the nation's geo-body. By using development as one of the legitimating discourses of the postcolonial state, the Tribal Areas were imagined as an entity in need of intervention through irrigation schemes, employment programs, infrastructure, etc. This discourse involved conceptualizing the Tribal Areas as an object to be quantified through economic surveys and censuses – an idea deeply rooted in colonial governance, but one that had not been actively employed in this space. One such project was the Warsak Dam, built in 1950 by Canadian engineers. It was touted to provide extensive irrigation in both the NWFP and Tribal Areas and contribute towards industrialization and transportation schemes (Franck 1952: 56). However, even with such projects a pattern soon emerged of "high Plan allocations, lower budget allocations, and even lower actual expenditure" (Nichols 1995: 26).

Even though state rhetoric aimed towards lofty goals of tribal development to integrate this space within Pakistan, in reality little was achieved in this period. One of the reasons for this was lack of state capacity and willingness, but there were also problems associated with collecting information in the Tribal Areas. The governance structure carried over from the British Raj ensured that tribesmen saw the Political Agents, and other administrators of the Pakistani state, in much the same light as British colonial officials (Nichols 1995: 26). Over the next few decades this population would become increasingly integrated through migratory and labor circuits within Pakistan, but during the period 1947–57 Pakistani state's frontier governmentality was deeply connected to the colonial epistemologies. Even though authorizing discourses such as development were employed, they remained largely ineffectual. In reality the relationship between the state and tribesmen was mediated through the local *malik* and Political Agent – the latter in which the sovereign power of the state was vested.

The Pashtunistan issue caused tensions in the exercise of the sovereign power of the state, and the added Afghan dimension further cemented the conception of this space as a frontier where opposing forms of sovereignty clashed. Even though Pashtunistan has typically been conceived of as an organized and unitary movement, there was little in common in terms of tangible goals in the period 1947–57. Ghaffar Khan's calls for Pashtunistan in the NWFP were aimed at autonomy, representation, and rights within the fold of electoral politics. Certain leaders of the Tribal Areas, on the other hand, although deeply motivated by notions of their space as an autonomous zone, were interested in forging and persevering their elite status and control over their agencies. The movements in the NWFP and Tribal Areas intersected at points with Kabul: this included monetary and material support provided to tribesmen from Afghanistan, and Ghaffar Khan's choice of the Afghan capital city as his residence after 1964. However, it would be wrong to characterize the claims of Ghaffar Khan, the Faqir of Ipi, and their supporters as instruments of Afghan (or Indian) foreign policy. Their motivations were deeply embedded in the politics of fashioning a Pakistani state.

This process of decolonization and state-formation also caused deep anxieties within the Afghan ruling elite over its place in a new regional order, and raised questions regarding the tenor of a political and economic relationship with the Pakistani state. Although material concerns undergirded Afghanistan's stance on Pashtunistan, the emotive aspect of a shared history and Kabul's traditional concern in the affairs of the Tribal Areas also played a part.

Calls for Pashtunistan were variously conceived and lacked organization. However, they worked to reify narratives of the static and separate nature of the Tribal Areas – thus recreating a frontier in the Pakistani national imagination, and leading to an exclusion from participatory models of citizenship for the inhabitants. Although the narratives of autonomy invoked through calls for Pashtunistan were meant at gaining political power in the face of an encroaching

nation-state, they were also used by Pakistani administrators to conceptualize a space of exception where the state could act with impunity and force through aerial bombings and imprisonment of political dissenters.

Notes

1 "The Pathanistan Issue, 1950–1952" in "Afghan–Pakistan Quarrel over Pathanistan," Code FA File 1061, FO/371/100971, The National Archives, Kew.
2 "The Pathanistan Issue, 1950–1952." FO371/100971.
3 "The Pathanistan Issue, 1950–1952." FO371/100971.
4 "The Pathanistan Issue, 1950–1952." FO371/100971.
5 "The Pathanistan Issue, 1950–1952." FO371/100971.
6 "The Pathanistan Issue, 1950–1952." FO371/100971.
7 "The Pathanistan Issue, 1950–1952." FO371/100971.
8 "The Pathanistan Issue, 1950–1952." FO371/100971.
9 "The Pathanistan Issue, 1950–1952." FO371/100971.
10 "The Pathanistan Issue, 1950–1952." FO371/100971.
11 "The Pathanistan Issue, 1950–1952." FO371/100971.

Bibliography

Abid, Masarrat (1997). "Pakistan, Afghanistan, and the Pathanistan Issue (1947–51)," *Journal of the Pakistan Historical Society* 45, 4, pp. 421–41.

Ali, M. (1990). *Pak-Afghan Discord: A Historical Perspective, Documents 1855–1979*. Karachi: Pakistan Study Center.

Bangash, Y. (2015). *A Princely Affair: The Accession and Integration of the Princely States of Pakistan, 1947–55*. Pakistan: Oxford University Press.

Bezhan, F. (2014). "The Pashtunistan Issue and Politics in Afghanistan 1947–1952," *The Middle East Journal* 68, 2, pp. 197–209.

Caroe, O. (1958). *The Pathans: 550 B.C.–A.D. 1957*. New York: St. Martin's Press.

Crews, R. (2015). *Afghan Modern: The History of a Global Nation*. Cambridge, MA: Belknap Press.

Franck, D.S. (1952). "Pashtunistan: Disputed Disposition of a Tribal Land," *Middle East Journal* 6, 1, pp. 49–68.

Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington, DC: Carnegie Endowment for International Peace.

Haroon, S. (2007). *Frontier of Faith: Islam in the Indo-Afghan Borderlands*. New York: Columbia University Press.

Hevia, J. (2012). *The Imperial Security State: British Colonial Knowledge and Empire Building in Asia*. Cambridge: Cambridge University Press.

Hopkins, B. (May 2015). "The Frontier Crimes Regulation and Frontier Governmentality," *Journal of Asian Studies* 74, 2, pp. 369–89.

"The Implications of Pashtunistan: Prospects of Pakistani–Afghan Relations" (1955). *World Today*, 11, 9, pp. 390–98.

Jalal, A. (2014). *The Struggle for Pakistan: A Muslim Homeland and Global Politics*. Cambridge, MA: Harvard University Press.

Jannson, E. (1981). *India, Pakistan, or Pashtunistan? Nationalist Movements in the North-west Frontier Province, 1937–1947*. Uppsala: Uppsala University.

Kamran, T. (July–December 2009) "Early Phase of Electoral Politics in Pakistan: 1950s," *South Asian Studies* 24, 2, pp. 257–82.

Khan, A.G. (1969). *My Life and Struggle: Autobiography of Badshah Khan*. Delhi: Hind Pocket Books.

Kurtzman, J. (Winter 2014). "Pashtunistan's Future: The Global Executive or a Regional Solution," *Indiana Journal of Global Legal Studies* 21, 1, pp. 303–33.

Leaske, E. (2013). "The Great Game Anew: US Cold-War Policy and Pakistan's North-west Frontier, 1947–65," *International History Review* 35, 4, pp. 783–806.

Nichols, R. (1995). *The Frontier Tribal Areas, 1840–1990*. New York: Afghanistan Forum.

The Pakhtun Question. (1950). Hove, Sussex: Key Press.
"The Pathanistan Issue, 1950–1952" in "Afghan–Pakistan Quarrel over Pathanistan", Code FA File 1061, FO/371/100971. The National Archives. Available at: http://discovery.nationalarchives.gov.uk/details/r/C2858436.
Pazhwak, A. (1951). *Pashtunistan: The Khyber Pass as the Focus of the New State of Pakhutunistan: An Important Political Development in Central Asia*. Hove: Key Press.
Qureshi, S.M.M. (1966). "Pashtunistan: The Frontier Dispute between Afghanistan and Pakistan," *Pacific Affairs* 39, 1–2, pp. 99–114.
Rand, C. (1955). "From the Sweets to the Bitter," *New Yorker*, February 12.
Rittenberg, S. (1988). *Ethnicity, Nationalism, and the Pakhtuns: The Independence Movement in India's North-West Frontier Province*. Durham, NC: University of North Carolina Press.
Shah, S.W.A. (1999). *Ethnicity, Islam and Nationalism: Muslim Politics in the North-West Frontier Province, 1937–1947*. Oxford: Oxford University Press.
Toru, P.K. and Marwat, F.K. (2005). *Celebrities of NWFP*. Peshawar: Pakistan Study Center.

3

RELIGION, ETHNICITY, AND VIOLENCE IN PAKISTAN

Muhammad Ismail Khan

Islamists politics: desire for purity

Islamists have been demanding the fulfillment of the original purpose of the country's genesis – to be a model Islamic state. Even while their demands have been met, they have pressed for further changes. The country is also experiencing violence at the hands of militant Islamists, some of whom justify their action with the raison d'être of the state.

Broadly stated, Muslim leaders on the road towards Pakistan's creation were divided into two groups. The traditional clergy, disagreeing with confining Islam to any particular territory, espoused nationalism in purely territorial terms, which also included non-Muslims. These clerics and the parties they founded allied with the Indian National Congress in its struggle against the British.

On the other side were the modernists, educated mostly in the western school of thought, who brought in the western concept of nationalism and applied it to the Indian subcontinent, where they defined Muslim political identity as separate to that of the Hindus. Foreseeing the impact of democratization, these leaders argued that the survival of the Muslims depended on their separate political identity, which itself evolved over time: in 1906, the All-India Muslim League (AIML) advocated for a separate electorate; by 1946, the party was championing for a separate state.

Once the new state was created, the differences in what was perceived to be the role of Islam in politics continued, and does so up to the present day. Generally, political Islamic forces, in particular Jamaat-e-Islami and other right-wing nationalist forces, offer a religious justification for the country's foundation, a rationale contested by the country's more liberal parties and its minority groups.

First, Islamist forces argue that Islamic symbolism has been used extensively in the political discourse of the All-India Muslim League. For instance, the party attracted votes in the name of Islam in the 1946 elections, the outcome of which decided the separation of Muslim and Hindu communities. In those elections, the All-India Muslim League decisively won the minority seats in Muslim-minority areas. Likewise, while dismissing the instances of the founders' lifestyle that the Islamists find un-Islamic, Islamists quote from the speeches of the founders that demarcate Muslims from Hindus.

The country's modernist forces argue that the All-India Muslim League mostly talked in legalistic terms, as opposed to invoking religious-cultural terminology. The country's founders like Jinnah were themselves lawyers who called for an increased representation of Muslims in the assemblies. More so, their discourse was shaped around minorities in general.

Islamists counter-argue that, at the end of the day, the founders had stressed the prominence of Muslims as opposed to any minorities. After all, the League was not representative of minorities in particular, but of Muslims in general, clearly evident from its name and from the symbolism noted above. The Islamists go as far as to say that even if the struggle was legal, Pakistan's rationale as a home for the subcontinent's Muslims was no different than Israel's for the Jews. The reality, of course, is that Pakistan could not absorb all of the Indian Muslims.

Yet, to some Islamists in modern-day South Asia, sticking to their original preposition, the 1947 partition had in fact trifurcated the Muslims of the subcontinent in India, Pakistan, and Bangladesh (seceded from Pakistan in 1971). Had Pakistan not been created, Muslims in India would today have been on par with the Hindus, the major religious group.

The dismemberment of Pakistan, resulting in the creation of Bangladesh in 1971, should have set aside the notion that religion alone could glue the citizens (Haqqani, 2005). Instead, as Islamist-inclined writers argued, the fact that the new Muslim-majority state of Bangladesh didn't merge with India strengthened the original proposition of a Hindu–Muslim divide. Had not a Muslim-majority state similar to Bangladesh been proposed under the original pamphlet laying out Pakistan's case in 1931 (Ali, 1933)?

All in all, while admitting that the Islamists opposed the creation of Pakistan, once the state was created in the name of Islam, they argue, it was incumbent upon those who knew about Islam to guide the state towards being an Islamic one. In 1986, when Pakistan's military ruler, General Zia, was told by the son of Pakistan's ideologue-poet, Muhammad Iqbal, that Iqbal would never have endorsed punishments enlisted in the Islamized codes the regime had introduced, the general responded, "If that is the case, then we have to set Allama Iqbal aside" (Ahmed, 2015). That much seems settled, at least for the Islamists.

As Pakistan's subsequent history would show, the problem didn't end with Islamists alone. A bigger issue was that the state too gravitated towards them. Civil and military rulers alike co-opted the Islamists, often to deflect their street pressure – such as the anti-government agitations – or seek legitimacy to their rules. On a broader level, the state invoked Islamic symbolism in an attempt to galvanize support against the perceived division from the country's diverse ethnic groups, amid the perceived threat from India, from which Pakistan had separated in the first place. Religion was invoked to justify the distinction of Pakistan from archrival India, a Hindu majority state.

However, if Pakistan is about Islam, what entails its enforcement, and how? Given that Pakistan is a multi-sectarian society, which sect of Islam should be followed in personal lives? To what degree? Who will speak for Islam: Zia or Iqbal? Above all, are these questions even important?

More than that, as Pakistan's own embracing of Islam has shown, the issue with Islamized laws was not about what the mover of the Islamic code might have thought about them, but how it got applied or was perceived on the ground, especially by non-Muslims and minority Muslim sects.

The legacy of the "Objectives Resolution," adopted by the constituent assembly in 1949, best illustrates this disconnect. The Objectives Resolution, laying the foundations of the state of Pakistan, called for envisioning the state along Islamic lines. Today, this resolution is pitched as a deviation from the ideals of the founder, Muhammad Ali Jinnah, who, in his address to the constituent assembly, had assured that "religion or caste or creed . . . has nothing to do with the

business of the State" (Jinnah, 1947). Because the founder had died by the time the resolution was tabled, the Islamists in that constituent assembly had been prevailed upon. Clearly, the non-Islamist members too voted in its favor. A more critical review of the debates would show that the members had different approaches towards the purpose of the resolution, which continues even today: whereas Islamists consider the resolution as a call for laying down the country's constitution along an Islamic pathway, as they deem fit, several modernists point to it as maintaining a delicate balance between Islam and modernity.

One person who voted in favor of the resolution was the then foreign minister, Zafarullah Khan, whose own sect was declared non-Muslim three decades later (Ahmad, 2015). Khan, a believer in reconciling Islam with modernity, dispelled the fears of Hindu colleagues by narrating how Islamic injunctions ask for upholding the sanctity of non-Muslims in a Muslim society. That the resolution was vehemently opposed by Hindu legislators, essentially reverted to the original question – in whose spirit was the law to be implemented. Islamist intellectuals dismiss such questions, terming them hypothetical at best, and pointing towards sectarian commonalities. Any religion has jurisprudence, and jurisprudence is about legal niceties, which can be negotiated.

Hence, from early on, Islamist parties have been demanding the Islamization of the country, advocating for laws regulating lives according to what they deem to be the Islamic code.

Many times, Islamists, including militant groups, political parties or movements, have protested publicly, demanding the enforcement of "Islam" in Pakistan. As early as 1954, riots broke out in Lahore, Punjab's capital, when some Islamist groups demanded that the Ahmedis, a minority sect, be declared non-Muslims. In 1974, a similar demand was raised by parties like Jamiat-e-Ulema Pakistan and Jamaat-e-Islami, which led to the tabling of the second amendment that inserted the definition of a Muslim in the constitution of Pakistan. In 1977, the opposition alliance, using an Islamic slogan, Nizam-e-Mustafa (System of the Prophet), called for the government to lay down the Prophetic model of governance. In response, the government declared Friday as a state holiday, besides taking other measures. In the early 1990s and 2000s, some Islamist militants in the country's western areas started armed agitations against the state unless it enforced "Islam." In 2009, for instance, the founder of Tehreek-e-Nifaz-e-Shariat Mohammadi, who had grown disillusioned with the gradualism of the electoral system he once participated in as a member of a political Islamist party, termed the country's democratic structure as "un-Islamic" (*Aaj News*, 2009).

Even when the Islamists were not able to attract enough numbers in the polls, they still shaped the working of the government by electoral alliances and political agitation. In 1977, Prime Minister Bhutto introduced several "moral" laws, such as declaring Friday a weekly holiday, to appease the opposition demanding his removal. Some Islamist parties opted for pre-electoral or post-electoral alliances with mainstream parties, a quid pro quo process. In 2002, Azam Tariq, head of the Sunni extremist outfit Sipah-e-Sahaba, banned a year earlier year, was released from the jail to cast the decisive vote in the election of the leader of the house, also the prime minister (Ali, 2015).

Jamiat-ul-Islam (JUI) is one Islamist party that seemingly tries to exercise its influence amid its limited parliamentary performance. Certainly, the JUI, like other Islamists, wish to Islamize the entire country along the lines of their schools of thought. However, they are unable to do so, because of their inability to win enough seats in order to claim majority. Yet, even with their limited performance, the party has balked at attempts from de-Islamizing the existing codes. The party's chief, Maulana Fazl-ur-Rehman, responding to a comment that Islamists couldn't form a government, warned that once "we resolve to topple a government even its voters won't be able to save it."

A clear example of this has been the inability of the mainstream parties to amend the country's controversial blasphemy code. The code became controversial in the mid-1980s when the legislators under a military regime made way for inserting vague clauses in it. Even though the code's passage under the military rule is a point of contestation in the first place, mainstream parties balked at such attempts, given the resistance of religious parties like Jamiat-e-Ulema Pakistan, which has negligible presence in the parliament.

Over the years, even if incrementally, successive governments have accepted some of these demands. The demand for ostracizing Ahmedis was finally met in 1974, when, as noted above, the Constitution when a definition of Muslim was inserted, leaving Ahmedis out. But the story didn't end there. Islamists kept on changing their goalposts, with new ones raising their voice. The amendments in the blasphemy code, introduced in the mid-1980s, for instance, further excluded Ahmedis (Lahore University, 2015). Moreover, since the 1980s, extreme Sunni Islamists, like Azam Tariq of Sipah-e-Sahaba, have been trying to gain entry in the parliament, this time to revise the definition of Muslim to the exclusion of the Shias. While SSP is banned for its militant activity, its members operate in the political arena using different name like Ahl-e-Sunnat Wal Jamaat (ASWJ) (Crisis Group Asia, 2014). In 2013, a new political alliance, Muttahida Deeni Mahaz, which included the ASWJ, vowed in its manifesto to make Pakistan a Sunni state once it came into power. While the alliance didn't make any electoral impact, the fact that such a party didn't exist, along with its loyal vote bank, points toward the ever-narrowing definition of Muslim (Nangiana, 2013). Such parties often present this loyal vote to the winning parties as a return for constricting the legal identity of Muslims: in 2013, a senior member of the National Party, a Baluchistan-based nationalist party, revealed that a member of a banned outfit had approached him, promising his party support throughout the province in return for passing one bill: declaring one sect (the Shias) as infidels.

Over time, the country's statutes have retained several Islamized laws, such as the Hudood (Limitation) laws, which, among other things, equaled the testimony of two women to one man, and which required the testimony of four "pious" witnesses to prove rape, failing which a woman was charged with adultery, a punishable offence (Crisis Group Asia, 2008); and amendments in the blasphemy law, which defines blasphemy in abstract terms by including vague terms like "imputation, innuendo, or insinuation" (Crisis Group Asia, 2008). Many members of the minority sects have been accused of blasphemy, charges which they deny. Even the Constitution, passed in 1973, was amended. Article 62 and Article 63, for instance, sets criteria for becoming a parliamentarian along a loosely-defined parameter of morality: a member of parliament should be "sagacious, righteous and non-profligate, honest and amen," among other things (Constitution of Pakistan, 1973). The wordings of these clauses are highly subjective in nature. As a result, they are either completely violated or invoked for political ends against rivals accused of dishonesty.

To be sure, some Islamists, while agreeing to gaps in the outcome of these laws, point to their procedural aspect. For instance, the chairman of the Pakistan Ulema Council, Tahir Ashrafi, argues that those "misusing the law by levelling false accusations should be handed down death penalty as is prescribed for the violators of the law" (*Dawn News*, 2014). What is ignored, however, is the substantive part of the law, as discussed above, which puts a highly subjective definition of what entails purity. Yet, these Islamists, by pointing towards the weakness of their implementation, call for fresh laws, and hence this is a never-ending quest.

The impact has been felt in other spheres of life too, education being one of them. In the 1980s, the subjects of Islamiyat and Pakistan Studies were deemed compulsory at all levels of schooling, including students of the applied sciences. Moreover, the curriculum was revised to favor a particular version of Islamist history. That interpretation constructs Pakistani exceptionalism,

offering Islamic interpretations to the country's past and present. The curriculum, for instance, parroted the state's strategic goals in India and Afghanistan, using an Islamic discourse. A leading social scientist argued that, "the purpose of Pakistan's education system is not pedagogy but indoctrination" (International Crisis Group, 2004).

The most profound involvement of religion in the state's affairs was invoking Islam in managing its foreign affairs. Ever since its birth, Pakistan has fought at least three wars with its arch-rival India. At the same time, Pakistan grew concerned with Afghanistan's reluctance to admit Pakistan into the United Nations. Strikingly, the ruling groups of these two countries enjoyed good relations with popular political representatives of Pakistan, especially smaller ethnicities. Fearing that India might undo Pakistan, the state gravitated towards Islamist discourse to justify its existence and to exclude the ethnic parties. Throughout the Cold War, Pakistan was anxious of the alliance between Afghanistan and India in undoing Pakistan – a fear that didn't much materialize. It was to justify its internal defense against India that Pakistani officialdom came up with a narrative calling for a distinction from India on religious lines. That explains how the Islamist narrative, as discussed above, gained prominence in state affairs. Even officials would often invoke religious doctrines like jihad, and its discourse, to justify the fight against "Hindu" India and, later, by even interfering in Afghanistan.

An outcome of this policy has been the exclusion of non-Muslims in nation-building. Christians and Hindus in Pakistan point out that while they are indigenous to the area, they are associated with western countries or with India. At times of tense political events, these minorities bear the direct brunt. In 1992, when Hindu fanatics tried to raze the Babri mosque in India, some Islamic fanatics in Pakistan started demolishing temples.

One of the security instruments of the country's foreign policy has been reliance on Islamist proxies, in both Afghanistan and India, mostly after the 1980s. These include, for instance, Afghan Taliban, who were openly supported by Pakistan from 1996 until they were ousted in 2001, when they were taken out by the United States, which launched its war in Afghanistan. Ever since the US launched the war in Afghanistan, many former proxies, or their offshoots, have started attacking inside Pakistan, questioning the rationale of not attacking Pakistan, an American ally. In 2007, for instance, anti-Pakistan militants coalesced in the tribal areas, forming a new group Tehreek-e-Taliban Pakistan, which has hitherto been transformed into the state's top militant entity. As the nomenclature of the group suggests, it sought direct inspiration from the Afghan Taliban. By 2016, the TTP has killed hundreds of Pakistanis from all walks of lives, including prominent politicians, lawyers, doctors, and minority members. Apparently, the policy of the state has been to condone the Islamist proxies unless they turn their guns inside Pakistan.

To what extent was the state's reliance on Islamist proxies for strategic purposes as opposed to religious motivation, remains a debatable point.

First, clearly, the military or state's support of such groups is not out of love for Islamists but for strategic goals. Islamization or the exclusion of Muslims is seen as a fallout of the policy, rather than intentional. According to this reasoning, the military has no love lost for the Islamists per se. After all, in 2014, Jamaat-e-Islami, which had supported the military against Bengalis in 1970, was condemned publicly by the military for not condemning the deaths of fallen soldiers in the war against domestic Islamist militants.

But, on the other hand, there are reasons to believe that many within the military ranks, especially mid-level officers, might have fallen prey to their own propaganda. After all, since the 1980s, under General Zia, the military donned ideological attire too, taking upon itself the task of defending the "ideological frontiers" of the country (Fair, 2014).

Clearly, much of the Islamic code was invoked in the 1980s under General Zia. It was under his watch that the curriculum was Islamized, the Hudood code introduced, the blasphemy law

amended, and articles 62 and 63 introduced. Apparently, therefore, the state's search for religiosity is the handiwork of a few individuals, rather than society or the polity as a whole. Some attribute the rise of modern-day Islamism to the rule of General Zia-ul-Haq (1977–88), who had come to power in a coup. It was during his time that a madrasah degree was accepted as equal to any professional one. It was during his time that paying zakat to the state was mandated. And it was under his watch that a whole set of codes, some noted above, were introduced.

General Zia-ul-Haq was a known sympathizer of Jamaat-e-Islami, and therefore tilted towards Islamizing the state mechanism, a policy no different than what JI wants to achieve. But others find the roots of Zia's Islamization in his attempts to legitimize his own rule by luring the opposition against "socialist" Bhutto, whom he (Zia) had ousted. While Bhutto had invoked religion too, he and his party as a whole were seen as relatively distant from religion.

Under Zia, Pakistan started to look like a Sunni state. General Zia-ul-Haq's "Islamization" campaign was overtly shaped on Sunni lines to the disadvantage of the Shias. In 1979, the Shias protested in the capital, Islamabad, against the Zia-introduced zakat ordinance (Islamic charity); Zia's code had called for people to provide the charity to the state, a practice contested by the Shias. In response to the protest of around 50,000 people, Zia rescinded the "reform' (Rajani, 2015).

One of the virulent groups to rise under the Zia regime was Sipha-e-Sahaba Pakistan. Deeply anti-Shia, the outfit and its offshoot, Lashkar-e-Jhangvi, have targeted Shias across Pakistan.

The opposition by Shias to General Zia shed light on another aspect of the politics of religion in Pakistan: that the intolerance or problem has more to do with a majoritarian agenda. Given the sizeable presence of Shias in Pakistan, it is unlikely they can be ostracized too easily. They are represented in the country's bureaucracy, including the military, as well as in parliament.

The influence of a sizeable minority was earlier felt from the Hindus too, who had a significant present in the eastern wing. That population kept checks, to some extent, on the country becoming Islamized too easily. To recall, when the 1949 Objectives Resolution was passed, Hindu legislators, mostly from the eastern wing, opposed it, fearing discrimination. The secession of the country's eastern wing in 1971 also meant the separation of a sizeable Hindu population. Arguably, whatever little influence the minorities might have had on the polity, waned further.

Most importantly, the debates over Islamization in Pakistan are also a continuum of the debates raging in the Muslim world, ever since it went into decline in the nineteenth century. The imposition of majoritarian Islam is felt in countries like Saudi Arabia and Iran too, where non-majority sects feel excluded. By that token, Pakistan was just another Muslim country, which saw an Islamic awakening in the twentieth century. The military was in fact representative of society. While it is true that General Zia Islamized Pakistan, he wasn't responsible for what happened in Iran or Saudi Arabia. He was, in simple terms, a product of his time. So were others, including his predecessors.

Ethnic politics: search for autonomy

To various non-Islamist forces, such as the liberal intelligentsia, ethnic parties, and modernist Islamists, the country's foundational struggle was about empowering a minority community: to honor the founders, respect the minorities in the new state, whether ethnic or religious.

Today, ethnic parties and liberal mainstream politicians in Pakistan argue that the demand was for a minority in the larger Indian state. In the case of British-administered India, the minority was Muslim. Scholars like Ayesha Jalal have hinted that the idea of the separate Muslim state of Pakistan was used by the All-India Muslim League as a "bargaining chip" to extract

concessions from the Indian National Congress, which considered itself as the sole party of all Indians, Muslims included (Jalal, 1985).

Thus, once the British had left, the Muslim leadership outside the Congress wanted Muslims to be represented in India's legislative bodies. Perhaps that is why the demand for Pakistan was popular in the Indian subcontinent's Muslim-minority areas, which after partition remained with India. As in the Muslim-majority areas, the demand seemed to focus on autonomy. The 1940 resolution, which became the basis of the creation of Pakistan, talked about plural "states" against one state. Islamist parties like Jamaat-e-Islami, which in essence lays down the road map of an Islamic state, never supported the idea of Pakistan.

After Independence, Pakistan, like India, was left with the paraphernalia of the British Raj. The Indian Act of 1935 laid the foundation of the two countries. But while India went ahead with drafting its constitution in the next two years, Pakistan's progress on that front lapsed for a long period of time. Different committees were constituted in the constituent assemblies, but nothing definitive was decided, because of different reasons including the precise numerical relation between different administrative units.

In its early years, Pakistan comprised two exclaves, separated in-between by India: the western part, or today's Pakistan, was inhabited by Punjabis, Pashtuns, Sindhis, and the Baloch, among others; and the eastern part, or modern-day Bangladesh, was predominantly Bengali. While the western part of Pakistan as a whole was larger in size than the eastern part, Bengalis formed the single largest ethnic group.

One of the reasons why the country couldn't shape a new constitution, let alone hold nationwide elections, in the early years of foundation, was that the civil-political elite that came to rule the country didn't enjoy widespread popular support across the country. Democracy or elections would have unseated them. To recall, the idea of Pakistan was popular in the Muslim-minority areas of British India. These areas didn't come to Pakistan. Their people, however, migrated to the new state. The political elite within had their constituencies back in those areas. The popular political forces in the western part, on the other hand, included regional parties, some of which were rivals of the Muslim League during the struggle for independence.

From the onset, representatives from different provinces disagreed over power-sharing among the different socio-political groups, reflected in the committees tasked to hammer out a consensus. In 1955, the government amalgamated the four provinces of the western exclave, along with several princely states, into West Pakistan, and renamed the eastern part as East Pakistan. Known as the "One Unit" formula, it imposed parity on the two blocs, forcing population of the two blocs at 50:50.

This largely facilitated in finally delivering the constitution. Where it took nine years to come up with a consensus document, after the introduction of the "One Unit" formula in 1955, the constitution was passed in just one year, in 1956. However, some policy-makers attribute the delay in constitution-making to other issues such as the role of Islam

Bengalis felt discriminated. With little representation in the civil and military bureaucracy, they already had little role in the broader contours of national policies. In the 1960s, when American aid came to Pakistan, the majority of that was invested in West Pakistan, which saw a "Green Revolution" even though East Pakistan too had an agrarian economy. The Bengalis also thought themselves left out of the security configuration of the country. A common phrase at that time was "the security of East lies in the West."

The politics of the Bengalis started revolving around their rights, clearly echoed in their demand to declare Bengali the country's official language. Bengalis, after all, were the majority. On 21 February 1952, police resorted to a crackdown of the protestors in the provincial capital

Dhaka, resulting in the death of several students. So important is this day, that the 21st February is commemorated as a national holiday in Bangladesh.

The state of Bangladesh itself was created in 1971 from the eastern wing of Pakistan, in a turn of events, following the then government's refusal to hand over power to the winning party in the general elections held a year earlier. The winning party, the Awami League, fought on the plank of Bengali nationalism, promising provincial autonomy should it win elections.

With the exit of the country's eastern part, the issue of provincial autonomy didn't subside. Instead, smaller provinces in the remaining country, what is today's Pakistan, have raised more or less the same demands: autonomy from the central government.

These provinces, namely Khyber Pakhtunkhwa, Baluchistan, and Sindh, accuse the largest province, Punjab, and the central government of denying them their due share of the economy and polity. Punjab is what defines Pakistan, they conclude: the country's various policies are by and large reflective of the interests and fears of the province of Punjab.

For its part, Punjab argues that it has the most populous province, and therefore should be the recipient of greater governmental attention. Punjab, after all, holds overwhelming seats in the parliament, and therefore, anyone desiring to rule Pakistan has to come through Punjab. Moreover, it is Punjab that has the greatest representation in key civilian and military institutions.

But smaller provinces disagree that population alone should determine the direction, reminding the state not to be neglectful of these area. Interestingly enough, before the separation of East Pakistan, the aid distribution formula was based on size rather than population. Post-1971, the formula was changed, as if to facilitate Punjab. If the pre-1971 formula is to be re-applied, the province to receive more attention will be Baluchistan, the largest province, and one of the neglected areas.

Pointedly, the Baloch population in the country is around 5 percent, far less than other ethnicities. The small size of its population is often counted as a factor as to why the latest spell of Baloch insurgency, which started in 2005, will never succeed (contrast this with the more than 50 percent Bengalis). The province also witnessed three insurgencies earlier, in the 1950s, in the 1960s, and in the early 1970s.

Strikingly enough, Baloch leaders don't disagree with the importance of the population figure. That the demographics of the province have been changing to their disadvantage is their fear. Many Baloch parties, irrespective of their stance on the on-going secessionist insurgency, fear that without their involvement in decision-making on national projects, they will be reduced to a minority in their own province. Even those who subscribe to the state of Pakistan argue that because they are such a small number, it doesn't make any sense to take up arms, which will further eliminate them.

Pakistani officials have tended to dismiss the movement as attempts by some stray tribes or individuals. To the state, Baloch insurgency has been a tribal affair, propped up by a few sardars (lords), even though many have allied with the government, and that current insurgency has spread to the non-sardari southern areas of the province. Lately, there have been migrations from rural to urban areas, from one province to another, as people escape conflict and search for better opportunities.

One such city that has embraced people from all over the country is Karachi, a microcosm of the country, and roughly 10 percent of its population. The city is inhabited by Urdu-speakers, migrants from India after 1947. Because of being at the forefront of the Pakistan movement, the early Urdu-speakers have, arguably, a greater role in the nation-building of Pakistan, the declaration of Urdu being one of them.

Yet, with time, things have not remained the same for the Urdu-speakers either. The Urdu-speakers were never in a majority. Today, apparently, popular Urdu has been attempting to include Punjabi vocabulary in a process of evolution, partly reflected in popular media shows.

From a direct role in nation-building of the country, representatives of the Urdu-speaking Muttahida Qaumi Movement today see its future in an autonomous Karachi. The mayor of Karachi, in which the key to Pakistan's economy lies, would be no small authority: a port city, Karachi provides 65 percent revenue to the government and overwhelming access to international trade. Once the country's capital, Karachi is now often in the news for political clashes among the city's varied political and sectarian groups.

The Urdu-speakers were not even a majority in Sindh, the province where most of them migrated. Thus, after Pakistan held its first elections in 1970s, Sindh saw its language riots. In fact, Sindh was the first province to have declared the Sindhi language the official language of the province. Some Sindhi nationalists now pride themselves in speaking either English or Sindhi. Additionally, a permanent feature of today's Sindh is the urban–rural divide, with urban referring to the Urdu-speaking areas and rural representing the Sindhi-speaking areas. This divide is reflected in official directives, with the two areas getting a different share of representation in public sector jobs.

Like other smaller provinces, Sindh too complain of being an outlier. But the province's nationalist movements couldn't much rise electorally amid a stronger Pakistan People's Party, a mainstream party which has relayed some of Sindh's grievances to the center. Yet, Sindhi nationalists recall with nostalgia how after partition the demographics of Karachi, a city of Sindh, have changed to their disadvantage. Once in a majority, Sindhis were pushed to second place and later, since the 1980s, to fourth place, as Punjabi and Pashtuns took over (Gayer, 2014).

Beyond Karachi, Pashtuns inhabit three administrative units, geographically contiguous but kept separate: Khyber Pakthunkhwa (KP), a province in the north-west named after them; Baluchistan's northern part, which is insurgency-free; and the Federally-Administered Tribal Areas (FATA), a distinctively-administrative unit which was infested by Taliban militants. Arguably, in these areas, Pashtuns have varied interests and fears, resulting in the rise of different Pashtun parties. To some extent, the Pashtuns of KP have also integrated better than others in the state of Pakistan. Together with the Punjabis, the Pashtuns are represented in key decision-making bodies, not least the military and civil bureaucracy. But like other smaller group they have their grievances too.

For one, the Pashtun tribal areas are still run by a colonial-era code that denies residents their basic rights. Currently, there is debate over how to "mainstream" the FATA. One school of thought argues that the FATA should be given the separate status of a province, because over the years it has evolved distinctively from other provinces and because its development indicators are different from others (amalgamation with an existing province would result in development priorities at the cost of FATA's own development). Another school of thought want the FATA to be amalgamated into adjacent Khyber Pakhtunkhwa. Both, the FATA and KP are populated by Pashtun, and there is no reason why people sharing ethnicity as well as geography should live together – other provinces are also named essentially after the majority ethnic group living there.

There are voices calling for new provinces, to break the administrative monopoly of Punjab, but apparently, Pakistan's policy status quo, including Punjab, favors the status quo. Baluchistan-based Pashtun parties refer to the northern Pashtun as southern Pakhtunkhwa, FATA as central Pakthunkwa, and KP as northern Pakhtunwa. Such a distinction has strategic implications: it will end up providing Pashtuns with a majority in the upper house.

Lately, the government of Pakistan has taken some steps to allay the concerns of ethnic groups. In 2010, Pakistan passed the eighteenth constitutional amendment, which delegated powers to the provinces, empowering them to decide on their own.

Such a move should have theoretically allayed concerns of the Baloch secessionists and nationalists. Instead, the grievances continue. Their demands are more about de-militarizing

the province, leading to speculation that the issue is more about civil versus military relations than Punjab versus the rest. The same can also be said about the secessionism of the eastern wing. Their grievances would have been addressed had the military not applied strong-arm tactics in 1970–71.

When in power, the military has tried to do away with popular parties which enjoyed support in their respective provinces. Thee military rulers, bypassing provinces, established local governments, producing lower-tier leadership. This mechanism cut the authority of provincial leaders, who were seen as promoting parochial agendas, and to make the local administrators directly dependent on the military regime at the top.

The eighteenth amendment does offer some hope to the ethnic parties. Undoing the amendment risks a strong backlash from smaller provinces. Pro-federalist legislators even go as far as maintaining that the amendment has shut the door on any military venture that tries to impose a unitary setup.

Yet, military regimes have had their own political goals. The much-discredited One Unit, which consolidated the western part into one unit and the east part into another, was scrapped by none other than General Yahya Khan, as if taking a hit against his immediate predecessor, General Ayub. Similarly, General Zia, after taking over in 1977, let free several high-profile nationalist politicians arrested under Bhutto's regime. In fact, some argue that Sindhi and Urdu nationalists were given space during the regime of Zia in order to cut the influence of the Pakistan People's Party in Sindh.

Also, during Musharraf's time, a high-level committee was constituted to talk with the disgruntled leader Bugti. Most importantly, though, the committee's recommendation that Bugti's demands should be listened to were ignored. Hence, the cycle continues.

The interplay of religion and ethnicity

In the context of Pakistan, ethnic nationalism has often viewed as the antithesis of Islamism, most glaringly with Islamist proxies taming ethnic movements. From early on, Pakistan policymakers saw in the country's divergent political groups contributing to an insecure environment, given that the country had fought war with India, which, according to Pakistani security planners, wanted to undo Pakistan. At a more personal level, the ruling class, many migrants from India, risked losing power with electoral exercise.

Instead of forging a national identity inclusive of all identities, the state stressed upon a singular identity, revolving around Islam and Urdu. Both were considered as ready-made glues in the face of ethnic diversity, whose political representatives were seen as colluding with archrival India.

As to why Urdu was given national status in comparison to the others, different explanations exist, one of them being that Urdu was associated with Muslims living in Muslim-minority areas, and hence a distinct language for the new state created for Muslims. Of course, Urdu had two sides: not only was it associated with Muslims inside India, after partition the language was the mother tongue of a people in a country where the majority spoke other languages. Being well-versed in the official language also meant better opportunities. The language of the powerless was soon the language of the powerful.

The absence of a nationwide party, or the presence of popular ethnic politics, is also attributed to the military's interventionist policies in Pakistan in the early years. So decisive were those years that, according to Aqil Shah, a scholar on civil-military relations, the perceived threat from India, coupled with internal division, ultimately paved the way for the military (Shah, 2015). The subsequent story suggests that the military, an integral part of the state, was

at the forefront of nation-building, flagging up religious justifications for Pakistan's existence. As discussed earlier, Pakistan went to war with India immediately after partition; there was no party enjoying widespread support; instead, popular parties drew support in different geographical areas; those parties were in turn perceived as close to India, hence dooming the prospects of transferring power to the elected representatives.

With time, any objection to this scheme of things was dismissed either as antithetical to Islam or even to the security of the state. Bengali language, due to its resemblance to the Hindi script, and culture were dismissed as too close to that of the Hindus and therefore not deemed to be Pakistani enough. Similarly, because the Pashtun nationalist movement had allied with India's founding party before partition, and boycotted the referendum deciding the fate of a Pashtun province with Pakistan, the Pashtun leadership was suspected as being under the influence of India, the nation's perennial rival.

In hindsight, it can be argued that as ethnic-nationalist polity was ignored, part of that spilled into outright secessionism, further strengthening the policy-makers' fears concerning the nationalist polity. In 1970, for instance, Pakistani officials seemed hesitant to transfer power to the Awami League, a Bengali nationalist party, after it won a majority in the polls held in the country's first adult-franchise elections. Instead, a military crackdown was launched, resulting in the dismemberment of the eastern wing into Bangladesh.

This is not to say that India wasn't involved in supporting the Bengali guerrillas. But the support was after Bengalis trickled into India's eastern provinces to escape military action. The turn of events look like this: instead of accepting the results of 1970 elections, the military regime ordered a crackdown, culminating ultimately in the strengthening of the guerrilla movement, the involvement of India, and the dismemberment of the eastern wing, which resulted in the creation of Bangladesh.

This experience should have taught Pakistani officialdom a lesson of not condemning a popular movement as traitorous. Instead, to many wary of democratic choices, the final outcome – of secessionism – strengthened doubts about transferring power to ethnic parties. Indeed, Pakistan's assumption concerning India's foul play was strengthened recently when Indian Minister Narendra Modi told a Bangladeshi audience how his country had helped them in their war of independence.

Ironically, in the entire history of the country, political representatives of all sub-nationalities of Pakistan, that is the Pashtuns, Baloch, Sindhis, and even Urdu-speakers, who were at the forefront of the creation of Pakistan, have been at one point or another accused of being funded from India. The sole exception has been Punjab. Being the most populous province, Punjab enjoys the highest number of seats in the national legislature as well as highest representation in the state machinery, especially the powerful military. The state discourse, around Urdu and Islam, is closely resonated in Punjab, whose elite came to exercise the power.

Islamists came in handy in supporting the state, such as during the military crackdown on ethnic secessionists. In 1971, the military regime supported Jamaat-e-Islami-affiliated Al-Badar and Al-Shams militias in East Pakistan, who were fighting Bengali nationalists and secessionists. Some thirty years later, Bangladesh started hanging members of the party, drawing condemnation from a select group in Pakistan, including its interior minister. Twenty years later, Baloch nationalists accused the state of supporting Islamist-minded militias against Baloch secessionists. Even a ruling nationalist leader termed such militias as the greatest threat to the security of Baluchistan (the military denies any wrongdoing).

To Pakistani security officials, the secessionist threat is more serious than the Islamists one. Theoretically, one reason why the state would think this is to ward off any threat to its survival. The primary goal of any state, according to the realist school of thought in international

relations, is survival, and secessionism threatens that survival, at least in the minds of the military trained in traditional warfare. A similar example was observed in 2015 with Turkey, which, despite international calls, viewed the threat from Kurdish separatists at par with those of Islamic State.

In a policy whose legacy continues even today, Pakistan started supporting Islamist proxies since the 1970s, against the perceived threat from the Afghanistan government's pan-Pashtun nationalist policy. With time, many of those whom Pakistan supported were of Pashtun ethnicities; the Afghan Taliban were one such group. Yet, ironically, one of the public planks of Pakistan's policy towards post-Taliban Afghanistan has been empowering the Pashtuns, as Pakistan fears that non-Pashtuns are too much under the influence of India. Reality of course is that Pakistan's own Pashtun leadership, such as the Awami National Party, has never readily endorsed Pakistan's Afghanistan policy. Even the state's attitude has been dismissive towards them, which is why the state started supporting proxies in the first place.

Simultaneously, after the Afghan war, the existing stock of trained fighters was sent to Kashmir, which coincided with India's own wrong dealing in 1987. Many of those groups had their origin in Punjab and borrowed heavily from the discourse of its right-wing – how India, for example, had been stealing the country's water.

In the post-2000 era, several of those proxies, Afghan- and India-centric, started to attack inside Pakistan, targeting high-profile individuals, minorities, military personnel, among others.

Even though militancy in Pakistan is an extension of the fallout of policy in Afghanistan, it is important to note that the notorious extremist groups in Pakistan, like the SSP, were formed, or condoned, not along the Afghan border, but inside the heartland of Pakistan – in Punjab. Even the Pakistani Taliban, based in the tribal areas and considered the top anti-Pakistan group, had its ideological foundations in Lashkar-e-Jhangvi, SSP's offshoot.

At times, part of the trends of conflict erringly resembles the contours interplaying ethnic politics and Islamist groups. The 2013 elections were marred by violence, targeting workers of ethnic parties such as the ANP, MQM, and the liberal PPP, resulting in a paralysis of their electoral campaigning. Coincidentally, Pakistan's outlier areas, which are the least developed, have come under the regular grip of conflict and Islamist militants have been active in Baluchistan, KP, FATA, and Sindh's Karachi. However, militants have taken on other parties, including Islamists, and in the Punjab too.

Above all, the Islamization policy has its costs in inter-ethnic relations, with Pashtuns at the center. The support for militant Islamists, against the perceived fear of Pashtun secessionism, seems to have come full circle, as not only are next-generation Islamists taking on the state, but the influx of Pashtuns and Afghans has the potential of disturbing ethnic balances in much of the country.

In Karachi, the influx of Afghans and Pakistani Pashtuns since the 1980s has increased their number in the city. In the post-9/11 period, Taliban fighters, both Afghan and Pakistani, were sighted in the city. The subsequent rise of the Pashtun party in Karachi, by now the largest city of Pashtun in the world, has upset the leading Urdu-speaking party, the MQM, which warned against Talibanization as if it intended to target two birds with one stone.

Similarly, in Baluchistan, nationalists complain that Pakistan's interventionist policy in Afghanistan has resulted in an influx of Afghans into the northern Pashtun-belt of Baluchistan, and who over the years have been absorbed into Pakistan by taking Pakistani identity cards. This influx too will tip the balance against Baloch, adding to the fear of the Baloch's survival, as discussed in the previous section. Even the capital, Islamabad, saw the arrival of Pashtun migrants escaping conflicts back home trickling in to the city's outskirts.

Conclusion

In the last ten years, Pakistan has come under attack from a diverse group of actors with diverse agendas, which can broadly be categorized as militant Islamists and Baloch secessionists. For sure, the two have operated on different scales. These two, however, are the militant manifestation of two broad movements, of ethnic politics and Islamist politics, running parallel to each other.

As this chapter shows, while the Islamists want the country to become more Islamized, the ethnic parties yearn for political autonomy. The two forces portray the genesis of the state in two different terms: while the Islamists emphasize the Islamic aspect of the struggle, the ethnic ones call for upholding minority rights, albeit ethnic ones.

But where religion and ethnicity really interplay in Pakistan's history is the somewhat similar trajectory of leaders and groups from being perceived as mainstream to becoming exclusive in agenda. The hero of contemporary Baloch nationalism, Nawab Akbar Bugti, whose death anniversary is celebrated regularly by Baloch nationalists, had once served as Pakistan's interior minister, a position responsible for the internal security of the entire country. This trajectory should help explain why Jinnah, Pakistan's founder, was once a member of the Indian National Congress; in his later life, he shunned the INC and stood against it, reflecting his political evolution. The trajectory of the Bengali political class is similar: once vociferous supporters of the Pakistan movement, within three decades they went for outright secession; even Pakistan's former Prime Minister Husain Suhrwardy is now hailed as a hero in Bangladesh's history.

These similar evolutions neatly explain how the history of Pakistan is more often a history of the relations between the majority and minority, whether on the religious or the ethnic spectrum.

Bibliography

Aaj News. (2009). "Sufi declares highest judiciary un-Islamic." *Aaj News*. April 20. Available at: http://aaj.tv/2009/04/sufi-declares-highest-judiciary-un-islamic/.

Ahmad, M.S. (2015) "The Objectives Resolution and the misunderstood role of Sir Ch. Muhammad Zafarulla Khan." August 26. Available at: http://pakteahouse.net/2015/08/26/the-objectives- resolution-and-the-misunderstood-role-of-sir-ch-muhammad-zafarulla-khan/.

Ahmed, K. (2015). "The wonderfully disobedient son." *Newsweek Pakistan*. October 11. Available at: http://newsweekpakistan.com/the-wonderfully-disobedient-son/.

Ali, C.R. (1933). "Now or never: are we to live or perish forever." Columbia University. Available at: http://www.columbia.edu/itc/mealac/pritchett/00islamlinks/txt_rahmatali_1933.html.

Ali, N.S. (2015). "Faustian bargain." *Dawn*, April 23. Available at: https://www.dawn.com/news/1025046.

Constitution of Pakistan, 1973. "Article: 62 Qualifications for membership of Majlis-e-Shoora (Parliament)."

Crisis Group Asia (2008). "Reforming the judiciary in Pakistan." Report no. 160. October 16. Available at: http://www.crisisgroup.org/~/media/Files/asia/south-asia/pakistan/160_reforming_the_judiciary_in_pakistan.pdf.

Crisis Group Asia. (2010). "Reforming Pakistan's criminal justice system." Report N°196. December 6. Page 10. Available at: http://www.crisisgroup.org/~/media/Files/asia/south-asia/pakistan/196%20Reforming%20Pakistans%20Criminal%20Justice%20System.ashx.

Crisis Group Asia (2014). "Policing urban violence in Pakistan". Report N°255. January 23. Page 11. Available at: http://www.crisisgroup.org/~/media/Files/asia/south-asia/pakistan/255-policing-urban-violence-in-pakistan.pdf.

Daily Times. (2014). "Senator questions Council of Islamic Ideology." January 21. Available at: http://www.dailytimes.com.pk/national/21-Jan-2014/senator-questions-council-of-islamic-ideology.

Daily Times. (2016). "PML-N hits back at PPP." March 7. Available at: http://archives.dailytimes.com.pk/national/27-Feb-2013/pml-n-hits-back-at-ppp.

Dawn News. (2014). "Ashrafi opposes repeal of blasphemy law." Lahore, Pakistan. *Dawn News*. November 13. Available at: http://www.dawn.com/news/1144169.

Fair, C. (2014). *Fighting to the End: The Pakistan Army's Way of War*. Oxford: Oxford University Press.
Gayer, L. (2014). *Karachi: Ordered Disorder and the Struggle for the City*. India: Harper Collins.
Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington, DC: Carnegie Endowment for International Peace.
International Crisis Group. (2004). "Pakistan: Reforming the Education Sector." International Crisis Group. October 7. Available at: http://www.crisisgroup.org/~/media/Files/asia/south-asia/pakistan/084_pakistan_reforming_the_education_sector.pdf.
Jalal, A. (1985). *The Sole Spokesman*. New York: University Press, Cambridge.
Jinnah, Muhammad Ali (1947). Mr. Jinnah's presidential address to the Constituent Assembly of Pakistan. August 11. Available at: http://www.pakistani.org/pakistan/legislation/constituent_address_11aug1947.html.
Khail, I. K. (2009). "Supreme, high courts un-Islamic, says Sufi." The Nation. April 20. Available at: http://nation.com.pk/politics/20-Apr-2009/Supreme-high-courts-unIslamic-says-Sufi.
Lahore University (2015). "Legal, political and constitutional issues concerning the rights of Ahmadis." Lahore, Pakistan. Lahore University of Management Sciences. February 4. Available at: http://lums.edu.pk/remappingjustice/page.php/on-ahmadi-rights.
Nangiana, U. (2013). "Upcoming elections: ASWJ, JUI-S, three others form alliance." *The Express Tribune*. March 26. Available at: http://tribune.com.pk/story/526515/upcoming-elections-aswj-jui-s-three-others-form-alliance/.
The News. (2016). "Even voters can't save govt, if we resolve to topple it: Fazl". Multan, Pakistan. March 1. Available at: http://www.thenews.com.pk/latest/102072-Even-voters-cant-save-govt-if-we-resolve-to-topple-it-Fazl.
"The Objectives Resolution" (1949). Constitution of Pakistan. Available at: http://www.pakistani.org/pakistan/constitution/annex.html
Rajani, L. (2015). "Heart of darkness: Shia resistance and revival in Pakistan." *The Herald*. Available at: http://herald.dawn.com/news/1153276.
Shah, A. (2015) *The Army and Democracy*. Cambridge, MA: Harvard University Press.

4

JINNAH'S PAKISTAN

Debating the nature of the state, 1947–49

Yaqoob Bangash

Introduction

On July 29, 2009, the Pakistan High Commission in London was swarming with people, from the young and eager students to former civil and military officials and a smattering of English people; the place exuded a sense of anticipation and excitement. The eagerness was a result of the imminent launch of a book people were calling 'timely,' 'urgently needed,' and 'an important exposition.' Being in the throes of the post-9/11 world, an unsuspecting visitor might be forgiven for assuming that the book must be related to either the 'War on Terror,' or Pakistan's internal fissures, or even the ever dicey Pakistan–US or Pakistan–Afghanistan relations. But scores of people took time on a pleasant July afternoon to attend the launch of the second edition of the *Jinnah Anthology*—a book on a person who had been dead for more than six decades!

The grand-nephew of the Great Leader (the Quaid-e-Azam), Liaquat Merchant, and the distinguished Jinnah scholar, Professor Sharif al-Mujahid, edited the *Jinnah Anthology* and a review by Ashfaq Bokahri circulated at the event underscored its importance:

> There has never been so great a need to revisit Mohammad Ali Jinnah's legacy as now under the changed circumstances to renew our resolve to adhere to his ideals, his principles and his vision of Pakistan. Nor has there been so much urgency to disseminate and popularise the political philosophy of Quaid-e-Azam.
>
> *(*Dawn *2009)*

Revisiting this launch, Liaquat Merchant wrote in an article in the *Dawn* newspaper (which was founded by Jinnah and was for a long time the unofficial newspaper of the Muslim League) on independence day in 2013 and gave his interpretation of Jinnah exclaiming that,

> Jinnah's personal outlook of life and on life was evidently secular in nature. He very firmly believed and advised Muslims to follow the teachings of the Quran and that the Prophet was his ideal, but he did not want interference by the State in the religious beliefs and affairs of the people which he considered to be personal in nature.
>
> *(Merchant 2013)*

But then, Mr Merchant did admit that despite what he thought was a 'clear' position, 'Pakistan and Jinnah meant different things to different people' (Merchant 2013).

The above event in 2009 and an article remembering it in 2013 both show that more than 'Gandhi's India' or 'Nehru's India,' 'Jinnah's Pakistan' remains a hotly contested notion. Mohammad Ali Jinnah, the Quaid-e-Azam, is not only lionised by the Right in their favour, he is also the champion of the Left leaning in Pakistan. Both sides are always very quick to quote a speech of Jinnah's in their favour in order to advocate a certain direction for the country. Christophe Jaffrelot has therefore rightly noted: 'Despite historians' efforts, Jinnah's original plan for Pakistan still remains difficult to define clearly' (Jaffrelot 2015). Since Jinnah never wrote a memoir, his few speeches (few compared to Gandhi or Nehru) are the only testament he left behind, and they are often used by all sides of the political spectrum to advocate their cause.

Pakistan's confusion over its national identity often leads the debate back to Jinnah—to the contours of 'Jinnah's Pakistan.' It is often believed that if somehow Pakistanis ascertained what Jinnah actually wanted for Pakistan, all their existential (and at times practical) confusion would vanish and they would achieve a logical, cogent and sensible national ideology and identity. This simple solution, however, has proved to be elusive for the last, almost seventy years.

The idea of Jinnah's Pakistan remains contested among scholars and there are almost as many views on it as there are books on the subject. Historians are split as to what Jinnah really wanted: an Islamic Pakistan or a secular Pakistan. Some even make a distinction between a 'homeland for Muslims,' i.e. a 'Muslim Pakistan' and an 'Islamic state,' while others insist that Jinnah was consistent in his demand for a country based on Islamic principles. For example, Ayesha Jalal is clear that Jinnah did not want a state based on religion and that Jinnah used religion as an election tactic and nothing else. Jalal argues that during the negotiations for the partition of Punjab and Bengal in May 1947,

> To dispel all doubts on whether he conceived Pakistan as a theocratic state, Jinnah categorically stated that the government of Pakistan "can only be a popular, representative and democratic form of government." The cabinet would be responsible to the parliament and both would be "finally responsible to the electorate, and the people in general, without any distinction of caste, creed or sect." This was Jinnah's way of taking the sting out of the League's communal propaganda now that the principle of Pakistan had virtually been conceded.
>
> *(Jalal 2000)*

However, Jinnah's biographer, Stanley Wolpert, is bewildered by the secular connotations of Jinnah's August 11, 1947 speech and notes: 'What a remarkable reversal it was, as though he had been transformed overnight once again into the old "Ambassador of Hindu-Muslim Unity" that Sarojni Naidu loved' (Wolpert 1999). Wolpert then wondered:

> His mind was racing too swiftly for logical coherence, almost freely associating as he rambled extemporaneously. Was it, in fact, over now? Or was it all just about to begin? . . . What was he talking about? Had be simply forgotten where he was? Had the cyclone of events so disoriented him that he was arguing the opposition's brief? Was he pleading for a united India on the eve of Pakistan . . .?
>
> *(Wolpert 1999)*

Such opposing views complicate an understanding of the intentions of a person so reputed to be distant, cold, and terse.

Both the abovementioned views make an interesting contrast with Liaquat Merchant's interpretation of Jinnah's August 11 speech and its later official interpretation. Writing in the above-mentioned *Jinnah Anthology*, Liaquat Merchant argues that 'Jinnah clearly advocated against any interference by the state in the religious beliefs and worship of the citizens of Pakistan because he considered religion to be personal to each person and more importantly, he publically declared that religion was not the business of the state.' However, in the same article Mr Merchant also considers that article 2 of the constitution of Pakistan, which makes Islam the state religion, and the Objectives Resolution of 1949, which made Islam the central institution of Pakistan, as achieving 'on paper and in theory' 'Jinnah's ideals principles, thoughts and vision of a modern Muslim State.' Mr Merchant apparently sees no contradiction between Jinnah's statement that 'religion is not the business of the state' and the state of Pakistan professing an official religion, and also sees no problem with Muslims being 'enabled' to live their lives according to the Quran and Sunnah (Merchant 2009).

More recently, Saleena Karim has put forth a more complex stance on Jinnah. Saleena Karim in *Secular Jinnah and Pakistan: What the Nation Doesn't Know* argues that while Jinnah clearly did not want a theocracy, he was also not a secularist either. In fact, Karim argues that even as a 'modernist' Jinnah was not the secular-Muslim type who 'conceives the state in terms of a "secular-Islam" synthesis, taking some values from traditional Islam and reconciling them with modern ideas on law, economics and the state' (Karim 2010). To Karim, Jinnah wanted 'an "Islamic state" which is neither religious, nor materialist, nor secular-Muslim' (Karim 2010). However, Karim never clearly explains what her interpretation actually means in action. It is perhaps easy to argue that Jinnah wanted an unconventional 'Islamic state' but what that might be, Karim never expands on.

Complicating Karim's interpretation further, Faisal Devji's argues that:

> While [religion] was to be grounded in Pakistan, and therefore in Jinnah's eyes neutralised in citizenship, Islam couldn't be confined to the state simply as the religion of its citizens. For religion here is not some old fashioned theological entity, but an abstract and modern idea . . . whose sense of brotherhood provides a people with the foundation of its nationality.
>
> *(Devji 2013)*

Hence, simply seeing this debate in terms of 'secular' versus 'theocratic' is taking it too plainly. Also, one needs to carefully interrogate and interpret Jinnah's understanding of 'Islam' and 'Islamic state': where were these conceptions emanating from and what did they mean for him?

Therefore, what did Jinnah actually mean when he made that famous speech on August 11, 1947, to the first session of the Constituent Assembly of Pakistan? Was this speech consistent with his other pronouncements throughout the Pakistan Movement and just before the creation of Pakistan? Did the August 11 speech usher in a new era? Was the August 11 speech consistent with the later Objectives Resolution of 1949? These are some questions which boggle the mind, since Jinnah's terse statements do not give us clarity on either side and lead all sides—not just the usual 'both sides'—to feel justified in their stance by quoting a speech or two of the founder of the country.

This chapter brings together several perspectives on Jinnah by analysing his speeches both before and after the creation of Pakistan to ascertain the nature of the state he envisioned. The chapter highlights Jinnah's lack of clarity, which further confounded even his closest associates, but also points out a way to understand Jinnah within the context of twentieth-century India. The article ends on the note where Jinnah's contested vision lent itself to a perpetual confusion over the nature of the state starting with the Objectives Resolution of 1949.

Jinnah before the independence of Pakistan

In Jinnah's speeches before partition, he is unclear about the actual contours of Pakistan. Whether this was deliberate, as argued by Professor Ayesha Jalal, or accidental, one can still argue about, but since they came before the actual realisation of Pakistan they cannot be given too much weight. They do certainly give an indication of his thinking, but cannot give a full measure of his understanding of the issue. However, where Jinnah's speeches pre-independence are useful is in understanding his conception of the Muslim nation—*millat*—as he termed it. It is important to understand this because it was for this *millat* that Jinnah argued a separate country was necessary. So while the exact location and details of the country could be decided later—and Jinnah categorically stated that the *millat* would decide it—what made the *millat* a distinct nation is important to grasp (Jinnah April 23, 1943).

In his famous presidential address at the 1940 session of the All India Muslim League in Lahore, Jinnah clarified his point of view on the immense difference between the two 'nations.' He noted:

> It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religions in the strict sense of the word, but are, in fact, different and distinct social orders; and it is a dream that the Hindus and Muslims can ever evolve a common nationality. . . The Hindus and Muslims belong to two different religious philosophies, social customs, and literature[s]. They neither intermarry nor interdine together, and indeed they belong to two different civilisations, which are based mainly on conflicting ideas and conceptions. Their aspects [perspectives?] on life, and of life, are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, their heroes are different, and different episode[s]. Very often the hero of one is a foe of the other, and likewise their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent, and final destruction of any fabric that may be so built up for the government of such a state.
>
> *(Jinnah March 22, 1940)*

This speech was Jinnah's famous iteration of the 'Two Nation theory'—the Muslims of India were not simply a 'minority' to be adjusted, Jinnah argued, but a nation to be given their due in the future of the country. Here Jinnah categorically stated that Hindus and Muslims were not only different in terms of simply religion, but culture and history, and therefore could never be welded together to form one nation. Hence, separation was necessary.

Jinnah was also clear what formed the basis of such a distinct nationhood. Delivering his Eid message in September 1945 he noted:

> Everyone, except those who are ignorant, knows that the Quran is the general code of the Muslims. A religious, social, civil, commercial, military, judicial, criminal, penal code, it regulates everything from the ceremonies of religion to those of daily life; from the salvation of the soul to the health of the body; from the rights of all to those of each individual; from morality to crime, from punishment here to that in the life to come, and our Prophet has enjoined on us that every Musalman should possess a copy of the Quran and be his own priest. Therefore Islam is not merely confined to the spiritual tenets and doctrines or rituals and ceremonies. It is a complete code regulating the whole Muslim society, every department of life, collective[ly] and individually

Hence for Jinnah Muslims were a separate 'nation' not just a separate religious community, but what made them a separate nation was the fact that their religion permeated every aspect of their culture, society, politics, law, and economy. Therefore, while religion was not the 'only' marker of the Muslim community in India it was the most important and central feature. Jinnah clarified this notion further in his interview with Beverley Nichols when he noted: 'You must remember that Islam is not merely religious doctrine but a realistic and practical code of conduct. I am thinking in terms of *life*, of everything important in life' (Nichols 1944: 190).

Pre-independence Jinnah often made pronouncements that the future Pakistan would be based broadly on 'Islamic principles.' Speaking at the Ismail Yusuf College in Bombay in February 1943 Jinnah noted that 'In Pakistan we shall have a state which will be run according to the principles of Islam. It will have its cultural, political and economic structure based on the principles of Islam' (Jinnah 1943). Later, he began to use the word 'ideology' of Islam/Muslims when referring to the basis of Pakistan. For example, at a public gathering in Mardan in November 1945 Jinnah stated that 'you must work, work hard and make the Muslim League still stronger. By doing so you will contribute substantially not only to the honour of crores of Muslims but also to the crystallisation of a free Muslim state of Pakistan where Muslims would be able to offer the ideology of Islamic rule' (Jinnah 1945). Earlier in the year, he had repeated the same theme in Peshawar where he commented: 'Pakistan not only means freedom and independence but the Muslim ideology, which has to be preserved' (Jinnah June 15, 1945).

While it was clear that Pakistan were to be set up on 'Islamic principles' what these principles were exactly and how were they supposed to be interpreted was never clear in the declarations of Jinnah. Being from a minority Muslim community, Jinnah knew the differences between different Muslims denominations, but there is little in his speeches to clarify how these differences were to be bridged, and how a uniform general scheme was to be formulated.

Jinnah after August 15, 1947

When Pakistan was created on August 15, 1947, only two things were clear from Jinnah's perspective: (1) that Pakistan was the homeland for the Muslim nation of India and (2) that religion formed the central tenant of that nation. However, now that the Muslim *millat* had achieved the homeland, it was time to formulate the state.

Despite the graveness of the task, except for the speech to the Constituent Assembly on August 11, 1947—to which we will come later, Jinnah did not make any speech to the Constituent Assembly regarding constitution-making. His other speeches were also very broad-based and did not give a clear indication of the exact nature of the state.

Jinnah's speeches post-independence are more significant, since it was only then that the realities of spelling out the nature of the state became imminent. The creation of Pakistan was not certain till late 1946, and even after the actual independence of the country the boundaries were not demarcated for a couple of days. In such a scenario, when Pakistan's shape was not final, expecting Jinnah to have a clear and consistent opinion and strategy would be a bit odd. However, within a few months, things began to clear, and it was then largely obvious that it was imperative for Jinnah—as the founder of the nation—to give the country a direction. Jinnah was indeed the 'sole spokesman' for the Muslim nation and to expect him not to have a defining say in the future direction of the country is to undermine his central role both as a leader before independence and as the 'viceregal' governor-general afterwards. Hence, Jinnah's speeches post-independence carry more weight and importance than his views pre-independence when he was leading a political party and a community with different objectives, interests and goals.

Jinnah's post-independence speeches are also not clear on the subject of the nature of the state. In several of his utterances Jinnah lauded Islamic ideals and argued that they should form the basis of the country, while in others he emphasised equality of citizenship without regard to religious belief.

Jinnah's declarations of Pakistan as an Islamic/Muslim state are certainly more numerous and are typically given at larger gatherings. For example, speaking at a public rally in Lahore on October 30, 1947, Jinnah referred to Pakistan as the 'bulwark of Islam'. Further, at the final session of the All India Muslim League Council on December 15, 1947, Jinnah noted: 'Let it be clear that Pakistan is going to be a Muslim State based on Islamic ideals.' Again in January 1948, Jinnah gave a speech at the Karachi Bar Association on the occasion of Prophet Muhammad's Birthday and categorically stated that Pakistan's constitution would be based on the Sharia. It was reported that Jinnah 'could not understand a section of the people who deliberately wanted to create mischief and made propaganda that the Constitution of Pakistan would not be made on the basis of the Shari'at' (Jinnah January 25, 1948). Since Jinnah was speaking in front of lawyers, he must have been cognizant of the fact (being a very successful barrister himself) that he was making a statement of intent by mentioning the Sharia as the basis for the constitution of Pakistan. However, what is interesting to note even here is his very modernist approach towards Islam. In the same speech he was reported to have gone on to say,

> Islam and its idealism have taught democracy. Islam has taught equality, justice and fair play to everybody. What reason is there to fear democracy, equality, freedom on the highest standard of integrity and on the basis of fair play and justice for everybody . . . Let us make it the future constitution of Pakistan. We shall make it and we will show it to the world.
>
> *(Jinnah January 25, 1948)*

Hence, while Jinnah spoke about the Sharia what he really meant by Sharia was not exactly what most people would have associated it with or understood it to mean.

Jinnah repeated his emphasis on Islamic law and thinking as the foundational principle of Pakistan when he spoke at the Sibi Darbar in February 1948. He said: 'I have one underlying principle in mind, the principle of Muslim democracy. It is my belief that our salvation lies in following the golden rules of conduct set for us by our great law-giver, the Prophet of Islam [PBUH]. Let us lay the foundation of our democracy on the basis of truly Islamic ideals and principles.' Jinnah emphasised again that Pakistan was a Muslim government when he spoke to a tribal Jirga in Peshawar in April 1948, when he noted about the new country that 'it is a Muslim Government and Muslims hold the reins of this great independent sovereign State of Pakistan' (Jinnah April 17, 1948).

In March 1948, while on a tour of East Bengal, Jinnah again iterated that Pakistan was a Muslim country and focused on establishing itself upon Islamic principles. Addressing a public meeting at Dacca on March 21, 1948, he stated while discouraging provincialism, 'No we are Muslims. Islam has taught us this, and I think you will agree with me that whatever else you may be and whatever you are, you are Muslim. You belong to one nation now; you have now carved out a territory, vast territory, it is all yours.' Then again at a public meeting at Chittagong on March 26, 1948, Jinnah went on to note: 'You are only voicing my sentiment and the sentiments of millions of Musalmans when you say that Pakistan should be based on sure foundations of social justice and Islamic socialism (not other isms).' Therefore, even in East Bengal where the Hindu minority was still nearly a quarter strong, Jinnah clearly stated his aim of basing Pakistan's laws upon Islamic principles, and that too at public gatherings, where there must have been a sizeable number of non-Muslims present.

One reason why Jinnah was repeatedly emphasising the Islamic nature of the state was the fact that he was wary of both the capitalist and communist models present in the world. By 1947, the world had sharply divided along the US-led Western camp and the USSR-led Eastern camp and Jinnah was eager to show that Pakistan offered a 'third option,' better than the two tried and tested ones. There was a hope that Pakistan would be a beacon by providing an Islamic option for the betterment of the world. For example, while inaugurating the State Bank of Pakistan on July 1, 1948—his last public appearance—Jinnah said:

> I shall watch with keenness the work of your Research Organization in evolving practices compatible with Islamic ideals of social and economic life. The economic system of the West has created almost insoluble problems for humanity and to many of us it appears that only a miracle can save it from disaster that is now facing the world. It has failed to do justice between man and man and to eradicate friction from the international field. On the contrary it was largely responsible for the two World Wars in the half century. The Western world, in spite of its advantages of mechanisation and industrial efficiency, is today in a worse mess than every before in history. The adoption of Western economic theory and practice will not help us in achieving our goal of creating a happy and contended people. We must work our destiny in our own way and present to the world an economic system based on true Islamic concept of equality of manhood and social justice. We will thereby be fulfilling our mission as Muslims and giving to humanity the message of peace which alone can save it and secure the welfare, happiness and prosperity of mankind.
>
> *(Jinnah July 1, 1948)*

Hence, the Islamic way was supposed to strike a new chord, create a new mechanism for the progress of the world with social justice and prosperity.

Jinnah was also critical of the majority-focused democracy in the Western world and rejected it repeatedly. While before independence this was mainly in the context of India, where he feared that the Hindu majority would engulf the Muslim minority under parliamentary democracy, his statements against it do show his unease with the system itself and his interest in forging a new way. For example, at the Ismail Yusuf College speech in February 1943 Jinnah noted: 'We want a true democracy in accordance with Islam and not a parliamentary government of the Western or Congress type' (Jinnah 1971) In the same speech Jinnah stressed that an Islamic democracy would in fact be fairer to its minorities than a parliamentary system. He said: 'The non-Muslims need not fear because of this, for fullest justice would be done to them, they will have their full cultural, religious, political and economic rights safeguarded. As a matter of fact they would be more safeguarded than in the present day so-called democratic parliamentary form of Government' (Jinnah 1976).

The question of whether Pakistan was to be an Islamic state was a matter of crucial concern for people in Pakistan and even the first Indian High Commissioner to Pakistan, Sri Prakasha, actually asked Jinnah about his reference to an 'Islamic state' when talking about Pakistan. Sri Prakasha (1956) wrote that he said to Jinnah:

> 'I know that the partition had been effected on the basis of differing religions. Now that this has taken place, I see no reason why stress should be laid on Pakistan being an Islamic State.' I ventured to go on to tell him that if there should be no talk of Pakistan being an Islamic State, non-Muslims would be assured and not be flying away as they were doing . . .

> At this he said that he had never used the word 'Islamic'. He added: 'You are a responsible man, and you should tell me where I have done so.' I ventured to add that only the day before, Nawabzada Liaquat Ali Khan (the then Prime Minister of Pakistan) had said that Pakistan was an Islamic State. To this he replied: 'Have it out then with Liaquat: why quarrel with me?' I would not give in, I said: 'In your broadcast from Lahore on August 31, you had yourself spoken of Pakistan as an Islamic State.' He was quite sure that he had not done so, and asked me to let him have the original version, if I could. At this he suddenly got up. I could see he was visibly livid with rage. I was summarily dismissed . . .

However, Sri Prakasha was determined to get to the root of the issue and consulted the editor of a leading daily the next morning as to the text of Jinnah's speech. In his memoir he further noted:

> As a fact, the word 'Islamic' had not occurred anywhere there. The words 'Muslim State,' however, were found at more than half a dozen places. I told Mr. Jinnah in my letter that I was sorry, I had mistaken the word 'Muslim' for 'Islamic'; and that, generally speaking, the lay public will not see much difference in the two, particularly when the Prime Minister and others were constantly using the word 'Islamic' and not confining themselves to the word 'Muslim' in their public speeches and writings. Evidently the Qaid-e-Azam did not intervene. I never had a reply from Mr. Jinnah.
>
> *(Prakasha 1956)*

This incident recorded by Sri Parkasha has been noted by many as an example where Jinnah categorically denied that Pakistan was to be an 'Islamic state.' However, what is overlooked is that Jinnah did use the phrase 'Islamic state' with reference to Pakistan in a statement released on August 24, 1947 (which might have been the text Sri Prakasha was referring to).

In fact, the usage of the term 'Islamic State' was common practice at that time with ministers using it freely and emphatically. For example, the education minister, Fazlur Rahman, while addressing the first Pakistan Education conference in November 1947 noted: 'It is, therefore, a matter of profound satisfaction to me, as it must be to you, that we have now before us the opportunity of reorienting our entire educational policy to correspond closely with the needs of the times and to reflect the ideas for which Pakistan as an Islamic state stands' (Rahman 1953). The minister, who was also the Interior Minister, further emphasised the Islamic nature of the state in February 1949 when he stated: 'But mere lip-service to Islamic ideology will be as foolish a gesture as Canute's order to the waves of the sea. We must see to it that every aspect of our national activity is animated by this ideology, and since education is the basic activity of the State I realised that a start had to be made there' (Rahman 1953: 3). Hence, even while Jinnah was alive ministers were referring to Pakistan as an Islamic state and creating policies to realise it in a more concrete manner.

While Jinnah was emphasising the Islamic nature of the polity, he was also assuring the minorities that there would be no discrimination on the basis of religion in the new state—however, these statements were primarily made either to the minority communities themselves or to foreign audiences. In a widely quoted interview with Mr Duncan Hooper of *Reuters* in October 1947, Jinnah emphasised that Pakistan would not discriminate on the basis of religion. He noted: 'I have repeatedly made it clear, especially in my opening speech to the Constituent Assembly, that the minorities in Pakistan would be treated as our citizens and will enjoy all rights and privileges that any other community gets. Similarly, replying to the welcome given

to him by the Parsi community in Karachi on February 3, 1948, he stated: 'I assure you that Pakistan means to stand by it oft-repeated promises of according equal treatment to all its nationals irrespective of caste and creed.' Further, addressing the people of the United States, Jinnah categorically stated that Pakistan would not be a 'theocratic' state. He said: 'Pakistan not going to be a theocratic state, that is, rule of or by priests, with a divine mission. We have many non-Muslims such has Hindus, Christians, Parsis. But they are all Pakistanis and equal citizens with equal rights and privileges and every right to play their part in the affairs of Pakistan national state' (Jinnah February 3, 1948). So while Pakistan were to be 'Islamic' at some level, it was supposed to grant equal rights to all citizens, according to Jinnah.

Jinnah's seemingly contradictory speeches on Islam and equal citizenship beg two fundamental questions. First, while Jinnah categorically denied that Pakistan would be a 'theocratic' state, what did he really mean by that? Does the denial of theocracy automatically mean a secular government? Second, what did the terms 'Muslim democracy,' 'Islamic ideals,' 'Islamic socialism,' and 'Muslim government' mean for Jinnah? So how is one to interpret these seemingly contradictory speeches on Islam and equal citizenship? Did Jinnah want a secular-style government? Or did he favor an Islamic type of government? To understand what Jinnah actually meant, one has to carefully locate his numerous speeches in their historical context.

From the above it is clear that Jinnah's conception of Islam and its tenants was quite peculiar. Jinnah was certainly a modernist and wanted Islamic ideals to be interpreted keeping in mind trends in the world at his time. Jinnah's outlook becomes clear from his views on purdah (the veil) in an interview Mr James Weldon of *Collier's Weekly* in late August 1947, where he noted:

> The position of women is already equal in law to that of men. It may be expected that their participation in civic affairs and in the professions will increase, and that the institution of purdah, which is the result of tradition and not of the teachings of the Qur'an, will gradually disappear. In the old, old days it was a good idea, since in the autocratic past a king of a chieftain might take to himself any beautiful woman he saw, and a man was wise indeed to keep his women under cover. Custom throughout the world tends to outlive the reason for its origin, and this one is no exception. In the modern state such a precaution is not necessary, and it is already on the way out.

Here Jinnah cleared interpreted the institution of purdah—still a significant part of the Indian Muslim culture—purely in rational terms and opined that with democracy and the rule of law the custom would not have any utility and would die out. Even in his 1945 Eid message he had asked every Muslim to be his own 'priest,' thereby highlighting his own very modern outlook.

Furthermore, Jinnah—and later Liaquat—somehow thought that the only problem was with theocracy and as long as that possibility was precluded, there was no problem. Jinnah therefore repeatedly claimed that Pakistan was never going to be a theocracy and therefore people should not be worried about it. For example, speaking at the Muslim League Council meeting on December 15, 1947, after reaffirming the Islamic ideals of the state, he quickly added that 'It was not going to be an ecclesiastical state. In Islam there is no discrimination as far as citizenship was concerned.' However, it seems that Jinnah never contemplated the result of his own modernist view of Islam, let alone the revival of traditional Islamic conceptions. Since Islamic principles were *sine qua non* for Pakistan, what precluded the people from making a very conservative and non-modernist interpretation? How would the new state of Pakistan decide between competing interpretations of Islam by various people?

Jinnah and the August 11, 1947, speech

With this background, let us turn to Jinnah's most famous speech, delivered on August 11, 1947, at the inauguration of the Constituent Assembly of Pakistan and held by some to be the 'Magna Carta' of Pakistan. Hector Bolitho, Jinnah's first official biographer, who had access to all his papers, noted that Jinnah spent long hours working on 'the great speech of his life' and would 'leave these fault finding expeditions to return to his desk, where he worked, for many hours, on the Presidential Address he was to give to the Constituent Assembly of Pakistan, on August 11' (Bolitho 1982: 197). This statement, however, sits uneasily with Jinnah's own words on August 11, where he said that 'I cannot make any well-considered pronouncement at this moment, but I shall say a few things as they occur to me.' This means that perhaps he made some notes on the subject, but did not have a fully written speech. In any event, the most controversial part of the speech proved to be his thoughts on religion and the state where he exclaimed:

> I cannot emphasize it too much. We should begin to work in that spirit, and in course of time all these angularities of the majority and minority communities, the Hindu community and the Muslim community—because even as regards Muslims you have Pathans, Punjabis, Shias, Sunnis and so on, and among the Hindus you have Brahmins, Vashnavas, Khatris, also Bengalees, Madrasis and so on—will vanish. Indeed if you ask me, this has been the biggest hindrance in the way of India to attain the freedom and independence, and but for this we would have been free people long long ago. No power can hold another nation, and specially a nation of 400 million souls, in subjection; nobody could have conquered you, and even if it had happened, nobody could have continued its hold on you for any length of time, but for this. Therefore, we must learn a lesson from this. You are free; you are free to go to your temples, you are free to go to your mosques or to any other place or worship in this State of Pakistan. You may belong to any religion or caste or creed—that has nothing to do with the business of the State . . . We are starting in the days where there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another. We are starting with this fundamental principle: that we are all citizens, and equal citizens, of one State.
>
> *(Constituent Assembly of Pakistan Debates 1947)*

A number of people saw this statement to be a change of course for Jinnah. Even people in the government of Pakistan saw this as a dramatic change and it was said that a press advisory note was contemplated with sections censored. Journalist Hamid Jalal wrote:

> This speech of the Quaid became the target of what may be called the first of the press advices issued by Pakistan's permanent establishment . . . Several leading members of it tried to have some secularist passages of the speech blacked out in the press. They were duly obliged by those who could use their authority to do so. But unluckily for them this attempt of theirs came to the notice of Mr. Altaf Husain, editor of *Dawn* . . . He threatened them that he would go to the Quaid himself, if the press advice was not withdrawn. Mr. Altaf Husain won and the speech of the Quaid was published in the newspapers without the tampering that was planned.
>
> *(Niazi 2010: 59)*

Hamid Jalal heard this version from Zamir Siddiqi who was associated with *Dawn* and knew Altaf Husain well. Siddiqi again confirmed this version in a letter to Zamir Niazi. Zamir Niazi also noted another corroboration of the event from Mr Z.A. Zuberi, who was the assistant editor of *Dawn* in 1947 who noted:

> A phone call came later in the evening the same say advising that the particular portion of the speech may not be published . . . The text of the speech was before Mr. Altaf Husain . . . [and he] wanted to know who wanted this deletion. Were these instructions from the Quaid, or was it somebody else's idea? The advice was reported to have been conveyed by Mr. Majeed Malik, the then principal PRO [Public Relations Officer] . . . Malik sahib rang up Chaudhari Mohammad Ali, the then secretary-general of the cabinet division . . . After their conversation was over Malik sahib told me it was not an advice but 'just a question of opinion.' There was no question of censoring the Quaid's speech.
>
> *(Niazi 2010: 60)*

Whatever the veracity of the attempts to 'censor' the 'secular' parts of Jinnah's speech, it is clear that there were certainly people who were unhappy with the sudden change of tone. Therefore it was clear that as soon as Pakistan was created the patch-work coalition which Jinnah had cobbled together for the 1946 election was already unraveling and his own party had begun to question him.

Judging from Jinnah's own speeches this was certainly a dramatic turnaround. Since Pakistan was solely achieved on the basis of the distinctiveness of the Muslim *millat*, and its inability to live together with the Hindu nation, it was clearly expected that with the establishment of Pakistan the Muslim *millat* and the citizenship of Pakistan would be synonymous. But here Jinnah had declared all people—regardless of caste or creed to be an equal part of the new Pakistani *millat*—citizenship—thereby reframing the earlier obvious co-relation. After all, Jinnah had himself stated in 1940 about the Muslim and Hindu nations in India, that 'To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent, and final destruction of any fabric that may be so built up for the government of such a state' (Jinnah March 22, 1940). So how could these 'two' nations, with the majority and minority community now switched, live as one nation in Pakistan? After all, this incredible difference was the *raison d'être* for the creation of Pakistan itself! This question must have puzzled those listening to him. Furthermore, Jinnah had based his claim of a separate nationhood on the foundations of Islam as a 'complete code' of life, so how could this code which permeated every facet of life not have an impact on the state and its functions? How could this code now become a 'personal sense' and not the defining feature of the new state?

In his influential work, *The Spirit of Islam* (1891), the leading historian and jurist and a founding member of the Muslim League, Syed Ameer Ali, gave a rather interesting and modern interpretation of Islam. Arguing that Islam only possessed a 'proper name' he argued that Islam had to be interpreted as a form of action. Explaining the principal basis of the 'Islamic system' he noted its five elements:

> (1) a belief in the unity, immateriality, power, mercy, and supreme love of the Creator; (2) charity and brotherhood among mankind; (3) subjugation of the passions; (4) the outpouring of a grateful heart to the Giver of all good; and (5) accountability for human actions in another existence.
>
> *(Devji 2013: 202–3)*

This reworking of the basis of the Islamic system, Faisal Devji notes as 'replacing the traditional five pillars of Islam, with their heavily ritualistic emphasis on actions like fasting and pilgrimage. Indeed Ameer Ali and his successors in the Muslim League routinely stripped such ritual acts of all intrinsic merit to make them mere carapaces for everyday virtues.' Devji further notes that, 'As the name of the system, Islam was so encompassing as to deprive all traditional authorities, such as clerics and mystics, of any real hold over it' (Devji 2013: 203). Hence, Devji argues that in the Islam of Syed Ameer Ali, which had a lasting impact on Muslim politicians in India—Jinnah included,

> Islam spoke directly to its believers, and its larger purpose could therefore be interpreted by anyone willing to argue their case, including politicians who no longer needed to claim religious authority in order to do so. It is in this view of things that still allows statements like 'Islam says such and such' to be made by all manner of Muslims.
>
> *(Devji 2013: 212)*

Assessed against the backdrop of the thought of Syed Ameer Ali one can easily understand the view of Islam people like Jinnah held—as encompassing all the fundamental values of human civilisation. Therefore, for Jinnah, the 'principles of Islam' might as well be the 'principles of natural law' albeit in a more powerful form.

Given this very modern interpretation of Islam, one can also clearly explain the August 11, 1947 speech in the same vein, as envisioning an egalitarian society based on modern Islamic concepts. In fact, Jinnah himself referred to his interpretation of early Islamic history when he retorted to Lord Mountbatten's reference to the tolerance of the Mughal Emperor Akbar:

> The tolerance and goodwill that great Emperor Akbar showed to all the non-Muslim is not of recent origin. It dates back thirteen centuries ago when our Prophet not only by words but by deeds treated the Jews and Christians, after he had conquered them, with the utmost tolerance and regard and respect for their faith and beliefs. The whole history of Muslims, wherever they ruled, is replete with those humane and great principles which should be followed and practised.
>
> *(Allana 1969: 407–11)*

Jinnah was indeed convinced that Islam as explained in Syed Ameer Ali's work was based on universal principles which alone could ensure peace, prosperity and development.

Jinnah's August 11 speech, however, can also be understood in another dimension. In the same book, Faisal Devji has also argued that for the political idea of Pakistan, geographical considerations were secondary. Devji argues that like Israel, Pakistan was conceived as a 'profound distrust of nationalism, and an attempt to create new forms of political belonging.' In this way of thinking, 'religion stands distinct from the territory its followers covet, which had in any case been seen as an accidental homeland for them.' Jinnah's lack of clarity about the geographic contours of Pakistan therefore validates this conception, as Devji notes:

> Mohammad Ali Jinnah's demands at various times of bits of territory that included the Andaman and Nicobar islands as maritime links between East and West Pakistan, or for a corridor across the north of India as a territorial link between them, both justified largely for reasons of bureaucratic convenience. Indeed his main justification for the territory he sought, but was denied, was not the Muslim character of its population but that it alone would make for an administratively 'viable' state.
>
> *(Devji 2013: 24)*

Analysed within this context, it is not farfetched to imagine that with the June 3, 1947, plan Jinnah was saddled with a Pakistan where nearly a quarter of its population were to be non-Muslim. Since the communal holocaust had yet to raise its ugly head and the mass migrations had yet to begin, Jinnah would have certainly expected a large majority of non-Muslims to stay behind in Pakistan, especially since he had repeatedly promised them fair treatment. For example, in a press conference in July 1947 Jinnah stated that minorities 'will be in all respects the citizens of Pakistan without a distinction of caste, colour, religion or creed. They will have all the rights and privileges and, no doubt, along with it goes the obligation of citizenship.' When he was further pressed, Jinnah clarified that he saw no need for an exchange of populations and exclaimed that 'there was no need for any apprehension on the part of the minorities in Pakistan.' On the question of whether Pakistan was to be a secular or theocratic state, the governor-general designate and founder of Pakistan simply said: 'You are asking me a question that is absurd. I do not know what a theocratic state means.'

When the Dominion of Pakistan was established on August 15, 1947, 24.6 per cent of Western Pakistan and 30.1 per cent of East Bengal and Sylhet's population was non-Muslim according to the 1941 census. Hence keeping this demographic reality in mind, the first prime minister of Pakistan, Liaquat Ali Khan, while unfurling the flag of Pakistan, clearly noted that:

> This Flag is not the flag of any one political party or community . . . As I visualize the State of Pakistan, it will be a State where there will be no special privileges, no special rights for any one particular community or any one particular interest. It will be a State where every citizen will have equal rights and equal opportunities.
>
> *(Constituent Assembly of Pakistan Debates 1947: 22)*

Further when a member of the Assembly, Mr Bhim Sen Sachar, put forth a demand that a special committee be constituted for the finalisation of the flag of Pakistan, as under the present circumstances the minorities had not been consulted, Liaquat emphatically stated that 25 per cent of the flag had indeed been kept white to represent the significant non-Muslim population of Pakistan. Indeed, when both Jinnah and Liaquat addressed the Constituent Assembly on August 11, a number of its members were non-Muslims. Out of a total of 58 members who were in the chamber on that day, sixteen were non-Muslims, forming about 27.5 per cent of the membership.

Conclusion

What Jinnah meant in his August 11, 1947, speech and how it translated into a constitution and polity for Pakistan are issues which have remained hotly debated and strongly contested ever since they were uttered. Akbar S. Ahmad has therefore rightly noted that, 'Jinnah's ideas about Pakistan remained vague. This resulted in both strength and weakness to the Pakistan Movement. It became all things to all men, drawing in a variety of people for different reasons.' However, Ahmad also notes: 'During the last few years of his life, Jinnah began to sharpen his concept of Pakistan. His speeches emphasised the unequivocal Islamic nature of Pakistan, drawing inspiration from the Quran and the Holy prophet' (Ahmed 2010: 109). And it is certainly this unclear tone and tenor which still remains hard to decipher.

The fact that Jinnah's thoughts were unclear to even his associates was exhibited in the debate over the Objectives Resolution in March 1949 where both the government and opposition benches claimed Jinnah for themselves. Introducing the Objectives Resolution on March 7, 1949, Liaquat Ali Khan noted that this resolution was in accordance with the wishes of Jinnah.

Liaquat said: 'I would like to remind the House that the Father of the Nation, Quaid-i-Azam, gave expression to his feelings on this matter on many an occasion, and his views were endorsed by the nation in unmistakable terms' (Constituent Assembly of Pakistan Debates 1949: 2). Liaquat shared Jinnah's disdain for the Western form of democracy and was confident that Pakistan would certainly provide a new, better, direction for the world. He continued: 'Pakistan was founded because the Muslims of this sub-Continent wanted to build up their lives in accordance with the teachings and traditions of Islam, because they wanted to demonstrate to the world that Islam provides a panacea to the many diseases which have crept into the life of humanity today' (Constituent Assembly of Pakistan Debates 1949: 2). Therefore, Pakistan was to be the new 'laboratory for the purpose of demonstrating to the world that Islam is not only a progressive force in the world, but it also provides remedies for many of the ills from which humanity has been suffering' (Constituent Assembly of Pakistan Debates 1949: 5).

But the leader of the Pakistan National Congress, Mr Sris Chandra Chattopadhyaya, saw this resolution in another light. He contended that he had understood Jinnah's pronouncements as meaning something else. Chattopadhyaya exclaimed: 'So long we had an idea that the constitution would be based on the eternal principles of equality, democracy and social justice. We thought that religion and politics would not be mixed up. That was the declaration of Quaid-i-Azam Mohammad Ali Jinnah in this House' (Constituent Assembly of Pakistan Debates 1949). However, the members of the treasurer benches simply refused to give credibility to this or to anyone else's objections.

Jinnah's various statements certainly led to different interpretations on both sides of the aisle in the Constituent Assembly and by the end of the debate on the Objectives Resolution the positions had solidified further. Sardar Abdul Rab Nishtar, the influential Communications minister and practically the deputy prime minister, noted the dichotomy as he said:

> Another remark, which was made by one of the members, was that soon after the Quaid-i-Azam's death you have confronted us with this Resolution as if we have done something against the wishes of the Quaid-i-Azam. It is correct Quaid-i-Azam had given pledges to the minorities but Quaid-i-Azam had also given pledges to the majority. Pakistan was demanded with a particular ideology, for a particular purpose and this Resolution, that has been moved, is just in accordance with those solemn pledges which Quaid-i-Azam had the leaders of the Muslim League gave to the majority as well as to the minority. We have done nothing and none of us dare to do anything which goes against the declarations of the Quaid-i-Azam.
>
> *(Constituent Assembly of Pakistan Debates 1949: 62)*

Hence, both the government and the opposition were certain that they were representing the will of the founder of the country while supporting and opposing the Objectives Resolution respectively.

While the general tenor of the debate on the Objectives Resolution might seem to be a polarised argument among the modernist Muslims and secularist Hindus, the real battle line was also being drawn. Closing the debate on the Objectives Resolution, Liaquat Ali Khan made a passing remark which heralded the future trajectory of the debate. In his speech, while dismissing the objections of the Congress members, especially when some of them had quoted Ulema and their interpretation in their speeches, Liaquat advised them to listen to 'what we and men like Maulana Shabbir Ahmad Osmani have been telling him about Islam' (Constituent Assembly of Pakistan Debates 1949: 95). Missed by most scholars, Maulana Osmani, the leader of the Jamiat-e-Ulema-e-Islam and a partner of the Muslim League, had in fact been perfectly

clear and consistent about his understanding of the contours of the state Pakistan was going to be. For Maulana Osmani,

> An Islamic State is not a State in its own rights, with authority inherent in it. It is a State to which authority has been delegated. The real sovereignty belongs to God. Man is his vice-regent on Earth and discharges his obligations in this respect alone with other religious duties on the principle of a "State within a State" and within the limits prescribed by God.
>
> *(Constituent Assembly of Pakistan Debates 1949: 45)*

Hence, for him, Pakistan was to be a state with limited powers of legislation and action since a large number of laws were already prescribed in Islam and hence outside the purview of the state. Maulana Osmani was also clear about the role of non-Muslims in this Islamic state. He noted:

> It is evident that such a State which is founded on some principles, be it theocratic or secular (like the USSR), can be run only by those who believe in those principles. People who do not subscribe to those ideas may have a place in the administrative machinery of the State but they cannot be entrusted with the responsibility of framing the general polity of the State or dealing with matters vital to its safety and integrity.
>
> *(Constituent Assembly of Pakistan Debates 1949: 45)*

Hence in two sentences the real implications of the 'Islamic state' for non-Muslims became clear since it is very much possible that non-Muslims would not subscribe to Islamic ideals and principles in exactly the same way as Muslims would. Prime Minister Liaquat Ali Khan singled out Maulana Osmani in his closing remarks as the one the non-Muslims should listen and refer to, and Maulana Osmani himself had begun a reinterpretation of 'Jinnah's Pakistan.'

Bibliography

Ahmed, A.S. (2010). Jinnah's Gettysburg Address. In L. Merchant and S. Al-Mujahad (eds) (2010) *The Jinnah Anthology*. Karachi: Oxford University Press, p. 109.

Ali, S.A. (1891). *The Spirit of Islam*. Calcutta: SK Lahiri & Co.

Allana, G. (1969). *Pakistan Movement Historical Documents*. Department of International Relations, University of Karachi.

Bolitho, H. (1982). *Jinnah: The Creator of Pakistan*. London: John Murray, p. 197.

Constituent Assembly of Pakistan Debates (1947, August 11). Vol. 1, No. 2, p. 22.

Constituent Assembly of Pakistan Debates (1949, March 1). Vol. V, No. 4, p. 62.

Constituent Assembly of Pakistan Debates (1949, March 7). Vol. V, No. 1, p. 2.

Constituent Assembly of Pakistan Debates (1949, March 9). Vol. V, No. 3, p. 45.

Constituent Assembly of Pakistan Debates (1949, March 12). Vol. V, No. 5, p. 95.

Dawn. (2009, July 31). "Wanted: Jinnah's Pakistan." *Dawn News*. Available at: http://www.dawn.com/news/481120/wanted-jinnahaes-pakistan.

Devji, F. (2013). *Muslim Zion: Pakistan as a Political Idea*. Cambridge, MA: Harvard University Press.

Jaffrelot, C. (2015). *The Pakistan Paradox: Instability and Resilience*. New York: Oxford University Press, p. 479.

Jalal, A. (2000). *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*. Lahore: Sang-e-Meel, p. 277.

Jinnah, M.A. (1940, March 22). Presidential Address to the 27th Session of the All India Muslim League, In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. Islamabad. Third Series, Vol. XV, No. 154. Oxford University Press.

Jinnah, M.A. (1943, April 23). Presidential Address at the All India Muslim League Annual Session. Delhi.

Jinnah, M.A. (1945, June 15). Message to the Frontier Muslim Students' Federation Conference on. Peshawar.

Jinnah, M.A. (1945, November 24). Speech at a public meeting in Mardan. In Y. Khurshid (ed.) (1996) *Speeches, Statements and Messages of the Quaid-e-Azam*. Vol. III, 2118. Bazm-e-Iqbal.

Jinnah, M.A. (1947, July 13). Minorities Will Be Safeguarded, *Jinnah Papers*, First Series, Vol. III, Appendix VIII.2. Oxford University Press.

Jinnah, M.A. (1947, August). Interview with Mr James Weldon of *Collier's Weekly*. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. 5, No. 112. Oxford University Press.

Jinnah M.A. (1947, August 14). M.A. Jinnah's Reply to Viceroy's Address to Pakistan Constituent Assembly. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. IV, No. 257. Oxford University Press.

Jinnah, M.A. (1947, August 24). Statement by M. A. Jinnah. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. Vol. V, Appendix IV.2.

Jinnah, M.A. (1947, October 25). *The Pakistan Times*. Interview with Mr Duncan Hooper of *Reuters* in October 1947.

Jinnah, M.A. (1947, October 30). Speech at a Public Rally. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VI, No. 137. Oxford University Press.

Jinnah M.A. (1947, December 15). Proceedings of the Meeting of All India Muslim League Council, Annex IV. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VI, 273. Oxford University Press.

Jinnah, M.A. (1948, January 25). *Address by M.A. Jinnah to the Karachi Bar Association on the Occasion of the Holy Prophet's Birthday*. First Series Vol. VII. JP, p. 48.

Jinnah, M.A. (1948, February). Draft of Broadcast by M.A. Jinnah to USA. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 86. Oxford University Press.

Jinnah M.A. (1948, February 3). Reply by M.A. Jinnah to Address of Welcome by the Parsi Community. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 68. Oxford University Press.

Jinnah, M.A. (1948, February 14). Jinnah, M.A. Speech at the Sibi Darbar on February 14, 1948. In Z.H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 79. Oxford University Press.

Jinnah, M.A. (1948, March 21). Speech at a Public Meeting at Dacca. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 160. Oxford University Press.

Jinnah M.A. (1948, March 26). Report on the Speech by M.A. Jinnah at a Public Reception at Chittagong. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 202. Oxford University Press.

Jinnah M.A. (1948, April 17). Reply by M.A. Jinnah to Addresses of Various Tribal Jirga. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 289. Oxford University Press.

Jinnah, M.A. (1948, July 1). Speech on the Inauguration of State Bank of Pakistan. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, No. 452. Oxford University Press.

Jinnah M.A. (1949, February 7–9). Speech at the Opening of the Second Annual Session of the advisory Board of Education for Pakistan held at Peshawar from February 7–9 1949. In Z. H. Zaidi (ed.) (1994) *Jinnah Papers*. First Series, Vol. VII, 48. 20. Oxford University Press.

Jinnah, M.A. (1976). Address at the Hostel Parliament of Ismail Yusuf College, Bombay, February 1, 1943. In M.A. Harris, *Quaid-e-Azam*. Karachi: Times Press, p. 173.

Karim, S. (2010). *Secular Jinnah and Pakistan: What the Nation Doesn't Know*. Vol. VIII. Karachi: Paramount Publishing.

Merchant, L.H. and Al-Mujahid, S. (eds) (2009). *The Jinnah Anthology*. Karachi: Oxford University Press.

Merchant, L.H. and Al-Mujahid, S. (2009). "Jinnah—Two Perspectives: Secular or Islamic and Protector General of the Minorities." In L. Merchant and S. Al-Mujahad (eds) *The Jinnah Anthology*. Karachi: Oxford University Press, p. 86.

Merchant, L. (2013, August 14). "The Nation with a Distinct Ideology." *Dawn News*. Available at: http://www.dawn.com/news/1035762.

Niazi, Z. (September, 2010). *The Press in Chains*. Karachi: Oxford University Press, p. 59.

Nichols, B. (1944). *Verdict on India*. New York: Harcourt, Brace and Company, p. 190.

Prakasha, S. (1956). *Pakistan: Birth and Early Days*. Delhi: Meenakshi Publishers.

Rahman, F. (1953). Address delivered at the All-Pakistan Educational Conference held in Karachi. In *New Education in the Making in Pakistan: Its Ideology and Basic Problems*. London: Cassell & Company, p. 3.

Wolpert, S. (1999). *Jinnah of Pakistan*. Karachi: Oxford University Press, pp. 339–40.

Yusufi, K. (1996). Speech at a public meeting in Mardan, November 24, 1945. *Speeches, Statements and Messages of the Quaid-e-Azam*. Vol. III, 2118. Lahore: Bazm-e-Iqbal.

5

THE ENCOUNTER WITH MODERNITY IN THE RURAL AND TRIBAL AREAS OF PAKISTAN IN PAKISTANI ENGLISH FICTION

Muneeza Shamsie

The timeless way of life, which existed in the rural and tribal areas of the region which now constitutes Pakistan, was confronted by the exigencies of colonial rule and after 1947 by that of the newly independent Pakistan as a nation-state. The state's new industrialization policies, the imposition of borders and boundaries between Pakistan and its neighbors, and more recently the rise of militant Islam have all played a role in changing or disrupting the cultural dynamics of traditional societies. This chapter explores these changes as portrayed in six Pakistani English novels written between 1967 and 2013.

Pakistan is an extensively agricultural country, but its western and northern borderlands are inhabited by nomads belonging to different tribes. The certainties of traditional living have changed over the decades. The advent of modernity, both before and after Partition, included migration to the cities or foreign lands, new economic policies, political turmoil and the need of the nation-state to extend its writ. The six novels discussed in this chapter are examined in the order they were published to reveal a historical sequence and the intrusion of the new into the certainties of the old, in rural or tribal Pakistan.

The Murder of Aziz Khan by Zulfikar Ghose (1967) looks at the clash between a new breed of ruthless industrialists and a proud traditional Punjab farmer; *The Bride* by Bapsi Sidhwa (1984) portrays a Lahore-born girl married into her foster father's family in distant, tribal Kohistan; *Season of the Rainbirds* by Nadeem Aslam (1993) describes a small town overtaken by a new politicized religious extremism; *In Other Rooms, Other Wonders* by Daniyal Mueenuddin (2009) focuses on feudal power, absentee landlords and the lives of ordinary people in a changing world; *The Wandering Falcon* by J. Ahmad (2011) captures the gradual disruption of a timeless tribal life in Baluchistan; *Thinner Than Skin* by Uzma Aslam Khan (2013) looks at nomadic life in Pakistan's northern areas, destroyed by the intrusion of tourists, the modern state, religious extremists and radicals, including those from neighboring Central Asia.

Zulfikar Ghose: predatory capitalism in rural Punjab

In fact the history of the contemporary Pakistani English novel begins[1] with *The Murder of Aziz Khan* by Zulfikar Ghose. The author was born in Sialkot in 1935 when "Sialkot was becoming an industrial city . . . but its values were rural traditional" (Rahman 1991: 91). He migrated to Bombay with his family in 1942 and to Britain in 1952. He returned to his native Punjab on a brief trip in 1962 to cover the MCC tour as cricket correspondent for the British newspaper *The Observer*.

His novel *The Murder of Aziz Khan*, which is set in a small fictitious town, Kalapur, in rural Punjab in the 1950s, "was a response to a newspaper report he had read [in Pakistan] . . . about a small landowner who was forced to quit his land for the establishment of an industry" (Abbasi 2015: 39). Ghose (1998) asserted, however, that "everything in it – the story, the characters, the plot – is complete fiction, neither based on real people, nor drawn upon any personal experience" (np). He provides a biting critique of "the native adventurers and opportunists" (np) who leapt "into the space vacated by the foreign exploiters to aggrandize themselves at the expense of the people" (np) and attacked in particular "the predatory practices of the new industrialists" (np).

The book was published during the martial law regime of Ayub Khan. The combination of stringent censorship and the paucity of foreign exchange ensured that this British published book was not available Pakistan's bookshops. Today, in Pakistan it is a greatly admired classic.

Chelva Kanaganayakam (1993) points out *The Murder of Aziz Khan* "pays great attention to social structure, to the social milieu, which gives flesh and meaning to the focal characters" (42). Robert Ross (1989) observes "its action taut, characters clearly defined, setting resplendent, this early novel moves gracefully towards its predetermined denouement" (198–203). Tariq Rahman (1991) says that Aziz Khan's ultimate destruction and the loss of his land embody "the beginning of cultural uprooting of human beings during industrial revolutions" (105). He adds:

> it is the only important work of fiction representing the social reality of the emergence of primitive capitalism in Pakistan in the nineteen sixties. The textile industry was the first to come up. The rural areas of Lyallpur (now Faisalabad) and the area between Lahore and Multan passed into industrialists. About these industrial changes – they can hardly be called a revolution – there is no work of imagination either in Urdu or English which can in compare quality with Ghose's novel.
>
> *(Rahman 1991: 102–3)*

The Murder of Aziz Khan set in the small fictitious town of Kalapur and its portrayal of social inequality is very much in the tradition of the nineteenth-century English novel and similarly follows a linear narrative with detailed descriptions. The main protagonist, Aziz Khan, owns seventy acres of land which the newly rich Shah Brothers wish to acquire for their cotton mills. Aziz Khan's refuses to sell. For this act of disobedience, the Shah Brothers decide to destroy him – even when they no longer need his land. "Unlike the modern capitalistic structures which tend to be profit oriented only, the Shah brothers' psyche is tinged with the feudal mindset – the lust for possession and the overt subjugation of others" (Abbasi 2015: 36).

This "feudal mindset" or rather, an entrenched medieval authoritarianism, also runs through Daniyal Mueenuddin's collection in *In Other Rooms, Other Wonders*, and has a direct relationship with the derailment of the political process in Pakistan during the first decade of independence by an increasingly powerful military-bureaucratic elite. This was followed by declaration of

Pakistan's first martial law in 1958 and the consolidation of Pakistan's alliance with the United States as a Cold War ally, which brought both money and an illusion of stability to Pakistan (71). These trends contributed to the emergence of a new entrepreneur class with "money invested in the cotton and textile manufacturing areas" (Rahman 1991: 71) while "the rural working class . . . remained poor and exploited" (71).

In *The Murder of Aziz Khan*, the three Shah Brothers are petty traders from Bombay. They have discovered new money-making opportunities in Pakistan but "have no local cultural roots" (Rahman 1991: 130) in rural Punjab. The eldest, Akram, "exploits people by tricking them into giving money to establish his factory" (103). Ayub, the second brother, a one-time Bombay gangster terrorizes others "by smashing the workers union so they cannot get their rights" (103). The youngest, Afaq, is the only one of the Shahs to have had the benefit of good education but is spineless and "exploits women" (104).

In marked contrast, the proud, upright Aziz Khan "loves his land and the permanence of the agricultural way of life" (105) with which he has an almost-mystical union:

> And sometimes when his household had retired and he was unobserved, Aziz Khan would slip into the plantation under moonlight and feel the cotton-buds by passing a hand gently over them or by putting his mouth to them as if they were balls of candy floss. As if it was an inspection which had to be carried out; or an instinctive form of imbibing some secret knowledge from the plants: an inspection really of his own soul.
>
> *(Ghose 1998: 15)*

The novel also captures the small town life of the Shah Brothers. They use English, the language of the erstwhile colonials, as a status symbol; they attend bridge parties, dance parties and evenings at a local club. Akram's childless wife, Faridah, and Ayub's beautiful, fecund and seductive wife, Razia, vie with each other to display their knowledge of Hollywood films. This privileged coterie is linked to a network of corrupt officials and middlemen, adept at bending the laws, which are also in English and are used to rule and subdue a non-English-speaking population.

This places the illiterate Aziz Khan and his sons, Javed and Rafiq, at a great disadvantage. They understand neither the law nor legal proceedings when Rafiq is falsely accused of raping and murdering a peasant girl. He is tried, condemned and hanged – aided by Akram and Ayub Shah, who bribe the witnesses and the police. The perpetrator, Afaq Shah, leaves for England.

Soon, Aziz Khan's wife falls ill, which leads to mounting medical bills. To help out with family finances, Aziz Khan's surviving son, Javed, takes up a menial job in the Shah's cotton mills. There, his involvement in trades union activities and Marxism change him into a more aware, socially conscious man, although "the trades union attempts in Kalapur . . . hardly allow for the complex history of the trades union movement in Pakistan" (Kanaganayakam 2002: 107). There is also "an idealization of the Aziz Khan family and the acceptance of defeat" (109); Javed is murdered by the Shah Brothers. Aziz Khan's wife dies of grief. Aziz Khan, unable to pay for the upkeep of his lands, has to give up his land.

The novel culminates with the total eradication by a brutal modern machinery of everything that he held dear. "Even at the farthest end of his land, he could hear the bulldozers going up and down, up and down . . . the sun that late summer afternoon seemed to be made of steel, the air of concrete" (Ghose 1998: 515). As such, this devastation by modern machines is even greater than that caused by the 2007 earthquake in the northern areas of Pakistan, at the end of Uzma Aslam Khan's novel *Thinner Than Skin*.

Bapsi Sidhwa: in the name of honor

In 1980 Bapsi Sidhwa became the first Pakistan-resident English language writer to receive international acclaim with the British publication of her novel *The Crow Eaters,* which is about the Parsee community to which she belonged. Her next published novel, *The Bride* (1982), winner of the Patras Bokhari Award, was in fact an earlier work and written almost as a compulsion after her trip with her husband to the mountainous northern areas of Pakistan. There she learnt of a runaway bride who was hunted down and killed for this by her husband and his kinsman according to their code of honour and "her headless body has been found floating down the river [Indus]" (Desai 2008: viii).

As Aamer Hussein (2001) points out, the importance of the true story and that fact that in Sidhwa's version the main protagonist, Zaitoon, survives, "is that a woman dares to struggle against patriarchal norms at all; that, disenfranchised as she is, she is able to envision a future for herself away from tribal rules and man-made laws" (xi). He also points out that *The Bride* "has the feel of a first novel; it's a far quieter performance than the carnivalesque, *The Crow Eaters*" (xi).

Both novels appeared during the martial law of General Zia-ul-Haq. Unlike his predecessors, both civilian and military, who perceived themselves liberals and modernizers, Zia-ul-Haq allied himself with fanatical right wing clerics, set about 'Islamizing' Pakistan and introduced laws which targeted Pakistan's two most vulnerable communities: women and minorities. Sidhwa belonged to both. The publication of *The Bride* also coincided with a vocal, politicized women's movement in Pakistan, spearheaded by the Women's Action Forum, and became a part of a collective protest feminist literature in Pakistan's many languages.[2]

Bapsi Sidhwa was born in Karachi in 1938 into an eminent Parsee family, and grew up in Lahore. She has incorporated her memories of Lahore's Partition riots as well as her observations of the city's migrant labour into *The Bride* to portray the story of Zaitoon, the main protagonist. Zaitoon is rescued and adopted by a Kohistani man, Qasim, while fleeing from India to Pakistan in a crowded train with her parents during the Partition riots. Sidhwa provides a harrowing description of the "train massacres" in which Zaitoon's parents were killed.

The Bride begins with "a largely sympathetic portrait" (Desai 2008: viii) of tribal Kohistan in the early twentieth century. Qasim is given his first pistol by his father at the age of 10. At the same time he is informed that he is to be married to the 15-year-old Afshan in return for a debt owed to his father by the bride's father. This marriage, based on barter, is presented as a normal part of Kohistani life. Eventually, Qasim and Afshan develop a close bond, sharing joys, sorrows and hardships, "survival being the sole aim of life in these uncompromising mountains" (Sidhwa 1984: 12), but a smallpox epidemic wipes out all his children and Afshan too.

The grieving Qasim puts the past behind him and leaves Kohistan. He finds work in the plains as a chowkidar (nightwatchman) at a bank in Jullundur. This city becomes a part of a newly independent India, following the division of the Punjab at Partition. Qasim takes advantage of the communal riots and massacres in the city to commit what he considers an honour killing: the murder of a Hindu clerk at the bank who had publicly mocked Qasim's rustic ways. Qasim alights on the next train to Lahore (now Pakistan), but the train is set upon by Hindus and Sikhs. Qasim survives but Zaitoon's parents do not. He arrives in Lahore with a child – Zaitoon – to care for: she reminds him of the little daughter he lost in Kohistan, although she is dark skinned and clearly not one of his people.

In *The Bride,* Bapsi Sidhwa captures vividly the desperate struggle by Qasim and countless poor refugees who flood into urban Lahore. His influential friend Nikka, the wrestler who is also a hit man for a powerful politician, helps Qasim find a job as a chowkidar. Nikka's childless wife, Mariam, helps look after Zaitoon, who is sent to school until she is 10, then taught

to cook and sew in preparation for marriage. Through Qasim the novel also captures the idealized dreams that first-generation migrants have of their homeland: Qasim accepts a proposal for Zaitoon from his cousin's son, Sakhi, in Kohistan. Mariam is outraged. She says "Brother Qasim . . . how can a girl brought up in Lahore, educated – how can she be happy in the mountains? Tribal ways are different, you don't know how changed you are" (Sidhwa 1984: 93).

Zaitoon, however, is filled with romantic notions of her bridegroom and her father's homeland. As Zaman (1994) points out, Zaitoon has been brought up in a segregated society, and "segregation creates certain latent, almost explosive sexual feelings . . . and also helps prepare men and women to accept husbands and wives whom they have sometimes not even seen before the wedding day" (206).

The Bride has a rather weak, uneven structure but "a strong narrative thrust and an adroit combination of separate elements into a sharp closely etched pattern" (Desai 2008: viii). The text is also impelled by a passionate critique of patriarchal and "primitive codes of honour" (Zaman 1994: 205) in tribal society. The novel presents a somewhat simplistic view of Pakistan's political structures, embodied by the chilling, medieval Borgia-like world of Nikka's sinister, politician-employer. Modernity, gallantry and honour emerge in the form of the army.

Near a remote military fort, Zaitoon and Qasim are offered a lift by a considerate, kindly army mechanic, Ashiq. In this difficult mountain terrain, the army is constructing new roads and bridges which will bring great benefits to the region. The soldiers are very different to the tribals – as is also evident by Jamil Ahmad's collection, *The Wandering Falcon*. Ashiq and his commandant, Major Mushtaq, are astonished that the Lahore-bred Zaitoon is to be married to a Kohistani tribal person because tribal ways are so different.

The commandant tells Farrukh and Carol, his guests:

> This side of the Indus where we are sitting is Swat Kohistan. There is semblance of law and order here . . . at least a killer is fined. If he makes it across the river we can't touch him . . . that part of Kohistan has no administration. It is inhabited by isolated pockets of feuding tribes, for centuries imprisoned by the Karakorum Range.
>
> *(115)*

Sidhwa also makes a strong feminist comment on sisterhood through a brief encounter at the fort between Zaitoon and Carol, the blonde, beautiful glamorous American wife of Farrukh, a rich, charming and possessive Pakistani in Lahore. Carol, though "stereotypical" (Ibrahim 2001: 39), belongs to a post-war generation of American women for whom marriage was still considered a woman's ultimate goal. In a moment of self-revelation, Carol recognizes that in patriarchal Pakistan both she and Zaitoon are but mere possessions – objects of desire and suspicion – despite their different backgrounds.

In Kohistan, Zaitoon's excitement gives way to foreboding. She is surrounded by strangers including a toothless mother-in-law and many curious women. She begs Qasim to take her back with him to Lahore. He says, "You make me break my word girl, and you cover my name with dung. Do you understand that?" (Sidhwa 1984: 158). She weeps when Qasim leaves. Her wedding night has been brutal, and her husband is demanding and jealous. Her misery is accentuated by drudgery and poverty, meals of "baked maize and water, supplemented occasionally by a little rice" (174) and Sakhi's continuing "tyrannical animal trainer treatment" (174).

Zaitoon's escape takes her into unknown hostile, mountain territory, where the "land itself acquires a personality, oppressive, brooding, magnificent" (Desai 2008: xi), while Sakhi and his kinsmen arm themselves with guns to hunt her down. She suffers from hallucinations and is accosted by strangers who taunt her and rape her. She is discovered and rescued, half conscious,

by the soldiers near the rope bridge leading to the fort. The fact that Sakhi choses to believe the major when he says that Zaitoon is dead, suggests that perhaps Sakhi too is a victim of the strict code his tribe upholds; his brother demands to see the body but neither Sakhi nor his father wish to pursue the matter. Their honor avenged, the men can return to their tribe. But Zaitoon can never let Qasim know that she is alive.

Nadeem Aslam: the politicization of faith

The alliance between a new breed of politicized maulvi and feudal zamindar-politicians in rural Pakistan as well as the treatment of minorities in Pakistan is central to Nadeem Aslam's first novel, *Season of the Rainbirds* (1993), which won the Betty Trask Award, the Authors Club Best First Novel Award, and was shortlisted for the Whitbread and Mail on Sunday/John Llewellyn Rhys Awards.

Aslam was born in 1969 in Gujranwala into a family of active communists which was subjected to state persecution, particularly during the regimes of Ayub Khan and Zia-ul-Haq. The fact that due to financial pressures Aslam was taken out of a good school in Gujranwala and sent to one run by a fanatical cleric who victimized him would shape Aslam's portrayal of religious bigotry in his fiction. At 14, Aslam migrated with his family to Britain but he dropped out of university to write his first novel, *Season of the Rainbirds,* in which he also recaptured the textures of his childhood.

The novel spans a week in a small Punjab town which stands "at the confluence of two of the province's five rivers" (Aslam 1993: 39). The time frame is defined by the attempt of Zulfikar Ali Bhutto's sons, Murtaza and Shahnawaz, and their militant organization, Al-Zulfikar, to avenge their father's execution by Zia. In 1982, Al-Zulfikar fired a SAM missile at Zia's aeroplane in an unsuccessful attempt to assassinate the dictator.

In Aslam's novel, the fact that it is not reported in the Pakistani press but mentioned briefly by the BBC and discussed by various protagonists defines both the infiltration of information and how disinformation operates in totalitarian societies and "mirrors neatly how gossip itself operates in the novel" (Cilano 2013: 181). The importance of orality and the spoken word in offering an alternative view of events to that projected by a dictatorship and censored press "also prevents the totalization of this authority . . . [since] gossip depends, by definition on excess, on what might next be known and what can't ever be known" (181).

The structure of the novel is built up by two different narratives both impelled by what is said or left unsaid, both culminating in the loss of innocence. The first is the child-narrator's account which consists of five italicized episodes and "appear (s) to bear no explicit relation to the main body of the narrative" (Cilano 2013: 181). However, these episodes "represent a greater awareness of how history is 'present' in everyday life by relaying memories of 1947, 1971 and the turbulent 1980s. On the whole then, these italicized sections display how these characters' lives do not fully conform to the dictates of power" (181).

In this child-narrator's enchanted world, the street "houses face each other across the passages like armies on an ancient Arabian battlefield" (Aslam 1993: 6); at home, the "mimosa encircles the window frame, the leaflets sparkling in the sunlight" (134) and "birds fly above the courtyards in curved paths" (134). But she also overhears her mother's arguing with Uncle Shujahat, who destroys the narrator's dolls for being sinful and has grown a long black beard. Her mother reminds him, "Father-ji was religious but he kept things in proportion. He even sent me, a girl, to Lahore to get a university degree" (2). The "mother's assessment of the brother's religious fervor strikes upon how this zealousness seeks to freeze the world rather than deal with it"

(Cilano 2013: 182) and also becomes a comment on General Zia's interpretation of Islam which disregards "the nation's own social history" (182).

In the home of the newly widowed Nusrat, the pomegranate tree which she brought with her from Afghanistan acts as a reminder of the Russian invasion of that country and Zia's alliance with the US backed mujahidin. A reference to Afghan refugees in Pakistan leads to the narrator's aunt describing her terrifying journey from India to Pakistan in August 1947. In a subsequent episode, the narrator writes of a family friend, Bano, and her husband, Izmayal, a man who is "ripe with wisdom, cunning and self-knowledge, abstemious and brave . . . he fought in the Bangladeshi war and now has no feet" (92). The narrator's comment "We lost that war" acts as a reminder of a history that Pakistani officialdom prefers to forget: the brutal conflict in East Pakistan which became an independent Bangladesh.

The fact that the child-narrator's father has left for Saudi Arabia to work represents the quest for prosperity, material benefits and upward mobility but is also linked to the Wahabi influences espoused by Zia – a new modernity which is in fact anti-modernity. But national and ideological narratives have no answer to poverty as the final arbitrator. The narrator's loving, caring parents send her to work for a rich family because they need the income, and they disregard her employer's harsh treatment of her. Her betrayal, as a defenseless minor, is echoed in the main story by the public collective attack on the defenseless Elizabeth, a young Christian woman who belongs to a small minority community.

The main narrative, which is written in the third person, is divided into a section for each day and revolves around the mysterious murder of a judge and the sudden appearance of a lost mailbag after nineteen years. Rahman (1994) points out that the novel's unhurried pace "follow[s] a premodern, agricultural rhythm of life" (218) which is "true in a subtle way to the essential life of Pakistan" (218). The kindly Maulana Hafeez, "a wise and humane Muslim cleric who is at the same time very conservative" (218), symbolizes this pre-modern society.

> The accumulation of detail: the focus on life in general, on the trivialities of existence, the rain, memories, and the small but vital details which make up a world . . . [which] is essentially static and traditional and not violent. The outside world impinges on this timeless society, through the administration – symbolized by the deputy commissioner, the postmaster, the media, the political connections of the local feudal lord, and such other details – is ruthless, fast-moving, and unpredictable.
>
> *(218)*

Maulana Hafeez provides a marked contrast to his rival, the appalling Maulana Dawood, who belongs to the belligerent, fanatical power-hungry clerics, who assumed great prominence during Zia regime. He finds a natural ally in Mujeeb Ali, the rich, powerful landlord (zamindar), politician and strongman. Mujeeb's forbears were handsomely rewarded for their services to the British a century ago, and since Pakistan has merely attempted "toothless land reforms" (Cilano 2013: 172), Mujeeb has extended his control over land, water resources and much else, which places him in the position to "perform(s) the functions of the state as well as social, political and economic roles" (175).

Mujeeb expects Azhar, the young Deputy Commissioner, to be subservient to him. Azhar, who has taken charge of the judge's murder inquiry, refuses to do Mujeeb's bidding. Mujeeb soon discovers that Azhar has a young woman, Elizabeth, living with him in his home. "The gossip surrounding Azhar and Elizabeth's relationship works to re-centre – violently – conservative social norms and thus re-secure Mujeeb's centrality" (179). The fact that he

is a Muslim and she is Christian causes much offence in both his community and hers and provides Mujeeb with an ideal opportunity to enact a terrible revenge. A frenzied mob is incited to drag Elizabeth through the streets.

The fact that this devastating event is revealed through conversations heightens its horror, as does the implicit, rather than explicit, role of Mujeeb Ali and Maulana Dawood in this shocking act of violence. But Maulana Hafeez is so appalled by the treatment of Elizabeth that it provides him, and therefore the traditional world he represents, a chance of redemption by re-asserting his innate humanity and decency.

Daniyal Mueenuddin: the power of zamindars and middle men

The structures of privilege and class are developed further in *In Other Rooms, Other Wonders* by Daniyal Mueenuddin, a collection of eight, nuanced, skillful, interconnected and Chekhovian stories, which provide many insights into the inter-dependent lives of zamindars, middlemen and managers, servants and peasants. In these tales, too, gossip "reinforces conservative norms" (Cilano 2013: 187), as it does in Aslam's novel.

Mueenuddin, the son of a distinguished Pakistani civil servant and an American writer, was born in 1963, spent his early in years in Pakistan, grew up in the United States and gave up his career as a New York lawyer to look after his family lands in Southern Punjab, the region central to *In Other Rooms, Other Wonders*. The book was shortlisted for the Pulitzer Prize, the National Book Award, the LA Times book award, the Ondaatje Prize and won the Short Story Prize, and a Commonwealth Writers Prize.

The title was inspired by Elizabeth Bishop's 1947 poem "Varick Street", a passionate disturbing portrayal of New York overtaken by a new consumerism, artifice and mercenary values. In an interview with Por Morgar (2011), Mueenuddin said:

> Feudal politicians and officials of my father's generation played according to principles and rules that the present generation would regard as being laughably naïve and ineffective. One of the things I describe in the book is the way my father's generation, their values and principles and ideals, have been eliminated and replaced by this ruthlessness.
>
> *(716)*

In Mueenuddin's stories "the zamindar class remains centralized no matter what the setting" (Cilano 2013: 187) and in almost every story the characters are linked to a feudal landlord, K.K. Harouni, owner of vast farmlands and urban property. In the first story "Nawabdin Electrician," the Harouni lands in the Multan district where "the buff or saline-white desert dragged out between fields of sugar cane and cotton, mango orchards and clover and wheat" (Mueenuddin 2009: 1). Harouni's inventive electrician, Nawabdin, prevails upon K.K. Harouni to buy him a motorcycle. This proves such a potent symbol of power and success that "people started calling him 'Uncle' and asking his opinion on world affairs of which he knew absolutely nothing" (5) and he "would fly down . . . [the] road on his new machine with bags and cloths hanging from every knob and brace" (5): the motor bicycle offers new business opportunities and ensures he can return home every evening to his wife, and their thirteen children. Caught unaware by the dangers of affluence, he is set upon by a poor, nervous armed robber. But Nawabdin is well known in the area and two villagers come to his rescue. In the firing and scuffle that follows, the robber and Nawabdin are wounded and taken to hospital. The robber dies but Nawabdin survives with a new belief in his invincibility.

Mueenuddin also portrays "the limits of the zamindar's power beyond village life in a rural locality and illustrates its reach into the urban centers, locations usually assumed to have more 'modern' forms of power" (187). This is evident in the title story set in Harouni's Lahore home. The elderly Harouni develops a discreet liaison with Husna, a poor relative who comes to her "uncle" K.K. Harouni for employment. Husna is "a more hardboiled Madame Bovary, envious of the glittering, jetsetting lives of the rich, ingratiates herself to the old man through calculated flirtations, believing sex is her ticket out of her lowly status" (Sofe 2009). But death – that of K.K. Harouni – proves the final arbiter. Harouni's heirs unceremoniously expel Husna from the Harouni home.

Throughout, Mueenuddin highlights stark inequalities of class and gender but the women he portrays, whether rich or poor, are manipulative and wily and employ their sexuality for self-advancement. In "Provide, Provide", Jaglani, the corrupt, rich estate manager of the careless, absentee K.K. Harouni, amasses considerable wealth from various dubious dealings. He also receives the patronage of even more important zamindars, the Makhdooms, the district's power brokers descended from a line of hereditary saints, which enables Jaglani to be elected into the National Assembly. This hierarchy of power – land, landowner and government – places Jaglani in such an important position "that he considers himself above the gossip and social censure that surrounds his relationship with his housekeeper Zainab" (Cilano 2013: 188), who becomes his second wife. Later, he takes away a child from his first wife and gives the boy to the childless Zainab. But Jaglani is diagnosed with cancer and goes into "rapid decline"; Zainab "falls prey to . . . social and economic censure" (188) and survives by prostitution.

Mueenuddin's exploration of the daily lives, hopes and aspirations of ordinary people is filled with unexpected moments of grace and, at other times, an abiding tragedy. "A Spoiled Man" revolves around Rezak, an elderly, lonely hill man estranged from his family. Rezak is married to a mentally challenged girl at her brother's behest. He finds great solace and comfort in her presence though she has a speech defect too, but "gradually he found himself able to communicate with her and more importantly, she communicated with him" (Mueenuddin 2009: 223). One day she disappears.

Rezak is employed as a guard by Sonya, the American wife of K.K. Harouni's son, Sohail, in their scenic weekend retreat above Islamabad in the Margalla Hills. Sonya, however, does not belong to a traditional network which includes a constant dissemination of personal information through gossip and chatter. She knows little of Rezak's life but one day her major domo mentions the disappearance of Rezak's wife. Sonya's assumptions of privilege, law enforcement and justice in Pakistan prompt her to ask the help of her house guest – the son of the inspector general of police. Rezak is accused of murdering his runaway wife. He is also interrogated and tortured and finally released because he is "some American woman's pet servant" (233). He emerges a broken man – and the well-meaning Sonya, who does not belong to the traditional network of gossip, never does learn any of this.

In "Lily", Mueenuddin "extends the expansion of the zamindar's authority from rural to urban settings by demonstrating how the authority exerts a gravitational pull on even the city-dwelling, continent-hopping, English speaking elite" (Cilano 2013: 189). Leila, or Lily as she is known, is a glamorous, rich, socialite. The fact that she shares the same first name as the central character, Lily Bard, an American socialite in Edith Wharton's novel *The House of Mirth* (1905), suggests parallels between structures of privilege and patriarchy. The first section, "Islamabad", tells of Lily's giddy city life and her courtship by the sophisticated, Princeton-educated Murad Talwar, the only son of the powerful Makhdooms. The second section "Jalpana" is set after their marriage, at his family estate. Murad (in marked contrast to the careless K.K. Harouni) looks after his farm diligently and is weighed down by duties and responsibility, though

"he always expected she [Lily] would come round to his view of things" (Mueenuddin 2009: 206). Lily is bored and disconsolate, longs for her city friend and realizes that her sense of self is being gradually eroded, but she clings to the material benefits her marriage offers.

Mueenuddin skillfully captures the essence of societies where injustice and social disparities exist and where the transition from the traditional to modern remain a part of the struggle for a new future.

Jamil Ahmad: tribal tales

Jamil Ahmad's collection of interconnected stories, *The Wandering Falcon*, is the first work of fiction in Pakistani English literature to describe tribal life in the border areas of Pakistan, including Baluchistan, Waziristan and Chitral, and reveal "a clear affection and respect or this world . . . with a clear-eyed look at its harshness" (Shamsie 2011).

Jamil Ahmad (1931–2014), a civil servant, held various governments appointments in these regions, including that of Chief Secretary in Baluchistan, but his collection found a publisher almost four decades later. By then the author was 78. The book went on to win the Shakti Bhatt Prize and was shortlisted for the Man Asia Prize and the DSC award. As Alex Rodriguez (2011) says, Ahmad "brings a different vista to the literary landscape of a country known to the West mainly as Al Qaeda's post-Sept. 11 sanctuary and home to a volatile mix of Islamic militant groups" (np). His stories were written "long before the emergence of the Taliban . . . [and] move[s] far beyond the Western media's stereotypical depiction of the tribal areas and lay[s] bare the nature of a place that is now a focal point of US and European foreign policy" (np). As Shamsie (2011) points out, Ahmad portrays with great skill ancient tribal societies "where the individual is of far less significance than the collective" (np).

The collection begins with "Sins of the Mother", set in desolate military fort "hidden in the folds of the hills" in Baluchistan (Ahmad 2011: 2). Two riders appear on the horizon. They are runaway lovers. The man asks the subedar[3] for refuge, which is refused, but they are promised shelter instead. This is a fine point of honour: "refuge" implies war; "shelter" does not.

The couple give birth to a son. The relationship between the shy, reserved couple and the soldiers changes. The man fetches water and performs other errands for the soldiers voluntarily. They start to pay him, as thanks, and provide his family with food. One day a member of the man and woman's tribe – the Siahpads – arrives at the fort. The couple flees but the Siapahds catch up. The man and the woman had made a vow long ago to face such a contingency: he shoots her dead to save her from a Siapahd vengeance. He is stoned to death. The couple's son, aged 5, is abandoned in the desert.

In *The Wandering Falcon,* "the child born in the first story appears, often in the most tangential fashion in all the subsequent sections, except one. A third of the way through the book he is given a name: Tor Baz" (Shamsie 2011). His name means the Black Falcon.

Ahmad vividly captures both the heroism and horror of tribal life and an ancient, barren biblical landscape which dwarfs those who inhabit it. In a "A Point of Honour" the boy is rescued by a group of seven armed, anti-government rebels, led by Roza Khan, an elderly blind man who is honored for the "strength and prowess of his youth" (Ahmad 2011: 19). The government has given them twenty-four hours to present themselves at a local court. They assume this means a pact and parleys. Roza Khan's attempt to present his point of view with a symbolic tale meets with the magistrate's retort "Fables have no place here" (32). He and his companions are tried and condemned for murder and executed.

"Death of the Camels" describes the crisis of the nomad Pawindahs because they cannot cross the newly guarded borders between Afghanistan and Pakistan. Their livelihood depends

on the traditional seasonal migration from the highlands of the former to the plains of the latter to graze their cattle. Dawa Khan tries to outwit the borders to no avail. His spirited wife, Gul Jana, decides to ride forward with an infallible weapon: a Quran over her head to protect her. She is gunned down together with her husband and many companions and their herds die by the hundred.

The story of the orphaned boy – the future Tor Baz – continues through that of the elderly subedar, Gumcha Gul, who takes care of him for two years and in "The Mullah" entrusts him to the kindly Mullah Barrarei. By the time the boy is in his teens, the Mullah loses his mind and is erroneously killed. The boy is adopted by a family, which has lost its own son and gives him their son's name, Tor Baz.

In *The Wandering Falcon*, the power of the spoken word and of oral tales far outweighs the passage of time. According to Mullah Barrerei, "stories are like ointment, meant for healing, or a piece of ice in the summer with which water is cooled" (Ahmad 2011: 74). The heroic story of Mullah Barrarei – a man believed to be a thief and a scoundrel – is finally revealed by an old scout who visits his grave regularly. This takes the narrative back to World War II and the importance of this strategic region to the British when the Nazi's tried to win the loyalty of the tribes and challenged British power. Mullah Barrarei spied for both the British and the Nazi but outwitted both and saved the lives of the scout and his men serving the British Indians at the border post.

"The Guide", narrated by a German-born man of Afridi descent, tells of a young man who comes to Pakistan to fulfill his longing for his father's homeland. His father had deserted from the British Indian army during World War II, had joined the Germans and provided them with invaluable help. The narrator hears many proud anecdotes of adventure from his relatives for whom the divisions between the nation states of Europe are immaterial: in their tribal society, "being an informant is considered a perfectly acceptable way to earn a living" (Shamsie 2011). But the narrator's relatives fear that this German-born man wants to reclaim his father's land, which they now own – and they plan his demise. While his guide, Tor Baz, finds it inexplicable that anyone brought up in a foreign land should come back to reclaim his history. Tor Baz has developed a personality which betrays neither his tribe, nor family, nor indeed his origins.

In "The Kidnapping" he appears in the District Commissioner's office as a new informer, "a stocky young man with a beard, his eyes darkened with kohl, wearing a red second-hand ladies overcoat and a fur collar" (Ahmad 2011: 89). He has information to impart on the ongoing feud between the Wazirs and Mahsuds. After due courtesies, the District Commissioner says, "Tor Baz . . . Tell me, one thing. Who are you? You live with the Wazir, but you are not one of them. With your looks you could be taken for a Mahsud, which you are not, because your accent and your way of speaking are different . . . Where do you come from?" (93). Tor Baz says, "I can tell you as little about who I am as I can about who I shall be. Think of Tor Baz as your hunting falcon" (94).

The Wandering Falcon also describes tribal life further north in the region where the borders of Pakistan, Afghanistan and Central Asia meet – a region described by both Bapsi Sidhwa and Uzma Aslam Khan. This includes "A Pound of Opium", which revolves around Sherakai, a young woman whose misadventures ultimately lead to a chance encounter with Tor Baz.

Uzma Aslam Khan: among the nomads

Uzma Aslam Khan was born in 1969 and grew up in several different countries, including Pakistan where her father was posted. She is the author of four novels, all of which engage with topical political issues. Her most recent work, *Thinner Than Skin*, which is set

in the verdant mountain valleys of Kaghan, Hunza and Gilgit, won the inaugural Karachi Literature Festival award.

Her narrative juxtaposes the lives of a group of four tourists, foreign and Pakistani, with that of traditional nomads belonging to the region's Gujjar tribe while the authorities comb the area for a notorious terrorist. The spillover of armed conflicts in Central Asia, Afghanistan and Pakistan and its devastating impact on the daily lives of ordinary people run through the book.

Written in "an unassuming yet exquisite prose" (Tolle 2013: 131), the novel is constructed through the first-person account of a Karachi-born, America-returned photographer, Nadir, and the third-person narrative revolving around the nomads, including Maryam and her daughter Kiran, for whom the mountains and rivers live and breathe as do the region's creation tales and legends. As Maryam walks along lake Saiful Mulk in Kaghan, she refers to the two mountains nearby as "the two lovers – Malika Parbat and Nanga Parbat – the Queen and the Nude" (Khan 2013: 2). The movement of shadow, cloud, sunshine or mist on these peaks reflect their changings moods, their relationship with each other and with the land.

Maryam knows too that "the snowmelt from the two peaks . . . created the lake" (2), which was named after a prince, Saiful Mulk. He came from a distant land and fell in love with a fairy queen, Badar Jamal, and earned the ire of a jealous jinn. Mariam senses their presence when she performs age-old pre-Islamic rituals in the very cave which is said to have "cradled the lovers as they fled the terrible jinn who lived in the lake" (78). Maryam also knows she was named after the legendary Maryam Zamani, the woman who had willed a huge stone to roll away so that she and the girls who cut their feet crossing it to fetch water would never be harmed again. Through all these characters, both living and legendary, the novel "offers many dynamic examples of strong Pakistani women and the fact that a male narrator's voice provides most of the story only strengthens the novel's consideration of gender issues" (Tolle 2013: 133).

The rhythms of Maryam's daily life and her communion with nature provide a stark contrast with the festering tensions in the group of the four tourists, including the narrator Nadir and his lover, Farhana, camped near the lake. Nadir fell in love with Farhana, the daughter of a German mother and a Pakistani father, in San Francisco. Farhana, an expert on glaciers, had a great hankering to "return" to Pakistan, a country which she had never visited. She receives a grant to visit Pakistan's northern regions to study the glaciers, which also provides Nadir many opportunities as a photographer.

Nadir, however, is irritated that Farhana's colleague, Wes, is included in their trip. Farhana resents the presence of Irfan, Nadir's old friend from Karachi, who insists they make a detour to the Kaghan Valley instead of heading straight to the glaciers of Gilgit and Hunza. Soon it becomes apparent that Farhana's familiarity with glaciers, and the well-read Nadir's knowledge of the history and mythology of Pakistan's northern regions, does not compensate for the fact that even in urban "modern" Karachi Farhana has no grasp of Pakistan's social nuances, while Nadir is equally ignorant about the nomads: only Irfan appears to be able to communicate with them.

Farhana's attempt to reach out to the nomads focuses on Maryam's little daughter, Kiran, who is fascinated by this strange "goat-like" foreign woman. Farhana decides to take Kiran boating with her and Nadir on the lake. Irfan protests. He says that the boats are for tourists: the girl may not want to go. Farhana retorts, "Oh she *wants* to. No one has ever *asked* what *she* wants" (Khan 2013: 107). Armed with this confident Western assumption of downtrodden oriental females, she asks due permission from Kiran's father. Irfan points out that in nomad culture, for the father to refuse a guest, particularly a woman, is unthinkable.

In the boat, Farhana and Nadir are unable to cope with the lake's treacherous undercurrents. Kiran is terrified. She jumps up and screams; the boat overturns. Kiran cannot swim and she drowns.

The fact that Maryam, her husband and their grief-stricken community regard Farhana and Nadir as criminals and killers is juxtaposed against the news of militant activity and killings in Pakistan's tribal areas, which pre-occupy the authorities. Military convoys pass through Kaghan searching for a notorious killer. Maryam's family is interrogated. Maryam does not reveal that the man they are looking for is probably Ghafoor, her brother's friend and her one-time admirer. Ghafoor played the flute at Maryam's wedding and at Kiran's funeral. He has travelled extensively and spent long periods as a trader in neighboring lands including Afghanistan, China, and Kazakistan, among others. There he has come to realize that "nomads everywhere are treated much the same" (Khan 2013: 206) and their way of life is threatened by the brutalities of the state.

Maryam rejoices in the fact that Ghafoor has burnt down the house of the corrupt Kaghan official who falsely accused the nomads of grazing "on prohibited land" and placed a fine which included money and "a weekly supply of milk, curd, butter and ghee for an indefinite period of time" (212). Maryam recalls with bitterness the same official had tried "to force them [the nomads] to accept a settlement program" (287). Maryam also recalls that her people once used to migrate seasonally from Kaghan to Balakot, but Balakot has become a stronghold of Islamic militants – men who wear green turbans. They have started showing up in Kaghan too. They abhor and condemn Maryam's "pagan" faith, which she practices secretly. These turbaned men also "knew how the nomads suffered because of the grazing fees and cutting fees and annual permits and taxes and fines and pressure to be still" (252). They want the young nomad men to join their jihad. They remind them that "the British had gone but there is another infidel stalking their land for whom the government of Pakistan has fought repeatedly" (253). They add that, "they were waging an all-Sunni jihad against all non-Muslims and all allies of the infidel" (254).

Meanwhile, Ghafoor has left Kaghan on another important errand: to ensure that justice is meted out to the killer, Nadir and his companions, as they move onwards to the glaciers of Gilgit and Hunza.

The novel leads up to a reference to the 2005 earthquake which took place in the northern areas of Pakistan and destroyed Balakot in particular. This defines both the time frame of the novel and its symbolic metaphor. Maryam entrusts her sons to Ghafoor to take them far away from the turbaned men and other threats in Pakistan; she knows that the entire nomadic life will soon be but a memory. This in turn embodies the changing patterns of tribal and rural life in Pakistan represented in each of the six books discussed here and which speak so eloquently of the difficulties and struggles of a people caught in a time transition from the old to the new.

Notes

1 This history, from colonial times to the present day, is traced in my book *Hybrid Tapestries: The Development of Pakistani Literature in English* (2017).

2 For a more detailed discussion see Shamsie (2017).

3 "Originally: an Indian officer in an infantry regiment of the British Indian Army, of a rank corresponding to captain in the British Army (now historical). Now: a mid-level junior commissioned officer in the Indian and Pakistani armies." *Oxford Dictionaries: Language Matters.* Available online at: http://www.oxforddictionaries.com/definition/english/subedar. Accessed 10 March 2016.

Bibliography

Abbasi, M. (2015). *Zulfikar Ghose: The Lost Son of the Punjab*. Cambridge: Cambridge Scholars Publishing.
Ahmad, J. (2011). *The Wandering Falcon*. New Delhi: Hamish Hamilton.
Aslam, N. (1993). *Season of the Rainbirds*. London: Andre Deutsch.

Bishop, E. (1947). "New York Poems: Varick Street". *Elizabeth Bishop and New York City*. Available at: http://ebandnyc.blogspot.com/2011/08/new-york-poems-varick-street.html. Accessed 9 March 2016.
Cilano, C.N. (2013). *Contemporary Pakistani Fiction in English: Idea, Nation State*. Abingdon and New York: Routledge.
Desai, A. (2008). "Introduction". In B. Sidhwa, *The Pakistani Bride*. Minnepolis: Milkweed Editions.
Ghose, Z. (1998). *The Murder of Aziz Khan*. Karachi: Oxford University Press.
Hussein, A. (2001). "Introduction". *The Bapsi Sidhwa Omnibus*. Karachi: Oxford University Press, pp. xii–xiv.
Ibrahim, H. (2001). "Transnational Migrations and the Debate of English Writing in/of Pakistan". In A. Hashmi, M. Lal and V. Ramraj (eds) *Post-Independence Voices in South Asian Writings*. Islamabad: Alhamra, pp. 33–48.
Kanaganayakam, C. (1993). *Structures of Negation: The Writings of Zulfikar Ghose*. Toronto: University of Toronto Press.
Kanaganayakam, C. (2002). *Counter Realism and Indo-Anglian Fiction*. Waterloo, Ontario: Wilfrid Laurier University Press.
Khan A. U. (2013). *Thinner Than Skin*. New Delhi: Fourth Estate.
Majumdar, A. (April 17, 2010). "The Chekovian Moment". *Indian Express*. Available at: http://archive.indianexpress.com/news/the-chekhovian-moment/607332/d 1990.
Morgar, P. (2011). "On Pakistani Fiction, *Granta* and Daniyal Mueenuddin". *Escalera* 24, 716.
Mueenuddin, D. (2009). *Other Rooms, Other Wonders*. London: Bloomsbury.
Rahman, T. (1991). *A History of Pakistani Literature in English*. Paperback edn. Lahore: Vanguard.
Rahman, T. (1994). "*Season of the Rainbirds*", *World Literature Today*, 68(1), winter, 218.
Rodriguez, A. (September 26, 2011). "Pakistan's Unlikely Storyteller of the Swat Valley". *Los Angeles Times*. Available at: http://articles.latimes.com/2011/sep/26/world/la-fg-pakistan-author-20110926. Accessed 10 March 2016.
Ross, R L, (1989). "The Murder of Aziz Khan". *The Review of Contemporary Fiction*, 9(2), 198–203.
Shamsie, K. (August 14, 2011). "*The Wandering Falcon* by Jamil Ahmad: A Review". *The Guardian*. Available at: http://www.theguardian.com/books/2011/aug/14/wandering-falcon-jamil-ahmad-review. Accessed 10 March 2016.
Shamsie, M. (2017). *Hybrid Tapestries: The Development of Pakistani Literature in English*. Karachi: Oxford University Press.
Sidhwa, B. (1980). *The Crow Eaters*. London: Jonathan Cape.
Sidhwa, B. (1984). *The Bride*. Paperback edn. Sydney and London: Futura Publications.
Sofe, D. (February 6, 2009). "Daniyal Mueenuddin's *Other Rooms, Other Wonders*". *New York Times*. Available at: http://www.nytimes.com/2009/02/06/arts/06iht-idbriefs7C.19988280.html? r=0. Accessed 11 March 2009.
Tolle, A. (2013). "Uzma Aslam Khan's *Thinner Than Skin*". *Pakistaniaat: Journal of Pakistan Studies,* 5(2), 131–133.
Wharton, E. (1905 [2002]). *The House of Mirth*. London: Virago Modern Classics.
Zaman, N. (1994). "Bapsi Sidhwa: Search for Identity". In N. Zaman and F. Azim (eds) *Infinite Variety: Women in Society and Literature*. Dhaka: University Press, pp. 202–222.

6

CRICKET – WHAT UNITES US

Ahmer Naqvi

There is a story narrated by Peter Osborne in his history of Pakistan cricket about a match that was played in the latter part of the 1990s in the FATA region. The match brought in a huge crowd, and the Maulvi Nazir faction of the Taliban guaranteed the security for it. In the next valley, the Pakistan army was fighting the Nek Mohammad faction of the terrorist group in the mountains, yet here the cricket went on uninterrupted (Oborne 2014: 409).

For many people, the war against Islamist militants and offshoots of the Taliban represents the existential dilemma which emanates from Pakistan's identity crisis – is it a country for Islam, or a country for Muslims? Is it meant to be a literalist theocracy or the secular democracy its founder had envisioned?

That debate is almost definitely addressed elsewhere in these pages, but there is another facet to this, which also tells us something about contemporary Pakistani identity. In a country divided across race, language, sect and much else, cricket has become an increasingly vibrant and resilient component of the Pakistani identity. It cuts across many, though not all, of the multitude of divides that afflict Pakistan in a way few other social or cultural concepts do.

While the impact of cricket on the national psyche began in the early years of the country itself, it was not until the late 1980s that it began to emerge as a cultural force, expanding beyond the boundary into the national arena and consciousness itself. Unsurprisingly, this was an era of sustained success at a world-class level for the national cricket team, but from the 90s onwards the impact of cricket survived – and even increased – following a series of catastrophic match-fixing scandals. Even now, with the team having spent a half a decade in terrorism-imposed exile and having been hounded by a second round of match-fixing scandals, the idea of cricket is mired more than ever in contemporary Pakistan.

Establishing the legend

Of course, in one way it is impossible to separate cricket in Pakistan, or in any of the countries where it is played regularly, from the arc of political history. The sport was the product of English nobility and was introduced to the colonized 'natives' as a means of inculcating in them the values of the Empire. Cricket's reverence for tradition, its genteel notion of the 'spirit of the game' (an idea currently captured in the form of an actual award presented each year) and its rigorously codified laws made it an ideal vehicle for the dissemination of colonial rule.

Intriguingly, in cricket the process of standing up to the Empire politically and culturally also manifested itself in the way the sport was played and participated in. C.L.R. James, a polymath who wrote extensively on the intersection of cricket and colonial politics, used the aesthetics of the sport to show how a 'native' style of play can be seen as a political, and even a revolutionary act. By appropriating the aesthetics of the sport in their own styles, the colonized were able to use it as an act of resistance.

The subcontinent had long played host to cricket, and many of the Anglicized elite and, famously, quite a few princes and nobles took up the game. By the time partition and independence came in 1947, their two largest cities – Karachi and Lahore – were the main centers of the game in what was now Pakistan. Several of the squad in Pakistan's first team had been selected, and even played, for an undivided British India.

One of those was A.H. Kardar, who had grown up in Lahore before spending a few years in England. The spell in the motherland was crucial in the transformation of Kardar – in the words of one teammate: he went from being addressed as 'Feeja' (a short form of his given name, Hafeez) to A.H. or Mr Kardar. The paradoxical Kardar borrowed a lot from the cricketing culture of the colonial motherland, and yet he was also fiercely patriotic and continuously used his posts in Pakistan cricket (first as an influential captain, then as an influential board president) to project a national consciousness of sorts.

Kardar's abiding belief was to view his team's performances as indicative of his newly born country's honor, and he was determined to uphold it. Once, he made his entire team walk out of a banquet speech being made by Clement Attlee, a former British prime minister, because the politician hadn't mentioned Pakistan by name when discussing the region. The historian Ramachandra Guha wrote that, "Kardar was a cricketer who was also an ideologue, and through whose life one can see the coming into being of the nation of Pakistan" (Guha 2002: 369–370).

For all his bravado and chutzpah, Kardar and Pakistani cricket as a whole were both extremely lucky to have started off their cricketing life with such an impact. In Hanif Mohammad and Fazal Mahmood, Kardar had a batsman and bowler still considered among the best the country has ever produced. This combination of excellent players helped the team punch well above its weight during its infancy, and Kardar's side completed several famous victories and heroic feats. Perhaps their exploits were also what helped retain the sport's allure during the barren decade or so that came a few years after the end of his captaincy.

While the 1960s were largely forgettable for Pakistani cricket, things began to turn on their head in the following decade. Many of the younger members of the side had availed themselves of the chance to play in the English domestic season. They came back exposed to and inspired by a professional and modern approach to the game. They also became part of the wider, global trends in the game, which was opening up to the allure of television and the money that came with it.

In 1976, when Mushtaq Mohammad – the younger sibling of Hanif and part of the most famous cricketing family in Pakistan – was chosen as captain, it marked a sea change for the team. Arguably, Pakistan's most innovative captain of all time, Mushtaq, led his team to a series of famous victories, particularly abroad. Several of these wins were broadcast on Pakistani national television, and the prestige they brought gave the players a certain amount of leverage against the board, now led by Kardar. They used it to earn better salaries and professional contracts, and were among the first in what was a global change towards better terms for the players and a move away from the amateur ethos of the sport. If Karadar's side was defined by its desire to earn respect, Mushtaq's was marked by its insistence on giving as good as they got.

While this newfound attitude was reflective of the times and the increasing move away from amateur traditions, it was also caused by the game breaking away from its elite image. By the 1970s, several banks and other major institutions had taken to fielding teams in the domestic competition. The policy, encouraged by Kardar and the board, was to have cricketers play for their corporate patrons and also have jobs with them that would last beyond their careers. In a stroke, many of the lower classes could now see cricket as a major source of social stability and mobility.

Many more people could take to the sport professionally, which quickly raised the standards in the local context. Suddenly, instead of being a waste of time, a young man's cricketing skills could become lucrative for his family. This was a major reason for the growth in cricket's popularity, as it now became open to a wider strata of society.

The decade of the 1980s saw what was undeniably the golden era of Pakistani cricket. Yet again, the team benefited from a strong leader at the helm – an Oxbridge educated, cricketing blue-blood by the name of Imran Khan. Imran had developed into one of Pakistan's best fast bowlers, but as captain he also embraced his batting talents to become a devastatingly good all-rounder. By his side was Javed Miandad, perhaps the best batsman to ever play for Pakistan, who was legendary the world over for his quick wit and sharp tongue. While the rest of the side wasn't quite world class, these two men – who shared a prickly yet symbiotic relationship – led them towards greatness. Pakistan swept aside most teams in the world, and was the only side to consistently challenge the team considered the best of all time, the West Indies.

This rise to the top came at a time when the game had captured the imagination of the urban population, and had increased its access and reach thanks to the greater spread of television. More importantly, Zia-ul-Haq, a conservative military dictator who saw the value of the game as a distraction for the masses, ruled Pakistan during this time. Zia's regime had faced considerable popular dissent, yet every time Pakistan played India, for example, the streets would be deserted, as a captive audience watched the battle against the arch-rivals. Zia ensured that the team regularly played against India, and even brought in cutting-edge medical care for Imran when the latter developed a serious injury.

The moment that coalesced all these developments, and crystallized the impact and the value of the game in Pakistani society, came in 1986. It took place against India, but the match wasn't held in the subcontinent. Instead it was being played in the desert emirate state of Sharjah, a venue that would have a huge impact in the coming years. India, which had come from nowhere to lift the 1983 World Cup, generally had the upper hand over Pakistan in those years. Needing four runs off the last delivery of a tournament final against India, Javed Miandad hit a six and changed many fortunes. He changed his own fortunes, as many excited and wealthy men showered him with gifts. He changed the fortune of his side against India, as they went on to dominate their rivals for almost two decades. Most importantly, he changed the fortunes of the sport, with his heroics becoming one of the most iconic cultural moments in all of Pakistani history.

At this point in Pakistani pop culture, cricket was at best as popular as field hockey – the national sport of the country. Unlike cricket, which only started its World Cup in 1975 and wasn't present at the Olympics, Pakistan's hockey side had picked up many prestigious titles. The hockey side's rivalry with India was perhaps even more storied than the one in cricket, as both sides were among the very best in the world. Moreover, while the popularity of both these sports themselves was largely an urban phenomena, even there they had to compete with the affections of squash – a sport dominated by two Pakistani men during that era. By 1994, Pakistan's sportsmen were world champions in hockey, squash and snooker, another fast rising sport.

But it was the cricket team's victory at the 1992 World Cup that ended up having the greatest impact. It propelled cricket to the position of the most popular sport in the country, moving into the imagination of people living outside of the two big cities and turning cricketers into bona fide celebrities.

The turning point

The impact of the 1992 victory can't be truly understood without considering the society it took place in. If Pakistan originally came into existence in 1947, then a second, more confusing Pakistan emerged in 1971. The secession of East Pakistan, which became Bangladesh after a brutal civil war, became an awkward reality for the idea of a Pakistani identity. Up until then, the country had been briefly ruled by an oligarchy of politicians before being run by the military. The power centers continuously sought to centralize the state's power, and tried to snuff out the dissent of its diverse people by insisting on religion as the unifying basis for identity. But the horrors of 1971 proved that being Muslim was not enough to hold the country together, and it called into question what it meant to be called a Pakistani.

After a spell of the populist yet authoritative Zulfiqar Ali Bhutto as prime minister, General Zia-ul-Haq took over in a military coup, and sought a widespread program of so-called 'Islamization' of the state and society. His regime faced considerable dissent within the expressions of popular culture at the time and it went to great lengths to suppress them. By the time of his death in a mysterious plane crash, General Zia-ul-Haq had severely dented the impact and output of local cultural traditions like poetry, literature, theatre and cinema. Artists, writers and performers were routinely banned, jailed or fined, often on obscenity charges or for fomenting dissent against the state.

Pakistani society at this time was largely young and urbanizing, and it found heroes of a similar kind. In the absence of the traditional art forms, new cultural icons began to emerge in pop music, television dramas and televised sport. The question of identity often weighed heavily in artistic expression, and there was a great urge to find a new meaning for being Pakistani that moved beyond the scars of the past.

But even though the moment was ripe for cricket to emerge as a powerful cultural force, it was the nature and narrative of the 1992 World Cup win that truly sealed the deal. Played in Australia and New Zealand, the tournament itself marked a watershed moment in cricket's broadcasting history. The world over, sports were moving away from in-ground attendance to television viewers as the primary source of revenue, and the 1992 tournament was the ultimate visual spectacle that cricket had to offer thus far.

Imran Khan, who had Miandad at his side, led Pakistan's cricket team but both players were in the final stages of their careers. Indeed, Imran had to be coaxed out of retirement to play in the tournament. Most of the players that had accompanied them to the glories of the 1980s had been replaced by a host of novices who were brimming with talent. The team suffered from a poor start and kept getting worse. It finally got to the point where they had to win every match, and hope for other results to go their way. Imran famously described the team's situations as similar to a 'cornered tiger' that had no choice but to fight its way out.

Not only did the team fight its way out, it did so in the most dramatic style possible, and it did it on the back of its talented young players. There was Inzimam, who had failed throughout the tournament and was almost sick with nerves when he played a sensational innings to knock out the best team of the tournament, New Zealand. There were Mushtaq and Aqib, the two boys from small towns who knocked out the defending champions, Australia, with the wild-eyed exuberance of youth. And there was Wasim Akram, one of Imran's protégés,

who overtook his mentor's mantle as the world's greatest bowler by taking the final by storm against the old enemy, England.

While Imran's side had been a plucky one that was hard to beat, the world champions he bequeathed were outrageously talented young players who had come from nowhere to win. It cemented a certain mythology about the potential of Pakistanis – a people with enough natural talent to overcome any disadvantage. It was an idea that Imran would later return to in his political career, but it certainly came to embody the cricket team of that era, each of whom had become a huge celebrity. In Pakistan, even as the old order and values seemed to have been snuffed out by a dictator, a new era of youth-led optimism seemed to be taking root. The World Cup 1992 seemed to be its most sublime expression. But things were about to get a lot messier.

How cricket won the pop-culture race

In 1989, March saw the release of *Vital Signs 1*, the debut album of one of Pakistan's two most popular bands of all time. The November of that year saw Waqar Younis and Wasim Akram – the bona fide superstars of the next decade – play together for the first time. In 1993, January saw the two Ws, Waqar and Wasim, win a famous match at Hamilton in New Zealand to announce that they were at their peak, and September of that year saw Junoon, Pakistan's other most famous band, release their seminal album, *Talaash*.

The two pacers and the two rock bands – Vital Signs and Junoon – are still revered as the original gods of their generation, and their rise around roughly the same period in time saw the advent of a new era in the country. The rise of these stars on the pitch and on the stage redefined how a young Pakistan saw itself. Their swagger and confidence gave the youth new heroes – heroes who they could use to replace the artists, writers and poets who had been tortured, exiled and repressed by the military dictatorship of the 1980s.

Like the two cricketers, what was special about Vital Signs and Junoon was that while they could do what others had done before them, all four expanded the ideas of what we thought was possible. Like the bowlers, the bands matured and evolved over time without ever losing the ability to be exhilarating. But even as music and cricket defined society to people of a certain generation, the two forces went on divergent paths.

The problem began, for both pairs, with the introduction of lots of money and fame. Both Vital Signs and Junoon became victims of their own success, struggling to deal with personal demons as well as unprecedented social pressures. The role of Pepsi, the cola company, in hastening the demise of Vital Signs has been well documented by Nadeem Farooq Paracha, while Junoon had both multinational corporations as well as the state itself to contend with. After releasing a song on corruption, the band found themselves the intended target of a national TV ban on long hair and the 'jeans and jacket culture'.

The two bands were at the forefront of an extremely enthusiastic and popular phenomenon, which was still largely amateurish. Pop music had taken the country's urban centers by storm, with the state-run TV channel showing weekly charts and various concerts taking place regularly. But the old record labels and other institutional forces were dying out, and when the state turned its ire on the nascent industry, it soon crumbled. In the face of piracy and, later, the illegal accessing of Indian cable channels, the local music scene was overwhelmed by the end of the 1990s. In contrast, when the combination of youth's bravado and commercialism's destructive impulses played out in cricket, the reaction from the state was completely different.

In 1996, a year or so before the effective ban on pop music on TV, the sport of cricket crossed another rubicon as the Indian subcontinent – India, Pakistan and Sri Lanka – held what was the most lucrative World Cup ever organized by the sport. It ushered in an era of

giant sponsorships and TV deals, and surrounded the game with more money than ever before. Yet the same World Cup also saw the match-fixing scandal erupt once more, after Pakistan's defeat to India in the quarter-finals. Apart from having the much stronger team, Pakistan's loss was made more suspicious by the mysterious withdrawal of its captain, Wasim Akram, hours before the game. Despite Akram's claims that he was injured, the defeat led to further outcry against the players and demands for action.

For better or worse, the specter of match-fixing defines Pakistani cricket of the 1990s. It was claimed that the practice allegedly began in the regular matches held at Sharjah – a venue which had become a home away from home for the Pakistani side during the 1980s and 90s. But the real explosion came as the money and the stakes grew higher. Each defeat brought with it new allegations and claims, and there were several attempts by the state to conduct investigations.

Eventually, a top prosecutor was commissioned to conduct an inquiry. While several punishments were handed out, the eventual efforts were far short of what insiders and experts had expected. The following two quotes, attributed to, the attorney-general who investigated the match-fixing charges against members of the cricket team, belied the attitude of the authorities towards cricketers:

> this commission is left with no option but to hold Wasim Akram not guilty of the charge of match-fixing . . . This is done on the ground of insufficient evidence. Wasim is barely saved through Ata-ur-Rehman's discrediting himself and Aamir Sohail's actions.
>
> *(Justice Malik Qayyum, 2000)*

> Two things – one, I didn't want that the cricket should be deprived of [Wasim Akram's] participation, and the other was that I didn't want that towards the end of his career . . . he should be banned or something like that. My idea was not to find people guilty and then punish them.
>
> *(Fraser, 2006)*

Justice Qayyum's investigation had ostensibly been meant to weed out the scourge of fixing from the local game, and to punish those responsible. Yet the state's prosecutor was not alone in feeling that the stars were just too big to be punished. It marked the moment perhaps where cricket had become indispensable to the national psyche, and where even the state feared upsetting the status quo. But even then, the impact of the fixing scandal certainly caused a major stench on the game.

And it never went away either. Accusations of fixing continued to hound Pakistani teams forevermore after the scandals of the 1990s, and then another bombshell landed in 2010. A sting operation by a British newspaper led to the exposing of yet another fixing ring within the team, leading to the criminal proceedings and imprisonment of three national team players. In 2015, when their suspensions came to an end, the divided reaction in the public and the media over the reintegration of those players suggested quite strongly that Pakistan cricket had yet to find closure on the issue.

Yet despite the scandals, the popularity of the sport never quite diminished. As explained previously, part of the reason for this was the lack of alternative cultural touchstones in a diverse country. But another reason for cricket's resilience in the popular imagination was the creation of a bond with a cultural institution whose value in Pakistani society was unparalleled – religion.

The holy alliance

Both the genesis and the makeup of Pakistan has meant that religion has constantly been used as a political ploy, and one that can be used as a rally cry to oppress any sort of dissent or political demand. In a country with dozens of languages and ethnicities, religion has been used as a means of deflecting legitimate expressions of local identities. Similarly, despite the rich and overwhelming influence of religion on local art, culture and music, the state, sections of society and politicians have also managed to use religion to clamp down on these. But there is one form of popular expression in Pakistan that has managed to evade that relationship with religion. After a long spell of apathy and then antipathy, a sea change came about in the early 2000s, and it is one that is unparalleled in the country's history.

Back when cricket was a far more elite, and an exclusively urban phenomenon, it was mistrusted and occasionally opposed on religious terms. One still had instances of captains like A.H. Kardar invoking cultural aspects of the Muslim identity, but by and large the team culture was quite 'cosmopolitan'. Things began to change in the 1980s, as cricket started becoming truly popular at a national level. The conservative press, particularly the Karachi-based section, had a long-running perverse fascination with the exploits of superhero-playboy Imran Khan, and would often condemn his off-field behavior.

But by the turn of the century, with cricket firmly established as Pakistan's most genuinely pervasive interest (beyond music or films or politics) the relationship evolved. Unlike other cultural activities, religion and cricket embraced each other.

In many ways, this change began in the fallout of the match-fixing scandal that surrounded the 1990s side. After the Qayyum report, several of those suspected of shady business became far more publically religious. It began with Saeed Anwar, who was also battling with the loss of his child, and soon included Inzamam ul-Haq, (who was the son of a spiritual leader and so 'inherited' his beard when his father died) Saqlain Mushtaq, Mushtaq Ahmed and others. Perhaps the most spectacular correlation/causation example happened with Yousuf Youhanna, who went from a good batsman to the world's most prolific one after converting and becoming Muhammad Yousuf.

This era also coincided with the rise of the 'religious celebrity' in Pakistan. Several televangelists and popular clerics had taken to 'reawakening' popular personalities, mostly former actors and singers. The most famous of these was Junaid Jamshed, the ex-frontman of the Vital Signs. But this genre of celebrity really took on once the cricket stars came on board. Soon, cricketers were regularly going to important shrines and gatherings, and fans were posting pictures of them performing various pilgrimages. Stars as notorious as Shoaib Akhtar, famous during his playing days for his love of the nightlife, made visits to attend and address religious gatherings, images of which were wildly popular on social media.

Consequently, while politicians are continuously backed into corners on the question of religion, and culture is routinely thwarted in its name, cricket has been allowed not only space but even a sense of harmonization. Even the Tehreek-e-Taliban Pakistan (TTP), the notorious militant umbrella group responsible for thousands of Pakistani deaths, is prone to using cricket metaphors in its statements.

Pakistan lives in an almost constant tension between a state which demands homogeneity, and a society which is naturally heterogeneous. But cricket has reached a space, much like religion, where it can exist both in myriad diversity and yet also exist as an apparent symbol of unity, or common cause. And no example of the power of cricket and religion in Pakistan is more poignant than the post-cricket career of Imran Khan. Despite a famously cavalier lifestyle as a player, Imran became more publically religious after retiring and taking up charity work and,

later, politics. His evolution into a center-right politician involved a heavy dosage of religiosity as it took him almost two torturous decades to become one of the country's most important forces. Opponents often decried him as 'Taliban Khan' due to his eagerness to cease hostilities and extend talks to the forces accused of terrorism, which many saw as a way of underlining his 'Muslim' credentials. But the ultimate reason that he retained his relevance during this journey was because he was the country's greatest ever cricketer.

Imran's appeal, and actual campaign message, forever spoke of his belief in his young team's inherent talent back in 1992, and how he could inspire the youth-heavy nation today to similar glories. This, and his use of his World Cup winnings to set up a charity cancer hospital, was the layer of credibility he was perceived to have on top of the religious rhetoric that just about every politician in Pakistan is expected to espouse. Indeed, a central facet of both the critique against him and the support he inspires is that he is perceived to be too naïve for the machinations of Pakistani politics. For his supporters, not only is that outsider status proof of his value as an alternative in politics but his record as a cricket captain suffices as proof of his leadership skills once in charge.

Bigger than an olive branch

When India elected Narendra Modi as prime minister in 2014, many wondered what impact that would have on its relationship with Pakistan. Modi, who was accused of playing a role in the anti-Muslim riots in Gujarat (an Indian state where he was chief minister) in 2002, came to power with the perception of being a strongman, and allegations of being a religious chauvinist. In many ways, he represented an ideal image of the Indian Other within the Pakistani mind. The fear of being ruled by an aggressive Hindu majority was the subtext to the Pakistan independent movement, and Modi seemed to be the realization of that fear. Yet in the two years since coming to power, Modi's government has managed to reach across the border a few times. First, his foreign minister, Sushma Swaraj, made a whirlwind tour of the country before Modi himself dropped in on Pakistani Prime Minister Nawaz Sharif's birthday for a short visit. While those meetings didn't receive widespread acclaim in either country, the very fact that they took place suggested that there both governments were still willing to work together.

But while Modi's government could justify its outreach to the Pakistani state, it couldn't resolve the hiccups related to a meeting with the Pakistani cricket team. For most of 2015 and 2016, there were countless rumors about an intended Pakistan–India series, easily one of the sport's most watched spectacles. The cricket boards at both ends held countless meetings, and frequently invoked the right of the sitting governments to make the final call on the series. While high-level diplomats managed to hammer out details on important geopolitical issues, no one could resolve the issue of the cricket tour.

During the 1990s, Indo-Pak cricket was often viewed as an extension of cross-border diplomacy. Players, commentators and administrators often used the language and symbols of peace when describing the matches. The ability of the sport to bring together both populations in largely positive ways was seen as creating the space for greater détente. In 2004, when President General Pervez Musharraf brought out the olive branch for India, his efforts included the first full tour by an Indian team of Pakistan since the last time the military was in power.

However, things seemed to change decisively in 2008, when a group of terrorists from Pakistan attacked the Indian city of Mumbai, causing more than a hundred deaths. One of India's several responses was to cut off all cricketing ties with Pakistan. A year later, terrorism struck Pakistani cricket a further blow when another group of terrorists in Lahore attacked a

bus carrying the Sri Lankan cricket team. The attack led to the end of international cricket in Pakistan, and in many ways brought home the reality of a war that many in the country had felt ambivalent towards. The two incidents had a devastating impact on Pakistani cricket.

The inability to play matches at home meant a significant revenue loss to the Pakistan Cricket Board (PCB), and arguably caused the setback of the development of its players. The team was forced to play all its matches in the UAE, and local fans lost any chance of seeing their heroes in the flesh. Equally significantly, this was the same time that the Board of Control for Cricket in India (BCCI) began to exert significant control in the global running of the game.

Due to the massive revenues brought in by India's massive population, the BCCI increasingly began to dictate terms to all the other teams. Its dominant attitude was then formalized in the creation of what was known as the Big Three – the three richest boards decided to keep the lion's share of all the game's revenues. Australia and England, whose boards represented the other two of the Big Three, made clear that they went along with the move to keep the BCCI on their side.

What this meant was that most cricket boards were beholden to the BCCI, and a series against them meant a massive financial windfall for the rival board. Some wondered if a terrorism-free PCB would have had the financial clout to be part of the elite circle, but within the reality it was operating in, it was frozen out. By the time the recent issue over the tour came up, it seemed as if the Indian state could now use cricket as a bargaining chip in negotiations with Pakistan. Indeed, the PCB kept chasing their Indian counterparts for most of the year (much to the chagrin of local media) but failed to make the series happen.

The PCB's desperation stemmed from their abject financial situation with regards to foreign tours, but they faced another problem as well. Since 2007, when India launched the lucrative Indian Premier League (IPL) – a domestic competition – many other boards had spawned similar leagues, all of which involved foreign and local players playing for domestic sides. Pakistan's inability to host any foreigners meant that the PCB lost out on another crucial revenue stream just as the rest of the world began to make the most of it.

Yet none of this seemed to affect the popularity of cricket itself. Two things that certainly helped to sustain its impact were the advent of electronic and social media in Pakistan. Until the start of the millennium, Pakistan had only one state-run TV channel, and briefly, a private-run one. The opening of local cable channels had a huge impact, particularly news channels. Soon, various talk shows focusing solely on cricket, and usually the controversies associated with it, began to pop up on every channel. Two different sports channels were also launched by the second decade of the millennium, and both depended on cricket for most of their airtime.

The advent of social media was no less revolutionary. PakPassion.com, a fan-run forum on Pakistani cricket, grew to become one of the most popular sites on the Pakistani internet, and even a force of influence within the sport, helping discover unknown players and giving column space to former players. The advent of Twitter and Facebook further intensified the access to players and the cultivation of fandoms, compensating in part for the lack of home cricket.

In 2016, the PCB finally managed to organize its own version of the IPL, the Pakistan Super League (PSL). Held in the UAE, the event had initially drawn skepticism from the media with regards to its potential success, but over three weeks the PSL turned out to exceed all expectations. It garnered record ratings on television, while also turning out a handsome multimillion-dollar profit. It was the second major achievement for the board within twelve months. In the summer of 2015, the PCB had also convinced the Zimbabwean team to become the first side to tour the country in six years. The series, held solely in Lahore, was held amidst tight security and even witnessed a minor bomb attack at the end. While it didn't open the gates for further tours, it did set a precedent.

These two events, particularly the PSL, suggest that there is some hope in arresting the decline of Pakistani cricket – both in terms of its finances as well as its on field performance – that had been taking place since the end of the previous decade. They have certainly allowed cricket to hold on to its preeminence in Pakistani popular culture.

Conclusion

The year 2013 was celebrated as the year in which Pakistani cinema made its long-awaited 'revival', as the country's brand new multiplexes had the chance to play Pakistani films distinguished by both their modern content and filming approaches. The two greatest hits of the year, though, stuck closely to the particular demands of South Asian films. In a region where cinema's roots lie as a popular medium, films generally have easily identifiable heroes and villains with the story a tale of morality. What made these films different was that they were set in urban locales and in contemporary contexts.

The second biggest hit of the year was a film called *Main Hoon Shahid Afridi* ('I am Shahid Afridi') – Shahid Afridi being the name of the country's most popular cricketer. The film's fantastical plot sees a team of working-class boys beat a team of rich boys in a national final. The winning team is led by a 'good guy', an ex-Pakistan captain who has been framed for match-fixing by his evil father-in-law, who owns the rich team. At its most basic level, it recalled that old myth about Pakistani cricket – that talent and passion are enough to overcome any odds.

But there was another layer to it. On the eve of the grand final, the coach of the working-class team delivers the following dialogue:

> Aaj iss ground mei koi Muslim, Hindu ya Eesaii nahi – iss mulk ka ghareeb utray ga! Qassam khao ke tum nahi darro ge, tum aaj nahi darro ge . . .
>
> [Today a Muslim, Hindu or Christian won't step on to this ground – this country's poor will! Promise that you will not be scared – you will not be scared today . . .]

The dialogue in particular showcased how cricket had become a popularly accepted route to making it big, to being a winner and a hero in the country's imagination. In a society rife with extreme inequities and little social mobility, cricket offers a rare path to the top. A review of the film by the critic Rafay Mahmood described it as '[an] attempt to manufacture a "Great Pakistani Dream", where individuals unite and fight for something irrespective of religion and ethnicity.' This is a crucial insight, since it details how cricket is linked to mass appeal, and more importantly, mass appeal which is not pandering to jingoism or exclusionary ideals.

Even when discounting for cinematic license, the claim made in that dialogue stands up to some level of scrutiny. Pakistan's cricket team has offered national recognition, and perhaps a modicum of acceptance, to members of its otherwise ostracized Christian and Hindu communities. It is also perhaps one of the only legitimate paths that a poor and small-town/rural Pakistani can take towards the top echelons of society.

In recent years, it has also become a source of (relative) gender equity. The story of women's cricket in Pakistan deserves its own chapter, with the formal foundations of a national side for women laid in the 1990s by two sisters and their philanthropic father. Overcoming remarkable social barriers, the women's team kept at it, and finally found a watershed moment under the captaincy of Sana Mir. The highly gifted athlete focused on creating sustainable gains, and under her leadership the team won back-to-back gold medals in the Asian Games, and twice beat India at world events.

Those victories earned Mir's side long-overdue attention and recognition, and the women's team has increasingly gained respect and admiration within Pakistani society. Given how the country has a long way to go in terms of the progress of women, it is indeed remarkable to consider the importance of the women's team's success and acceptance. Sana Mir often tells of teammates whose decision to pursue cricket as a profession caused severe censure from their families, and yet after they brought home their prize winnings and proved their talent, the same families embraced them and boasted of their achievements.

In a similar vein, Pakistan has also fielded prize-winning teams of blind and deaf players. The blind cricket team has won two world titles and set several records. Its success is one of the few times the cause of disabled Pakistanis is heard in the mainstream. While that situation is deplorable in of itself, it is worth noting that cricket exists as a way of slightly redressing it.

And it is these facets that come together to make cricket such a compelling part of Pakistan's culture and society. It has become a way for a nation to define and identify itself. It is a prism through which the many, often awkward, diversities of Pakistan can be seen as one, and it is a way for any Pakistani to imagine opportunities they can't access otherwise. This is not to say that this level of influence has always existed, or will always do so. But in this moment in history, in these past few decades or more, cricket remains as one of the central features of Pakistani society.

Bibliography

Fraser, A. (2006) 'Judge admits possibility of leniency over punishment for Wasim,' *The Independent*, 13 January.

Guha, R. (2003). *A Corner of a Foreign Field: The Indian History of a British Sport*. London: Picador.

Osborne, P. (2014). *Wounded Tiger: A History of Cricket in Pakistan*. London: Simon & Schuster.

Qayyum, M. (2000). Justice Malik Muhammad Qayyum Report of 2000. Available at: http://static.cricinfo.com/db/NATIONAL/PAK/NEWS/qayyumreport/qayyum_report.html

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PART II

Politics and institutions

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7

TALK THE TALK

Why parties walk and matter (even in Pakistan)

K. Haroon Ullah

Introduction

Conventional wisdom holds that political parties in democracies will grow more moderate over time through their participation in the electoral and governing processes. This assumption is based largely on the experiences of socialist parties in nineteenth-century Europe but does not accurately describe the experience of parties in developing Islamic nations. Modern Muslim democratic parties in Pakistan are not simply formerly Islamist parties that have moderated over time, and some Islamist parties have incentives to become more rather than less extreme in the current political climate. In Pakistan, the more moderate confessional parties actually existed first and have a distinctly different political history than their religiously extreme counterparts.

In this chapter, I examine the historical roots of the Muslim democratic movement in Pakistan, typify the basic party organization and ideology, and look closely at the historical and modern experience of the country's oldest and most influential Muslim democratic party, the Pakistani Muslim League.

Prior to 1600, Muslims and Hindus on the Indian subcontinent lived alongside one another in a cool but relatively peaceful accord. The height of Islamic influence in India came during the rule of the Muslim Mughal Empire, which rose in 1526 with the overthrow of several weak feudal Hindu states. The Mughal Empire expanded over the course of the next century and half, but the Mughals fell into decline by the early 1700s. They retained titular power, although Hindu states also remained on the subcontinent, for another 150 years. During the period between 1600 and 1858, Britain's East India Company conducted a piecemeal conquest of the region. Initially operating as a business venture that conveyed profits to the Mughal rulers and maharajahs, Britain slowly reshaped the subcontinent's system of agricultural production. Over time, India became dependent on Britain's access to a global marketplace, and Indian rulers conceded more and more economic power to the British. From this position of financial dominance, the British East India Company began purchasing land. The British allowed former Indian landholders to retain their aristocracy and direct rule of the peasants but brought them all decisively under British rule. The British Crown formally took control of the Indian states in 1858 and continued to operate the British East India Company (Baxter 2002: 6).

Even before Britain formally took power, it perfected a divide-and-conquer approach to governance in India by imposing different laws and provisions on the various Hindu and

Muslim states. Although the British Raj was oppressive in its dealings with all people on the subcontinent, Muslim culture was subjected to overtly discriminatory practices from the earliest development of the British East India Company's activities. It is not clear what the basis of this pattern was, though it most likely reflected the East India Company's assessment of power relations in the region. In 1793, the British imposed an onerous land tax system (the permanent settlement system) that allowed tax collectors to take over ownership of lands and then rent them back to the peasants (Hardy 1972: 43). It was not done uniformly, however. Some peasants paid taxes through the Madras, or ryotwari, system, which allowed peasants to pay taxes directly to the state and circumvent their landlords. The effect of this divided tax regime was to bankrupt many landowners in the Bengal region (now divided between Bangladesh and India), most of whom were Muslim. In addition to taxation inequities, the British engaged in an aggressive land acquisition process in India by passing the Doctrine of Lapse, a law that allowed the crown to annex land whenever the landowner had no direct biological heir or whenever the British deemed the sovereign incompetent (Williams 1904: 165–6). This policy certainly did not exclusively target Muslims, but given the already decimated power of the Mughal empire, its effects were more devastating on the Muslim minority. The Doctrine of Lapse ensured that resentment toward the British was felt at every level of society, including that of the royalty, because it "revealed a consistent determination to substitute an English for an Indian civilisation" (Williams 1904: 166–7).

After several skirmishes against British authorities, in 1857 Indian military personnel and civilians from both major denominations rose up in opposition to Britain's cultural disdain for and economic stranglehold on the subcontinent (Baxter 2002: 7–8). The uprising, which became known as the Indian Rebellion, was violently quashed and led directly to Britain's decision to abolish the figurehead local government and claim direct command under the British Crown. In large part members of the Bengal Army, one of three Indian regiments under British rule, and the Bengali people in general were seen as the primary actors in the rebellion. The betrayal of the Bengal Army—which prior to 1857 had received preferential treatment—reaffirmed in the minds of the British the increasingly popular concept of martial races. Various theorists by this time had identified that the most suitable recruits would come from the conquered communities in the northwestern and northern parts of British India, where the population was considered economically and socially less advanced. The British assumed that the hostile environment this population lived in gave the people the necessary aptitude for war; however, the trait was clearly lacking in the Bengalis (along with the Marathas and Telugus) after long years of peace and prosperity had killed their ancient military spirit (Peers 2007: 34–7).

This regional specificity was important because Bengal was predominantly Muslim and the British view was that the rebellion was mostly led by Muslims (Godbey and Godbey 2010: 180). When the rebellion was put down and the British Crown took command, the Muslim elites who had dominated the region for centuries under the Mughal empire suddenly found themselves the subjects of a distant Christian monarch and members of the religious, economic, and social underclass. Hindu moneylenders, who had been quick to learn the English language, study English law, and seek employment with the colonial authorities, replaced Muslims in leadership positions and became further privileged over Muslims under British rule.

In this region the officials of the British crown ingeniously exploited the complex overlay of identities and dimensions of social status—correlated with but distinct from religious identity—in order to exacerbate local divisions and prevent collective action against British colonial rule. Some manipulations of preexisting divisions by colonial authorities had such dramatic effects on the political landscape of the Indian subcontinent that they are still felt today. In 1900, Britain outraged Muslims by making Hindi the official language of what is now Uttar Pradesh,

the largest state in the subcontinent. At the time, Muslims made up no more than 30 percent of the total population and were not evenly dispersed throughout the subcontinent. Muslims formed the majority in several small states but were the minority in key regions, including Uttar Pradesh. The designation of Hindi as the formal language there intensified Muslims' growing fears of being relegated to permanent minority status and of repression by Hindus. Language has remained a contentious issue throughout the region and was a catalyst for the civil war that resulted in the creation of modern-day Bangladesh in 1971.

Meanwhile, in 1911, the British decided to move the colonial capital from Calcutta to Delhi, which also provoked significant regionalist angst among Muslims (Cell 1992: 39). There was a concentration of Muslims in and around Calcutta, and they feared further erosion of their status by losing their regional proximity to the power center. Strong regionalism remained salient after partition, eventually leading to war between West Pakistan and East Pakistan (now Bangladesh). Even currently in the nation of Pakistan, regional differences are important, and sharp cleavages exist between the rural frontier regions and the urban areas.

By the early twentieth century, given the intense focus on religious and regional divisions, constant shifts in governmental power, and uncertainty over the distribution of resources, conditions were ripe for Islamic party development. Increasingly fearful of religious, economic, and geographic isolation, Muslim elites recognized the need to organize and mobilize. In September 1906, Muslim elites gathered in Lucknow, the capital of Uttar Pradesh, and strategized about new ways to protect their interests. At first, their goal was to pressure the British government to restore some semblance of equity between themselves and the ascendant Hindu elites. That December at a meeting in Dhaka (now the capital of Bangladesh), this group founded the All India Muslim League, a precursor to the first Muslim democratic political party. It was aimed at "promoting feelings of loyalty to the British" and "protecting and advancing the political rights of Indian Muslims" (Cheema 2004: 131). Ultimately, in 1907 the viceroy did seek to appease Muslims in the region by splitting Bengal into two provinces and allowing a Muslim majority to control the newly formed East Bengal.

Participants in these first meetings were predominantly members of Sir Syed Ahmed Khan's Aligarh Movement, which sought to increase Muslim political power by educating young Muslims how to successfully navigate the British system (Baxter 2002: 7–8). His approach—strategic assimilation to support Muslim empowerment—was reflected in the principles of the newly formed All India Muslim League, which advocated building an alliance with the British. The party officially formed on the last day of the All India Muhammadan Educational Conference, a gathering of Muslim educators and elite leaders from across India that was organized by the Mohammedan Anglo Oriental College (which later became Aligarh Muslim University). The move to initiate the party's formation was also supported in a letter to all the conference delegates written by Sir Sultan Mohammad Shah, also known as the Aga Khan, leader of the largest sect of Shiite Muslims.

The emergence of the Muslim democrats as a political force was the result of both motivation and opportunity. British acceptance of the All India Muslim League in 1906 was the first of the state's several legitimizing actions that helped facilitate the party's organizational development. The British government also enacted a series of constitutional changes in 1909 and 1916 that were intended to allow the Indian people greater involvement in their own governance (Van Cott 1999: 15).

Violence and terrorism had been escalating as a result of the partition of Bengal. In addition to a military response, several senior British officials in India believed that restoring some modicum of Indian authority would defuse the growing crisis. The biggest change was that Indians could be elected to legislative councils for the first time. While the majority of the councils

would still feature British appointees, the opening of the electoral process was a watershed. In addition, Muslims were granted special electoral protection. After registering concern that a first-past-the-post electoral system would consign the heavily outnumbered Muslim minority to live under exclusive Hindu rule, Muslim representatives convinced the British to decree that 25 percent of the legislative council seats must be reserved for Muslim Indians. The subsequent Government of India Act of 1919 increased the political rights of Indians even further and opened more offices with significant authority to Indian contestants.

Ideology and structure

The historical origins of the Muslim democratic movement critically shaped the Muslim League's organization and structure. Founded by social elites, labor union leaders, wealthy industrialists, and landowners who united in order to safeguard their interests in a chaotic and inhospitable political arena, the Muslim League was from its inception a tool of the elite and reflected elite aspirations. Many of the founders were landowners within the sirdar system, a feudal economic system that predated British colonial rule and was permitted to coexist with British parliamentary democracy. Under the sirdar system, elite landowners were able to maintain significant social and economic power by renting arable land to peasants. Similar to the U.S. system of sharecropping, landowners kept rents sufficiently high so that peasants barely earned a subsistence income, thus ensuring their continued dependence on and ongoing economic value to the landowners.

Since the Muslim democratic movement was formed to serve the interests of the elites, the Muslim League's internal party organization was narrow and highly centralized. Gunther and Diamond would describe the formal organization of the Muslim League as thin and clientelistic, created to maintain well-established social and economic hierarchies (Gunther and Diamond 2003: 172). Membership in the party was not initially open to the public; rather, it was dictated by the social structures and hierarchies of the day. The Aga Khan, a dominant religious leader and proponent of creating a political force to secure Muslim interests, was appointed the Muslim League's first honorary president. Other officers—including six vice presidents, a secretary, and two joint secretaries—were drawn from elite social networks in various geographic regions across pre-partition India. To this day, Muslim democratic parties' high-level leaders and strategists (also called political entrepreneurs) are typically well-educated secularists who have ties to Western institutions and the ruling elite in Pakistan. They are deeply incorporated into incumbent political networks and have access to the levers of power and patronage (Cohen 2004: 56).

The ideological roots of the Muslim democratic movement were essentially secular. Particularly at the beginning, the elites in pre-partition India who started the Muslim League had as their primary programmatic agenda to protect the economic, educational, and social system that kept them in a position of relative power. While touting a religious affiliation and Muslim identity that had hugely important cultural significance, certainly to the extent that profound divisions existed between Muslims and Hindus, actual religiosity and adherence to strict religious codes were not part of the Muslim democratic platform. Indeed, the very economic system the league was founded to defend would have been upended by conversion to sharia. The most important of sharia's economic prohibitions concerns *riba* (interest payments). Since the founding of Islam, Muslim jurists have interpreted the Qur'an as explicitly forbidding usury. Put plainly, state imposition of religious law was (and continues to be) antithetical to the interests of Muslim democratic parties' most important constituents.

For the first four decades of the movement's existence, the Muslim League viewed itself and conducted itself as a representative of urban socioeconomic elites, predominantly the

landowners and captains of industry. It was almost wholly disconnected from the concerns of the illiterate laboring classes that made up the majority of pre-partition India. Rooted as the movement was in the goal of protecting the Muslim elites' interests (and gaining advantages over Hindu elites), the Muslim League was primarily concerned with securing a return to the balance of power that had existed during the heyday of the Mughal Empire. Since attempted rebellion against the British had resulted in a loss of Muslim power, the Muslim League was intent on repairing the relationship between Muslim elites and the British.

The League did not develop aspirations to mobilize the uneducated masses until the middle of the twentieth century. Until then, the Muslim League's posture and language bordered on offending the Muslim underclass. In northwest India, for example, where indigenous people staged repeated and vociferous armed rebellions against British rule, the Muslim League's founding determination to promote "feelings of loyalty to the British" won it few friends. The party's structure also inhibited mass mobilization, since it operated as an alliance of convenience among elites who were economically, religiously, socially, and geographically separate from the larger population. The Muslim League's sphere of influence was essentially confined to the urban cities of Lahore and Karachi, modern-day Pakistan's two largest cities. The party did not even seek to address the interests of the rural landowning elites in the North-West Frontier Province (NWFP) or East Pakistan because the leadership was so concentrated in urban areas.

The league claimed a very narrow linguistic following as well. Dominated as it was by Urdu speakers, the party paid little attention to the country's cultural and linguistic diversity. The Muslim League was not merely indifferent to or disconnected from the Muslim populace but also was actively antipathetic toward its traditional religiosity. Before partition, the league publicly criticized the religious order of the common people, including their beloved ulemas, madrasahs, and *alims* (learned religious leaders), whom Muslim League leaders regarded as backward thinking (Nasr 1996: 18).

Mohammedan Anglo Oriental College, the birthplace of the Muslim League, was the brainchild of Sir Syed Ahmed Khan. In response to the League's express concerns, Sir Syed Khan had developed the college in an effort to ameliorate the growing educational discrepancies between Muslims and Hindus, as he believed that the former's parochial training left them ill prepared for positions of power in India. He viewed traditional Muslim education through madrasahs as inadequate, because it focused exclusively on religious training and gave little attention to modern Western educational principles and subject material. Sir Syed saw the failure of such schools to teach English as a particularly detrimental error, given that it was rapidly becoming the language of law and power. It was in this context—driven by a philosophy that viewed religiosity as a barrier to the educational, economic, and political advancement of Muslims—that the Muslim League was born. Indeed, the Muslim League's disdain for the religious proclivities of the Muslim populace was so profound that the early Muslim political activist Syed Abul Aala Maududi (later the founder of Jamaat-e-Islami) actually hid his ordination as an ulema in order to protect his political credentials (Nasr 1996: 18).

The Muslim League's early antagonism to state-sponsored Islam is reflected in key political decisions from that period, particularly the group's decision not to support the highly popular Khilafat movement (Nasr 1996: 18). The Khilafat movement was a pan-Islamic religious and political effort to support the Ottoman caliphate, which was at risk of being toppled and partitioned by Western powers and especially by the British. Although the Ottoman caliphate had no direct power over Indian Muslims, it was a global symbol of Islam, and its fall would signify the widespread decline of Islam. Numerous clerics and alims rallied to the cause of the caliphate, seeking to resist British power and preaching a pan-Islamic resurgence. Beginning

in 1920 this message was well received by a large segment of the Indian Muslim population. Because the Khilafat movement sought to take nonviolent political action against the British, however, the All India Muslim League refused to back its efforts, and the ironic result was that the caliphate's supporters ultimately formed an alliance with the Hindu majority party, the Indian National Congress.

Pakistani independence

In the first decade of the twentieth century, the predominantly Hindu Indian National Congress started pressing the British for greater self-governance through India's fledgling government, where Indians had only limited representation and suffrage. Consistent with its goal of improving relations between British colonialists and India's Muslims, the All India Muslim League took a more conciliatory approach and pushed for increased Muslim representation in the colonial system. Wanting to appear somewhat benevolent, the British brokered a deal with the league, resulting in the Morley-Minto reforms of 1909. This legislation granted Indians access to legislative councils through the electoral process rather than by appointment for the first time. The Muslim League, concerned about competing against the numerically superior Hindus, also sought and obtained guarantees that 25 percent of assembly seats would be reserved for Muslims (exceeding their portion of the electorate) and that Hindus would be barred from voting for Muslim seats.

As with many parties in colonial and postcolonial nations, the history of the Muslim League is as much about its charismatic leaders as it is about formal institutions (Baxter 2002: 195). Leaders of the Muslim League came exclusively from the ranks of the social and economic elite, and there has always been a strong element of dynastic rule. The most important leader of the Muslim League was arguably Mohammad Ali Jinnah, a British-trained lawyer and member of the Indian National Congress. Jinnah had become a member of the Indian National Congress in 1906, sharing that party's view that Indians needed more direct power over their destiny. He joined the congress's calls for reform and enhanced governmental powers but did not initially support its push for independence. He joined the Muslim League in 1913. By virtue of his membership in both organizations, Jinnah was able to bring the league into closer political alignment with the Indian National Congress. In 1916 he engineered the Lucknow Pact between the congress and the league; the agreement sought to cooperatively seek self-government for all Indian people. To win the league's cooperation, the Muslims were promised an even greater share (30 percent) of seats in a future national assembly.

Jinnah understood the divide-and-conquer tactics that the British had exploited for so long. He pursued unity within the Muslim elite leadership and argued that cooperation between Muslims and Hindus was essential to Indian self-governance. Even after he withdrew from the Congress in 1920, believing the party had become too strident in its opposition to the British, Jinnah remained hopeful that Muslims and Hindus could work collectively for greater Indian representation. By 1930 some Muslim leaders, most notably the political theorist and Muslim activist Choudhary Rahmat Ali, began to argue that a separate Muslim state was necessary. In 1993 he proposed the creation of a separate nation called Pakistan composed of the northern Muslim territories. Frustrated by the lack of unity on the matter of Indian governance and despondent over the death of his wife, however, Jinnah retreated to London and away from politics.

He returned in 1934 at the behest of the Muslim League's leaders, who realized the party was floundering and lacked direction. By 1935 all Indian political parties were struggling somewhat to adjust to quickly changing circumstances (Baxter 2002: 195). The British had devolved more

meaningful democratic powers to the Indians (in part through the Government of India Act of 1935) through expanded suffrage and direct voting, thus forcing Indian parties to undertake a type of mass mobilization that had been previously unnecessary. Even as India moved toward more overt resistance to British rule, Jinnah continued to seek agreement with the Indian National Congress, envisioning the establishment of an independent but unified India (Baxter 2002: 195). But the Congress continued to dismiss the League's demands. At this point, Jinnah recognized that independence was coming and feared that the Hindu majority would not treat the Muslims fairly. He also saw that the political tides had turned and that the party needed to appeal to a much larger group of voters.

In 1940 Jinnah and the Muslim League finally took up the cause of independence. The organization promulgated the Lahore Resolution in 1940, a statement of its intention to seek a separate sovereign Muslim state. He rallied the leadership of the Muslim League around the idea of partition. He argued that the Hindu majority would dominate the Muslim minority in an independent India and that a separate homeland was the only way to protect Muslim interests (Cheema 2004: 134). While the Muslim League was primarily concerned with preserving the economic system rather than the freedom to worship, he began to use religion as an effective rallying point. Although average Muslim voters remained wary of the Muslim League because of its elitism and historical lack of religiosity, their fear of religious oppression by Hindus proved more potent. Under this new banner of Muslim independence, the League flourished and joined Mohandas Gandhi's massive resistance to British rule that became known as the Quit India Movement.

By 1945 the League was winning electoral contests in both urban centers and distal provinces. It was seen as the voice for Muslim independence (Cheema 2004: 134). Although the Indian National Congress contended that it held the majority of the Indian vote and that it did so across religious lines, the All India Muslim League was in fact very successful in the 1945–1946 general elections, taking all the Muslim seats in the Central Assembly, the majority of Muslim seats in Sindh and Bengal, and seventy-five of the eighty-five possible seats in Punjab (Ikram 1992: 387; Talbot 1980: 65–6). Jinnah had shrewdly entered into a pact with the Unionist Party leader, Sir Sikander Hyat Khan. The pact allowed the Muslim League leadership to remain the 'sole spokesman' for Indian Muslims, and, in turn, Jinnah and the league would not interfere with Punjabi domestic patronage politics. From 1944 onward the Muslim League relied heavily on Islamic symbols and religious rhetoric in targeting key constituencies such as *pirs* (Sufi saints) and *Sajjada Nashin* (hereditary custodians of Sufi shrines). With provincial deals in place, political activities throughout 1946 were completely absorbed with the issues of partition, with the Muslim League and Indian National Congress failing to reach consensus on a plan that would keep India united.

The combination of the Indian people's widespread resistance, the economic strain from fighting World War II, and the mutiny within the Royal Indian Armed Forces led the British to hurriedly relinquish all political control to local political leaders by the mid-1940s. On August 15, 1947, the last British viceroy, Lord Louis Mountbatten, signed the law granting independence to the two separate nations of India and Pakistan (Cheema 2004: 135).

Almost immediately after independence, the Muslim League's electoral strength began to dissipate. Jinnah's death from tuberculosis in 1948 and the assassination of his immediate successor, Liaquat Ali Khan, only three years later devastated the party's leadership. Jinnah had suffered from tuberculosis for years but kept his illness private until he suddenly succumbed to a massive hemorrhage. A number of alternative explanations for Khan's assassination have been put forward, but many scholars believe it was orchestrated by rural landlords hoping to block passage of legislation that would have redistributed their land to long-term renters. Because the Muslim

League was so dominated by urban elites, provincial rural elites had long felt that their interests were equally as threatened by the league's ascendance as by Hindu or British rule. These regional landlords had not supported the Muslim League in the partition campaign, and when the Muslim League clearly indicated it would indeed pursue an agenda to consolidate economic and political power in the urban centers of a newly independent Pakistan, the regional leaders likely tried to topple the government through extralegal means.

The deaths of Jinnah and Khan left the party leaderless and the parliament horribly divided over the proper role of Islamic law in governmental policy. The debate was so intense that the legislature was not able to complete a constitution for the new nation of Pakistan for nine years (Baxter 2002: 184). The Muslim League, as materially driven and basically irreligious as it was, was not interested in making sharia the law of the land. At the same time, it did not have a unifying counter message or charismatic leader, so the matter festered. Islamist parties moved to implement sharia as part of the first constitution. Muslim League representatives resisted their efforts on the grounds that imposing such laws would favor dangerous economic reforms and the redistribution of wealth. Amid these disputes, the Muslim League elected a new leadership and appointed a committee to determine how to alter the economic structure in Sind and Punjab, provinces dominated by enormous landed estates. The committee's proposals to reduce the legal size of landholdings and to permit the direct purchase of land were ignored. Widespread infighting ensued, resulting in the creation of two factions in the Muslim League and endless defections of political players from one to the other.

The clamor for self-interested material advantage among members of the new parliament drowned out claims of allegiance to democratic rule. Deadlocked elites even began to quietly encourage the dissolution of the parliament and imposition of authoritarian military rule, which they hoped would create a pseudo-feudal arrangement that would favor their private interests, as it had under British colonial rule and the preceding Mughal Empire. Without any shared ideological commitments, the very alliances that brought the Muslim League to power before partition were its undoing immediately thereafter and ensured complete parliamentary stagnation. Regionalism, factionalism, and personal feuds meant that real policy-setting power in Pakistan stayed in the same hands that had held it for generations. Craig Baxter and his colleagues argue that from the beginning, "constitutional government in Pakistan has been more sham than substance" (Baxter 2002: 184). And it is true that military leaders under martial law have ruled independent Pakistan for nearly half of its existence.

Under civilian leadership, the military has never completely returned to its barracks. Its influence has resulted in two major disadvantages for democracy in Pakistan: the military has dictated civilian politics and has continuously financed military businesses as a way to extend its dominion over all aspects of public life. The military has been able to entrench itself in politics by presenting itself as the sole stabilizing force in the country. As such, any challenge directed toward the military is seen as risking the country's stability. For instance, when Prime Minister Nawaz Sharif attempted both to blame the army for the Kargil War with India in 1999 and to replace General Pervez Musharraf, the army was able to argue Sharif's action was a threat to national security and staged a successful coup. Similarly, as the Pakistani military has used its political experience to become rooted in Pakistan's political structure and impact civilian politics, at times Pakistani politicians have tended to run to the army's generals for financial and electoral support. Thus the army has been able to cast itself in the role of arbiter or supreme defender of Pakistan's ideology, integrity, and national interests. It has used this declaration repeatedly to justify its interference in domestic politics. Also this entrenchment of the army and its agencies in civilian politics has allowed it to rig elections and create opposition against civilian leaders. After General Zia's death in 1988, the Directorate for Inter Services Intelligence played

a key role in creating the Islami Jamhoori Ittehad (IJI), which ran against and ultimately led to the dismissal of Benazir Bhutto's first government.

The military's extraordinary budget, largely a result of decades of aid from the United States, has contributed to its ability to exert power over democratic institutions. The military's patronage system is notorious. Retired officers are often appointed to senior jobs in the administration and state-owned corporations, and officers buy land through installment plans on easy terms from the Defense Housing Authority. Military-controlled businesses also emerged under the name of the Fauji Foundation. In 2000 the Fauji Group (the commercial wing) had assets worth $1.48 billion. The foundation runs thirteen hospitals, sixty-nine medical centers, ninety-three schools, and two colleges (Lieven 2011: 170). These figures are only the tip of the iceberg in terms of the military's finances, and they illustrate how influential the military has been in all aspects of public life. In comparison, civilian institutions look weak and disorganized. Some "counter-plottist" analysts, such as Ayesha Siddiqa and Husain Haqqani, even go as far to say that these military institutions intentionally sabotage the perception of civilian institutions as a way to emphasize the military's superiority.

In the face of a meaningless legislative process, the major product of Pakistan's parliament became patronage, not policy. According to Gunther and Diamond, clientelist parties are most likely to develop in "rural, premodern societies, under conditions of geographical isolation from a dominant centre of government, coupled with low levels of functional literacy and poorly developed transportation and communications media" (Gunther and Diamond 2003: 176). Those conditions aptly describe Pakistan circa 1950, and, indeed, political power through electoral success became synonymous with the ability to control distribution of jobs and other resources. *Bindari* (kinship networks) in the Muslim League (and other parties) dictated the chain of distribution of goods, what Gunther and Diamond describe as "durable patterns of loyalty . . . linked with the exchange of services and obligations" (Gunther and Diamond 2003: 176). Although the Muslim League ran a divided and ineffectual government, the party held the overwhelming majority of seats in the National Assembly immediately after partition, giving its political leaders control of government appointments, jobs, and funds.

Once the common Hindu enemy was eliminated by the creation of Pakistan, the Muslim League again became primarily associated with elitist secularism in the minds of poor rural voters, and the party began to lose influence. In 1954 it suffered major losses in the provincial elections and in 1957 ceded control of the national government to General Ayub Khan, who placed Pakistan under martial law (Baxter 2002: 198). Despite its setbacks and persistent inability to mobilize mass support, the Muslim League and its derivative Muslim democratic parties have managed to retain some power in Pakistani politics. At the founding of the nation, regardless of the ideological considerations of the electorate, allegiance to the Muslim League was the only means of gaining access to state goods. More than any of the other parties examined in this chapter, the Muslim League, because of its affiliation with economic elites, has been able to remain highly incorporated in state networks. During recurrent periods in Pakistan's history, factions of the Muslim League were absorbed into a ruling military regime (as during Ayub Khan's tenure). The party then literally became synonymous with the state, which gave it ample financial support to advance its agenda and buy clout (Rafique 2001: 66a, 67a).

The modern Muslim leagues

Today several groups carry the Muslim League name. The two largest are the All Pakistan Muslim League—a coalition of the PML-Q (Quaid), PML-J (Junejo), and the smaller PML-F (Functional)—and the Pakistan Muslim League-N (Nawaz). Although the All Pakistan

Muslim League and PML-N joined forces in the past, they have since split over regional and ethnic disputes. The PML-N is the largest and most successful of the current Muslim democratic parties, and its organizational structure and constitution most closely match that of the original Pakistan Muslim League. The party derives its name from its founder, Nawaz Sharif, a wealthy businessman and conservative politician who has served as prime minister twice. In his second term, General Musharraf ousted him in a military coup. After the coup, a small breakaway group of influential PML-N members formed the PML-Q under the direct guidance of President Pervez Musharraf to create a new political base in Punjab with a closer nexus to the military. The PLM-N was very successful in the 2008 elections, garnering 71 seats in the National Assembly (out of 342) and forming a coalition government with the Pakistan People's Party led by Asif Ali Zadari, Benazir Bhutto's widower.

In trying to consolidate and maintain support, Muslim democratic parties face an enduring electoral predicament: Their core constituency of wealthy landowners and well-educated urban technocrats alone cannot provide enough votes to ensure electoral success. Muslim democrats have to win votes from a large percentage of illiterate, poor rural voters with whom they have little credibility and to whom they have limited access. These parties' main political operatives are internationalist professionals who are not well integrated into local communities or religious networks and lack opportunities to make personal connections with voters.

One time-tested strategy Muslim democrats use to counter these deficiencies is to enlist support from social, political, and business leaders who can coerce or influence blocks of voters. For example, a Muslim democratic technocrat may have the power to appoint local administrators to the government-owned utility Water and Power Development Authority. These administrators control electricity in key areas and can keep the power flowing to or from targeted districts during load-shedding hours when electricity is shut off to parts of the grid due to heavy demand. (Load shedding can last ten to fourteen hours a day and bring households and small businesses to a halt.) Provincial Muslim democratic stakeholders also control access to extremely valuable public housing in some areas. Private housing is prohibitively expensive for average citizens in some areas, so housing allotments are one way for party officials to reward loyalists and mobilize grassroots support. Because Muslim democrats in general have maintained a high degree of incorporation in state agencies, their parties are able to offer benefits to supporters in the form of money, jobs, goods, and bureaucratic favoritism.

The source of Muslim democrats' patronage power derives mainly from their members' long-standing connections to the federal civil service and the forty-five federal ministries in Islamabad. At the provincial and local levels, the civil service weakens, and so does the Muslim democrats' ability to direct patronage and wield leverage. At the assistant secretary or director level, however, Muslim democrats are able to distribute patronage through their budgetary powers, their ability to allocate jobs, or their influence over the regulation and implementation of laws, licenses, records, and contracts.

Ample funding also allows Muslim democrats to use sophisticated marketing tactics and media technology to produce memorable political messages. Muslim democratic parties conduct large-scale, anonymous marketing campaigns that make use of large billboards claiming "Pakistan loves China" or "Pakistan's future is bright" and of colorful pamphlets spouting Pakistan's industrial potential. Muslim democrats are quick to look for savvy ways to reinforce populist messages, whether focusing on tax reform or the elimination of corruption. Pakistan's media market has grown enormously, going from three TV channels to more than sixty-two TV channels in less than ten years. Muslim democrats use regional TV channels to test their messages and put party leaders on nightly news shows that are starved for political content. (These channels operate 24/7 but do not have access to nearly enough fresh content.

So they often loop the same twenty minutes of newsreel for hours to a viewership of thirty to forty million people.)

Muslim democrats also engage in negative political campaigning, a tactic that their Islamist party competitors are supposedly precluded from using. They will often cite the lack of education among their political opponents, lambasting them for a "lack of educational degrees" and in some cases accusing them of having fake degrees. Muslim democrats will often go into significant detail on economic corruption charges, going beyond the common accusation of "elite stealing." Ads or campaign stump speeches will call out addresses of stolen property, lavish trips taken abroad, and the types of elite schools attended by children of feudal political opponents. And because Muslim democratic parties do not have to follow rigid standards of religiosity, they have a great deal more linguistic latitude in crafting political messages. For example, Muslim democrats will routinely talk about "violations" of Islamic ethos and values without specifying legalistic definitions. While Islamists are quick to specify inner and outer boundaries of behavior, Muslim democrats are able to use religious symbolism to criticize without having the religious credentials to cite textual scripture or fatwas.

Over time, Muslim democrats have moved away from their initial criticisms of sharia and open disdain for devout followers. Islam is the common identity around which a concept of Pakistani nationalism has grown, and Muslim democratic parties have come to align themselves substantively and rhetorically with a form of "Islam lite." Muslim democrats simultaneously allude to the benefits of liberal secularism and evoke vague references to a shared Islamic identity. This use of nonspecific religious allusions is a mainstay of Muslim democratic campaigning. Even though these groups are far less religiously committed than Islamists are, the Muslim democrats' religious messaging has the benefit of being easy to transmit and can be interpreted to mean what the listener wants to hear.

Muslim democratic parties are essentially confessional parties whose interest in religious enforcement is low, but they are willing to make concessions to religion when it is strategically expedient. Muslim democrats make carefully prescribed policy concessions known as *signaling* to demonstrate a commitment to the welfare and interests of the poor, rural electorate. Perhaps the most recent example of signaling is the Muslim democrats' silence regarding the recent assassination of Governor Salmaan Taseer, the liberal secularist gunned down for opposing the enforcement of harsh religious laws. The Muslim democrats' silence does not stem from a lack of the appropriate language to address the issue but in deference to the popular outrage that the large and growing Islamist constituency directed at Taseer. Such signaling is a delicate balancing act, of course, since the adoption of sharia law is not in the interests of the party's core constituency. But signaling is an important mobilization tool because it is visible and has emotional resonance with the electorate.

Regional factionalism continues to be an issue for Muslim democratic parties because economic interests vary considerably between urban and rural parts of the country. These differences are what led the original Muslim League to split into so many competing subgroups. Interestingly, each faction has been fairly effective at in-group policing. Political operatives are able to command the group's members to adhere to a core political message and project nationally unified appeals. Because the personal power and individual political fortunes of the intellectuals and professionals who lead Muslim democratic parties are dependent on their positions in the party apparatus to maintain their status, they are committed to toeing the party line and building partnerships across large distances. The Muslim League and its derivatives have also been exceptionally effective at keeping their members from any involvement in violent extra-electoral strategies. It has been particularly important to the Muslim League's ability to present itself as the party of free democratic government and the most legitimate participant in the electoral process.

In terms of electoral success, moderate Muslim democrats have historically done better than hard-line Islamists in national elections. In each of the seven national elections since 1988, Muslim democrats have either won the largest number of seats in the National Assembly or held a large enough minority position to be an important opposition voice to the government in power. The split between the PML-Q and PML-N in 2002 meant that Muslim democratic power was sharply divided. With the support of the Musharraf government, the PML-Q handily won the majority of seats in the 2002 election, although the legitimacy of that election has been widely questioned. In 2008, the PML-N rebounded, winning seventy-one seats and coming in second only to the Pakistan People's Party. The PML-N's success was arguably a rejection of Musharraf himself as his presidency and the PLM-Q were intimately linked.

Muslim democrats have also performed well in some provincial elections, although their strength is clearly nationally based. These parties' provincial strength is regionally specific: Muslim democrats have won in urban Punjab but have failed to gain traction in rural provincial areas such as northern Sindh and parts of southern Punjab.

Despite the general rule that Muslim democrats are invariably more moderate in their policy and language positions than their Islamist counterparts are, they are not without variation along this dimension. The political climate of a predominantly Muslim electorate is such that at times more extreme positions are politically expedient, and in keeping with Anthony Downs's theory of political economy, Muslim democrats shift their platforms to suit the occasion (Downs 1957: 135–50). Islamists also modify their positions for political reasons, but in the current environment the Muslim democrats are more motivated to vary from their traditional policy and ideological bases.

Perhaps the most common way in which Muslim democratic parties have moved in the direction of extremism at various times is by forming coalitions with more extremist groups. The Pakistan Muslim League and its descendants have done so on more than one occasion. In 1977 the PML joined Jamiat-Ulema-e-Islam, Jamaat-e-Islami, Jamiat Ulema-e-Pakistan, and others in a nine-party alliance called the Pakistan National Alliance (PNA) to oppose Zulfiqar Ali Bhutto's PPP (Haqqani 2005: 207). In addition to the extremist shift implied by the PML's marriage of convenience to its supposed ideological opponents, the party became a participant in proclamations and actions that also belied its moderate roots. The PNA ran on a platform that explicitly made implementation of sharia its main objective, and when the PPP won in a hotly disputed election, the PNA supporters became embroiled in several violent conflicts. The PML again joined its ideological opponents in the nine-party Islami Jamhoori Ittehad alliance in 1988, this time to contest the strength of Benazir Bhutto, who was then leading the PPP. The IJI was also seen as more extreme and religiously conservative than expected for the PML's involvement (Blood 1994). It successfully ran on a platform calling for the ethical and moral reform of government in response to widespread allegations of corruption in the Bhutto government.

Since 2000, in the face of US and Western military action in Afghanistan, anti-Western sentiment has risen noticeably in Pakistan, making it politically sound to express more extreme positions or at least to be silent in the face of extremism. The movement across the Afghan border of both anti-Western ideology and Islamist personnel into Pakistan not only has boosted the Islamists' strength in the frontier regions but has also increased the popular appeal of extremists' action, even to the degree that the assassinations of moderates has been met with approval from a disturbingly large segment of the Pakistani population (Anwar and Rupert 2011). As alarming as these extreme actions are, the historical patterns of the Muslim democrats suggest that the trend is motivated entirely by political strategy rather than any real shift in ideology.

As the earlier qualitative data demonstrates, Muslim democrats have been moderate for much of their history but have recently started moving more to the extreme. While they are still

comparatively moderate for Islamic parties, the slope and trajectory of their policy stances have moved sharply on the sharia–secularism continuum. Part of this trend stems from the new types of voters Muslim democrats are trying to engage in various provincial districts. With the rise of other political parties, such as the Muttahida Qaumi Movement, Muslim democrats are acutely aware that these new groups are cutting into their support. To counter these developments, Muslim democrats are seen as more accommodating of various urban-based extremist groups, such as Jamaat-ud-Dawa and Sipah-e-Sahaba Pakistan, which have vocal bases in various districts of central and southern Punjab.

As a core argument of this chapter, this change in strategy is not particularly ideological but rather pragmatic. Muslim democrats begin to compromise elements of their worldview to make space for pragmatic considerations that allow for their survival and growth. Electoral strategies lead to instrumentalism and how political calculations about when, where, and from whom to elicit votes can drive parties to adopt more extreme positions.

Bibliography

Anwar, H. and Rupert, J. (2011). 'Pakistani Minister Assassinated in Second Killing Linked to Blasphemy Law.' Bloomberg, March 3. Available at: www.bloomberg.com/news/2011–03-02/pakistan-s-minorities-minister-bhatti-is-killed-in-gun-attack-in-islamabad.html. Accessed April 23, 2013.

Baxter, C. (2002). *Government and Politics in South Asia*, 5th ed. Boulder, CO: Westview Press.

Blood, P. ed. (1994). 'The Government: Islami Jamhoori Ittehad.' *Pakistan: A Country Study*. Washington, DC: U.S. Library of Congress. Available at: http://countrystudies.us/pakistan/67.htm. Accessed April 23, 2013.

Cell, J.W. (1992). *Hailey: A Study in British Imperialism, 1872–1969*. New York: Cambridge University Press, p. 39.

Cheema, Pervaiz Iqbal (2004). *The Armed Forces of Pakistan*. New York: New York University Press.

Cohen, S.P. (2004). *The Idea of Pakistan*. Washington, DC: Brookings Institution Press.

Downs, A. (1957). 'An Economic Theory of Political Action in a Democracy.' *Journal of Political Economy*, 65(2), 135–150.

Godbey, J.E. and Godbey, A.H. (2010). *Light in Darkness, or Missions and Missionary Heroes: An Illustrated History of the Missionary Work Taking up Principally the Work in India*. New York: General Books.

Gunther, R. and Diamond, L. (2003). 'Species of Political Parties: A New Typology.' *Party Politics*, 9(2), 167–199.

Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington, DC: Brookings Institution, p. 207.

Hardy, P. (1972). *The Muslims of British India*. London: Cambridge University Press, p. 43.

Ikram, S.M. (1992). *Indian Muslims and Partition of India*. New Delhi: Atlantic, p. 387.

Lieven, A. (2011). *Pakistan: A Hard Country*. New York: Public Affairs, p. 170.

Nasr, S.V.R. (1996). *Mawdudi and the Making of Islamic Revivalism*. New York: Oxford University Press.

Peers, D.M. (2007). 'The Martial Races and the Indian Army in the Victorian Era.' In D.P. Marston and C.S. Sundaram (eds) *A Military History of India and South Asia*. Westport, CT: Praeger Security International, pp. 34–47.

Rafique, Afzal (2001). *Pakistan: History and Politics 1947–1971*. Karachi: Oxford University Press, pp. 66a, 67a.

Talbot, I.A. (1980). 'The 1946 Punjab Elections.' *Modern Asian Studies*, 14(1), 65–66.

Van Cott, N. (1999). *India's Parties*. New Delhi: Trow Books, p. 15.

Williams, H.S. (ed.) (1904). *The Historians' History of the World: A Comprehensive Narrative of the Rise and Development of Nations as Recorded by over Two Thousand of the Great Writers of All Ages*. New York: Outlook Company.

8

A WEBERIAN PERSPECTIVE ON THE NATURE OF THE STATE IN PAKISTAN

Ajay Darshan Behera

Like many other post-colonial states, state-building is an ongoing process in Pakistan. But state-formation in the context of Pakistan has been conditioned by the peculiarities of its origins and subjected to distortions by its ruling elites. The debates around what was the founder Mohammad Ali Jinnah's vision still continue. Constitutionally, Pakistan is an Islamic state. Many have argued that Jinnah used the Muslim identity to secure a separate state, but by no means had he aspired for an Islamic state, least of all a theocratic state. In fact, many believe that he had hoped for a secular state. The death of Jinnah soon after independence weakened the Muslim League profoundly and was to leave a lasting impression on the development of political institutions. The subsequent process of constitution-making put the hope of a secular state to rest. The Objectives Resolution adopted by the Constituent Assembly in 1949, ensured that Pakistan would be an Islamic state.

For almost nine years after independence the state was to pass through political uncertainty, even finding it hard to put a legitimate government in place. The peculiarities of the colonial legacy and partition were to soon bring the military to centre-stage in Pakistani politics; the military assumed a pre-eminence in the power structure, dominating and controlling the political system. Although the military heritage of British colonialism is common to post-colonial South Asia, the military in Pakistan has assumed the governance of the county for prolonged periods under martial law as well as by civilianizing its military rule. Since the military assumed direct state power for the first time in 1958, Pakistan has had four military regimes.

The role of the military in guiding the destiny of many post-colonial states directly has been a harsh reality. This shift towards authoritarian structures was theoretically justified in the 1960s by development theorists acclaiming military regimes as agents of modernization in the developing world. Democracy resting on the mobilization of masses was believed to be detrimental to both political stability and economic growth. On the other hand, it was perceived that the military institution with its hierarchical structure, established chains of command and rigid discipline seemed well equipped to provide political stability and ensure efficient economic management (Huntington 1968: 192–263). The military regimes which grabbed power justified their intervention in politics on the grounds of state-building – integrating the nation, for economic development, and providing stability in a context where civilian rulers had failed to achieve these objectives.

Pakistan has been ruled by the military for thirty-two years out of its sixty-nine years of post-independence history. Since the last military regime gave up power in 2008, Pakistan has seen continued democratic regimes. But there is little evidence on the ground to suggest that the balance of civil–military relations has shifted in favour of the civilian rulers. The military continues to play an important role in the governance of the country. But at the same time one can see the erosion in the hegemonic role of the state in which the military takes pride of place.

Under military regimes, Pakistan has suffered considerable institutional decay. During General Pervez Musharraf's period, Pakistan was confronted with a complex set of challenges against which it did not made much headway. There had been a serious erosion of law and order in the country and the state was being challenged by Islamic militants groups engaged in sectarian violence who posed a direct threat to the state. Over a period of time, the Islamic parties and militant groups have gained considerable power and weakened the capacity of the state to govern. Since 2005 informal violence had been on the rise.

It was also during this period that the image of the military took a severe beating. After the attacks on Pakistan's military bases, the attack on the GHQ in October 2009, and the attack on the PNS Mehran in Karachi in May 2011, Pakistan's military came in for a lot of public criticism, including that of the media. The killing of journalist Syed Saleem Shehzad directed the focus on something that he had been writing about – that the military, specifically the navy, was infiltrated by Al Qaeda. The unilateral action by the Americans in killing Osama bin Laden in a hideout located next to the Pakistan Military academy at Abbottabad in May 2011 caused severe embarrassment to the military. The military's image as the sole guardian of Pakistan based on narratives constructed on the threat from India as well as the fight against militancy and terrorism has been diminished. Its image as the nation's saviour has been questioned. The criticism and attacks on the military in the public media were strong and damaged the reputation of the military, enabling its hegemony over the state to be challenged (Zaidi 2011: 19–20).

After almost 70 years of state-building and four military regimes to boot, Pakistan enjoys neither political stability nor efficient economic management. The reality is that there is a visible weakening of state power and also growing violence in society. For some time now, the narratives of Pakistan's failures are numerous and have been subjected to multifaceted analyses. The fact that many analysts view and discuss Pakistan as a "failing state" is itself an indication of the dangerous downslide that the state has been embarked on. While Pakistan has enough resilience as a state not to fail, what would be worrying is if it continues to be on the verge of failure. Though Pakistan may not be a failed state, many worry that it will become one.[1] In fact, there are more reasons to worry when a state does not fail but consistently remains on the verge of failure. These worries raise a critical question about the nature of the state in Pakistan. What explains contemporary Pakistan and its state-building project? What has been the role of the military in state-building in Pakistan? What strategies has it followed and what have been their consequences?

The reasons why military institutions instead of civilian rulers came to exercise state power in Pakistan has been powerfully argued by the concept of the "overdeveloped state." Given weakening state power, to what extent does this explanation still hold ground? Notwithstanding the overdeveloped character of the state, it would be instructive to understand what strategy the state has followed with regard to the accumulation of power. What has been the relationship of the state with violence? The answers to these questions, unfortunately, cannot be addressed through an understanding of the relationship between state and class. To understand the nature of the state in contemporary Pakistan, this chapter proposes to examine the relationship of the state with violence. It examines the Pakistan state from the Weberian perspective about the

legitimization of violence as an important component of state-building. This chapter is not a synthesis of the Weberian and neo-Marxist approaches. Both may be useful in advancing explanatory approaches to the nature of the state in Pakistan. They can be two parallel narratives without privileging one over the other.[2]

The usefulness of the concept of the "overdeveloped state"

A reasonably good explanation of the nature of the post-colonial state in Pakistan is to be found in Hamza Alavi's formulation of the "overdeveloped state." He found difficulties in applying the classical Marxist theory of the state in the context of post-colonial societies where the state is not the instrument of the indigenous bourgeoisie due to its underdeveloped character. In post-colonial society, the establishment of the state takes place with the imposition of colonial rule. According to Alavi (1972: 61), the post-colonial state is relatively overdeveloped in relation to society owing to its origins in the colonial system. In his words:

> The colonial state is therefore equipped with a powerful bureaucratic-military apparatus and mechanisms of government which enable it through its routine operations to subordinate the native social classes. The post-colonial society inherits that overdeveloped apparatus of the state and its institutionalised practices. . . . At the moment of independence . . . those at the top of the hierarchy of the bureaucratic-military apparatus of the state are able to maintain and even extend their dominant power in society

Alavi's analysis of the Pakistani state as an "overdeveloped state" argues that Pakistan inherited a colonial state apparatus that was relatively overdeveloped in comparison to the society in which a predominantly Punjabi military-bureaucratic oligarchy dominated. Despite periodic elections and the installation of democratic regimes, the military directly and indirectly remains the political arbitrator in Pakistan. Further, the state in a post-colonial society is simply not the instrument of any particular class. Rather, it is relatively autonomous *vis-à-vis* the three dominant classes and mediates between the competing and conflicting interests of the three propertied classes, namely the metropolitan bourgeoisie, the indigenous bourgeoisie and the landed classes (Alavi 1972: 62). This is reflective of the "Bonapartist state" as propounded by Karl Marx, which is more applicable to post-colonial states which are invariably not the instrument of any particular class and where no social class is in a position to assert and control the state apparatus (Marx 1977).[3]

Though Alavi's neo-Marxist interpretation of the post-colonial state provided a certain conceptual coherence, the idea of the dominance of the military-bureaucracy in the post-colonial state is not novel. Samuel Huntington in his seminal work *Political Order in Changing Societies*, published in 1968, had already observed: "In countries like Pakistan, the civil and military bureaucracies were more highly developed than the political parties" (1968: 85). Where Alavi's novelty lies is in his understanding of the relationship between state and class and the relatively autonomous character of the post-colonial state from the classes. Alavi's theory still remains the best explanation for the reasons why the military became dominant in the state structure in Pakistan in the early years and continues to be so. It has to be noted, however, that his characterization of the Pakistan state as an overdeveloped state has been questioned by some Pakistani scholars. Mustapha Kamal Pasha has pointed out that Alavi made the error of confusing the overdeveloped coercive apparatus of the state as being the state itself. Pasha (1985: 32) argues that, "the state has only been an overdeveloped structure of coercion, not an expanded state (in a Gramscian sense)

blending coercion and consent." Alavi's state referred to primarily an administrative apparatus of coercion and policy-making. It was weak in its legitimizing functions as well as moral leadership. Reversing Alavi's concept he goes further to say that "the state is under-developed, not over-developed" (1985: 36). Only the coercive aspects were overdeveloped, and an understanding of the importance of hegemony in the effective functioning of the state was missing.

Alavi's theory was developed on an examination of over twenty-five years of Pakistan's post-colonial history. But an examination of Pakistan's history since the end of the Cold War raises questions about the overdeveloped character of the state. Since 2005, the military's hegemony has been questioned and challenged. What explains this change? One has to recognize that in the statist interpretation of the nature of the state in Pakistan, Alavi could not account for the dynamics of change. The Pakistan state may still be relatively autonomous, as class contradictions have not sharpened. But how useful is the idea of the relative autonomous character of the state to today's Pakistan, which has increasingly become weak in its hegemonic role. The power of the state has fragmented, particularly in its control over violence.

Alavi's theory of the nature of the state in Pakistan has been subjected to some critical examination recently. S. Akbar Zaidi (2011: 52) after pointing out the flaws in Alavi's analysis – his inability to examine and understand social forces – raises some fundamental questions about contemporary Pakistan:

> the state's main instrument that determines who actually wields power, the ability to do violence, has also been parcelled out and informalized and localized. The state's writ has been reduced geographically and private militias, goon squads, militant groups that one can broadly call the "Taliban," and such organizations not only manifest their ability to do violence, but also actually challenge the brute force of the state. Power or force, or violence is not concentrated in the Pakistani state alone and numerous groups exercise such power independent of the state.

How did this come about? What went wrong with the "overdeveloped state" thesis? Alavi, unfortunately, does not say much about the role of violence in the post-colonial state. Underlying the concept of the "overdeveloped state" is an assumption that the dominance of the military was the result of its control over the coercive apparatus of the state. But what role the military played in the political modernization of Pakistan – a movement from a traditional to a modern polity – should be subjected to some critical scrutiny. According to Huntington (1968: 34):

> Political modernization involves assertion of the external sovereignty of the nation-state against transnational influences and of the internal sovereignty of the national governments against local and regional powers. It means national integration and the centralisation or accumulation of power in recognised national law-making powers.

While the military in Pakistan has centralized powers, it has not been able to protect its internal and external sovereignty. Its exaggerated external military threats and war-making strategies have only enhanced the vulnerability of the state and its institutions. There has been a total failure in understanding the role of violence in state-making.

The correlation between violence and the state is ubiquitous. To consolidate the nation-state, states make use of violence. It is an integral part of the process of the accumulation of power by the state and this accumulation is necessary for imposing and maintaining order. Max Weber's ideas on the relationship of the state and violence laid the foundations for an understanding of the evolution and nature of states. According to Max Weber (1946: 78):

> a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory . . . the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the right to use violence.

Hobbes had also observed that states try to monopolize violence and this process of centralization was a driving force in state-making. The emergence of the modern state takes place with the disarming of citizens in the process of state-building. The purpose of monopolizing violence is to protect its citizens, not to use violence or resort to the annihilation of its citizenry. Besides the provision of welfare and the representation of its citizens, one of the central functions of the modern state is the protection of its citizens by establishing the rule of law. The monopoly of violence acquires legitimacy with the consolidation of professional militaries, where the military is seen as an institution of organized violence. No other institution in the society or among people can legitimize the use of violence. If the monopoly is not protected and non-state actors thereby resort to violence, the population is not free from everyday violence. In such a situation, the question arises as to whether the authorities are unable or unwilling to prevent it. The privatization of violence is a challenge to the state monopoly of violence. The Weberian concept entails the elimination of private armies and militias. Privatization of violence when not sanctioned by the state is illegitimate. By the logic of the state monopoly of violence, states must ensure that illegitimate violence is prevented or punished.

Weber's idea of the state monopoly of violence can be subjected to some criticism. In practice, a complete monopoly of violence has never existed and non-state actors frequently use violence. Even established western states do not always meet the Weberian criteria of a modern state. And most post-colonial states are not capable of guaranteeing law and order. But they continue to battle violent challenges from dissident groups in the process of accumulating power. In the context of Pakistan, S. Akbar Zaidi (2014: 53) writes:

> Even if one concedes that theoretically the monopoly of violence rests with the state, in the context of Pakistan, that monopoly has been fractured and appropriated by numerous militia and mafias right across the country. Non-state actors are probably more powerful than state actors in many regions of Pakistan, and one is not talking about the Federally Administered Tribal Areas, but Karachi. The state does not any longer have monopoly over violence in Pakistan, and it does not have the ability to tax or to protect its people (including the elite).

Clearly questions can be raised about the state monopoly of violence in the context of Pakistan. The "overdeveloped state" in Pakistan has become weak as a result of the growth of informalized violence, violence by non-state actors and also by the military's policy of sharing its function of legitimate violence with other groups in civil society. Is the state in Pakistan incapable of controlling illegitimate violence or is it unwilling to do so?

A conception of security which focusses excessively on national security viewed as an external threat undermines some of the basic tenets of the need for state-building. On the question of the fragmented nature of power in Pakistan some insights can be derived from the Weberian perspective of the state defined as the monopoly over the legitimate use of violence. It would be instructive to examine how the state in Pakistan has weakened itself by sharing this monopoly of violence as a result of its security policies and war-making strategies.

War-making and state-making

The history of state formation has been one of a very violent process eventually leading to the rise of modern nation-states in the European context. Historically, there has been an interdependence of state-making and war-making. According to Charles Tilly (1985: 170), "war makes states." He argues that war-making, extraction and capital accumulation interacted to shape European state-making (Tilly 1985: 172). State-making involved the imposition of order on contested territorial space and maintenance of order in that territory. This, however, depends on the state's success in monopolizing and concentrating the means of coercion in its own hands within the territory and among the population it controls. That is why the accumulation of power becomes so crucial to the state-making enterprise. However, the logic of accumulating power is to inevitably bring peace to the people (Tilly 1985: 175). Besides other functions "governments organize and wherever possible monopolize violence . . . governments stand out from other organizations by their tendency to monopolize the concentrated means of violence" (Tilly 1985: 171). Thus, in the historical experience of state-making in Europe, states acted as the principal source of "organized violence" and the military became the institution of organized violence. State-making was essentially to take away the capacity of violence in the society and to entrust it to the state. The other function that Tilly refers to is that war-making provided the stimulus to increase the level of taxes. They rose mainly as a function of the increasing cost of war-making (Tilly 1985: 180).

Do post-colonial states have to necessarily follow the same course as that followed by the European states? Unlike European nation-states, post-colonial states were colonial handouts and already exercised authority. But they were not homogeneous political units and still lacked legitimacy. Most of the post-colonial states were divided along ethnic, religious and linguistic identities and the regimes usually lacked the support of some significant component of the population. While these states were unlike their European counterparts, they also had to acquire statehood in a much shorter time-frame. Mohammed Ayoob (1995: 27) argues that post-colonial states had a fundamental compulsion to acquire: "adequate stateness, defined as demonstrated centralized control over territory and population, monopoly over the means of violence within the states boundaries and the capacity to significantly permeate the society encompassed by the state."

Therefore, the ongoing process of state-making in post-colonial societies is manifested through the state's attempts to impose its version of political order, often by force and through the equally frequent resistance to such imposition by substantial segments of the population (Ayoob 1995: 42). Most post-colonial states guarded their internal sovereignty jealously. State sovereignty traditionally implies control over territory, along with independence and reciprocal recognition among states. Challenges by dissidents groups meant challenges to the internal sovereignty of the state. The legitimacy of state sovereignty rests not only on the control of territory but also the neutralizing or suppressing of any armed opposition from within that territory. In the process of acquiring statehood, it is imperative for all post-colonial states to thwart the emergence of armed militant groups within its own territory. And to use force wherever they pose a challenge to the state. Thus, post-colonial states have not hesitated in fighting internal wars whenever they have been confronted with violent opposition. Failure to do so would lead to the weakening of state power.

In its external wars, war-making is to neutralize external rivals. But it entails the eradication of private armies and the establishment of regular, state-controlled professional armed forces. The professional militaries are its legitimate instrument of organized violence. A state can use private militias, but then it would undermine the state monopoly of violence. And

in the process a state can lose control over the means of violence on its own territory. If the purpose of fighting wars is to make states, then the way wars are fought will affect the way states take shape and evolve. In a war, if no clear distinctions are maintained between the government, people and the armed forces, there is certainly going to be an erosion in the state's control and monopoly over violence and a commensurate decline in state capacity. The wars would then resemble what has been referred to as the "new wars" even though this has been said in the context of globalization (Kaldor 2001: 70). Mary Kaldor (2001: 92) has argued that this can lead to "a growing privatisation of violence . . . the new wars are characterized by a multiplicity of types of fighting units both public and private, state and non-state, or some kind of mixture." In the "new wars" the government, people and the armed forces become fuzzy distinctions. In this regard, Saeed Shafqat makes some interesting observations about the Pakistan military. He writes:

> The army has gradually moved away from the Huntingtonian model of professionalism confined to state security and primacy of civilian control to a Janowitzian model of "constabulary military" where interstate wars have been rare but cross-border insurgency and internal law enforcement have become the military's key function . . . in the past three decades, a generation of military elites has emerged whose war experience is not of "war between states" but a world view that has been deeply shaped by the "new wars" organizing, supporting, training, equipping paramilitary groups (Afghan *Jihad*) and simultaneously combating/monitoring other paramilitary groups (peace missions – Haiti, Somalia, Cambodia, Bosnia, etc.).
>
> *(Shafqat 2004: 120)*

The last official war that Pakistan fought was in 1971. The Kargil war, though now acknowledged as a war by General Musharraf himself, still cannot be considered as an official war. But without fighting an official war since 1971, Pakistan has been constantly at war since the mid-1970s organizing, supporting, training, and equipping paramilitary groups. In the formal wars it has fought, it has also done the same. Even since the time of independence, Pakistan has not been averse to the use of private militias in its war-making strategies. The invasion of Jammu and Kashmir (J&K) by the use of Pashtun tribes (Khan 1975: 25; Nawaz 2008: 45–8; Jamal 2009: 45–50) as its proxies in the summer of 1947 was the germination of the idea of using irregulars to conduct a war. Its results encouraged Pakistan to rely on irregular militias against its enemies in the future and for fulfilling its strategic objectives. Non-state actors were used as combatants in the service of the state's interests. In August 1965, Pakistan infiltrated thousands of *Razakar* and *Mujahid* militias in an operation called Operation Gibraltar to incite an armed uprising within J&K (Nawaz 2008: 206–10; Jamal 2009: 71–3). Subsequently, in 1971 in the repression of the Bengali Muslims in East Pakistan it used the *Al-Shams* and the *Al Badr*, volunteer forces raised from the civilian non-Bengalis settled in East Pakistan with the help of the *Jamaat-i-Islami* and its student wing the *Islami Jamiat-e-Tulba* (Siddiqui 2005: 153). This was an internal war it was fighting on its own territory.

The Afghan war and the Kashmir uprising deepened the connections between the Pakistan military and the private militias. Pakistan's involvement with the Afghan Mujahiden goes back to 1974 much before the communist coup in April 1978 and Soviet intervention in December 1979. The politics of aiding the Afghan Mujahiden was largely linked with the geopolitical objectives of the Pakistani ruling elite. At a later stage, covert Pakistani support was responsible for the rise of the Taliban, comprised overwhelmingly of Afghan Pashtuns bred and brought up in the Madrassas located in Pakistan. It was a force that was created by the Pakistani security establishment to control Afghanistan (Rashid 2001). Even after joining the war on terror

in 2001, the Pakistan military continued supporting the Taliban. The Taliban's resurgence in Afghanistan after 2004 again was made possible by direct support from its military intelligence agencies (Waldman 2010). In J&K, Pakistan initially supported the Jammu and Kashmir Liberation Front (JKLF), an independent nationalist organization since the mid-1980s. In an effort to sideline the JKLF, by the early 1990s it replaced it with the pro-Pakistan *Hizbul Mujahiden* (HM). While the JKLF and the HM had cadres from J&K, with the insertion of more virulent Pakistan-based militant Islamic groups like *Harkat-ul Mujahiden* (HuM), *Lashkar-e-Taiba* (LeT), and *Jaish-e-Mohammed* (JeM), it started using its own private citizens in the prosecution of a covert war against India (Hussain 2007: 25). In this way, the secular separatist movement in J&K was Islamized (Hussain 2007: 25).

In 2002, when India mobilized its forces on the western border, threatening a war in response to attacks on its parliament by terrorists, some indications about a likely Pakistani response can be gathered from media reports. The battle plans that were being readied by Pakistan were probably what the Pakistan military had been doing for the past several decades – preparing not for a defensive action but for fighting an offensive war by means of an unconventional strategy and through irregular warfare. This needs to be interpreted from the public statements that were being issued by General Musharraf and the outline of a likely response to Indian war threats which came in response to a question on in what circumstances would he consider using nuclear weapons. In an interview with *The Washington Post* (2002), which needs to be quoted at length, General Musharraf said:

> Pakistan is no Iraq. India is no United States. We have forces. They follow a strategy of deterrence. And we are capable of deterring them. And in case that deterrence fails, we are very capable of an offensive defence. Our forces are capable of offensive defence . . .We are not only on the defensive. We'll take the offensive into Indian territory. That must be very clear to the Indians. Let me add to this. At the moment, if there is anything that they do across the Line of Control, there are thousands, hundreds of thousands of people in Kashmir, Azad Kashmir, our part of Kashmir, who are demanding to be armed. And they will be inside Kashmir. If they think this is going to be a battle between two forces alone, Pakistan will be defended by every man in Pakistan. And this will be such – it is going to unleash such dynamics in this area that their forces will be engulfed by people inside Kashmir who will rise, they have already risen, and people on this side of Kashmir, who are telling me, that you be out, we will take Kashmir. Let me also tell you that there are 150,000 at the moment – roughly – retired army soldiers in Kashmir. In Azad Kashmir. They are from our army. They are retired soldiers who have retired from service over all these years. This is the dynamic, the reality on [the] ground. And they are all brothers and kin across the border, in Kashmir. They want to fight for them. So such dynamics will be unleashed if they ever attempt to cross the Line of Control, which maybe even I may not be able to control.

While General Musharraf spoke of every man in Pakistan defending Pakistan and the 150,000 retired soldiers who would take Kashmir, he did not mention the 500,000 or so (according to some assessments on Islamic militancy in Pakistan) members of *Jihadi* organizations in Pakistan.[4] To use tribals, irregulars and *Jihadis* was not a new strategy for the Pakistan military anyway. The history of Pakistan's wars in 1947 and 1965 in Kashmir, the 1971 East Pakistan crisis, its proxy war in Afghanistan since the mid-1970s and subsequently in J&K after 1989, reveal that the Pakistan military has not been averse to using irregular forces and private militias.

The Pakistan military has involved its own people and civil society in its wars. The army of the Mujahiden, which it terms as its "strategic assets," are a private army that the Pakistan military have taken recourse to in its military engagements with India and Afghanistan. They are referred to as non-state actors and allow the Pakistan state deniability in using force across its borders, extending its strategic frontiers and acquiring "strategic depth." The Pakistani state has been able to distance itself from these politically unpopular acts by "privatizing the supporting structures" in pursuing these policies. This has been accomplished by supporting the Kashmiri insurgents and other militant forces through non-governmental organizations run by retired army and intelligence officials and private organizations (Neuman 1995: 69).

There is another reason why fighting wars is important to the preservation of the garrison state. In the classic garrison state, the citizens are made to believe in the inevitability of war and the need to maintain the garrison state. In an interesting analogy of war-making and state-making as essentially organized crime, but with the advantage of legitimacy, Tilly (1985: 171) argues that war-making has become a "protection racket." He writes:

> consider the definition of a racketeer as someone who creates a threat and then charges for its reduction. Governments' provision of protection, by this standard, often qualifies as racketeering. To the extent that the threats against which a given government protects its citizens are imaginary or are consequences of its own activities, the government has organized a protection racket. Since governments themselves commonly simulate, stimulate, or even fabricate threats of external war and since the repressive and extractive activities of governments often constitute the largest current threats to the livelihoods of their citizens, many governments operate in essentially the same way as racketeers.

The military in Pakistan has assumed the role of the protector (racketeer). A security narrative that projects India as an existential threat and a strategic objective of dominance in Afghanistan helps in playing this protector role. But the private militias they have created to deal with the two neighbouring countries have become a source of insecurity within Pakistan. The military has undermined the stability and cohesion of Pakistan by helping to strengthen the same forces that challenge it today. The military now assumes the protector role from the threats that it has created. It makes itself indispensable to the protection of its own population. Without the need for its protection, the pivotal role of the military in Pakistan society would be in question (Paul 2014: 185). Thus the state is able to create a narrative that the external threats necessitate the prioritization of national resources. This also enables the state to seek rents from its benefactors like the US. In a paradoxical way the argument is that the conflict with India is preventing the military from severing its ties to the private militias. Pakistan has nuclear capability to deter India, and therefore the likelihood of formal wars in the future is very remote. But the nuclearized environment in the region allows space for informal wars. And as long as the Pakistan military engages in the informal wars by relying on the private militias, the informalization of violence within Pakistan will grow. But there is something distinctive in Pakistan's war-making strategies which one needs to understand, and that is how it has instrumentalized religion in its war-making strategies.

The use of Islam in Pakistan's war-making strategies

Max Weber (1946) in his seminal lecture reflecting on the question "what is the state" makes no reference to religion. Similarly, Charles Tilly also in his argument of war-making as state-making

does not tell us what role religion has in war-making. That is, ostensibly, because they were developing their ideas about the rise of the modern nation-state. The assumption was about the rise of modern nation-states where nationalism was defined in secular terms and not by religion. The modern nation-state is an antithesis to the religious wars of the pre-Westphalian period. Modernization theory also premises the process of political modernization as a transition from a traditional polity to a modern polity with the gradual erosion of primordial identities.

Interestingly, Hamza Alavi in his formulation of the "overdeveloped state" makes passing references to the role of religion in the post-colonial state, despite the fact he was addressing a post-colonial state that was already Islamic in character. He says that the military-bureaucratic oligarchy uses the slogans of "Muslim nationalism" and the virtues of "Islamic solidarity" to denounce linguistic or regionalist opposition movements. The "ideology of Islamic unity" is "employed to deny the validity of the claims and demands of the less privileged groups, namely Bengalis, Sindhis, Pathans and Baluchis, for the recognition of their distinct identity and needs" (1972: 76). First, this gives us no indication in what way the contradiction between class and religion will be resolved. Second, the slogans of "Muslim nationalism" and "Islamic solidarity" sound too benign in comparison to how they have been used for state consolidation in Pakistan. Eventually, "Islamic solidarity" and the "ideology of Islamic unity" had to be backed by the coercive apparatus of the state. It resulted in fissiparous tendencies, leading to the separation of East Pakistan on the basis of linguistic nationalism. Baluchistan continues to simmer.

Clearly, the use of Islam in state-building has had its problems. And therefore the modern state's use of religion in its war-making strategies cannot be without complexities. To the counter-factual question as to whether the Pakistan military really needed to resort to religion in its war-making strategies, there will be no clear answers. Farzana Shaikh (2009: 148) points to a widely held assumption that the military "was under no pressure to accommodate Islam or yield to the temptation of mobilizing its symbols in order to shore up its authority." The military's embrace of Islam was largely to do with the question of Pakistan's unresolved national identity in the wake of partition. It became the principal tool to strengthen Pakistan's identity for both the civilian and military leaders. In the uncertain early years of independence, Islam came to serve as an instrument of social cohesion as well. The decision to make Pakistan an Islamic state and to employ Islam as the ideology of the state was to unify Pakistan. The military also increasingly linked itself to this ideology of Pakistan and assumed a protectors role. However, it has been argued that despite inheriting the professional ethos of the British colonial army, the military was moving towards adopting an Islamic ideology very soon after independence (Haqqani 2005: 29).

Contrary to conventional wisdom, the embracing of Islam as Pakistan's ideology and defending Pakistan's ideological and physical frontiers began with General Ayub Khan (Fair 2014: 73). Since then, the military has employed Islam for numerous reasons. Under General Ayub, a process of official myth-creation began in earnest. "A large central bureaucracy was created to manufacture an ideology for Pakistan, one that glorified the army as the state's key institution" (Cohen 2005: 67). It instrumentalized Islam in an effort to motivate its officers and the men to fight an enemy that has always been conventionally superior (Cohen 2005: 95). Islamic themes, the two-nation theory and the ideology of Pakistan were explicitly invoked to mobilize civilians as well as soldiers in Pakistan's wars in 1965 and 1971 (Cohen 2005: 90).

The problem in this conception of the ideology of Pakistan is that it has been developed in opposition to Indian nationhood. The two-nation theory as the ideology of Pakistan creates a framework for a civilizational conflict with India. The concept of *Jihad* is constantly deployed to describe the country's struggle with India and to cast this contest as a battle with non-believers. The military attracts public support by describing Hindu Indians as non-believers and casting

the conflict almost exclusively in religious terms. Thus, conflict with India is portrayed as a *Jihad* against the non-believers who threaten Pakistan (Fair 2014: 90). Understanding the concept of *Jihad* is an integral part of the training in the armed forces. In 1971, the operations against the *Mukti Bahini* were called a legitimate *Jihad* by General Yahya Khan (Fair 2014: 96). Many writers for Pakistan's professional publications use the notion of *Jihad* to describe the defence of Pakistan's ideological and territorial integrity (Fair 2014: 97). In these publications, there is frequent resort to characterizing the conflict with India as a *Jihad* (Fair 2014: 100).

When General Zia-ul-Haq came to power in 1977, he proposed an extensive restructuring of the country's key institutions and political processes in accordance with Islamic values. While Islam was reinforced as state ideology it was actually used by him to create legitimacy for his rule. Under General Zia a new discipline called "Pakistan Studies" was established and "became the vehicle for the promulgation of an often distorted vision of Pakistan, its origins, and other states, especially India" (Cohen 2005: 68). He also promoted Islamic orthodoxy within the military. He allowed the *Jamaat-i-Islami* to make inroads into the armed forces. The links with the *Tablighi Jamaat* also grew. A number of officers and men openly associated with the *Tablighi Jamaaat* and attended their annual meetings. Under General Zia, Islamic training and philosophy was introduced to the curriculum of the command and staff college. Even earlier, military education had always emphasized Islamic principles, teachings and history as well as the careers of Muslim military heroes. Officers were taught to be not just professional soldiers but also soldiers of Islam (Cohen 1998: 95–6). The issue of identity to a less-confident younger generation of officers commissioned after the 1971 war was partly resolved with General Zia's image of the Pakistan army as an "Army of Islam" entrusted to protect the territorial and ideological frontiers of the state. From the debates within the military in the late 1970s and 1980s about Pakistan's identity emerged a discourse that while the frontiers of the state of Pakistan were territorially demarcated, the boundaries of the nation were not. General Zia moulded a military whose role as the defender of the "territorial and ideological frontiers of the state" probably settled the question of Pakistan's identity (Shaikh 2009: 157–8).

In the 1980s, the change in the social composition of the officer's corp also led to the ideological reorientation of the Pakistan military. Assignments in the Gulf region also strengthened religious orthodoxy in the Army (Rizvi 2000: 246). The Islamic revolution in Iran in 1979 also had an impact. A number of officers talked of an Islamic revolution in Pakistan as well (Rizvi 2000: 246). It was around this time that there began to emerge signs of a recognizable symbiosis between senior military officers and those parts of the religious establishment committed to a vision of transnational Islam (Shaikh 2009: 153). During the 1980s and 1990s, the objectives of the "*Jihadist* movement" in Pakistan were also more in line with the regional strategy of the Pakistan military establishment – the liberation of Kashmir and installation of a Pashtun Islamist government in Afghanistan – which aimed at redressing the regional strategic balance with India (Hussain 2007: 53). By identifying the proxy war in Afghanistan and Kashmir with *Jihad*, Pakistan sought to project the conflict as a just war in order to gain legitimacy for violence within Pakistani society as well as in the Islamic world. This ensured a mass base for recruitment of the private militias from far-flung Islamic countries.

The military was able to mobilize "private armies linked to religio-political groups by re-casting the military conflict with India as a religious war" by "'privatising' the concept of *Jihad*" (Shaikh 2009: 165). General Zia's realization about the limits of state control and also US manipulation led him "effectively to relinquish control over the day-to-day management of the war to privately armed groups" (Shaikh 2009: 165).

The elected or democratic governments in Pakistan were no different from the military regimes in their war-making strategies. Zulfiqar Ali Bhutto also came to rely on Islamist groups

to secure Pakistan's objectives against Afghanistan. In late 1973, he approved plans to recruit conservative pro-Islamic groups to mount an insurgency in Afghanistan against the powerful Afghan premier, Mohammad Daoud, whom he accused of inciting Pashtun nationalism and of encouraging Pakistan's Pashtun population to press their claim for an independent Pashtunistan. A new cell called the "Afghan Cell" was created for this purpose (Kux 2001: 220). The backing of civilian governments in the 1990s in favour of the use of *Jihadi* groups as strategic assets in Afghanistan and Kashmir continued. Benazir Bhutto and Nawaz Sharif who held power in turn as prime ministers during this period acquiesced with the military in the pursuit of Pakistan's regional policy. In her second term beginning 1993, Benazir Bhutto nurtured the Taliban. They took power in Afghanistan in September 1996 when a democratically elected government was in power in Pakistan.

General Musharraf seized power in October 1999 vowing to restore national institutions but he also made use of Islam during his tenure. His agenda was immediately undermined by the military's close working relationship with Islamist groups upon which it still relied to pursue its regional objectives General Musharraf garnered support from the US as a result of aligning with the West in the war on terrorism. But in practice he adhered to the belief in the bad Islamist militant and the good Islamist militants like the LeT, the Haqqani Network and the Afghan Taliban. Publicly he railed against Islamist extremism but continued the security establishments' linkages with the good Islamists considered to be their best allies in the struggle against India. No amount of pressures from the US or India has been effective in persuading the Pakistan security establishment to severe ties from the good Islamists.

The use of religion in its war-making strategies has had adverse consequences for Pakistan. The excessive involvement of Pakistan's religious right and the military establishment with the Taliban has had repercussions on civil society in the country. The religious lobbies in Pakistan have been strengthened and emboldened by the successes of their brethren in Afghanistan. It is during this period that radical Islamic forces gained significant clout in state structure and society. The Pakistan security establishment also lost control of most of the armed radical Islamist militant groups which it had initially nurtured. The private militias fighting in Kashmir also started operating from Pakistani territory with total immunity from state authorities.

The consequences of Pakistan's war-making strategies have contributed heavily to the militarization of its own society. The instrumentalization of religion in its war-making strategies have created the space for the growing informalization of violence in Pakistan.

The informalization of violence

The rise and spread of "informal violence" in Pakistan can be traced to the last three decades. By informal violence, one means the violence by non-state actors in contrast to that legitimized in formal state institutions. There are many other entities apart from the state having the capacity to produce violence and contest the state's monopoly over violence. The growth in the number of these non-state actors, their spread and their capacities has led to the informalization of violence in Pakistan. Theoretically, the "overdeveloped state" where the coercive apparatus of the state is strong should have been the instrument of organized violence undermining any other violent contenders contesting its power within its territorial boundaries. In Pakistan today, not only are there too many militant groups, but some of them have also grown immensely powerful. Ironically, this situation is the creation of the Pakistan state itself as a result of its war-making strategies.

Pakistan's use of private militias in the 1947 and 1965 wars in Kashmir did not pose a direct threat to the state. They also did not lead to the informalization of violence within Pakistan.

The spread of violence, which took place under General Zia's regime, was unprecedented and fundamentally different in character. The kind of social engineering that was done under General Zia in rewriting history, reproduction of knowledge and involving Pakistan's civil society in the *Jihad* in Afghanistan led to the informalization of violence. General Zia's "Islamization" rendered Islam into a divisive force, pitting the secular against religious forces, Sunni and Shia, Muslim and non-Muslim. General Zia's Islamization did not only have an impact on the state but did great damage to society. It resulted in the militarization and sectarian brutalization of Pakistan's civil society.

The security establishment's links to the religious political organizations under General Zia increased, as they were essential for recruiting to the ranks of the *Mujahiden*. This interaction in a reverse way also allowed the Islamic fundamentalist parties in Pakistan to extend influence over the armed forces personnel. Pakistan's role as the "frontline state" in the US's Afghan war was too severe on Pakistani society. It is claimed that between 1984 and 1987, 80,000 guerrillas were trained on Pakistani soil (Yousaf and Adkin 1993: 115–17). Between 1977 and 1987, a large proportion of weapons meant for the Afghan guerrillas filtered into the illegal arms market (Smith 1993). A steady flow of Afghan refugees contributed to the large illegal arms market and a burgeoning heroin trade injected both weapons and syndicate organizations into the social life of the major urban centres in Pakistan (Hussain 1989: 231).

During General Zia's regime, with political parties banned and all venues for protest through legal means closed, polarization within civil society intensified (Mazari 1996: 102–3). A lack of public confidence in the ability of the state to provide security motivated more and more people to seek alternative support mechanisms to obtain security against physical threat. It was not difficult for such groups to acquire a high degree of firepower from the illegal arms market (Hussain 1989: 231). A major legacy of the militant culture, encouraged by Pakistan's involvement in Afghanistan and Kashmir, was the emergence of what is referred to as the "Kalashnikov culture" – easy and ready access to sophisticated small arms, which transforms militant groups into paramilitary organizations with a great deal of firepower (Shaikh 2009: 173). This militant culture has spread throughout Pakistan and in Sindh, specifically Karachi, there has been a significant growth in criminal violence. Quite often the state has to deploy the paramilitary Rangers to quell such criminal violence. There has been an ongoing operation in Karachi since September 2013 by the Rangers against the rising criminal violence.

The overt Islamization of Pakistan under General Zia, the use of Islam in Pakistan's war-making strategies and the Afghan war were not the only causes for the informalization of violence. There were many other reasons as well. The Afghan war was not the only reason for the spread of small arms in Pakistan. Indigenous production in small cottage industries has been going on for years in places like Darra Adam Khel in KPK. According to a study published in 1996 the number of people involved in the illegal arms industry was around 50,000 (British American Security Information Council 1996: 4). Claims by local manufacturers suggested that Darra had the capacity to manufacture one hundred light weapons per day (British American Security Information Council 1996: 7). One can raise the question, why has the state never seriously planned to curb this illegal production?

The economic decline since 1988 after the adoption of a neo-liberal economy also created conditions for the growth of the private militias. The economy was considerably weakened by the impact of the Structural Adjustment Programme (SAP). The consequence were a declining growth rate, a rise in the rate of inflation, unemployment, and an increase in income inequality and poverty (Hussain 2003: 130–1). Throughout the 1980s and 1990s, Pakistan was spending less than 1 percent on health and less than 2.5 percent on education. The state had retracted from a large number of development functions. The cut in public

expenditure on social development had a severe impact on the working class and poor. Poverty which had declined in the 1970s and 1980s, increased after Pakistan followed the IMF/World Bank-sponsored SAP (Zaidi 1999: 322). The rolling back of the state from the sectors of development and governance created space for the Islamists. The seeds of social conflict, sown with the breeding of the religious militant groups, began to erupt and feed off the poverty and unemployment associated with the economic recession of the 1990s.

One of the reasons why violence has become so acceptable within Pakistani society is the powerful religious justification that has been used in motivating many to fight for *Jihad*. Education, which plays an important role in ideological and cultural reproduction, can easily promote a culture of violence. The rise and growth of the Madrassas in Pakistan following the massive influx of aid since the early 1980s led to the rise of this culture. The Madrassas, which perform an important role in Pakistan's Muslim society by imparting much needed education to the country's poor, became no longer just centres of learning. They played an enormous role in fanning differences between sects and took on the task of recruiting young impressionable minds for *Jihad*. At the height of the Afghan war many new Madrassas opened, mostly along the borders with Afghanistan in KPK and Baluchistan. Almost all belonged to the hardline Sunni religious parties like the JI and the JuI. Students that come out of these seminaries have few skills that would encourage them to follow traditional careers in scholarship and religious services, or would allow them to join the mainstream economy. Many join the ranks of extremist Islamist parties and sectarian organizations. A chain of Madrassas such as *Jaamia Darul-Uloom-Haqqania* based at Akora Khattak in KPK, *Jamiat-e-Ulema-e-Islam* based at Binori Town (Karachi) in Sindh were predominant in recruiting young men and boys for *Jihad*. These Madrassas encouraged their students to join the "holy war" (Hussain 2007: 80). The Taliban was a product of hundreds of Madrassas located in the Pashtun belt on the border with Afghanistan.

Since the 9/11 terrorist attacks on the US, the curriculum taught in the Madrassas in Pakistan has been under scrutiny. The Musharraf regime recognized the need to reform the Madrassa system and revise the curriculum being taught there. This did not meet with much success. However, what is probably of more serious concern is what has been brought out in a report on the curricula in school textbooks in Pakistan. The report reveals that it is not only the Madrassas that are spreading hatred, sectarianism and religious bigotry, but also the prescribed government textbooks. Social studies texts for the junior grades in Pakistan's public schools instruct students in the concept of *Jihad* and martyrdom. These concepts were incorporated into the Pakistani curriculum after the beginning of the Afghan war against the Soviet troops. The textbooks in the subjects of Urdu, English, Social Studies and Civics from Class I to Class XII contain material that is directly contrary to the goals and values of a progressive, moderate and democratic state and encourage students to take part in *Jihad* and martyrdom (Nayyer and Salim 2005).

The report suggests that the political classes have promoted it deliberately. "Over the years, it became apparent that it was in the interest of both the military and the would-be theocrats to promote militarism in the society. This confluence of interests now gets reflected in the educational material" (Nayyer and Salim 2005: 79). Courses and syllabi continue to promote the ideology of Pakistan as well as Islamic principles and teaching. It has been observed in a more recent report, "Teaching Intolerance in Pakistan: Religious Bias in Public School Textbooks" (United States Commission on international Religious Freedom 2016), that a large number of school textbooks continue to glorify war and violence. The report evaluated 78 textbooks from different subjects like Urdu, Islamic Studies, Pakistan Studies, and Social Studies/History from grade five to ten from the four provinces. Twenty-four out of the seventy-eight books were found to contain biases. The report says:

> The foremost reoccurring trend in textbooks from all grade levels is an overemphasis on the glorification of war and war heroes. In particular, the conquest of Sindh by Mohammad bin Qasim and 17 famous attacks by Sultan Mahmood Ghaznavi are included proudly in every textbook. . . . In post-independence history, wars with India are emphasised and examples of peace initiatives largely ignored, resulting in an unbalanced historical discourse focussed on intractable conflict.

Despite a revision carried out in March 2002 by the Curriculum Wing of the Ministry of Education, the problems continue. The challenges to reverse this process are enormous.

Since Pakistan joined the US-led war on terrorism, the informalization of violence has grown. Armed challenges to the state have grown, including loss of control over territory. Areas like South Waziristan and Swat had become militant strongholds. The government had lost whatever little authority it had in the tribal region and it has become a world unto itself, beyond the control of the state. A Pakistani strategic analyst writing in April 2009 worried that, "All put together, 89,568 square kilometres of Pakistani territory is either under complete 'Taliban control,' 'contested control' or 'Taliban influenced'; that's eleven percent of Pakistan's landmass" (Saleem 2009). The sentiment expressed might sound rhetorical but the anxieties about the helplessness of the Pakistan military in dealing with the Taliban on its own territory are obviously clear.

In the settled areas, incidents of violence have been on the upswing. Violence escalated after the commando raid on Islamabad's *Lal Masjid* (Red Mosque) in July 2007 against radical Islamist leaders calling for the imposition of *Shariat* (Islamic law) and the overthrow of the Pakistani government, while inciting local violence. The *Tehrik-e-Taliban Pakistan* (TTP) came into existence after the raid on the *Lal Masjid*. With the rise of groups like the TTP, which were clearly anti-establishment, incidents of violent attacks against ordinary civilians and attacks on symbols of the state grew significantly. Between 2007 and 2016, numerous terrorist attacks have taken place on the army, air force, navy, the ISI, FIA, police, hotels, civil airports, sufi shrines, schools, universities, etc. The TTP aims for the restoration of *Khilafat* and the establishment of a *Shariat*-based homeland. It wants an Islamic revolution and the freeing of Pakistan from western influence. It considers the Pakistani army as "a mercenary army on the payroll of the US" (Valentine 2009: 8). Their *Jihad* isn't limited to Pakistan or Afghanistan but they consider it to be global. They aim to liberate Muslims throughout the world and establish the system of *Shariat* all over the world (Valentine 2009: 8).

While the TTP publicly exhorts for an Islamic revolution in Pakistan, many others do not. But the hopes of an Islamic revolution in Pakistan are shared across all the religious and the radical armed militant groups. The military's *Jihadi* protégés or private militias are not mercenary forces, they are ideologically motivated. Many of them are still dependent on the military for sustenance, but some of them have their separate agendas and have brought the *Jihad* home. Groups like the LeT and the JeM are not under the control of the military and the LeT has grown extraordinarily powerful within Pakistan. The LeT runs hundreds of schools providing free education. It also runs many hospitals across Pakistan and is involved in charity work. It behaves like a parallel state, which can provide public services to the masses. It projects itself as the alternative to the failed welfare state. One Pakistani commentator writes: "Contrary to the general assumption, freedom for Kashmir is not the ultimate goal of this conglomerate. Their ideal is to provide an alternate model for governance and development in Pakistan, and for that MDI's Muridke Headquarters (near Lahore), occupying two hundred acres of land, was built up as a model city" (Abbas 2005: 212). The *Jama'at-ud-Dawa* (JuD) and its leader, Hafiz Saeed, who has a US$10 million bounty placed on his head by the US, continue to function openly despite a ban.

Some of these groups are above the law. They have power and authority of religion and it has become difficult to contest their power. Their growing power reflects the increasing loss of internal sovereignty by the state in Pakistan. The blowback from continuous support to private militias for years is palpably evident now and hurts even the military. This has compelled the state to use force and counter-violence against these militias to restore state power.

Restoring state power

As a result of the informalization of violence, over a period of time, the radical extremist forces and the private militias have gained considerable power and weakened the capacity of the state to govern. The "overdeveloped state" is challenged by the religious right across the board and it has the capability to impose severe limits on state power. The state's hegemony over society has eroded and it finds it difficult to restore state power. The empowerment of the armed private militias has come about as a result of a lack of understanding of the relationship between state and violence. In the last few years, the state has been increasingly using force and counter-violence to exercise state authority. Weakening state power is expressed in the language of security by the ruling elites. States do securitize challenges to law and order, resistance and violence. In Pakistan, sectarian and criminal violence has also been articulated in the language of terrorism by its ruling elites.

The process of restoring state power began with General Musharraf. Since the war on terrorism, the rift with the radical Islamic groups had grown. The linkages were under strain and had evoked strong resistance from the *Jihadi* groups and the Taliban. On January 12, 2002, General Musharraf declared no Pakistan-based terrorist organization would be allowed to indulge in terrorism in the name of Islam. He banned five Islamic extremist groups including the LeT and the JeM. He vowed to suppress Islamic extremist groups challenging the authority of the state and rein in radical Madrassas. Efforts under General Musharraf's regime to exert control over these groups and the Madrassas across the country by proposing to change their curriculum and surveying their operations did not succeed. On both fronts, it chose not to proceed beyond verbal proclamations after fearing a widespread extremist Islamic reaction in Pakistan.

While this reflected limits to state power, there is, on the other hand, ambivalence in the military's support for the private militias and their agendas. The military continues to selectively support proxy private militias in Afghanistan and Kashmir. The Afghan Taliban and the Haqqani network operate from Pakistani soil and ostensibly receive support to influence a post-ISAF withdrawal from Afghanistan. The LeT and the JeM still remain its best allies in its war-making strategies against India in Kashmir. The military continues its deceitful policy, making a distinction between the good Taliban and the bad Taliban. It is very difficult to make these distinctions. An abrupt disengagement with the private militias is unlikely. But there is no clarity on how to go about it and no clear policy on the challenges it faces.

In the absence of a clear policy, force is the primary instrument being used against the Islamist militant groups. Over the last several years, the government has engaged with the Pakistani Taliban groups in Waziristan, Swat, Dir, Bajaur, Mohmand and elsewhere. The military has moved decisively against those militants that pose a direct challenge to its authority like in the main stronghold of the TTP in South Waziristan. But it continues to avoid military engagements that would put it in direct conflict with the Afghan Taliban, specifically the Haqqani network in North Waziristan. The army has also carried out four major military operations against factions of the Taliban (Gul 2012)[5] in South Waziristan since 2004.[6] All the military campaigns have been followed by a cease-fire and a short-lived peace agreement. The army was forced to sign a truce with Nek Mohammad on April 26, 2004 in what was known as the *Shakai*

agreement. Within a week he launched a series of attacks on military posts. Baitullah Mehsud came to prominence in February 2005 when he signed a peace deal with the Pakistani government called the *Sararogha* agreement. The deal was short-lived and since 2006 he has virtually established an independent zone in parts of South Waziristan (Abbas 2008: 3). The Pakistan government signed a number of deals with the TTP. In one such deal signed on April 13, 2009, President Asif Ali Zardari signed the *Nizam-e-Adl* regulation with the Taliban virtually giving it control of the Malakand division. There was no political framework or negotiated settlement. The deals helped the groups to recoup and carry on with their mission as usual. By signing peace accords with the Taliban, the state in Pakistan is willing to allow its sovereignty over its own territory to be challenged.

After an initial reluctance, military operations called *Zarb-e-Azb* were launched in North Waziristan on June 15, 2014. The operations relied excessively on massive firepower and aerial bombardments. The military has claimed that the operation has been successful in flushing out the TTP militants and also the Haqqani network from the North Waziristan agency. There has been no independent verification of these claims as the army managed a virtual blackout of the operations. There is no way to measure the success of the operations apart from the information made available by the military on the number of terrorists killed.

As a reaction to the North Waziristan military operations, the TTP carried out a massive terrorist attack on an army school in Peshawar on December 16, 2014, killing 141 mostly children of military personnel. This attack created outrage in the country and abroad and some referred to it as the 9/11 moment of Pakistan. This attack was intended to hurt the military but also ended up in creating pressures from civil society on the political leaders to take decisive measures against terrorism. The initial reaction to the attack was a knee-jerk one which lifted a moratorium on the death sentence. However, within a short while the government was also able to reach a consensus on a National Action Plan (NAP) to prioritize and strategize counter-terror measures. The NAP is a wish list of twenty points through which the government believes it can deal with the issue of terrorism. The first two points are concerned with the execution of convicted terrorists and the establishment of special trial courts (military courts) for two years. These special military courts are meant to hold fast trials and were introduced through an amendment (21st Constitutional Amendment Bill 2015) to the constitution ("NA Passes 21st Amendment, Army Act Amendment Unopposed" 2015). This came in for criticism as it allowed the military to take a lead in the anti-terrorism campaign as well having implications for civil–military relations. There are many other flaws in the NAP that can be pointed out (Salahuddin 2015). But the question remains, does the government have the political will and a clear strategy to carry out any of these measures? Pakistan needs a more holistic approach to tackle the informal violence. It has to cut off support to all the private militias irrespective of their ideological persuasions and intended targets. In fact, the NAP also affirms a commitment to ensure that no armed militia will be allowed to function in the country.

Despite the stated objectives in the NAP, the Pakistan state is not in a position to enforce hegemony on a number of leaders of the private militias that have acquired a larger-than-life character. Khaled Ahmed observes they are a "measure of the country's lost sovereignty" (Ahmed 2015). They cannot be punished under the country's normal legal procedures. They are being got rid of by extra-judicial means. In December 2014, Malik Muhammad Ishaq, the leader of the anti-Shia sectarian organization *Lashkar-e-Jhangvi* (LeJ), was released after three years in jail on the grounds that there was a "lack of evidence." Despite an apparent ban on the organization within Pakistan since August 2001, LeJ continues to operate with a great measure of freedom and exerts significant influence in Punjab. In a turnaround, Malik is

believed to have been killed by the police in an encounter in July 2015, while Riaz Basra was also similarly got rid of. This has led to speculation that the state security forces are probably resorting to extra-judicial killings in order to tackle the challenge of sectarian extremism. Such questionable methods might provide short-term relief but they do not address the underlying issue of sectarianism (Hamdani 2015).

The operations against the radical Islamic groups have largely left Punjab untouched. In 2014, Punjab province saw an escalation in violence. The province has served as an ideological sanctuary and a recruitment ground for many of the radical Islamic groups in Pakistan. This dismal situation has been created primarily due to the tacit support provided to these groups by the federal and provincial governments. As in the past, numerous instances of such support came to the fore in 2014. It has been reported that the Punjab government has been helping the JuD with government funds ("Pakistan's Punjab Government Allocates Funds for JuD Centre" 2016; "Pakistan 'Gave Funds' to Group on UN Terror Blacklist" 2010).

Even though there is no clarity about the measures that the government is taking to restore state power, the possibilities, however, of a public debate on this has opened up. General Musharraf in a speech on January 2002 said that, "Pakistan is not facing any threat from outside . . . the real threats are posed from within" (Shaikh 2009: 177). While open to interpretation, statements by General Kayani after 2012 have given a sense that there is recognition that domestic terrorism had become a bigger threat than India. On August 14, 2012, General Kayani warned that if militancy was not eliminated, the country would be at the risk of civil war ("Militancy Poses Risk of Civil War, Warns Gen Kayani" 2012). In January 2013, there were news reports about a new army doctrine that projected homegrown militancy as the "biggest threat" to national security. For decades, the military considered India as its primary enemy but growing extremism in the country had compelled the military authorities to review its strategy. It gave the impression that, for the first time, it was realized that Pakistan faces a real threat from within ("New Doctrine: Army Identifies 'Homegrown Militancy' as Biggest Threat" 2013).

But the ambivalence continues with different leaders speaking in different voices. In January 2015, in the aftermath of the Peshawar school attacks, there was speculation that the government would ban the Haqqani Network and the JuD among other militant organizations that were functioning in the country. It's still not clear to what extent the Pakistan military can distance itself from the various private militias it nurtured for its war-making strategies against India and Afghanistan. Adviser to the prime minister on national security and foreign affairs, Sartaj Aziz appeared to turn on its head one of the stated goals of the NAP of indiscriminately targeting all shades of militants in the ongoing military operations in the tribal regions, arguing in favour of a more selective approach. "Why should Pakistan target those who do not pose any threat to its security?" questioned Sartaj Aziz. He further said that the Afghan Taliban is Afghanistan's problem and the Haqqani Network is a part of it ("Militants Not Dangerous to Us Should Not Be Targeted" 2014; "Fighting Militancy: Why Should We Antagonize All Groups, asks Aziz" 2014), absolving Pakistan of any role in restraining them. One can presume from Sartaj Aziz's above statement that a fundamental rethinking on the question of power and autonomy of these groups has not taken place.

The dilemma for the state is that a form of irregular warfare in its neighbouring states has been part of its defence structure for more than thirty-five years now, and how will the Pakistani state neutralize the "irregular army." Even, if it does have the will to do it, it will take a long time and a terrible amount of violence within Pakistan. And as Robert Kaplan points out, this is bound to have convulsive effects. Linking Pakistan's weak state to its strategic policies, Kaplan (2012) writes:

> The longer the fighting goes on in Afghanistan and along the Afghanistan–Pakistan borderland, the weaker Pakistan as a modern state will become . . . when states or empires involve themselves in irregular, decentralized warfare, central control weakens . . . supporting decentralized Islamic terrorism from Afghanistan to Kashmir – is having the ironic effect of pulling Pakistan itself apart.

This quote sums up the dilemmas and challenges that the Pakistan state faces. But it also gives clear directions about what the ruling elites need to do.

Conclusion

The purpose of this analysis has been to seek answers to the question about the visible erosion of the dominance of the state in Pakistan. The state's hegemony over society had always been weak, but there has been further erosion and state power is being contested by the coercive capacities of non-state actors. The state is in immense difficulties in restoring state power. In the early 1970s, Hamza Alavi characterized the post-colonial state in Pakistan as an "overdeveloped state" in which the military-bureaucratic elite dominated. It was an interpretation based on the relationship between state and class in post-colonial societies. Alavi's interpretation does not account for the dynamics of change, particularly the way in which the ruling elites pursued state-making.

In its state-making enterprise, Pakistan devoted considerable energy to war-making. Unlike Charles Tilly's arguments about the role of war-making in state-making, Pakistan's war-making strategies have been heavily dependent on its civil population. The increasing violence in society is a consequence of not protecting the monopoly of violence in the state and not eliminating the private militias. Instead of curtailing illegitimate violence, the Pakistan state has used the private militias as an extension of the coercive apparatus of the state. The Pakistan ruling elite's use of Islam in its war-making strategies empowered the religious right, reinforced extremist Islam and supported ideologically motivated private militias, who have grown enormously powerful and challenge state power. Some of these private militias have strengthened to such an extent that they have challenged the state's territorial sovereignty, undermined the writ of the state in many places and ruled by imposing Islamic laws.

War-making in the case of Pakistan has been paradoxical. Pakistan's use of ideologically motivated private militias has challenged the state's monopoly over violence. Pakistan would not have come to this state of affairs if its ruling elites had adhered to the Weberian notion of the legitimization of the monopoly of the means of violence in its state-making enterprise. The state's relative loss of the control of the means of violence has serious implications for its statehood. Almost seven decades of war-making has hardly led to the kind of "adequate stateness" that Ayoob referred to. The consequences of Pakistan's war-making strategies have resulted in a weak and insecure state.

Today, the Pakistan state is engaged in restoring state power through a counter-terrorism policy which relies on the use of excessive force. But it will depend on what kind of counter-narratives the state and military build against the radical Islamist groups in order to legitimize their actions that is going to be crucial in both the short- and long-term in dealing with the challenge of radicalization. It is going to be very difficult to defeat the radical Islamist groups simply by the use of force or counter-violence. It has to establish hegemony over the religious right and radical Islamist forces. The state has only been an overdeveloped structure of coercion. To create hegemony in civil society, the state must transform its coercive character by blending coercion and consent (Pasha 1993: 128).

The choices that the Pakistan military makes in its war-making strategy will be critical to the future of the state in Pakistan. It will require a revision of its strategic policies against India and Afghanistan. Without the legitimization of the monopoly of the means of violence, it will continue to be challenged by the coercive capacities of the non-state actors.

Notes

1 For a representative sample see M.A. Weaver (2003), *Pakistan: In the Shadow of Jihad and Afghanistan,* Viking, New Delhi, p. 7; A. Rashid (2012), *Pakistan on the Brink*: *The Future of Pakistan, Afghanistan and the West*, Allen Lane, New Delhi, pp. 11–12; P. Hoodbhoy (2004), "Can Pakistan Work? A Country in Search of Itself", *Foreign Affairs*, November/December 2, https://www.foreignaffairs.com/reviews/review-essay/2004–11–01/can-pakistan-work-country-search-itself (Accessed on 25 March 2016); P. Cockburn (2010), "Is Pakistan Falling Apart?", *Independent*, 8 October, http://www.independent.co.uk/news/world/asia/is-pakistan-falling-apart-2100865.html (Accessed on 21 March 2016); R.D. Kaplan (2012), 'What's Wrong with Pakistan?', *Foreign Policy*, 18 June, http://www.foreignpolicy.com/2012/06/18/whats-wrong-with-pakistan (Accessed on 15 March 2016).

2 There can be more narratives on the state in Pakistan. For an interesting attempt see, C. Joseph (2009), "Three Narratives on Pakistan State", in S. Das and S. Chakrabarti (eds), *Challenges of Nation-Building in Developing Societies*: *Vignettes from West and South Asia*, K.P. Bagchi and company, Kolkata, pp. 55–61.

3 The idea of the "Bonapartist state" comes from Marx's understanding of the nature of the state established by Louis Bonaparte in France after the coup in 1851. The state did not act in the interest of the bourgeoisie and exercised considerable degree of political autonomy.

4 For such reports see H. French (2002), "Pakistani Militants' Entrenched Network", *New York Times*, May 27 and "500,000 Militants in Pakistan, Say Experts" (2002), *Daily Times*, May 29. Available at: http://www.dailytimes.com.pk/default.asp?page=story_28-5-2002_pg7_16

5 Factions of the Taliban is a reference to a conglomerate of organizations. It is not a monolithic organization but comprises of many organizations loosely knit together. The Taliban initially headed by Mullah Omar is known as the Quetta Shura. The term Punjabi Taliban is used to refer to the *Harkat-ul-Mujahiden*, the *Harkat-ul-Jihad-al-Islami*, the *Lashkar-e-Taiba*, the *Jaish-e-Mohammed* and the *Lashkar-e-Jhangvi*. Punjabis constitute the majority of their cadres. All of them except the JeM originated in the 1980s and the 1990s. The JeM was established in 2000 as a result of a split in the HuM. While the Punjabi Taliban also known as the *Tehrik-e-Taliban Pakistan* and the Taliban have been in existence for over a decade, the Pakistani Pashtun Taliban is a product of the commando raid on the Lal Masjid in Islamabad in July 2007. It was after this that tribal leaders such Fazlullah, Baitullah Mehsud and Hakimullah Mehsud called for a *Jihad* against the Pakistan Army and the ISI in retaliation for the raid. The TNSM has been in existence since the early 1990s.

6 For details see M.K. Mahsud (2013), "The Taliban in South Waziristan". In P. Bergen and K. Tiedemann (eds), *Talibanistan: Negotiating the Borders between Terror, Politics and Religion*, Oxford University Press, New York, NY, and A.M. Weiss (2014), "Pakistan". In A. Guneratne and A.M. Weiss (eds), *Pathways to Power: The Domestic Politics of South Asia*, Rowman and Littlefield, Lanham, pp. 218–21.

Bibliography

Abbas, H. (2005). *Pakistan's Drift into Extremism: Allah, the Army, and America's War on Terror*. New York, NY: M. E. Sharpe.

Abbas, H. (2008). "A Profile of the Tehrik-i-Taliban." *CTC Sentinel*, vol 1, no. 2, p. 3.

Ahmed, K. (2015). "Rule of Violence". *Indian Express*, September 4.

Alavi, H. (1972). "The State in Post-Colonial Societies: Pakistan and Bangladesh". *New Left Review*, no. I/74.

Ayoob, M. (1995). *The Third World Security Predicament: State Making, Regional Conflict and the International System*. Boulder, CO: Lynne Rienner.

British American Security Information Council. (1996). "Light Weapons Manufacture in the Public and Private Sectors: A View from Pakistan". *Project on Light Weapons*. Working Paper 2.

Cohen, S.P. (1998). *The Pakistan Army*. Karachi: Oxford University Press.

Cohen, S.P. (2005). *The Idea of Pakistan*. New Delhi: Oxford University Press.

Fair, C.C. (2014). *Fighting to the End: The Pakistan Army's Way of War*. New Delhi: Oxford University Press.

"Fighting Militancy: Why Should We Antagonise All Groups, asks Aziz". (2014). *Express Tribune*, November 18. Available at: http://tribune.com.pk/story/792914/fighting-militancy-why-should-we-antagonise-all-groups-asks-aziz/. Accessed March 28, 2016.

French, H. (2002). "Pakistani Militants' Entrenched Network", *New York Times*, May 27.

Gul, I. (2012). "Who Is Pakistan's Enemy?". *Express Tribune*, July 11. Available at: http://tribune.com.pk/story/406898/who-is-pakistans-enemy/. Accessed March 24, 2016.

Hamdani, Y.L. (2015). "Pakistan Is the Fountainhead of Sectarian Extremism". *Daily Times*, August 3. Available at: http://www.dailytimes.com.pk/opinion/03-Aug-2015/fountainhead-of-sectarianism. Accessed March 19, 2016.

Haqqani, H. (2005). *Pakistan Between Mosque and the Military*. Lahore: Vanguard Books.

Huntington, S. (1968). *Political Order in Changing Societies*. New Haven, CT: Yale University Press.

Hussain, A. (1989). "The Crisis of State Power in Pakistan: Militarization and Dependence". In P. Wignaraja and A. Hussain (eds) *The Challenge in South Asia: Development, Democracy and Regional Cooperation*. New Delhi: Sage Publication, p. 231.

Hussain, A. (2003). "Terrorism, Development and Democracy: The Case of Pakistan". In S.K. Khatri and G.W. Kueck (eds) *Terrorism in South Asia: Impact on Development and Democratic Process*, New Delhi: Shipra Publications, pp. 130–1.

Hussain, Z. (2007). *Frontline Pakistan: The Struggle with Militant Islam*. New York, NY: Columbia University Press.

Jamal, A. (2009). *Shadow War: The Untold Story of Jihad in Kashmir*. New Delhi: Vij Books.

Kaldor, M. (2001). *New and Old Wars: Organized Violence in a Global Era*. Stanford, CA: Stanford University Press.

Kaplan, R.D. (2012). "What's Wrong with Pakistan?" *Foreign Policy*, June 18. Available at: http://www.foreignpolicy.com/2012/06/18/whats-wrong-with-pakistan. Accessed March 15, 2016.

Khan, A. (1975). *Raiders in Kashmir*. Islamabad: National Book Foundation.

Kux, D. (2001). *The United States and Pakistan 1947–2000, Disenchanted Allies*. Baltimore, MD: Johns Hopkins University Press.

Mahsud, M.K. (2013). "The Taliban in South Waziristan". In P. Bergen and K. Tiedemann (eds) *Talibanistan: Negotiating the Borders between Terror, Politics and Religion*. New York, NY: Oxford University Press.

Marx, K. (1977). "The Eighteenth Brumaire of Louis Bonaparte". In K. Marx and F. Engels (eds) *Selected Works*. Moscow: Progress Publishers, pp. 94–197.

Mazari, S.M (1996). "Militarism and the Militarization of Pakistan's Civil Society: 1977–1990". In K. Rupesinghe and K. Mumtaz (eds). *Internal Conflicts in South Asia*. London: Sage Publications, pp. 102–103.

"Militancy Poses Risk of Civil War, Warns Gen Kayani" (2012). *Express Tribune*, August 14. Available at: http://tribune.com.pk/story/421855/militancy-poses-risk-of-civil-war-warns-gen-kayani/. Accessed March 28, 2016.

"Militants Not Dangerous to Us Should Not Be Targeted". (2014). *Dawn News*, November 18. Available at: http://www.dawn.com/news/1145135.

Musharraf, P. (2002). "There Is Nothing Happening on the Line of Control". *Washington Post*, May 25. Available at: http://www.washingtonpost.com/wp-dyn/artciles/A10049-2002May25.html.

"NA Passes 21st Amendment, Army Act Amendment Unopposed". (2015). *The News*, January 6. Available at: http://www.thenews.com.pk/article-170855-NA-passes-21st-Amendment,-Army-Act-Amendment-unopposed. Accessed March 30, 2016.

Nawaz, S. (2008). *Crossed Swords: Pakistan, Its Army and the Wars Within*. Karachi: Oxford University Press.

Nayyar, A.H and Salim, A. (eds) (2005). *The Subtle Subversion: The State of Curricula and Textbooks in Pakistan, Urdu, English, Social Studies and Civics*. Islamabad: Sustainable Development Policy Institute.

Nayyar, A.H and Salim, A. (eds). *Glorification of War and the Military*. Islamabad: Sustainable Development Policy Institute.

Neuman, S. (1995). "The Arms Trade, Military Assistance, and Recent Wars: Change and Continuity". *The Annals, AAPSS*. vol. 541, p. 69.

"New Doctrine: Army Identifies 'Homegrown Militancy' as Biggest Threat". (2013). *Express Tribune*, January 3. http://tribune.com.pk/story/488362/new-doctrine-army-identifies-homegrown-militancy-as-biggest-threat/. Accessed March 28, 2016.

"Pakistan 'Gave Funds' to Group on UN Terror Blacklist". (2010). *BBC News*. June 16, 2016. Available at: http://www.bbc.com/news/10334914. Accessed March 24, 2016.

"Pakistan's Punjab Government Allocates Funds for JuD Centre". (2016). *The Hindu*, March 18. Available at: http://www.thehindu.com/news/international/south-asia/pakistans-punjab-government-allocates-funds-for-jud-centre/article4826052.ece.

Pasha, M.K. (1985). "Savage Capitalism and Civil Society in Pakistan". In A.M. Weiss and D. Zulfiqar (eds) *Power and Civil Society in Pakistan*. Karachi: Oxford University Press.

Pasha, M.K. (1993). "Islamisation, Civil Society and the Politics of Transition in Pakistan". In D. Allen (ed.). *Religion and Political Conflict in South Asia*. New Delhi: Oxford University Press, p. 128.

Paul, T.V. (2014). *The Warrior State: Pakistan in the Contemporary World*. New York, NY: Oxford University Press.

Rashid, A. (2001). *Taliban: Islam, Oil and the New Great Game in Central Asia*. London: I.B. Tauris Publishers.

Rizvi, H.A. (2000). *Military, State and Society in Pakistan*. Houndmills, Basingstoke: Macmillan Press.

Salahuddin, Z. (2015). "20 Points to Pakistan?" *Foreign Policy*, June 19. Available at: http://foreignpolicy.com/2015/06/29/20-points-to-pakistan/. Accessed March 30, 2016.

Saleem, F. (2009). "Where is the Pakistan Army?" *The News*, April 26. Available at: http://www.thenews.com.pk/daily_detail.asp?id=174334.

Shafqat, S. (2004). "Re-inventing Pakistan: Islam, Security and Democracy – What Is Changing?" In R. Hathaway and R. Lee (eds) *Islamisation and the Pakistani Economy*. Washington, DC: Woodrow Wilson International Centre for Scholars, p. 120.

Shaikh, F. (2009). *Making Sense of Pakistan*. New Delhi: Foundation Books.

Siddiqui, A.R. (2005). *East Pakistan The Endgame: An Onlooker's Journal 1969–1971*. Karachi: Oxford University Press.

Smith, C. (1993). *The Diffusion of Small Arms and Light Weapons in Pakistan and Northern India*. London: Brassey's.

Tilly, C. (1985). "War Making and State Making as Organized Crime". In P.B. Evans, D. Rueschemeyer and T. Skocpol (eds) *Bringing the State Back In*. Cambridge: Cambridge University Press.

United States Commission on International Religious Freedom. (2016). *Teaching Intolerance in Pakistan: Religious Bias in Public School Textbooks*. Islamabad: Peace and Education Foundation.

Valentine, S.R. (2009). *The Tehrik-i-Taliban Pakistan: Ideology and Beliefs*, Brief No. 49. Pakistan Security Research Unit, University of Bradford.

Waldman, M. (2010). *The Sun in the Sky: The Relationship between Pakistan's ISI and Afghan Insurgents*, Discussion Paper 18. Crisis States Research Centre, LSE.

Weber, M. (1946). "Politics as a Vocation". In H.H. Gerth and C.W. Mills (eds) *From Max Weber: Essays in Sociology*. New York, NY: Oxford University Press.

Weiss, A.M. (2014). "Pakistan". In A. Guneratne and A.M. Weiss (eds) *Pathways to Power: The Domestic Politics of South Asia*. Lanham, MD: Rowman and Littlefield.

Yousaf, M. and Adkin, M. (1993). *The Bear Trap: Afghanistan's Untold Story*. Lahore: JJang Publishers.

Zaidi, S.A. (1999). *Issues in Pakistan's Economy*. Karachi: Oxford University Press.

Zaidi, S.A. (2011). "Is Pakistan collapsing?" *Economic & Political Weekly*, vol. 46, no. 25, pp. 19–20.

Zaidi, S.A. (2014). "Rethinking Pakistan's Political Economy: Class, State, Power, and Transition". *Economic and Political Weekly*, vol. 49, no. 5, p. 52.

"500,000 Militants in Pakistan, Say Experts". (2002). *Daily Times*, May 29. Available at: http://www.dailytimes.com.pk/default.asp?page=story_28-5-2002_pg7_16.

9

PROFIT, PROTEST AND POWER

Bazaar politics in urban Pakistan

Umair Javed

Authoritarian, transitional, and, more lately, hybrid are some of the terms often used to describe Pakistan's political system (Adeney 2015). The core fracture around which analysis, and thus nomenclature revolves is the relative balance of power between unelected institutions – primarily the military, but also the judiciary and the civil bureaucracy – and the national and provincial legislatures. Given a history of praetorian intervention in policy areas constitutionally classified as the domain of the elected executive, and three constitution-abrogating, decade-long, military-led regimes, the most recent of which ended nine years ago, it is little surprise that Pakistan's political system is thought to be suffering from a perpetual 'democratic deficit' (Thakar 2008).

However, the simplified dictatorship–democracy binary, and this seemingly perpetual transition in one direction or the other, masks a structural, and apparently more persistent feature of Pakistan's political economy – the enduring political power of socio-economically dominant groups and classes across time and regime types. Going by functional explanations of democratization, this facet can be theoretically rationalized as a product of autocratic restrictions on political participation under military dictatorships. The causal mechanism enclosed therein is that military regimes privilege particular class interests over others – for economic, social, or geo-strategic reasons – and circumscribe the political system in a way to limit popular class mobilization, consequently suppressing voice and representation from below. The corrective path, logically emanating from such accounts, is that a reversion (or transition) to procedural democracy, with free and fair elections, no barriers to contestation, and a withdrawal of coercive practices against civil society actors would broaden the spectrum of voice and representation in the political system.

This would be particularly true for a country like Pakistan where the median voter is poor and such a transition would allow her to hold politicians accountable for pro-poor representation, policy-making, and service delivery.

Needless to say, this is not how previous transitions to civilian-led regimes have worked out in Pakistan. What further complicates this absence of broader representation is that since 1970, institutional channels of participation – such as elections – have been carried out fairly regularly regardless of the civil or military-led nature of the regime. Since Pakistan's first countrywide general election in 1970, there have been national elections for national and provincial legislatures a further nine times, with another six rounds of municipal elections (counting the most recent exercise that concluded in late 2015).

Despite procedural shortcomings, and interference by the military establishment in manipulating results, opposition parties have generally accepted electoral outcomes, and poor voters have consistently participated in greater proportions compared to the more affluent (Wilder 1999: 136).

Yet the political system persistently does not reflect the socio-economic class composition of the country. Spending on public health, education, and social assistance, which would directly benefit the poor, stands at a paltry 3.5 percent of GDP. As a result, the country scores poorly on human development measures compared both globally and in the region. Its HDI score – 0.515 – is ranked 146 in the world, and stands below the South Asian average of 0.57. Nearly 30 percent of the population lives below the poverty line, and while there has been some progress towards the reduction of chronic poverty in certain parts of the country (notably Punjab), socio-economic inequality – with a Gini coefficient of 0.37 – remains a consistent characteristic (Burki 2015).

Barring some cosmetic differences, all political parties are committed to similar policy paradigms – colloquially referred to as neoliberalization – and since 1977, all regimes, civil or military-led, have more or less applied policy prescriptions of privatization, deregulation, increased trade liberalization, and retrenchment of the public sector from a wide range of economic activities. The implementation of these Structural Adjustment Policies (SAP), along with cuts in public development spending to satisfy fiscal deficit requirements of international creditors, has also had an impact on exacerbating economic inequality in the country, especially in urban areas (Cheema and Sial 2012).

At the level of representation, policy platforms of nearly every mainstream political party are emblematic of their class composition, both in terms of leadership and in terms of candidate recruitment and selection. 'Elite-capture' of representative platforms is a recurring theme across Pakistan's political history at the national and sub-national level (Easterly 2001). While regular elections have gradually allowed for an opening up of the political arena to some new entrants, they remain overwhelmingly from propertied segments of society. Evaluation of past local government elections, historically thought to be more democratic platforms of contestation, reveal similar patterns of sociologically undistinguishable elites competing among themselves (Cheema and Mohmand 2008).

Finally, organizations providing representation to working class and popular interests have all but disappeared from the civil society landscape. Union membership currently stands at 2 percent of all non-agricultural labor in the country, while industrial action records shows a paltry average of seventeen events per year over the last decade (Candland 2007). In rural areas, barring a few exceptions, farmer and tenant associations – primarily responsible for protecting the interests of rural share-croppers and wage laborers – are dysfunctional or non-existent.

What adds to the complexity of Pakistan's case (and thus creates the puzzle of persistent political inequality) is that the country experienced a working-class-led upsurge from below during the late 1960s and early 1970s. This period – which can be labelled as Pakistan's populist interregnum – culminated in the overthrow of General Ayub Khan's military dictatorship in 1968, and the subsequent victory of the left-leaning Pakistan People's Party (PPP) in the 1970 general election. Both the movement and the election marked the high points of a decade that saw industrial union action at a scale unmatched since then, and agitation activity by peasants, students, and urban laborers across much of the country (Jones 2003).

Following this period of class-based mobilization, the government led by PPP's Zulfikar Ali Bhutto undertook a series of policy measures that expanded the state's welfare footprint, increased employment, and nationalized key industries. However, in a bid to consolidate power, Bhutto undercut independent opposition forces by unleashing the coercive capacity of the state

on trade and farmer unions, as well as against ethno-national opposition parties. Following this period of enforced 'cooling down', civil unrest over results of the 1977 elections led to the army intervening again under General Zia-ul-Haq. The coup marks the start of the political re-entrenchment of the propertied classes following the brief populist interlude, and the complementary demobilization of the working class, which continues to this day.

The 1977 coup is the starting point for this chapter, as it seeks to explain why Pakistan experiences persistent political inequality, both in terms of representation as well as in the domain of governance and policy. The principle argument posits two intertwined processes that have contributed to the current structure of political and socio-economic power: first, changes in the country's demographic and economic foundations – rapid urbanization and informalization – have transformed relations within and across social classes, thus limiting the space for horizontal, class-based political mobilization. Second, the emergence and consolidation of what are known as the 'intermediate' or 'bazaar' classes – in informal manufacturing, construction, transportation, and most importantly, in the retail/wholesale sector – play an important role in limiting the extent to which representative avenues can channel pressure from below. This limiting is a consequence of these intermediate classes actively monopolizing the public sphere, embedding themselves in structures of political power, and closing off space for alternative forms of political mobilization.

This chapter will first review the recent literature on persistent class inequality in Pakistan's political economy. It will then provide an overview of the structural changes taking place over the past three decades, which have contributed to the transformation of Pakistan's class structure. The chapter then builds on eight months of fieldwork in the country's second largest city, Lahore, to provide empirical insight into the politics of the bazaar class, and the societal processes through which class power and domination is produced and preserved. Finally, the last section concludes by reviewing prospects of substantive democratization and broader representation in the country's power structure.

While this chapter draws on existing macro-accounts of Pakistan's political economy, it will primarily focus on urban areas in the most populous province, Punjab. There are three main reasons for this. First, Punjab, by virtue of its economic and demographic size, has an overwhelming impact on politics at the national level. Political parties winning a majority of seats in just Punjab are far likelier to form a government at the centre, and thus dominant groups within Punjab have a far greater impact on policy-making than dominant groups elsewhere. Second, the smaller provinces have a long history of ethnic mobilization internally and against a centralizing state, and thus political fractures have crystallized along ethnic lines in both the pre- and post-populist period. Punjab, on the other hand, has little history of ethnic mobilization, and thus provides a prime case to study the political economy of class relations. Finally, a focus on urban areas is dictated by the absence of persuasive explanations for the nature of politics in towns and cities, unlike for rural areas where power structures are reasonably well documented. This becomes even more pressing given the rapid rates of urbanization witnessed across the country.

Politics of patronage

In large parts of the global South, political inequality in both procedurally democratic and authoritarian regimes is explained by the persistence of patronage politics and clientelism (Brun and Diamond 2014). The case of South Asia, and particularly of Pakistan is no different. Patronage politics here is defined as the provision of targeted goods and services, largely (though not exclusively) from the resources of the state, in exchange for votes and

political support. This 'vertical' form of political participation ensures that particular social groups – those with access to public and private resources – are able to retain power by 'buying off' the consent of the less privileged.

At their most basic, arguments employing patronage politics as an explanation for inequality ascribe an instrumental logic to political action. An 'exchange' of some kind – votes for favours/food/cash/employment – takes place to maintain a sub-optimal political equilibrium. However, more nuanced versions, such as work by Auyero (2000) in Argentina, explain the moral and cultural aspects of patron-client ties, and in many cases, the begrudging participation of the 'clients' to resolve problems that would otherwise remain unsolved. This facet of politics becomes more pronounced in countries where there's a gradual retrenchment of the welfare functions of the state, during times of economic crises or under 'stabilization' programs.

As Brun and Diamond argue, clientelism or the specter of patronage politics is most likely to emerge in those aspects of public policy that remain neglected, such as social policy functions (Brun and Diamond 2014: 33). This is a result of several complementary processes. In the first instance, globalization and the entrenchment of liberalized trade regimes have initiated a process of deindustrialization across many parts of the global South. Countries without a significant manufacturing sector, and with exports consisting heavily of primary commodities at the time of liberalization, find it difficult to expand their production base after exposure to the world market. This coupled with decreasing productivity in agriculture makes economic growth contingent on distributive and informal sectors of the economy such as retail and wholesale trade, petty manufacturing, and construction.

Surplus labor in rural and urban areas thus face fewer stable, skill-enhancing opportunities in the job market, eventually settling for precarious work in the sectors mentioned above.

The role of networks – primordial or spatial (especially found in slum areas) – is therefore crucial in securing work, or securing safety nets in instances of unemployment. Brokers, fixers, and intermediaries, who have access to private and public resources through government bureaucrats and politicians, often distribute food, shelter, and medicine – the most basic and urgent requirements for the rural and urban poor. In return for the provision of these goods and services, corvée labor is extracted, especially in rural areas, and political support is generated 'from below' during election time. This particular logic of politics remains compatible with mass participation found under procedural democracy.

The case of Pakistan is no different. Studies situated in rural areas document the enduring power of landlords despite the institutional and social changes of the past forty years. In a recent ethnographic account, Nicolas Martin (2015) highlights how utilization of kinship networks, and relationships of reciprocity with state officials remain central to the perpetuation of rural hierarchies. Through ties of association built on tenancy relations, patronage and in many instances debt bondage, the rural elite ensures pliant participation from landless laborers and other members at the lower tier of rural society. Contrary to twentieth-century accounts of peasant cultivators and rural laborers participating in a 'moral economy' of deference and servitude, new ties of patronage are built through more transactional and outright coercive relations. Deepening agro-capitalism, in the process, has also led to some changes at the top of the power pyramid, as a more ruthless agro-commercial upstart class has displaced the conventional 'gentry' elites.

Hassan Javid's (2013) work on Punjab's politics spans a broader historical period and looks at the relationship formed between the civil-military state structure and members of the landed elite from the colonial era to the present. Employing process tracing techniques to assess the 'path-dependent' reproduction of autocratic governance and landed elite power, Javid argues that key alliances formed by first the colonial state and subsequently the military after partition,

with members of the landed class, allow the former to obtain social control and 'consent from below', while the latter is able to secure access to state resources.

Through this patronage-based alliance, the landed elite becomes a key intermediary between the state and rural masses, which allows it to capture institutions of representation, such as the legislative assemblies. Once in power, the elite is able to shape policy on issues of land taxation, land reform, and tenancy protection, all three of which are central to reproducing the socio-economic privileges of a rural upper class. This 'capture' of the state and thus the institutional reproduction of power has happened despite the appearance of significant critical junctures, such as decolonization and partial democratization, in the past 150 years. Apart from the populist interregnum between 1968 and 1977 that threatened to reshape power relations, the persistence of rural hierarchy and the logic of patronage underscoring it have remained constant.

When read in conjunction with earlier works on similar themes by Saghir Ahmad (1977), Shahnaz Rouse (1988), and Hamza Alavi (1974, 1976), these two insightful studies provide a comprehensive account of continuity and disruption in rural society in Pakistan. However, accounts dealing with similar issues of power, social class, and hierarchy in Pakistan's urban areas are few and far between. Apart from some commendable analysis of violence and ethno-nationalist politics in the biggest metropolitan center, Karachi (Gayer 2014; Verkaaik 2004; Khan 2010), the country's cities remain significantly understudied. This, as detailed in the next section, is a major gap in overall understandings of Pakistan's political economy, given the economic and demographic transformations of the past few decades.

A notable exception on this front has been Aasim Sajjad Akhtar's Gramscian reformulation of Hamza Alavi's (1972) original conception of a military-coordinated oligarchic structure of power in Pakistan. Akhtar (2008) argues that changes in the economy have expanded the composition of the country's ruling coalition to include religious actors and the intermediate classes as new patrons in the 'historical bloc', which already included the landed elite, large industrialists, and metropolitan interests. The urban and rural poor, classes completely absent from Alavi's state-centric account, participate in the unequal political process as a way of 'common sense'. Seeking patronage, therefore, from members of the historical bloc – as opposed to engaging in class-based resistance – is taken as the safer course of action in a highly stratified social sphere.

In Akhtar's account, contemporary patterns of social relations can be traced back to the 'cooling down' period ushered in by the military after its takeover in 1977. Hence, the permanent institutions of the state practiced coercion against populist parties and unions, and instituted patronage politics – through the dominant and intermediate classes – as the primary logic of political activity.

Though a welcome and much-needed addition to existing studies of Pakistan's politics, Akhtar's thesis is less clear about the processes through which the intermediate classes became embedded in structures of political power. It also assigns a causal and ontological primacy to the bureaucracy and even more so to the military in the realm of social action, rather than tracing economic, political, and cultural practices at the societal level. There is no doubt that the military plays an integral role in Pakistan, but production of class power and class distinction often takes place at the micro-level, and increasingly reflects itself through rather than because of the state.

Urban reality

The reason this chapter focuses on the country's urban social sphere is simple. As a result of socio-economic changes since partition, Pakistan currently stands as the most urbanized country in South Asia, with a conservative estimate of 40 percent of its population (about seventy-three

million individuals) residing in urban centers. Urban areas have grown at an average rate of 3 percent per year since 1947 and the urban share of the population is expected to rise to 50 percent by 2030. In other words, urban areas will host a total of 116 million people in another sixteen years.

Over half of Pakistan's urban population lives in large cities of more than one million people each. In total, fifteen cities with a population of over 500,000 each account for 63 percent of the total urban population, while the remaining 27 percent resides in smaller towns and cities across the country. Within the extant urban population, 90 percent reside in the eight largest cities, five of which are in the province of Punjab. This shows the extent of concentration of the urban population. Collectively, these eight cities in Pakistan account for 57 percent of the total urban population, and 23 percent of total population (World Bank 2014).

Apart from the metropolitan center of Karachi, urbanization and urban growth in smaller cities and towns has been a hallmark feature of socio-economic development in Punjab. Using GIS-based techniques, researchers have shown that nearly 90 percent of all rural settlements in Punjab are no further than 1.5 hours away from a town of at least 100,000 individuals (Zaidi 2014). Beyond outdated urban–rural categories employed by the census administration, this shows that the experience of urbanism – urban lifestyles and new economic conditions – is now supremely widespread in a country that has historically been characterized and analyzed as agrarian (Qadeer 2006).

Increase in Pakistan's urban population, over and above the natural population growth rate, has been driven by a number of economic and non-economic factors. Chief among these has been internal economic migration – particularly salient in Karachi and the large cities of Punjab – as well as migration as a result of conflict-driven resettlement from Khyber Pakhtunkhwa and Baluchistan to other parts of the country.

While the early decades after partition witnessed an influx of rural-to-urban economic migrations towards a nascent manufacturing sector, the previous three decades have seen the services sector take the lead in driving economic growth, and consequently, urbanization.

In 2015, the services sector now accounts for 54 percent of total GDP – up from 47 percent in 1980, and employs approximately 35 percent of the population – up from 27 percent in 1980. By way of comparison, employment in the manufacturing sector has remained stagnant around the 18 percent mark in the same time period. Thus, in terms of labor absorption – a key characteristic in urban growth – the services sector has taken the lead from the manufacturing sector over these past three decades (Zaidi 2015).

The services sector as a whole is divided between different kinds of sub-sectors, with large internal variations in terms of employment absorption and value-addition. Focus over the past two decades has remained fixated on tertiary and producer services such as banking, telecommunications, and insurance, which have all grown at the rate of 7 to 8 percent. However, these advanced services, while contributing in the way of value-addition, are comparatively small in terms of contribution towards total urban employment. On that front, other categories of economic activity – such as construction and real estate, transport, storage, wholesale and retail trade – outstrip any other sub-sector.

The retail-wholesale sector, for example, currently contributes 18.4 percent to total GDP, and employs approximately 41 percent of the urban labor force. While overall economic growth has remained stagnant around the 3 to 4 percent mark, the retail-wholesale sector has grown by nearly 6 percent in real terms over the past eight years. The estimated value of the sector is approximately USD 42 billion, with annual sales (consumption) reaching USD 102 billion through 2.1 million establishments, largely on the back of a growing urban middle-income segment.

Collectively, the sector is designated as having a 'bazaar' based mode of economic organization, which it shares with petty/small-scale manufacturing, construction, transportation, and storage. This implies that legal documentation is limited, capital contribution and financing is mostly personal equity based, labor is either family-drawn or employed through verbal and informal contracts, and supply-chains, sales, and distributive networks operate through personalized connections (Keshavarzian 2003).

Given these figures, it is not misplaced to suggest that Pakistan's urban reality – both in big metropolitan centers, as well in the numerous secondary and tertiary cities and towns – is one centered on an entrenched, and continuously burgeoning informal economy. Recent research shows that Pakistan's informal economy is nearly as big (91 percent) as the formal economy, while the overwhelming majority of the employed labor force (74 percent) is informally contracted (Zaidi 2015). Thus the entrepreneurs from the intermediate classes, especially the fraction in the retail-wholesale sector, act as the biggest employer outside of the countryside.

Relevant to the central question, flexible labor regimes in an expanding informal economy – operationalized through patronage networks – reduce the scope for within-class solidarity formation. Unlike the age of Fordist models of production, where the factory floor served as labor's site for shared experiences and progressive groups undertook active organizing work, contemporary models of economic activity thrive using fragmented labor. As rural-to-urban migration flows continue, entrepreneurs from the intermediate classes utilize personal networks of labor contractors to recruit workers on short-term bases (Akhtar 2011). The terms of employment are committed verbally and on cash basis, and lie outside the purview of formal labor legislation such as minimum wage regulation, social safety nets, and workplace safety laws.

What makes the situation even easier for employers is the destruction of the labor movement and the absence of associations representing working-class interests in urban areas. This happened largely after changes in the industrial relations act and the crackdown against unions by Zia's military regime, which felt threatened by mass-agitation during the late 1970s and early 80s. As of now, less than 2 percent of non-agricultural labor is unionized – mostly in public sector entities – and there are no major unions representing workers in the retail-wholesale, transport, and construction sectors. According to most recent figures, the total membership of active unions and union federations does not exceed 400,000, while the corresponding figure back in 1970, often perceived as the high point of the urban labor movement, was 1.2 million (Candland 2007).

Given the absence of – and sheer difficulty in developing – representative platforms, and vehicles for collective bargaining, laborers are largely dependent on the patronage of employers and contractors for their material needs. Not dissimilar to rural areas, brokers from the intermediate classes provide loans, access to rudimentary healthcare, and in some instances shelter to workers. This, as will be detailed ahead, cements a particular dynamic of class power, which subsequently reflects itself in the overall shape and outcomes of urban politics.

Processes of political embedding

While the preceding section highlights the foundational conditions which have produced a specific form of urban inequality, further light needs to be shed on the processes through which particular social groups – the intermediate classes, in this instance – embed themselves in positions of political privilege. Possession of economic capital, which they do as mentioned earlier, is too vague an explanation. For a deeper understanding, it is useful to study how specific occupational actors – traders, merchants, contractors, and transporters – make the shift towards a class both cognizant of its interests and capable of achieving them.

Soon after taking charge as the chief minister of Punjab for the fourth time, Shahbaz Sharif, brother of the newly elected prime minister and a major leader of the largely urban, pro-business party, the Pakistan Muslim League – Nawaz (PMLN), held a joint public meeting with representatives from various bazaar associations, and declared that 'traders formed the backbone of this country', and 'resolution of their genuine problems is the responsibility of the government'. Within this first year of the government's tenure, policies regarding provision of cheap credit to small businesses, tax breaks, and reduced commercialization charges have been instituted. At a more local level, bazaar traders strike favorable bargains with the state in the everyday exercise of governance, especially in local taxation (Ahmed 2010) and the socio-spatial management of towns and cities (Ezdi 2009).

One of the ways through which successful interest articulation takes place is via membership of and participation in mainstream political parties. Repeated socio-political engineering such as ad-hoc bans, non-party based polls, and induced factionalism – carried out by various praetorian regimes – have left Pakistan's political parties weakly institutionalized. As a result, barring the ethno-nationalist Muttahida Qaumi Movement in Karachi and the Islamist party Jamaat-e-Islami, there is little to no conception of parties helping fulltime political workers rise through the ranks to hold local office. Party leaders prefer to outsource the cost of elections to aspirants, thus setting up a de facto barrier to entry based on income and economic clout (Mufti 2012). This barrier overwhelmingly favors urban actors with access to economic capital – who are predominantly from the business community – and systemically creates disincentives for middle and low-income actors, preventing them from participating in local politics.

By way of an example of this phenomenon, the percentage of legislators elected from urban constituencies in Punjab listing business as their primary occupation has increased from 12 percent in 1970 to nearly 70 percent by 2013. Overall, businessmen are the second biggest occupational group in the provincial legislature, with agriculturalists occupying the top spot. Even in the case of rural elites, many have diversified into undocumented commercial ventures to supplement their incomes from land (Javid 2013).

In Lahore, out of 38 legislators elected to the National and Provincial, 65 percent are fulltime businessmen engaged in trading, medium-sized manufacturing, and real estate. The corresponding number back in 1988 was 35 percent, with the rest hailing from white-collar and blue-collar occupations. During the recent municipal government elections, 184 out of 268 candidates of the ruling party were entrepreneurs from the bazaar sector. This is a trend that has consolidated since the 1979 local government exercise, when these occupational groups first made their entry into local politics (Qadeer 1983).

What is crucial behind this successful entry of the intermediate classes into mainstream party politics, and thus the upper echelons of power, is the ability to generate internal and external networks of collective action. Writing about politics in Punjab during the 1990s, Andrew Wilder (1999: 131) alluded to the dominance of bazaar actors in the following words:

> Traders are now on the rise. Every alley, every bazaar is now organized in the shape of some association or the other. These traders have 'shutter power'. If a 2000 worker factory is closed by workers in a rural area, it has no effect. But say the shopkeepers of Anarkali close their shutters for two hours, it will have a much bigger effect in the city . . . workers have been leaving the PPP for the PML because shopkeepers, businessmen and others of the same ilk are able to provide employment and access to the sarkaar (state).

Wilder's research taps into an important yet understudied theme in Pakistan's domestic politics: the organizational 'shutter' power and collective action of the bazaar sector. This was first put forth by Stanley Kochanek (1984) in his work on business organizations in Pakistan, wherein

he suggested that the upper-tiers (large manufacturers) of the capitalist elite had direct access to political decision-makers, so the lower-tiers (small manufacturers and bazaar-based businessmen) tended to organize among themselves to match the former's policy and administrative influence. This was done not only through the established Chambers of Commerce but also through other localized associations.

Since these tangential observations were made many years ago, associational trends within the bazaar economy have grown exponentially. Marketplaces, as mentioned by Wilder, are organized on an individual basis, with proprietors forming the constituent membership of a market association. In some instances, these associations are registered as non-profit 'societies' or 'trusts' under the Societies Act, and are thus legally obliged to hold internal elections and provide details of regular activities. However, most associations are informal, created by dominant individuals within each marketplace to institutionalize their influence over other business owners, and to expand their sphere of influence with government officials.

At higher tiers, individual marketplace associations and businesses network with apex organizations based at the district, provincial, and all-Pakistan level. Apart from the Chambers of Commerce, which are located in every major city and are regulated by the Trade Organizations Act, there are apex associations that represent retailers/wholesalers of particular goods – such as the Pakistan Auto Spare Parts Importers and Dealers Association (PASPIDA) – or generic bodies representing retail/wholesale businessmen regardless of goods sold – such as the All Pakistan Anjuman-i-Tajran, the Qaumi Tajir Ittehad, and the All Pakistan Association of Small Traders and Cottage Industries. Currently, there is no exhaustive list of apex associations working in retail and wholesale, but estimates gathered from the Ministry of Commerce place the total number of such organizations at close to 200. The number for bazaar associations – both formal and informal – runs well into the thousands.

Despite internal organizational issues, activities of most bazaar associations manage to traverse several different domains, and help consolidate political and social capital for bazaar actors. During eight months of fieldwork in three main marketplaces in Lahore, the following activities appeared to occupy the greatest importance for bazaar associations.

Club goods

Association leaders provide access to supply-chain networks, wage-controlled labor, and in some instances, temporary financing to individual members. This is often coupled with the basic, yet important task of informal dispute resolution for commercial and personal disputes that arise between bazaar businessmen or with other actors.

Collective action

Bazaar associations become most active on issues concerning governmental regulation on issues of taxation, land-use, and municipal services. In instances where the government introduces a new tax that directly impacts the retail-wholesale sector (such as GST on retail, VAT, or the recent withholding tax), individual marketplaces lobby alongside apex organizations.

Successful instances of such lobbying over the last decade and a half include the 6-month-long movement against GST on retail in 1998–99, the movement against General Musharraf's 'Documentation of the Economy' ordinance, the movement against a reformed general sales tax/VAT in 2010–11, the protest movement against consumptions audits of self-assessed income tax returns, and most recently, the movement against SRO-608 (extension of the sales tax net) and the imposition of the withholding tax on banking transaction for non-tax return filers.

Local businessmen also collude with political representatives and the tax bureaucracy to gain concessions in the domain of property taxation, subsequently often paying far less than their actual obligation. In the same vein, bazaar leaders lobby local bureaucrats for favorable provision of municipal services (such as sanitation schemes, parking plazas, or the allocation of a police patrol for security), and pay bribes to municipal administrators to maintain encroachment privileges.

Cultural engagement, philanthropy, and charity

The third area of activity for bazaar associations is funding and management of religious institutions, and the undertaking of philanthropic and charitable activities in areas surrounding their places of residence and places of work. Typical initiatives include construction and funding of mosques, major shrines, and madrasas, provision of meals and rations during Ramazan, running relief trucks during times of natural calamities, sponsoring weddings for low-income households, and occasionally financing a dispensary or a small school. All these activities are channeled through local NGOs – which in turn are often affiliated with religious organizations or denominations – and through mosque committees, which are staffed by influential bazaar traders and managed by local clerics.

Activities like collective action and provision of club goods help create internal solidarity and political cohesiveness within the bazaar community. Similarly, constant engagement with political and bureaucratic actors for purposes of safeguarding their economic interests bestows them with political capital that is used in a wide variety of circumstances.

Finally, well-publicized charitable engagements help bazaar actors achieve social prominence and allow them to engage in what the sociologist Elisabeth Clemens (2011) calls 'obligation hoarding'. This converts bazaar traders, already an important economic actor, into an important social and civic actor as well. Given the inaccessible nature of the state, and poor quality of government service delivery, low-income households, such as the ones where the bazaar economy draws most of its labor, become heavily reliant on local urban patrons and strongmen for their day-to-day problem-solving needs.

This trend of bazaar actors taking on a dominant socio-political role is neither new nor unique to Pakistan, and has actually been recorded in many other parts of the world. In Iran, the bazaar has long played a major role in political and social life in Tehran, with some observers according it central importance in the success of the 1979 revolution (Keshavarzian 2007). In Turkey, the conservative ruling party, the AKP, built its foundations on local merchant organizations and business clubs in Anatolia, which were previously partial to Islamist parties (Tugal 2009). In India, the BJP has long counted the upper-caste business community across much of North and Western India as its core electorate, utilizing *vyapari sanghs* as conduits of patronage for its party machinery (Jaffrelot 2007).

What is similar between Pakistan and these other cases is leveraging of networks of collective action and the pooling together of various forms of capital – political, social, and cultural – in the public realm. This is central to the process through which hierarchies of the social sphere are structured.

Conclusion

To summarize, this chapter builds on recent work on the issue of class power in Pakistan's political economy. The basic contribution here is to bring into focus the foundational changes in the country's urban economy, and the role played by collective action networks of the

bazaar in the process of political embedding. At the first level, informalization of employment and exchange create vertical dependencies for labor, and gives rise to patronage politics. At the second level, horizontal ties of mutual action between entrepreneurs allow them to consolidate their economic and political interests.

While the last four decades have witnessed the opening up of electoral spaces, the development of political parties, and a general increase in political participation, these have been of greater utility to dominant classes in urban areas. Contrary to what may have been assumed, they have not led to a substantive change in the fortunes of the working poor, either in the domain of policy or on the issue of coherent representation.

So does this signal a bleak future for the prospects of substantive, responsive democracy in Pakistan? The answer, based on the evidence shared above, likely tilts heavily towards an affirmative. However, there are some recent trends that may signal a change in the future. Given increased competition between mainstream political parties in Punjab, there is a renewed interest in improving state controlled service delivery, especially in the areas of social protection and urban mobility. As argued by Kevan Harris and Ben Scully (2015), increased spending on cash transfer schemes for the poor by countries otherwise committed to neoliberal policy platforms may suggest a new dimension in contemporary politics. Whether this dimension consolidates itself and evolves into a genuine influence in Pakistan's politics remains to be seen.

Bibliography

Adeney, K. (2015). 'How to Understand Pakistan's Hybrid Regime: The Importance of a Multidimensional Continuum'. *Democratization*, pp. 1–22.

Ahmad, S. (1977). *Class and Power in a Punjabi Village*. New York, NY: Monthly Review Press.

Ahmed, E. (2010). 'Why Is It so Difficult to Implement GST in Pakistan'. *Lahore Journal of Economics*, Vol. 15, No. 1, pp. 139–69.

Akhtar, A.S. (2008). *Politics of Common Sense: The Overdeveloping State in Pakistan*. Unpublished PhD thesis. School of Oriental and African Studies. University of London.

Akhtar, A.S (2011). 'Patronage and Class in Urban Pakistan: Modes of Labour Control in the Contractor Economy'. *Critical Asian Studies*, Vol. 43, No. 2, pp. 159–84.

Alavi, H. (1972). 'The State in Post-Colonial Societies: Pakistan and Bangladesh'. *New Left Review*, No. 72, pp. 59–81.

Alavi, H. (1974). 'Rural Basis of Political Power in South Asia'. *Journal of Contemporary Asia*, Vol. 4, No. 4, pp. 413–22.

Alavi, H. (1976). 'The Rural Elite and Agricultural Development'. In R.D. Stevens, H. Alavi and P.J. Bertocci (eds) *Rural Development in Bangladesh and Pakistan*. Honolulu: The University Press of Hawaii, pp. 317–53.

Auyero, J. (2000). *Poor People's Politics: Peronist Survival Networks and the Legacy of Evita*. Durham, NC: Duke University Press.

Brun, D.A. and Diamond, L. (eds) (2014). *Clientelism, Social Policy, and the Quality of Democracy*. Baltimore, MD: Johns Hopkins University Press.

Burki, A. (2015). 'Multiple Inequalities and Policies to Mitigate Inequality Traps in Pakistan'. *Oxfam Research Report*. Islamabad.

Candland, C. (2007). *Labour and Democratization in India and Pakistan*. London: Routledge.

Cheema, A. and Mohmand, S. (2008). 'Decentralization and Inequality in Pakistan: Bridiging the Divide'. In Syed Mubashir Ali and Muḥammad Amjad Sāqib (eds) *Devolution and Governance: Reforms in Pakistan*. Oxford: Oxford University Press.

Cheema, A.R. and Sial, M. (2012). 'Poverty, Income Inequality, and Growth in Pakistan'. *Lahore Journal of Economics*, Vol. 17, No. 2, pp. 135–47.

Clemens, E. (2011). 'From City Club to Nation State: Business Networks in American Political Development'. In M. Hanagan and C. Tilly (eds) *Contention and Trust in Cities and States*. Dordrecht: Springer, pp. 183–217.

Easterly, W. (2001). 'Political Economy of Growth without Development: A Case Study of Pakistan'. Kennedy School of Government, Harvard University, pp. 1–53.
Ezdi, R. (2009). 'The Dynamics of Land-Use in Inner-City Lahore: The Case of Mochi Gate'. *Environment and Urbanization*, Vol. 21, No. 2, pp. 477–501.
Gayer, L. (2014). *Karachi: Ordered Disorder and the Struggle for the City*. Karachi: Oxford University Press.
Harris, K. and Scully, B. (2015). 'A Hidden Counter-Movement? Precarity, Politics, and Social Protection Before and Beyond the Neo-Liberal Era'. *Theory & Society*, Vol. 44, No. 5, pp. 415–44.
Jaffrelot, C. (2007). *Hindu Nationalism: A Reader*. Princeton, NJ: Princeton University Press.
Javid, H. (2013). 'Class, Power, and Patronage: The Landed Elite and Politics in Pakistani Punjab'. Unpublished PhD thesis, The London School of Economics and Political Science.
Jones, P. (2003). *Pakistan People's Party: Rise to Power*. New York: Oxford University Press.
Keshavarzian, A. (2003). 'A Bazaar and Two Regimes'. Unpublished PhD thesis, Princeton University.
Keshavarzian, A. (2007). *Bazaar and the State in Iran*. New York, NY: Cambridge University Press.
Khan, N. (2010). *Mohajir Militancy in Pakistan: Violence and Transformation in the Karachi Conflict*. New York, NY: Routledge.
Kochanek, S. (1984). *Interest Groups and Development: Business and Politics in Pakistan*. New York, NY: Oxford University Press.
Martin, N. (2015). *Politics, Landlords, and Islam in Pakistan*. New York, NY: Routledge.
Mufti, M. (2012). 'The Political Party System of Pakistan'. Unpublished PhD thesis, Johns Hopkins University.
Qadeer, M. (1983). *Urban Transformation in the Third World: The Case of Lahore*. Lahore: Vanguard Books.
Qadeer, M. (2006). *Pakistan: Social and Cultural Transformation in a Muslim Nation*. New York, NY: Routledge.
Rouse, S. (1988). 'Agrarian Transformation in a Punjabi Village: Structural Change and Its Consequences'. Unpublished PhD thesis, the University of Wisconsin-Madison.
Thakar, M. (2008). 'Examining Pakistan's Democratic Deficit'. *Strategic Affairs*, Vol. 32, No. 1, pp. 285–95.
Tugal, C. (2009). *Passive Revolution: The Islamist Movement in Turkey*. Stanford, CA: Stanford University Press.
Verkaaik, O. (2004). *Migrants and Militants: Fun and Urban Violence in Karachi*. Princeton, NJ: Princeton University Press.
Wilder, A. (1999). *The Pakistani Voter: Electoral Politics and Voting Behaviour in Punja*b. Karachi: Oxford University Press.
World Bank. (2014). *Urban Sector Report: Pakistan*. Islamabad: World Bank Office.
Zaidi, S.A. (2014). 'Rethinking Pakistan's Political Economy'. *Economic and Political Weekly*, Vol. 48, No. 25, pp. 37–49.
Zaidi, S.A. (2015). *Issues in Pakistan's Economy*. Karachi: Oxford University Press.

10
JUDICIARY IN CRISIS
Judicial politics in Pakistan

Nida Paracha

Introduction

In recent years Pakistan has undergone a series of political and constitutional changes which have reshaped the relationships between the three organs of state, the legislature, the executive, and the judiciary, as well as Pakistan's honorary fourth institution of power, the military (Siddiqa 2007). Historically, the judicial branch has remained subservient to the ruling elite and the military dictators, passing orders in support of the powerful (see, for example, *Khawaja Ahmed Tariq Rahim vs The Federation of Pakistan* 1992; *Zafar Ali Shah vs Pervez Musharraf Chief Executive of Pakistan* 2000).

However, in 2007, under the leadership of the then chief justice of the Supreme Court of Pakistan, Iftikhar Chaudhry, the institutional balance of power shifted. On being elevated to chief justice in June 2005, Chaudhry was quick to launch his activist career, probing into issues of governance (Iqbal 2013) and picking up a string of cases, including those of enforced disappearances in the province of Baluchistan and the improper privatization of the Pakistan Steel Mills (*Pakistan Steel Mills Corporation (Pvt.) Limited vs Syed Muhammad Shah* 2007).

With the intelligence agencies and sitting prime minister already implicated, the then president, General Pervez Musharraf, feared he was the next target of judicial probing, and attempted to pressure the chief justice to resign. When the chief justice refused, on March 9, 2007, the angry dictator unconstitutionally suspended the chief justice of the highest court in the country on corruption charges, among others. This gave rise to the first phase of what is popularly known as the Lawyers' Movement. With lawyers making headlines around the world as they stood in non-violent protest against the state's use of force, Musharraf was forced to reinstate Chaudhry on July 20, 2007.

However, the reinstatement was short lived: when Musharraf contested his re-election as president in October 2007, the Supreme Court, under Chaudhry, blocked the official result, stating that Musharraf's eligibility for the office while he was still chief of army staff needed to be reviewed. Enraged by the Court's continued questioning of his authority and fearful that its decision would bar him from being re-elected as president, Musharraf suspended the Constitution, dissolved the Supreme Court, and declared an "emergency" due to the increased interference of some members of the judiciary in executive functions and government policy,

which was adversely affecting economic growth in the country (Government of Pakistan 2007). This gave rise to the second phase of the Lawyers' Movement.

Though Pakistan's history has been interspersed with non-violent, socio-political movements – against bonded labor, against military control of Okara farmland, against General Zia's imposition of Sunni wealth-tax on the Shia minority, as well as pro-democracy movements seeking to end the authoritarian regimes of Generals Ayub Khan and Zia-ul-Haq – the Lawyers' Movement was unique in its reach and effect.

The Movement was largely successful in meeting each of its goals – restoring the judiciary, ousting the then president and military dictator, General Musharraf, and electing a democratic government – primarily because the protestors were able to cut across social cleavages and unite under constitutional principles of democracy and the independence of judiciary. Justice Chaudhry, the first judge in the age of the media to have refused to succumb to political pressure, became the popular champion of the rule of law, and played a pivotal role in shifting the status quo on issues of governance and in altering the perception of the judiciary in contemporary Pakistan. Whether the rule of law has been established and whether this shift in status quo and change in the public perception of the institution of justice has led Pakistan towards a just and democratic society is contested (Americans for Pakistan 2010) and remains to be seen.

Post reinstatement in March 2009, which was the result of the third phase of the Lawyers' Movement that was fought against the Pakistan Peoples Party's civilian government (2008–13), the Chaudhry Court was even feistier than before. Backed by media and civil society, the Court engaged in numerous sensational cases under Article 184(3) of the Constitution, which provides the Supreme Court with civil law powers in cases of public importance with reference to the enforcement of 'fundamental rights'.

The activist Court remained in the media limelight until the end of Chief Justice Chaudhry's reign in 2013 and encouraged considerable scholarship. Much of this scholarship, however, is concerned with critiquing the Courts' jurisprudence, which is a direct consequence of Chief Justice Chaudhry's management role, its activism through the increase in public interest litigation, its politics with other institutions of power, and the more philosophical and constitutional questions which seek to understand the Court's actions in light of the separation of powers doctrine, and that of the contemporary judiciary's self-perception as a popularly elected institution. By and large, the Court's role in unbalancing the legal complex has been overlooked (Ghias 2010).

Having said that, much of the literature notes that the first action by Chaudhry, once he was reinstated as chief justice, was to 'put his house in order' (Zaidi 2015). Given the enormous critique of the Court's role in probing into matters of governance as well as its investigation into what many perceive to be political questions, this phrase becomes significant. In stating this, the scholars implicitly provide a justification for the Court's overreach, suggesting that once Chaudhry had put his house (the judiciary) in 'order', he was, to an extent, justified, and free, to bring order to other institutions as well.

Given the vital role judiciaries play in establishing and maintaining the rule of law, and the trust that the people placed in the judiciary when they took to the streets in support of these principles during the Lawyers' Movement, it is important to demystify the order initiated by the chief justice within the judicial complex. The critical interdependence between the bar and the bench in the administration of justice makes it imperative to understand the relationship between the two, pre- and post-Lawyers' Movement, and the kind of order or dis-order that now defines the judicial complex.

In this chapter I will describe the relationship between the bar and the bench as it exists today, and suggest reasons for the changes that are observed and popularly perceived. Given the dearth of research on this relationship in Pakistan, I will demonstrate these changes based on interviews conducted across Pakistan with leading lawyers, (sitting and retired) judges of both the superior and subordinate judiciary, as well as through an overview of newspaper articles, judgments, and case records. The names of the interviewees are not listed due to their preference for confidentiality, given the nature of their work. The structure of the questions asked sought to understand the perception that each group has of itself as well as the other and whether they think the bar–bench relationship has changed in response to the Lawyers' Movement. The twenty-six lawyers and fifteen judges interviewed provide insight into the reasons behind the weakening professional culture in the judicial complex and the issues of perception that underlie it.

A short overview of the structure of the bar and the bench in Pakistan

Before delving into the details of the relationship between the bench and the bar, it is useful to understand the structure of bar associations and councils in Pakistan and their connection with the judiciary.

The Legal Practitioners and Bar Councils Act 1973 created the Pakistan Bar Council as a national body to oversee all other bar councils and associations. Each province has its own bar council, i.e. for Punjab, Sindh, Baluchistan, Khyber Pakhtunkhwa, and Gilgit-Baltistan. Under each of these provincial bar councils there are bar associations: the Supreme Court Bar Association, the Baluchistan High Court Bar Association, the Sindh High Court Bar Association, the Lahore High Court Bar Association (for Punjab), the Peshawar High Court Bar Association (for Khyber Paktunkhwa) and the Gilgit-Baltistan High Court Bar Association.

Further, different districts and tehsils in each of the provinces and Gilgit-Baltistan have their own bar associations. For example Punjab has district bar associations in Vehari, Bahawalpur, Bhakkar, Layyah and Karor Lal Esa, Karor Pakka, Lodhran and Narowal; Sindh has bar associations in Karachi, Malir, Thatta, Mithi and Khipro; Khyber Pakhtunkhwa has them in Lakki, D. I. Khan, Mansehra, Haripur, Kohat, Bannu and Karak; Baluchistan has them in Pishin and Qilla Abdullah; and Gilgit Baltistan has them in Skardu, to name a few.

These associations are to be independent with the aim of upholding the rule of law and the cause of justice as well as to protect the interest of the legal profession and that of the public. The objects of the associations are largely to provide facilities to the members, to promote and safeguard the interest of its members, and to maintain higher professional standards of probity and integrity while also checking and eradicating unprofessional practices. While the legal community and judiciary are linked in administering justice, both are to be independent of each other's influence.

Putting the house in order

The judges, in repaying their debt to the people who had supported them when they were weak, formulated the National Judicial Policy in 2009 (NJP) to address the perennial problems of the backlog and delay in the administration of justice through 'earnest effort by both the bench and the bar' (National Judicial Policy Committee (NJPC) 2009). The NJP was also to ensure the constitutional principles of equality before the law, and the equal protection of the law, in Pakistan.

With Chief Justice Chaudhry as chairperson of the NJPC, this policy was drafted through discussions with presidents of the national and provincial bar councils and the Supreme Court and High Court bar associations. The policy was eventually finalized by sharing drafts with all judges and all bar associations in the country, evidencing the close link between the bar and all levels of the bench in sustaining judicial reform.

Two of the major themes included expeditious disposal of both civil and criminal cases, especially in the district judiciary, and eradication of corruption in the legal complex. Many of the provisions listed in the policy emphasize the importance of bar associations working with judges in expediting cases and eliminating corruption and nepotism among *munshi*, clerks, lawyers and judges. It is important to note, however, that much of the section on the eradication of corruption appears to be disciplinary towards the legal community, as opposed to engaging them in the creation of a better judicial system. The policy as an imagining of the new judicial order is useful in assessing the courts' hopes and success in establishing order within the judicial complex.

The district judiciary

While cases have been expedited, and at the end of 2015 the pendency of cases in the Lahore High Court as well as the Sindh High Court had declined by 40 percent and 20 percent respectively (Adil 2016), the district judiciary in Sindh has noted about 135,000 cases pending at the end of the same year (Sahoutra 2016). While the expedition and elimination of caseload are still a problem, the competency of the district judiciary remains the biggest constraint. The increase in the Supreme Court's suo-moto activism has shed a bad light on all other institutions, including the lower judiciary.

If other institutions were functioning well, and if the rule of law was being enforced by all public officials, the need for the Supreme Court to pick up matters of its own accord would have been diminished. Instead of increasing the capacity of the lower courts to deal with cases brought before them, suo-moto activism has diminished the public perception of the ability of the lower courts to be able to mete out justice, quantitatively as well as qualitatively.

While a recently retired district and sessions court judge from Sindh stated that lower court judges largely supported the National Judicial Policy, and they felt that a lot of work had been done under it to improve efficiency in the court system, most interviewees noted that the Supreme Court's suo-moto action had in fact negated the hopes described in the NJP, encouraging instead low morale and a feeling of neglect in the district judiciary. This neglect and lack of respect for the lower judiciary can also be appreciated by observing the legal profession's treatment of districts judges and magistrates, as will be discussed later.

'They rise or sink together; dwarfed or god-like, bond or free' (Lord Alfred Tennyson, 'The Princess')

While judges and lawyers share a similar training and background, they have different responsibilities, especially in adversarial systems of justice where lawyers are trained to act as advocates or protagonists while the bench is charged with acting in an impartial or non-partisan role (Jackson 1981). The relationship between the bench and the bar as one of my interviewees, a prominent lawyer and leader in the Lawyers' Movement, aptly put, is 'ekgaari kay do payyay', i.e. two tires of the same car and, hence, inter-dependent and needing to work in harmony for an efficient system of justice.

Traditionally in Pakistan the bar and the bench have both viewed themselves as distinct institutions with close ties, which are generally desirable for the effectual administration of justice (Remus 2011). Each institution has also characterized the relationship as vertical, with the bar being subservient to the bench. However, my interviews highlighted that the legal profession's role in the reinstatement of judges has resulted in a shift in balance of power and a more horizontal, or even an inversely vertical relationship between the two.

As such, the relationship between the bench and the bar can occupy a continuum, varying from being unengaged, cooperative, oppositional, or even detached – from total unity to total disunity (Remus 2011). However, most often this relationship is crosscutting, with different factions of lawyers and judges aligning against other factions (Ghias 2010), as is the case in Pakistan. Ideally, factional alignment is based on shared ideologies or beliefs. However, currently in Pakistan, as numerous interviewees noted, alignment is a product of personal, political or economic gain. Interviewees repeatedly stated that judges favour certain families and certain names, giving them relief even when the material facts do not necessitate the same. Given Pakistan's tradition of dynastic legal families, the lawyers felt that judges favoured the children of their former or current colleagues. In response, the judges did not deny that certain individuals were granted more relief, but insisted that this was due to their track record of legal acumen and integrity, which most lawyers no longer possess. Further, they admitted that the family background of certain lawyers ensured that they practiced law in an ethical manner. While neither argument can be easily dismissed, it is clear that the weakening of the relationship between the bench and the bar is largely a product of a negative perception of each other, real or imagined.

The popular judiciary

Courts and judges provide a safeguard against the disintegration of the mutual trust that sustains a democratic government. While many scholars have accused the Chaudhry Court of denigrating democracy in Pakistan with its persistent attack on the Pakistan People's Party civilian government, this chapter is concerned with other aspects of the independence of the judiciary.

For the judicial branch of government to fulfil its independent role, judges cannot be vulnerable to bribery or any kind of intimidation that can corrupt or influence their judgment on matters brought before them: not only should judges be independent, but they must also be seen to be so (Carrington 1998). My conversation with a leading attorney in Pakistan revealed that judicial courts in Pakistan display no such pretence – he relayed that in his more than fifteen years of practice, including a short stint in the judiciary, he has learnt that there are designated buildings where lawyers and judges regularly meet and settle cases out of court in exchange for favours, which can include money.

Interviewees listed names of judges to demonstrate the commonality of judicial corruption, stating that, for example, in the case of one high court judge, it was a well-known fact that he had colluded with his accused wife and granted short orders in court in order to give her more time to negotiate bribes and settlements. The accusation of Chief Justice Chaudhry's son, Arsalan, as having taken a bribe to influence his father, while not proven in court, has also lead to an increased perception in the legal community of Chaudhry's corruption.

During the Chaudhry Court era, Pakistan witnessed an age of judicial heroism, whereby judges exercised their powers in disregard of legislative prerogatives as is evidenced by the Supreme Court's order which overruled the decision of a parliamentary committee not to grant extensions to six additional high court judges. According to experts, while the 19th Amendment to the Constitution incorporates Supreme Courts concerns, the parliamentary decision is not subject to judicial review in the final stage ('Supreme Court Decision Undermines Legislature

Says Asma Jehangir' 2011). As a consequence of such decisions, the courts have been highly visible objects of political interest and concern (Carrington 1998).

My interviews revealed that the media has encouraged courts to become performative, concerned more with maintaining media attention than with establishing the rule of law. Interviewees listed the Supreme Court's attack on Prime Minister Gillani, and the Pakistan People's Party government in **g**eneral, as the Court's proclivity for attention rather than its desire to enforce democratic and constitutional principles. While these observations can and have been contested, the Court's nexus with the media cannot be denied and can easily be observed through the special media section, 'Supreme Court and the Media', that was added to the Supreme Court's website post the Lawyers' Movement.

Interviews also revealed that the courts have, of late, demonstrated excessive greed with regard to control and power, which has encouraged a negative perception of the judiciary in the legal community. In a number of ongoing cases, judges have demonstrated an inclination towards having unfettered financial independence. The need for control is such that judges also desire to exercise the ability to hire and fire support staff such as drivers and painters and be able to re-appropriate the judicial budget at will.

In 1994 the Supreme Court ruled on a wide interpretation of Article 175(3) of the Constitution, allowing the chief justice of a high court or the Supreme Court to disburse funds (*Government of Sindh vs Sharaf Faridi* 1994). And, according to an interviewee, the courts were now asking for even more freedom with regard to financial distribution and the administration. However, the state is arguing to limit financial independence, in line with the theory of checks and balances, insisting that the desired financial independence is not within the constitutional domain of judicial administration.

According to a number of the lawyers interviewed, the general perception appears to be that Chaudhry's legacy has been the introduction of cavalier judges who openly disregard the Constitution. An example given in support of this was the constitutional permission needed for the appointment of additional judges for a year, after which the judge is either supposed to be dismissed or be officially appointed. However, of late, judges do not feel bound by constitutional principles or limits to their jurisdiction under the law and increase the terms of such judges, arbitrarily ('Supreme Court Extends Term of 32 Judges' 2010).

Many lawyers also felt that the suo-moto action demonstrated a similar cavalier attitude. According to them, the Supreme Court in complete disregard of the duties and responsibilities of executive personnel such as inspectors general and deputy inspectors general from the police and prison service forced them to come to court and waste time. While being subpoenaed for different cases is justified, the lawyers felt that the court was more interested in demonstrating power by keeping them there than with actually solving the problems plaguing society.

However, the Supreme Court's judgment on the 21st Amendment made to the Constitution and the consequent setting up of military courts highlights a different agenda. The Supreme Court's willingness to give away power to the military in the name of the war on terror goes against the appetite for control. Even worse, the judiciary concluded this at the expense of the separation of powers doctrine and has itself further negated the public perception of the capacity of the judiciary to mete out justice. According to many lawyers, this is evidence that the higher judiciary is solely concerned with providing sensational justice instead of fulfilling its constitutional role of ensuring 'fundamental rights' and building the capacity of lower courts to improve the administration of justice.

In 1994, M.A. Glendon noted that the values of the bench have been redefined in the United States. The age-old virtues of impartiality and constraint have given way to the 'romantic' and undemocratic idea that a judge's subjective interpretations take precedence over legislative

choices and established law. Pakistan may be facing a similar battle (Glendon 1994). While partiality does not appear to be a problem when judges' interpretations appear to be in line with popular will, the problem arises in terms of the precedent that this sets for the future, when an individual judge's interpretations go against popular desires.

'From heroes to hoodlums' (A. Ahmed, 2013)

In 1995, Anthony Kronman observed that in the United States contemporary practitioners of law, which include lawyers, judges, and legal academics, were seen to have slowly abandoned the set of professional ideals that traditionally gave the lawyers' role its moral content (Kronman 1995). While Kronman's *The Lost Lawyer* is constructed on a nostalgia that distorts the possibilities of change as improvement, the contemporary legal complex in Pakistan can be seen to be suffering a similar predicament even though the symptoms of the disease appear different.

Of late, Pakistan's lawyers have been in the headlines for all the wrong reasons. They have beaten police officers for refusing to accompany a lawyer to the bar room as directed ('Lawyers beat ASI on court premises' 2009); have verbally abused, dragged, and physically attacked judges for daring to drink water without permission ('Lawyer abuses judge, locks courtroom' 2015); have attacked readers (Ahmed, Z. 2012); have beaten up youth over petty squabbles ('Lawyers beat up youth in Lahore' 2015) and men in judge's chambers ('Land grab case: lawyers beat man in judge's chamber' 2014); and have assaulted media persons.

One of the worst instances of lawyers completely losing control and demonstrating unprofessional behavior was when a large number of Musharraf's supporters came to court in connection with the Benazir Bhutto murder case. With lawyers present, violence broke out. Initially, with only a few lawyers present, they were outnumbered, but soon reinforcements came in. What was most surprising was that the violence did not end there: the lawyers, not satisfied with their victory inside the court, grabbed sticks and began to beat up passers-by and broke windows of any vehicles in front of them, regardless of whether those vehicles belonged to Musharraf supporters (Ahmed, A. 2013).

Though incidences such as a lawyer throwing a shoe and later a chair at the former general are shameful, the most disconcerting thing has been the indifference shown by the leaders of the legal community. On a talk show the same evening as the bloody attack, prominent leaders of the Lawyers' Movement, including Ali Ahmed Kurd and Taufiq Asif, president of the Rawalpindi High Court Bar Association, were dismissive of the use of violence by lawyers, attempting to justify it as a result of provocation (Ahmed, A. 2013).

In addition to this turn to violence, lawyers have also been accused of organizing numerous strikes after the Lawyers' Movement. Many of my interviewees not involved in bar politics admitted to the increase in the number of strikes by lawyers, and the profession's recent proclivity towards flexing its political muscle. Many of the lawyers interviewed who were high up in bar politics, while accepting the increase in the number of strikes in recent years, noted that this was not because of a lack of respect for the courtroom but because lawyers were being targeted and killed across the country and strikes were to demonstrate unity.

However, as lawyers held strikes because a woman deputy district officer working at the Lahore Cantonment courts refused to deal with them in turn, this claim appears doubtful. Many interviewees not involved in bar politics further noted that the days chosen to hold strikes and boycotts of courtrooms often coincided with certain lawyers losing cases, where they did not wish to be present. While it has been hard to find exact evidence to prove these allegations, the perception of lawyers being involved in such unprofessional practices has resulted in factions within the community.

My interviews revealed that, currently, lawyers can roughly be divided into three groups:

1 The elite, often foreign-educated lawyers, who are part of big law firms and who are considered to practice law in line with legal ethics.
2 The non-elite, who have received local legal degrees and practice law outside of ethical norms, and are considered to do anything to procure favourable orders.
3 A subset of the second group, which is political and which has begun to form a large part of the bar associations over the past decade or so. These lawyers use intimidation tactics on judges, have not been trained in courtroom etiquette, and feel no need to respect judges and judicial authority in general. According to a senior judge of a provincial high court, this group largely comprises formerly non-practicing lawyers who were engaged in other professions before the Lawyers' Movement.

Interviewees suggested that the second group is largely considered to lack integrity, and their law practice is thought to revolve around the use of intimidation tactics as opposed to legal knowledge. The third group is thought to aid in providing numbers for the creation of said pressure for intimidation. Many of the judges stated that these lawyers, belonging to groups two and three, always came in hoards to court and indulged in unprofessional behavior to get favorable orders. Most of the lawyers in group one with established practices stated that it was their desire not to mingle with such individuals who lacked integrity and which discouraged their involvement in bar politics. The second group of lawyers also noted that class played a significant role in how judges viewed and interacted with them, but also highlighted that the capacity of lawyers and professional culture was declining because law firms were failing to train new entrants into the profession, as had been the norm in the past.

This, to an extent, mimics Glendon's findings in the United States from the 1960s to the 1990s. Pakistan is also witnessing the over-commercialization of the legal profession and the consequent displacement of the 'trader' ethic with a 'raider' ethic. Further, the recent practice of increased specialization, in both clients and subject matter, is considered to have slowly diluted the distinction between the elite and low-status lawyers, leaving Pakistan's legal community without a coherent professional culture. The legal world has become impersonal and bureaucratized, and operates on neither honesty-based, nor loyalty-based systems, while lawyers find little guidance or reinforcement, which has a negative impact on their ethics (Glendon 1994).

Reasons for change in bar–bench relations

The Lawyers' Movement and the predicament of leadership

In order to understand the changes in the relationship between the bench and the bar, it is imperative to understand the implication of the Lawyers' Movement within the legal complex. While the Lawyers' Movement has been globally praised as a movement that was led, organized, and made successful because of the leadership of the legal community and the institutional capacity of bar associations to mobilize people, it is imperative to recognize that it was in reality a movement against Musharraf and his actions, as opposed to a movement solely in support of Chaudhry and other judges (Siddique 2015). As the distrust in the Musharraf regime increased, the Lawyers' Movement was successful because it was able to capitalize on the changing social forces of regime change. The attack on the independent judiciary, and

the stance taken by the chief justice, simply served as a catalyst. Even though it is popularly referred to as the Lawyers' Movement, the role of political parties was significant in raising costs of regime repression that led to its success.

It is also important to note that there was never total unity within the judicial complex. While the leadership of the bar councils, as well as the bench, were largely unified in support of Chaudhry, there were some lawyers who supported Musharraf, and others who were apathetic to the cause. However, these lawyers were socially boycotted or had their licenses cancelled (Ghias 2010). Further, the reason for support by the national leadership of the bar for the chief justice was not on the principled stance of the independence of the judiciary, but a direct product of the role he played in bar politics, right before the establishment of the Lawyers' Movement.

The bench has always been able to influence the bar by intervening in bar politics so as to ensure bar control of the pro-bench factions (Ghias 2010), and in 2005 Chaudhry played a vital role whereby he consolidated his influence in the bar. Before the 2005 bar elections the bench had been aligned with the ruling Musharraf regime, while the Supreme Court Bar Association (SCBA) was divided, but after the elections, as the controversy between Chaudhry and the regime was increasing and the bench was moving away from the regime, the SCBA began to move towards it. Chaudhry's intervention at this point, in support of the pro-bench faction in the controversial bar elections of 2006, became the primary reason for the mobilization of the lawyers in the Lawyers' Movement and engendered the support that he received, whereby bar associations held nation-wide protests, hunger strikes, refused to appear before lower courts and boycotted the regime (Ghias 2010).

The mobilization strategy of the chief justice going around the country and meeting with lawyers to garner and sustain support was organized by the elite leadership that Chaudhry had supported in the bar elections and included Hamid Khan, Munir Malik, Aitzaz Ahsan, Tariq Mehmood, and Ali Ahmad Kurd. My interviews with some of these lawyers highlighted the trust they had placed in the chief justice, and his role in the independence of the judiciary during the time of the Movement. However, now, many years later, they had seen a different side of Chaudhry, a side that was, according to them, constructed on self-promotion rather than principles. Moreover, since the leadership was politically motivated, being a direct outcome of Chaudhry's intervention in bar politics, it disintegrated, leaving the legal community that had only recently recognized its political strength without any positive agenda.

While the boycott of courts had placed a huge burden on litigators, especially those from lower socio-economic backgrounds who had been forced by the leadership to comply, and who were suffering economic losses, the strategies of the Lawyers' Movement were also designed to sensitize judges to the concerns of the legal community and the public. In recognizing these pressures post reinstatement, judges felt indebted to the legal community and have up till now supported the legal community by failing to take action even when lawyers have behaved badly (Mirza 2015). The legal community, on the other hand, has also made the most of this debt, acting in an unprofessional manner both inside and outside the courtroom, recognizing that adverse action would not be taken against them.

The politics of class

Some scholars have correctly noted that the distinction between the legal and the political, and hence what is justiciable, is arbitrary and, accordingly, the question of whether

the Chaudhry Court was probing into matters rightly termed legal or political is largely irrelevant. While the arbitrariness of this socially constructed binary may be correct, it is important to consider the reason behind the sudden desire to dilute these binaries. As many of my interviewees noted, Chaudhry was not necessarily a very bright man, with deep-seated ideological or philosophical understanding.

Before becoming chief justice, Chaudhry had played the conventional role that judges have played in Pakistan's history. After Musharraf's coup in 1999, Chaudhry was among the judges appointed to the Supreme Court to replace the six judges who refused to take oath under Musharraf's Provisional Constitutional Order. In May 2000 Chaudhry was part of the bench that validated the coup on the grounds of necessity. In 2002 the bench upheld Musharraf's extra-constitutional referendum to become president; in 2003 it upheld Musharraf's amendments to the constitution; and in 2005 it allowed Musharraf to remain chief of army staff while also being president of Pakistan. On becoming chief justice, however, Chaudhry's inclination changed, leading to the dilution of the arbitrary boundaries between the legal and the political.

Chaudhry comes from the province of Baluchistan, the most underdeveloped of the four provinces that make up Pakistan. Chaudhry practiced law for 18 years and during this period was elected as the president of the Quetta High Court Bar Association, and twice elected as the vice-chairman of the Baluchistan Bar Council. In 1990 he was appointed as a judge to the Quetta High Court and became the chief justice of the High Court in 1999 (Ghias 2010). While all these things, including close ties with the bar before being promoted to a judge, are relatively common in a judge, one aspect of Chaudhry necessitates a closer look – his unique socio-economic background.

His relatively modest socio-economic background can appear revealing of his politics and actions in the courtroom as well as his perception within the judicial complex.

Interestingly, the question of class and its connection to legal acumen was repeatedly highlighted as significant in my interviews. Many of my interviewees (both lawyers and judges) made distinctions between lawyers and their legal ethics (and judges and their ethics) on the basis of socio-economic class. This was done either through indirect insinuations referencing the education received (local or foreign) or through direct remarks, as was made by a prominent judge of a provincial high court, stating that the current problems in the legal profession existed primarily because of an influx of lawyers from lower socio-economic classes.

Some lawyers stated that, of late, judicial posts were becoming less about prestige and, given new admission criteria and the unnecessary scrutiny of lawyers' personal lives, were inadvertently only open to those lawyers who were unable to make much money by the time they were 45 years of age, hence decreasing the moral character as well as the legal acumen within the judicial branch. Others openly stated that Chaudhry, given his socio-economic background, was one of the most corrupt judges in judicial history and his politics in court and his attempts at breaking down the Pakistan's judicial, as well as political, system were a means of taking revenge on Pakistani society for his difficult and humble past. Many interviewees noted the bribery allegations against Chaudhry's son as an example of Chaudhry being caught, stating that Chaudhry should have seen a problem when his son came home with fancy cars.

As such, there has been a considerable decrease in the use of Article 184(3) of the Constitution or suo-moto action since the end of Chaudhry's reign. The reason can be connected to the fact that the current bench is uncomfortable with using its civil law powers, having been trained in adversarial systems, and it has a lesser sensitivity to the media. Or, as

many interviewees noted, Chaudhry's proclivity for attention and power was a product of his unique socio-economic background, which the current members of the bench do not share. Interviewees cited Chaudhry's recent launch of his political party, the Pakistan Justice Democratic Critic Party, as evidence of his greed for power (Malik 2015), which they saw as a direct product of his humble past.

The economics of the Lawyers' Movement

The salary as well as the judicial allowances of superior court judges was enhanced by 50 percent with effect from July 1, 2010. In early 2013, the salaries of judges of the superior judiciary were again increased by 20 percent ('Approval: superior judiciary wins 20% pay raise' 2013), and this does not include rent (if an official residence is not provided), a medical allowance, a chauffeur-driven car with 600 liters of petrol, electricity, gas and water ('Superior judges: Law Ministry submits details of salaries and perks to NA body' 2012).

According to one politically relevant lawyer in the Bar Association, the increase in remuneration for judges has been one of the major reasons for a negative change in the relationship between the bar and the bench. According to him, before 2007 there was little tension between the bar and the bench because of an existence of a mutual dependence between the two. However, factors such as judges' increased enjoyment of different facilities have decreased their dependence on the bar, and accordingly their appreciation of it. Generally, an increase in judicial salaries can be a good sign, decreasing the likelihood of corruption in the judiciary. However, prominent lawyers choose to view it in a negative light.

According to the same lawyer, prosecutors have also gained from the Lawyers' Movement, whose salaries have also increased. However, since the increase in salaries is not linked with capacity building there is no consequent increase in expeditious justice. He stated that this can be observed through observing the crime statistics, where there is no change, since the increase in salaries has simply made prosecutors and judges lazy.

Some interviewees also stated that the lawyers leading the Lawyers' Movement had also benefitted economically, especially through the Supreme Court's suo-moto activism, where they were acquired as counsel. After perusal of the suo-moto case law, which includes about sixty suo-moto cases since 2009, it can be observed that though the names of some advocates such as Hafiz Pirzada, Mahmood A. Shaikh, Hamid Khan, Raja Ibrahim Bhatti, Raja Abdul Ghafoor, Afnan Karim Kundi, Raja M. Ibrahim Satti and M.S. Khattak (some of the leading names in the Lawyers' Movement) did appear more regularly, none of the names appear so many times as to garner suspicion of illicit economic benefit. However, the perception of the interviewees that the Lawyers' Movement, which they had wholeheartedly participated in, appeared to be a ruse to benefit a certain class of lawyers and judges is significant.

The role of media

Chaudhry was able to stand up to Musharraf by relying on the support of the media and the bar (Ghias 2010) and the bar also used the media as a means of garnering support and to appeal to the public. For example, Geo News, a prominent private TV-channel and news service, launched a public service message to educate civilians on the issues at hand and was successful in capturing public opinion and turning it against the government. The channel was soon blocked across the country but it had already served its purpose.

However, as Glendon observes, media can also exacerbate problems by glorifying the judges and lawyers who are seeking to create a better world. Once judges get a taste of emancipation from the constraints of the rule of law, the revered qualities of impartiality and adherence to precedent, which are traditionally thought to make a good judge, appear to dissolve as the court starts to see itself as the guardian of the public (Glendon 1994).

Chaudhry got his first taste of media attention four days after his suspension, when he refused to take an official vehicle to go to the Supreme Judicial Council hearing, preferring to walk. As the video of his walk, and images of him being dragged, manhandled and pushed by the police, on direct orders of President Musharraf went viral, his stance received a large welcome by hundreds of men and women from all walks of life, who gathered in front of the Supreme Court. The images of such a welcome further embarrassed the government as they were picked up by local and foreign media. Many interviewees noted that the role of the media was pivotal in affecting Chaudhry's jurisprudence, and also why the bar, which received accolades from around the world for its stance, organization and eventual success, began to recognize its strength and flex its political muscle.

As such, while many interviewees admitted that the media had been vital to garner and sustain support during the rise of the Movement, they noted that subsequently the media had played a negative role by abetting the sensitivity to the media of some judges and lawyers and encouraging them to dabble in issues which were not necessarily in their constitutional domain or in the direct interest of the public, instead of ensuring that the justice system underwent large scale institutional reform which was needed.

Admission standards and overcrowding of the legal profession

In a capitalist system, all occupations try and control the markets in which they provide labor. To control the supply of services, some occupations organize unions, while others form associations to get state support to control market entry, justified through maintaining skill criteria, tested and judged by persons who already possess those skills (Abel 1981). In the case of the practice of law such determination is made through bar examinations. As stated by a senior judge of the Sindh High Court when he was being admitted to the bar in the early 1980s, there was a high standard of admission, a thorough scrutiny and people had to beg for admission.

More recent admits, when describing their bar exams, were unified in stating the ease with which they had passed their bar. They relayed stories of how the exam was extremely simple and cheating encouraged. Many noted that this was because the bar associations had become more politicized and wanted more bar admits so as to increase their numerical power.

Many lawyers also noted that with the influx of numerous law schools across the country, which offer cheap legal education, the number of lawyers was increasing daily. They stated that there was a perception that to get a legal degree was considered easier than getting any other professional degree. Many interviewees noted that law practice is the hard part, and some decades ago it was the inability to practice that weeded out the incompetent lawyers. However, of late, bar association leaders, in order to increase their clout and ensure that they get voted in, have made a practice of paying the bar dues of non-practicing lawyers, which has not only increased bar association numbers, but reduced the quality of legal practitioners in the country. The decreasing quality of lawyers and judges was highlighted numerous times in the interviews. Many interviewees listed this as the primary reason for the weakening relationship between the bar and the bench.

Conclusion

At the recent Sialkot District Bar Association's oath-taking ceremony for newly elected office bearers, Senator Aitezaz Ahsan, a prominent leader in the Lawyers' Movement, noted that to ensure the public's access to speedy justice, it was essential for the bar and the bench to improve their relationship ('Bar and bench must try to get along: Aitezaz' 2016). While the end of the Lawyers' Movement was marked as the event after which the relationship between the bar and the bench began to sour, the Movement itself cannot be blamed for the downfall of the judicial system.

As one of my interviewees noted, activism by lawyers and the way it is practiced in the subcontinent is a colonial legacy. Lawyers such as Gandhi and Jinnah were leaders in the decolonization movement. The unique skill set that develops through legal training and knowledge of the law make lawyers ideal activists. However, in contemporary Pakistan it appears that the legal community is currently organizing without a valid cause. With a gap in good and sustainable leadership, lawyers are in fact tarnishing their reputation and presenting themselves in an unprofessional manner.

Having said that, the interviews highlight that lawyers are not the only ones to be blamed; the judiciary has played an equal role in breaking apart the judicial complex. Considering lawyers and judges share the same background, the judiciary has a stake in ensuring that lawyers as well as judges conduct themselves in an honorable manner. The Movement, and the manner in which it was carried out, represented a panacea from rule by unpopular regimes and unfolded a process of change. While it held the promise of judicial empowerment and reform, it is unfortunate that the faces of the judicial complex became more interested in promoting themselves than with protecting the public in a sustainable manner.

Instead of building institutional cohesion at all levels of the complex, there appears to be a dismantling of trust structures. In the past, lawyers and judges respected each other. However, of late, each views the other with unbridled suspicion. This suspicion is not only based on the perception of corruption, or circumstances of unprofessional behavior, but also on basis of socio-economic class. As one interviewee stated, the tradition behind lawyers working for minimal pay in big law firms reflects that law is an elite profession – if a new entrant's family does not have the resources to support him/her in the first years of practice, then the possibility of becoming a successful lawyer seems bleak.

With interviewees openly accepting their classist notions of who can practice and understand law, while each year hundreds of lawyers graduate from numerous law schools in the country, the possibility of relations improving within the judicial complex appear unlikely. Instead of trying to maintain elite practice, it is in the interest of the judicial complex to take control of law schools and train recent graduates in legal and judicial ethics before the entire complex collapses. This will not only aid in deflecting the accusations of elitism and kinship within the profession but also ensure social mobility in general society. The former chief justice of Pakistan, Justice Jawwad Khawaja, has already taken steps in the right direction by calling for Urdu to be adopted as the official language, which will allow different strata's of society to have more access to government positions.

Bibliography

Abel, R.L. (1981). 'Why does the ABA promulgate ethical rules?'. *Texas Law Review*, Vol. 59, No. 4, pp. 639–88.

Adil, A. (2016). 'The delivery of justice'. Available at: http://www.thenews.com.pk/print/97698-The-delivery-of-justice. Accessed February 12, 2016.

Ahmed, A. (2013). 'Lawless lawyers: from heroes to hoodlums'. *The Express Tribune*. Available at: http://blogs.tribune.com.pk/story/17052/lawless-lawyersfrom-heroes-to-hoodlums/. Accessed November 12, 2015.

Ahmed, Z. (2012). 'Lawyers do it again: ASI thrashed, judge's reader manhandled in Lahore'. Available at: http://pakistancriminalrecords.com/2012/05/23/lawyers-do-it-again-asi-thrashed-judges-reader-manhandled-in-lahore/. Accessed November 12, 2015.

Americans for Pakistan (2010). Available at: http://americansforpakistan.com/2010/10/13/greater-threat-than-floods-pakistans-judiciary/. Accessed February 21, 2016.

'Approval: superior judiciary wins 20% pay raise'. (2013). *The Tribune*. Available at: http://tribune.com.pk/story/501307/approval-superior-judiciary-wins-20-pay-raise/. Accessed October 10, 2015.

'Bar and bench must try to get along: Aitezaz'. (2016). *The Tribune*. Available at: http://tribune.com.pk/story/1036070/bar-and-bench-must-try-to-get-along-aitezaz/. Accessed February 15, 2016.

Carrington, P. D. (1998). 'Judicial independence and democratic accountability in highest state courts'. *Law and Contemporary Problems*, Duke University School of Law, pp. 79–126.

Ghias, S. A. (2010). 'Miscarriage of chief justice: judicial power and the legal complex in Pakistan under Musharraf. *Law and Social Inquiry*, Vol. 35, No. 4, pp. 1–53.

Glendon, M. A. (1994). *A Nation Under Lawyers: How the Crises in the Legal Profession Is Transforming American Society*. New York: Farrar, Straus and Giroux.

Government of Pakistan (2007). *Law, Justice and Human Rights Division Notifications*. Islamabad: The Gazette of Pakistan.

Iqbal, N. (2013). 'Judiciary a bulwark against bad governance: CJ'. Islamabad: s.n.

Jackson, W.S. (1981). 'Comparative sidelights on the ethics of the bench and the bar'. *Dicta*, Vol. 28, March, pp. 81–84.

Kronman, A.T. (1995). *The Lost Lawyer: Failing Ideals of the Legal Profession*. Cambridge, MA: Harvard University Press.

'Land grab case: lawyers beat man in judge's chamber'. (2014). *The Tribune*. Available at: http://tribune.com.pk/story/711393/land-grab-case-lawyers-beat-man-in-judges-chamber/. Accessed November 12, 2015.

'Lawyer abuses judge, locks courtroom'. (2015). *Dawn News* Available at: http://www.dawn.com/news/1189339. Accessed November 12, 2015.

'Lawyers beat ASI on court premises'. (2009). *Dawn News*. Available at: http://www.dawn.com/news/880209/lawyers-beat-asi-on-court-premises. Accessed November 12, 2015.

'Lawyers beat up youth in Lahore'. (2015). Available at: http://nation.com.pk/national/17-Jun-2015/lawyers-beat-up-youth-in-lahore. Accessed November 12, 2015.

Malik, H. (2015). 'Former CJP Iftikhar Chaudhry launches political party'. Available at: http://tribune.com.pk/story/1017053/former-cjp-iftikhar-chaudhry-launches-political-party/. Accessed January 6, 2016.

Mirza, S.B. (2015). 'The Chaudhry doctrine: a "small-c constitutional" perspective'. In Moeen H. Cheema and Ijaz S. Gilani (eds) *The Politics and Jurisprudence of the Chaudhry Court 2005–2013*. Karachi: Oxford University Press, pp. 33–76.

National Judicial Policy Making Committee (2009). *National Judicial Policy*. Islamabad. Secretariat, Law and Justice Commission Pakistan.

Remus, D.A. (2011). 'Just conduct: regulating bench-bar relationships'. *Yale Law and Policy Review*, Vol. 30, No. 1, pp. 123–68.

Rigertas, L. A. (2009). 'Lobbying and litigating against "legal bootleggers" – the role of the organized bar in the expanion of the courts' inherent powers in the early twentieth century'. *California Western Law Review*, Vol. 46, pp. 66–136.

Sahoutra, N. (2016). 'Sindh District Courts: over 135000 cases await adjudication'. Available at: http://tribune.com.pk/story/1027570/sindhs-district-courts-over-135000-cases-await-adjudication/. Accessed February 1, 2016.

Shepherd, R.T. (2000). 'Judicial professionalism and the relations between judges and lawyers'. *Notre Dame Journal of Law, Ethics, and Public Policy*, Vol. 14, No. 1, pp. 223–41.

Siddiqa, A. (2007). *Military Inc. Inside Pakistan's Military Economy*. Oxford: Oxford University Press.

Siddique, O. (2015). *The Judicialization of Politics in Pakistan: Paksitan Supreme Courts Jurisprudence After the Lawyers' Movement*. New York: Cambridge University Press.

'Superior judges: Law Ministry submits details of salaries and perks to NA body'. (2012). Available at: http://www.brecorder.com/top-news/108/81772-superior-judges-law-ministry-submits-details-of-salaries-and-perks-to-na-body-.html. Accessed October 10, 2015.

'Supreme court decision undermines legislature says Asma Jehangir'. (2011). Available at: http://tribune.com.pk/story/127969/supreme-court-decision-undermines-legislature-says-asma-jahangir/. Accessed November 15th, 2015.

'Supreme court extends term of 32 judges'. (2010). *Dawn News*. Available at: http://www.dawn.com/news/849110/supreme-court-extends-term-of-32-judges. Accessed November 12, 2015.

Zafar Ali Shah vs Pervez Musharraf Chief Executive of Pakistan (2000).

Zaidi, T.W. (2015). 'A new Supreme Court: the contribution of Chief Justice Iftikhar Muhammad Chaudhry'. In Moeen H. Cheema and Ijaz S. Gilani (eds) *The Politics and Jurisprudence of the Chaudhry Court 2005–2013*. Karachi: Oxford University Press, pp. 3–32.

11

PAKISTAN'S PATCHWORK OF HIGH COURT JUSTICE

Waris Husain

An introduction to the high courts

For Pakistan's judiciary, there are high courts located in five major cities or areas, which include: Lahore, Sindh, Peshawar, Islamabad, and Baluchistan. Each is staffed by a varying amount of judges who are appointed according to Article 193 of the Constitution which designates that high court judges must be 45 years of age, and must have served 10 years either in the civil service or as an advocate of the high court or in a judicial office. The jurisdiction of the court is set by territory, and any potential infringement of the fundamental rights listed in the Constitution (Constitution of Islamic Republic of Pakistan 1973)[1] within the territory of a high court allows that court to direct or stop action by government officials (Constitution of Islamic Republic of Pakistan 1973: article 199). Further, this article stipulates that, "the right to move a High Court for the enforcement of any of the Fundamental Rights conferred by . . . [this Constitution] shall not be abridged." Therefore, the court has jurisdiction not only over appeals from lower courts, but also can hear original cases concerning the potential violation of constitutional rights.

Before delving into the case law of these courts, one must take into account the critiques of the courts. Perhaps the greatest issue is that the courts are overwhelmed with caseloads and long periods of pendency for cases. There are several ways to demonstrate this caseload but Osama Siddique presents a unique method by "dividing the number of pending cases in the various appellate courts by the available number of judges in those courts" (Siddique 2013: 305–6). As such, he concludes that each judge in the Lahore High Court would face 3,529 cases, Sindh's judges face 977 cases each, and 797 cases for every judge on the high court bench in Peshawar (Siddique 2013: 306). This presents a substantial issue for the proper adjudication of cases while cutting down on the increasing backlog of cases. There are efforts being made to address this problem through new judicial policies. For example, in the Sindh High Court "the newly enforced judicial policy has sped up disposal of cases in courts, reducing caseload to 125,000 from 400,000 before the implementation of the policy ("Judicial policy helped reduce caseload by half: SHC CJ" 2013). However, problems with this issue persist.

International and domestic law

As described above, the high courts can be invoked for the protection of a myriad of "fundamental rights" listed in the Constitution. This has led to some instances where the high courts participate

in foreign policy debates that would be deemed to exceed their jurisdiction in many other countries. While these issues are deemed political questions that are exclusively under the purview of the executive branch and the military in many countries, Pakistan's courts became involved in two cases that tested the tenuous relationship between Pakistan and its primary source of aid, the United States (Bokhari 2011).[2] These cases not only demonstrate that the high courts can be a forum for domestic issues with international consequences, but also how limited their power can be when it comes to the enforcement of their decisions on foreign policy.

Raymond Davis

The first case of the high court's direct involvement in a row between the United States and Pakistan was in Raymond Davis's homicide trial. Davis was accused of killing two men in Lahore on January 27, 2011; Davis admitted to "shooting dead two Pakistanis, in what he says was an act of self-defense as they tried to rob him" (Pakistani Court Avoids Immunity Ruling 2011).

There were several legal issues concerning the case, the most significant being whether Davis enjoyed diplomatic immunity that would preclude his prosecution under Pakistan's law. While Davis claimed to be a member of the US embassy, he was accused of being a CIA contractor in possession of sensitive information and weapons at the time of the incident (Hasan 2011).[3] There was immense pressure on Pakistan's president and the courts from an overwhelmingly sensational media and public over the event (Hasan 2011). While on the one hand there was domestic pressure to prosecute Davis,[4] there was countervailing international pressure from the United States to allow Davis to exit the country without prosecution (Bokhari 2011).

The criminal case was to be decided by the lower court. However, many advocates submitted claims to the Lahore High Court (LHC) asking it to decide the immunity issue. The LHC conducted a chaotic session, hearing opinions from various counsels as well as the District attorney general of Punjab. However, eventually, the LHC judges deferred the matter of immunity and "wriggled out of the situation by passing responsibility to the lower court" ("Pakistan court avoids immunity ruling" 2011). Subsequently, figures within the Pakistani military and ruling administration arranged for the victims' families to be paid "blood money" in exchange for their agreement to forgive Davis. This practice of *qisas* and *diyat* is included in Shariah law and enabled the lower court to close the case and allow Davis to return to the United States, as requested by the US government (Warraich 2011). There were several subsequent petitions to the LHC challenging Davis's release and asking the court to punish members of the government for allowing his release. As with the original petition asking the LHC to review Davis's immunity, these petitions were dismissed by the court.

The Davis case demonstrates that while the high courts responded to the public outcry by hearing arguments on immunity at the outset, they eventually deferred to the politicians and military officials to settle a dispute, which impacted sensitive US–Pakistan relations.

The US drone program

Similar to the Davis case, the Peshawar High Court became embroiled in an especially thorny US–Pakistan relations issue, as the court received petitions challenging the legality of the United States-operated covert drone program on Pakistani territory. In *Foundation for Fundamental Rights v. Federation of Pakistan* (2013), Chief Justice Dostum of the PHC held that the drone program violated international law, as well as the constitutional rights of Pakistani citizens. The case was brought by the Foundation for Fundamental Rights

"acting on behalf of one of the victims' son" in a drone strike conducted on March 11, 2011 (International Committee of Red Cross 2013).

Interestingly, the accused respondent in the case was the Federation of Pakistan, rather than the United States, presumably because the PHC lacked jurisdiction over the United States (Horowitz and Rogers 2013).[5] Regardless, the court ordered the Pakistani government to "ensure that the drone strikes cease; to take the matter before the Security Council in order to request the UN Secretary General to 'constitute an independent War Crime Tribunal'; and to request that the Security Council or General Assembly pass a resolution condemning the drone strikes" (Horowitz and Rogers 2013).

While the decision was lauded by many as the first judicial pronouncement decrying the drone program, the government of Pakistan did not enforce it. Subsequent to the court's decision in 2013, the United States has seemingly continued its drone program within Pakistan's borders and Pakistan has not publically submitted any complaints to the bodies of the United Nations such as the Security Council or General Assembly. Much like the Davis case, the Foundation for Fundamental Rights demonstrated the limited abilities of the high court to effectively adjudicate issues that relate directly to Pakistan's foreign policy.

Environmental law

Pakistan has faced a particularly difficult set of environmental disasters such as earthquakes and floods that have led to thousands of deaths and the internal displacement of citizens across the nation. However, the judiciary has attempted to meet these challenges by allowing public interest litigation, which is a method that enables NGOs and other environmental groups to bring complaints before the court on behalf of citizens at large (Nardi 2008).[6] This public interest litigation has led to a proliferation of high court cases concerning the environment, with each high court now having a "green" bench designated with adjudicating environmental complaints (Khan 2012). This is partially due to the fact that the Supreme Court has recognized that citizens have an implied right to a clean and safe environment under the Constitution, which the high courts must protect (May and Daly 2014: 119).[7]

There are several notable cases that deserve review from each of the high courts concerning the pursuit of a clean environment. In *Leghari vs. Federation of Pakistan* (2015) the Lahore High Court green bench determined that the government was not sufficiently enforcing Pakistan's National Climate Change Policy. The LHC ordered the government to "appoint a focal person on climate change to appear before the Green Bench, and prepare a list of adaption measures to be completed by the end of 2015" (Hassan and Hassan 2009: 401). In another LHC case, *Syed Mansoor Ali Shah vs. Government of Punjab* (2007), the court followed up the progress of the Lahore Clean Air Commission that required public buses to be run on CNG rather than fossil fuels in order to avoid further pollution. The court went further than this in *Amer Azam Bakhat vs. Corporative Societies* (2007) by demanding that the Environmental Protection Agency conduct a thorough environmental impact assessment before constructing a supermarket.

The Sindh High Court was not far behind with its decision in *Sindh Institute of Urology and Transplantation and others vs. Nestle Milkpak Limited* (2005), wherein the court held that "a landowner has a right to collect and dispose of all water within his or her own limits but that this right is not unfettered" (Hassan and Hassan 2009: 401). Further, in regards to pollution, in *Islam Hussain vs. City District Government* (2009), the SHC demanded that the district attorney general of traffic police "ensure that no smoke-emitting vehicle or one causing noise pollution ply the city of Karachi roads within three months of handing down the judgment" (Hassan and Hassan 2009: 401).

In the Baluchistan High Court, environmental litigation "has yielded mixed results" (Aurang Zaib and Pastakia: 164–5) but one case discussed the rights of citizens in relation to high-rise buildings (*Begum Saida Qazi Isa vs. Quetta Municipal Corporation* 1997). The court determined that the improperly planned construction of high-rise buildings in an area prone to extreme earthquakes was a violation of the right to life and a safe environment. Perhaps in response to a mixed performance from the BHC, the court hosted a judicial conference on environmental law in 2011 where experts in environmental litigation discussed methods of improving environmental protection through the BHC.

Gender rights

As per Article 25 (2) of the Constitution, discrimination based on sex is prohibited. However, there are many areas where women continue to face disparate treatment in Pakistan, including in the workforce and in their private decisions concerning health and marriage. The high courts have taken action in some cases to address the issue of gender discrimination in the country. Justice Nasira Iqbal (retired) of the Lahore High Court explained that in 2001, the LHC "declared [that] the Pakistan Citizenship Act of 1951 was discriminatory and invalid to the extent that it provides that the foreign spouse of a Pakistani male is eligible for acquiring Pakistan nationality but the foreign male spouse of a Pakistani female citizen is not entitled to this benefit" (Iqbal 2009: 22). There have been other rights that have been adjudicated in the high courts, including the right to marry freely, protection from sexual violence and honor killings.

Right to marry freely

In *Humaira Mehmood vs. State* (1999), a woman married someone without the permission of her parents, in response to which the parents brought charges against her. The Lahore High Court,

> [q]uashing the criminal proceedings . . . concluded that a sui juris woman's entitlement to contract a marriage of her own free will was a settled proposition in Islam. The Court also concluded that a marriage ceremony performed under coercion has no legal validity. In support of its findings the High Court cited the constitutional guarantee of equality, the State's duty to protect the institution of marriage and the family.
>
> *(Mullally 2006: 183)*

A more bewildering case came before the Sindh High Court wherein Marvi and Badal Kohli were both alleged to have been minors that were kidnapped, forcibly converted from Hinduism to Islam and married to older men (Ali 2015). After hearing testimony from Marvi that she indeed had been kidnapped and forcibly married, while Badal stated that she wished to remain with her new husband, the Sindh High Court through Justice Azizur Rehman ordered Marvi to return to her parents and Badal to remain with her husband. The decision was criticized by the deputy speaker of the Sindh Parliament as weakening the rights for women to be free from forcible marriage and religious conversion (Khan 2015).

Further, in 2011, the federal government passed the Prevention of Anti-Women Practices (Criminal Law Amendment), which prohibits and penalizes forced marriage, requiring the consent of both parties in a marriage agreement. While there is much to be desired in the enforcement of this law, it creates a legally binding rule concerning the consent of females and their right to marry freely.

Violence against women

Based on the social and legal inequalities that exist between genders, violence against women continues to persist both in urban and rural areas. International studies on violence against women also demonstrate that Pakistan has underperformed in comparison to other nations in offering discrimination free protection and prosecution for female victims of violence. Munshey explains that:

> In Pakistan's rural areas instances of violence against women in the form of so-called 'honor' killings, child marriages, acid attacks, and domestic and sexual abuse are frequent. These crimes are grossly under-reported, and seeking justice is difficult due to structural factors such as the lack of independence of women, a weak criminal justice system and a lack of societal support for women.
>
> *(Munshey 2013)*

To address the persistence of this social phenomenon, some high courts have taken action in the areas of honor killings and sexual abuse.

Honor killings

In some instances, when a woman is accused of illicit relations or attempts to choose her own husband, she can be subject to "honor killing," often carried out by family members in public. These are murders meant to "redeem" a family for some kind of violation of their honor, and was outlawed under the Criminal Amendment Act of 2004 (Lari 2011). Despite the existence of this law, the Human Rights Commission of Pakistan (2014: 217) claims that nearly 900 women are murdered each year under this pretense. In many cases, the courts do not properly provide justice to the victim, because these matters are directed to local Jirga councils, which "allow the families to settle honor killing cases among themselves so that there is no legal punishment and the victim's family is given monetary compensation instead" (Ullah 2015).

However, there are a few exceptions in the high courts where the defense or extenuating circumstance of honor or "ghairat" in a murder case has been rejected. In *Muhammad Siddique vs. State* (1954), after the defendant's daughter married against her family's wishes, he filed a case challenging her marriage and subsequently murdered his daughter. The Lahore High Court explained that defense of honor did not constitute a mitigating circumstance under the "grave and sudden provocation" standard. The court concluded that an offense to a family or father's honor was not a defense or a mitigating circumstance, meaning that the act constitutes murder without cause and would be punished accordingly. In 2009, Justice Shamin of the Lahore High Court in *Kamal Shah vs. The State*, explained that "ghairat has been excluded from being considered as an extenuating circumstance for awarded a lesser sentence" in a murder case (Lari 2011: 56).

At the Sindh High Court, judges have discussed karo-kari, which can be defined as murder "in the name of honor of a man or woman charged with an illicit relationship" (Lari 2011: Glossary). Lari points to the case of *Daimuddin and others vs. The State, 2010 MLD 1089*, wherein Justice Shahid Anwar Bajwa unequivocally decried honor killings, stating that "Karo Kari is crime which is a blot not only on the fair name of Sindh . . . It has in the comity of nations, always sullied Pakistan and Muslim Society as a whole." Lari concludes that while there is active case law at the high courts of Lahore and Sindh to deal with this issue, the same cannot be said for the remaining courts of Baluchistan, Islamabad, or Peshawar, wherein forced marriages have been recognized and some defendants have escaped punishment for violence against female family members.

Protection from sexual violence

Violence against women in the form of sexual violence is another issue the high courts have addressed in the past. Rape and other forms of sexual violence have claimed 3,243 victims across Pakistan in 2014 according to the Human Rights Commission of Pakistan ("Rape victims move SHC to get help" 2015). Out of those, 2,734 cases were reported in Punjab, which could be explained by the fact that other provinces have often failed to properly record the number of sexual violence cases. Perhaps the most notorious case was that of Mukhtar Mai in relation to the Lahore High Court. In 2002, a local council of elders ordered that Mai be raped by multiple men as punishment for her brother's extramarital affair. Mai subsequently submitted the case to the police and an anti-terrorism court convicted six men for the gang rape (Khouri 2007: 103).

Problematically, the Lahore High Court overturned this conviction based on a lack of evidence. This decision was criticized by international legal authorities as well as by many constitutional lawyers in Pakistan. The case was then heard on appeal at the Supreme Court, where the court acquitted five of the six defendants ("Pakistan's court acquits suspects in Mukhtar Mai case" 2014). This case demonstrates the difficulties facing women when they approach the courts concerning sexual violence. Though Mai received international attention and monetary compensation from the government after the incident, her rapists escaped punishment in the Lahore High Court and subsequently the Supreme Court.

However, in 2015, the Lahore High Court was able to uphold a twenty-year prison sentence for a man accused of raping and impregnating Humaira Yasmeen. Yasmeen successfully brought her case before a sessions judge who convicted the defendant and this conviction was upheld without amendment by the Lahore High Court ("High court upholds 20 year jail for rapist" 2015). The court also agreed with the lower court's ruling that the defendant should pay 100,000 rupees in compensatory damages to the victim.

Further, in 2015, rape victims approached the Sindh High Court for the creation of a rape investigation cell that would be specially tasked with the care and investigation of rape victims and their cases. In response, the court has requested responses from government officials concerning the creation of such a cell ("Rape victims move SHC to get help" 2015).

Digital rights

Much like the courts in the rest of the world, Pakistan's judiciary is currently dealing with the global proliferation of digital rights including the right to online privacy and access to information and websites. These rights have been curtailed in many ways in Pakistan through various governmental policies. There are certain laws that deal with terrorism and cybercrimes which have been criticized as violating digital rights to privacy (Aziz 2015).

However, the most litigated governmental policy has been the ban on certain websites, including YouTube. The YouTube ban originated in 2012 wherein a video deemed to be blasphemous to Islam, "The Innocence of Muslims," was released. There were violent protests in and calls for blocking the video in Pakistan, which the Pakistan Telecommunications Authority (PTA) responded to by shutting down YouTube access in Pakistan completely. The ban has currently remained in place for over three years, but it has been challenged at the Peshawar, Lahore, and Sindh High Courts.

In 2013, petitioners from a digital rights group, Bytes 4 All, submitted a claim to the Lahore High Court to challenge the legality of the YouTube ban (Bolo Bhi n.d.). In *Bytes 4 All vs. Federation of Pakistan*, there have been several hearings since the instigation of the claim, and an interim order passed by the court to request more information concerning the banning policy

by the government. The court has considered the countervailing issues of the right to access information through websites like YouTube against the prohibition on blasphemous material in Pakistan. Google, the parent company for YouTube, also made submissions before the LHC concerning the ability to block certain content on the website and the warning labels attached to potentially offensive videos. However, the general response from the PTA remains that it lacks the ability to block certain offensive videos on YouTube, which, in their view, necessitates blocking the entire website. The LHC has not yet delivered any binding judgment on the *Bytes 4 All* case, which has left the citizens of Pakistan without legal access to YouTube (some citizens have skirted around the ban by using online tools to continue accessing YouTube).

Similarly, another case dealing with the YouTube ban, *Kakakhel Law Associates vs. Pakistan Telecommunication Authority,* was filed before the Peshawar High Court in 2013, and in the Sindh High Court, citizens challenged the YouTube ban through *Ahmer Jamil Khan and others vs. Federation of Pakistan and others* (2014), The court has thus far held two hearings and demanded that the PTA present a full list of websites that have been banned by the agency.

Blasphemy prosecutions

Under Pakistan's Penal Code, Article 295 B and C, it is a crime to "willfully defile, damage or desecrate a copy of the Holy Quran " or to "defile the sacred name of the Holy Prophet Muhammad (PBUH)" and these are punishable either by life imprisonment or the death sentence. These articles are called the blasphemy laws, and "between 1986 and 2006, 695 people were charged with blasphemy" with sixteen people awaiting the death penalty and twenty serving life sentences (Bandow 2014). Disturbingly, some of those accused of blasphemy are not granted a trial but are subject to mob murder, as was the case in 2014 when a Christian couple accused of blasphemy were beaten to death and their corpses set on fire by a mob ("Pakistan mob kills Christian couple" 2014).

Despite the low population of non-Muslims in Pakistan, nearly 50 percent of prosecutions based on Article 295 have been against non-Muslims (Human Rights Commission of Pakistan 2006). Many of these accusations have been proven false and a means to intimidate minorities (Freedom House 2010). In fact, Freedom House reported that the blasphemy laws "are routinely used to exact revenge, apply pressure in business or land disputes, and for other matters entirely unrelated to blasphemy." The International Commission of Jurists has also reported that there were "systematic and widespread fair trial violations in proceedings related to blasphemy offenses in Pakistan, particularly in trial courts" ("On trial: the implementation of Pakistan's blasphemy laws" 2015).

These problems were alluded to in the judgment of the Lahore High Court in *Muhammad Mahboob vs. The State* (2002), wherein Justice Chowhan held that false blasphemy accusations were on the rise and that the judiciary needed to respond. As such, in that case, the Lahore High Court acquitted the accused of blasphemy and also called upon the police to improve their investigation capabilities for blasphemy cases.

However, the jurisprudence concerning blasphemy cases in the Lahore High Court is diverse. In *Asia Bibi vs. The State,* the Lahore High Court upheld the death sentence of a Christian woman accused of blasphemy by neighbors ("LHC upholds blasphemy convict Asia Bibi's death penalty" 2014). Many activists and attorneys argued that the police investigation was faulty as the accusations were false, yet, the high court concluded that she should face the death penalty. With international attention on the case, the Supreme Court subsequently suspended the high court's death sentence, pending the outcome of Bibi's appeals ("Pakistan Supreme Court suspends Asia Bibi death sentence" 2015).

In 2012, the Rimsha Masih case came before the Islamabad High Court. In this case, a teenage female with learning disabilities was charged with violating the blasphemy laws for burning and tearing pages of the Qur'an. Subsequently, it was discovered that her accuser had planted evidence of the crime on her person (Hoffman 2014). In *Rimsha Masih vs. Station House Officer, Police Station Ramna,* the Islamabad High Court acquitted Masih and Chief Justice Rahman cautioned that "Muslims are warned to be careful and extraordinarily careful while leveling such . . . allegations against any one and such directions are not applicable in respect of other Muslims alone, rather the same are applicable in respect of non-Muslim communities too" (Hoffman 2014). Despite the success in the Masih acquittal, Hoffman explains that structural changes to the law and its enforcement are still needed (Hoffman 2014: 392).

While the high courts have held various opinions concerning allegations of blasphemy, these laws continue to serve as a means for abusing minorities or score-settling with other Muslims.

Terrorism

Under the Anti-Terrorism Act (ATA) of 1997, all forms of terrorism have been prohibited and special anti-terrorism courts (ATC) have been established. Though these ATCs have jurisdiction over terrorism cases, the decisions by the ATCs can be reviewed by any of the high courts. In general, there has been a low percentage of successful prosecutions of terrorists under this specialized court system, which has been critiqued for many years. The critiques reached a crescendo in the aftermath of the Army Public School attack, which left 151 school children dead in Peshawar on December 16, 2014. This led to the passage of the Twenty-First Amendment, which transferred terrorism cases to military tribunals. Some of the convictions under these tribunals have been challenged in the high courts; for example, the Peshawar High Court suspended the death sentence of a suspect convicted by a military court in 2015 ("Peshawar High Court halts death sentence awarded by military court" 2015). In fact, the Supreme Court has directed those convicted by the military courts to seek appeal in the high courts before approaching the Supreme Court (Iqbal 2015).

There are many notable high court cases predating the passage of the Twenty-First Amendment concerning terrorism. One decision which provoked public debate was the high courts' release of Zakiur Rehman Lakhvi, one of the alleged masterminds of the 2008 terror attacks in Mumbai, India. The LHC released Lakhvi because the Court found that the prosecutors had not produced reliable information concerning his criminal activities (Ghumman 2015). Further, the Islamabad High Court dismissed the case against Lakhvi completely ("Lakhvi's detention declared void" 2015).

The defendant was not so fortunate in *Malik Muhammad Mumtaz Qadri vs. State*. In 2011, Qadri admitted to killing the then governor of the Punjab province, Salman Taseer, in response to critiques raised by Taseer concerning Pakistan's blasphemy law. Qadri alleged that he gunned down the governor in a public space in broad daylight because he believed that Taseer was himself committing blasphemy, which, according to some, would justify such a murderous reaction from Qadri. The anti-terrorism court sentenced him to two death penalties, yet the Islamabad High Court amended this punishment to one death penalty (Shehzad 2015). Many feared that the Islamabad High Court might dismiss Qadri's charges just as the court had done for Lakhvi, however the IHC upheld one of the lower court's death verdict. The Supreme Court has since upheld the decision by the IHC to continue with Qadri's punishment, which was carried out on March 1, 2016 when he was hanged (Raja 2016).

Though it seems that the high courts previously faltered in putting terrorists in jails, some judges seem to have adopted an altered stance in the aftermath of the APS attack, wherein they seem more likely to uphold convictions from the anti-terrorist courts.

However, there are still major problems concerning the police investigation and proper prosecution of terror suspects. These problems have pervaded the anti-terrorism courts and are likely to continue in the newly established military tribunals. There is also a problem of efficiency as the Sindh High Court reported in 2015 that it had an eight-year backlog for terrorism cases:

> The statistics revealed that 152 terror-related trials and fifty-seven criminal trials have taken as long as eight years, primarily because the prosecution and the lawyers fail to implement the apex court's national judicial policy aiming to clear the backlog of cases.
> *(Sahoutara 2015)*

All of this is especially significant when one realizes that the Twenty-First Amendment is set to expire in 2017. This means that the Anti-Terrorism Courts along with the high courts will need to resume responsibility for all terror prosecutions and do so in a more effective manner than ever before in a short period of time.

Conclusion

By analysing various substantive areas of law that have been examined by the high courts, some general themes begin to emerge. First, there seems to be a lack of uniformity in decision-making by the high courts. While each one follows its own historical philosophy, justices within each court have dissented and disagreed on several issues over time. One can see this when examining the conflicting decisions on gender rights and terrorism between the Islamabad, Sindh, and Lahore High Courts. The lack of uniformity can be viewed as a positive feature of the high courts, because judicial dissent can often lead to a more robust jurisprudence that can develop concurrently with the state and society. Further, the lack of uniform legal opinion among and between high court justices is resolved by the Supreme Court, which retains appellate jurisdiction over the high courts.

Second, the high courts have been confronted with their own limitations on several occasions. One limitation relates to Dr Siddique's study, which concludes that the high courts are understaffed and overworked. This helps to explain the SHC's report that there is an eight-year backlog of terrorism cases. Another limitation to the high court's power is that while the court can interpret the law, it is elected politicians that must enforce the judgments. In some cases concerning environmental law and international law, the high court's decisions have not been enforced at all by the executive or legislative branch.

In other instances, the high courts are left in the position of critiquing the government for its failure to act or establish creative solutions for serious constitutional problems. This can be said for terrorism, wherein the court criticizes the lack of funding and training for police to conduct proper investigations. Further, with regard to digital rights, the court has requested more action from the telecommunications authority in limiting the amount of material that is censored for Pakistani citizens. This was also the case for environmental litigation, where the court criticized the government for failing to adhere to its climate change plans.

Notes

1 These rights include the right to fair trial, due process, free speech, free movement, free assembly, religious beliefs and the right to information from the government.

2 M. Bokhari (2011): "another contentious issue that the government has said must be decided legally, at the risk of angering the United States and jeopardizing up to $3 billion a year in U.S. military and civilian aid."

3 S. Hasan (2011): "Zahid Hussain, a senior journalist and author based in Islamabad, says: 'The matter is now out of the hands of the Pakistan government. The local media has definitely been sensationalizing the entire episode, but that's a common weakness here. Ultimately the courts will now decide what to do with Mr. Davis.'"
4 M. Bokhari (2011): "But with public anger and anti-American feeling running high, President Ali Asif Zardari's unpopular government had little choice but to let the case go through the courts, analysts say."
5 J. Horowitz and C. Rogers (2013): "The United States was not, however, a party to the case and therefore it is questionable how the court could order the United States to provide relief."
6 D.J. Nardi (2008): "The courts in Bangladesh, India, and Pakistan have all reduced legal standing for public interest environmental lawsuits and engaged in environmental policymaking where the environmental agencies have failed to take action."
7 See also *Shehla Zia v. WAPDA,* PLD 1994 SC 693.

Bibliography

Ahmer Jamil Khan and others vs. Federation of Pakistan and others, 2014 D1258/2014 Sindh. (2014).

Ali, Z. (2015). "A tale of controversy: SHC upholds girls' will in forced marriage case." *The Express Tribune*, January 14. Available at: http://tribune.com.pk/story/821917/a-tale-of-controversy-shc-upholds-girls-will-in-forced-marriage-case/.

Amer Azam Bakhat vs. Corporative Societies, 2007 CLC Lahore 374 (2007).

Asghar Leghari vs. Federation of Pakistan, 2015 W.P. No. 25501/2015 Lahore (2015).

Asia Bibi vs. The State & Another, 2009 Crl. App. No. 2509 of 2010 Lahore (2009).

Aurang Zaib, M. and Pastakia, F. (2008). Environmental Law in Pakistan, *Baluchistan Law Review*. Vol. 1, pp. 164–165. Available at: http://cmsdata.iucn.org/downloads/pk_Baluchistan_law_review__vol_1__2008.pdf.

Aziz, F. (2015). "Digital Rights." *Dawn*, December 13. Available at: http://www.dawn.com/news/1225967.

Bandow, D. (2014). "Blasphemous oppression in the name of Islam: hold Pakistan accountable for persecuting religious minorities." *Forbes*, July 14. Available at: http://www.cato.org/publications/commentary/blasphemous-oppression-name-islam-hold-pakistan-accountable-persecuting.

Begum Saida Qazi Isa vs. Quetta Municipal Corporation, 1997 PLD Quetta 1 (1997).

Bokhari, M. (2011). "Pakistan again delays trial of accused CIA shooter." *Reuters*. March 3, Available at: http://www.reuters.com/article/us-pakistan-usa-idUSTRE72210A20110303.

Bolo Bhi (n.d.). "YouTube case updates." Available at: http://bolobhi.org/resources/timelines/youtube-case-updates-by-bolo-bhi/.

Bytes 4 All vs. Federation of Pakistan, 2013 W.P. No. 958/2013 Lahore (2013).

Foundation for Fundamental Rights vs. Federation of Pakistan, 2013 PLD Peshawar 94 (2013).

Freedom House. (2010). *The Impact of Blasphemy Laws on Human Rights* Special Report. Available at: https://freedomhouse.org/sites/default/files/PolicingBelief_Pakistan.pdf.

Ghumman, T. (2015). "Lahore High Court orders Lakhvi's release." *Dawn*, April 10. Available at: http://www.dawn.com/news/1174892.

Hasan, S. (2011). "Lahore shootings fuel US–Pakistan row." BBC, February 11. Available at: http://www.bbc.com/news/world-south-asia-12437087.

Hassan, P. and Hassan, J. (2009). "Pakistan." In L.J. Kotzé and A.R. Paterson (eds) *The Role of the Judiciary in Environmental Governance: Comparative Perspectives*. The Netherlands: Kluwer Law International.

"High court upholds 20 year jail for rapist" (2015). The News, August. Available at: http://www.thenews.com.pk/print/55327-high-court-upholds-20-year-jail-for-rapist.

Hoffman, M. (2014). "Modern blasphemy laws in Pakistan and the Rimsha Masih case: what effect, if any, the case will have on their future reform." *Washington University Global Studies Law Review*, Vol. 13, No. 2, pp. 371, 392.

Horowitz, J. and Rogers, C. (2013). "Case watch: a court in Pakistan addresses U.S. drone attacks." *Open Societies Foundation*, May 28. Available at: https://www.opensocietyfoundations.org/voices/case-watch-court-pakistan-addresses-us-drone-attacks.

Humaira Mehmood vs. State, 1999 PLD Lahore 494 (1999).

Human Rights Commission of Pakistan (2014). *The State of Human Rights in 2014*, Annual Report 2014, p. 217. Available at: http://hrcpweb.org/hrcpweb/data/HRCP%20Annual%20Report%202014%20-%20English.pdf.

Human Rights Commission of Pakistan (2006). *The State of Human Rights in 2006*. Human Rights Commission of Pakistan. Available at: http://www.hrcpweb.org/pdf/Archives%20Reports/AR 2006.pdf.

International Committee of the Red Cross (2013). *Foundation for Fundamental Rights vs. Federation of Pakistan*. Available at: https://www.icrc.org/applic/ihl/ihl-nat.nsf/caseLaw.xsp?documentId=2D E8552D8319E650C1257D24004F3FBB&action=openDocument&xp_countrySelected=PK&xp_ topicSelected=GVAL-992BUG&from=state&SessionID=DL15WYX0S1.

Iqbal, N. (2009). "A view from Pakistan." *Human Right*, 36, 1, pp. 36, 21.

Iqbal, N. (2015). "SC asks military court convict to appeal before the high court." *Dawn*. September 23. Available at: http://www.dawn.com/news/1208740.

Islam Hussain vs. City District Government, 2007 CLC Karachi 530 (2007).

"Judicial policy helped reduce caseload by half: SHC CJ." (2013). *Dawn*, February 15. Available at: http:// www.dawn.com/news/786209/judicial-policy-helped-reduce-caseload-by-half-shc-cj.

Kamal Shah vs. The State, 2009 P Cr. L J 547 (2009).

Khan, A. (2012). "Environmental justice: green benches constituted all over Pakistan." *Express Tribune*, May 13. Available at: http://tribune.com.pk/story/378089/environmental-justice-green-benches-constituted-all-over-pakistan-ajk/.

Khan, H. (2015). "Sindh assembly deputy speaker slams SHC judgment on conversion case." *Express Tribune*, January 16. Available at: http://www.dawn.com/news/1157277.

Khouri, N. (2007). "Human rights and Islam: lessons from Amina Lawal and Mukhtar Mai." *Georgetown Journal of Gender and the Law*, 8, pp. 93, 103.

"Lakhvi's detention declared void by Islamabad High Court." (2015). *The Hindu*, March 13. Available at: http://www.thehindu.com/news/international/mumbai-terror-attack-mastermind-zakiurrehman-lakhvi-detention-declared-void-by-islamabad-high-court/article6989835.ece.

Lari, Z. (2011). "Honor killings in Pakistan and compliance of law." *Legislative Watch Program for Women's Empowerment*. Aurat Foundation.

"LHC upholds blasphemy convict Asia Bibi's death penalty." (2014). *Dawn*, October 17. Available at: http://www.dawn.com/news/1138402.

May, J.R. and Daly, E. (2014). *Global Environmental Constitutionalism*. Cambridge: Cambridge University Press.

Muhammad Mahboob vs. The State, 2002 PLD Lahore 587 (2002).

Muhammad Siddique vs. The State, 2002 PLD Lahore 444 (2002).

Mullally, S. (2006). *Gender, Culture and Human Rights: Reclaiming Universalism*. Oxford: Hart Publishing.

Munshey, M.S. (2013). "Violence against women in Pakistan – between law and reality." *Oxford Human Rights Hub*, April 24. Available at: http://ohrh.law.ox.ac.uk/violence-against-women-in-pakistan-between-law-and-reality/.

Nardi Jr., D.J. (2008). "Greening environmental rights: separating law and morality in environmental public interest litigation in Pakistan." *Environmental Law Reporter.* Vol. 38, News & Analysis 10029.

"On Trial: The Implementation of Pakistan's Blasphemy Laws." (2015). Available at: http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2015/12/Pakistan-On-Trial-Blasphemy-Laws-Publications-Thematic-Reports-2015-ENG.pdf.

"Pakistan court avoids immunity ruling." (2011). BBC, March 14. Available at: http://www.bbc.com/news/world-south-asia-12729849.

"Pakistan mob kills Christian couple over 'blasphemy'." (2014). BBC, November 4. Available at*:* http:// www.bbc.com/news/world-asia-29893809.

"Pakistan Supreme Court suspends Asia Bibi death sentence." (2015). BBC, July 22. Available at: http:// www.bbc.com/news/world-asia-33617186.

"Pakistan's court acquits suspects in Mukhtar Mai Case." (2014). *Reuters*, March 13. Available at: http:// www.dawn.com/news/622672/pakistan-court-acquits-suspects-in-mukhtaran-mai-case.

"Peshawar High Court halts death sentence awarded by military court." (2015). *Dunya News*, August 25. Available at: http://dunyanews.tv/en/Crime/295107-Peshawar-High-Court-halts-death-sentence-awarded-b.

Raja, M. (2016). 'Salmaan Taseer's killer hanged.' *Express Tribune*, March 1. Available at: https://tribune.com.pk/story/1056886/salmaan-taseers-killer-hanged/.

"Rape victims move SHC to get help" (2015). *Pakistan Today*, October 5. Available at: http://www.pakistantoday.com.pk/2015/10/05/news/rape-victims-move-shc-to-get-help/.

Rimsha Masih vs. Station House Officer, Police Station Ramna. (2012). Written Petition. No. 3172-Q/2012. November 14. Available at: http:// www.ihc.gov.pk/Announcements/Judgements/Court1/W.P.%20 3172-Q-2012.pdf.

Sahoutara, Naeem (2015). "Terrorism cases pending before courts for eight years." *Express Tribune*, July 5. Available at: http://tribune.com.pk/story/915455/terrorism-cases-pending-before-courts-for-eight-years/.

Shehla Zia vs. WAPDA, PLD [1994] SC 693 (1994).

Shehzad, R. (2015). "IHC upholds Qadri's death sentence. *Express Tribune*. March 10. Available at: http:// tribune.com.pk/story/850688/salmaan-taseers-assassination-ihc-upholds-qadris-death-sentence/.

Siddique, O. (2013). *Pakistan's Experience with Formal Law*. Cambridge Studies in Law and Society. Cambridge: Cambridge University Press.

Sindh Institute of Urology and Transplantation and others vs. Nestle Milkpak Limited, 2005 CLC Karachi 424 (2005).

Syed Mansoor Ali Shah vs. Government of Punjab, 2007 PLD Lahore 411 (2007).

Ullah, I. (2015). "Human rights group reports rise in 'honor killings' in Pakistan." *UPI*. June 25. Available at: http://www.upi.com/Human-rights-group-reports-rise-in-honor-killings-in-Pakistan/ 51429857038598.

Warraich, O. (2011). "How Shariah law saved American Ray Davis." *Time*. March 16. Available at: http://content.time.com/time/world/article/0,8599,2059330,00.html.

PART III

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12

PAKISTAN'S ELITE CAPTURE AND THE STATE OF INSECURITY

Imtiaz Gul

Introduction

In his memoir, *Truth Always Prevails,* Sadruddin Hashwani, one of Pakistan's most prominent businessmen, recalls the early post-independence period in Pakistan as one of "ardent aspirations, golden dreams and a firm resolve by the new nation's founding fathers to build a prosperous and thriving nation." But judged against the current conditions, it seems, something went terribly wrong to those aspirations.

> to be a businessman in Pakistan is to negotiate a minefield. Corruption and nepotism are second nature to our politicians and civil servants and, regrettably, to a few senior generals too. They crush and throttle new ideas or initiatives. The system of controls and regulations that has been engineered by our governing elites are designed to protect privilege and not encourage talent or daring . . . others have compromised with the circumstances and given in – I have not and that is why I find myself in Dubai rather than in my treasured Karachi or in my home in Islamabad.
>
> *(Hashwani 2014)*

This excerpt from the memoirs of Hashwani encapsulates Pakistan's journey from a nascent, poorly resourced country to one that has grown to 200 million, possesses a dreaded nuclear bomb, and over 260 billion dollar GDP in 2015 (up from a paltry 3.71 billion in 1960) (Trading Economics 2015). But this progress has come at a high social, political and economic cost under the shadows of a self-serving civilian-military elite, almost always backed and guided by an equally corrupt and self-centered bureaucracy – not to speak of four major military interventions between 1958 and 1999, which not only emasculated civilian governance institutions but also corrupted the political economy of the country.

Together, the civilian and military elites have systematically controlled and exploited state corporations such as Pakistan International Airlines (PIA), Oil and Gas Development Corporation (OGDCL), Oil and Gas Regulatory Authority (OGRA), Water and Power Development Authority (WAPDA), Pakistan Steel Mills (PSM), Pakistan Railways (PR), Pakistan Telecommunications Corporation (PTCL), and the Karachi Electric Supply

Corporation (KESC), which have reeled from corruption, nepotism and mismanagement. Successive rulers did not spare even the state electronic media – Pakistan Television (PTV) and the Pakistan Broadcasting Corporation (PBC) – which are often run by hand-picked party loyalists or pliant bureaucrats. Most are financially bleeding, a symptom of the abuse of authority, narrow-ended extractive practices and the surreptitious disposal of state assets. The elite capture in Pakistan is a long litany of the progress of a few dozen families and their extended social circles at the cost of the teeming millions whose votes make and break governments, but who themselves remain marginalized, always hoping for better treatment at the hands of their representatives.

Starting from scratch

Industrially, Pakistan was a barren landscape at the time of its birth in 1947. The whole industrial infrastructure comprised one or two textile mills. Thorns were used as paper pins. It was mandatory in offices to write on two sides of the paper. People died and there were no coffins (Rehman, interview).

Patronage of industry and business was sorely needed and became the official policy. Dr Mehboob-ul-Haq, who served as chief economist at the powerful Planning Commission, peddled the theory: "Accumulate, Accumulate, thou is Mohammed, thou is Moses." Shahidur Rehman says Dr Haq believed that the cake (Gross National Product) had to be increased in size before it was cut into small slices. Business, officials and politicians soon became intermingled. Thus, Ahmad Dawood of the Dawood group also held office in Ayub Khan's political party, the Muslim League, and many major projects like the Karnaphuli Paper Mills were dished out almost free to him in return. This policy of patronage led to a golden decade of development and the birth of 22 families – an expression that remained in vogue for quite some time as a metaphor for control of national resources by a few elites.

The privatization of national industries during Prime Minister Z.A. Bhutto's era in the early 1970s dealt a severe blow to the big industrialists, including the Sharifs, Saigols and Hashwanis. But once in power for the first time in late 1990, Nawaz Sharif began to reverse the nationalization program and began privatizing state enterprises. One of his friends, Mian Mansha, had until then lived an obscure life but his fortunes brightened when Sharif privatized the Muslim Commercial Bank (MCB) and handed it over to him. This transaction placed Mian Mansha in an advantageous position to successfully bid for several other state-owned enterprises, particularly cement plants. He went on to become Pakistan's richest man by 1999, and he still is.

Another example is that of finance manager and banker Arif Habib, known to be a close associate of former Prime Minister Shaukat Aziz as well as former President Asif Ali Zardari. In 1999, he was nowhere on the list of the rich and famous in Pakistan. Today, he counts among the leading industrialists of the country. His political contacts and the stock market boom helped him acquire some of the most profitable state-owned enterprises like Thatta Cement (formerly Javedan Cement), and National Fertilizer (formerly Pak-Arab Fertilizer). Another one of those who catapulted into the economic elites out of nowhere includes Iqbal Z. Ahmad – the man who financed several power plants at the time of the Zardari government.

Pakistan's tremendous human and natural resource potential notwithstanding, and barring a few spurts of growth during the 1950s and 1960s, its journey for most of its existence has been

that of a country sequentially engendering international infamy for military coups, corruption, subversion of the rule of law, support for Islamist jihad, militancy, and poor governance, resulting in mounting foreign debt. The post-9/11 global war on terror in Afghanistan added another, much more destructive facet to the country's branding: the perception of a country that harbored global terrorists such as Osama bin Laden, supported religious militancy in the Indian part of Kashmir and sought control of Afghanistan through its proxies.

Pakistan's current predicament is therefore a combination of an outdated elitist model of governance that is tailored to benefit the rich and a security-centric foreign policy, largely driven by fears of a much larger eastern neighbor, India.

Besides the continuing hostility with India and three wars with it over Kashmir since 1947, geo-politics, too, contributed in its own way to Pakistan's continuous decline in governance and security: the Iranian Revolution (January 1979), the Soviet invasion and occupation of Afghanistan (December 1979–February 1989), and the terrorist attacks in New York and Washington in September 2001 sucked the country into what has become an unending spiral of instability, corruption, bad governance and economic stagnation – factors that are quintessential to the way elite capture happens in developing countries.

Geo-political compulsions as well as a security-centric foreign policy only precipitated the consequences of the elitist model of governance, forcing successive ruling elites into unholy alliances and compromises even on vital political and economic reforms.

Former federal secretary and ambassador M. Inayatullah attributes Pakistan's continuous state of degeneration to the fact that political power in Pakistan almost always remains concentrated in the hands of the civil and military elites who, instead of encouraging political participation from the country's ordinary masses, have been treating them as "subjects."

The current nature of governance in Pakistan can be termed as a nexus of politics, landed aristocracy, organized crime and bureaucracy dominated by a coterie of predatory civilian-military ruling elite given largely to the preservation of their own political and economic interests. It was also this concentration of power in the hands of a few ruling elite belonging to West Pakistan which created conditions for the breaking away of East Pakistan in 1971, now Bangladesh (Inayatullah 2013).

The post-9/11 policies of the military ruler General Pervez Musharraf, internationally looked down upon as a pariah because of his October 12, 1999, coup, dealt further blows to Pakistan's democratic evolution and virtually stalled reforms of the political economy. Once again, geo-politics turned a once despised military dictator into an international darling because of his readiness to partner a US-led international coalition in its war on terror in Afghanistan. This partnership removed international focus from Pakistan's much-needed structural economic reforms to its support in the anti-terror war. From Washington to London to Berlin and Rome, Pakistan was seen as a crucial ally – the springboard for the anti-terror war. The socio-political consequences have been disastrous.

General Musharraf bowed out in August 2008, leaving behind a legacy of political compromises, nepotism and skewed security paradigm with a direct bearing on the country's economy. In fact, General Musharraf justified and premised his coup on "corruption by the civilian ruling elites." Elimination of corruption was one of the seven priorities he had announced as his reforms' agenda in the wee hours of October 13, 1999. He declared a crusade against grafting, but within months this resolve gave way to undeclared pragmatism as his regime began cutting deals with judges, journalists, businessmen and selected politicians for his own survival as well as for political expedience. By 2002, Musharraf's anti-corruption drive had waned, with scores of cases shelved or dropped altogether.

According to Owen Bennett Jones, the British journalist,

> the military attempted to excuse itself on the grounds that finding solid evidence of white-collar crime is extremely difficult and time-consuming. But the real reason for the softened approach was that the army saw the legal cases as useful levers with which they could control politicians. If any politicians transgressed the line of "acceptable" criticism of the military, they could expect to have their corruption cases revived. By the same token, politicians who accommodated themselves with the military regime could expect to have their cases dropped.
>
> *(Jones 2003)*

As the trail of compromises set in within a year of his appointment, General Syed Mohammad Amjad, whom Musharraf had handpicked to pursue graft cases through the newborn anti-corruption watchdog – the National Accountability Bureau (NAB) – decided to relinquish charge. Amjad bore the reputation of a man of immaculate integrity and unflinching commitment to principles. He refused to head an institution whose powers he saw becoming diluted under the expedience of realpolitik (Syed Mohammad Amjad, interview, n.d.). A new political party, the Pakistan Muslim League (Q), emerged from the ashes of the so-called "accountability" in 2002 – also referred to as the Musharraf League.

Three cases in point explain how the personal agendas of the civilian and military ruling elites trumped real accountability and good governance. These cases also underline the power of the ruling elites: how they can buy, bully, and bend the law, coerce both the bureaucracy and the media. One is the story of a former navy chief, Mansur ul-Haq, and the other relates to the pardon of dozens, if not hundreds of politicians and bureaucrats accused of abuse of authority and financial corruption through a controversial presidential decree called the National Reconciliation Ordinance (NRO 2007).

Admiral Mansur ul-Haq headed the Pakistan navy between 1994 and 1997 and was accused of receiving kickbacks on defense contracts, including a deal for four French Agosta submarines. In May 2001, the National Accountability Bureau (NAB), set up by Musharraf, claimed to have gathered sufficient evidence to secure Mansur ul-Haq's extradition from the United States for trial in Pakistan. By the end of the year, however, the NAB had struck a deal with Mansur ul-Haq; he walked away as a free man after paying $7.5 million to the state, though the actual funds involved were far more.[1]

The admiral's case was part of a pattern that also continued with the notorious NRO,[2] which not only allowed Benazir Bhutto and Nawaz and Shahbaz Sharif to return home but also cleared hundreds of leaders and activists of the Karachi-based ethnic party, the Muttahida Qaumi Movement (MQM), of similar charges. This includes Dr Ishratul Ibad, governor of the southern Sindh. Nominated by the MQM founder Altaf Hussein in the early 2000, Ibad went on to become the longest serving provincial governor (as of May 2016, Ibad was still the governor).

The ensuing civilian government between 2008 and 2013, the Pakistan People's Party (PPP), did little to reform the political economy. An extremely selfish use of political authority by the rulers in this period also reduced incentives for investment and growth. In such a chaotic state of lawlessness and total absence of accountability, the ruling elite enjoyed a free hand in blatantly abusing their political power and plundering the national treasury with incredible impunity (Gul, "Pakistan's apathetic rulers" 2015).

The second case in point relates to allegations of abuse of power and massive graft surrounding a former petroleum minister, Dr Asim Hussain, a close aide to former president Asif Ali

Zardari. In late February 2016, the corruption watchdog – the National Accountability Bureau – filed a "reference" against Dr Asim, accusing him of misusing his authority in fraudulently obtaining prime land and of encroaching upon state land in Karachi in order to expand the Dr Ziauddin Hospital/Trust that he owns. Other accusations included illegal gains from kick-backs and money laundering. He is also alleged to have received commissions from a fertilizer cartel for an "exploitative price hike." Another charge related to "black marketing and fraud with the public" in the name of a charity hospital. In all, the NAB claimed that Dr Asim had deprived the state of Rs. 462 billion (over 400 million dollars) between 2010 and 2013 ("Anti-graft body files reference against Dr Asim" 2016).

The accused also headed the Pakistan Medical and Dental Council – the regulatory body that awards licenses for new medical colleges in the private sector, a business that generates hundreds of millions a year. During his tenure, the number of private medical colleges in the country rose from some three dozen to over 130, prompting speculations it might have involved massive kickbacks. Shortly before Dr Hussein's arrest in August 2015, Zardari and one of his right-hand men, Sharjeel Memon, left the country, possibly to avoid arrest. Memon, too, faces similar charges by the NAB.

The third case is that of the astronomical rise of real-estate tycoon Riaz Malik. His story illustrates in greater detail the power of money and muscle through his close proximity to two former presidents, Pervez Musharraf and Asif Ali Zardari, and to politicians such as Chaudhry Shujaat Hussein, a permanent pro-establishment wheeler-dealer in Pakistani politics. The case also exemplifies the systemic elite capture that has evolved in the country.

A former police and intelligence officer and a federal tax ombudsman, Dr Shoaib Suddle established that Malik owed Rs. 120 billion in taxes to the government but had been able to get away with alleged tax frauds and the appropriation of state lands on the fringes of his residential schemes – Bahria Town – in major cities in Pakistan. The reason was that he had consolidated his ingress into the centres of power by employing ex-military and civilian officials, and by gifting palatial houses to generals, politicians, bureaucrats, journalists and several military officials.

> We simply went for a three-year audit of Mr Malik's multiple bank accounts and figured out that he was in default of nearly Rs. 120 billion in taxes to the government. Within days of the submission of these findings, the Supreme Court called off the investigation of the case it had opened in connection with a row between the property tycoon and the son of the former chief justice, Iftikhar Chaudhry.
>
> *(S. Suddle, interview, n.d.)*

The abrupt dismissal of the case came as a rude shock to Suddle and all those who had hoped to "have the property giant by the jugular." It was not surprising at all, though. Nothing could better explain how influential Malik Riaz had grown, Suddle recalled. The report highlighted Malik Riaz's high-profile charity work and questioned issues like how he could afford to feed 150,000 people every day (as he claimed) for which Rs. 1.09 billion was spent this year, whereas his total declared income for tax purposes was Rs. 760 million (Raza, "Arsalan concedes he made two foreign visits" 2012).

The three cases mentioned above underline the predatory methods that the ruling elites have deployed to indulge in brute cronyism, high-handed development approaches mainly meant to mint big money, while expanding their own electoral constituency with little regard for merit, rules and regulations, and transparency. These cases also lay bare the deadly tripartite nexus that exists among politics–business–bureaucracy. Together, they have gradually captured vast national resources and continue to do so in a mutually beneficial way.

Governance – hostage to the ruling elites

Worldwide Governance Indicators produced by the World Bank in 2013 ranked Pakistan in the eighteenth percentile in the "control of corruption," which makes it worse than 82 percent of the countries in the world. Pakistan is ranked in the twentieth percentile globally in terms of "rule of law," and in the twenty-third percentile in overall "government effectiveness," where it is behind even the West Bank and Gaza (Sherani, "Slaying the beast" 2015). According to the United Nations Human Development reports, 55 percent of the adults in Pakistan are illiterate, three-quarters of the population live on less than two dollars a day, a fifth on less than one dollar a day while 25 percent of Pakistani children are born with a low birth weight (Runford and Wagg 2010: 74). Considering Pakistan's poor socio-economic conditions, the World Economic Forum's Global Competitiveness Report (Schaub, 2014) postulates that Pakistan's poor ranking in the most critical and basic areas of competitiveness today is because "its public institutions are constrained by red tape, corruption, patronage, and lack of property rights protection" (Sherani, "Slaying the beast" 2015).

The pervasive control of Pakistan's political institutions by the civil-military bureaucracy as well as by feudal lords since the country's inception has clearly obstructed the socio-economic betterment and the development of participatory and pluralistic traditions in Pakistani society (Inayatullah 2013). Feudal landlords, bureaucrats and intelligence agencies, as well as the judiciary in Pakistan, have not always shown a disinterest in promoting the rule of law but have been reluctant in accepting it themselves (Jones 2009: 226).

Unlike western democracies, where the elected members holding public office are accountable to the general population, elected representatives in consecutive parliaments in Pakistan have been found to serve personal interests rather than those of the poor electorate. This means little attention has been paid to issues such as social justice, living and health conditions, and the weak state of law and order. This has also had trickledown implications for the entire society (Shaukat 2014).

Although the Sharif brothers returned to power with big hopes and promises, their latest stint hardly differed from the typical kleptocracy epitomized by Bhutto and Zardaris,[3] and generals including Musharraf. The two irrefutably influential political parties – the Pakistan Muslim League-Nawaz (PML-N) and the Pakistan People's Party (PPP) – have ensured their inevitable re-election into power by amassing enormous wealth and by systematically rigging the political system through constitutional amendments to remove or blunt any challenges to their rule. For the sake of their many personal objectives, they have often sought support from external actors and are always seeking to undermine the army (Sherani 2014).

Pakistan's extractive political institutions and socio-economic deprivation

Today, in Pakistan, the term "ruling elite" has become almost synonymous with the term *impunity* – in words and actions – implying that the elites and their immediate circles play with or dodge the law as they please. Many lawmakers have been seen overtly flouting the law for personal benefits, either through direct involvement, or covertly through a nexus with organized crime (Gul, "Mafias and the ruling elite" 2015).

Shahid Javed Burki, a former vice president of the World Bank as well as an ex-finance minister, believes Pakistan's halting development as a nation and as an economic entity is due to an extractive political system which has never been allowed to develop into an inclusive and representative system for the larger population. The terms "extractive" and "inclusive" for

political and economic institutions have been coined by the authors of *Why Nations Fail*, Daron Acemoglu and James A. Robinson (2012).

Acemoglu and Robinson (2012) assert that economic progress hinges on political advancement, and that there is a strong correlation between politics and economics where causality runs in both directions. Exceptions to this rule have been the miracle achieved by China and other countries in East Asia, which have been able to develop their economies swiftly without making political progress (Burki 2015).

Acemoglu and Robinson (2012) undertook a comparison of the socio-politico-economic conditions of thirty different countries with more or less similar socio-political conditions and development trajectories. They included America/Mexico, South/North Korea, Botswana/Zimbabwe, to name a few. The authors observed that all of the underdeveloped or developing states had a common denominator, namely a narrow political elite that had designed economic institutions in a way so as to ensure free flow of wealth towards them to the exclusion of the dominant majority. In some cases, such political and economic institutional structure even resulted in economic stagnation, e.g., in the cases of Argentina, Colombia and Egypt, while in others a total state failure was observed, such as in Zimbabwe and Sierra Leone.

Endorsing Acemoglu and Robinson's thesis, Burki says that in open and democratic systems, most changes in the political and economic arenas occur after elections. The type of political and economic institutions that will be formed depend on the kind of representatives that are voted into power. In cultures like that of Pakistan, elections only favor the elite and strengthen their position as they possess the resources to buy, bully or neutralize opponents, or even mass-purchase votes to get elected. Once in power, the corrupt elite, instead of producing "inclusive" economic institutions for the benefit of the masses, strengthen their control over national economic institutions and eventually use them to extract benefits for them and their coterie of supporters – the extended community of the ruling elites. In the process, they influence state institutions in a manner that facilitates their corrupt governance. Thus continues the status quo of impoverishing the poor and enriching the powerful (Burki 2012).

Acemoglu and Robinson (2012) further state that extractive economic institutions – usually state corporations and commercial entities such as commercial and investment banks – tend to generate growth only in the short-term, which the ruling elite ceremoniously showcase as their hard commitment to the development of the country, especially to increase the prospects of their re-election. In the long term, these institutions generate more poverty and are devoid of the incentives to save, invest and innovate. In fact, Acemoglu and Robinson believe that the relationship between the state and the population in countries with extractive economic institutions can be aptly likened to one between the colonial system and a slave where wealth is drawn from the "have nots" and transferred to the "haves" (Acemoglu and Robinson 2012).

Burki believes this is precisely what has happened in Pakistan in recent years; policymaking has remained dominated by the self-interested ruling elites who, in their commitment to serve only their interests without caring for society at large, have created an institutional structure which is self-perpetuating and will eventually lead to social, political and economic chaos. This is how nations fail and Pakistan seems to be moving in that direction (Burki 2012).

There is a cumulative cost that nations pay for the corruption of the ruling elites: nearly one trillion dollars in illicit finance, much of it amassed by those in positions of high authority, is estimated to leave poor countries each year, money that could help replace shrinking aid budgets and support Sustainable Development Goals (SDGs) (Reuters 2015). "Grand corruption is a big problem for development because of the massive amounts of money involved," Akaash

Maharaj, executive director of the Global Organization of Parliamentarians Against Corruption (GOPAC), told the Thomson Reuters Foundation at an international anti-corruption conference in Malaysia (Zweynert 2015).

Pakistan's elite capture

Before proceeding to shed light on how the ruling elites in Pakistan developed and exploited national extractive institutions to largely safeguard their interests, the term "elite capture" needs to be explained. Academically, the term, "elite capture" is defined as a situation where resources designated for the benefit of the larger population are usurped by a few individuals of a superior status, be it economic, political, education, ethnic or otherwise. The origin of the *elite capture* phenomenon, according to Laffont and Tirole (1991), can be traced to the "interest group capture" paradigm in the writings of Marx, Stigler and Peltzman. Laffont and Tirole argued that interest group capture happens because of information asymmetry and inefficient regulation or allocation of resources. Elite capture thus means capture of government decision-making or of resources by a group of elected ruling elites who have the means to influence and shape decision-making that impacts the entire population.

Sakib Sherani, a leading economist and a former economic advisor to the Ministry of Finance in Pakistan, says elite capture happened very early on in Pakistan's history. In fact, it is argued that barring a handful of leaders at the time of independence, such as Mohammad Ali Jinnah, many of the Muslim League leaders were large landowning feudal lords who had little interest in the institutional development of the country. The overlap of an insecure external environment stunted the growth of strong institutions, resulting in the absence of institutional checks and balances. Hence, the basis for personal interests, discretion, corruption, a lack of transparency and accountability was also laid, leading to the negative outcomes evident over the past two to three decades (S. Sherani, interview, 2015).

Nadeemul Haque, former deputy chairman of the Planning Commission of Pakistan, believes elite capture happened in Pakistan because of thoughtless leadership, a leadership that lacked intellectual depth and, thus, surrendered the search for its identity and soul to the uneducated mullah and the military. It let the rule of law and due process be subverted by tribal and village feudalism, partnered with the military when the latter seized power through coups, and built a state based not on the foundations of merit but on rent-seeking, corruption and arbitrary power (Haque 2015).

Sherani lists various tools which he says the elite use to control resources and their distribution. This includes taxation and expenditure policies that favor the elite: the virtual exemption of agricultural income from tax, or the capital gains tax on property, or the heavy spending on an urban infrastructure for a car-owning elite rather than developing an efficient mass transit system offer a few examples as to how the system is designed to favor the few privileged ones.

Some other manifestations of elitist governance include control of the state-owned banking system, using this to extend loans and then writing them off, the appropriation of property due to the weak enforcement of property rights, the acquisition of state-owned land through political patronage or via manipulation of the rules, including assessments of land value at a fraction of market price, the manipulation of state policies and arbitrary, sometimes short-lived import/export tariffs via the budget to benefit political allies or kith and kin. Another tool to extract benefits is to circumvent the country's judicial system and bureaucracy and accountability institutions by political appointments. All these actions have weakened the institutional framework of the country and done immeasurable harm to its long-term development (S. Sherani, interview, 2015).

Speaking of willful tax evasion, Malik Tariq Ali states it is only with political will that mass murderers and the powerful elite who deprive the state of billions of dollars can be tried and

punished. But, he points out, unfortunately, some of those in power in the ruling elite and the establishment are themselves involved in massive tax evasion and are unwilling to set any precedents for the conviction of high-profile criminals for nonpayment of taxes (Ali 2015). Sakib Sherani says that when politicians band together today and chant a chorus of "save the system," they are actually referring to a system of money, power and patronage from which a handful of corrupt insiders earn Rs. 1,500 billion a year in illegally acquired gains (Sherani, "Slaying the beast" 2015).

Sakib Sherani states that until a few years ago he had considered the idea of "economic hitman" as far-fetched and conspiratorial. However, seeing the permissiveness of crime in Pakistani society by the government, particularly as uncovered in the case of the Nine Zero military operation in March 2015 in Karachi, Sherani appears convinced that the notion is very much real. This, Sakib Sherani states, is testimony that "the tentacles have spread from financial corruption to organized crime, to terrorism and to Pakistan's regional enemies" (Sherani, "Slaying the beast" 2015).

Considering the factors that have allowed the development of the elite capture phenomenon in Pakistan, Umair Javed, a columnist in *The Express Tribune*, believes the reason that politically influential individuals develop outside the formal structure of politics in Pakistan is due to the country's weak party system. Unlike developed western democracies, Pakistan's political parties do not receive any training to become well-organized institutions but are more like loose groups of locally influential and corrupt elites. Politicians in Pakistan mostly comprise landowners and caste or tribal heads in rural areas, while in urban areas they consist of industrialists, traders and occasionally doctors and lawyers (Javed 2015).

Tax evasion

The mutually accommodating elitist governance has also given birth to a culture of patronage, which dissuades the elites from paying taxes on their hefty incomes. This disinclination is rooted in decades of a skewed taxation regime and an aversion to documenting their earnings. The latest example – a tax amnesty scheme, the Voluntary Tax Compliance Scheme, introduced in February 2016 to lure more businessmen into the tax net – also provided evidence of the disdain with which the ruling elites treat the issue of the need to pay taxes. In the first 26 days, only 128 people filed income tax returns and paid Rs. 20 million in taxes – unlike the government expectation of adding another million new traders into the tax net (Rana, "Govt. aimed for 1 million traders" 2016).

The amount the government earned from the new tax filers – $200,000 – was far less than the tens of millions it spent on an aggressive media campaign. Earlier, in November 2013, Premier Nawaz Sharif had attempted to woo industrialists into the tax net by means of an amnesty scheme which would legalize up to Rs. 10 million of "black" money in the name of increasing investment and broadening the tax base. However, neither the tax base expanded nor did investment pick up.

Even for the fiscal year 2015–16 the government registered a dismal 8.4 percent tax-to-GDP ratio, illustrating that only 0.45 of the total population filed a tax return. (Hayat and Chaudry 2016).

A skewed taxation regime

Pakistan's tax regime is heavily tilted in favor of the elite, says the Tax Reforms Commission (TRC) in its final report, which proposed that all perquisites of top office holders, cabinet ministers and the judiciary should be subject to tax in order to ensure equity. "In Pakistan, it

seems the poor are subjected to heavy and harsh indirect taxation and the elite are enjoying free perquisites and benefits, including purchase of valuable state-owned plots at prime locations and at throwaway prices," said the report. The TRC also proposed the setting up of a national tax agency besides stripping the Federal Board of Revenue (FBR) of its policymaking role. The findings of the commission highlight the serious flaws in the tax structure that is burdening the poor (Rana, "Pakistan's current tax regime" 2016).

What could be more ironic than the fact that almost half of lawmakers in Pakistan's national and provincial assemblies do not pay taxes while 12 percent are without national tax numbers. Seven million Pakistanis are estimated to be eligible to pay income tax but only 0.3 percent of the population in Pakistan pays income tax and files a tax return, one of the lowest ratios in the world. Besides vertical equity, there is also the issue of horizontal equity where the same levels of income, though from different sources, are taxed differently due to a favorable tax policy that discriminates to the benefit of certain segments. Around 75 percent of the direct income tax collected is from businesses, and the rest is from individuals. Even within businesses, only 21 percent of the registered companies pay income tax, with the vast majority being tax non-filers (Sherani, "Pakistan's taxation crisis" 2015).

In considering this, how can it be right to continue to be a member of parliament and squander tax payers' money by introducing controversial financial schemes such as Yellow Cabs, Green Tractor, and the Daanish Schools in order to benefit friends and families? How can the lawmakers be trusted to vote on taxation proposals against the rich if they do not declare their own taxes? Sherani says that, except for a handful, those at the top of the income chain increasingly evade paying their due share of taxes, which results in an added burden falling unequally on those at the bottom of the pyramid who do pay via indirect taxation (Sherani, "Pakistan's taxation crisis" 2015).

Some measures like the publication of directories containing the names of all tax filers, the digitization of the Federal Board of Revenue and the constitution of a Tax Reforms Commission do indicate some moves aimed at improving the revenue collection, yet, as Sherani points out, tax evasion by the elites is the real elephant in the room. The growing nexus between the political system and the Federal Board of Revenue (FBR), where the latter is falling short of performing its independent and neutral role, is contributing to this evasion. Imposing a direct tax on the elite's income is required if the state institutions are to restore their moral authority to tax the poor segments of the society too (Sherani, "Pakistan's taxation crisis" 2015)

The interests of the politicians, military bureaucracy, landed aristocracy and leading business organizations are intricately enmeshed. Tentacles of many of the political elites and some state institutions extend even to the organized crime. This makes meaningful reform and an equitable distribution of resources extremely difficult to achieve, says Dr Shoaib Suddle (S. Suddle, interview, n.d.). As a federal tax ombudsman, Suddle conducted several inquiries into the bank accounts and transactions of many business houses and stumbled upon staggering revelations of tax evasion and financial fraud committed by politicians, bureaucrats and businessmen with close links to top civilian and military leaders.

Bank loan write-offs

This deadly combination has also eaten up public money through bank loan write-offs to the tune of hundreds of billions of rupees. It was in the 1990s that caretaker Prime Minister Moeen Qureshi came out with the first list of bank loan defaulters, which included top politicians, businessmen and former bureaucrats.

In 2001, when General Musharraf's regime published a list of major loan defaulters, the total amount owed by politicians and businessmen was a little over US$3 billion, of which the Sharifs alone owed approximately US$50 million. Nevertheless, despite being an extremely wealthy man, Nawaz Sharif has never shown any enthusiasm in paying taxes. Jones (2009) states that, as shown on his 1996 nomination form for the National Assembly elections, Nawaz Sharif paid less than 10 dollars in income tax between 1994 and 1996. His supporters, though, point out that since he paid nearly US$60,000 in wealth tax, his not paying taxes is entirely legal. However, this amount is still too small for a man whose family controls assets that are worth hundreds of millions of dollars (Jones 2009: 234). In October 2010, the central State Bank of Pakistan informed the Supreme Court that the top 50 industrialists, businessmen and politicians had had their loans worth Rs. 256 billion written off (*Dawn News* 2010).

Sadruddin Hashwani, another big businessman, mentioned earlier in the chapter, was also one of those who failed to repay an entire loan. He bought Pakistan Services Limited with the help of a loan that was eventually written off, says Shahid Rehman, the author of *Who Owns Pakistan*?, a book that lists major business families of Pakistan. According to Shahid Rehman, when Hashwani's cotton business was nationalized by the government of Z.A. Bhutto in the 1970s, he managed to buy Pakistan Services Limited from Pakistan International Airlines, the national airline, by means of a dubious transaction.

Another report that quoted the annual statements of various financial institutions also sheds ample light on how the predatory ruling elites have exploited their status to gobble up public money. The loans that were written off in 1982 stood at about Rs. 8 billion but had ballooned to Rs. 274 billion by 2008 – a mammoth 300 times increase in 26 years ("274 billion loans written off" 2009).

This staggering amount is nearly half the funds the federal and provincial governments allocated for the education sector in 2013, i.e. Rs. 504 billion, and some Rs. 36 billion less than the Rs. 310 billion that the government in Punjab, the largest of the provinces with nearly 62 percent of total population, earmarked for education in 2015–16.

As recently as August 2015, some commercial banks waived a staggering Rs. 20 billion in loans for the period 2012–14 to facilitate about 2,000 privileged people, most of whom used their influence to achieve this. Malik Riaz's example and the abrupt dismissal of his case from the Supreme Court manifests the deadly influence that these elites wield even over the judiciary.

Economists such as Dr Ishrat Hussein, former governor of the central State Bank (SBP), however, play down the political emasculation of the financial institutions. Hussein sees the loan write-off as an inherent part of the banking system. The write-offs of defaulted loans by the banks is very much part of normal business and is in accordance with international practice. As long as they are made in a transparent manner and according to given policies, there should be no cause for concern. Dr Hussein appears to ignore the collusion among politicians, bankers and the bureaucracy that has resulted in the multi-billion loan write-offs (Hussein 2003).

However noble Dr Hussein's reference to merit and transparency, the bitter reality is that influential elites have often secured and forgotten loans at the expense of these very ideals. Poor loan defaulters would often have their small homes – built with loans at extremely high mark-up – auctioned while the politically influential get away with even tens of millions – a reflection of how the ruling elites have secured their interests through, at times, shady deals and compromises.

Most Pakistanis remember the 1990s as a decade of extreme corruption: an era when Benazir Bhutto and Nawaz Sharif alternately headed governments, albeit in brief stints as the military cut them short through direct or indirect interventions. Each time, corruption and the misappropriation

of authority for personal and party gains constituted the core of the charge sheet the president or the general would peddle in support of his action against the government.

While differences between the two opposing political parties existed, in national policy terms the common characteristic shared by both was their ability to accumulate huge levels of foreign debt. During the 1990s, both parties freely contributed to the deterioration of the country's economy and the pilferage of national resources (Hussein 2003).

Before Benazir and Nawaz Sharif began taking turns as prime minister following the death in an air crash of General Zia-ul-Haq in August 1988, the country's foreign debt stood at around 13 billion dollars. The figure had nearly doubled to 25 billion dollars when General Musharraf seized power in a military coup in October 1990. Nawaz Sharif's opulent estate at Raiwind near Lahore and Benazir Bhutto's ancestral home in Larkana in Sindh both have private zoos, and they have accumulated valuable foreign properties as well. This makes a mockery of their claims of concern for public welfare.

Benazir Bhutto and her husband, Asif Ali Zardari, who later became the party chief and the president of the country, were both accused of abusing their political power for personal gains through kickbacks. For all the kickbacks he is alleged to have received, Zardari earned the notoriety of being called "Mr Ten Percent." He even bought a huge countryside mansion in Surrey, England, and a similar property in Paris. In both cases, Zardari and his party initially denied but eventually accepted that they owned these prime properties.

They also doled out close to 550 pieces of land, mostly in Islamabad, dished out lucrative postings in state corporations to their cronies, and awarded money-spinning state contracts to their kith and kin as a way of consolidating their social support systems. Notions such as merit, the process of law or conflict of interest mattered little.

Jones notes that Asif Ali Zardari's election as the country's president in September 2008, despite his corrupt reputation, is a clear testimony of the strength of dynastic politics in Pakistan. In the 1990s, Zardari had served prison sentences for corruption and murder. Nine months before his election, his wife had been buried in the Bhutto's expansive family mausoleum in Sindh where people from all over Pakistan travelled to pay their last respects. Because of this, they were unanimous on one thing: they would vote for a PPP candidate, whoever it was (Jones 2009: 226).

In the words of Sadrudin Hashwani, PPP's governance under Asif Ali Zardari turned out to be the conversion of a political party into a "fiefdom" overseeing the destiny of 200 million people. Zardari was back to playing the same tricks he had during Benazir's rule in 1990s, except this time he had an omnibus alibi for everything going wrong in Pakistan; the word "terrorism". Hashwani (2014: 217) writes: "In reality, the presidency was run like a cartel. In his motivations and methods, the Zardari of 2008 was no different from the Zardari of 1990. If anything, he was worse – Mr Ten Percent had become Mr Ninety Percent."

PPP's coalition, which was in power in the provinces of Sindh, Khyber-Pakhtunkhwa and Baluchistan, gave way to more lawlessness, particularly in Baluchistan and Sindh, with extortion and kidnappings for ransom quite rampant. Supreme Court judgments were frequently violated and public money was freely funneled away by the government. Hashwani believes some of the flight of capital in Pakistan can be explained by PPP functionaries and ministers moving their embezzled wealth abroad in this period (Hashwani 2014: 217).

Be it the privatization of the Pakistan Telecommunications Corporation (PTCL) or the Karachi Electric Supply Corporation (KESC), they are all symptomatic of an abuse of authority, with the extraction and surreptitious disposal of state assets to favorites.

The Pakistan Steel Mills, Pakistan International Airlines and Pakistan Railways have nearly a billion dollars' worth of cumulative debt and liabilities, which stem not only from inefficiency

but also from over-staffing, largely because almost every government has used them to provide employment for their loyalists.

The privatization deals of both the Pakistan Transport Corporation (PTCL) and Karachi Electric Supply Corporation (KESC) are still shrouded in suspicion. Karachi, Pakistan's largest commercial city on the Arabian Sea, continues to suffer from massive power outages. Nobody knows who the real owner of KESC is. But the owners did put their private jet at the disposal of President Zardari for his frequent flights to Dubai, his second home. Similarly, the Gulf-based Etisalat Group acquired a strategic stake in PTCL but still owes the Pakistani government over US$500 million.

A list of 150 mega scams worth billions of rupees, which the National Accountability Bureau handed to Supreme Court on July 7, 2015, included cases against some of the most high-profile individuals, such as the sitting prime minister Nawaz Sharif, his predecessor Yousuf Raza Gilani, Punjab's chief minister Shahbaz Sharif, certain former premiers, several incumbent and former ministers, as well as former president Asif Ali Zardari.[4] The document also listed 50 cases each of the misuse of powers, monetary irregularities and land scams, which were equally shocking and which revealed the extent to which corruption has been condoned in Pakistan (Khan 2015).

The ex-premier, Chaudhary Shujaat Hussain, for example, was revealed to have assets worth more than Rs. 2,428 billion. Even sitting minister for finance Ishaq Dar was under inquiry for three cases worth over 4.5 billion dollars, while the inquiry against Nawaz Sharif and his brother related to the construction of a road from Raiwind to the Sharif family House at state expense. Zardari was also being investigated for similar corruption worth billions. And the list goes on (Khan 2015).

Although has to take these mega scams with a big pinch of salt, as they center almost always on politicians and bureaucrats, the might military establishment and its auxiliary institutions in the private sector are not sacrosanct either. The level of corruption – led by the civil-military elites in Pakistan, says Sherani, can be aptly equated to that by Africa's most despotic rulers of the 1970s and 80s, who by obstructing any prospects of socio-economic growth in those countries for decades kept more than a generation in total abject poverty. Such a scale of corruption, he believes, leads to dysfunctional governments and to possibly even the eventual destabilization of the state itself (Sherani, "Slaying the beast" 2015).

Feudal rural elites and socio-economic stagnation

Nearly seven decades into its existence, land owners and their partners in business continue to dominate Pakistan's political landscape. A good two-thirds of members of the four provincial assemblies and the federal National Assembly belong to the landed elite.

Long before Pakistan's independence, the feudal landlords in Sindh and Baluchistan were bestowed with power and land by the British, which over time turned into a formidable road-block to socio-economic progress. The British allowed them to rule through the traditional Jirga system,[5] claiming that the area was not yet prepared to operate the newer British system of magistracy and judiciary. In truth, it was convenient for the British to run these tribal areas through local political proxies than invest money, time and effort in modernizing and integrating the place (Siddiqa 2015). This new generation of aristocrats acquired degrees from privileged western universities with their money and made sure that their monopoly of national politics and the economy remained largely unchallenged, while their local communities remained backward and unaware of their rights.

The patronage system, i.e. the feudal system in Sindh and Baluchistan, says Ayesha Siddiqa, a former bureaucrat and a political commentator, has actually never been discouraged by

successive Pakistani governments as, particularly for the PPP in Sindh, it has enabled the corrupt amongst the ruling class to loot and plunder government funds. Not challenging the continuing pilferage by the PPP government in Sindh alone illustrates the ruling elites' apathy towards the plight of people in regions where they have no direct electoral stakes. This has also resulted in a vicious cycle, where the average Sindhi's life choices are shaped by the tribal leaders, giving him fewer options to play with in this life (Siddiqa 2015).

Feudal lords have also acted as a permanent pillar of the ruling elites but also served military rulers as their socio-political crutches. According to Jones:

> This allowed them to entrench their interests beyond control of the state. They have a stranglehold not only on the economy of the nation but the influence of the feudal landlords spans over the bureaucracy, judiciary and the police in their localities too. In the rural areas of Pakistan, feudal lords use their political power to carry out functions that in most other countries would be considered the responsibility of the police, courts or other administrative bodies.
>
> *(Jones 2009: 242)*

Shaukat Qadir, a columnist and a retired one-star general, is of the view that even the army allows feudalism to flourish, albeit unconsciously, as feudalism also benefits the army. One benefit, for example, is that army officers are given agricultural land for their service, which they rent out to landowners. In the process, the army draws resources from the feudal system that it needs while the feudal system indirectly gets supported as a result (Mustafa 2014).

Sindh's history under the British is rife with examples of how the local chiefs cooperated with the British in return for the patronage of the central authority. Those who remained compliant with the British were duly rewarded (Siddiqa 2015). The patronage system in Sindh continued to draw strength during the Musharraf years (1999–2008) and despite all the stories of mega corruption in Pakistan since 2008, the scale of corruption being reported from Sindh is particularly shocking (Sherani, "Slaying the beast" 2015). Ayesha Siddiqa recalls travelling from Larkana to Mohenjo Daro before the 2013 elections on a highway, which, she states, was in a poor condition despite the Sindh government's mandate and the development resources allocated to it (Siddiqa 2015).

Epilogue

Rampant corruption and the misuse of the public office has infected the entire edifice of national institutions and has inexorably led to poor governance, general frustration, social disorder and political chaos. As a result, the public not only distrusts but strongly disapproves of the governing authority in Pakistan (Shaukat 2014). Repeatedly, the ruling elites – by stitching alliances of expedience – have continued to capture influence and assets for personal gain. The consequence has been a gradual deterioration of governance structures.

Barring the Pakistan Tehrik-e-Insaf (PTI), headed by cricketer-turned politician Imran Khan, most of other parties continue to draw on MPs with strong roots in the landed aristocracy. Even today, when news of the abuse of authority travels across continents in seconds and electronic and social media serve as a watchdog, conventional ruling elites rely on the politics of patronage, fraternity and self-serving development through their allies and contractors of their choice.

It is in this context that in February 2016 nearly all the elites – led by none other than Prime Minister Sharif – joined the chorus of criticism against the National Accountability Bureau

(NAB) for some of the investigations it initiated against high-profile Pakistanis. Sharif in fact chose to go public at a rally in his censure of NAB saying the watchdog was harassing "innocent businessmen" and should act with restraint. The context for Sharif's outburst became clear when Mohammad Ali Tabba, a prominent industrialist and the country's top businessmen, began complaining about NAB's "misbehavior" with regard to the prime minister for at least two years. "My elder brother and some other industrialists recently met Prime Minister Nawaz Sharif and apprised him of NAB's attitude against innocent investors," Tabba told a national daily (Raza, "Businessmen's complaints" 2016). The prime minister, he said, appeared quite annoyed over this and assured the industrialists that he would take notice of NAB's "excesses."

A senior official from the presidency also confirmed that certain prominent industrialists had met with President Mamnoon Hussain to inform him about NAB's alleged high-handedness, saying it had become difficult for them to invest in different projects due to NAB's attitude. A NAB spokesperson played down the outcry, saying, "we are doing our job without any discrimination." The daily *Dawn News* report claimed that the government's relations with NAB began to sour in July 2014, days after the bureau had submitted the list of "mega corruption cases" before the Supreme Court. The list included cases against PML-N leaders, including charges of abuse of authority against the prime minister and his brother, Shahbaz Sharif, Punjab's chief minister.

The Pakistan People's Party (PPP), too, lapped up the opportunity to vent its displeasure with the NAB because of cases and investigations against Dr Asim Hussein, a close aide to former president Zardari. "We believe that NAB officials are taking orders from the establishment in order to malign politicians," a senior party leader, Senator Taj Haider, said in a direct swipe at the military establishment, which politicians believed was again at work to destabilize "democracy."

The other exception – as far as the narrative against elite capture is concerned – is the Karachi-based Muttahida Qaumi Movement (MQM), which boasts a core leadership that comes from the middle and lower middle class. Both the PTI and the MQM peddle an anti-elitist paradigm, insist on merit and transparency. One can brand them as anti-status-quo parties represented in central and provincial parliament by people from humble socio-economic backgrounds.

While large parts of the country have become dysfunctional Sherani states, Pakistan is still far from being a failed state. It has remained a serial under-achiever for the past two decades in terms of economic performance. However, it has tremendous potential and hopeful signs have started to emerge that its long-standing challenges may be close to being addressed (S. Sherani, interview, 2015). Due to pressures generated by PTI's relentless campaign for rule of law, the ruling elites are also gradually, though hesitantly, adopting the ideals of the rule of law and transparency (Gul, "Of judicial commissions" 2015).

Rampant corruption at the hands of Pakistan's ruling elite has continually perpetuated poor governance by setting intractable obstructions in the way of the country's socio-economic development. The elites have sent the general masses into an unending cycle of poverty and deprivation. A persistently permissive and even complicit role played by certain segments of the ruling elite through a nexus of politics and organized crime has stunted the prospects of improving the political economy. Extraction and manipulation through state institutions has not only seriously weakened institutions but also helped the elites to retain a parasitical control over resources. As Sakib Sherani puts it, if only Pakistan can make the transition to the rule of law, it will virtually guarantee a stronger economy and a better quality of life for its citizens. Extricating the country from the clutches of the self-serving ruling elites is a long haul, though. Why would the beneficiaries give up control of what places them above the rest?

Notes

1 The NAB law permits plea bargain under which an accused agrees to return part or the entire amount.
2 The ordinance provided protection to crimes done in the period between January 1, 1986, and October 12, 1999. A 17-judge bench, headed by Chief Justice Iftikhar Muhammad Chaudhry, declared the NRO unconstitutional on December 16, 2009.
3 Asif Ali Zardari, spouse of former premier Benazir Bhutto. Zardari served as president between September 2008 and 2013.
4 Since its inception, the NAB has filed 2,283 corruption cases out of which 1,556 have been decided upon, 425 have been acquitted, while 727 remain pending in courts.
5 A Pashto term for a decision-making assembly made of male elders.

Bibliography

"274 billion loans written off over 27 years." (2009). *Daily Times*, December 4. Available at: http://archives.dailytimes.com.pk/national/04-Dec-2009/rs-274-billion-loans-written-off-over-27-7ears.

Acemoglu, D. and Robinson, J.A. (2012). *Why Nations Fail: The Origins of Power, Prosperity, and Poverty*. London: Crown Publishers.

Ali, M.T. (2015). "Mockery of justice." *The Express Tribune*, July 28. Available at: http://tribune.com.pk/story/928201/mockery-of-justice/.

"Anti-graft body files reference against Dr Asim." (2016). *The Tribune*, February 26. Available at: http://tribune.com.pk/story/1054718/corruption-charges-anti-graft-body-files-reference-against-dr-asim/.

Burki, S.J. (2012). "How nations fail?" *The Express Tribune*, April 15. Available at: http://tribune.com.pk/story/365133/how-nations-fai/l. Accessed July 19, 2015.

Burki, S.J. (2015). "Pakistan's political leaders as heroes." *The Express Tribune*, April 12. Available at: http://tribune.com.pk/story/868780/pakistans-political-leaders-as-heroes/. Accessed July 21, 2015.

Dawn News. (2010). "SBP submits lists of written off loan beneficiaries." *Dawn News*, October 20. Available at: http://www.dawn.com/news/574023/sbp-submits-lists-of-written-off-loan-beneficiaries.

Gul, I. (2015). "Mafias and the ruling elite." *The Express Tribune*, March 5. Available at: http://tribune.com.pk/story/847881/mafias-and-the-ruling-elite/. Accessed July 10, 2015.

Gul, I. (2015). "Of judicial commissions and democratic evolutions." *The Express Tribune*, July 29. Available at: http://tribune.com.pk/story/928103/of-judicial-commissions-democratic-evolutions/. Accessed August 2, 2015.

Gul, I. (2015). "Pakistan's apathetic rulers." *The Express Tribune*, February 11. Available at: http://tribune.com.pk/story/836153/pakistans-apathetic-rulers. Accessed July 11, 2015.

Haque, N. (2015). Interview. *Center for Research and Security Studies*. August 18.

Hashwani, S. (2014). *Truth Always Prevails: A Memoir*. Haryana: The Penguin Group.

Hayat, M.O and Chaudry, H. (2016). "Agri collapse casts shadow on government's growth story." *Dawn News*, June 4. Available at: http://www.dawn.com/news/1262070/agri-collapse-casts-shadow-on-governments-growth-stor.

Hussein, I. (2003). *An Analysis of the Banks' Write-Offs*. Available at: http://ishrathusain.iba.edu.pk/speeches/financialSector/2003/An_Analysis_of_the_Banks_Writeoff.pdf.

Inayatullah. (2013). "Why nations fail." *The Nation*, January 5. Available at: http://nation.com.pk/columns/05-Jan-2013/why-nations-fail. Accessed July 18, 2015.

Javed, U. (2015). "Criminality and politics in Pakistan." *Dawn News*, August 17. Available at: http://www.dawn.com/news/1200870

Jones, O.B. (2003). *Pakistan: Eye of the Storm*. New Haven, CT: Yale University Press.

Jones, O.B. (2009). *Pakistan: Eye of the Storm*, 3rd edn. New Haven, CT: Yale University Press.

Khan, A.S. (2015). "NAB submits list of 150 mega corruption cases to apex court." *Dawn News*, July 7. Available at: http://www.dawn.com/news/1192921/nab-submits-list-of-150-mega-corruption-cases-to-apex-court?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+dawn-news+(Dawn+News).

Laffont, J.-J. and Tirole, J. (1991). "The politics of government decision-making: a theory of regulatory capture." *The Quarterly Journal of Economics*, Vol. 106, No. 4, pp. 1089–1127.

Mustafa, A. (2014). "Pakistan's fight against feudalism." *Al Jazeera*, August 21. Available at: http://www.aljazeera.com/humanrights/2014/08/pakistan-fight-against-feudalism-201481413513480788O.html. Accessed August 22, 2015.

NRO (National Reconciliation Ordinance) (2007). Promulgated on October 5, 2007. Available at: http://www.pakistani.org/pakistan/legislation/2007/NationalReconciliationOrdinance.html.

Rana, S. (2016). "Govt aimed for 1 million traders, 128 avail scheme." *The Express Tribune*, February 26. Available at: http://tribune.com.pk/story/1054582/voluntary-tax-compliance-govt-aimed-for-1-million-traders-128-avail-scheme/.

Rana, S. (2016). "Pakistan's current tax regime favours elite, says tax reform report." *The Express Tribune*, February 9. Available at: http://tribune.com.pk/story/1042811/reform-commissions-report-current-tax-regime-favours-elite/

Raza, S.I. (2012). "Arsalan concedes he made two foreign visits." *Dawn News*, December 7. Available at: http://www.dawn.com/news/769462/newspaper/column.

Raza, S.I. (2016). "Businessmen's complaints prompted PM's NAB warning." *Dawn News*, February 23. Available at: http://www.dawn.com/news/1241340.

Reuters. (2015) "Corruption is a big block for new development goals." *Dawn News*, September 5. Available at: http://www.dawn.com/news/1204964.

Runford, C. and Wagg, S. (2010). *Cricket and Globalization*. Cambridge: Scholars Publishing, p. 74.

Schaub, K. (ed.) (2014). *The Global Competitiveness Report*, 2014–2015, Geneva, World Economic Forum.

Shaukat, S. (2014). "Pakistan: democracy, corruption and poor governance." *Readers Supported News*, September 25. Available at: http://readersupportednews.org/pm-section/86–86/26078-pakistan-democracy-corruption-and-poor-governance. Accessed 21 July, 2015.

Sherani, S. (2014). "Unintended consequences". *Dawn News*, September 5. Available at: http://www.dawn.com/news/1129886. Accessed July 20, 2015.

Sherani, S. (2015). "Pakistan's taxation crisis". *Dawn News*, August 7. Available at: http://www.dawn.com/news/1198899/pakistans-taxation-crisis. Accessed August 10, 2015.

Sherani, S. (2015). "Slaying the beast." *Dawn News*, June 26. Available at: http://www.dawn.com/news/1190450/slaying-the-beast. Accessed July 15, 2015.

Siddiqa, A. (2015). "Who has 'Sin'd'?" *The Express Tribune*, June 25. Available at: http://tribune.com.pk/story/909114/who-has-sind/. Accessed August 21, 2015.

Trading Economics. (2015). "Pakistan GDP at current prices in US dollars." Available at: http://www.tradingeconomics.com/pakistan/gdp-at-current-prices-in-us-dollars-imf-data.html.

Zweynert, A. (2015). *Reuters*, September 4. Available at: http://www.reuters.com/article/development-goals-corruption-idUSL5N11A28O20150904.

13

FROM CHAOS TO BUILDING A SECURE, SUSTAINABLE ENERGY FUTURE

Atta Ali Malik

Pakistan is the sixth most populous country in the world. Its population is projected to grow to 244 million by 2030. The country though a developing economy is far from realizing its economic potential. Since economic growth and energy consumption go hand in hand, if the country hopes to attain income levels comparable to those of China by 2030, its energy requirements are likely to increase almost five times during the period to attain the same energy consumption per capita as that of China. Pakistan has faced an acute energy shortage in electricity and natural gas in recent years. It is estimated that the shortages result in around 2 percent of lost GDP growth each year (*Express Tribune* 2012). Thus fixing the energy crisis remains central to the country's economic growth prospects. Energy shortages are the result of rapidly rising demand because of population growth and increase in per capita consumption, an insufficient increase in the supply of electricity and natural gas over the last two decades, a growing circular debt impacting the oil and gas sectors, failure to develop indigenous resources, and failure to build energy infrastructure.

Pakistan relies on oil and natural gas for its energy needs. Though the country has large reserves of coal in the Thar Desert, they have not yet been developed to contribute to the country's energy needs. Hydro-power is also a contributor to the country's electricity mix. However, because of seasonal variations in water flows in South Asia (owing to dry, cold winters) the power cannot be used year round. Further, because of climatic conditions that lead to higher demand in summers, hydro-power helps bridge peak summer demands. In 2015, Pakistan deployed its first major solar power plant in the Cholistan Desert of 100 MW capacity. In recent years, wind power capacity of around 300 MW has been added along the coast of Sindh province.

As of 2013, natural gas contributes 48.2 percent of total energy supplies, while oil contributes 32.5 percent. Of the remaining energy supplies, coal contributes 5.98 percent, electricity contributes 11.03 percent, LPG 0.48 percent, and nuclear energy only 1.68 percent. Pakistan imported 0.14 percent of its energy needs in the form of imported electricity (NEPRA 2014: 67). This energy mix is in contrast to that of 1995, when oil amounted to 41.6 percent of total energy supplies compared to 36.8 percent natural gas (Government of Pakistan 2014: 219). This change in mix was triggered during the 2000s as oil prices started climbing. As of final energy consumption in 2013, 43.6 percent was contributed by natural gas, 30.41 percent by oil, 1.31 percent by LPG, 9.11 percent by coal, while 15.56 percent came from electricity.

History of energy in Pakistan

At independence Pakistan emerged as a former colony with one of the lowest levels of per capita energy consumption.

Electricity

At the time of independence, the country had only 60 MW of electricity generation capacity (Islamabad Chamber of Commerce and Industry 2016). In the electricity domain the first real game changer was the Indus Waters treaty under which the World Bank aided development of a vast system of water reservoirs and channels and energy infrastructure at the two main reservoirs of Mangla and Tarbeela. The country's power generation capacity saw a major spike in the 1970s when it rose from less than 700 MW at the beginning of the decade to over 3,400 MW by 1978. The capacity doubled again in the 1980s from around 3,500 MW to around 7,500 MW by 1990 (Government of Pakistan 2009: ch. 12).

However, the majority of this vast electricity generation was a by-product of the Indus Basin water resource development that was financed by soft loans from the World Bank. The low cost of hydro-electricity led to a reliance on low-cost energy for a country that lacked ample indigenous resources for power generation. This also created a strong hydro-power lobby that was averse to investment and development of thermal power generation facilities.

Issues were complicated further when the country's next big hydro-development and water reservoir project, the Kalabagh dam, became a contentious political issue between the various provinces during the 1980s. The Kalabagh issue made development of non-hydro power generation resources more difficult. It also became an obstacle in exploring other water reservoir and hydro-power development projects, particularly upstream of the Indus River.

Despite the doubling in electricity generation by the 1980s, this did not keep pace with rising demand. Shortages of electricity lead to power shutdowns becoming the norm in the first half of the 1990s. In 1994, the government of Prime Minister Benazir Bhutto, Pakistan's first female prime minister, in office from 1988 to 1990 and from 1993 to 1996, introduced the first major policy shakeup of the power sector and introduced a power policy aimed at encouraging private sector investment in power plants. As the mid-1990s was an era of low oil prices, furnace oil became the preferred fuel for most private sector power plants, commonly known as Independent Power Projects or IPPs. These IPPs became politically controversial because of the higher cost per unit of electricity in debt-servicing years and because of the reliance on thermal energy in a pro-Kalabagh and pro-hydro-power political environment. Discouragement by the subsequent government of Nawaz Sharif led to the stalling of the IPP boom and no further capacity was added to the grid till 2005.

As oil prices spiked in the 2000s, this heavy reliance on a single source of fuel became a drag on the power sector. This coupled with poor management of the transmission and distribution infrastructure and of the distribution companies led to increased power losses due to technical problems and also electricity theft (Planning Commission of Pakistan 2013). This started to burden the exchequer. In hindsight, reliance on a single fuel remains the biggest drawback in execution of the 1994 power policy, which otherwise led to a massive shakeup of the country's electricity mix and industry.

To deal with the impact of rising oil prices on electricity costs during the 2000s, the government of Shaukat Aziz, under military ruler Pervez Musharraf, decided to promote the use of natural gas (an indigenous fuel source) for power generation. However, the excessive use of gas for power generation and transportation, and the rising demand for natural gas from the

domestic and industrial sectors, coupled with depleting indigenous gas resources, led to a natural gas shortfall. At the same time, the tariff recovery rate of various distribution companies kept deteriorating, leading to a financial mess among entities in the energy sector. This is commonly known as circular debt, the intercorporate liabilities between the various entities in the power sector. This put a burden not only on the functioning of the distribution and generation companies, but also impacted the supply chain of fuel providers, including Pakistan State Oil, Sui Northern Gas, and Sui Southern Gas. The country has yet to recover from this financial trap and thus the continuous energy crisis lingers.

In a bid to diversify the electricity mix, the government introduced a renewable energy policy in 2006 aimed at encouraging the development of renewable energy through wind and small hydro-power plants, as well as through biogas and waste-to-energy projects (Government of Pakistan 2006). The work on these alternative resources kicked off in 2010 and wind, solar, biogas, waste-to-energy, and small hydro projects have been added to the national grid or are under completion, as discussed later in the chapter

However, going back to the same 'reliance on a single fuel' trap, in 2015 the government abruptly started to discourage alternative energy projects and decided to promote LNG-fueled power instead. From an obsession with hydro, to a reliance on furnace oil, to the current obsession with LNG, a single-source solution remains the permanent hallmark of Pakistan's energy policymaking as well as the main source of energy problems for a country with limited indigenous energy resources.

Hydrocarbon fuels

On the hydrocarbon fuels front, which comprises the largest chunk of the country's energy mix, Pakistan started with no indigenous oil or gas production. The first major discovery in the field of natural gas came in 1952, when large reserves of gas were discovered at Sui in Baluchistan province. Since then the country has been reliant on indigenous gas resources whose production peaked in 2012. With depleting gas reserves, the government is looking for options to import natural gas. A Liquefied Natural Gas (LNG) deal with Qatar, the proposed Turkmenistan, Afghanistan, Pakistan, India (TAPI) gas pipeline, and the proposed Iran–Pakistan gas pipeline are few of the options being explored or executed to meet the country's natural gas needs.

In oil, the first oil field was explored in 1964 at Toot in Punjab province. However, unlike natural gas, Pakistan has primarily relied on imported oil. With the discovery and development of more indigenous oil reserves, the country's dependence on foreign oil has fallen from 90 percent in the 1970s to around 64 percent in the 2010s.

Coal was first discovered in the region that is Pakistan in the nineteenth century and was the main source of fuel till the discovery of the Sui gas fields. Since then, usage of coal has been marginal in the country's energy mix, currently fulfilling less than 6 percent of total energy needs (Government of Pakistan 2015). Discovery of large lignite reserves in Thar, Sindh are likely to change this and coal is expected to play a large part in meeting the country's future energy requirements.

History of policy formulation

In terms of industrial policy changes the 1970s and 1990s remain the critical periods. In the 1970s, as a result of Pakistan's pivot to the Arab world, not only did Pakistan benefit from employment opportunities for its citizens in oil-rich Arab states from the Gulf Cooperation Council (GCC) to Libya but also forged strategic alliances with oil producers that remain central

to the country's energy security policy. The alliances helped Pakistan combat energy and fiscal problems. Critics, though, believe that over-reliance on Middle Eastern oil has caused many social and religious issues in the country.

The 1970s also saw the nationalization of major industries that led to the creation of large-scale public sector enterprises including Pakistan State Oil (the country's largest petroleum company). The country's electricity generation infrastructure also grew threefold during this period. The nationalization of the 1970s, though debatable for its adverse effects on the economic growth of the country, did shake up the oil and gas industry of Pakistan.

In the 1990s, with the collapse of the Soviet Union and the acceleration of globalization, market forces forced wide-scale reforms in the energy sector of Pakistan. On the one hand, the country opened up for private investment in the power sector with the introduction of the Independent Power Plants (IPP) policy. On the other, the emphasis on the development of indigenous oil, gas and coal resources also accelerated.

Successive governments initiated the process of structural reforms in the energy industry. The process of restructuring public sector enterprises was initiated, which continued into the 2000s. PSE entities like the Oil & Gas Development Corporation Limited (OGDCL) were turned into independent self-financing entities and ultimately turned into publicly listed companies. Similarly in the power sector, the Water and Power Development Authority (WAPDA)'s restructuring led to diversification into water, power generation, transmission, and distribution units. The National Electric Power Regulatory Authority (NEPRA), regulator of the electricity industry, was also established in 1997. Government liaison entities like the Private Power and Infrastructure Board (PPIB) were established to facilitate private investment in the power sector.

Reform and restructuring initiated during the 1990s continued in the 2000s and entities like the Oil and Gas Regulatory Authority were setup to oversee a competitive oil and gas sector. Similarly, the restructuring of public sector enterprises like POL (Pakistan Oil Limited), PPL (Pakistan Petroleum Limited), OGDCL (Oil & Gas Development Corporation Limited) was completed. If the 1970s was all about restructuring through nationalization, the reforms and policy framework initiated in the 1990s were aimed at creating a competitive private sector with regulatory oversights in the energy sector of the country.

Review of the energy policy

For decades, Pakistan's energy sector did not have a coherent policy. A few fundamental guidelines have driven the country's energy policy but there was no coherent policy. Pakistan's fundamental goal remains ensuring a low-cost, reliable supply of energy resources for economic growth, strategic defense and geo-political objectives. This, over the years, has included exploration and development of indigenous fuel resources, a quest for low-cost electricity, and geo-strategic policy formulation that ensures a low-cost, reliable supply of foreign oil. In the last two decades, Pakistan has embarked on the evolution of an energy policy framework aimed at reshaping the country's energy map. This policy formulation, while focused on developing a long-term, reliable energy mix, also suffers from inconsistencies. However, it is broad based and a beginning in the right direction.

Power policy overview

Before 1994, power generation in Pakistan was primarily a public sector affair and power generation was carried out by the Water and Power Development Authority and the Karachi Electric

Supply Company. The only major exception was Hubco, established in 1986 (Ali and Beg 2007). To overcome shortages of electricity, the federal government of Benazir Bhutto introduced the power policy of 1994 aimed at encouraging private investors, particularly foreign investors, to invest in the country's underdeveloped power sector. The policy with some modifications still serves as the policy framework for setting up private power projects.

The policy announced an upfront tariff for the commissioning of independent power projects by private entities, with two components of capacity payment (payment for fixed financial and operational overheads) guaranteed and an energy payment (cost of fuel) as a pass-through cost. This was followed by the announcement of a policy to encourage hydro-power development in the private sector in 1995 and a private sector transmission system development policy the same year. This policy helped overcome energy shortages. Since the policy formulation assumed an electricity usage growth rate of 8 percent (Government of Pakistan 1994), the policy actually led to surplus capacity for a while as the actual growth rate remained only around 4 percent till 2003 (Siddiqui 2004).

Apart from being flawed on account of overestimating the demand, the policy was unable to foresee the fluctuations in oil prices. Since oil was at a low of around 20 dollars per barrel at that time, all of the new installed capacity was based on furnace oil. Because of the pass-through energy price feature of the policy, where the government-owned transmission company pays the fuel price for energy generation, the policy exposed the country to fluctuations in oil prices (Munir and Khalid 2012). This became an issue when the oil prices started rising in the 2000s and hit a maximum of $147 per barrel. This was one of the contributors to the spiraling circular debt that is a major cause of electricity shortage in the country.

As mentioned earlier, this single source obsession of Pakistan's policymakers remains an impediment to energy supply as well as economic growth. The country has focused for too long on looking for ways to expand the hydro-generation potential while ignoring other sectors. When thermal generation began, instead of going for a diverse mix of coal, natural gas, and oil, the government insisted on commissioning only oil-based power plants. When the rise in oil prices started to pinch hard, the focus was shifted to converting oil-fired plants into dual-fuel plants to run on natural gas. The capacity component of the tariff went up but it failed to achieve its objective amid depleting natural gas reserves and the growing demand for natural gas by the domestic and industrial sectors.

Under the present government of Muhammad Nawaz Sharif, the uni-source energy focus continues to remain central to the power policy. From plans to build 1,000 MW of solar power at one location in South Punjab, to building large coal-fired plants, to building LNG-fueled power plants, Pakistan's power generation policy, under successive governments, has been an attempt to find the one silver bullet that will solve all problems. Instead, overall power generation fell in 2014–15 compared to the previous year (Government of Pakistan 2015).

Hydrocarbon policy

The cornerstone of Pakistan's petroleum policy has been to increase exploration and production of petroleum resources in the country to ensure energy security. Pakistan's petroleum policy divides the country into four zones for petroleum exploration and production purposes, with Zone-0 being offshore exploration and production zone (Figure 13.1).

For on-shore operations, the system of exploration and production is based on Petroleum Concession Agreements. For off-shore agreements, the system is based on Petroleum Sharing Agreements.

Figure 13.1 Petroleum zones.

Source: Petroleum Exploration and Production Policy 2012 – Ministry of Petroleum and Natural Resources (Accessed 3 March 2016).

The power sector of Pakistan

The power sector has three key elements: generation, transmission, and distribution.

Generation

Power generation in Pakistan is carried out by four separate categories of producers:

1 The Water and Power Development Authority: The WAPDA is responsible for production of hydro-electricity from water storage reservoirs and water channels.
2 GENCOs: Four independently operated GENCOs operate thermal power plants that produce electricity. GENCOs come under the ambit of the WAPDA but are operated as separate independent companies.
3 Independent Power Producers (IPPs): These are privately owned entities that produce electricity and sell it to National Transmission and Despatch Company (NTDC) for transmission and distribution to end customers. Currently, IPPs produce electricity through thermal, small-hydro, and alternative energy sources.
4 The Atomic Energy Commission of Pakistan: The Atomic Energy Commission operates country's nuclear power plants.

Transmission

The National Transmission and Despatch Company (NTDC) is responsible for the transmission of electricity from the power plants to the distribution companies. Under the restructuring of the power sector in 2015–16, power is purchased through the CPPA (Central Power Purchasing Agency) and then the NTDC distributes it to the distribution companies.

The National Transmission and Despatch Co. (NTDC) emerged out of the restructuring of the Water and Power Development Authority in 1998. The NTDC, till recently, controlled the entire transmission network of the country except Karachi. In the case of Karachi, the transmission to K-electric from the national grid was managed by the NTDC while K-electric had its own transmission infrastructure.

As mentioned above, the power policy of 1995 allowed for investment in the transmission infrastructure by the private sector (Government of Pakistan 1995). Under the policy initiatives introduced in 2013, the government decided to allow the setting up of private distribution networks for sale to end users under a "wheeling" mechanism[1] and also allowed for the licensing of transmission networks to private entities. Under this arrangement, two transmission licenses have been issued to the Fatima Transmission Company Limited (NEPRA) and the Sindh Transmission and Despatch Company (Pvt.) Ltd (NEPRA n.d.).

Distribution

The distribution of electricity is done through the government-owned distribution companies (DISCOs) and through an independent publically listed company, K-electric. K-electric is responsible for distribution to the city of Karachi. There are ten public sector distribution companies:

- Lahore Electric Supply Company (LESCO)
- Faisalabad Electric Supply Company (FESCO)
- Islamabad Electric Supply Company (IESCO)
- Peshawar Electric Supply Company (PESCO)
- Multan Electric Power Company (MEPCO)
- Hyderabad Electric Supply Company (HESCO)
- Quetta Electric Supply Company (QESCO)
- Gujranwala Electric Supply Company (GEPCO)
- Sukkur Electric Power Company (SEPCO)
- Tribal Electric Supply Company (TESCO).

Power sector

Key government organizations and agencies

Ministry of Water and Power

This is the parent government body overlooking the country's water and power sector. It sets the policy guidelines for the power sector and is responsible for financial and strategic planning for the power sector. PPIB, PEPCO, WAPDA, NTDC, AEDB, GENCOs, and all DISCOs come under the purview of the ministry.

National Power Regulatory Authority (NEPRA)

NEPRA is responsible for regulating Pakistan's electric power sector. Its responsibilities include:

- issuing licenses for the generation, transmission and distribution of electric power;
- establishing and enforcing standards to ensure quality and safety of operation andsupply of electric power to consumers;
- approving the investment and power acquisition programs of the utility companies; and
- determining tariffs for the generation, transmission and distribution of electric power.

National Transmission and Despatch Company (NTDC)

The NTDC has exclusive control over the transmission of electricity over 500 KV and 220 KV grids. It performs the following functions:

- The purchase of power from GENCOs, IPPs, and hydro-power plants on behalf of the distribution companies (DISCOs) and K-electric. This is carried out through the Central Power Purchasing Agency (CPPA).
- The system and transmission network operator, responsible for controlling safety and security, operation and maintenance, and expansion at dispatch, and throughout the transmission network.
- The Contract Registrar and Power Exchange Administrator (CRPEA), responsible for recording and monitoring contracts and transactions between various public and private enterprises and entities in the power sector.

Water and Power Development Authority (WAPDA)

WAPDA used to be the parent body for power generation, transmission, and distribution until it was dissolved into various entities (GENCOs, DISCOs, NTDC, etc.) under the power sector reforms of the 1990s. It is a semi-autonomous body. It is fully responsible for operating and developing all hydro-power and water sector projects in the country.

Alternative Energy Development Board (AEDB)

Established in 2003, the AEDB is a federal agency responsible for facilitating, promoting, and encouraging development of alternative energy resources in Pakistan. Its mandate includes:

- implementing policies, programs and projects through the private sector in the field of alternative and renewable energies (ARE);
- assisting and facilitating development and generation of ARE to achieve sustainable economic growth;
- encouraging the transfer of technology and developing an indigenous manufacturing base for ARE technology;
- promoting the provision of energy services that are based on ARE resources;
- undertaking ARE projects on a commercial scale (AEDB Act 2010).

Private Power and Infrastructure Board (PPIB)

The PPIB, created in 1994, facilitates private investment in power projects and other related infrastructure in the power sector of Pakistan. Its key responsibilities include:

- negotiating implementation agreements (IA) for power projects;
- providing support in negotiations for power purchase agreements (PPA), fuel supply agreements (FSA), and other agreements related to power projects;
- coordinating litigation and international arbitration on behalf of the government of Pakistan.

Oil and gas sector

Pakistan's oil and gas sector comprises exploration, refining and marketing companies. As of late, the trend is towards consolidation and refining companies are moving into the space of oil marketing as well.

Key organizations and agencies

The following are the key organizations and agencies regulating the oil and gas sector in Pakistan.

Ministry of Petroleum and Natural Resources

The Ministry of Petroleum and Natural Resources oversees the oil and gas sector of Pakistan. Its stated mission is to ensure availability and security of oil and gas supply in Pakistan for economic development and strategic requirements of the country and to coordinate development of resources of energy and minerals.

Its key functions include:

- Policy, legislation, planning regarding exploration, development and production policy guidelines to regulatory bodies in the oil and gas sectors.
- Policy guidelines and facilitation of the import, export, refining, distribution, marketing, transportation and pricing of all kinds of petroleum and petroleum products.
- Geological surveys of the country.
- Facilitation in development of petroleum and mineral resources.
- Administration and regulation of marketing of petroleum products.
- Administration and regulation of oilfields including concession agreements for land, off-shore, and deep sea exploration and drilling.

The ministry regulates oil exploration, marketing, and refining sectors as well as the gas exploration and marketing sector. It also regulates imports of oil and gas. It is also the prime body regulating the compressed natural gas (CNG) sector for transportation.

Oil and Gas Regulatory Authority (OGRA)

OGRA, established in 2002, was set up to regulate the oil and gas sector, to foster competition, increase private investment in the sector, and to protect public interest while respecting individual rights and providing effective and efficient regulation. The agency regulates the oil, natural gas, CNG, LPG, and LNG sectors of Pakistan and is responsible for setting the pricing of petroleum and gas products.

Energy supply and consumption

Oil

Oil remains one of the primary energy sources of Pakistan. As per the Economic Survey of Pakistan 2015, the annual oil consumption for fiscal year 2014–15 is estimated to be

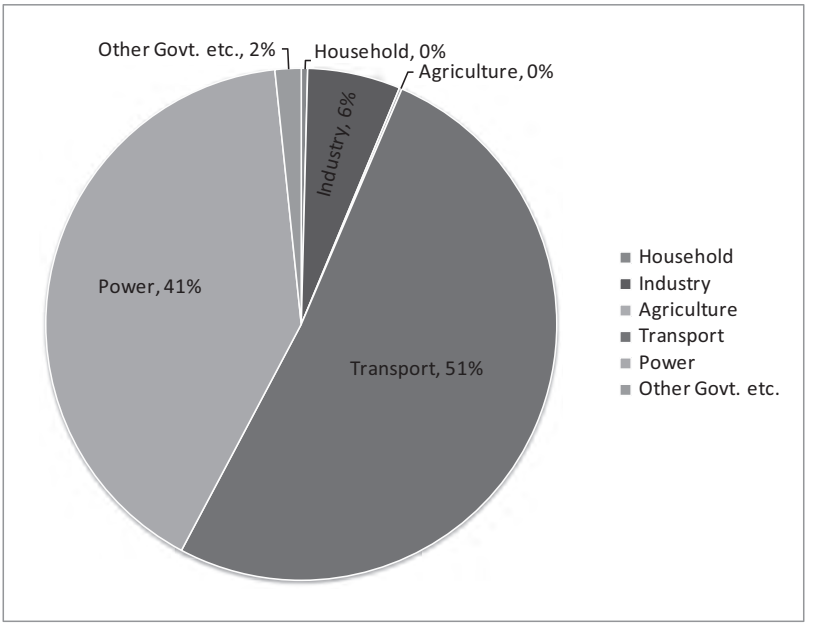


Figure 13.2 Oil consumption by sectors, 2015 provisional.
Data source: Economic Survey of Pakistan 2014–15.

22.16 million tons (Government of Pakistan 2015). Of this, 51 percent of the consumption was in transportation while power generation remained the second bigger consumption sector with 41 percent of total consumption. The remaining consumption was in the industry, household, government, and agriculture sectors (Figure 13.2).

Pakistan's oil consumption has increased at an annual compounded rate of 6 percent since 1972. Since the inception of the 1994 power policy, which allowed for establishment of independent power projects, the demand for oil has varied based on consumption. For instance, in 2001, the total consumption of oil was 17.65 million tons, which dropped to 14.67 million tons in 2005. Almost all of this decline was in power sector where the consumption fell from 6.49 million tons to 3.45 million tons just when the thermal power generation increased from 48,972 Gwh to 57,162 Gwh (Government of Pakistan 2015). This decline is attributed to the fact that thermal power generation shifted from oil to natural gas owing to rising oil prices (Figure 13.3). This highlights a key feature in Pakistan's energy policy thinking: hedging higher oil prices with increased use of natural gas, which has led to the faster depletion of natural gas reserves and an overall gas shortage in the country.

Going by the figures provided by the Economic Surveys of Pakistan, oil now contributes 32.8 percent of total energy mix, compared to around 42 percent a couple of decades back. The decline in oil's share in the mix was precipitated in the middle of first decade of the 2000s owing to very high oil prices. The consumption was replaced in large part by natural gas. With the decline in oil prices recently and a shortage of natural gas, oil consumption has risen in the last three years.

Pakistan's total oil supplies comprise 96.6 million barrels of oil of which 64 percent was imported while the remaining was extracted locally (Government of Pakistan 2015). As per information provided by Economic Surveys of Pakistan, the share of local extraction to total

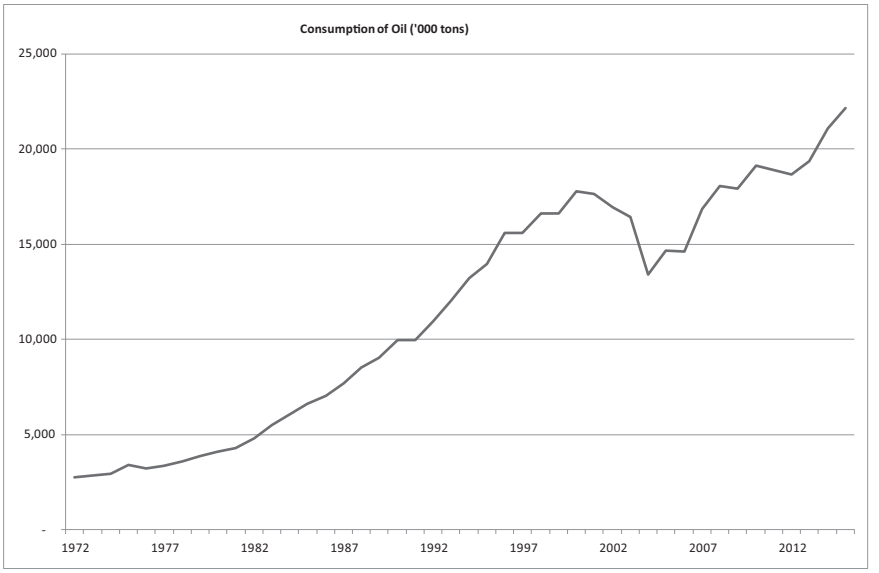


Figure 13.3 Pakistan oil consumption, 1972–2015.

Data source: Economic Survey of Pakistan 2014–15.

oil consumed has been on the risen since the 1970s. In 1975, Pakistan imported 90 percent of total oil supplies, which increased to 28 percent in 2005. To increase local oil production, in January 2014, the government allocated ten news blocks for oil exploration with a total area of 103,348 sq. km (Government of Pakistan 2015) (Figure 13.4).

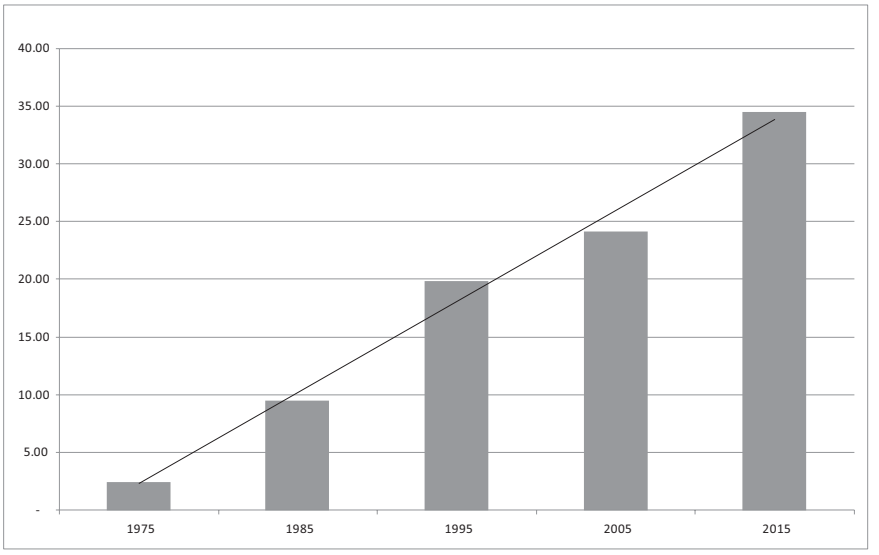


Figure 13.4 Pakistan oil production (millions of barrels).

Data source: Economic Survey of Pakistan 2005–6 and 2014–15.

Of the total petroleum products consumed, 55 percent are refined/produced locally while the remaining are imported. This is in contrast to 65 percent of the products being produced locally in 2005. Though the volume of local produce has increased by 7 percent, the overall portion of local produce in total consumption has declined because refining capacity has failed to keep up with the increased petroleum demand.

Pakistan's biggest challenge in oil is its reliance on imported oil, which raises issues related to energy and strategic security and serves as a strain on country's trade balance. In 2013–14, oil imports accounted for 33 percent of the country's total import bill (Government of Pakistan 2014).

With declining oil prices in the international market, this share has fallen to 26 percent (Government of Pakistan 2015), which shows how big an impact oil has on the country's trade and current account balance. To offset this reliance on imported oil, for the last decade and a half, Pakistan's government has been planning to hedge the risk by increasing the imports of natural gas and enhanced exploration activity. The development of the large coal reserves in Thar is another policy option to offset oil reliance.

Natural gas

Since the discovery of natural gas reserves in the Sui area of Baluchistan in 1952, natural gas has played a central role in the country's energy mix and economic growth. The power sector remains the largest consumer of natural gas with 30 percent of total consumption, followed by household at 23 percent, industry at 20 percent, fertilizer at 19 percent, and others at 8 percent (see Figure 13.5).

Household consumption increased from 18 percent in 2001 to 23 percent (Government of Pakistan 2015: ch. 24), despite the government's initiatives in the 2000s to use gas in value-added

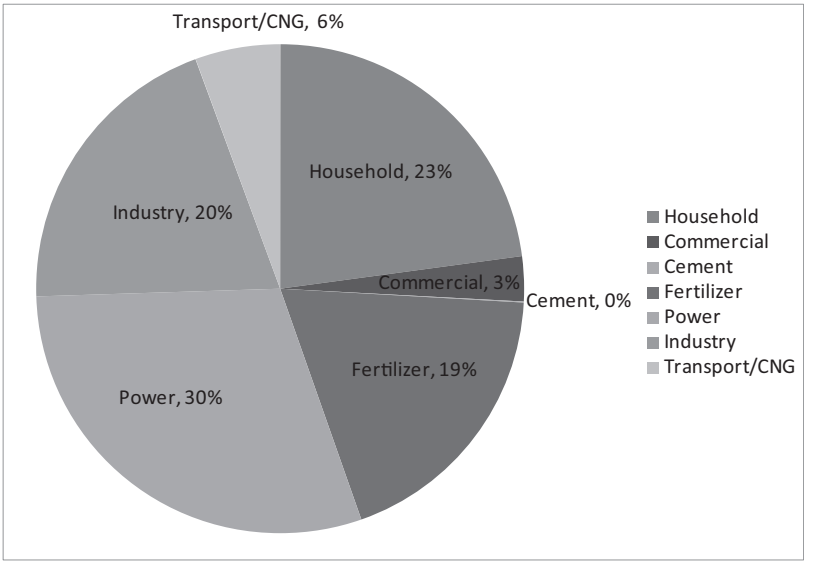


Figure 13.5 Gas consumption by sector, 2015 provisional.

Data source: Economic Survey of Pakistan 2014–15.

sectors like power, fertilizer and transportation. This is primarily due to a high demand for natural gas for cooking, heating, and water heating in households as it is now considered a household necessity by most domestic consumers.

As per the data provided in supplements of the Economic Survey of Pakistan (2008–15), since 1971–2, the consumption of natural gas has shown a compounded annual growth of 6 percent. Gas consumption has increased from 768,000 million cubic feet in 2001 to 1,181,000 million cubic feet in 2015. Just when the demand for natural gas is growing because of expanding demographics and economic growth, the indigenous supply has remained stagnant at around 1,400–1,500 billion cubic feet for the last decade. Between 2010 and 2015, annual natural gas production declined by 1.2 percent, the first decline since the exploration of natural gas reserves in 1952 (Government of Pakistan 2010: ch. 12) (Figure 13.6).

This has imposed considerable pressure on the country's indigenous gas resources and has led to a shortage of natural gas. As of June 2015, the country's natural gas supply and demand gap stood at four billion cubic feet per day (Business Recorder 2015). Gas rationing has been introduced in many sectors. Due to the higher demand from households and other sectors, the government has embarked on a series of initiatives to discourage the use of compressed natural gas (CNG) as a fuel, including a ban on licenses for new CNG stations and the closure of CNG stations for 3 to 5 days a week during peak demand.

To overcome the shortage of natural gas, in February 2016, the government signed a 15-year deal with Qatar for the importation of LNG (liquefied natural gas). Under the deal, Pakistan will annually import 2.25 metric tons of natural gas from Qatar at 13.37 percent of Brent oil price (Haider 2016). Pakistan is also pursuing gas import deals with Iran via the Iran–Pakistan gas pipeline; and with the Turkmenistan, Afghanistan, Pakistan, and India (TAPI) consortium pipeline.

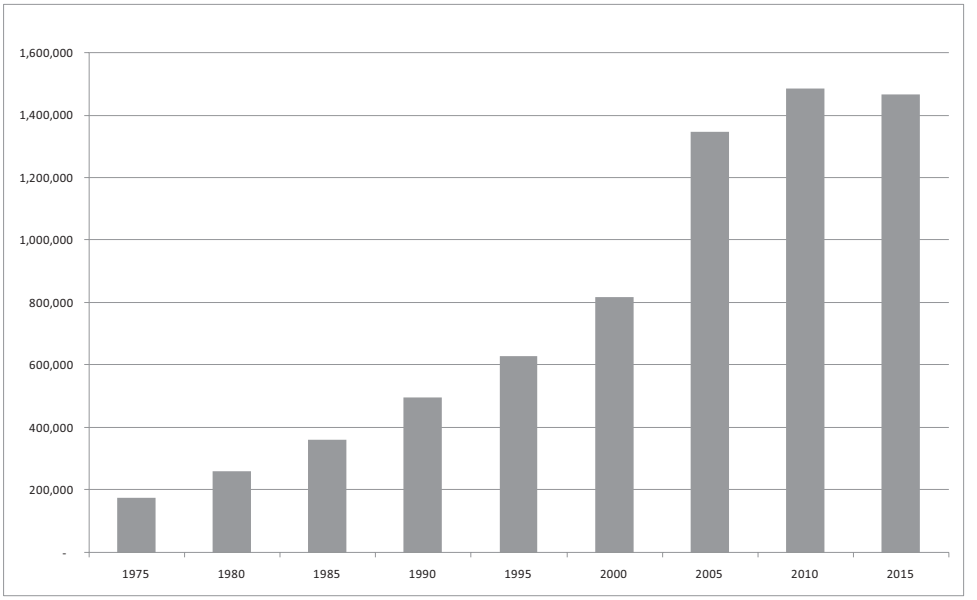


Figure 13.6 Pakistan gas production.

Data source: Economic Survey of Pakistan 2014–15 and Economic Survey of Pakistan 2009–10.

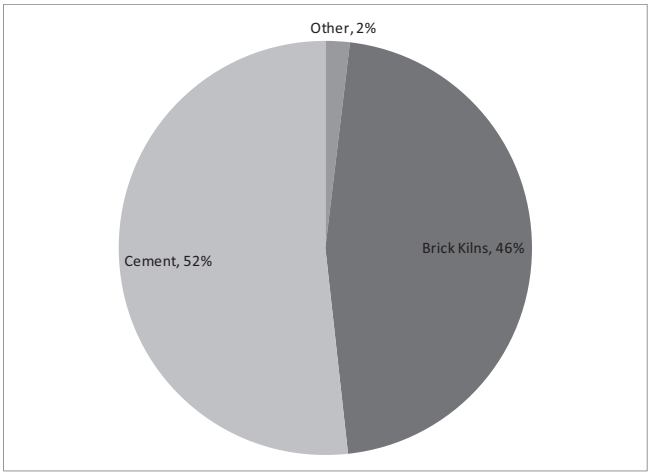


Figure 13.7 Pakistan coal consumption by sector, 2015.
Data source: Economic Survey of Pakistan 2015.

Coal

Compared to other countries, coal has not played that important a role in Pakistan's energy mix. Coal contributes to less than 6 percent of country's energy needs and its share in the energy mix has been stagnant for decades. Coal consumption has increased at a compound growth rate of 3 percent since 1972, which is half the growth rate of other energy source (around 6 percent) (Government of Pakistan 2010: ch. 12). The cement and brick industry remain the primary users of coal. Since 2002, because of rapid growth in the cement sector and rising fuel prices, the cement industry shifted to coal and has become a major consumer (Figure 13.7).

The country's coal imports stand at 5 million tons per annum, which is double the coal extracted locally. Though coal has been a small portion of country's energy mix historically, it has the potential to become one of the key contributors to the country's energy mix because of the potential development of the large coal reserves in the desert of Thar.

Thar coal reserves are located in the southern province of Sindh at Thar, about 360 km from the city of Karachi (the country's largest city and central business hub). Thar coal has estimated reserves of 175 billion tons (Siddiqui 2004). Though Thar coal is classified as low quality lignite, having a low heating value, and a higher percentage of volatile matter (26.5 percent–33.4 percent) and moisture content (43.24 percent–49.01 percent), the volumes of reserves make production feasible. Thar's reserves are divided into twelve blocks. In January 2016, the Sindh Engro Coal Mining Company (SECMC) secured financing for a 660 MW power generation plant at Block II of the Thar coalfield. The project is expected to start production by early 2019. The total electricity potential of Block II alone is estimated to be 3,960 MW and the full development is expected to take place in six phases (*The News* 2016).

Electricity

Electricity provides 15.56 percent of Pakistan's total energy needs. According to the Economic Survey of Pakistan (Government of Pakistan 2014), 59 percent of the electricity is produced using thermal power plants, 33 percent using hydro-power plants, 5 percent comes from nuclear sources, and 2 percent from renewable sources (Figure 13.8).

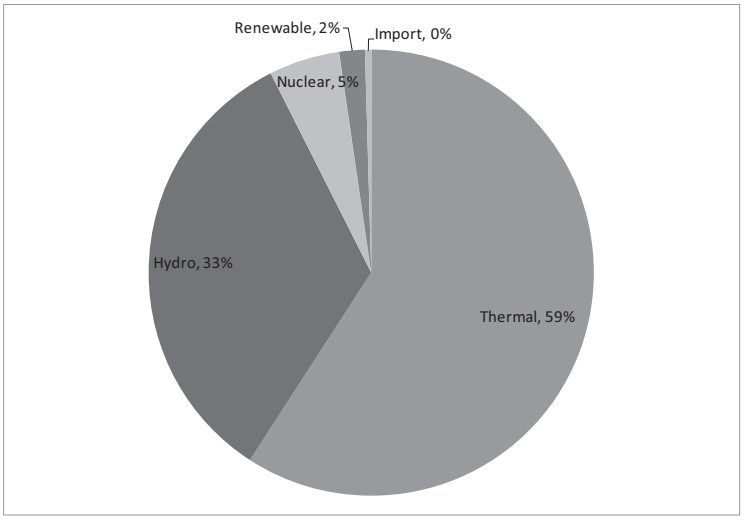


Figure 13.8 Electricity generation by source, 2014–15.
Data source: Economic Survey of Pakistan 2014–15.

Pakistan's total capacity has risen from 1,862 MW in 1971 to 22,745 MW in 2014–15. The steepest rise in came during the 1990s when the Independent Power Producer Policy 1994 encouraged private investors to set up power plants (Figure 13.9).

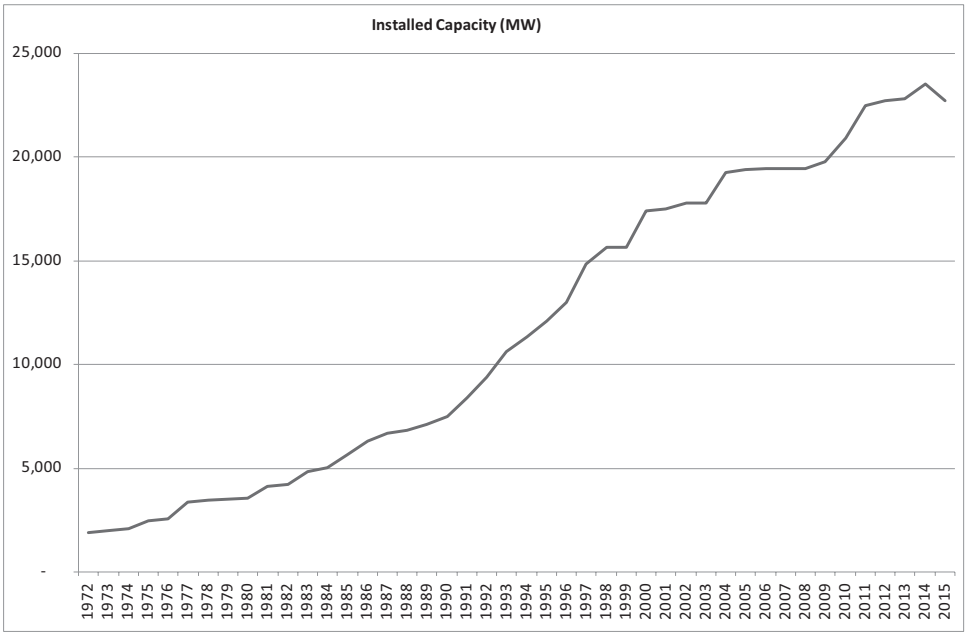


Figure 13.9 Pakistan – total installed capacity.
Source: Economic Survey of Pakistan.

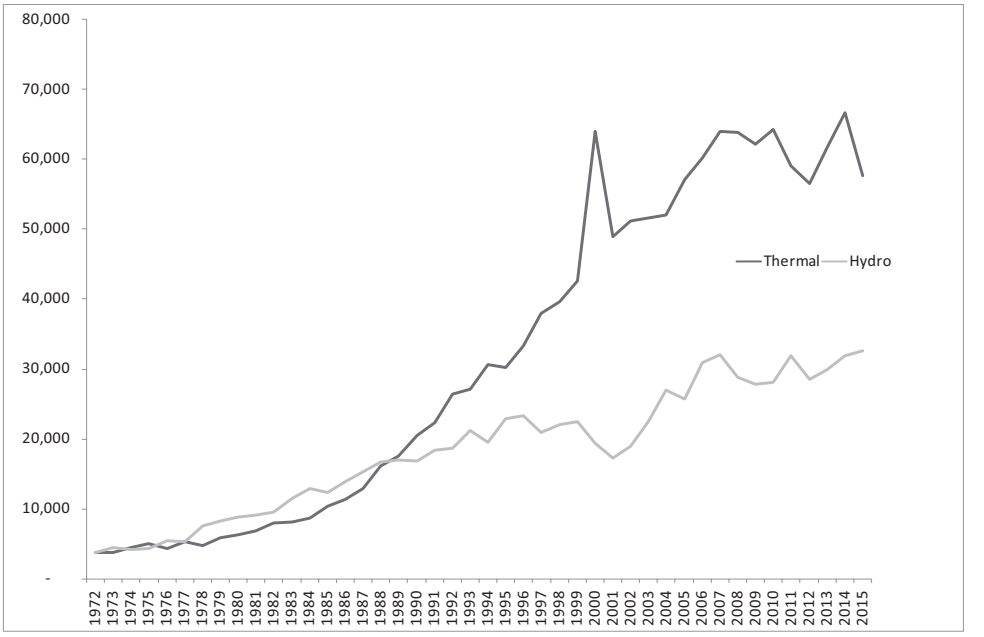


Figure 13.10 Electricity generation – hydro vs. thermal.

Data source: Economic Survey of Pakistan.

Pakistan's electricity generation initially relied on a mix of hydro and thermal production following the development of reservoir resources under the Indus Basin Treaty. However, as demand grew, hydro-resources were insufficient to meet the country's needs. In the 1990s, thermal generation started to supersede hydro-power. As of 2015, thermal generation is double that of hydro-generation in the country's electricity mix (Figure 13.10).

Thermal power

As mentioned above, thermal remains the largest contributor to Pakistan's power generation mix contributing to 59 percent of total power generated. Thermal generation is operated by the public sector via four generation companies, as well as through Independent Power Producers (IPPs).

One interesting trend to note is that of the source of fuel for thermal energy generation. Oil and natural gas have been the primary sources of thermal power generation. The use of natural gas started increasing in the 2000s as oil prices started rising, peaked in 2005 and from thereon has declined as the country started to experience gas shortages because of increased demand and pressure from the competing consumption sectors of household, fertilizers, and transportation. In 2013–14, the share of natural gas in thermal electricity generation was 39 percent while that of oil was close to 61 percent) (Figure 13.11).

Hydro power

Hydro-electric power comprises around 33 percent of total electricity generation in the country. The bulk of hydro-power comes from the country's two large reservoirs of Tarbeela

Figure 13.11 Consumption of oil and gas in power generation, 1996–2015.
Data source: Economic Survey of Pakistan.

(capacity 3,578 MW) and Mangla (capacity 1,000 MW) and hydro-power generation plant at Ghazi Barotha (capacity 1,450 MW). These hydro-power plants are operated by the Water and Power Development Authority (WAPDA). Apart from these, WAPDA also operates a number of smaller hydro-power plants (Table 13.1).

Completion of the Neelam Jhelum power project, which will provide an additional capacity of 969 MW, is expected by 2017 and an expansion of the Tarbeela power plant is to be completed by the second half of 2017, with an additional generation capacity of 1,410 MW.

Because of the low cost of hydro-power generation, Pakistan is planning to expand its capacity with projects including the Dasu Dam (capacity 5,400 MW) and Diamer Bhasha Dam (4,500 MW). However, because of disputes involving the allocation of revenue between

Table 13.1 Major hydro power plants.

Hydro plant	*Installed capacity (MW)*
Tarbeela	3478
Ghazi Barotha	1450
Mangla	1000
Warsak	243
Chashma	184
Dargai	20
Nandipur	13.8
Rasul	13.8
Shadiwal	13.5
Chickoki	13.2

Data source: WAPDA (http://www.wapda.gov.pk/).

the federating units inside Pakistan and because of objections raised by India, which claims them to be part of the disputed territory of Kashmir, no meaningful progress has been made with these projects.

Although large-scale hydro-power is desirable due to its cost competitiveness, the development of such projects also faces a risk of reliability as climate change makes the rainfall and climate conditions more volatile in the Indus basin.

Nuclear energy

Nuclear energy is responsible for around 5 percent of Pakistan's total annual electricity generation. The Pakistan Atomic Energy Commissions operates three nuclear power plants. The first plant in Karachi (Karachi Nuclear Power Plant – KANUPP) was set up in 1971, and has an installed capacity of 100 MW. Two power plants are located at Chashma, Chashma I and Chashma II, and have a capacity of 325 MW and 330 MW respectively. Work is under way on the Chashma III and Chashma IV plants, which will have a capacity of 340 MW each, as well as two plants at Karachi, K-2 and K-3, with a combined capacity of 2,100 MW (Pakistan Atomic Energy Commission n.d.).

Expanding nuclear energy remains one of the key elements of Pakistan's energy policy to achieve energy security. However, safety concerns and the country's exclusion from the Nuclear Supply Agreements globally have been key impediments in the rapid expansion of nuclear energy in Pakistan.

Renewable energy

Pakistan has been slow to embark on renewable energy. The sector remains underdeveloped and suffers from policy confusion. It was not until 2006 that the government of Pakistan realized the potential and need for renewable energy and formulated the country's first Renewable Energy Policy for Power Generation. Even after the formulation of this policy, no serious work started on renewable energy till the introduction of a mid-term policy on renewable energy in 2011. These policies focused on the development of renewable energy resources in small hydro-power projects, wind and solar projects, and also in the domain of bio-mass and waste-to-energy projects.

The policy on renewable energy still faces confusion. In April 2015, focusing on the new government policy to develop LNG electricity, the Cabinet Committee on Energy banned solar and wind projects (*Express Tribune* 2015). The reason cited for this decision was the higher price of renewable energy. This might have been justified with regard to solar power, as the levelized tariff of solar energy back then was at the top end of energy tariffs at 16.300–17.003 cents, but it could not be justified for wind power, which at 13.5 cents was in line with the average power tariff. When various stakeholders, including the government of Sindh, protested, the federal government gave assurances that there would be no ban on wind and solar projects (*Dawn News* 2015a). However, the revised upfront tariff announced by NEPRA in June 2015 made investors less likely to invest in wind and solar power projects.

According to data provided by the Economic Survey of Pakistan, the renewable energy installed capacity of the country is 548 MW, the bulk of which comes from wind energy (Table 13.2).

In the domain of solar energy, the only power plant to be established is that belonging to Quaid-e-Azam Solar Power (Pvt.) Ltd, which has an installed capacity of 100 MW. No other 'letter of interest' for an independent solar power project has been issued by the Alternative

Table 13.2 Wind power plants in Pakistan.

Plant	*Capacity (MW)*
FFC Energy Limited	49.5
Zorlu Enerji Pakistan	56.4
Foundation Wind Energy II Limited	50
Foundation Wind Energy I Limited	50
Three Gorges First Wind Farm (Pvt.) Ltd.	50
Sapphire Wind Power Company (Pvt.) Ltd.	50

Date source: *Express Tribune* (2012).

Energy Development Board or the Provincial Energy Departments since the ban first came into play in April 2015, showing a near stall in such projects. However, in the public sector, an expansion of 300 MW at Quaid-e-Azam is on the cards (*Express Tribune* 2016).

Issues and challenges

Pakistan faces numerous challenges in the energy domain that contribute to the shortage of energy in the country.

Circular debt

Circular debt in the power sector is the inter-corporate debt between the various entities in the sector. The debt originates from non-payments, particularly relating to transmission and distribution (T&D), including theft. As per the National Transmission and Despatch Company (NTDC), the total T&D losses stand at 31.27 percent as of 2015 (NTDC 2014). Though an inefficient T&D network with higher line losses is one reason for these losses, the fundamental problem remains electricity pilferage because of mismanagement in the DISCOs. The theft impacts the recovery of dues for electricity consumed, leaving the DISCOs with a cash shortfall. This impacts payment to the generation companies as well as to the fuel suppliers, which in turn hampers the supply of energy. As most of the DISCO network is owned by public sector organizations and the fuel supply contracts of the generation companies are held by public entities, the government ultimately has to bear the brunt of this revenue shortfall.

In October 13, 2015, the minister of water and power told the upper house of parliament that because of a lack of proper auditing, power plants are claiming surplus oil and are selling it on the open market while still charging consumers for it (*Dawn News* 2015b).

Inconsistent increase in power generation capacity

As has been mentioned earlier, the building of generation capacity does not follow a consistent pattern of catching up with demand. The lackluster policy responses lead to a shortfall in generation capacity, which then gets bridged by an accelerated demand increase. Since the tariff of the generation companies has a capacity component which covers among other things the cost of debt servicing, and since the debt structure of most power plants comprises 10-year amortized loans, the inconsistent bulk additions of capacity will always lead to a substantial increase in the average tariff, owing to the accelerated debt servicing.

Single energy source reliance

As discussed above in detail, Pakistan's energy policy does not have a clear focus on building a sustainable energy mix. Thus the energy sector is exposed to either the constraints posed by supply from a particular source, e.g. hydro-power or natural gas, or to the price fluctuations of a given commodity, e.g. imported oil. This has been a major cause of uncertainty in the energy supply of the country and impacts the economic growth at large.

Reliance on foreign denominated tariffs

Pakistan's energy reliance on oil exposes the country to foreign exchange risk. As is evident from trade data published in the Economic Surveys of Pakistan and other official government figures, oil and oil products comprise around one-third of the country's import bill in any given fiscal year. Similarly, because of a lack of efficient capital markets at home, most of the financing for energy projects comes from foreign sources. To incentivize foreign investment, government policy allows for foreign exchange denominated payments for debt servicing as well as for the return on equity to foreign investors. This exposes the entire power sector to foreign exchange risk. In the absence of the emergence of local capital markets and local sources of financing, the country will be exposed to these foreign exchange risks for the foreseeable future.

Conclusion and the way forward

For a stable energy supply, and to attain energy security, Pakistan will need to focus more on internal sources of energy. This not only requires the exploration and development of internal energy sources like coal, oil, gas, and renewables, but also requires developing efficient capital markets that could lower the reliance on foreign exchange denominated liabilities in the energy sector.

Similarly, better management of the transmission and distribution network is a key to checking leakages in the sector. In the power sector, current energy losses at 31 percent (NTDC 2014) need to be brought down to single digits, in line with global averages. This requires improving the efficiency of the grid as well as better energy accounting at various levels of the supply chain.

A viable mechanism also needs to be devised to check for the efficiency of power plants. This will not only help with the allocation of power generation in non-peak periods but will also help with fuel audits to estimate the exact fuel consumption per payment of energy component of the tariff, an area that is considered to be a source of pilferage in the sector.

And above all, to avoid repeating the single source reliance mistake of the past, the energy policy should formulate a mechanism to allocate the energy mix and power generation among multiple sources. Every power policy should have quotas set for a new generation of capacity by sources based on consideration of price, control over supply and price, and energy mix diversity. This may lead to a short-term burden but in the longer run will serve as a useful hedge against price fluctuations and energy supply constraints.

Development of local capital markets remains essential to the country's quest for sustainable and a secure energy supply. Development of local capital markets will not only reduce the foreign risk of the energy sector but will also allow for the securitization of longer term debt through public issues that will lower the average tariff on account of accelerated debt repayment.

At the same time, energy shortages offer an incentive to the private sector that may lead to the emergence of a small-scale captive power products and solutions market. This will be a threat to the existing power infrastructure but offers an economic opportunity for the economy at large.

Lower oil prices offer an opportunity for the country to reform its energy sector. At the same time they have the potential to create inertia among government and policymakers. In a low price regime, the easing of the tariff burden offers an opportunity to introduce long-term reforms aimed at ensuring a sustainable, diverse, and secure energy sector. If missed, the bad policies of free-riding in an era of cheap oil will hit hard when the dynamics of the global energy market change next.

Note

1 A "wheeling" mechanism is one in which power is transmitted from a generation source via a grid to a load outside the central grid while paying grid charges for transmission usage.

Bibliography

Ali, F. and Beg, F. (2007). "History of private power in Pakistan." Working Paper Series 106. Islamabad: Sustainable Development Policy Institute.

Business Recorder (2015). "Gas supply–demand gap reaches 4BCFD." Available at: http://brecorder.com/fuel-a-energy/193:pakistan/1192928:gas-supply-demand-gap-reaches-4bcfd. Accessed July 29, 2016.

Dawn News. (2015a). "No ban on solar, wind plants in Sindh, Senate Committee told." Available at: http://www.dawn.com/news/1214538. Accessed July 29, 2016.

Dawn News. (2015b). "Minister accuses power plants of selling subsidised oil in market.' Available at: http://www.dawn.com/news/1212632. Accessed July 29, 2016.

Express Tribune. (2012). "Energy: power crisis bites 2% off GDP annually." *The Express Tribune*. Available at: http://tribune.com.pk/story/387091/energy-power-crisis-bites-2-off-gdp-annually. Accessed July 29, 2016.

Express Tribune. (2015). "Taking a new line: focusing on LNG, govt bans new solar and wind projects." *The Express Tribune*. Available at: http://tribune.com.pk/story/873661/taking-a-new-line-focusing-on-lng-govt-bans-new-solar-and-wind-projects. Accessed 29 Jul. 2016.

Express Tribune. (2016). "Quaid-e-Azam Solar Park to get 900MW upgrade." Available at: http://tribune.com.pk/story/1036656/a-shinier-future-quaid-e-azam-solar-park-to-get-900mw-upgrade/. Accessed July 29, 2016.

Government of Pakistan. (1994). *Policy Framework and Package of Incentives for Power Sector Power Generation Projects in Pakistan*. Islamabad: Government of Pakistan.

Government of Pakistan. (1995). *Policy Framework and Package of Incentives for Private Sector Transmission Line Projects in Pakistan*. Islamabad: Government of Pakistan.

Government of Pakistan. (2006). *Renewable Energy Policy*. Islamabad: Government of Pakistan.

Government of Pakistan. (2009). *Economic Survey of Pakistan*. Islamabad: Ministry of Finance.

Government of Pakistan. (2010). *Economic Survey of Pakistan*. Islamabad: Ministry of Finance.

Government of Pakistan. (2011). *Economic Survey of Pakistan*. Islamabad: Ministry of Finance.

Government of Pakistan. (2015). *Economic Survey of Pakistan*. Islamabad: Ministry of Finance.

Haider, D. (2016). "Pakistan, Qatar sign $1 billion annual LNG supply deal." *Dawn News*. Available at: http://www.dawn.com/news/1238619. Accessed July 29, 2016.

Islamabad Chamber of Commerce and Industry. (2016). *An Overview of Electricity Sector of Pakistan Report*.

Munir, K. and Khalid, S. (2012). "Pakistan's power crisis: how did we get here?" *The Lahore Journal of Economics* 17, pp. 73–82.

NEPRA. (2014) *State of the Industry Report*.

NEPRA. (n.d.). "Grant of special purpose transmission." Available at: http://nepra.org.pk. Accessed July 29, 2016.

NEPRA. (n.d.). "Tranmission license application of Fatima Group." Available at: http://nepra.org.pk. Accessed July 29, 2016.

The News. (2016). "Thar coal field's Block-II achieves financial close." Available at: http://www.thenews.com.pk/print/85967-Thar-coal-fields-Block-II-achieves-financial-close. Accessed July 29, 2016.

NTDC (2014). *Power System Statistics*. Available at: http://www.ntdc.com.pk/Files/power2015.pdf. Accessed July 29, 2016.

Pakistan Atomic Energy Commission (n.d.). "Nuclear power: a viable option for electricity generation." Available at: http://www.paec.gov.pk/NuclearPower. Accessed July 29, 2016.

Planning Commission of Pakistan. (2013). *The Causes and Impacts of Power Sector Circular Debt of Pakistan*. Islamabad: Planning Commission of Pakistan.

Siddiqui, R. (2004). "Energy and Economic Growth in Pakistan." *Pakistan Development Review. Thar Coal & Energy Board*. Available at: http://sindhcoal.gos.pk. Accessed July 29, 2016.

14

PAKISTAN, THE UNITED STATES AND THE BRETTON WOODS INSTITUTIONS

A continuing Great Game?

Ehtesham Ahmad and Azizali Mohammed[1]

Introduction: the issues

A history of Pakistan's relations with the International Monetary Fund (IMF), and the Bretton Woods Institutions in general, cannot be told without reference to the complex and changing role played by the United States, especially since the mid-1980s when the Reagan administration stepped up responses to the Soviet Union in Afghanistan. We argue that the influx of US assistance over the past quarter of a century has distorted incentive structures in Pakistan, and weakened the desire for self-reliance. It has created a Dutch disease-like effect,[2] except that the country lacks oil, and trades on its geographical importance. As this importance fluctuates over time, it leaves the country increasingly unstable and vulnerable to external and domestic shocks.

The stormy roller-coaster ride between Pakistan and the United States is highlighted in a Woodrow Wilson Center (2011) study, which describes it more diplomatically as a "stop–go" relationship that has heightened suspicions and distrust on both sides. More importantly, large inflows of assistance from the US have coincided with the war in Afghanistan with the Soviets in the 1980s, fought with proxies supported through Pakistan, and then again after 9/11, with an intensification of the war in Afghanistan by the Obama administration in 2009. This has led to changes in behavior and expectations on the side of successive Pakistani administrations, leading to a consolidation of what could be termed "limited access society" (see North, 1990, and North, Wallis and Weingast, 2009). This has been manifested through a rentier-class dependent on "external handouts" supporting 65-year old "infant" industries that are unable to compete, given a level playing field with efficient producers in East Asia, or even Bangladesh. The congruence of interests between the landed aristocracy and industrial elites, politicians and rent-seeking bureaucrats endangers growth, as well as effective service delivery and maintenance of personal and household security. The internal dynamics of this process are not sustainable.

The periodic waning of direct US interest in the region, e.g., in the late 1970s, and after the withdrawal of the Soviets from Afghanistan in the late 1980s and the subsequent collapse of the USSR, permitted US concerns about nuclear issues to predominate, and the imposition of sanctions on a key ally, leading to a sense, on the part of the Pakistani establishment, of being treated unfairly. However, Pakistan was not completely cut off and IMF programs were instituted, with support from the US and allies that play an important role on the IMF board.

Exceptionally favorable conditionality and flexibility in giving waivers, and not meeting even soft conditionality standards, has led successive Pakistani governments to treat lightly the fundamental issue of domestic resource mobilization measures that underpinned each program. This is not surprising, as weak civilian governments vying for popularity, and military governments without political support seeking legitimacy, depend on the selected beneficiaries of a "limited access society" for both financial and political support.

Despite the promise of an abundant land, with water, irrigation and natural resources, a large and hard-working population, and an ancient civilization—and significant inflows of foreign capital over the past 65 years—development outcomes have been disappointing.

After the 1980s, successive governments became reliant on external funding, including the huge inflow of US assistance following the Soviet invasion of Afghanistan and also 9/11, and this led to periodic spurts of growth. However, when these inflows declined, the economy quickly headed towards a fiscal and balance of payments crisis. Long-standing under-investment has resulted in practical hindrances for business, most notably in the necessity of "load-shedding"—pre-planned power cuts, which affect the industrial and export sectors in particular. The economy has also proved vulnerable to the impact of global price rises, in particular for petroleum products and foodstuffs, as well as to natural disasters.

Conversely, the precipitous drop in petroleum prices during 2015 and a continuing IMF program have eased the immediate balance of payments constraints on the economy. The action by the military to take on the militants in Waziristan was spurred by the attack on a military high school in Peshawar in 2014. The military has also begun to go after the politically "protected" gangs and militia that have paralyzed the main port city of Karachi. However, the absence of structural reforms, particularly on domestic resource mobilization, continues to leave the economy in a vulnerable position from a longer-term perspective, while heavy external borrowing, including from the IMF, permits the government to "kick the fiscal can down the road." As with previous periods of "good fortune," the incentives to take difficult political decisions are reduced. Whether the present government has the stature to take the needed steps, or can be persuaded to do so by the powers that be, remains to be seen at the time of writing.

In this chapter we examine the incentive structures underlying each of the three players in this new "Great Game"—the US, the IMF (including staff and the board), and the elites in Pakistan. There is also a new player in the Great Game—China. While there are clear benefits to both sides in economic and strategic terms, we do not explore the full implications of the increased complexity introduced by the China–Pakistan Economic Corridor (CPEC) and the even greater incentive for Pakistani politicians to avoid putting their fiscal house in order. But, realizing the benefits of the new connectivity with China will require domestic investment, public services and above all additional revenues at the federal, provincial and local levels. The dangers of a business-as-usual approach to domestic resource mobilization cannot be underestimated.

Finally, we warn that any short-term gains supported by the great powers and international agencies may come at the cost of long-term stability and development. This could be disastrous in an increasingly polarized country possessing a large stockpile of nuclear weapons with a growing population and a youthful labor force facing limited employment prospects. Further, without better governance, improved service delivery and prospects for sustainable employment generation, military actions to counter increasing militancy may well backfire.

Increased economic dependency and the Pakistan–US relationship

The foundation of the relationship with the US is based on Pakistan's strategic location at the mouth of the Persian Gulf. Initially, Pakistan was a key partner against Soviet interests, given

India's close links with Moscow in the Cold War days. But the motivation has changed over the years as the US cultivated a more comfortable relationship with India. The repeated waxing and waning of the US relationship with Pakistan has led to a perception of the country being used in a "Great Game," the nature of which continues to evolve but remains anchored in the strategic location of the country, its growing nuclear capacity, and its vulnerability to terrorism.

Does the IMF substitute for or complement US assistance?

In the early years, particularly up to the 1960s, both US and multilateral assistance was used effectively. While there was a military component to the former, the World Bank played a critical role in the Indus Basin Treaty and the construction of the mega dams to compensate for the loss of water from three rivers in the Indus region.

The India–Pakistan war in 1965 led to a suspension of US assistance, and this came as a shock to the establishment in Pakistan. The dismemberment of the country following the Bangladesh war, and the lack of support from close allies, led Pakistan under the Bhutto administration to pursue nuclear weapons, as conventional parity with India was clearly not feasible. This severely complicated the relationship with the US, and led to the imposition of sanctions given the US emphasis on preventing nuclear proliferation. While relations between the Bhutto administration and the US cannot be described as cordial, sanctions were imposed after the Zia coup d'état in the late 1970s, as the new military government continued with the nuclear policy.

One of the first serious efforts at tax reform was initiated during this period, with the appointment of a respected administrator, Qamar-ul Islam, at the head of a distinguished commission. The commission's report, in the 1980s,[3] correctly identified corruption and "cheating" as very significant problems that needed to be tackled in order to move the tax/GDP ratio from a high of 14 percent towards 20 percent, for a sustained increase in investment and growth (Government of Pakistan 1996). But the report was shelved as the inflows from the US peaked at about the time it was completed.

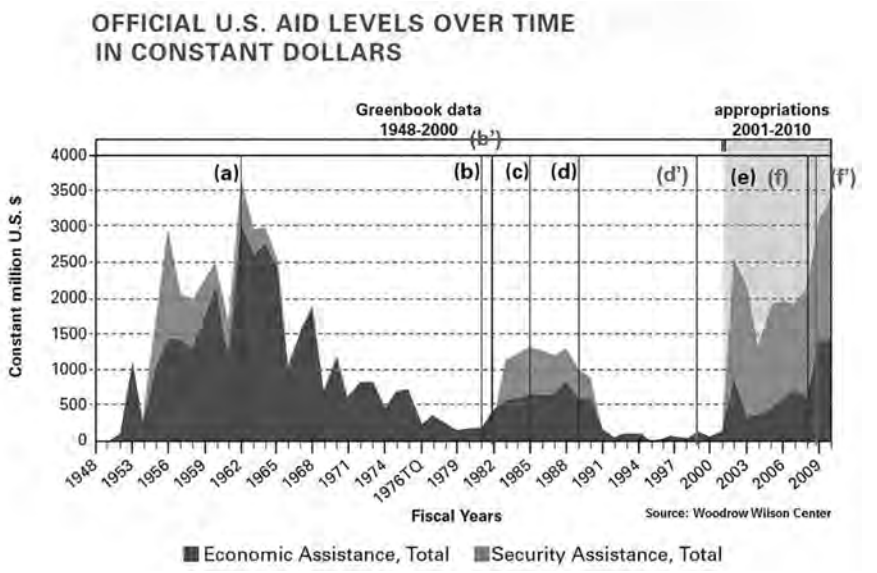
The variability of foreign, especially US, assistance during the 1980s illustrates the harmful effects on Pakistan's efforts at domestic resource mobilization. Large-scale economic and military assistance was directly linked to Pakistan's support for "Charlie Wilson's" covert war against the Soviets. However, the assistance effectively led to abandoning plans for tax reform and, more insidiously, the government for the first time abandoned the principle of "the golden rule" and began to borrow for current spending.

A decline of US assistance at the end of the 1980s followed the Soviet withdrawal from Afghanistan, with the consequent reduced strategic importance of Pakistan. There was a tightening of US sanctions under the Pressler Amendment, aimed at dissuading Pakistan from pursuing the development of nuclear weapons.[4] However, the US actively supported the IMF programs and World Bank Structural Adjustment Loans that followed. In Pakistani eyes, the modalities of assistance had changed, and not the principal sources. Hence, IMF conditionality was treated as largely superfluous in a classic example of the "moral hazard" problem. Despite the restraining influence of the more conservative members of the IMF board, successive programs through the 1990s largely failed to achieve their twin objectives of fiscal consolidation and establishing the autonomy of the central bank.

The nuclear explosion in May 1998 led to a cut-off of bilateral assistance and tightening of US sanctions. The IMF program in operation also abruptly came to an end because the expected foreign inflows assumed in the program dried up with the sanctions. At this stage, Pakistan made it clear that it would default on IMF payments if the program were not revived, but that it would continue to pay the IMF if the program was to be renegotiated.[5] This episode could be

taken as illustrative of the "defensive lending" incentives on the side of the IMF to continue its support. However, given that a Pakistan default would not have materially affected the IMF's balance sheet, the question arises whether another reason why it continued to engage with Pakistan, rather than to allow it to sink to the status of Sudan, was to maintain a policy dialogue with a nuclear-armed state in a sensitive part of the globe.

Incidentally, the sanctions at the end of the 1990s led to the second serious attempt at tax reform, with the Shahid Husain Commission[6] (with the support of the World Bank) following up on the main recommendation of the Qamar-ul Islam Commission of the mid-1980s (Government of Pakistan 2001). This commission recommended an arms-length integrated revenue authority, organized on functional grounds. The report was issued a few months before 9/11 and the significant inflow of US assistance. The World Bank entered the fray in the tax arena, providing a $130 million loan for the Tax Administration Reform Project (TARP). However, the implementation more or less ignored the World Bank-sponsored Shahid Husain report, as well as the previous work on tax policy and administration by the IMF (ten red-cover reports in the 1990s), as well as the earlier World Bank-supported research by Ahmad and Stern (1991). This may be linked to the incentives facing World Bank staff to generate fresh "technical assistance" with each large loan (see below).



(a) 1962 - peak aid. Pakistan aligned with West; signed two defense pacts.
(b) 1981 - Reagan administration negotiated five-year $3.2 million security/economic aid package with Pakistan.
(b') 1983 - Qamarul Islam Committee on Tax Reforms
(c) 1985 - Pressler Amendment, Reagan and George H. W. Bush certified Pakistan to get aid until 1990.
(d) 1989 – Soviet Army withdrew from Afghanistan. George H.W. Bush suspended aid in 1990 because of Pakistan's nuclear activities.
(d') 1999 – Shahid Hussain Commission
(e) Post-9/11 aid to Pakistan.
(f) 2008 - IMF rescue package USD 8bn
(f') 2009 – Augmentation of IMF rescue package of USD 3.5bn

Figure 14.1 History of US programs.

Figure 14.1 describes the "stop–go" pattern of US assistance as highlighted in the 2011 Woodrow Wilson report. It is interesting that the Shahid Husain and Qamar-ul Islam Commissions were set up in the depths of the downturn, although by the time both reports were submitted, the mood had changed and receptivity to tax reforms had weakened.

As the US assistance floodgates opened again following 9/11, the TARP degenerated into a program to build new offices and purchase staff cars, and there was no effort to create an integrated administration. Indeed, with the overvaluation of the exchange rate, the key export sectors were removed from the General Sales Tax (GST/VAT) and audit programs were abandoned in a reversal of the tax administration reforms. Neither the World Bank nor the IMF protested. The juxtaposition of IMF programs and the "stop–go" US aid cycle is illustrated in Figure 14.2.

In each of the downturns (in the early 1970s and a decade later in the late 1980s) there was recourse to IMF funding, with support from the US. While description of the economy in the 2005 IMF Article IV report pointed to some of the problems (see below), the staff assessment surprisingly endorsed the removal of the sectors from the GST and abandonment of an audit in the hope of improving the "business climate."

Figure 14.2 suggests that the "stop–go" pattern of US assistance was moderated by periodic IMF safety nets. There was a negative net effect on incentives facing successive governments, particularly the weak political regimes of the 1990s, but also the Musharraf administration. The clearest lesson was that domestic resource mobilization might detract from the ability to extract "location rents" from the US, or the international agencies. Associated with this was the desire

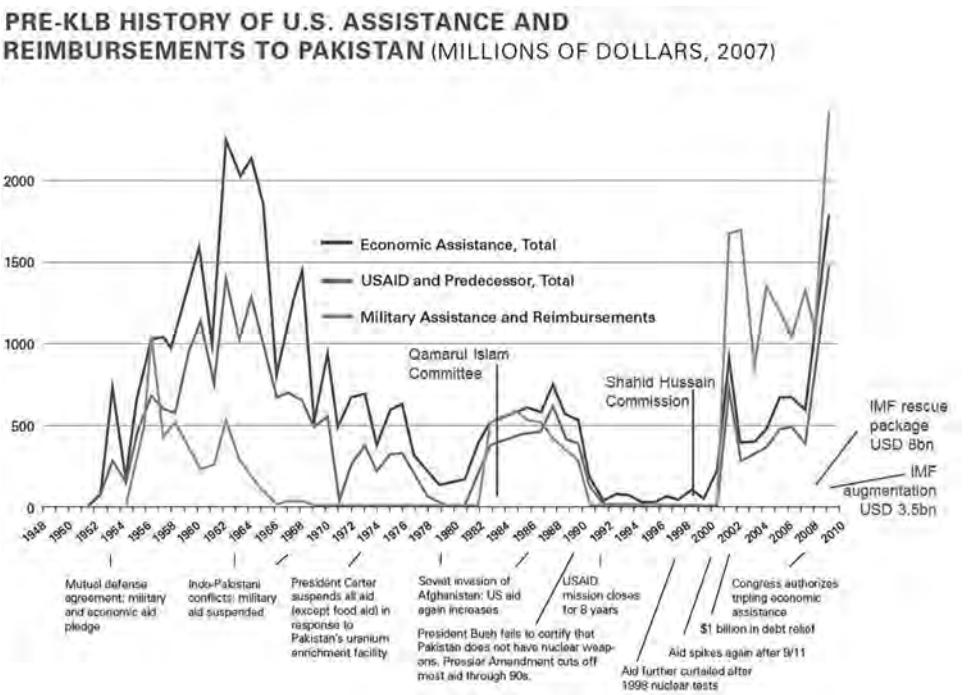


Figure 14.2 Juxtaposition of US assistance and IMF programs (to 2010).

Note: The X's reflect IMF programs that were concentrated in periods of low US direct assistance, except since 2008.

to "protect" special deals with sectors that provided financial support to the benefit of the party in power, and also to selectively punish "enemies." Thus, arms-length tax administrations and level playing fields were far from the top of the list of priorities for a "limited access society."

A weakening of the domestic structural reform agenda

Virtually all programs since the 1980s have made domestic resource mobilization a key element of structural change, and VAT was introduced under pressure from the IMF in the 1990s. However, it operated like a production excise, limiting its ability to generate information on the value chain. Consequently, documentation of the economy and identifying revenue sources was lost in the manipulation by successive administrations to use the tax system to "make friends and influence people."

Subsequently, virtually every government in the past 25 years has resisted raising domestic resources by failing to expand the tax base, modernizing the tax administration and closing preferences and loopholes, among other essential reforms required to run a modern state. Thus, eleven out of twelve IMF programs since 1988 have been abandoned in the middle or scrapped altogether—and the country has become known as a "start–stop adjuster." Governments have tried to "game" the IMF, and achieved partial success each time. After trying to "fix the VAT" for twenty years, which had been the cause of the failure of virtually all programs in the 1990s and the 2008 program, it is interesting that in the 2013 program negotiated by the third Nawaz Sharif government, there was no mention of VAT.

The ambivalent attitude of the IMF to difficult structural reforms, such as VAT and domestic resource mobilization, has been heightened also in its surveillance when there was no program. In 2004/5, the Musharraf administration removed major sectors from the GST. While the 2005 "Staff Report" raised the concern that "exemptions from the sales tax value added chain undermine the self-enforcing nature of the system" (IMF 2005: 23), it condoned the government strategy as "appropriate in generating revenues" (IMF 2005: 25).[7] This reversal effectively led to a questioning of the preceding 15 years of IMF engagement and conditionality. It also encouraged the authorities to "lean on the Fund," as became painfully clear just over two years later. This was the precursor to the overruling of the staff analysis carried out in 2007 by the management of the department.

The 2007 "Staff Report" is of particular interest, especially since there was no program. However, it came at a relatively low ebb in the fortunes of the IMF, as many wondered at the time whether the institution was needed. The management of the IMF, and that in the MCD, was interested in seeking favor with influential countries, and their even more powerful "protectors."[8] Despite growing evidence since 2005 that the rapid credit expansion had led to an overheating problem (SPDC 2005),[9] and led to an overvalued exchange rate, the assessment of the "Staff Report" basically endorsed the stance of the government of the time that the "real effective exchange rate is broadly in line with fundamentals" (IMF 2008).[10] But, in order to protect exporters, even more tax breaks were initiated, and implicitly condoned by the IMF, overturning 15 years of technical assistance.

Although there was growing unease with the sharp imbalances due to the food and energy shocks, the IMF assessment probably persuaded Musharraf to hold the line on administered prices in the run-up to the elections in early 2008, given the large accumulation of reserves. By the time the elections were held, the crisis was in full swing, and the reserves were disappearing at a rapid pace. The unfortunate 2007 "Staff Report" was published in January 2008, and the same staff team was quickly engaged in negotiating an emergency program based on a sharp depreciation of the rupee, domestic resource mobilization and fixing the VAT.

The removal of exemptions through an arms-length VAT law was a critical element in the 2008 program, as was the effective independence of the State Bank, and was proposed by the authorities themselves (in a proposal made by the newly elected President to the Friends of Pakistan meeting in New York in September 2008, before the formal approach to the IMF) (Government of Pakistan 2008).[11] The criterion included in the standby arrangement (SBA) was the submission of a new "arms-length" VAT law to Parliament by the end of 2009. This relatively weak criterion was reported by the authorities to have been met, but was in fact not achieved until spring 2010. The staff continued to display flexibility as the authorities argued that they did not have the political strength in Parliament to pass the legislation. The staff proposed a Plan B in March 2011, which involved removal of exemptions by the FBR without reference to Parliament (these were in fact instituted by the FBR unilaterally). However, on April 1, 2011, the FBR issued SRO 273, which included 184 new exemptions and special provisions and rates. Item 185 stated "Any other goods as may be specified by the Federal Board of Revenue" (Federal Board of Revenue 2011).[12] This "deliberate snub" effectively doomed the 2008 SBA.

In the post-2008 period, a weak and beleaguered government, dependent on minority parties and special interests for its survival, was singularly unable to take tough decisions on the economy, or to remove special deals and preferences from the tax code. The third Nawaz Sharif administration, elected with high expectations in 2013, has, unfortunately, also continued with its predecessor's reluctance to take on the vested interests that dominate its support groups, and to address key structural measures.

A similar pattern is seen with World Bank assistance—particularly with the failure of successive Social Action Programs (SAPs) that should have been seen as providing direct support for enlightened government policies. Even more telling was the failure of the $135 million Tax Administration Reform Program (TARP), the program on strengthening budgets and transparency, and the equally significant Project to Improve Financial Reporting and Accounting (PIFRA). Both of these should have been in the interest of the Pakistan government from a longer-term perspective. However, short-term priorities prevailed. Neither the World Bank nor the IMF for that matter raised alarms in a timely manner, especially in the period around 2005/6, as the tax reforms were gutted by a favorite government allied to the "war on terror."

The stop–go relationship, combined with the likelihood of periodic failures in IMF programs meant that a pliant central bank was essential as a "safety valve" to provide credit in times of need. Although there were intermittent efforts to strengthen central bank independence, the institution operated in a genuinely autonomous manner only in the 1993–99 period. Thereafter the State Bank reverted more or less willingly, depending on the stature of the governor,[13] to being an effective appendage of the administration with the prime objective of accommodating fiscal policy slippages. Thus, the incentives to meet the other main condition underlying IMF programs were effectively non-existent. The 2013 program again made State Bank independence a key structural measure, but the IMF has continued with disbursements even though the Nawaz Sharif government has shown no evidence of being interested in doing this.

The difficulty is that through this entire period of 25 years and more, the tax/GDP ratio has continued to decline, rent-seeking has become endemic, and the gap between resources and spending needs continues to widen. The result has been a ratcheting effect of the stop–go game, but at the cost of the quality of infrastructure, public services and living standards. Thus, the curse of the geographic rents has been largely negative, despite the periodic success in extracting external resources—in a process reminiscent of "Dutch disease," but without the oil resources.

A succession of failed IMF programs—habitual broken promises and too important to fail!

The IMF is the lender of last resort par excellence, to be used sparingly to overcome short-term balance-of-payments difficulties. Since 1988 Pakistan has been an aberration, with thirteen programs over 20 years, all but one of them linked to the cessation of US bilateral assistance or sanctions. And all programs, barring one, failed to meet the macroeconomic targets and were aborted. Only one was "concluded" satisfactorily, and that too because of the influx of US assistance reinstated after 9/11.

The last failed program approved in 2008 permitted loans of the equivalent of 8 billion dollars, or more than twice as much as was purchased in the entire 20-year period since 1988. This mega program only had two conditions—fix the VAT to reverse the slide in domestic resource mobilization and ensure the independence of the central bank. These conditions dated back to the start of the habitual involvement in 1989, and were proposed by the government itself to the Friends of Democratic Pakistan in September 2008 (before the formal approach to the IMF), as part of the "ownership of the program"[14] by the newly elected democratic government (Government of Pakistan 2008). The failure of these conditions does not say much for the true "ownership of the program." It also does not say much for the continued involvement of the IMF (together with the World Bank) in ensuring structural reforms, or reducing the vulnerability of the country to external shocks or domestic "meltdowns." Interestingly, the 2013 program made no reference to fixing the VAT, and in a strange aberration for the IMF, stipulated that the revenue measures should come from income tax in the absence of information generated on the value chain through the VAT. Unfortunately, without the full value chain generated by a VAT, it has not been possible to significantly increase the base of the income taxes, and the government is forced to resort to perverse withholding schemes, which add to the cost of doing business in Pakistan, or to pleading with taxpayers through yet another amnesty.

The successive programs did not address the fundamental incentive issues facing weak, incompetent and often corrupt administrations. After a lengthy period of military-led rule (the Zia decade), the political parties were focused on generating resources for re-election, or reaping the benefits of incumbency that involved "making friends and influencing people." This tended to involve exemptions and preferences of all kinds (both in relation to tariffs and domestic taxes). IMF staff were more interested in maintaining favorable relations with the government of the day and with the most important shareholder(s) in the Bretton Woods Institutions (BWIs). This led to programs that failed time and again, to technical assistance that was given and implemented on a pro-forma basis without lasting results, and to weak surveillance. The most egregious example of the latter was the sanguine assessment for 2007 that may have contributed to a lack of policy measures that precipitated a crisis when the external environment deteriorated.

In keeping with the analysis of North's (1990) "limited access society," the question that we pose is whether the IMF inadvertently played into the hands of vested interests that led to the continuing deterioration in service delivery, infrastructure and institutions. And was this due to attempts to appease the principal shareholder in the "Great Game" that continues to this day? An alternative explanation may be that the IMF was engaged in "defensive" lending, with the aim of extending the shorter-term repayment obligations of the SBA through a longer-term extended fund facility (EFF).

We examine the incentive structures that have faced various players in the triangular relationship—the US, Pakistan and IMF staff, management and the Executive Board.

Pakistan–IMF relations: political expediency or defensive lending?

In 2002, when the Independent Evaluation Office (IEO) of the IMF reviewed the record of the IMF's relationship with Pakistan through the decade of the 1990s, it sought to answer the question: what accounted for the country's prolonged use of IMF resources? Pakistan was one of six countries selected by the IMF's Independent Evaluation Office (IEO) as "prolonged users" and its study tried to answer the question: what accounted for Pakistan's prolonged use? It noted that "programs in the 1989–99 period suffered from substantial policy slippages and soon went off-track . . . a large share of the committed financing was not disbursed" (IMF 2002). Even what was disbursed required "relative generosity" in the granting of waivers, with five of the seven program reviews completed in the 1990s involving the granting of "at least one and generally several waivers" and all the waivers on quantitative performance criteria being "requested for reasons other than minor technical deviations or exogenous shocks." Moreover, the IEO study notes that "in spite of the many interruptions suffered by IMF supported programs, the intervals between two disbursements of IMF resources were generally short—never exceeding twelve months over 1991–99."

The IEO study finds that the prime explanation for this prolonged engagement is the role played by non-economic considerations. It notes that "until 1998, the prevailing perception within the IMF was that the principal IMF shareholders, no matter how demanding they claimed to be on the substance of programs, were not willing to take the risk of major turmoil in Pakistan that an interruption of IMF support might have caused." It quotes "some IMF staff members" that program design weaknesses "such as unrealistic macroeconomic projections, the pretense of toughness . . . were symptomatic of attempts to find a face-saving way to justify continued lending to Pakistan." In our view, this perspective is essentially correct, as the appeasement continued during the period when there was no program in effect but when the Musharraf/Shaukat Aziz government was seeking to extract a seal of good housekeeping at a time when a campaign was under way to declare Pakistan a failed state—we will come back to this issue further.

The IEO study finds four dimensions of the IMF mandate that "might account for some of the design problems" in the Pakistan case. The first is the difficulty of reconciling the IMF's role as a provider of temporary balance-of-payments support with the imperative of the time required to undertake complex institutional reforms for achieving longer-term sustainability."

A second explanation is the lack of close collaboration with the World Bank as a result of which "key areas, such as governance and institutional reforms in tax administration, civil service, and public enterprises, ended up being handled inadequately by both [international financial institutions] IFIs." This has been particularly damaging in the areas of tax reform and budget systems. In the former, work done by the IMF during the 1990s (including ten red cover reports on tax policy and administration) was ignored, and the World Bank was brought in to help with both tax policy and tax administration reforms (TARP—described above). Staff incentives dictated that previous work by the World Bank was also ignored, and fresh contracts were issued for both tax policy and administration.[15]

On the budget side, the spending of $130 million, which PIFRA intended to track, left out the IMF's Government Financial Statistics Manual (GFSM) 2001 budget classification[16] as well as the UN's Classification of Functions of Government (COFOG)—making it hard to track or evaluate public spending in Pakistan—nicely illustrating the IEO's observations about the split responsibilities between the IMF and the World Bank in important areas.

A lack of expertise in the World Bank on tax policy issues, or knowledge on issues such as the IMF's GFSM framework, meant that it pursued IT-driven solutions in both the tax and

public financial management areas that were at odds with promoting structural reforms. They merely succeeded in automating existing manual procedures and compromising the manual checks and balances that had been in use since the British days.

As noted above, the 2013 IMF program jettisoned 20 years of technical assistance in favor of supporting "home grown" wizardry. There is no constituency to generate information on the value chain or improved documentation. However, in order to illustrate "burden sharing" with the IMF, the World Bank decided to triple the amount of funds available under a new TARP without any idea of how the tax administration might be reformed in a more complex multi-level context.

A third factor is the IMF's role "as gatekeeper for many other sources of financing." While this might be expected to have given the IMF greater leverage, it "also meant that the consequences of a prolonged interruption of programs would be very severe." The IEO study states that the IMF "proved extremely reluctant to risk the costs of such major disruption, which meant that there was an in-built tendency not to insist too hard on the core issues." This factor has become less relevant, especially since the mid-2000s, as the importance of conditionality in the implementation of World Bank projects (such as PIFRA) has declined. This has converted many multilateral project loans into approximations of budget support, and the trend has increased sharply since the failure of the 2008 SBA in 2011.

A fourth factor in the IEO view is the obligation to support member countries making the necessary effort to address their economic difficulties. Given the political instability in the 1988–99 "democratic" period that brought a succession of governments into engagement with the IMF and given the fact that "each new (lending) arrangement practically coincided with a new government . . . it would have been extremely difficult not to give such a government the initial benefit of the doubt on its declared policy intentions."

While the IEO naturally has looked at the prolonged use of resources from the perspective of an external agency, it is important to look at the same experience from the point of view of Pakistani policy-makers and their representatives on the IMF's Executive Board. We discuss this issue at greater length below.

The interaction of economic and political factors in decisions to resort to IMF assistance is not easily disentangled. While the IEO evidently subscribes to the notion that political or non-economic factors accounted for at least two out of the four elements in the IMF mandate that contributed to prolonged use, it can be argued that one factor on the "supply" side that was not given the weight it deserves was the implicit risk of debt servicing arrears to the IMF emerging in the absence of a program and hence a powerful incentive for "defensive lending"—a possibility that the IEO study discards as not a "significant factor" except on three occasions when "Pakistan came closest to the brink of foreign exchange crisis: (1) in late 1996, just before the revival and augmentation of the SBA; (2) in the months preceding the completion, in January 1999, of the second review of the 1997 EFF/ESAF following its de facto interruption in May 1998, and (3) in mid/late 2000 prior to the approval of the SBA." However, Pakistan received non-conditional or low-conditionality disbursements from the IMF at critical points of time during this period which were not mentioned in the IEO Report, presumably because they were not part of "conditional lending" and could well be treated as "defensive lending."

The size and sequencing of the 2008 program cannot be ascribed to defensive lending. However, now that the IMF has lent such large sums, it is clear that defensive lending was a factor in the 2013 arrangement, in addition to the political economy considerations that we believe have been the case over the years. However, it must be said that "defensive lending" could not have been a criterion in the attitude of the IMF in its surveillance in Pakistan since 2005, or the design of the 2008 program, and that even in 2013, the sums owed by Pakistan were dwarfed by the institution's exposure to the European countries.

Interests of the authorities

Pakistan has an immature political structure, with political parties struggling to replenish coffers after lengthy periods in the wilderness—especially given long periods of military-led rule. The interests of the politicians, seeking funds for re-election, and perhaps personal gain, and an increasingly rent-seeking bureaucracy coincided. Holes in the tax system and preferences in the tariff regime, facilitated by statutory regulatory orders (SROs) that often override legislation, are a useful way to "make friends and influence people." While paying lip service to IMF conditions to remove such loopholes, including under the ESAF negotiated by technocratic Prime Minister Moeen Qureshi in 1993, the second Benazir Bhutto administration actually increased the magnitude of such exemptions in its budget of June 1994, while going through the motions of eliminating some minor provisions.

It is interesting that Musharraf's selection of a private banker as finance minister, Shaukat Aziz, who was presumably immune to "rent-seeking" influences, attempted to cut the Gordian knot by removing entire sectors from the GST (textiles, sports goods, carpets and leather goods among others—virtually all the productive exporting sectors that have exports zero-rated anyway). This created a bonanza for the rent-seekers, and the tax breaks have since become entrenched.

Given the inflow of US assistance and capital inflows after 9/11, Shaukat Aziz made a show of "breaking the begging bowl." As a prelude, he wrote directly to the managing director,[17] admitting to "misreporting" by the previous political government, something that had eluded IMF staff surveillance and which probably would not have been discovered had it not been "volunteered" by the authorities. He also leaned on the IMF staff[18] to present a "favorable" report on the Pakistan economy in 2007, as the run-up to the elections approached, even though the underlying staff analysis had showed signs of overheating and an overvalued exchange rate.

Since the resumption of "democratic rule" in 2008, the interests of the parties remain stubbornly parochial, and buttressed by the ability to bestow favors and punish enemies. Although a transparent tax system and a VAT without holes was promised to the IMF as a means to reverse the decline in the tax/GDP ratio that had then fallen below 10 percent (from a high of 14 percent in the mid-1980s), there was no genuine "political" ownership, despite protestations to the contrary. Another technocratic finance minister, Shaukat Tarin, in 2008/9 actually tried to reform the tax system and go after special interests (including in relation to the independent power producers (IPPs) and the sugar barons) but was let go after one year in office—albeit after obtaining the IMF loan and augmentation. His technocratic replacement, Hafiz Shaikh, also tried, but was unable to circumvent the powerful interests within the ruling coalition and the machinations of the bureaucrats and some of his advisors. A senior advisor who argued publicly that the emphasis on domestic resource mobilization was a mistake and was not needed to generate growth undermined his position.

It is very convenient for politicians to maintain an honest and genuinely sincere technocrat as a finance minister. This presents a kinder, gentler and more credible face to the international community—while it is business as usual in the forum.

The changing incentives facing bureaucrats are extremely important. At independence, Pakistan inherited from British India a small cadre of exceptional civil servants of impeccable integrity. Over time, and especially during periods of military rule, the social contract underlying the civil service eroded. Successive military governments removed the senior-most officials who would not play ball. The PPP administration in the 1970s inducted officials into the service in order to ensure that they would carry out the instructions of the party. With weak institutional oversight, opportunities for rent-seeking emerged, and were exploited, together with the

blessings of the political masters. Consequently, the incentives of officials have become aligned with whoever happens to be in power.

There were attempts to strengthen the technical capabilities of State Bank staff by Governors Ishrat Husain and Shamshad Akhtar in the Musharraf period. Yet the administration's culling and controlling of the governor (or refusing reappointment to a second three-year term) led to the weakening of the State Bank of Pakistan. As mentioned above, three successive governors have been "let go" before their constitutional terms of three years in the 2006–8 period. The significance of the weakening of the State Bank governance structure is that it makes it more or less subservient to the dictates of the Ministry of Finance, and has eliminated an independent voice in the policy debate within Pakistan. This is ominous as the country lurches from crisis to crisis. The premature removal of three governors has underlined the IMF's lack of influence in achieving even their most cherished structural reforms—the independence of the State Bank.

Officials habitually "manage" information to put a gloss on the performance of the administration of the day in order to consolidate their own standing and assignments to positions of patronage. This facilitates "favors" for the party, for example through manipulation of trade or provision of tax breaks (e.g., through VAT or income tax exemptions, or SROs that by-pass Parliament), which also help their own bank balances.

The "doctored" presentation of information has led successive governments into complacency—most notably the Musharraf and Zardari administrations, as well as the current Nawaz Sharif government. The lack of economic expertise among the military and the politicians means that they are easily misled.

Moreover, the manipulation of data to put a favorable "gloss" on performance also misleads the IFIs. In the case of the IMF, this led to somewhat premature reporting to the board that the VAT had been fixed in 1994 and again in 2009. The actual misreporting to the IMF in the late 1990s would probably not have been discovered if it had not been for a declaration from the Musharraf government to prove their bona fides and to malign the previous Nawaz Sharif government. Similarly, the World Bank was misled into believing that their key reform projects were working, and that poverty had declined during the period of crisis over the past decade with stalling growth and investment and absence of meaningful job creation (Ahmad, 2015, 2016).

Interests of staff in the BWIs

In principle, the staff in both the World Bank and the IMF enjoy a large degree of autonomy in their operations. This derives from the high caliber of the personnel assembled by both institutions, including many from the developing world, and the detailed knowledge of member country institutions and their policy-makers that they have accumulated over the years. In the case of the IMF, its surveillance role involves periodic (mostly annual) consultations with the financial authorities of each member and a more intensive collaboration ensues when lending transactions are under negotiation or monitoring during the period when resources are disbursing or are outstanding as a significant percentage of the borrowing member's quota. However, in practice, the theoretical advantages of an international civil service may not apply, especially in systematically important countries.

Incentives facing IMF staff

A factor on the "supply" side that requires consideration is the interest of the Middle East Department,[19] which includes Pakistan, in protecting a lending relationship with one of the

very few member countries under its jurisdiction that had a need for IMF funds.[20] The presence of a large country with a continuing program relationship would have seemed essential to the department in order to attract and retain "high-flier" staff and to provide them with experience in lending operations that would prepare them for higher responsibilities elsewhere, either within or outside the IMF. Indeed, Pakistan has been a "proving" ground for many promising mission chiefs, who distinguished themselves in the IMF, and subsequently outside.[21]

Not rocking the boat may have played a role in softening conditionality in the early 1990s (excluding arrears and borrowing of public sector enterprises from the debt criteria), or overlooking non-performance. A perennial problem has been the cascading resort to tax exemptions. The 1993 ESAF negotiated by an interim government had the removal of exemptions from the GST as a performance criterion for the June 1994 review. Although the 1994 June budget removed a few exemptions, it introduced major new loopholes and exemptions for the main industrial sectors, such as textiles, which subsequently have been impossible to remove. Yet the August 1994 "Staff Report" stated that the performance criterion had been met (IMF 1994: 30). The same report also confirmed that legislation for the autonomy of the State Bank had been passed—and appeared to have worked over the next few years under a strong governor, the subsequent loss of authority is confirmed by the 2011 "Staff Report" noting that "the legislation before Parliament did not ensure operational independence of the State Bank" (IMF 2012: 20).

The IMF continued to pay lip service to State Bank independence in the 2013 program, although, given the resistance of the government to documentation of the economy, the VAT reform was dropped. However, it has continued with disbursements even though the authorities have made no serious attempts to achieve this goal, and with yet another governor being shown the door prematurely.

The weakening of the SBP in effect removes the main ally of the IMF in negotiations with the authorities. This makes it harder for the staff to take a strong position vis-à-vis the Government of Pakistan, and objective criteria for the good of the country are replaced by the importance of a "home grown program." Attempts by staff to engage in the "political economy" of relations under such conditions are greatly influenced by the confluence of both "defensive lending" and "Great Game" considerations.

There have been two insidious changes within IMF staffing procedures since the mid-2000s that have weakened its position vis-à-vis important countries. The first is that the tenured position of department directors has been replaced by three-year renewable contracts. Consequently, the fiercely independent position of departments (both in area and function) has been replaced by a jockeying for (re)-appointment by department directors or candidates. Important members of the board often influence such assignments.

The second issue is a gutting of the review process that has considerably weakened the role of the functional departments within the IMF. Hence the emphasis on structural measures championed by the area departments has been replaced by a naïve reliance on the "ownership" of programs by member countries. This plays the staff into a "political economy" trap of its own making, especially in systemically important countries with weak institutions and the absence of independent central bank governors. In terms of institutional dynamics, it is interesting to note that there were more changes among highly experienced mission chiefs in the 2006–8 period than there were in central bank governors in Pakistan during 2008–10.

The fact that the IMF walked away from the 2008 program came as a shock to many in government. However, it would have been difficult for staff to justify to the board the failure to implement minimal conditionality, proposed by the country itself, and that had been in programs for the previous twenty years. The cynical rationalization in Islamabad was that this was

also the period when the relations between Pakistan and the US reached yet another nadir, and management was preoccupied with the crisis in Europe. The weak 2013 program with virtually no significant structural measures underlines the relative impotence of the IMF in trying to get a structural reform agenda under way in two decades of engagement with successive administrations in Pakistan.

The staff of the IMF generally tries to be objective but the final decision to present a program for board approval is in all cases made by the management on the basis of its own assessment of the likelihood of its gaining sufficient board support. It is at this stage that the executive director representing the country on the board seeks to take the pulse of the board and to counter initial opposition by mobilizing the national authorities of the country and its allies to focus their persuasive efforts with management. How to exercise pressure effectively to override negative technical assessments or the objections of dissident members of the board is a skill that countries like Pakistan seek to deploy with varying degrees of success.

Interests facing World Bank staff

The World Bank is a much larger bureaucracy than the IMF, and the US-appointed president of the Bank exercises much greater influence on the directions of the agency than the managing director of the IMF has over staffing and policy. However, World Bank presidents have sought to emulate the political influence of the IMF by bringing in low conditionality "Structural Adjustment Funds" in the 1990s, or reducing or suspending the conditionality with soft institutional building loans. This is likely to have been the case with the TARP and PIFRA projects in the last decade, especially during the Musharraf era when the country had become a "key ally in the war on terrorism." This may explain why it took the World Bank 4 years to discover that nothing had been achieved under TARP-I until the crisis broke in 2008. A second factor is that quick disbursing of loans is often needed in a package of reforms to be supported under an IMF arrangement to complete the "financing requirements" of the program. This probably explains the inexplicable decision of the World Bank to triple the size of the loan to support tax reforms under TARP-II in 2013. It is no surprise that the measure has not had the slightest impact on the tax/GDP ratio.

That said, the management of the World Bank is less able to monitor or influence the design and implementation of the myriad of projects and loans that are generated. Consequently, the incentives facing individual staff, particularly the project managers or team leaders, matters a great deal, and the Pakistan case is quite instructive in this regard. As part of their career progression strategies—it is more important for team leaders to push monies out the door than to be held accountable for results. Indeed, they get promoted once the loans are signed and move on to other pastures, while others pick up the pieces, for which they are clearly not held accountable. Consequently, the incentives for the World Bank staff are to keep increasing the size and frequency of the same loans or policies in the hope that the next time will do better.

The World Bank management is consoled by a careful and selective use of estimates based on arbitrary poverty lines that show that the incidence of poverty has declined sharply in the period of the crisis—especially since growth began to decline in 2006, when there was virtually no investment or significant job creation. Of course, the lack of an independent statistical agency plays a role in this charade. And when evidence to the contrary is presented by independent researchers within the country, or even by agencies such as the International Food Policy Research Institute (IFPRI), which tend to conduct their own surveys, or nutritional data, these are conveniently ignored (see Ahmad 2015 for a review). Meanwhile, the ranks of the disaffected continue to swell in an unprecedented increase in extremism.

Interests of the IMF board

An issue of some importance is how the political interests of one major shareholder, the United States, on the creditor side and a minor shareholder, Pakistan, on the debtor side, are accommodated and reconciled within the framework of an inter-governmental organization empowered with a large area of discretion and autonomy for its executive and managerial organs. Unlike most other agencies in the UN system, which operate on the principle of "one country-one vote," the BWIs operate with weighted voting power, as reflected in the shares allocated to each member in their respective capital resources, on the basis of one vote per $100,000 share of capital allocated to each member (plus 250 "basic" votes regardless of capital share). While successive enhancements of the total capital of the BWI and the periodic re-allocation of individual member shares (called "Quotas") in the IMF have reduced the US share to around 16 percent at present, the US share has not been allowed to fall below 15 percent of total voting power.

While most operational decisions in the BWI require the normal 51 percent of total votes cast, certain strategic decisions require an 85 percent super-majority vote. This means that as long as its voting share is not reduced below 15 percent, the United States remains the only shareholder with an effective veto in respect of such decisions. Among these decisions are those involving amending the IMF's Articles of Agreement (also known as its "Charter") or temporarily raising the size of its Executive Board of Directors beyond the 20 seats stipulated in the last amendment of its Charter (as against the 24 seats allowed at present). The existence of US veto power poses a non-trivial element of vulnerability, but also an opportunity, for a country like Pakistan which "belongs" to one of the "marginal" constituencies, the one headed by Iran.

The degree of influence exercised by an executive director on behalf of one of its constituency members is a matter of some complexity, depending upon a number of variables, such as that constituency's share in total voting power, the seniority of the particular individual serving as a member of the board and his/her relationships with other members of the board, with management and staff, etc. There are no formal rules for constituency formation but the composition is the result of informal political understandings reached among member countries. Pakistan with a tiny voting share of the IMF's total voting power has maintained a second or third ranking within its constituency and that has never enabled it to chair the constituency in the IMF, while it has been able to alternate with Algeria in chairing the parallel constituency at the World Bank.

Pakistan has been quite well-served by the executive directors, starting with Zaki Saad of Egypt, who represented the Middle East constituency in which Pakistan resided from the outset of its membership until it decided in 1993 to move to another Middle East constituency headed by Iran.[22] This move brought to Pakistan's service an executive director, Abbas Mirakhor, who enjoyed great respect among both his colleagues and staff. Not only was he an effective representative of the country, he also kept the interests of the IMF at heart. Instead of acting as a one-way conduit for the views and responses of the Pakistani authorities, he increased the credibility of the Pakistan position by keeping an even-handed approach. Mirakhor's influence with his board colleagues was reflected in their decision to elect him in the late 1990s as the dean of the board, a position he continued to hold until his retirement in 2008.

The extent to which Pakistan could draw strength from its Executive Board representative inevitably weakened after Mirakhor's departure in early 2008. However, the government was able to bypass their representative on the board and deal directly with the US authorities that interceded on their behalf at critical junctures in the 2008 SBA, and its augmentation. The 2008 SBA is of particular interest as, at the start of the program, key board members were opposed to giving Pakistan such a large access with such limited conditionality, and with generous

front loading—given the pattern of repeated promises and failure to meet the same conditions. However, the argument by then Finance Minister Tarin that the program was "owned by the authorities," and that the newly elected president was totally committed to the tax reforms and the independence of the State Bank swung the argument in the board. The augmentation in August 2009 was much more contentious, and the stringent opposition within the board was only overcome by assiduous campaigning by the US on behalf of Pakistan.[23] The 2013 program may well have been designed more to reflect the concern of the major shareholders about the transition in Afghanistan in 2014, and defensive lending on the part of the IMF, than confidence that the Pakistan government would undertake any serious structural reforms.

Thus, it could be reasonably said that Pakistan's interests as a shareholder have been represented well beyond what it was entitled to by its trivial voting share in the IMF. It goes some distance to explaining its relative success in attracting IMF resources despite a desultory record of performance. Thus, the success in playing the IMF almost certainly backfires by contributing to the failure of structural reforms and the country's descent into the vortex.

Conclusion and prognosis

Pakistan continues to face a perfect storm due to the confluence of short-term interests that meet immediate goals for each party involving the US, the ruling elites in Pakistan and the IMF. Unfortunately, this could have grave longer-term consequences for the people of Pakistan as living conditions and security in the country continue to decline.

Unfortunately, staff interest to conduct an objective assessment of the country, supported by the more conservative members of the board, did not prevail. They were clearly offset by political pressures on IMF management by countries engaged in the new Great Game, career interests of senior staff, and by the defensive lending imperative, given the very large repayments due to the IMF. Clearly, the geo-political uncertainties with the transition in Afghanistan, and the deepening crisis in the Middle East, means that any government in power in Pakistan has to be supported.

There was a fleeting chance that the political process, overseen by an independent judiciary and election commission, would ensure that the 70 percent of members of Parliament who did not file tax returns (this was disclosed by assiduous journalism) would be barred from standing for election. But this did not happen. Then there was hype concerning the "peaceful" electoral transition from one elected government to another. There is little evidence that the government will be willing to take on the difficult issues and risk antagonizing key financiers and domestic supporters, especially if foreign assistance continues to be available.

We note that there is an additional player in the new Great Game—China. With the China–Pakistan Economic Corridor (CPEC) agreed in 2015, China has gained access to the deep-sea port of Gwadar in Baluchistan, providing it with warm water access to the mouth of the Arabian Sea and Gulf. This provides it with both commercial linkages with the petroleum producing countries of the Gulf, and brings both economic and strategic benefits to China. It is the sort of facility that the British and Russian Empires fought over in the original Great Game. We do not develop an analysis of the Chinese options beyond pointing out that the benefits to Pakistan are limited by the country's inability or unwillingness to undertake significant structural reforms, particularly with respect to domestic resource mobilization that have surfaced during a quarter of a century of Pakistan's waltz with the US and the IFIs.

Without learning from Chinese fiscal adjustment efforts over the past two decades, it is very likely that Pakistan will not benefit adequately from the CPEC opportunities. The Pakistan GST is distortive and adds to the cost of doing business, making it very likely that domestic

firms will be even less able to compete with even cheaper Chinese products. Further, without the ancillary investment in infrastructure and public services, it is unlikely that new sustainable "hubs" can be created to take advantage of the trading opportunities and new supply chains with China. With heightened expectations on the part of the less developed provinces, including Baluchistan where Gwadar is located, the danger of increased inter-provincial tensions cannot be ruled out. Even with private sector participation, implicit or explicit guarantees will be needed, and must be properly accounted for in the government balance sheet, with appropriate provisioning. The proclivity to pretend that there are no implications for Pakistan's debt sustainability may prove to be very costly. Consequently, while there are clear opportunities, the benefits of CPEC may not materialize without the sustained domestic revenue generation effort that has eluded Pakistani administrations over the past quarter of a century.

Successive elected governments (and for that matter, the administrations of General Zia and General Musharraf) have avoided addressing the issue of transparent and fair taxation, including both the VAT and the associated information generated for the income taxes. Consequently, inclusive service delivery remains a distant dream. While certain segments of the society continue to do extremely well in gated communities, supported by manipulated exchange rates and effectively tax-free income, the increasing polarization of the society has contributed to deepening militancy that now reflects a class struggle with religious overtones.

It is interesting that by the end of December 2015, the entire SBA amount had been repurchased thanks to the IMF. The next payments to the IMF will not fall due until after the elections in 2018. This represents a perfect opportunity for both the IMF and the Government of Pakistan to "kick the can down the road." Unfortunately, it ensures that the serious structural reforms on domestic resource mobilization and self-reliance will not be undertaken in the life of the current administration. But this also ensures that the cycle of engagements with the IMF is far from over. A poorly articulated domestic resource mobilization agenda in tandem with CPEC may just heighten the risk of economic and political crises in the future.

Notes

1 This chapter is based on an earlier LSE Working Paper, Ahmad and Mohammed 2013, which covered the period to 2012, and the collapse of the 2008 IMF Standby Arrangement. The views in this chapter are personal and do not reflect those of the institutions that one or both authors have been associated with, particularly the Government of Pakistan, the State Bank of Pakistan, the IMF and the World Bank Group. The thesis of this chapter was presented at seminars at the LSE, Columbia, Bonn, Brussels and Berlin—and we are grateful for helpful comments received. It was also presented as background for Ahmad's evidence to the House of Commons Select Committee on Aid to Pakistan in January 2013. We also acknowledge perceptive comments from Meekal Ahmed, Tauheed Ahmed, Bill Milam, Abbas Mirakhor, Mohamed Yaqub, and others. All errors are ours.

2 This is associated with the sharp inflow of foreign currency, typically associated with the discovery of oil, which makes traditional exports less competitive, often resulting in deindustrialization. In the current context, the sharp increases in foreign currency were due to foreign assistance linked geographical importance, albeit of a cyclical nature, but which did considerable damage to the productive potential of the country.

3 See Government of Pakistan, *National Taxation Reforms Commission*, 1996.

4 Screws were tightened on Pakistan in the late 1970s, after Prime Minister Zulfikar Ali Bhutto started work on the nuclear program, and probably contributed to his overthrow. However, the new military administration of General Zia continued the policy, and the pressure was maintained until Pakistan was coopted in the covert war against the Soviets.

5 Communication from State Bank Governor Yaqub.

6 This Commission was established by General Musharraf in June 2000. See Government of Pakistan, 2001.

7 See IMF 2005, CR05/409.

8 In the World Bank, a similar view prevailed.
9 See Social Policy and Development Center, 2005 Annual Report—An overheating economy?
10 See IMF 2008, CR08/21, p. 19.
11 See Government of Pakistan, Ministry of Finance, 2008; and Letter of Intent, November 20, 2008.
12 Government of Pakistan, Federal Board of Revenue, 2011.
13 The short three-year term of the governor leaves room for moral suasion for reappointment. Since 2008, the appointment of one governor was not renewed for a second-term, and the two subsequent governors appointed were forced out of office before the completion of their first term. Governors can choose to be independent at their own risk, and yet another governor, Yasin Anwar, was encouraged to leave before the end of his tenure in 2014—the third successive governor to be shown the door. The "independent" monetary policy committee was also dispensed with.
14 Government of Pakistan, Ministry of Finance, *Economic Program of Pakistan: Reinvigorating Hope and Ameliorating Peoples' Livelihood,* September 20, 2008, Islamabad.
15 As noted above, the World Bank supported a significant research program on tax policy reforms in Pakistan in the 1980s (see Ehtisham Ahmad and Nicholas Stern, 1991); and also supported the Shahid Husain Committee 1999 that recommended a revamping of the Central Board of Revenue on functional grounds.
16 This has now been updated to the GFSM2014 standards given the changes to the System of National Accounts.
17 This bypassed the executive director representing Pakistan, Dr. Mirakhor, who was also dean of the Board, and who took a balanced view of the interests both of Pakistan as well as the IMF—having witnessed the ebb and flows of so many governments of different persuasions during his tenure.
18 This again bypassed the executive director, Mirakhor—it was evident to the authorities that it was not so easy to lean on the Dean of the Executive Board.
19 The brief of the department was extended in the wake of the collapse of the Soviet Union, and the creation of a new department to handle the European Soviet republics. The Middle East Department was converted into Middle East and Central Asian Departments to include a number of Central Asian Republics and the Horn of Africa countries. But for the longest stretch of time Pakistan was one of the most active countries in the department and has so remained until the present.
20 Most of the other countries in the department had no such need (many of them being prosperous oil exporters) or had forfeited such a relationship because of the accumulation of unrepayable arrears (Sudan), or had lost interest in meeting IMF conditionalities (Egypt).
21 Among them were Andrew Crocket and Malcolm Knight who went on to serve as presidents of the Bank for International Settlements (BIS) at Basle and Mohammed El-Erian who left the IMF to serve as president of the Harvard University Endowment and was until recently Co-CEO of the PIMCO Investment Fund. All three are among other distinguished IMF economists who have served as mission chiefs during critical periods in the relationship with Pakistan.
22 The original Middle East Department was responsible for roughly the same list of countries as those electing Zaki Saad as their executive director and this happy coincidence enabled him to influence the workings of the department in a way not available to most other executive directors.
23 In the event, the augmentation was not disbursed.

Bibliography

Ahmad, E. (2010). The Allama Iqbal Lecture: Improving governance in Pakistan. *Pakistan Development Review*, 49, 4, pp. 283–310.

Ahmad, E. (2015). "The Pakistan Economy," in *Survey of South Asia 2015*. London: Routledge.

Ahmad, E. (2016). "The Pakistan Economy," in *Survey of South Asia 2016*. London: Routledge.

Ahmad, E. and Stern, N. (1991). *Theory and Practice of Tax reforms in Developing Countries*. Cambridge: Cambridge University Press.

Federal Board of Revenue. (2011). *S.R.O. Notification, Sales Tax and Excise*. Islamabad: Government of Pakistan.

Government of Pakistan. (1996). *National Taxation Reforms Commission*. Islamabad: Government of Pakistan.

Government of Pakistan. (2001). *Reform of Tax Administration in Pakistan*. The Shahid Husain Commission.

Government of Pakistan. (2008). *Letter of Intent*. Islamabad: Government of Pakistan.

IMF. (1994). *Pakistan: Mid Term Review of ESAF and First Review of Extended Arrangement*, EBS/94/159. Washington DC: International Monetary Fund.
IMF. (2002). *Independent Evaluation Office, Evaluation of Prolonged Use of IMF Resources*. Washington DC: International Monetary Fund.
IMF. (2005). *Pakistan: Staff Report for 2005 Article IV Consultation*. CR05/409. Washington DC: International Monetary Fund.
IMF. (2008). *Pakistan: Staff Report for 2007 Article IV Consultation*. CR08/21. Washington DC: International Monetary Fund.
IMF. (2012). *Pakistan: Staff Report for 2011 Article IV Consultation*. CR12/35. Washington DC: International Monetary Fund.
Ministry of Finance. (2008). *Economic Program of Pakistan: reinvigorating hope and ameliorating peoples' livelihood*, Islamabad: Government of Pakistan.
North, Douglas, with Wallis, J. and Weingast, B. (2009). *Violence and Social Orders*. Cambridge: Cambridge University Press.
North, Douglas (1990). *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.
SPDC. (2005). *Annual Report—An overheating economy?* Research Report No. 62, Karachi: SPDC.
Woodrow Wilson Center. (2011). *Aiding without Abetting: Making US Civilian Assistance to Pakistan Work for Both Sides*. Washington DC: Woodrow Wilson Center.

15

THE BANKING AND FINANCIAL SECTOR OF PAKISTAN

Feisal Khan

Introduction

Banking has a long history in South Asia, with the ancient "Law of Manu" (variously dated between the second century BCE and third century CE) stating explicitly that, "A sensible man should deposit his money with a person of good family, of good conduct [and known to be] veracious" (Siddiqui 2008: 12). The fact that these same *Laws* also stipulated the maximum rates of interest that could be charged and other almost equally ancient laws stipulated which castes could and could not participate in lending at interest (the priestly and warrior castes were explicitly forbidden from doing it) indicate at least attempts at regulating finance in ancient South Asia (Visser and McIntosh 1998: 176). The use of *hundis* (letters of credit) to transfer funds across large distances by the fifth century CE show that parts of South Asia had a fairly sophisticated financial system in place very early on (Siddiqui 2008: 12–13). The continued development of the financial system is analyzed by Habib (1964) who describes the sophisticated credit economy in place by the sixteenth century CE and the extent to which the nascent British colonial administration in the eighteenth century CE in many cases simply adapted existing South Asian financial customs and practices rather than importing British ones. The beginning of the nineteenth century CE saw the first recognizably "modern" bank in South Asia: the privately chartered Bank of Bengal was established in 1809 with one-fifth of its paid-up capital subscribed to by the British colonial government, and by the middle of the century commercial and retail banking was well established in the major cities of the British Indian Empire (Siddiqui 2008: 14–15).

The great impetus for banking in South Asia during the colonial era was the Second World War. Massive wartime credit mobilization and industrial expansion combined with the tenfold expansion of the British Indian Army and the stationing of tens of thousands of additional British and American troops in India drove tremendous growth in both the number of banks and bank branches. From 1939 to 1946, the total number of banks in the British Indian Empire rose from fifty-one to ninety-three and their branches from 1,328 to 3,106 (Siddiqui 2008: 16). However, not all parts of the Raj, the colloquial term for the British Indian Empire, were equally as advanced economically or provided with banking facilities. At the time of Pakistan's independence in 1947 the relative economic and commercial underdevelopment of the parts of the Raj that are now Pakistan[1] can be readily gauged by the fact that of the 3,496 branches

of British and Indian commercial banks in 1947, only 487 (13.93 percent) were located there (Meenai and Ansari 2010: 98).

At this time there were only three small, almost insignificant, Muslim-owned banks in the whole of South Asia: the Habib Bank (established in Bombay in 1941), the Muslim Commercial Bank (established in Calcutta in 1947) and the Australasia Bank (established in Lahore in 1942) (Khan 2012: 58). The Habib Bank moved its headquarters to Karachi in West Pakistan, the Muslim Commercial Bank to Dhaka in East Pakistan in 1948, and the Australasia Bank, which despite its rather grandiose name was a very small bank with a highly localized presence confined to the undivided Punjab, shifted its business focus to West (i.e., Pakistani) Punjab after independence and continued to be based in Lahore (Khan 2012: 58).

Banking in Pakistan: the early years, growth, nationalization, and (almost) downfall[2]

The Indian central bank, the Reserve Bank of India (RBI), was to function as Pakistan's central bank until the end of September 1948 and 30 percent of its financial reserves were to be transferred to Pakistan to establish its central bank, the State Bank of Pakistan (SBP). The 1947–8 Indo-Pak War over Kashmir, disputes over asset allocation and the issuance of currency notes led the Government of Pakistan (GoP) to establish the SBP in June 1948, and to the closing of many Indian and British bank branches. There was also massive capital flight out of Pakistan and into India as the Hindu and Sikh migrants—the bulk of the middle, professional and commercial class of the area that now constituted Pakistan—left and took with them their financial assets and commercial, financial and professional expertise.[3] By 1948 there were only 195 operating bank branches in Pakistan and the country faced an immediate and massive credit crunch as financial operations and credit extension ground almost to a halt. The situation was further worsened by the Reserve Bank of India's refusal to transfer the remainder of the financial assets due to Pakistan—i.e., of the 1.766 billion rupees due to it, only 1.277 billion rupees had actually been transferred by March 1949 when the Reserve Bank ceased transferring assets (Meenai and Ansari 2010: 174).

In November 1949, the GoP established the National Bank of Pakistan (NBP) along the pattern of the old Imperial Bank of India as a commercial bank, which carried out treasury functions (e.g., government payroll distribution) in those areas that did not have a branch of the State Bank of Pakistan. This was the start of the Pakistani government's extensive involvement in the banking and financial sector in Pakistan.

The 1950s and 1960s saw robust growth in Pakistan's banking and financial sectors and the establishment of many new financial institutions. The GoP took the lead in this, usually in the form of encouraging public–private partnerships to form Development Finance Institutions (DFIs) with it as the majority stockholder. In the 1950s the GoP, usually in partnership with the World Bank and/or other foreign donors, established the Agricultural Development Finance Corporation to provide agricultural credit, the House-Building Finance Corporation to finance housing construction, the Pakistan Industrial Development Corporation to finance and otherwise assist in industrializing the economy, and the Pakistan Industrial Credit and Investment Corporation to promote industrialization by providing long-term project financing at subsidized rates. In the 1960s the military government of Field Marshall Ayub Khan established the Agricultural Development Bank (which took over the earlier such institution and had its name translated into Urdu—the Zarai Taraqiati Bank—but the old name continued to be used as well), the Industrial Development Bank to provide subsidized financing for industrial enterprises, and the Investment Corporation of Pakistan to facilitate the development of equity markets.

There was also substantial private sector growth and private banks and insurance companies proliferated in the 1950s and 1960s, e.g., National Commercial Bank, United Bank Limited, Eastern Mercantile Bank Limited, Pak Bank, Sarhad Bank, Bank of Bahawalpur, Premier Bank, International General Insurance Company of Pakistan Limited, and Khyber Insurance. There were also some Indian banks operating in Pakistan until these were seized as enemy property by the Pakistani government after the 1965 Indo-Pak War. The GoP encouraged the consolidation and merger of weaker/smaller banks and so reduced the number of banks from thirty-six in 1965 to eleven by 1972.

In 1974, following the disastrous 1971 Indo-Pak War (which saw the transformation of East Pakistan into Bangladesh and the return of civilian rule to the country from Ayub Khan's military successor General Yahya Khan), the "Islamic Socialist" Pakistan Peoples' Party government of Zulfikar Ali Bhutto nationalized the entire domestic financial system and consolidated the eleven Pakistani banks into just five: Habib Bank, Allied Bank, Muslim Commercial Bank, United Bank and National Bank of Pakistan. These five banks were officially designated as Nationalized Commercial Banks (NCB). Pakistan's insurance companies were also nationalized, as was the private sector's shares of the DFIs, and many other industrial enterprises.

The late 1970s also saw the creation of several other state-owned DFIs, e.g., the Small Business Finance Corporation, the National Development Finance Corporation (NDFC, to provide banking services for public sector enterprises and project finance), and Bankers' Equity Ltd (to finance industrial development and to assist in the development of Islamic finance). In the 1980s joint-venture investment corporations with Saudi, Libyan and Kuwaiti partners were also established.

By the early 1980s there was near-total control government control of the Pakistani financial sector and the GoP essentially determined sectoral credit allocation in the economy (though not usually down to the firm level except in the case of state-owned enterprises) and set maximum and minimum interest rates (e.g., in the 1980s minimum and maximum lending rates were set at 10 to 20 percent per annum). Partial exceptions to this direct ownership but still subject to credit allocation control were the several foreign banks (e.g. Citibank, Bank of America, Deutsche Bank, HSBC, Grindlays Bank, and Standard Chartered Bank) operating in Pakistan but these accounted for less than 10 percent of banking assets but a share of foreign trade financing vastly disproportionate to their asset share. No foreign bank was allowed to operate more than three branches except for Grindlays Bank and Standard Chartered Bank whose presence in the area predated the creation of Pakistan and whose branch network of fourteen and four, respectively, was retained. Total bank lending was strictly regulated by the SBP through maximum "credit ceilings" which no bank, domestic or foreign, could exceed.

Throughout the 1970s, 1980s, and 1990s, the GoP used the domestic banking system to fund its budget deficit and loss-making state-owned enterprises (SOEs). Banks were required to maintain a 35 percent statutory reserve against total deposits: 5 percent cash-on-hand and 30 percent in GoP securities paying a nominal interest rate. The GoP also monetized the debt by having the SBP purchase any remaining bonds needed to finance the budget deficit. Unsurprisingly, Pakistani inflation rates were fairly high[4] during this period and the real interest rate was often negative for blue-chip clients and on GoP securities sold to the banking sector and private investors.

It was also common in this time period for politically influential persons to take out large loans (e.g., for financing industrial enterprises),[5] embezzle the funds and declare the firm bankrupt; the bank/DFI would then immediately write-off the "unrecoverable" loan. A 1988 World Bank report assessed that a default by "as few as twenty-five large customers could shake the solvency of the entire NCB system" and by 1996 non-performing loans (NPLs)[6] totaled approximately 6 percent of GDP (Khan 2007: 237) and the situation had reached a crisis point.

How to get rich quick via loan write-offs

The original aim of nationalizing the Pakistani financial/insurance sector had been the laudable one of democratizing credit availability, expanding the banks' branch network and customer base to ensure greater access to the banks by the hitherto unbanked masses, and ensuring that the commercial banks took a longer term view of project finance rather than a commercially safer short-term perspective. This would all contribute to the more effective economic development of the country. Unfortunately the new "Nationalized Commercial Banking" sector, or NCB as it came to be quickly called, and especially the multitude of new Development Finance Institutions that sprang up to complement the original few set up by the GoP in the 1950s were rapidly turned by the Pakistani ruling elite into a massive "get rich quick" scheme. The mechanics of the scheme were very straightforward: set up an "industrial unit," say a textile or sugar mill, with a small down-payment of your own money but with massive government loans at subsidized rates, if possible import machinery from abroad via the use of massively over-invoiced letters of credit (thereby transferring funds overseas and taking advantage of an overvalued Pakistani rupee), embezzle whatever is left of the loans and then default on them, using your political connections to ensure that the NCBs and DFIs do not pursue repayment and dare not prosecute. In many cases, the extremely expensive imported machinery was never installed but sat rusting in crates, unopened and unused, in the factories. In short, the Pakistani ruling elite turned the financial system into their personal ATM and turned loan defaults without fear of penalty or prosecution into a fine art.

In November 1999 the new and—for the first few years at least—reforming military government of General Pervez Musharraf, which had seized power a month earlier, released figures which showed that the NPLs of the Pakistani banks and other specialized financial institutions totaled 105.15 billion Pakistani rupees (PKR) (then ~US$2 billion) and, as per the deputy governor of the SBP, PKR "seventy-two billion [then ~US$1.4 billion] was owed by just 325 defaulters [i.e., individuals] each of whom owe Rs 100 million and above" (Aslam 1999). The governor of the SBP also revealed that in 2000 the State Bank's inspectors had "detected" that some of Pakistan's DFIs—mainly the Agricultural Development Bank and the Industrial Development Bank—had been systematically (and massively) understating their nonperforming loan amounts—by PKR 47 billion (~US$0.9 billion)—and that the actual ratio of NPLs to total lending was not an already sky-high 24 percent 29 percent for the Pakistani financial system as a whole (Husain 2002: 5)!

To put this into perspective, at the height of the US subprime mortgage crisis, the "Serious Delinquency Rate" among US mortgages hit a mere 8.6 percent in February 2010 and this was enough to shake the US economy to its core (Boesel 2014). The US "Serious Delinquency Rate" is directly comparable to Pakistani "Non-Performing Loans" as both are defined as loans that are ninety days or more past due.

In 1999 nonperforming loans for the NCBs alone (i.e., excluding the specialized government-owned DFIs and some other specialized financial institutions) totaled 22 percent of gross lending and as a result, the entire commercial banking sector's Return on Assets was negative 0.3 percent while its Return on Equity was negative 6.2 percent (IMF 2005: 7). In the NCB sector, the nonperforming loans ranged from 15 percent to 35 percent of the total loan portfolio but some small (foreign) banks non-performing loans were only 0.4 percent of their lending (IMF 2004: 10). Overall, the non-performing loans of the Pakistani commercial banks totaled 117.4 percent of bank capital on December 31, 1999, i.e., while the Pakistani commercial bank sector may not have been technically bankrupt due to loan-loss provisions and allowable write-offs against taxes, there was no doubt that it was in very serious trouble. And this was the better

performing part of the Pakistani financial system as the situation in some specialized lending agencies was much worse.

The government-owned ADBP's non-performing loan portfolio *averaged* 40 percent of total loan disbursement between 1990 and 1996; the situation in the ADBP was so desperate that in 2005 the State Bank authorized it to settle all past-due loans upon payment of 10 percent of the amount in default (Khan 2007: 235). The Industrial Development Bank of Pakistan's NPL portfolio was estimated at 75 percent (Meenai and Ansari 2010: 109). The National Development Finance Corporation (NDFC), another government-owned DFI in serious difficulties, was absorbed by National Bank in 2001, which took over NDFC's entire (and virtually completely non-performing) loan portfolio.[7] In addition, the Pakistani NCBs (and all other state-owned financial institutions) were also approximately 35 percent overstaffed according to international norms during this period; the foreign banks operating in Pakistan were somewhat better as they were only 26 percent overstaffed (McCartney 2013: 185).

Overall, as reported to the State Bank of Pakistan as of March 31, 2002 and as shown in Table 15.1, NPLs totaled 26.59 percent of all loans extended by the Pakistani financial system but reached an astounding 65.44 percent of all credit advanced in the case of DFIs (e.g., IDBP)[8] and an almost equally astounding 57.08 percent of the credit advanced by specialized government owned banks (e.g., ADBP) but only 11.14 percent of that extended by private Pakistani banks and a mere 5.72 percent of that extended by foreign banks in Pakistan. As Table 15.1 also shows, foreign and private banks were an important source of credit in Pakistan, much more so than the DFIs and more so even than the specialized banks, but obviously not as important as the NCBs and privatized banking sector. However, it was harder for the politically well connected to force the private and foreign banks into writing off billions of rupees of loans willy-nilly.

The list of beneficiaries of loan write-offs and non-payments reads like a literal Who's Who of Pakistan: presidents, prime ministers, federal and provincial cabinet ministers, senators and members of the National and Provincial Assemblies, and their assorted family members.[9] The National Accountability Bureau (NAB) was set up by General Pervez Musharraf in 1999 to combat corruption in Pakistan and for the first few years of its existence it did a fairly credible job of starting to bring the worst of the loan defaulters to book, but this work rapidly petered out into the usual such exercise in futility when General Musharraf allowed members of the political elite to pay token fines in exchange for supporting his "election" as president of Pakistan in 2002.[10] The Pakistani Resolution Trust Corporation established in 2000, patterned

Table 15.1 Total credit extended and non-performing loans by bank type in 2002, PKR and US$ in billions.

Type	*Credit extended*			*NPL loans*		
	PKR	*US$*	*% Credit*	*PKR*	*US$*	*% NPL*
Nat. Com. Bank	418.735	6.97	39.97	115.644	1.92	27.62
Private Banks	175.216	2.92	16.72	19.519	0.32	11.14
Privatized Banks	141.426	2.35	13.50	28.346	0.47	20.04
Foreign Banks	132.287	2.20	12.63	7.569	0.13	5.72
Specialized Banks	122.842	2.04	11.73	70.120	1.17	57.08
DFIs	57.186	0.95	5.46	37.425	0.62	65.44
Total	**1,047.692**	**17.43**	**100.00**	**278.623**	**4.63**	**26.59**

Source: Calculated from Hanif (2003: table 7).

after the successful United States model that was used to clean up the disaster of the 1980s Savings and Loan financial crisis there, faded away quietly into oblivion as no serious effort was made to resolve anything (Meenai and Ansari 2010: 162).

Unsurprisingly, the situation was simply not sustainable, and following intense International Monetary Fund and World Bank pressure, the GoP began a token modernization, liberalization and privatization of the financial sector from 1990 onwards; the process greatly accelerated during General Pervez Musharraf's rule (1999–2008). The powers of the SBP were increased and it was made much more independent, an independent Pakistan Credit Rating Agency was created in 1994, and an independent Securities and Exchange Commission of Pakistan in 1999.

Of the five consolidated NCBs created in 1974, Allied Bank and Muslim Commercial Bank were privatized in 1991, United Bank and Habib Bank in 2002—both "after a massive injection of government funds" allowed them to write off their bad debts (Meenai and Ansari 2010: 142)—and the GoP sold 24.4 percent of National Bank (Pakistan's largest) in 2001–3, again after injecting government funds to allow debt-write-offs. The privatization process was not controversy or scandal free: then Prime Minister Nawaz Sharif was accused of favoritism in the Muslim Commercial Bank privatization (Rana 2016). The SBP removed the management and took over Allied Bank in 1995 and re-privatized it in 2004. The Allied Bank saga involved gross incompetence, embezzlement and corruption that saw one chief executive jailed, another fleeing the country to escape prosecution, several other senior executives barred for life from any involvement in banking and, apparently, the bank itself lending PKR 2 billion to a business consortium so that it could buy shares from Allied Bank's senior executives and take over control of the bank (*Dawn* 2004)!

In addition to raising bank capital requirements to bring them into conformity with international standards, the SBP in the Musharraf era allowed new private banks to open and removed the restriction on the number of foreign bank branches, and the number of domestic and foreign banks mushroomed: going from five domestic banks in 1991 to thirty-four by 2008 (Meenai and Ansari 2010: 142). This, along with increased aid from the US and the decision by the SBP to keep interest rates low, resulted in a massive lending boom during Pervez Musharraf's rule and consequently high rates of GDP growth (Noman 2010: 152).

However, despite these reforms and the creation of nominally independent bodies, no Pakistani government has allowed real financial sector independence. For example, in 2002 the Musharraf government allowed the continued write-offs of loans for politically influential persons and the governor of the SBP admitted that "non-performing loans" still exceeded 25 percent of total lending by all financial institutions in the country. In 2005, the former head of the Securities and Exchange Commission of Pakistan charged that the prime minister's office had blocked his investigation of (alleged) massive stock price manipulation and systematic collusion by the largest brokers of the Karachi Stock Exchange (Khan 2007: 240).

Thanks to the massive government capital injections into the commercial banking system and the substantial expansion of private (both domestic and foreign) banking in Pakistan following the Musharraf reforms, NPL as a proportion of total credit outstanding in the commercial banking system (i.e., not total credit extended in the country as it still excludes some DFIs and other specialized financial institutions) declined steadily throughout most of the 2000s to a low of 7.3 percent and 7.4 percent of total credit outstanding in 2006 and 2007 respectively (World Bank 2016). This was, however, a temporary improvement and even before Musharraf had stepped down in 2008, the ratio had already climbed to 9.2 percent in 2008 before peaking at 16.2 percent in 2011 and coming back down to 12.5 percent in 2015 (World Bank 2016).

However, there is again, a substantial difference between the NPLs of government-owned banks[11] and those of private Pakistani and foreign banks operating in Pakistan, as shown in Table 15.2. While SBP analyses (SBP 2015b: 105) indicate that there is a (natural) distinct

Table 15.2 NPL to total loans for public, private, foreign and specialized banks in Pakistan.

	2009	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*
Public %	16.9	22.9	21.1	17.3	18.7	17.8	18.3
Private %	11.1	12.5	13.8	13.2	11.4	10.4	9.3
Foreign %	6.7	9.5	10.4	13.4	10.1	7.6	7.8
Specialized %	25.5	28.7	30.1	27.6	25.4	23.3	18.9
All banks	12.6	14.9	15.7	14.6	13.3	12.3	11.4

Source: SBP (2016: table 15.1.1).

procyclical trend in the NPL pattern (i.e., bank defaults increase with a slowdown in GDP growth), the differences in the breakdown of NPLs between the types of banks indicates that there is more than just the normal business cycle at work here. By 2015 there were five public sector banks, five wholly Islamic banks, seventeen private banks, six foreign banks, eight DFIs (some with partial GoP equity stakes), four specialized banks and ten microfinance banks operating in Pakistan (Pakistan Economist 2015). Along the way there have been far too many mergers, acquisitions, and consolidations since the late 1990s to make them worth listing.

Of the PKR 605.063 billion (~US$6 billion) in NPL in December 2015, PKR 433.657 (~US$4.4 billion, or 71.67 percent) was to the corporate sector (SBP 2016: 3). Fortunately, net NPL to net loans, i.e., once provisions for bad loans have been accounted for, give us steadily improving ratios in the single digits throughout this time period except for the public sector banks and especially the specialized banks (SBP 2016: 3) but these are a small portion of the economy compared to what they were in the 1980s and 1990s. However, old habits die hard and the establishment of government-owned banks in three provinces, the Banks of Punjab, Khyber, and Sindh, show clearly that the desire for "an ATM of one's own" springs eternal among a certain type of politician. For example, the financial scandals that occurred recently in public sector banks were almost a replay of the Allied Bank affair of the 1990s although fortunately on a smaller scale. Fraudulent lending of some PKR 52 billion (~US$0.6 billion) to politically well-connected persons at the Bank of Punjab required an immediate bailout of PKR 10 billion (~US$0.12 billion) from the provincial government to avoid an almost certain bank collapse (Kharal 2011). The president of the Bank of Punjab also fled the country and had to be extradited back to Pakistan and the entire senior management of the bank replaced; the bank's new management is apparently making efforts to recover at least some of the money although reports differ widely as to how much might actually be recoverable (Kharal 2011). However, the systemic crisis days of the 1980s and 1990s are over and the Pakistani banking system weathered the 2008 global financial crisis in relatively good shape.

As of the end of December 2016, the worst major sector in terms of NPL was small and medium enterprises where 26.1 percent of all loans were deemed non-performing but this sector comprised only 6 percent of all private sector lending by Pakistani banks. The largest in absolute terms was corporate lending which had an NPL rate of 12.3 percent, or PKR 433.7 billion (US$4.13 billion). NPLs for the private sector as a whole stood at 11.4 percent or PKR 605.1 billion (US$5.77 billion), which while still high are nowhere close to historic levels. A more detailed look at the "sick" subsectors of the Pakistani economy shows that textiles was the worst, with a 26 percent NPL rate—PKR 197.8 billion (US$1.89 billion). The overall NPL trend is quite encouraging since the "net NPL to net loans" ratio has been declining steadily from 5.5 percent in 2010 to 1.9 percent in 2015 as the "provision to NPL" ratio (i.e., funds set aside to write-off bad loans) has increased from 66.7 percent to 84.9 percent over the same period (data from SBP 2016: 11–12).

Current state of the Pakistani banking system

Despite these lapses, Pakistan's financial sector remains relatively advanced and sophisticated by "lower middle income" country standards. Commercial banking is highly developed and dominates the rest of the financial sector. Equity and capital markets are much less sophisticated: the former is quite shallow and dominated by a handful of large corporations, while the latter is overwhelmingly dependent upon government securities and so is also considered comparatively shallow. The main threat to the financial sector is the relative weakness of the economy and continued reliance on foreign aid/loans.

Pakistani banks are relatively well capitalized and are gradually transitioning to Basel III capital adequacy requirements, in theory by December 2016 (IMF 2016: 45) but this deadline has been extended in the past. There is no integrated money market as is found in advanced market economies for short-term commercial paper (i.e., less than one year maturity debt issued by corporations) but the inter-bank market is long-standing and well-developed, as is the market for short-term government debt although it is only since the mid-1990s that the SBP started using standard open-market operations to adjust market interest rates (Meenai and Ansari 2010: 182).

Despite intense International Monetary Fund pressure to reduce the budget deficit, the Pakistani government appears incapable of weaning itself away from massive short-term bank borrowing to finance the budget deficit, aka the fiscal balance, due to its inability to raise the tax:GDP ratio much above 10 percent.[12] Notwithstanding a systematic reduction of the budget deficit from 8.9 percent of GDP in 2011–12 to 5.7 percent in 2013–14 to a projected 4.3 percent in 2015–16 (IMF 2016: 23), government borrowing from banks as a percentage of total credit extended by the banking system rose steadily from about 30 percent in 2007 to 60 percent in 2014 (IMF 2015: 22). Unsurprisingly this starves the private sector of credit although given Pakistan's anemic GDP growth and long list of structural economic problems—massive electricity brownouts, poorly educated workforce, crumbling infrastructure, etc.—it is highly debatable whether the Pakistani private sector would be capable of absorbing all the available credit even if the GoP was not monopolizing it. As the State Bank itself put it, "With risk-free and growing credit demand from government, banks have little incentive to extend loans to risky private sector" (SBP 2015b: 105).

As is clear from Table 15.3, direct purchase of both long- and short-term government debt by the banking system (PKR 4,369.6 billion) was actually greater than the total volume of

Table 15.3 Selected assets of Pakistani banks in PKR and US$ (billions).

All banks, as of December 2014			
	PKR	*US$*	*% of total*
Non-bank loans	4,316.4	42.9	40.6
Long-term govt. securities	2,640.9	26.3	24.8
Treasury bills	1,728.7	17.2	16.3
Cash & deposits with SBP/other banks	742.0	7.38	7.0
Commercial securities	724.4	7.21	6.8
Bills discounted	223.1	2.22	2.1
Balances held abroad	194.1	1.93	1.8
Loans to banks	61.4	0.61	0.6
Total	10,631.0	105.78	100.0

Source: Calculated from the SBP (2015c).

commercial loans (PKR 4,316.4 billion)—and this latter category includes loans made by commercial banks to state-owned enterprises (SOEs). Table 15.4 gives the sector-wise lending breakdown by category of borrower. As is also clear from Table 15.4, a great deal of direct lending by the banking sector, in addition to the purchase of government securities by the banking system shown in Table 15.3, is to the Pakistani federal and provincial governments (10.9 percent) and SOEs (12.2 percent); so 23.1 percent of all formal credit extended by the Pakistani banking system goes to the government. Thus, all told, during 2011–15, of the 47.5 percent of GDP worth of credit provided by the Pakistani banking sector, only about a third, 15.6 percent, went to the private sector; the ratios for, e.g., India were 75.5 percent and 51.6 percent, respectively (World Bank 2016).

Overall, as is shown in Table 15.5's detailed breakdown, the Pakistani banking sector is quite profitable and its net profits (after taxes and all expenses) grew an extremely healthy 40 percent plus from 2013 to 2014. The profit growth is slightly more impressive in rupee terms than in dollar terms since the roughly 3.5 percent devaluation of the rupee vis-à-vis the dollar over the year in question hurt the dollar's bottom line. Net profits rose mainly due to a substantial (20 percent) increase in non-interest income and an even more substantial (32 percent) decline in provision for NPL. For the period 2011–2015, Pakistani banks' quarterly return on equity (ROE—a key indicator of banking system profitability) continued to remain quite high by most standards—ranging from a high of 16 percent to a low of 12.4 percent but return on assets (ROA—a key indicator of banks' efficiency; 1.5 percent plus is generally considered "good") remained relatively low, between 1.1 to 1.6 percent

Table 15.4 Sector-wise breakdown of bank lending, PKR and US$ (billions).

All banks, as of December 2014			
	PKR	*US$*	*% of total*
Private sector firms	2,895.8	28.81	67.1
Manufacturing	1,733.3	17.25	40.2
Agricultural, etc.	271.4	2.70	6.3
Electricity, gas, water supply	258.0	2.57	6.0
Commerce & trade	223.2	2.22	5.2
Transportation	122.0	1.21	2.8
Real estate	101.1	1.01	2.3
Construction	60.2	0.60	1.4
Mining, petroleum, etc.	21.1	0.21	0.5
Hospitality	19.0	0.19	0.4
Education	8.5	0.08	0.2
Healthcare	5.8	0.06	0.1
Non-financial State Owned Enterprises	525.6	5.23	12.2
Provincial and Federal Government	472.3	4.70	10.9
Consumer lending (including housing, auto, etc.)	355.5	3.54	8.2
Non-bank financial firms	44.6	0.44	1.0
Non-profit sector	11.3	0.11	0.3
Other	11.4	0.11	0.3
Total	**4,316.4**	**42.95**	**100**

Source: Calculated from the SBP (2015d).

Table 15.5 Earnings profile for the Pakistani banking sector, PKR and US$ (billions).

For the year ending December 31	*2014*		*2013*		*% change*	
	PKR	*US$*	*PKR*	*US$*	*PKR*	*US$*
Interest earned	**902.51**	**8.98**	**762.00**	**7.84**	**18%**	**15%**
less **Interest expense**	501.92	4.99	439.87	4.53	14%	10%
= **Net interest income**	**400.59**	**3.99**	**322.13**	**3.31**	**24%**	**20%**
less (**NPL) provision expense**	23.89	0.24	35.16	0.36	–32%	–34%
= **Net interest income after provision**	**376.70**	**3.75**	**286.97**	**2.95**	**31%**	**27%**
plus **Non-interest income**	**162.51**	**1.62**	**135.18**	**1.39**	**20%**	**16%**
less **Operating expenses**	**300.54**	**2.99**	**261.82**	**2.69**	**15%**	**11%**
= **Profit before taxes**	**238.67**	**2.37**	**160.33**	**1.65**	**49%**	**44%**
less **Taxes**	80.45	0.80	52.50	0.54	53%	48%
= **Profit after taxes**	**158.22**	**1.57**	**107.83**	**1.11**	**47%**	**42%**
Non-interest income breakdown						
Fees/Commission/Brokerage income	70.37	0.70	62.29	0.64	13%	9%
Dividend income	13.87	0.14	14.39	0.15	–4%	–7%
FX dealing income	28.40	0.28	21.43	0.22	33%	28%
Other income	49.87	0.50	37.07	0.38	35%	30%
Operating expenses breakdown						
Administrative expenses	294.86	2.93	258.58	2.66	14%	10%
Other expenses	5.67	0.06	3.25	0.03	74%	69%
Return on equity (percent)	**15.38**		**12.75**			
Return on assets (percent)	**1.40**		**1.13**			

Source: Adapted from Soorani (2015) and IMF (2015: 33).

(IMF 2016: 39). For (the calendar year) 2016, both ROE (16.05 percent) and ROA (1.58 percent) were higher (calculated from IMF 2016: 30).

While a similar breakdown as in Table 15.5 for 2015 was not immediately available, banking sector net profits rose a still-healthy 14 percent to PKR 175 billion (US$1.67 billion) in 2015 despite the tax rate on banks being raised to 35 percent from the usual 32 percent for large corporations and the imposition of a one-off 5 percent tax surcharge for 2015 (Hussain 2016). The tax surcharge is an attempt to reduce Pakistan's extremely high budget deficits in order to meet GoP promises made to the IMF but instead of attempting a long-term solution to Pakistan's myriad structural problems, the current Pakistani government (like its predecessors) prefers to play economic games to meet short-term objectives. In this case, what it gave with the right hand (high profits due to the banks' substantial holdings of "high yielding, long-term Pakistan Investment Bonds" – Hussain 2016) it took away with the left (higher tax rates).

Some major structural issues

These structural economic problems, admittedly combined with an execrable domestic and regional security situation for much of this period, explains why Pakistan's per capita GDP growth for the 2000–14 period lagged that of South Asia as a whole (IMF 2015: 20) despite tens of billions of dollars in US military and economic assistance, including debt restructuring bordering on a de facto partial write-off. In any case, Pakistan lags well behind its peer group

(India, Bangladesh, Vietnam, Sri Lanka, etc.) in private sector credit as a percentage of GDP (IMF 2015: 22). Reflective of this is the fact that, despite the growth in the number of banks since the 1990s, Pakistan with a bank branch to population ratio of roughly 1:22,000 is among the world's most "underbanked" countries (Meenai and Ansari 2010: 106). Unsurprising given this ratio, Pakistan has among the lowest levels of financial deepening in South Asia with only 25 adult formal sector credit borrowers per 1,000 of the population, lower even than Bangladesh's 84 per 1,000 even though Bangladesh has higher real borrowing costs (SBP 2015b: 106)! However, an estimated 23.7 percent of the population, according to the SBP's 2015 "Access to Finance Survey," use informal sector credit due to its "convenience, proximity, and ease of access" and only 2.4 percent of the population have used one of the ten microfinance banks operating in Pakistan (SBP 2015b: 107). Informal sector credit tends to be more expensive but more "hassle free" than formal sector credit which usually requires more elaborate paperwork and other transaction costs.

Thus Pakistan's "banking sector assets to GDP" ratio was a very low 35.7 percent in 2013, down from an all-time high of 40.1 percent in 2008 (World Bank n.d. a). This is extremely low compared to advanced economies where the ratio is sometimes in multiples of GDP for smaller economies with an "overdeveloped" banking sector. Pakistan's is low even compared to India's, which was 68.2 percent in 2013 and rising steadily (World Bank n.d. b).

Credit continues to be monopolized by a relatively small group of favored corporate and retail customers. For example, there were only 26,000 investments accounts with balances in excess of PKR 10 million (~US$0.12 million) in 2008 and they were thought to represent only an estimated 1,000 families; furthermore, the share of total bank credit utilized by these 1,000 borrowing families rose from 45.7 percent in 1993 when financial sector liberalization started to 64.6 percent in 2008 (Meenai and Ansari 2010: 144) and indications are that the concentration of financial power and borrowing has continued unabated.

However, financial awareness and penetration has increased somewhat among the Pakistani population as a whole even if the concentration of financial power has increased in some key respects. Between 2008 to 2015, the proportion of the population with a bank account rose from 11 to 16 percent; for women during the same period it increased from 4 percent to 11 percent and for men from 19 to 21 percent (SBP 2015b: 107). There is probably an upper limit to the extent that the average Pakistani would be willing to use conventional banks and financial products since, as per the current interpretation of Islamic *fiqh* (Jurisprudence) interest is equated to *riba*[13] and so is considered *haram* (forbidden) by most ultra-observant Muslims. Given that General Zia-ul-Haq, Pakistan's military ruler from 1977–88, ordered a transition to an "interest free," i.e., Islamic, banking system by 1985, this should not be an issue in Pakistan. However, the situation regarding an Islamic financial system is more complex than that.

Islamic banking in Pakistan[14]

In 1963 the GoP, then led by the Islamic modernizer Field Marshall Ayub Khan, asked the Council of Islamic Ideology (CII, a constitutionally mandated body whose task it is to advise the government on whether or not legislation and government policy is in keeping with Islam) if government bonds were permissible under Islam? That is, does paying a coupon (interest) constitute the forbidden *riba*? The CII's ruling, delivered after the resignation of Ayub Khan in 1969, was that conventional bonds did constitute *riba* and that the GoP should immediately undertake the comprehensive Islamization of the Pakistani financial system. This was studiously ignored by successive Pakistani governments until the CII was asked in 1979 by General Zia-ul-Haq to review its earlier ruling and in 1980 the CII accordingly issued another

comprehensive report recommending the complete Islamization of the Pakistani financial sector and the consequent elimination of *riba* from the economy.

This was actually a constitutionally mandated requirement since the 1973 Constitution's Article 38f states clearly that "The state shall eliminate riba as early as possible."[15] General-Zia-ul Haq's military regime implemented the 1980 report and ordered all banks to switch to completely "interest free," and thus Islamic, banking by 1985. *Murabaha* (cost-plus sale)[16] and *Ijara* (leasing) dominated bank financing after 1985.

These two financing modes have been criticized by more conservative *ulema* as being "weakly Islamic" at best but financial sector regulation was exempted from the Federal Shariat Court's purview for three years by General Zia's executive order and this exemption was continuously extended by the GoP. However, the Benazir Bhutto administration failed to renew the exemption in 1990. In 1991 and 1999, respectively, the Federal Shariat Court (FSC) and the Shariat Appellate Bench (SAB) of the Supreme Court (which heard the case on appeal) ruled that these modes allowed "hidden interest" to be charged and so were de facto equivalent to conventional, interest-based banking. The 1999 SAB ruling, which went much further than the original 1991 FSC decision against which the SAB was hearing an appeal, mandated "direct equity participation" as the sole truly-Islamic and permissible mode of financing and the GoP was given a short time to make the necessary changes to accomplish this and several other sweeping reforms.

Despite another appeal filed by the banks, it appeared as if the GoP would implement the 1999 SAB ruling as government committees were established to plan the transition to an Islamic system. However, in 2002, President General Pervez Musharraf suddenly changed the composition of the SAB hearing the new appeal by naming three new justices (including the two ad hoc *ulema* justices) to the five-member bench. The reconstituted SAB duly found serious errors in the 1991 FSC ruling and sent the case back to the FSC to be heard afresh.

Despite this, the SBP designated the hitherto "interest free" banking system as "conventional banking" and rebooted Islamic banking in Pakistan using the guidelines laid down by the Bahrain-based Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI) and the Malaysia-based Islamic Financial Services Board (IFSB). Meezan Islamic Bank was issued the first Islamic banking license under the new guidelines and it is currently the largest of the country's five purely Islamic banks (some seventeen conventional banks have dedicated "Islamic branches" or offer Islamic financing products to their clients). Meezan Bank is the undisputed leader in developing Islamic financial products in Pakistan and has by far the largest branch network and profile in Pakistani Islamic banking even though it does not make the list of the ten largest banks in Pakistan. The parallel Islamic banking system in Pakistan has PKR 1,271 billion in deposits or about 13.1 percent of total Pakistani bank deposits (SBP 2015a: 6). "Non-performing assets" (the Islamic version of non-performing loans) were substantially better than the industry norm at about 5.6 percent of gross financing in September 2015 (SBP 2015a: 9).

While these new Islamic banks are supposed to be strictly *sharia*-compliant, *murabaha*, *ijara* and similar products continue to predominate in the financial products they offer. Current Islamic banking in Pakistan, adhering to the AAOIFI and IFSB norms, as shown in detail in Khan (2015) is functionally indistinguishable from conventional banking and does not rely in any significant fashion upon directly equity participation.

Conclusion

By lower-middle income standards, Pakistan has a relatively advanced and sophisticated commercial banking system thanks to a long history of commercial banking in South Asia and the British Indian Empire. Despite the near "permanent financial crisis" state of its banking system

(broadly construed) in the 1980s and 1990s, it avoided any major financial crisis thanks to a fortuitous set of circumstances that allowed it to receive enough United States and multilateral donor agency aid to let it, in effect, write-off its banking systems substantial stock of non-performing loans and then privatize most of its state-owned banks in the period 1991–2004.

While the Pakistani banking sector is currently quite healthy if over-reliant on lending to the GoP and its SOEs, "public sector" and other government-owned banks in Pakistan have worse financials than do the rest of the Pakistani banking system and so are more vulnerable to adverse economic circumstances and financial shocks. However, as the recent Bank of Punjab financial scandal shows, they can also more readily count on government bailouts than can private banks in Pakistan although undoubtedly, "too big to fail" holds as true in Pakistan as elsewhere. The real danger to the Pakistani banking system, though, is the fragile state of the Pakistani economy and its myriad structural economic problems that continue to drag down its GDP growth rate.

Notes

1 This excludes banks and branches situated in what became East Pakistan in 1947 and then Bangladesh in 1971.

2 Unless otherwise cited, this section is based upon my earlier (2012) article on the history of banking and finance in Pakistan which in turn draws in part upon Meenai and Ansari (2005) the then standard work on money and banking in Pakistan, and Zaidi (2005).

3 Bharadwaj and Mian (2008) estimate the out-migration from Pakistan as between 7.2 and 8.3 million people and the in-migration as between 8.4 and 8.7 million immediately after independence in 1947; Pakistan received a further 1.7 million migrants between 1950 and 1952.

4 Official figures put the inflation rate in this period between 10 to 20 percent annually but unofficial estimates were substantially higher.

5 During 1988–1990 I worked for the Corporate Banking Division of ANZ Grindlays Bank, then the largest foreign bank in Pakistan and now a part of the Standard Chartered Group. The general manager of Grindlays, up till then always a British national, was a member ex officio of the board of directors of the Pakistan Industrial Credit and Investment Corporation (PICIC), one of the first of the DFIs, set up in 1957 with World Bank assistance, and as a board member had to vote on every project funding proposal presented to PICIC. At one point early on I was assigned to his office and told to read project proposals and prepare a summary before the next board meeting. I dutifully did so and reported to my supervisor on his staff that several of the proposals for sugar mills (then the "hot" industrial project favored by PICIC) were identical down to the typos and figures used in the project feasibility reports and that this was all very suspicious! I was told that these were all pro-forma proposals which would be automatically approved and once approved the loan beneficiaries would quickly embezzle the funds, the loans would be declared non-performing and quickly written off, and the beneficiaries would then be free to apply for another loan. Furthermore, did I not recognize the families whose names were on these proposals? The Grindlays' general manager was the only one on the board who voted "no" on these proposals and he was always in a minority of one; I'd been told to read the proposals in case there was a legitimate proposal in the mix; I do not recall there being one. What was left of PICIC was sold to Singapore's NIB Bank in 2007.

6 The definition of "non-performing loans" used by the State Bank of Pakistan is the standard one: principal and/or interest payments more than 90 days past due.

7 There were also some private bank failures and/or takeovers of failing banks in the 1990s and early 2000s. The best known was the 1993 collapse of Mehran Bank in an extremely murky affair whose details are still unclear but apparently involved the transfer of billions of rupees by Pakistani intelligence agencies into a massive slush fund to create a conservative/Islamist political alliance to defeat Benazir Bhutto's Pakistan People's Party. Mehran Bank collapsed when a new intelligence chief decided to transfer the funds back to the agency's account and the bank was not able to do so since the funds had been misappropriated. Mehran Bank was also taken over by National Bank and losses incurred in the process. The case has never been satisfactorily resolved due to the refusal of the intelligence agencies to provide any details and the alleged involvement of the (former) Army Chief General Mirza Aslam Beg as one of the main beneficiaries of the slush fund. While certainly very high profile politically, Mehrangate as some in the press dubbed it was very small potatoes in the financial sphere. See, e.g., *Dawn* 2006 for details.

8 But excluding NDFC whose loan portfolio had already been taken over by National Bank.
9 See, e.g., Khan (2016, 2007) for more on this.
10 See Khan 2016 for more on NAB's efforts in the early years and its relative efficacy till then and rapid decline.
11 Now termed "public sector banks" or "specialized banks" in Pakistan. These include new banks started by provincial governments such as the Bank of Punjab, Bank of Khyber, Bank of Sindh, etc., as well as the last of the DFIs/specialized-banks such as the Industrial Development Bank of Pakistan, the ADBP (now under its Urdu name of Zarai Taraqiati Bank), Punjab Provincial Cooperatives Bank and the SME [Small and Medium Enterprise] Bank. There are also a plethora of mainly very small micro finance banks in Pakistan but these are irrelevant in this context.
12 This was not always the case in Pakistan. In the 1980s Pakistan's tax:GDP ratio was in the 13–14 percent range but declined rapidly due to massive corruption in the tax collection apparatus and, especially, conscious policy choices by the GoP under successive rulers starting with General Zia-ul-Haq to exempt favored sectors of the economy from paying taxes. See Khan (2015b) for more details.
13 Riba has a literal meaning of "increase" but is usually translated contextually as either "interest" if one is an Islamic Traditionalist or Maximalist or as "usury" if one is an Islamic Modernist or Minimalist. See Rahman and Siddiqi (1964) for the definitive Islamic Modernist interpretation of *riba* and Maududi (1997) for the definitive statement of Maximalist orthodoxy on *riba*.
14 This section draws heavily upon arguments developed much fully in my book on the Pakistani experience with Islamic banking (Khan 2015a).
15 Both the earlier 1956 and 1962 Constitutions also require this except that only the 1962 Constitution defines *riba* as "usury."
16 Space precludes a detailed examination of Islamic financing modes but a *murabaha* essentially works thus: the financier (bank) purchases, e.g., machinery on behalf of a client at a cost of, say, PKR 1,000,000 and sells it to them for, say, PKR 1,200,000 payable in equal monthly installments over, say, 24 months and retains ownership of the machinery until the final installment is paid. This is an Islamically permissible financing mode since both parties have borne some risk in the venture. A two-year loan of PKR 1,000,000 at a fixed interest secured by the machinery as collateral is not permissible under the current interpretation of Islamic *fiqh*.

Bibliography

Aslam, S. M. (1999). The loan default drive. *Pakistan Economist*, November 22–28. Available at: http://www.pakistaneconomist.com/issue1999/issue47/cover.htm (accessed 15 March 2016).

Bharadwaj, P. and Mian, A. (2008). The big march: migratory flows after the partition of India. *Economic & Political Weekly*, August 30: 39–49.

Boesel, M. (2014). What's an acceptable rate of mortgage default? Vintage year analysis reveals room to loosen underwriting. *CoreLogic*. Available at: http://www.corelogic.com/blog/authors/molly-boesel/2014/12/whats-an-acceptable-level-of-mortgage-default.aspx#.Vu8CuOIrK01 (accessed 18 March 2016).

Dawn. (2006). NAB recovers Rs1.6bn in Mehran Bank case: Younus Habib's property sold. *Dawn*. Available at: http://www.dawn.com/news/224304/nab-recovers-rs1-6bn-in-mehran-bank-case-younus-habib-s-property-sold (accessed 14 March 2016).

Dawn. (2004). The Allied Bank story. *Dawn*. Available at: http://www.dawn.com/news/395946/the-allied-bank-story (accessed 20 March 2016).

Fair, C. and Watson, S. (2015). Pakistan's self-inflicted economic crises. *Pakistan's Enduring Challenges*. Philadelphia: University of Pennsylvania Press, pp. 178–203.

Habib, I. (1964). Usury in medieval India. *Comparative Studies in Society and History*, 6: 393–419.

Hanif, M. N. (2003). Restructuring of financial sector in Pakistan. *The Journal of the Institute of Bankers in Pakistan*. Available at: http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN026320.pdf (accessed 19 March 2016).

Husain, I. (2002). Dealing with non-performing loans of banks. *Dawn*. Available at: http://ishrathusain.iba.edu.pk/speeches/financialSector/2002/Dealing_with_nonperforming_loans.pdf (accessed 19 March 2016).

Hussain, A. (2016). 2015 Banking sector analysis: Banks's profits up 14%, pre-tax profits up 28%. *Dawn*, April 9. Available at: http://www.pakistantoday.com.pk/2016/04/09/business/2015-banking-sector-analysis-banks-profits-up-14-pre-tax-profits-up-28/ (accessed 19 March 2016).

IMF. (2004). Pakistan: financial system stability assessment. IMF *Country Report* No. 04/215.

IMF. (2005). Pakistan: financial sector assessment program, technical note, condition of the banking system. *IMF Country Report*, No. 05/157.

IMF. (2015). Pakistan: sixth review under the extended arrangement and modification of performance criteria. *IMF Country Report*, No. 15/96.

IMF. (2016). Pakistan: tenth review under the extended arrangement and modification of performance criteria. IMF *Country Report*, No. 16/94.

Jalal, A. (2012). Banking and financial sector of Pakistan. *The Oxford Companion to Pakistani History*. Karachi: Oxford University Press, pp. 58–61.

Khan, F. (2007). Corruption and the decline of the state in Pakistan. *Asian Journal of Political Science*, 15: 219–247.

Khan, F. (2012). Banking and financial sector of Pakistan. In A. Jalal (ed.), *The Oxford Companion to Pakistani History*. Karachi, Pakistan: Oxford University Press, pp. 58–61.

Khan, F. (2015a). *Islamic Banking in Pakistan: Shariah-Compliant Banking and the Quest to Make Pakistan More Islamic*. London: Routledge.

Khan, F. (2015b). Pakistan's self-inflicted economic crises. In C. C. Fair and S. J. Watson, (ed.s), *Pakistan's Enduring Challenges*, Philadelphia: University of Pennsylvania Press, pp. 178–203.

Khan, F. (2016). Combating corruption in Pakistan. *Asian Education and Development Studies*, 5: 195–210.

Kharal, A. (2011). Bank of Punjab: corrupt lending totaled Rs52 billion. *The Express Tribune*, Available at: http://tribune.com.pk/story/129296/bank-of-punjab-corrupt-lending-totalled-rs52-billion/ (accessed 18 March 2016).

Maududi, S. with Ahmad, K. and Husain, R. (1997). *Economic System of Islam*. 4th edn. Lahore: Islamic Publications.

McCartney, M. (2013). *Pakistan – the Political Economy of Growth, Stagnation and the State, 1951–2009*. London: Routledge.

Meenai, S. and Ansari. (2005). *Money and Banking in Pakistan*. 5th edn. Karachi: Oxford University Press.

Meenai, S. and Ansari, J. (2010). *Money and Banking in Pakistan*. 6th edn. Karachi: Oxford University Press.

Noman, O. (2010). *Responsible Development: Vulnerable Democracies, Hunger and Inequality*. London: Routledge.

Pakistan Economist. (2015). *Banks in Pakistan*. Available at: http://www.pakistaneconomist.com/database2/pakbanks.php (accessed 20 March 2016).

Rahman, F. and Siddiqi, M. (1964). Riba and interest. *Islamic Studies*, 3: 1–43.

Rana, S. (2016). MCB privatization: NAB close to finishing probe into alleged scam. *The Express Tribune*. Available at: http://tribune.com.pk/story/1036045/mcb-bank-privatisation-nab-close-to-finishing-probe-into-alleged-scam/ (accessed 15 March 2016).

SBP. (2015a). *Islamic Banking Bulletin*. Karachi: State Bank of Pakistan. Available at: http://www.sbp.org.pk/ibd/bulletin/2015/IBB-Sep-2015.pdf (accessed (21 March 2016).

SBP. (2015b). Special Section 1. *Annual Report 2014–2015: State of the Economy*. Karachi: State Bank of Pakistan. Available at: http://www.sbp.org.pk/reports/annual/arFY15/Special-Section1.pdf (accessed 20 March 2016).

SBP. (2015c). 3. Liabilities and assets of scheduled banks in Banking Statistics 2014, Karachi, Pakistan: State Bank of Pakistan. Available at http://www.sbp.org.pk/publications/anu_stats/2014/Part-1/Lia.&asstofsch.banks.pdf (accessed 14 June 2016).

SBP. (2015d). 5.1 Classification of scheduled banks' advances by borrowers in Banking Statistics 2014, Karachi, Pakistan: State Bank of Pakistan. Available at http://www.sbp.org.pk/publications/anu_stats/2014/Part-1/05.classif.of%20adv.sch.banks/5.1–5.2-By-economic-group.pdf (accessed 14 June 2016).

SBP. (2016). *Quarterly Compendium: Statistics of the Banking System*. Karachi: State Bank of Pakistan. Available at: http://www.sbp.org.pk/ecodata/fsi/qc/2015/dec.pdf (accessed 18 March 2016).

Siddiqui, A. (2008). Practice and law of banking in Pakistan, 6th edn. Karachi: Royal Book Company.

Soorani, A. (2015). Banks: Record profitability in 2014, up 47% YoY. JS Morning Briefing, April 3. Available at: http://www.jsglobalonline.com/researchReports/M03APR15.pdf (accessed 19 June 2016).

Visser, W. and McIntosh, A. (1998). A short review of the historical critique of usury. *Accounting, Business and Financial History*, 8: 175–189.

World Bank. (2016). *Bank Nonperforming Loans to Total Gross Loans*. Available at: http://data.worldbank.org/indicator/FB.AST.NPER.ZS/countries?display=default (accessed 16 March 2016).

World Bank. (n.d. a) Deposit money bank assets to GDP for Pakistan. Available at FRED, Federal Reserve Bank of St. Louis.

World Bank. (n.d. b) Deposit money bank assets to GDP for India. Available at FRED, Federal Reserve Bank of St. Louis. Available at: https://research.stlouisfed.org/fred2/series/DDDI02PKA156NWDB (accessed June 15, 2016).

Zaidi, S. (2005). *Issues in Pakistan's Economy*. 2nd edn. Karachi, Pakistan: Oxford University Press.

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PART IV

Social issues

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16

DISSIMILAR HISTORIES

History curricula in government and elite Pakistani schools

Madiha Afzal

It is known that Pakistan's government curriculum and textbooks contain historical errors, biases, omissions, and a distorted, one-sided view of history, and also impose Islam on non-Muslims (Hoodbhoy and Nayyar 1985; Nayyar and Salim 2003; Aziz 2010; Afzal 2015). These problems are most concentrated in the official curriculum and textbooks of Pakistan Studies, a core subject for secondary, college and professional education in Pakistan that covers Pakistan's history and politics, as well as its economy and geography.

States use educational curricula for ideological purposes around the world (Apple 2004). The Pakistani government uses this course to indoctrinate students in a state-defined concept of nationhood and identity. The country's official secondary school Pakistan Studies textbooks "forge an identity exclusively based on Islam and derived in opposition to India" (Afzal 2015). The "Pakistan ideology", which states that the basis of the country is Islam, is a focal point. This "ideology" was not born with Pakistan: it was a concept constructed by the Islamist party *Jamaat-e-Islami* two decades after Pakistan's independence in 1947 and inserted in the textbooks and pushed more broadly into societal narratives in the late 1970s and early 1980s (Hoodbhoy and Nayyar 1985; Ullah 2014).

This is a direct product of state policy: the key 1981 directive of the University Grants Commission (UGC) to Pakistan Studies textbook authors instructed them,

> to demonstrate that the basis of Pakistan is not to be founded in racial, linguistic, or geographical factors, but, rather, in the shared experience of a common religion. To get students to know and appreciate the Ideology of Pakistan, and to popularize it with slogans. To guide students towards the ultimate goal of Pakistan – the creation of a completely Islamized State.
>
> *(Hoodbhoy and Nayyar 1985)*

This is echoed in other official documents of the time. In the National Education Policy and Implementation Program of 1979, the aim of education was to,

> foster in students a loyalty to Islam, a sense of being a dutiful citizen of the Pakistani nation as a part of universal Ummah [Muslim community] with a full knowledge of the Pakistan movement, its ideological implications based on the precepts of Qur'an and Sunnah.
>
> *(Talbani 1996)*

This policy of formulating and imposing an Islamic identity through the official education system was a break from the past: the official textbooks in the first decades of Pakistan's existence included no mention of the Pakistan ideology and were more liberal and inclusive than the ones starting from the 1980s (Hoodbhoy and Nayyar 1985).

Pakistan's first textbooks also cast a wider lens on history: they included the pre-Muslim past of the areas that later went on to form Pakistan – the Hindu empires of the subcontinent (Hoodbhoy and Nayyar 1985). But the textbooks from the 1980s onward began Pakistan's historical narrative with the arrival of Muslims in the subcontinent, ignored Hindu empires, and thus focused on a selective Muslim history of the subcontinent.

These official textbooks teach the pillars of Islam, often as the first topic, and thus violate Pakistan's constitution by teaching the religion to non-Muslims. The Pakistani identity is equated with Islam, and defined so as to exclude any other forms of identification (cultural, provincial, ethnic, linguistic) and goes along with negative, paranoid and hate-filled comments about the "other"– India and Hindus. A number of scholars have argued that this exclusionary approach fosters biases, intolerance and bigotry (Nayyar and Salim 2003; Afzal 2015).

Each province has its own textbooks; until recently, these have had to closely follow federal curriculum guidelines.[1] To graduate from secondary schools following the official Pakistani system – that all government schools and most low-cost private schools follow – students are required to pass a province-wide Matriculation (Matric) board exam at the end of grade ten. The Matric exam rewards rote memorization of the government-issued textbooks. Accordingly, in classrooms in government and low-cost private schools, these textbooks reign supreme. Overall, the official system is of low quality and yields poor average learning outcomes.

Pakistan has an alternative, elite education system running in parallel to the official one, with schools preparing students for the General Certificate of Secondary Education or GCSE exams run by the Cambridge board in the UK. Pakistan Studies is a core course in the O Level curriculum as well. This chapter compares the content of the Cambridge O Level Pakistan Studies textbooks – never before analyzed – to the Matric textbooks from all four provinces. It will study whether the concept of nationhood and the identity of Pakistan defined by the state in the official education system extends to the elite Cambridge system.

The British educational system in Pakistan is very small, catering to the very rich and those who are fluent in English (ostensibly even more fluent than in Urdu or their mother tongue). The Cambridge board runs the O Level or GCSE exams, and forms the curriculum as well. In Pakistan, the system targets the descendants of the country's old colonial elite, who are in all likelihood the future elite. The system itself is inherited from colonial times, especially through missionary schools and historic institutions like the ultra-elite Aitchison College in Lahore and the Karachi Grammar School. But it has adapted to the modern Pakistani context and grown a great deal in the last few decades in the form of new networks of schools such as the Beaconhouse system.

Because the O Level training and credentials are international, it serves as a passport to attending college in the West or to attending elite American modeled Pakistani universities. There is a merit-based component to the system, given its high quality and rigor: in some (elite) schools, both Matric and O Level classes are offered, but the best students are selected into the O Level track. Given the high cost of attending elite schools, there could be two reasons for students to take the Matric track: the likely one is low test scores; the other is to have a competitive advantage for entry into government medical schools and engineering universities in Pakistan.

According to Pakistan's (only) complete education census conducted in 2005, of the 227,791 total educational institutions in Pakistan, only 281 followed the British system. Of the 33.4 million students enrolled in an educational institution, 149,266 were enrolled in one that had a British track, 2.1 million students were enrolled in Matric grades nine and ten, while

3,658 were enrolled in O Level grades nine to eleven – just 0.2 percent of the Matric total. But while the British system caters to a very small minority, the influence of these students far exceeds their size.

The two groups are so different – in their schooling and their lives – that it led the author Tariq Rahman to call them "denizens of alien worlds" (Rahman 2004a). In the 1960s, English-medium elite schools were widely criticized by the public and by student groups after government funding to these schools was brought to light. The 1966 government report commissioned in response to the protests countered that the elite schools were important, on grounds of excellence and religious freedom (as they include missionary schools), and that they would produce the country's future governing elite:

> Such establishments are intended to produce some better type of students who would be more suitably disciplined and equipped for eventually entering the defense service of the country or filling higher administrative posts and other responsible executive positions in the government and semi-government bodies and private firms and corporations.
>
> *(Rahman 2004a: 50)*

This is not to say those with Matric degrees do not form part of Pakistan's governing and business elite. Some definitely do. And the elite from the older generations – when there were far fewer Cambridge system schools – drew heavily on them. As the prestige of the Matric system has declined, and the number of elite private schools has increased, the new generation of elite children is being schooled largely in the Cambridge system. Graduates from the British system do not always stay in Pakistan: a large number are part of Pakistan's brain drain to the West. But those who do stay are almost guaranteed to do well.

In this chapter, I compare a complete set of current and recent Pakistan Studies Matric textbooks from all four provinces with the current O Level texts.[2] Specifically, I study the current textbooks as of 2013–14 for all provinces, and also the Punjab textbooks from the early 2000s. Sindh had not revised its textbooks as of 2013. There is some notable variation across provinces – the current Punjab textbooks are arguably the best of the lot.

For the Cambridge system, I study the main O Level Pakistan Studies text by Nigel Kelly (2015), entitled *The History and Culture of Pakistan*. This textbook tracks the Cambridge curriculum document, which I also reference here. I also look at the recommended book for the Cambridge exam, a denser volume, by Farooq Naseem Bajwa (2002).

Comparing the two curricula

The classroom and learning styles

In both systems, the final exams – the Matric and the O Level exams – are of central importance. Students taking the Matric board exam need to memorize the government textbooks without diverging from them. The books are low-quality, thin volumes, with strong language. For history textbooks, it is striking how little historical detail some of the volumes contain – the style is heavy on subjective statements with no corresponding evidence or references. The current Punjab textbook is a notable exception.

The O Level Pakistan Studies textbooks, on the other hand, contain a great deal of information and detail – and are interesting for a student reader, with old photos, maps, and archival information. The material is narrated objectively. The language used in general is measured. Questions are repeatedly posed to the reader – how, what, why – and these do not necessarily

have one right or wrong answer. These require the students to build an argument and provide logical explanations. The level of the discussion is advanced, but appropriate for high school.

The Cambridge exam rewards additional reading, questioning the material, and drawing deductions. Students read a variety of books in addition to textbooks – and therefore are exposed to a great deal of (high quality) material. Overall, the O Level books have a great deal more nuance, critical and analytical thinking, and objectivity than the Matric books.

Presenting historical evidence

In the Matric Pakistan Studies textbooks, there are few sources presented – primary or secondary. There is no sense of historical research, of historians' and governments' motivations in representing history one way or the other. Even subjective statements are made without basis, justification or source: as an example, the "negative role of Hindu teachers" in former East Pakistan in the 1971 separation of East Pakistan and creation of Bangladesh is stated without any reference (*Pakistan Studies, Class 9* 2013: 126).

The Cambridge books present multiple sources of evidence, including primary evidence, and ask students to reconcile and understand them. The books refer explicitly to historical research. This is one of the explicit goals of the curriculum: it aims to "develop (an) understanding of the nature and use of historical evidence" (Cambridge International Examinations 2015: 9). The main textbook by Nigel Kelly directly quotes historical speeches, autobiographies and the original writings of historical figures, original accounts of historical events, and the works of historians. The most the Matric texts do is quote prominent historical figures.

Another explicit goal of the Cambridge curriculum is for students to "develop (an) understanding of how the past has been represented and interpreted" (Cambridge International Examinations 2015: 9). As an example, the textbook reports how 1857 was the "Indian mutiny" for British historians, but the "war of independence" for Indian historians (Kelly 2015: 27).

The textbook also introduces students to the idea that official accounts may be different from objective reality. For example, the book states that Ayub Khan told the country that Pakistan had won the 1965 war, when it had not (Kelly 2015: 132). The Matric textbooks propagate Ayub's official line – that Pakistan won the war.

A selective view of history

Both the Matric and O Level textbooks focus on the path to Pakistan's creation, but to their detriment, neither book goes very far back in history leading up to 1947. The Matric textbooks give the shortest view of history pre-1947 – some provincial textbooks begin their discussion as late as 1940 – and none of the current Matric textbooks discuss events before the 1857 war of independence.

The main O Level textbook by Kelly begins at the time of the Mughals, but also describes the Islamic thinkers of the eighteenth and nineteenth centuries, as mandated by the curriculum. Their writings, their beliefs, and their fighting in the name of Islam are described in detail. The supplementary textbook by Bajwa, published by Oxford University Press, begins earlier, going as far back as the Indus valley civilization, and the Persian and Greek invaders of the subcontinent. Bajwa's book mentions Hindu empires as well, although it maintains more emphasis on Muslim rulers. It thus casts the widest lens on Pakistan's pre-independence history.

While the Matric textbooks also describe the prominent Islamic thinkers of the subcontinent, they "fully" begin their history discussion later, and exclude the Mughal Empire as well as the pre-Muslim rulers of the subcontinent. The Mughal Empire typically is discussed in earlier grades.

Casting such a narrow view in the Matric curriculum deliberately exposes students to a selective portion of history, to a time of Hindu–Muslim tensions. The (earlier) story of Hindus and Muslims co-existing and intermingling is not told. The selectivity foretells a biased approach.

Both the Matric and the Cambridge books cover the march to independence, with a similar narrative view focusing on the same key points in history: descriptions of Muslim thinkers, 1857, Sir Syed Ahmed Khan, and the time period from 1900 onward – highlighting the Khilafat movement, the Nehru report and Jinnah's fourteen points, the Congress ministries, the time from 1940–47, and the roles of Jinnah and Allama Iqbal. Post-1947, the discussion focuses on Pakistan's initial problems, the constitutional process, its politics and leaders, the 1965 and 1971 wars, Pakistan in the world and its relationships with other countries.

The narrative arc of the Cambridge books is not that different from the Matric books – and that is to its detriment – but as we will see below, how the material is treated is vastly different (and superior).

The processes of history

The Matric texts represent history linearly. The two-nation theory, that Hindus and Muslims were always two separate nations living in a united India, is described as absolute and permanent; how it actually evolved as a concept is glossed over. In fact, the Matric textbooks assert the "two-nation theory" from the very beginning of the books:

> two major nations, the Muslims and the Hindus, were settled there (in the subcontinent). The two nations were entirely different from each other in their religious ideas, their way of living and collective thinking. Their basic principles and the way of living are so different that despite living together for centuries, they could not intermingle with each other.
>
> (Pakistan Studies, Class 9 *2013: 9–10)*

The Matric textbooks depict Jinnah and Iqbal as firm believers in the two-nation theory, when we know that they were not always so.

On the other hand, the O Level books explain how the two-nation theory evolved, and document the ups and downs between Hindus and Muslims over time. The O Level curriculum document lists "How important were attempts to find a solution to the problems facing the subcontinent in the years 1940 to 1947?" as a topic (Cambridge International Examinations 2015), and it is the title of the corresponding chapter in Kelly's textbook.

The Cambridge books show the emergence of Pakistan as an evolutionary process and offer a nuanced narrative of the period leading up to independence – describing times of Hindu and Muslim cooperation, and showing how the split occurred in response to various historical and political events. Kelly's book describes the ups and downs leading up to partition. It talks about the shifting alliances of the three groups in colonial India – Hindus, Muslims and the British. In 1857, for example, it describes how Hindus and Muslims united in resentment against the British. It also talks about later cooperation between the League and Congress, and "major concessions" that Congress made to the League that "showed how keen it was to gain the support of the League" as part of the Lucknow pact of 1916 (Kelly 2015: 61).

The O Level book is honest about how Jinnah and Sir Syed Ahmed Khan did not initially believe in the two-nation theory, or make the case for Pakistan. On Jinnah's thinking in the decade prior to partition, the book states: "Jinnah did not agree in the 1930s that India should be partitioned" (Kelly 2015: 80). And it quotes a speech of Sir Syed Ahmed Khan's in which he said: "we, Hindus and Muslims, live together on the same soil under the same government. Our interests and problems are common, and therefore I consider the two factions as one

nation" (Kelly 2015: 39). The book documents how he later changed his mind: "as Hindus sought to take advantage of the poor relations between the Muslims and the British, Sir Syed emphasized the threat to Muslims and developed his 'two nation theory'" (Kelly 2015: 40).

The Cambridge textbook describes how communalism grew in the 1920s and 1930s after a period of Hindus and Muslims working together in opposing the British. It shows that "the parting of the ways" came in the wake of the Nehru report and its rejection by Jinnah and the League, not an immutable two-nation theory (Kelly 2015: 77). The book discusses Jinnah's view that Congress and the Muslim League could cooperate after the 1937 elections. But the Congress ministries, which "treated the Muslim League with disdain", and "threatened Muslim culture and identity" (Kelly 2015: 83) led Jinnah to change his mind.

The Matric textbooks also describe these events, but there is a sense that partition was inevitable because the Hindus and British were so aligned against the Muslims. The narrative is much more linear and simplistic, with the outcome already foretold and each event contributing to it.

Two sides of the story: balanced depictions

The Matric textbooks are relentlessly negative, one-sided, and do not exhibit nuance vis-à-vis Hindus and India. In these textbooks, the narrative is that "we", Muslims and Pakistanis, are good; and the "other" – Indians, Hindus, non-Muslims – are bad. The textbooks use words like "hostile", "biased", "destroy", "deprive", "ruin", and "hatred" (*Pakistan Studies for Secondary Classes, Class IX–X* 2002) and "cunning", "conspiracy" (*Pakistan Studies, Class 9* 2013) for the attitudes of Hindus and their behavior toward Muslims pre-partition. A phrase from a Matric textbook: the "evil collusion between the Congress [party] and the British" (*Pakistan Studies for Secondary Classes, Class IX–X* 2002: 43).

While the Cambridge book also draws out a narrative that separates the Muslim community from the Hindu, it does so in a more subtle manner than the Matric textbooks, saying, for example, that Hindu–Muslim unity was "probably always doomed to failure" (Kelly 2015: 73) after the end of the Khilafat movement. It also acknowledges that partition was not an ideal outcome, stating that one of the negative effects of the Khilafat movement is that it drove a wedge between the two communities (Kelly 2015: 74).

In the Cambridge textbook, the violence on both sides during partition is acknowledged: in addition to Hindus and Sikhs killing Muslims, the book says it is "also true . . . that atrocities were carried out by Muslims as a tide of communal hatred swept across the subcontinent in late 1947" (Kelly 2015: 116). The horror of partition is acknowledged with a discussion titled "1947: a terrible year". Both sides, usually peaceful, got caught up in the violence: "in the summer of 1947 emotions ran so high that ordinary, peace-loving Hindus, Sikhs and Muslims became caught up in acts of violence of which they would never have considered themselves capable" (Kelly 2015: 118). It is hard to think of a better treatment of this difficult topic.

The Cambridge book uses measured language about the Radcliffe award which delineated the border between India and Pakistan (and gave rise to the defining dispute of the India–Pakistan relationship, Kashmir), noting that Muslims were "disappointed" in it (although Jinnah is quoted using stronger words) (Kelly 2015: 92). It also describes Hindu and Sikh complaints about the Radcliffe award, making the point that all sides had problems with it.

The Matric textbooks use stronger and more consistently negative language about the Radcliffe border award. The current Punjab Matric textbook also states that "a conspiracy was planned by the Congress in collaboration with Lord Mountbatten to complete the process of partition in such a manner as a truncated, imbalanced and weak Pakistan was made that would be compelled to be part of India soon" (*Pakistan Studies, Class 9* 2013: 40). Note the sense of conspiracy and threat from India.

Kelly's book mentions how Hindus, Muslims and Sikhs all suffered once borders were announced and migration began; but states "it is true, however, that more Muslims lost their lives than Hindus and Sikhs combined" (Kelly 2015: 110).

Both the official and the Cambridge books discuss how India did not immediately hand over all the cash assets to be given to Pakistan as part of partition; however, only the O Level book mentions Gandhi's important role in setting things right: "Gandhi was determined that the division of assets should be as fair as possible. He objected to what the Indian government was doing" (Kelly 2015: 114). He began a hunger strike, and the Indian government paid Pakistan the remaining Rs. 500 million it owed it.

The Cambridge books mention that Pakistan began the 1965 war with India, while the Matric textbooks blame the 1965 war on Indian aggression. Here is the language used in describing the 1965 war in one textbook: "the Armed Forces of Pakistan, filled with the spirit of Jihad, forced an enemy many times bigger than it to face a humiliated defeat" – which is factually untrue as well (*Pakistan Studies, Class 9* 2013: 114).

Jihad, Islam, and Islamization

Religion figures prominently in the Matric textbooks. In the old Punjab textbook, the word Islam is mentioned 255 times. The "Pakistan ideology", the idea that Islam is the basis of Pakistan, holds central importance in the Matric textbooks. The Matric textbooks literally begin with it – it is the title of the first chapter – and use it to describe the five pillars of Islam, violating the constitutional clause that non-Muslim students do not have to study Islam. The Pakistani identity is equated with Islam, to the exclusion of non-Muslims.

On the other hand, Islam does not figure nearly as prominently in the O Level textbook; the first chapter on Islamic thinkers is the only place where religion plays a role. That first chapter in Kelly's book stands out from the rest of the textbook – it is without real historical context, and lacks nuance. Jihad is mentioned a number of times in that chapter, as is the importance of an Islamic way of life – although all by way of describing the Islamic thinkers' beliefs.

The Matric textbook writes about Syed Ahmad Barelvi, one of the prominent Islamic thinkers, thus: "his struggle was against the evil forces in the subcontinent", the Sikhs. On the other hand, the O Level textbook also describes Barelvi's "struggle" but does not use the word "evil" in describing his foes: "Syed Ahmad founded the Jihad Movement, which called for armed struggle to overthrow non-Muslim oppression and restore Muslim power. He believed that once this was done, Islam could be rejuvenated and rescued from beliefs and customs contrary to Islamic beliefs which had crept into daily life" (Kelly 2015: 7). It continues: "the jihad movement was a uniting force for Muslims. Many of Syed Ahmad's soldiers had been spiritual leaders or teachers. The fact that they were prepared to die for their cause was an inspiration to all Muslims" (Kelly 2015: 9). This discussion in the O Level textbook – equating jihad with an armed struggle, conducting jihad to purify Islam, conducting it against non-Muslims – is certainly worrisome.

On the other hand, the term Pakistan ideology is not mentioned at all in the O Level textbooks. The Cambridge book also does not explicitly call out Islam as the main unifying force for Pakistan – instead it discusses Urdu, the national language, in that context.

The O Level book also mentions jihad beyond Islam in the context of an anti-colonial resistance: in the words of Abdul Kalam Azad, a Muslim Congress leader: "you are fighters for God's battle and . . . the Hindus who are engaged in a struggle for their country's progress and independence are also waging a jihad (against the British)" (Kelly 2015: 69).

Pakistan's founder Jinnah is portrayed as religious (when he was not) in the Matric textbooks, and as having wanted Pakistan to be an Islamic state. The O Level textbooks do not portray him

thus, and mention his key speech of August 11, 1947 (although it is always not clearly identified as that speech) in which he gave his clearest outline of Pakistan as a secular country: "you may belong to any religion, caste or creed – that has nothing to do with the business of the state" (Kelly 2015: 117).

The O Level book also discusses the pressures from and concessions to religious groups in Pakistan's political and constitutional processes honestly – and how these resulted in a politically and legally more Islamic country. The textbook thus shows that this outcome was not a given. On one instance, it says that "to appease the religious factions, [Bhutto] banned gambling, restricted the sale of alcohol and declared Friday to be the weekly holiday" (Kelly 2015: 148). There is also an honest discussion of Zia's Islamization, and its "operational" use to him, and the harmful impact on minorities and women (Kelly 2015: 151). There is no such discussion in the Matric textbooks.

The Matric textbook even refers to the 1965 war with India as a jihad: it refers to the Pakistan army as "filled with the spirit of Jihad" in confronting India (*Pakistan Studies, Class 9* 2013: 114).

1971 – taking the blame

In discussing the secession of East Pakistan in 1971, the narrative in the Matric textbooks mentions the political problems between the two parts of Pakistan, but places the onus of the blame elsewhere: on the US "betrayal" in not backing Pakistan, on India's interference – "India had a constant wish to weaken the integrity of Pakistan for one reason or another", the "conspiracies" of the West and India, and the "negative role of Hindu teachers" (*Pakistan Studies, Class 9* 2013: 128).

On the other hand, the events leading up to 1971 are discussed honestly in the O Level textbook. Kelly's book acknowledges West Pakistan's faults and West Pakistani brutality is openly accepted. Kelly's book talks about Yahya Khan's campaign to "crush Bengali nationalism" in which "Bengali intelligentsia, academics and Hindus were treated with extreme harshness" (Kelly 2015: 138). It acknowledges that thousands of Bengalis were murdered as Pakistani forces took control of the cities in East Pakistan. In addition, according to the book: "it is also alleged that, in the final days before surrender the Pakistan army wiped out large numbers of professional Bengalis to weaken the new country and make it less of a rival to Pakistan" (Kelly 2015: 139).

The United States

Kelly's book has a clear-eyed discussion about the United States. It talks about Pakistan's strategic decision to ally with the US in the Cold War after independence in order to gain international viability and visibility. It underlines the importance of Pakistan's relationship with the US, saying, as an example, that Benazir Bhutto's greatest achievement in foreign policy was to visit the US.

The Matric books state that Pakistan's relationships with the West, including the United States, serve economic purposes; its main foreign policy principle is solidarity with Muslim countries. Mentions of the US are sparse in both sets of books, and while the broad narrative remains the same, the key difference is the nuanced treatment of the relationship in the Cambridge books, and the focus on supporting details and facts.

On the role the US played in the 1971 war, the narrative in the O Level book is similar to the Matric textbooks – which talk about the West deserting Pakistan in 1971 – but with the important difference that it is not alluded to as a secret conspiracy. The O Level textbook says that the US did not help Pakistan in its civil war in East Pakistan, and took "few" measures to help against India – though it did send a fleet warning India to not attack Pakistan (Kelly 2015). The Matric textbooks, on the other hand, talk about Bangladesh's creation as a "secret arrangement of big powers", a list that includes the US (*Pakistan Studies, Class 9* 2013: 127).

Religious minorities

In the Matric textbooks, Pakistan's (religious) minorities are generally relegated to an afterthought – protections for them and their rights are usually stated at the end of the books, but they are by and large ignored until then – especially in the first chapter dealing with the Pakistan ideology, the Pakistani identity and Islam.

On the other hand, the Cambridge textbooks discuss Jinnah's opposition to religious intolerance, and his status as the "protector-general" of religious minorities (Kelly 2015: 97). Parts of his key speech of August 11, 1947 to the constituent assembly that detailed his vision for an inclusive and tolerant Pakistan, where religion was a private matter, are quoted:

> you may belong to any religion, caste or creed – that has nothing to do with the business of the state. We are starting in the days when there is no discrimination, no distinction between one caste or creed and another, we are starting with this fundamental principle that we are all equal citizens of one state.
>
> *(Kelly 2015: 117)*

This speech is either not quoted or is misquoted in the current Matric textbooks – but the Sindh provincial government is planning to insert the full, correct speech into the official books.

The O Level book also mentions the ulema campaign against the Ahmedis – a sub-sect of Islam that was declared to be non-Muslim by Bhutto in the 1970s under ulema pressure, and victimized in Pakistan since then – starting in the early 1950s. The book also mentions the harmful effect of Zia's policies on minorities (Shias and Ahmedis in particular). Overall, the O Level book treats the issue of minorities well relative to the Matric texts.

Terrorism

The Matric textbooks only mention terrorism twice in one of the textbooks. The first mention is: "Pakistan supported America in [the] Afghan war but as a consequence Pakistan itself is facing terrorism" (*Pakistan Studies, Class 10* 2013: 41). And (debatably): "Pakistan is playing a very effective role against terrorism and extremism in the world" (*Pakistan Studies, Class 10* 2013: 49).

On the other hand, even although it focuses only on pre-2000 material, the O Level book has a clear-eyed discussion of the US and Pakistan's support to Afghanistan's Taliban government in the 1990s. Benazir Bhutto is quoted on this in 2007, shortly before her death: "it was a critical, fatal mistake we made. If I had to do things over again, that's certainly not a decision that I would have taken" (Kelly 2015: 187). The book continues: "partly as a result of this support, the Taliban came into power in Afghanistan and religious fundamentalism grew in Pakistan. Bhutto later admitted that her policy had been a mistake and had led to Islamic militancy which threatened stability in Pakistan" (Kelly 2015: 187).

Different attitudes

In what follows, I present some evidence on the differences in attitudes between Matric and O Level students. The data comes from a (quantitative) survey on student attitudes conducted by Tariq Rahman in elite and government schools in late 2002 and early 2003. Rahman conducted his research in major Pakistani cities (Islamabad, Peshawar, Karachi, Lahore, Mandi Bahauddin, Rawalpindi, Faisalabad and Multan; but not Quetta and Hyderabad) – representing urban Pakistan, especially Punjabis, well. His research was conducted after the September 11, 2001 attacks and the Afghan war had begun, but before the heightened level of terrorism after 2007. His survey, consisting of a few simple binary-response questions on attitudes toward jihad

and India and toward minorities, was answered by grade ten matric students in Urdu-medium schools (where Urdu is the primary language of instruction) and also by grade ten and eleven O Level students in elite English-medium schools.[3]

Table 16.1 presents a basic summary of Tariq Rahman's findings. It shows that O Level students are less likely than Matric students to advocate for war (26 percent versus 40 percent) and jihad (22 percent versus 33 percent) against India over Kashmir. This is consistent with the fact that the Matric textbooks glorify jihad and war. To some extent the O Level ones do as well, given the focus on jihad in the first chapter on Islamic thinkers – perhaps the differences between the two groups of students would be larger if they didn't.

The equal rights of minorities questions show these students' attitudes toward minorities, on inclusiveness, and their tolerance. Consistent with their curricula, O Level students seem to be much more tolerant toward minorities than Matric students – with 66 percent versus 47 percent supporting equal rights for Ahmedis, 78 percent versus 47 percent for Hindus, and 84 percent versus 66 percent for Christians. The Cambridge books teach an inclusive version of Pakistan, not based on religion; Jinnah's August 11 speech, which talks at length about his vision for a

Table 16.1 Views on militancy and tolerance for Pakistani government versus Cambridge Board students.

Abbreviated question	*Response*	*Urdu medium school students (Matric)*	*Elite English school medium students (O Level)*
1 Open war	Yes	39.56	25.86
	No	53.04	64.66
	Don't Know	7.39	9.48
2 Jihadi groups	Yes	33.04	22.41
	No	45.22	60.34
	Don't Know	21.74	17.24
3 Peaceful means	Yes	75.65	72.41
	No	18.26	18.97
	Don't Know	6.09	8.62
4 Ahmedis	Yes	46.95	65.52
	No	36.95	9.48
	Don't Know	16.09	25
5 Hindus	Yes	47.39	78.45
	No	42.61	13.79
	Don't Know	10	7.76
6 Christians	Yes	65.65	83.62
	No	26.52	8.62
	Don't Know	7.83	7.76
Observations		230	116

Source: adapted from Rahman (2004b: table B4).

Notes:
The complete questions are below.
What should be Pakistan's priorities?

1 Take Kashmir away from India by an **open war**? Yes/no/don't know
2 Take Kashmir away from India by supporting **Jihadi groups** to fight with the India army? Yes/no/don't know
3 Supporting Kashmir through **peaceful means** only? Yes/no/don't know
4 Give equal rights to **Ahmedis** in all jobs etc.? Yes/no/don't know
5 Give equal rights to **Hindus** in all jobs etc.? Yes/no/don't know
6 Give equal rights to **Christians** in all jobs etc.? Yes/no/don't know

Pakistan where religious differences play no role, figures importantly in Kelly's book. On the other hand, the Matric books breed an exclusionary identity centered on Islam, with other religions playing little role in the vision of Pakistan. This is reflected in their attitudes.

Because there is selection into elite schools (on student intelligence and on family economic status, and perhaps on family attitudes themselves to some degree), we cannot conclude that the effect of the two educational systems on attitudes is causal; but there is some evidence that O Level students have more tolerant and less anti-India attitudes than Matric students, and that this is consistent with the content in their respective curricula.

Discussion and implications

The O Level Pakistan Studies curriculum deals with pre-partition and post-partition history and politics in a more nuanced and intelligent manner than the Matric texts – with supporting details and facts, posing questions that ask students to reconcile different and opposing sources of material. The O Level textbook is less focused on Islam and more inclusive and tolerant than the Matric textbooks. It tells both sides of the story, Hindu and Muslim, in the time leading to partition, and acknowledges that the parting of the ways was a political process rather than an inevitable outcome; it discusses periods of Hindu–Muslim cooperation along with conflict.

The Pakistan "ideology" is not even mentioned once in the Cambridge texts – the books are objective, not ideological, in contrast to the Matric textbooks, which center themselves on the religious ideology construct. The O Level books use measured tones, whereas the Matric book uses, in turn, victimizing and glorifying ones. The main Cambridge text teaches the value of evidence and asks students to reconcile differing sources of evidence, developing their critical thinking skills. The Matric textbook requires them to memorize statements, including those spewing conspiracies and hate. These curricular differences are reflected in better attitudes on a number of dimensions for O Level students relative to Matric students in Pakistan: on jihad, war against India, and tolerance for minorities.

The differences between the two curricula are likely exacerbated as adults for these students. The rote learning required by the Matric assessment leaves students ill-quipped to counter problematic narratives they encounter elsewhere or later in life, such as those in the media. They tend to accept such narratives at face value, especially as these fit in with what is taught in schools. The elite O Level curriculum sets the stage for reasoned thinking on these topics, even when faced with propaganda in the media and elsewhere.

The two systems create two different types of citizens: the Cambridge student is analytical, can think critically, understands how history evolves, understands what constitutes evidence. He or she understands the political process leading to the creation of Pakistan, that there are two sides to every story. She can reason when faced with conspiracy theories. She has been challenged as part of understanding history. The Matric student is essentially not prepared on any of these fronts, and is particularly vulnerable to conspiracy theories since the books promote a sense of victimhood. He or she has a one-sided view of the world in favor of Pakistan and Muslims. Her sense of nationhood and national identity is defined on the basis of religion alone. She is threatened by India and the West. This student has a poor sense of his own country's history, having had to memorize a set of stereotypes.

The need for curriculum reform in Pakistan's official Matric system – on content and methods – is fairly obvious. But re-conceptualizing and rewriting curricula is difficult and time consuming. In Pakistan, reform has been opposed by various key elements in the process: the curriculum reform committees, the textbook writers, the textbook reviewers, and religious political parties (Afzal 2015). An effective curriculum reform has thus proved to be a non-starter and politically infeasible.

This research offers a way forward for Pakistan Studies curriculum reform in the country: using the O Level books and curriculum, which are far superior in terms of content and

methods than the Matric texts. There are some problems – a first chapter on Islamic thinkers that includes a number of mentions of jihad, and a narrative, especially in the time period pre-partition, that runs parallel to that in the official curriculum. But to the extent that the O Level curriculum and textbooks already exist and are approved by the Pakistani government, one can argue that it is politically and logistically feasible to switch all secondary schools to the O Level Pakistan Studies textbooks, translated into Urdu.

There would be challenges to this, with underpaid, undertrained, and poorly motivated teachers; Matric students who have never been challenged to think for themselves; and class sizes that make asking questions and having discussions difficult. But the books can be simplified, at least for a transition period, and made accessible to a Matric audience. Chances are that Matric students will adapt quickly to the challenging curriculum.

Teachers will need to be trained extensively, and critical thinking introduced early on in the system. There is also a political barrier to surpass, with opposition to curriculum reform.

But there is one thing that does not need to be done: to rewrite textbooks. They are already in existence.

Notes

1 Up until the 18th amendment in 2010, the federal curriculum wing issued the official Matric curriculum, and the four provinces wrote their own textbooks based on the curriculum guidelines. Since 2010, the provinces bear the responsibility to outline curricula. Textbook boards in each province traditionally wrote the textbooks, but a 2007 policy change mandated that the textbook be chosen through a competition between private publishers; the implementation of this policy has been staggered, and textbook boards still pitch in where needed.
2 The textbooks are typically developed in Urdu (and a majority of students study the books in Urdu) – and the English version, on which my textbook study is based, is a direct translation of the Urdu version.
3 Rahman selected his schools through non-random stratified cluster sampling, and his sample sizes are small.

Bibliography

Afzal, M. (2015). Education and Attitudes in Pakistan: Understanding Perceptions of Terrorism. *Special Report 367*. United States Institute of Peace.

Apple, M.W. (2004). *Ideology and Curriculum* (3rd edn). New York: Routledge.

Aziz, K.K. (2010). *The Murder of History: A Critique of History Textbooks Used in Pakistan*. Lahore: Sang-e-Meel Publications.

Bajwa, F.N. (2002). *Pakistan: A Historical and Contemporary Look*. Karachi: Oxford University Press.

Cambridge International Examinations. (2015). Cambridge O Level Pakistan Studies Syllabus.

Hoodbhoy, P. and Nayyar, A.H. (1985). Rewriting the History of Pakistan. In A. Khan (ed.) *Islam, Politics, and the State*. London: Zed Press.

Kelly, N. (2015). *The History and Culture of Pakistan*. London: Peak Publishing.

Nayyar, A.H. and Salim, A. (2003). *The Subtle Subversion: The State of Curricula and Textbooks in Pakistan*. Islamabad: Sustainable Development Policy Institute.

Pakistan Studies, Class 9. (2013). Lahore, Pakistan: G.F.H. Publishers.

Pakistan Studies, Class 10. (2013). Lahore, Pakistan: Gohar Publishers.

Pakistan Studies for Secondary Classes, Class IX–X. (2002). Lahore, Pakistan: Punjab Textbook Board.

Rahman, T. (2004a). *Denizens of Alien Worlds: A Study of Education, Inequality, and Polarization in Pakistan*. Oxford: Oxford University Press.

Rahman, T. (2004b). Denizens of Alien Worlds: A Survey of Students and Teachers at Pakistan's Urdu and English Language-Medium Schools, and Madrassas. *Contemporary South Asia* 13 (3): 307–26.

Talbani, A. (1996). Power, Pedagogy, and Discourse: Transformation of Islamic Education. *Comparative Education Review, Special Issue on Religion*, 40 (1): 66–82.

Ullah, H. (2014). Vying for Allah's Vote: Understanding Islamic Parties, Political Violence, and Extremism in Pakistan. *South Asia in World Affairs Series*. Washington, DC: Georgetown University Press.

17

PAKISTAN'S PHILANTHROPIC EDUCATION ALTERNATIVE

Marie Lall

Introduction

Article 25-A of the Pakistan constitution guarantees education to all children until the age of sixteen. Despite this commitment, the education system faces issues of resources, access, high drop-out rates, low teacher retention, gender disparities, and low quality of teaching and learning (ASER 2014). In 2015 it is estimated that 25 million children between the ages of 6 to 16 are outof school. Learning levels of those attending schools have deteriorated over time, while the gender gap in both literacy and numeracy skills has persisted (ASER 2014). Disparities in quality of education also exist between provinces, as well as across rural and urban areas. Private schools, especially Low Fees Private Schools (LFPS), have emerged as an alternative to government education, however only catering to a small percentage of the population, and remaining inaccessible for the poorest segment of society (Muzaffar and Bari 2015). The government has also sought help from the private sector in the form of public–private partnerships (PPPs), whereby the private sector takes over or adopts a government school and runs it.

In the continuum between government schools and private schools, philanthropic schools have started to try to help solve Pakistan's education crisis. Many studies have looked at LFPS, however much less is known about philanthropic school networks. This chapter looks at two alternative philanthropic schooling models that have emerged. The first are the adopted government schools run by CARE Pakistan, that follow the PPP model and the second are the 1,000 schools built and run by The Citizens Foundation (TCF), which would normally be classified as LFPS. However, given their philanthropic roots both organisations operate differently from the private sector in general and merit separate scrutiny.

Background

Pakistan's education crisis

The education system of Pakistan consists of 260,200 institutions that cater for 42,918,801 students with the help of 1,598,334 teachers (*Pakistan Educational Statistics 2013–14*). The poor standard of education has been an enduring feature of the educational landscape of Pakistan since its existence. Students' low achievement level and high dropouts have been particularly problematic in the primary education sector. The total number of out of school children at

primary level is 6.2 million of which 58 percent are girls (*Pakistan Education Statistics 2013–14*). The gender gap in both literacy and numeracy skills has persisted (ASER 2014). Disparities in the quality of education also exist between provinces, as well as across rural and urban areas. These disparities include the availability of teachers in remote areas, as well as big differences in the physical infrastructure with some schools not having toilets, drinking water or boundary walls (Shams 2016).

Interestingly, the nationwide average teacher–child ratio is at 34:1, which should provide reasonable opportunities for teacher–child interaction and lead to better learning outcomes.[1] However, the statistics consistently show weak academic performance of students (NEAS 2006; ASER 2013; and ASER 2014). To improve quality and reduce the dropout rate of students the government has allocated many resources over the decades. Local and international donor agencies has come forward to advise on what is not working with regard to the public teaching system and the government provision of professional development for teachers (Shams 2016). Many large programs and small projects have been launched to enhance access, reduce dropout rates and improve the quality of education; however, all these programs have been implemented in isolation from each other and generally without focus on sustainability (UNESCO and USAID 2006). In addition, in the absence of any effective oversight and regulation by the government, the variety of education institutions (e.g. government, a range of private schools, religious schools and community-based schools) make it difficult to assure quality (ASER 2014). Teachers are key to the success of a good education system; however, in Pakistan they are continuously confronted with issues such as low levels of competence, lack of classroom-based support, poor quality textbooks and learning materials, poor systems to assess student learning outcomes, uneven supervision, lack of accountability, lack of incentives, little hope of a career path, and no motivation (UNESCO and USAID 2006).

The private sector as a solution?

As the government sector continues to weaken, private schools, especially Low Fees Private Schools (LFPS), have emerged across the country since the 1990s, claiming to provide quality education. While there is slight improvement in student learning outcomes when comparing government and private schools, students continue to underperform. For example, learning indicators in rural areas suggest that 60 percent of class 5 children enrolled in a private school "were able to read at least" a "story in Urdu/Sindhi/Pashto", against 42 percent of government school students. For the urban centres, the figures indicate 64 percent of private school students performing the same task against 54 percent of government school students. In arithmetic, similar indicators existed – 54 percent in private schools performing better than 37 percent in government schools (rural); 59 percent in private schools against 44 percent in government schools (urban) (ASER 2013: 77, 87). This means that public confidence in the government system continues to be eroded. However, LFPS only cater to a small percentage of the population, and remain inaccessible for the poorest segment of society (Muzaffar and Bari 2015). Today, 77 percent of students in government schools are from a poor background (Saeed and Zia 2014: 19). Furthermore, the quality of private schools also fluctuates depending on location, and are often under-resourced in rural areas and in the slums in urban centres. Far from improving the education system, LFPS have further created learning disparities, exacerbating socio-economic inequalities across the country. Despite the private sector being hailed as a panacea, the primary responsibility of providing high-quality education to all children remains with the government, not least because it still caters to areas where the private sector won't operate because it can't make a profit.

PPPs – another way forward?

Partnerships between the government and the private sector are often hailed as the answer for public services that are unable to deliver adequate levels of provision and where the private sector alone cannot reach the whole population. Development agencies, international funding, and governments with limited capacity to raise finance through tax or loans increasingly promote the expansion of private-run services in health, education, water, and transport (MacPherson et al. 2014; Unterhalter 2015). Three provincial governments (Punjab, Sindh, and KP), in their efforts to improve education accessibility and delivery, have entered into a public–private partnership with NGOs, individuals, and other private sector entities through the "Adopt A School" (AAS) program, with a view to addressing the issue of 25 million children between the ages of 6 to 16 being out of school. This partnership has been instrumental in improving both the infrastructure and quality of learning in government schools. Some schools have been picked up by philanthropic organisations – the largest of which is CARE.[2]

The Institute of Development and Economic Alternatives' (IDEAS) study of the AAS program shows how adopted schools have increased student enrolment, provided greater teacher and management support, and also better provision of basic facilities and infrastructure compared to un-adopted schools (Malik et al. 2015: 17–22). Learning outcomes for students in the AAS program in Punjab illustrates "significant" improvements, whereas indicators for Sindh are "ambiguous" because of lack of sufficient longitudinal data (Malik et al. 2015: 23–4). The AAS program includes "four to six step improvement models" comprising "assessment" and "mobilization to implementation of change, sustained change over time and exit" (Jamil 2014: 15).

The program under the Sindh Education Foundation has grown to include nearly 510 government schools, adopted by 78 organisations and 13 individuals that support the existing 3,791 government teachers, and which have hired an additional 482 teachers (AASP 2015). Punjab has nearly 600 schools as part of the AAS program, and has witnessed similar changes, especially in improved learning outcomes (Malik et al. 2015: 42). However, while over 20 adopters support the AAS program in Sindh, Punjab has no more than 5 major organisations adopting schools (Malik et al. 2015: 29). The KPK province launched a 'Tameer-e-school programme' in 2014 that that borrows from the AAS model, but primarily involves wealthy individuals, NGOs and private enterprises for financial contributions towards school infrastructure. It did not take off but was re-launched in 2016 (*Express Tribune* 2016). The Baluchistan province is not involved in any AAS program yet. Despite such initiatives by provincial governments, there is no sustainable policy about the AAS program. The program remains "miniscule" – less than 1 percent of total schools in Punjab and Sindh have been adopted (Bano 2008; Malik et al. 2015: 42). There are no mechanisms for handing back adopted schools (Malik et al. 2015: 39). The kind of school adopted often depends on the adopter (Bano 2008: 11), and not all adopters are permitted to reform the curriculum (Bano 2008: 11). Adopters have different motivations for adoption and the elements across adoption programs are not uniform. At this point, it is unclear what works and why.

Philanthropic education alternatives

As the private sector becomes increasingly involved in Pakistan's education landscape, it is important to shed some light on one type of private sector provider that is not linked to the profit motive and aims to mostly serve the poorest sections of society – the philanthropic organisation. Pakistan has many philanthropic organisations, some headed by individuals, and others operating more like large companies. In general these organisations try to plug the gaps left in

public and low-fee private sector provision. Increasingly, poorer sections of society have come to rely on them to address health and education issues. These communities often live in areas where there is no government provision and where the private sector does not want to go, as no profit is to be made. Often funded by public donations, through Zakat, these organisations focus on marginalised communities, allowing children with different needs to access education. Philanthropic organisations at times work in partnership with the government in a PPP format, but more often than not deliver services in parallel to state based provision.[3] This chapter examines two different models – TCF and CARE – as examples of Pakistan's wide and varied philanthropic sector, focusing on their successes as well as the issues that emerge when the government sector starts to abrogate its responsibilities.

The Citizens Foundation (TCF)

Pakistan's largest philanthropic school model is run by The Citizens Foundation (TCF) who focus on building their own schools (Lall 2009). TCF came into being in 1995 when a group of six friends, all entrepreneurs and chief executive officers (CEOs) of their own companies, decided to build schools in Karachi for the most disadvantaged living in urban slums who had no access to any form of education (public or private) whatsoever. Their desire was to take children off the streets and put them into schools. Out of this evolved the aim to provide quality education for the poor. Today the objective has evolved yet again to build citizenship and create agents of positive change that can perpetuate what TCF has started.

Originally TCF wanted their schools to be completely separate from the government system and created a model that included building new high-quality schools in areas where there were no schools (such as slums or remote rural areas), and running the organisation like a corporation. Often TCF schools are classified as LFPS as they levy a fee of between 10 and 175 rupees per child depending on family background and level of study.[4] However, this does not cover the cost per child and unlike other LFPS, TCF makes no profit and has to cover all expenses by raising money from donors, making it the flagship philanthropic system. The number of schools has grown rapidly since 1995 when they started with three schools in three different Karachi slums. In 2008 there were 530 schools across all four provinces catering to 60,000+ students and in 2015 there were 1,060 schools with 165,000+ students.

The TCF model has some particular features that have been essential in the operation and expansion of the system. Building schools where there is either no access to any education whatsoever or where local government schools are inadequate[5] or oversubscribed means that there is a real local demand for the school, and often a new school will find itself full within days of opening. The new, solid, well-designed buildings with lots of air and light mean there is little need for maintenance, and the schools are attractive to all, not only the poorest segments of society.[6] Every school has a library with two computers, secondary schools have science and computer labs; all schools have enough bathrooms for both girls and boys, a courtyard with plants, a teachers' room, a room for the principal and one for the accountant. The design of the school is taken very seriously[7] – there is no overcrowding: every classroom has thirty chairs and therefore no more than thirty pupils. When the parents demand more space the school opens an afternoon shift. TCF has developed the cluster concept of three primary schools and two secondary schools (one for boys and one for girls) in close proximity – allowing for the three primary schools to feed the two secondary schools. More recently a small number of upper secondary schools have also opened and in Karachi TCF has opened a college in 2016.

In order to make sure that the quality of education is maintained, TCF started to develop its own books and materials for the primary schools, including teacher guides that ensure that all

children across the TCF schools cover the same material. Teachers are an essential part of the TCF system. Once selected, teachers are offered pre-service training. TCF also offers further in-service training so that teachers feel they are able to progress in their careers. The training has been so successful that teachers who have been trained by TCF are often coveted by the private sector schools, creating turnaround issues. However, TCF founders believe that any TCF teacher who leaves will still be doing good work in whatever school she ends up. TCF only employs female teachers to ensure families are comfortable sending their daughters and giving career prospects to women in rural areas. This creates local role models for children, but also for the wider community. Teachers are also provided with transport via a private car no matter how far away they live to ensure security and to make sure that their families are comfortable with their daughters leaving the house safely. Teacher achievement is recognised annually in every area and teachers who have not been absent and have other special achievements are recognised publically so as to maintain motivation. Beyond the teachers TCF employs local staff as ayahs and chowkidars (guards/gatekeepers) to ensure a continuous involvement with the local community and guarantee pupil attendance.

Another aspect of the TCF model is the managerially devolved structure divided into regions and areas with managers at each level, dealing primarily with infrastructural and managerial issues.[8] The education team oversees training and quality assurance, ensuring that there is not much difference between the schools no matter where they are located.

TCF is often classified as a low-fee private school as it requires parents to pay fees. TCF has developed a reasonable fee structure with all families paying at least a minimum fee of Rs.10 per child per month, going up to a maximum of Rs.175 per month at primary level (Rs.250 at secondary level), ensuring that each child is subsidised for the rest of the cost, which is around Rs.900 per child per month.[9] A large part of the success of this model has been the platform for donations across Pakistan and abroad that includes the Pakistani diaspora and that ensures the per child subsidy. The network created by the founders leverages the social responsibility framework of companies and individuals alike. Without regular donations that cover not only the new school buildings but also teacher salaries and maintenance fees, schools would have to close.

The social effect of TCF in the areas where they have built schools is tremendous. The greatest impact is the TCF legacy, when a former student returns as a teacher to give back or a volunteer who connects with the cause. The other major impact has been on and through principals who have become true leaders within the community they serve. Their strength is in becoming accepted and respected by the local community, as well as by their teachers, as they are the vital link between all the various stakeholders.

TCF has also shown that it has had an impact on changing social norms in conservative societies. Breaking social barriers takes time, often a generation or more. However, in the areas where TCF schools have been established for around a decade, many of the issues that divide communities have been either reduced or are totally absent (Lall et al. 2013).

CARE

CARE has its origins in the 1988 floods that hit most of the villages around Lahore. The founder, Seema Aziz, started to help flood-affected people rebuild their homes, raising funds for this among family and friends. Very soon it became apparent that the biggest need was for a school to be built that could serve the local community. CARE 1, the first school, opened in 1991. The philosophy behind building this school was not that education is an equaliser, but that only equal education is an equaliser. The school was an English medium co-ed school from the start, catering at first from class 1 to class 5. As the children came through the school, it had

to become a secondary school, offering classes first to matriculation level and later till class 12. The first class graduated in 1995, as the older students were allowed to jump classes once they mastered the material. In the first year approximately 250 students attended the school, in the second 450, and after that the numbers rose to 800 plus. After three years the school had to open a second shift, as demand continued to rise. Class sizes were around 40 students to a teacher. The policy was to open a new section if the number of students in a classroom rose above 45 and not to turn anyone away.

CARE's original aim was to build only one school. This school would offer equal education in English, so that students would be able to study science and engineering and compete with children of the middle classes. However, there was demand for more schools from different communities and CARE started to grow. As land was donated, Seema Aziz raised funds to pay for the buildings and the staff. It soon became clear that creating a parallel private system to the government schools would be very slow and would never reach all those who needed education. The government of Punjab asked CARE to take on government schools and CARE took on 10 on the condition that CARE would have the right to monitor and check. CARE undertook basic repairs, adding extra classrooms, fans and lights and made the schools co-ed at primary level, putting in female staff, even in boys' schools. The government continued to pay the salary of the government staff. After a year the 10 schools had been turned around. In 1999/2000 CARE was asked to take on more schools and they adopted 15 new schools. The next step was to take on 140 schools in one Lahore town. Today CARE runs 267 schools (including 80 double shift schools). There are 105 primary schools, 54 middle schools, 106 high schools and 2 higher secondary schools. Of these, 244 are adopted government schools and 23 are CARE owned schools; 153 are located in urban areas and 114 in rural areas, mainly across Punjab, with some schools in Sindh. CARE has recently started the process of adopting schools in KPK.[10]

CARE's philosophy is that education is a right and that while the government has a duty to provide education, civil society has the duty to support the government. CARE's system is about strengthening the government system, empowering the nation through education and equality of opportunity. It is CARE's goal to educate one million children by 2018. In 2015 they employed 2,800 teachers in all of its schools (2,298 in adopted schools), and catered to a total of 175,000 students. At the time of writing CARE is the largest network of adopted government schools across Pakistan.

Key to the success in the adoption program has been the improvement of the teaching environment. This includes renovating derelict government school buildings to make classrooms usable again, building extra classrooms (and toilets) if and where necessary, staffing the school with CARE trained teachers and providing an internal coordinator to the school who not only helps the CARE teachers with their work, but who also records teacher attendance, making sure that absent teachers were replaced by others and provide a communication line between the head teacher and CARE as an organisation. In some cases the internal coordinator has been able to help "upskill" willing government teachers in terms of teaching methodology. All CARE in-service training is open to government teachers as well, and although uptake of these programs is not as high as it could be, it does allow for teachers across the different systems to train together. CARE's adoption program has to be seen as a collaboration with the government as government teachers and head teachers remain in place (and cannot be fired or moved), all local children have to be admitted according to Punjab's education policy regardless of the teacher student ratio, and no fees can be levied from local families.

CARE runs both its own schools and government schools that it has adopted. CARE schools don't differ much from other schools that are run by philanthropic organisations, in that they offer new buildings with basic facilities and a reasonable student–teacher ratio. However, the

work that CARE does in government schools is innovative and has immense local impact. All the adopted government schools visited had been turned around entirely through their collaboration with CARE.[11]

All adopted government schools that were visited during the fieldwork had undergone a dramatic and profound transformation. Many had few students and few or no teachers at the time when CARE stepped in.[12] Over a number of years of working with CARE, and the provision of regular education through CARE teachers, more children have started accessing these schools year on year. Consequently, the government head teachers of these schools began to request more government teachers from the authorities. After around a decade, teacher and students numbers in these schools have increased dramatically, and in some cases the government has responded by even providing buildings and other materials such as computers. Evidence was collected in 5 of the adopted schools visited that parents who had previously sent their children to low-fee private schools because of teacher absenteeism and the low quality of the facilities had returned and were sending their children back to the government school as the quality of education was seen as better than the local private provision since CARE had come in.

The effects of philanthropic schools in Pakistan

Achievement

While Pakistan's overall education achievements are low, TCF's average matriculation pass rate is 91 percent and CARE's average matriculation pass rate is 81 percent, higher than the government average.[13] No specific work has yet been done to see if and how philanthropic schools differ from other non-government schools – such as LFPS, or other PPPs that the government might have with non-philanthropic bodies. As was mentioned earlier, LFPS seem on the whole to produce higher achievement results than their government counterparts. What stands out is that both TCF and CARE aim to provide quality education for all equally – regardless of gender, religion or ethnicity, and in targeting the poorer sections of society, they offer higher achievement rates to those who might otherwise only be able to access lower performing government schools.

Gender

Both TCF and CARE have had some notable effect with regard to gender. In particular the fact that TCF only hires female teachers and most CARE teachers are women means that they offer an employment and career pathway for women that allows for professional growth, even for those who are married into more conservative families. TCF's work has resulted in more girls attending school, even in areas where parents prefer to keep their daughters at home. In KPK over-aged girls were sent to school after the Agahi programme[14] because the school had female teachers. In Sindh, even Sindhi families sent their daughters to school, at least till the end of primary school. In areas where there are alumni teachers the perception of education for girls has totally changed. Mothers who had previously not visited schools, like the Kohistani community, in one area started to come and engage with teachers directly. Teachers also report that gender barriers are broken as they are allowed by their families to travel for training without a male accompanying them. This is particularly the case with principals who take on the leadership role and responsibility for a school. In those families, women are regarded differently – partly because they have a job and contribute to the family finance, partly they are respected because of their education and/or leadership skills.

CARE's most notable achievement with regard to gender has been to introduce female teachers in government boys' schools that previously only had male teachers. This happened when CARE had no other option but to supplement the number of staff with CARE teachers who happened to be female. This was resisted at first, but as head teachers started to realize that the CARE staff worked better for younger children and that CARE teachers brought in new teaching methods, this eventually became acceptable to the administration. Another important achievement was the introduction of co-education in government schools that were not explicitly reserved for girls where CARE managed to get both girls and boys admitted in the primary sections. As of grade 5 government head teachers insist on separate sections, following Punjab's school policy, and often girls' education is relegated to the afternoon shift, so that they do not encounter boys. Despite this separation CARE has quite evidently increased the number of places where girls can get basic primary education. This was well received by parents who wanted to put siblings into the same school.

The gender issue becomes even more critical at college level, when many girls cannot continue their education in grade 11 and 12 because the college is too far away from their home. Consequently, CARE has tried to open college-level classes in adopted government schools that are reserved for the girls in the local area, so that they can continue their education after matriculation. College-level education for girls is often requested by parents and older brothers and as parents become comfortable with a school they don't want to send girls far away. This is seen as particularly important as girls can then get into higher education and become teachers themselves. Research has shown that brothers in particular are very proud when sisters came back to teach at the school they have studied in. Research in TCF schools showed that the local community had greater confidence in the schools if girls who had studied there came back as teachers. The families felt their girls coming back to serve the community as teachers was one of the most important legacies of the relevant philanthropic school.

Impact in the local community

TCF and CARE schools enrol children from all ethnic and religious backgrounds. More and more lower-middle-class parents try to get access to a TCF school when they are unhappy with the local government or private provision. Often the local demographics are reflected in the classrooms, with different ethnic and religious groups sitting side by side. Research has shown how the TCF schools were able to bridge gaps and prepare the students to live in a multi-ethnic and multi-religious Pakistan.

TCF helped reduce ethnic and religious barriers mainly through installing a "house system". While previously children might have preferred to sit along ethnic (and minority or religious) lines, their identity is now dictated by the house they are placed in. In addition to the house system, teachers credit the assembly routine and the social studies books for such behaviour changes:

> There are some households that have this mind-set but we teach our children that humanity has no religion and all religions preach goodness; Initially, we had problems with ethnicity and religious difference amongst students, but now they have reduced. We tell children that all humans are equal, be it any community, religion, ethnicity or gender. In the students' week, when we had the naat competition, the Hindus and Christians recited their prayers.
>
> *(TCF teacher)*

While many parents say that there were no issues between the various communities and that children played with each other, the principals of the schools often told a different story, of children refusing to sit next to each other, or families having no social interaction apart from at funerals. They felt that the schools helped erase these differences. In one case, the issue was of class, as the father of a student did not want to have children from the "servant background" studying alongside his son. As more middle-class students access TCF schools, such class differences are again erased through the house system.

Tolerance, acceptance, and respect towards others are what the teachers say they focus on when asked about how to overcome differences. The house system has been a success as children take care of each other in the same house, learn teamwork and how not to give up.

But barriers remain. In some areas families still prefer the girl to remain at home and help with the housework as of a certain age (especially in rural Sindh). In others, children are taken out of school on a seasonal basis due to the availability of work. In one community in a Karachi slum the fisheries season means that pealing shrimps will bring in lots of money, so all children have to work.

Breaking social barriers takes time, often a generation or more. However, in the areas where TCF schools had been established for around a decade, many of the issues were either reduced or totally absent. In addition, research into the local communities around TCF schools show that the areas around the school have improved in terms of cleanliness. TCF's adult literacy program and CARE's English program for staff and the local community mean that the schools don't only serve families with children, but instead help everyone.

Issues – a particular focus on teachers

As detailed above, the two models of philanthropic schools have had immense impact in the local community with regard to increasing the number of students from poor communities in schools and increasing the number of schools in difficult areas. "Access" and "quality" are met and more and more policy makers are looking to such organisations as models for repairing what is broken in Pakistan's education system (Citizens Foundation 2016). However, these models also have their weaknesses, and much of it lies in the "value for money" model that is necessary to keep donors happy. While TCF in particular makes sure that the schools they build are full of air and light, and no one would feel this is a school for poorer sections of society, the same investment is not made in teachers. Teachers both at CARE and TCF are often taken for granted – the sector relies on a steady stream of women to carry the system forward.

First of all there is a variable level of pre-service training – the women (mostly women in the case of CARE and only women in the case of TCF) are simply expected to pick up the necessary skills. Pre-service training can last from a few days to three months. New teachers in effect learn on the job with peer support, and often this depends on the skills and support of the head teacher. Philanthropic schools do not require a teacher qualification/license and there is no government regulation of the teaching profession outside of the state sector. Unfortunately this means that teaching is not treated like a "profession". Both CARE and TCF point to their regular, good-quality and tailor-made in-service training but this cannot replace pedagogical knowledge that is needed when starting a career. Research shows that young teachers lack trust and this is also due to lack of training.

Research on teacher efficacy shows that the belief that one is doing work successfully and the notion that one can make a difference in a broader sense, where an individual's work or decisions can produce positive change in the system, is essential for an education system to be strong

and successful (Beck and Murphy 2016). The teachers at TCF and CARE believe in the system they are serving as their job is about changing society. This is unlike teachers in government schools and it raises the question of whether it is fair to exploit this.

> A good teacher has an impact on the whole family and whole generations. Teaching well has a positive impact. CARE has mothers' meetings, to make them aware of the importance of education. Families have to be involved, otherwise it won't work. [. . .] The area is starting to change – when they [the people] see children well groomed, confident. It is very slow. Parents have a choice because there are lots of schools. But families from good families choose to come here because the standard has improved a lot.
>
> *(CARE teacher)*

Motivation is key – without motivation classroom effectiveness decreases, reducing the quality of the student experience (Selvam and Chamundeswari 2014). And while teacher motivation is mostly linked with the teacher's attitude to work and work environment, motivation is also linked to growing responsibility, promotion, and equivalent remuneration. However, the salaries of teachers in philanthropic schools are often based on minimum wages for unskilled workers and based on a half-day working time. Since the teachers have no "official" qualification, they are paid a fraction of what their government counterparts earn. In adopted school settings, low-paid teachers work alongside their higher paid government teachers. The philanthropic system, however, relies on them and the schools could not function without them, raising a bigger issue about how the essential element that makes the philanthropic schools work – the teachers – needs to be recognised and better supported.

Conclusion

Philanthropic schools are a separate sector of education in Pakistan. They share a number of elements with the low-fee private sector, but since they are not driven by profit they also have very different ways of working. While there are an increasing number of philanthropic schools, this chapter reviewed the two largest networks, TCF and CARE, focusing on what they have contributed to Pakistan's education landscape. However, given the rapid expansion of the sector and the importance of providing quality education to the most disadvantaged sections of society, the reliance on a large undertrained and unqualified teacher work force is a risk that needs to be addressed.

Notes

1 In reality, however, the teacher student ratio is much larger due to teacher absences and depending on the distribution of teachers across school in urban and rural areas.
2 CARE also has its own schools, which are not discussed here.
3 In education – as the "adopt a school" program expands, PPP is becoming an increasingly popular model and in time the collaboration between government and philanthropic organisations might become the dominant model. However, PPPs with philanthropic organisations are still quite new.
4 The fee is seen as a "contract" between the family and the school, ensuring that parents do not take their children out of school arbitrarily. Even the low level of fees ensures the education the child receives is seen as "valuable". It is expected that all families spend 5 percent of their monthly income on the education of their children.
5 Mainly due to teacher shortages or absenteeism, but also often due to inadequate infrastructure such as no toilets for girls or boundary walls.

6 Part of the issues faced by head teachers is the demand by lower-middle-class parents who want to send their children to a TCF school rather than the nearest government or LFPS.
7 One of the founders was an architect.
8 TCF often employs retired army staff to access and oversee remote and difficult, and sometimes dangerous areas where the schools are located. This has worked well and means that schools in conflict areas which might not be safe to access for ordinary civilians are still run efficiently.
9 Books and uniforms are free for those on the lowest fees.
10 CARE was awarded 100 new schools for adoption under PEF in 2016.
11 CARE owned schools levy a marginal fee, depending on the means of the family and the level of schooling. This is normal and is done by most philanthropic schools. In most cases the fee hardly covers the cost of the education the child is receiving, however it represents an agreement between the school and the family. This cannot be done at a government school where education is free at the point of access.
12 Exact numbers were only provided for one school, however the head teachers of all schools were able to broadly explain that student numbers had increased exponentially after CARE provided better facilities and teachers.
13 In 2015 the Overall Average Result for matriculation was 86 percent (sciences category) and 76 percent (arts category). Overall Average Result, Lahore: sciences category – 79 percent and arts category – 59 percent.
14 Adult literacy program offered by TCF.

Bibliography

AASP (Adopt a School Programme) (2015). Available at: http://www.sef.org.pk/aasp.php.

ASER (Annual Status of Education Report) (2013). Pakistan. South Asian Forum for Education Development and Idara-e-Taleem-o-Aagahi. Lahore.

ASER (Annual Status of Education Report) (2014). Pakistan. *South Asian Forum for Education Development and Idara-e-Taleem-o-Aagahi*. Lahore.

Bano, M. (2008). Public Private Partnerships (PPPs) as "Anchor" of Educational Reforms: Lessons from Pakistan. *Education for All Global Monitoring Report 2009 Overcoming Inequality: Why Governance Matter*s. UNESCO and EFAGMR.

Beck, L. G. and Murphy, J. (1996). *The Four Imperatives of a Successful School*. Thousand Oaks, CA: Corwin Press.

Citizens Foundation (2016). Available at: http://www.tcf.org.pk/tcf-in-media/tcf-takes-over-management-of-89-government-schools-across-pakistan/.

Express Tribune (2016). Rising from the Ashes. Available at: https://tribune.com.pk/story/1046952/rising-from-the-ashes-tameer-e-school-programme-to-be-launched-again-peshawar-city/.

Jamil, B. (2014). Human Development and Youth in the Context of Educational Public Private Partnership in Pakistan. *National Human Development Report 2015 – Contributing Author's Think Pieces*. UNDP.

Lall, M. (2009). *Creating Agents of Positive Change – the Citizens Foundation in Pakistan*. TCF, Karachi.

Lall, M., Bhagat, A., Batool, R., Kamal, S. and Miret, R. (2013). *TCF's Impact in the Community – a Review*, The Citizens Foundation, Karachi.

MacPherson, I., Robertson, S. and Walford, G. (2014). *Education, Privatization and Social Justice: Case Studies from Africa, South Asia and South East Asia*. Oxford: Symposium Books.

Malik, R., Bari, F., Muzaffar, I., Khan, M., Mashhood, T., Mansoor, M. and Ali, A. (2015). Partnership for Management in Education: Evidence from Punjab and Sindh. *Institute of Development and Economic Alternatives (Ideas) Lahore*.

Muzaffar, I. and Bari, F. (2015). Improving the Public Sector Schools in Pakistan: Strategies for Introducing Voice into the System. *Educational Crisis and Reform: Perspectives from South Asia*. Pakistan: Oxford University Press.

NEAS (National Education Assessment System) (2006). World Bank Web Page on Pakistan. Available at: http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTEDUCATION/0,,contentMDK:22021292~menuPK:282424~pagePK:64020865~piPK:149114~theSitePK:282386,00.html.

Pakistan Education Statistics 2013–14. National Education Management Information System. Academy of Educational Planning and Management. Ministry of Federal Education and Professional Training. Government of Pakistan.

Saeed, S. and Zia, H. (2014). Gender and Educational Inequality – Addressing the Marginalized. *Annual Status of Education Report (ASER)*. Pakistan.

Selvam, P. and Chamundeswari, S. (2014). Social Support at Work, Home Environment and Performance of Teachers at the Secondary Level. *International Journal of Science and Research*, 1 (4): 37–50.

Shams, F. (2016). *The Effect of International Aid on Education in Pakistan*. Unpublished doctoral thesis, UCL Institute of Education, London.

Sustainable Development Policy Institute and Alif Ailaan (2015). *Alif Ailaan Pakistan District Education Rankings 2015*.

UNESCO and USAID (2006). *Strategic Framework for Teacher Education and Professional Development*. Pakistan.

Unterhalter, E. (2015). Global Inequalities, Multipolarity, and Supranational Organizations Engagements with Gender and Education. *Journal of Supranational Policies of Education (JOSPOE)*, 3: 10–28.

18

SANCTIONING SUBORDINATION?

The politics of gender laws promulgation and reform in Pakistan

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Introduction

What explains why a state adopts pro-women or restrictive/discriminatory laws on gender?[1] Political science scholarship on this important question points to a number of factors including the type of government. Democratic governments are generally regarded as being more pro-women than authoritarian ones as they expand individual freedoms, promote human rights and guarantee citizen equality. In that way, democracies can enhance gender equality, increase opportunities for women's participation in public life and ultimately orient legislation in a more pro-women direction. Yet, by opening the door for both liberal and illiberal influences on public policy democratic rule can also be more conservative toward gender equality in both state and society than authoritarian regimes which have a more "insulated" decision-making process (Htun 2003).

Using the case of Pakistan, this chapter suggests that while the type of government might be important it does not sufficiently explain the variation in the adoption and nature of laws pertaining to women, such as legislation on divorce, inheritance, adultery, rape, domestic violence and sexual harassment, neither does it adequately explain the patterns of gender law reform. Instead, looking inside the "black box" of regime type reveals that a regime's political ideology (articulated and practiced) and its coalitional compulsions, or *intra-regime dynamics*, and their interaction with *gender-related activism* by feminist groups and individuals critically shape the promulgation, content and reform of gender laws. This chapter also shows that, once instituted, laws and policies tend to produce their own "politics" which in turn facilitates and/or constrains future law-making (Pierson 1993).

Like many other states of the Middle East and Latin America, in Pakistan conflicts over defining and regulating the proper role of women in society have been center-stage in broader political struggles over state power and political legitimacy. *Gender laws* or laws regulating relations between the sexes both within and outside the context of the family[2] represent "shared notions of justice and morality," concepts which are critical elements of "the legitimacy that states need to undergrid their political rule" (Warrick 2005: 316). By reflecting "socially sanctioned notions of appropriate sex roles," laws on gender are considered important to both the "cultural integrity" and the "national identity" of a society. Such laws are considered "normative" as opposed

to "merely distributive, redistributive or regulatory," thus the debates surrounding them reflect contestations over "competing visions of the normative order" (Htun 2003: 30). Due to their significance to the "normative order," gender laws are used by political elites to define "hegemonic norms," and to "legitimate . . . the political system to certain segments in society" (Warrick 2005: 335). Political elites also refrain from amending or reforming gender laws to preserve their legitimacy or to prevent it from being threatened.

Since gaining independence from the British in 1947, Pakistan has alternated between military and civilian rule.[3] It has also exhibited dramatic variation in the adoption and content of gender laws across and between democratic and authoritarian regimes. For instance, military ruler, General Ayub Khan (1958–69) enacted a "progressive" gender law, the Muslim Family Law Ordinance (1961), which restricted polygamy and laid down pro-women procedures for regulating divorce. But another military dictator, General Zia-ul-Haq (1977–88), instituted a restrictive/discriminatory one, the Hudood Ordinance, which criminalized and prescribed "Islamic" punishments for "crimes" such as fornication and adultery, while making it almost impossible for women to prove rape by requiring the testimony of four "pious" men to the act of intercourse. Lying somewhere in between these two extremes, the self-professedly "enlightened" military regime of General Pervez Musharraf (1999–2008) instituted a law, the Women Protection Act 2006, which amended one of the components of the Hudood Ordinance but stopped short of repealing the law in its entirety. Similar variation is observable across democratically elected governments. The ostensibly pro-women government of the country's first female prime minister, Benazir Bhutto (1988–90, 1993–6), did not promulgate any pro-women legislation, nor did it repeal or reform discriminatory laws such as the Hudood Ordinance. Yet, the democratically elected government of her husband, Asif Ali Zardari (2008–13), criminalized sexual harassment in the workplace, passed the Acid Control and Acid Crime Prevention Act 2010 which prescribed punishment for acid-related crimes,[4] and the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2008 which made amendments in the Pakistan Penal Code and the Code of Criminal Procedure (1898) to criminalize practices such as forced marriages. This puzzling temporal variation in the nature of gender statutes clearly defies a straightforward correlation with the type of government.

This chapter indicates the general importance of three inter-related factors: *intra-regime dynamics* as operationalized in a regime's articulated and practiced ideology and its main sources of political support; *gender-related activism* reflected in the mobilization of women's rights groups and prominent individuals such as activists, lawyers and politicians around gender law policies and reform; and *policy legacies* which exert powerful path-dependent effects through institutional and ideational means to shape, facilitate or constrain future legislative action. The case of Pakistan shows that the contingent interaction of the three critically affects the public policy agenda on women.

Existing explanations

By distributing power and wealth and defining appropriate social practices, the state regulates relations between the sexes and assigns meaning to gender differences (Rajan 2003; Menon 2004; Htun 2003; Charrad 2001). One instrument through which the state does this is through gender-specific laws and policies (Charrad 2001: 5). In seeking to address the question as to why states adopt one kind of gender law over another scholars have focused on three broad explanations: the role of culture, the process of state formation and regime type. While all three offer seemingly plausible explanations, they have limited explanatory power in explaining the variation in gender laws over time and across regimes in Pakistan.

Culture

Cultural explanations focus on the role of mass cultural values, practices, and attitudes in accounting for women's rights and the policies and institutions, which shape them. Scholars such as Norris and Inglehart (2001) have argued that traditional attitudes remain a powerful barrier to women's rights, particularly in developing countries, and that culture continues to have a significant (negative) influence on the number of women elected to high office. In the context of Muslim majority societies, cultural explanations focus on religion, Islam, and the ways in which its formal injunctions shape gender laws and women's rights. For Moghissi (1999), Islam is antithetical to gender equality. She argues that women's sexuality and moral conduct has remained a central concern for Muslim men and this "preoccupation has been translated into institutions, policies, legal practices and personal status codes which determine women's life options and the extent of women's participation in public life" (Moghissi 1999: 7). While she argues against the "totalizing use of the term Muslim women" and acknowledges and highlights the differences that exist among Muslim women, according to her "in Muslim societies . . . it is Islam's legalistic voice that is heard, listened to, and obeyed, often by force or coercion, to the detriment of women" (Moghissi 2011: 79). In a similar vein, Fish (2002) finds that Muslim societies suffer from an "unusual degree of subordination of women," which is reflected in society and "high levels of government."

But such culturalist accounts cannot explain why we see variation in gender policies and laws across the "Muslim World" in countries from Indonesia to Tunisia. Tunisia's Code of Personal Status, for instance, outlaws polygamy and allows for women to file for divorce on the same grounds as men. Indonesia's Marriage Law, on the other hand, permits polygamy, allowing men as many as four wives, and also provides for different divorce procedures for men and women. Additionally, in the case of Pakistan, gender laws have varied over time, a fact which religion alone cannot account for. Therefore, not only is the notion of a "fixed Muslim culture" problematic, culturalist accounts also obscure the different ways in which culture is adopted and/or reconstituted within a particular social and political context. As Scott points out, such a usage of culture attributes to it values and traditions that are "homogeneous and immutable" and in doing so overlooks "complexity, politics and history" (Scott 2007: 7; Mahmood 2005). In a similar vein, my research shows that while important, religion (Islam) is insufficient in explaining the observed variation in gender laws in Pakistan. Instead I argue that the use of religion and religious symbols is a function of ideological leanings, elite strategy and coalitional dynamics (particularly the strength or weakness of religious parties) whereby religion is employed as an "institutional force in policy formulation, dissemination and implementation" at specific historical junctures (Rouse 1997).

Process of state formation/colonial legacy

Drawing on the cases of Tunisia, Algeria and Morocco, Charrad (2001) argues that the process of state formation, especially the integration of tribes and tribal kin groupings, shaped the nature of family laws that emerged in the three countries. Thus, where the state emerged from colonization in close alliance with tribal kin groupings (characterized by a male-centered patrilineage and Islamic law), it adopted a "conservative family law," as in Morocco, and where it evolved in relative autonomy from tribal kin groupings it promulgated a "liberal family law," as in Tunisia (Charrad 2001: 2). These laws have proved sticky over time, as reform threatens the social alliances underwriting state power. In a similar vein, Hussin (2007) shows that Malaysia's Islamic legal system has its roots in the country's colonial past (Hussin 2007: 759). For her, Islamic law

was a product of negotiations between colonial and state elites and under colonialism was used as a "resource for the exercise of Malay elite power" and a "symbol of state legitimacy" (Hussin 2007: 764). This process not only led to the crystallization of an "Islamic" Malay identity but also the incorporation of Islamic legal institutions post-independence.

Both arguments provide useful insights into the case of Pakistan. While nationalist elites employed Islam as the cultural basis for mobilizing a "nation" in opposition to Hindu India prior to independence, they excluded the Jamaat-i-Islami (JI) from the first postcolonial ruling coalition.[5] In fact the JI criticized the founding Muslim League's secular credentials and actively opposed the creation of Pakistan. This partly helps explain why no restrictive laws were adopted in the period following independence à la Tunisia in Charrad's analysis. Rather, the new state continued to regulate family life and gender relations under laws inherited from the British. Similarly, religious/Islamic identity gained salience under British colonialism as it did in pre-independence Malaysia. And the politicization of this identity contributed to Islam playing a key role in the nationalist struggle for Pakistan and post-1947 in the independent state.

However, these arguments have certain limitations. First, unlike Charrad's cases, the main axis of politics during the process of state formation in Pakistan was not state-kin group alliances but a coercion intensive state-building process in which civilian and military bureaucratic elites forged an alliance in the context of a political economy of authoritarianism and defense (Jalal 1990). Second, while religious/Islamic identity gained salience and was politicized during the colonial period it did not lead to an automatic alliance with religious groups/parties post-independence. Neither was an Islamic legal system put in place by the British in what became Pakistan. Additionally, neither argument can tell us why policies or laws change when they do, or why laws vary over time. However, as the case of Pakistan shows, gender laws can and do vary over time in response to political developments and dynamics. Hence, a more nuanced explanation is needed to account for variation and policy change with respect to gender laws over time.

Regime type

Democratic governments, committed to human rights and equality, are viewed as enhancing opportunities for women and promoting gender equality. Scholars have also pointed out that in developing countries demands for gender quotas and pro-women laws have regularly emerged during periods of democratic transition (Krook 2004). Democracies are also more open to "autonomous organizing" and thus home to a more robust civil society and a greater influence of women's groups (Htun and Weldon 2010: 212). Authoritarian regimes (from one-party states to military governments), on the other hand, uphold the patriarchal family as the basis of public order and reinforce traditional gender roles and identities thus hampering gender equality and restricting the role of women in public life (Scott 1988).[6]

Htun's work on Latin American regimes (Argentina, Brazil and Chile), however, shows that conservative military rulers "adopted liberalizing reforms on family equality, sometimes more easily than democratic governments" as they could more easily bypass the Roman Catholic Church, the bastion of tradition (Htun 2003). According to Htun, military governments in Argentina and Brazil clashed with the Church over education, human rights and economic policy. This period of Church–State conflict presented a window of opportunity for liberal reformers in congress and civil society to carry out pro-women reforms.

While persuasive, there are two problems with Htun's work: first, while Htun throws light on intra-regime dynamics, her analysis appears to privilege regime type. For instance, she argues that military-authoritarian governments were more able than democratic ones to

institute liberalizing gender-related reforms because of the "modernizing aspirations of military rulers" (Htun 2003: 58). In doing so, Htun attributes identical preferences to authoritarian regimes. However, the case of Pakistan shows that authoritarian preferences can vary: military rulers have instituted both pro-women/liberal and restrictive gender laws. This variation opens the way for identifying the conditions under which regime preferences may fluctuate.

Second, Htun ignores political parties, perhaps because parties did not play a politically salient role in Latin American dictatorships. But comparatively speaking, parties do not disappear under military-authoritarian regimes and may form an important part of the ruling authoritarian coalition with consequences for gender laws. For instance, Islamist political parties in Pakistan have been key players in the "selectorate" constructed by at least two authoritarian rulers: Generals Zia and Musharraf. These "conservative coalitions," between the military and Islamist parties, have helped sustain repressive laws such as the Hudood Ordinance and acted as a barrier to their retrenchment. [7]

Defining the key concepts

This chapter examines the impact of intra-regime dynamics, gender-related activism and policy legacies on gender laws. In doing so it emphasizes the important role of political elites, the ideology and interests driving them and how these dynamics provide opportunities/impose constraints on gender-related activism, by feminist groups and individuals. Additionally, it shows how these factors are influenced by the legacies of past and prevailing policies and the role these legacies play in directing and hindering legal change.

Intra-regime dynamics: ideology and interests

The articulation of a particular political ideology is a critical component of regime dynamics under both democratic and authoritarian rule. Understood as a set of "distinctive beliefs, principles and attitudes" (Hirschman 1961: 3), it represents a "blueprint for a desired future" and through the process of "issue structuring" helps political elites mobilize support for their programs and policies (Diamond and Gunther 2001: 8).[8]

Scholars such as Finer (1962) point out that while the military might enjoy a "highly emotionalized symbolic status and a monopoly of arms," military regimes suffer from certain critical weaknesses such as the "lack of legitimacy" (Finer 1962: 14). Once the initial "emergency" phase is over, the military usually seeks to expand its "basis of legitimacy to include national development, the defense of particular ideologies or, more generally, the maintenance of national unity" (Mietzner 2009: 17; Janowitz 1988) The articulation of a specific regime ideology provides authoritarian elites the tools with which to build support, "neutralize opponents" and ameliorate "legitimacy" needs engendered by their lack of a moral title to rule.[9] While democratic regimes are granted "entrance legitimacy" through competitive elections once in office they too seek to gain legitimation by articulating their commitment to a certain set of policy goals. This is particularly critical in transitional contexts such as Pakistan where democratic regimes have had to contend with the legacy of military rule, which shapes and constrains their role and policy choices once in office. Long, uninterrupted periods of military rule, spanning more than half of Pakistan's history as an independent state have enabled the military "to penetrate major sectors of [state and] society. . . and it can exercise sufficient clout even when not in power" (Rizvi 2000: 276).

The articulation of a specific political ideology and/or commitment to particular policy goals does not in itself translate into policy action. It is also affected by the coalitional dynamics

undergirding the regime. A coalition refers to "the set of groups that benefits from government policy, and is expected to support incumbent leaders in exchange" (Slater 2005: 11).[10] As coercion alone can be costly, military-authoritarian regimes are as likely to build coalitions as democratic ones (Brownlee 2007: 12). In both contexts, coalitions are constructed and maintained through a combination of ideological appeals and material components, i.e. "side-payments, or compensatory arrangements" (Waldner 1999: 34). However, key differences exist between the coalitions formed under authoritarian regimes and those under democratic ones. First, in democratic contexts the formation of coalitions is critically shaped by a party's electoral strength in parliament. The greater the number of seats it garners, the less likely it is to rely on other political parties and allies to form a government and pass legislation. Second, democratic coalition politics tend to involve the aggregation of a wide range of interests whereas authoritarian coalitions primarily serve as a "channel for very specific interests" (Linz 2000: 209). Having come to power without a mass popular base, authoritarian rulers rely solely on a "small subset of the population," or a "selectorate" to remain in office (Milner and Kubota 2005: 115).[11] To maintain and retain the support of this narrower coalition, authoritarian elites give them a formal stake in the system and/or garner their cooperation through discretionary policy concessions and the "distribution of spoils" (Ghandi and Prezeworski 2007: 1,283). Given the narrower composition of military-authoritarian regimes and the smaller size of the coterie that helps keep them in office, coalitions formed under them tend to have a more direct access to and possibly a greater impact on policy than those formed under democratic regimes. As the case of Pakistan shows the inclusion/exclusion of religious, right-wing groups and parties in these coalitions also plays an important role in determining the direction and content of policy initiatives.

Gender-related activism

Pressure from organized women's groups and activists is regarded as an important factor in accounting for the way regimes respond to feminist demands (Gelb and Hart 1999; Gordon 1994; Lyclama a Nijehol et al. 1998; Seidman 1999). While women rights groups might make up the majority of those agitating for legal innovation, reform demands also emanate from prominent activists, lawyers and politicians. These demands include reform in both practical (immediate social and economic needs) and strategic (addressing women's subordination) gender interests (Waylen 1994: 336). Legislative action to address gender inequalities lies at the intersection of these categories.

Legal reform has been a prominent demand of feminist groups since the 1980s, accompanied by the recognition that, while important, changes in the legal system might not address deeply entrenched patriarchal biases. These demands have focused on exposing gender biases in prevalent laws, reforming discriminatory legislative and promulgating new laws "in areas of judicial void" such as in the "private" realm of the family where discrimination was prevalent but left unaddressed (Menon 2004: 4). In countries such as India the women's movement has been successful in bringing about far-reaching legislative changes with respect to gender, reflected in the passage of laws such as the Dowry Prohibition (Amendment) Act 1984 and the Commission of Sati (Prevention) Act 1987 (Menon 2004: 5). In others such as South Korea the lobbying efforts of women's groups and women in government has contributed to the passage of the Gender Equality Employment Act (1987), the Framework Act on Women's Development (1995) and a bill which requires political parties to set aside 30 percent of their constituency seats for women (Ross 2008: 109). In Islamic contexts such as Morocco, despite strong opposition, the women's movement has been attributed with the passage of a labor code

which criminalizes sexual harassment and an increase in the "fraction of parliamentary seats held by women from 0.6 percent in 1995 to 10.8 percent in 2003" (Ross 2008: 119).

However, demands for gender equity might not always lead to concrete action. The women's movement in Pakistan has been criticized for failing to bring about "radical'" and "visible" change for women.[12] It has been termed elitist (composed primarily of upper-class women) and donor-driven, accused of being reactive and issue-specific rather than mobilizing and responding on a sustained basis and being undemocratic and lacking autonomy (Zia 2009: 235). It has also been criticized for failing to evolve strategies or "frames" to enhance its appeal to a wider audience and gain more adherents. Post-General Zia-ul-Haq activist groups such as the Women's Action Forum (WAF), which played a prominent role in protesting against Zia-era gender laws, were seen as losing active membership, which led to a lessening of pressure for gender-related reforms on successive governments. Scholars such as Afia Zia point out that the women's movement has also grappled with issues of "identity," specifically on how to accommodate religion. Its accommodation of "Islamic feminists," particularly since the 1980s, through alliances with faith-based activists and its lack of clarity about the role religion has in some ways "delegitimized the secular feminist approach that sought to redefine women's rights outside the religious framework" (Zia 2009: 35).

Regardless of the difficulties that have beset the movement, gender-related activism has played a vital role in highlighting problems with the prevailing legal framework, recommending reforms in specific laws, demanding new legislative action, acting as a pressure group and, particularly during the Zia era, bringing domestic and international attention to human rights abuses carried out under the rubric of laws such as the Hudood Ordinance. By bringing "women's" concerns to the forefront it has also urged political actors to take action and ensured that political parties incorporated "women's issues" in their party manifestos and mandate. Also of importance, especially since the 1980s, has been the increasing prominence of women's groups, the development of linkages between them and political and legal elites, their increasing access to transnational human rights networks and their ability to draw domestic and international attention to gender-related issues, particularly during periods when gender law reform was not a priority. Over time, prominent members from these groups have gained considerable access to and influence over political elites engaged in gender-related law making.[13] Some of these activists have also held key positions in parliament and there is evidence to suggest that their presence played an important role in the passage of several pro-women laws such as the 2010 law on sexual harassment in the workplace.

Policy legacies and feedback

Policy feedback refers to the "impact of existing policies on politics and policy development" (Pierson 1993). Scholars such as Pierson highlight the key ways in which this process unfolds. First, by providing resources and incentives to actors, policies "facilitate or inhibit the formation or expansion" and activities of interest/social groups (Pierson 1993: 599). This can be in the form of provision of material resources and "spoils" to favored groups or organizations or in the form of increased access to decision-makers and participation in the decision-making process. Groups and actors benefitting from such an access have a greater stake in ensuring the maintenance of the status quo and resist efforts that have the potential to shift power away from them. Policy initiatives, however, can also lead to backlash in the form of counter-mobilization from opposition groups, which has the potential to act as a source of policy change.

Second, policies transform "state capacities" (Pierson 1993: 603). New policies might lead to the need for specialized administrative skills and capacities, thus enhancing the current and

future role of government authorities and departments. In some cases administrative structures might already exist to implement the new policy but in others a new apparatus will likely have to be put in place.

Policies might also lead to mass public action by providing incentives for individuals to act "in ways that lock in a particular path of policy development" (Pierson 1993: 606). This, Pierson argues, is because of large set-up costs, learning and coordination effects associated with policies, which seem to "lock-in" a particular course of action, making it path-dependent. Policies "create commitments" by encouraging individuals to expend time and effort in developing specific skills or spending resources on certain kinds of goods (Pierson 1993: 609). Once in place these tend to constrain future policy choices by making the costs of alternative action very high and thus reversal and reform difficult.

Apart from institutional impacts, policies also have associated "interpretative" and "ideational" effects. Individuals respond not only to the discernible costs and benefits related to specific policies but also to how they "understand" policies and the meanings they assign to them. For instance, policy-makers learn from "pre-existing policy frameworks" and draw upon them either as models to emulate or to avoid by "fashioning new initiatives" (Pierson 1993: 613). This process is known as "policy learning" and helps shape policy outcomes. Policies also impart information to the mass public based on its "visibility" in the form of concrete outcomes and "traceability," which helps link "government action to . . . decision makers" (Pierson 1993: 623). Another critical aspect is the role of ideational or symbolic policy legacies. The "cultural ideas grounded in existing policy legacies" and the language in which a particular policy is couched also have the potential to influence legislative outcomes. Ideas and symbols associated with a specific policy can serve as powerful ideological tools which perpetuate the status quo and act as deterrent to policy change and reform (Beland 2010: 581).

While acknowledging that new policies can emerge independently of previous policies this chapter highlights the role policy feedback has played with respect to several key initiatives on gender in Pakistan.

Case overview

A brief analysis of the promulgation, content and reform of gender laws in Pakistan shows that gender relations as reflected and reinforced by law are deeply embedded in the political context. Laws on gender have been critically affected by a government's ideological leanings and its sources of political support, particularly its relationship with religious/Islamic parties. Post-1947 political elites continued to use Islam as a legitimating tool, which had gained salience and been politicized under British rule. However, this did not lead to an automatic alliance with religious parties and groups in the new state. While most of Pakistan's Islamic parties have participated in politics their electoral performance has been relatively poor and they have never managed to garner more than 12 percent of the vote (Cohen 1984). Their success has depended more on patronage from Pakistani's powerful military and their ability to strike politically expedient alliances with mainstream political parties such as the Pakistan People's Party (PPP) and the Pakistan Muslim League-Nawaz (PML-N). They also remain important because of their ability to mobilize the street and to act as an important pressure group. Both factors are pertinent to understanding gender law change and reform which this case overview aims to do.

The legal system in Pakistan is based on English common law and Islamic law. Family and personal status laws which regulate marriage, divorce and inheritance follow Islam's Hanafi school of Islamic jurisprudence (fiqh). In the absence of a unified, codified Sharia text which can be used to dispense justice, many cases have been subject to case-specific sharia interpretation.

After independence in 1947 family cases in Pakistan were dealt with under the laws inherited from British colonial rule, primarily the Child Marriage Restraint Act (1929) which fixed the marriageable age for girls at 14 years; and the Dissolution of Muslim Marriages Act (1939) which laid down certain measures (such as mutual consent) for dissolving a marriage. Those areas of personal law not codified by the British continued to be regulated by customary law and practices. Despite these continuities with the colonial government, 1947 served as a historical rupture and provided a unique opportunity for political elites to "remake" the new state.

In 1948 the West Punjab Muslim Personal Law (Shariat) Application Act was passed, which gave women the right to inherit property, including agricultural land, previously denied to them by prevalent customs. Pakistan's first two female legislators (Begum Jahanara Shahnawaz and Begum Shaista Ikramullah) helped form the United Front for Women's Rights (UFWR) that actively lobbied for the passage of the law (Shaheed et al. 1998: 273). In 1955, the government established a six-member commission on marriage and family law, known as the Rashid Commission, with the ostensible aim of identifying areas of reform in the concerned laws. In an effort to move away and improve upon the legal framework inherited from the British, the Commission's report recommended wide ranging reforms in Muslim family laws (divorce, inheritance and marriage) aimed at enhancing the legal status of women.[14] The report generated heated debate with members of the religious community who denounced its recommendations as "distorting the religion of God" and "the worst type of heresy" (Jalal 1991: 93).[15] From 1955 to 1958, women's organizations such as the All Pakistan Women's Association (APWA)[16] and the UFWR held "women's demands day" to pressure the government to adopt the reforms recommended by the commission. This period was one characterized by political instability as power passed from one short-lived civilian government to another. Not wanting to endanger their legitimacy during this politically fraught period, regime elites refrained from addressing "sensitive issues" such as those related to gender.

However, Pakistan's first military ruler, General Ayub Khan (1958–69) incorporated some of the recommendations of the Rashid Commission in the Muslim Family Law Ordinance (MFLO) promulgated by him in 1961. The ordinance discouraged polygamy and prescribed procedures for regulating divorce. It amended the Child Marriage Restraint Act of 1929 by raising the legal age from 14 to 16 for females and from 18 to 21 for males. Ayub's "reformist" measures, especially the MFLO, met with fierce criticism from the JI which saw it as an attempt to "tamper with the Quran". At a meeting in March 1961, more than fifty ulema from all over the country endorsed JI's critique of the MFLO and agreed to launch an opposition movement against it (Talbot 2005: 169). However, Ayub's espoused modernist ideological leanings, and elite support base in the secular ex-colonial military and bureaucracy, insulated the regime from the influence of conservative Islamist parties. Ayub frequently cracked down on religious parties for resisting his modernizing mission and spoiling the country's image abroad (Haqqani 2005: 164). His appeals for an egalitarian-rights framework also won him support from women's rights groups such as the APWA, who came out in full support of his reform agenda. In 1962, the National Assembly also passed the West Pakistan Muslim Personal Law (Shariat) Application Act which reiterated females' right to inherit all property, including agricultural land, in accordance with Sharia. Another important legislative milestone during this period was reached through the West Pakistan Family Courts Act (1964) which called for the setting up of special family courts, thus taking marriage and other family matters, such as dissolution of marriage, dower maintenance and custody of children outside the purview of slow-moving civil courts.

Intra-regime dynamics and gender-related activism also combined to condition elected civilian governments' approach to public policy and laws on gender. For instance, the "socialist-populism" espoused by Prime Minister Zulfiqar Ali Bhutto (1972–77) of the Pakistan

People's Party (PPP) earned him support from labor unions, urban leftists, student groups and intellectuals. Bhutto's party manifesto promised widespread administrative and political reforms with an emphasis on socialist principles. He was also widely regarded as a "modern populist leader," committed to "bringing to the fore urgent economic and social issues" and "successfully detaching religion from politics" (Hyder 1972: 103). However, from the day he took office he was under constant attack from religious parties, particularly the Jamaat-i-Islami (JI), for his "secular social and political style" (Jalal 1991: 97). In 1973, Mian Tufail Mohammad, the leader of the JI declared Bhutto's regime to be "an illegitimate expression of Pakistan's Islamic Ideology" (Jalal 1991: 112). Contending with an authoritarian legacy and with his Islamic credentials challenged, Bhutto moderated his party's socialist stance and moved it toward a more centrist "Islamic" orientation, reflected in a renewed emphasis on Pakistan's Islamic identity. He also yielded to Islamist demands by declaring Islam as the state religion in the 1973 constitution. Despite this renewed emphasis on Islam and the lack of substantive legislation with regard to women this period saw an increasing number of women entering the public arena. The 1973 constitution, promulgated under Bhutto, granted women more political and civil rights than the previous constitutions of 1956 and 1962 and declared that there would be "no discrimination on the basis of sex" (Jalal 1991: 112). Bhutto also opened up the country's federal services to women and set up a women's rights commission in 1976 with the ostensible aim of improving the status of women. His rule also saw the proliferation of a number of women's rights groups, fully supported by the government.

Wide and far-reaching changes in gender laws were instituted under General Zia-ul-Haq (1977–88) who overthrew the government of Bhutto. Zia-ul-Haq, himself a devout Deobandi Muslim, espoused and promoted a regime ideology based on an orthodox version of Sunni Islam (Talbot 2005: 247). For Zia, Islam also served as a convenient device for diverting attention "from issues of representative versus authoritarian rule," for preempting any form of opposition and for countering the "socialist" populism that had characterized the elected democratic government he had overthrown (Weiss 1986: 131). An emphasis on Islam helped him in legitimating military rule and garnering support from the religious right. Zia's rule saw aggressive state-led Islamization, in which the "regulation of sexuality" was a "paramount concern" (Hussain et al. 1997: 15). Wanting to distance himself from the secular and "liberal" orientation of Ayub's and Bhutto's policy initiatives on gender, most specifically the MFLO, Zia promulgated new gender laws that had far-reaching institutional and ideological ramifications.

In 1979 Zia passed the Hudood Ordinances which criminalized sex outside marriage, instituted strict evidentiary requirements for rape victims and prescribed punishments for crimes such a theft. He also promulgated the Qanun-e-Shahadat or the Law of Evidence (1984), which reduced the testimony of a female to half that of a man's in a Pakistani court of law. To implement the Hudood Ordinances Zia carried out extensive structural changes in the country's judicial system by setting up "Shariat Appellate Benches" at the level of the high courts in all four of Pakistan's provinces.[17] Consisting exclusively of Muslim judges, these courts were responsible for hearing appeals against Hudood convictions and petitions from individuals who challenged any law as being repugnant to the Holy Quran and the Sunnah. Two years later, Zia dissolved the Shariat Benches and replaced them with a single Federal Shariat Court (FSC) based in the capital, Islamabad. The FSC comprised eight Muslim judges, three of whom were required to be ulemas (religious scholars), and was tasked with ensuring that no laws repugnant to Islam would be promulgated. The FSC also had jurisdiction to examine decisions of criminal courts relating to the application of Hudood cases. Under Zia, the Council of Islamic Ideology, primarily an advisory body formed under Bhutto, also took on a more

enhanced role. It was reconstituted so as to provide greater representation to conservative ulema. Its scope was broadened with the aim of serving as the chief advisor to the president for devising and suggesting ways of introducing a more Islamic form of government.

Zia's Islamization drive was ardently supported by religious parties, particularly the Jamaat-i-Islami (JI), which emerged as one of his regime's key coalition partners. JI's founder, Maulana Abul Aala Maududi, endorsed Zia's Islamization efforts and described them "as the renewal of the covenant between the government of Pakistan and Islam" (Haqqani 2005: 139). In turn, Zia's support and patronage of the JI allowed the party to gain a foothold in the government. Religious parties had secured only 10 percent of the national vote in the 1970 elections but with state patronage, the JI expanded its influence in the bureaucracy and educational institutions. Ultimately, members of the party were given cabinet portfolios of information and broadcasting, production, and water, power and natural resources (Haqqani 2005: 138). In sum, under Zia's rule, "Pakistani religious parties strengthened their ties to the army and broadened their support within and outside the government" (Shah 2003: 31). This "conservative coalition" survived his death in 1988 and has since acted as a strong interest group in perpetuating and sustaining Zia's policy initiatives, particularly the Hudood ordinances. Additionally, religious parties and groups "leverage" the legal and judicial system, which due to changes instituted as part of Zia-ul-Haq's Islamization drive, such as the formation of the FSC, provides them with a powerful political apparatus. At the same time the "negative" ideational legacy of the law and its pernicious impact on women led to a backlash or counter-mobilization from social actors and groups (Pierson 1993: 600). It helped shape the response and strategies of activists both within and outside the women's movement who took steps to highlight and address flaws in the Hudood Ordinance and to assist in the enactment of more pro-women legislation. In fact, a Women's Action Forum (WAF) was formed in 1981 specifically in response to the promulgation of the Hudood Ordinance (Shaheed et al. 1998). Calls for repeal and reform during this period also came from prominent lawyers and activists Asma Jahangir and Hina Jillani, judges Majida Rizvi and Nasir Aslam Zahid, politicians Benazir Bhutto, journalists such as Sherry Rehman and Nafisa Shah, and religious scholars such as Javed Ghamidi. Gender-related activism in the form of demonstrations and public protests put the Zia government on the defensive and helped bring national and international attention to the discriminatory nature of the Hudood Ordinances. Concerted campaigns by activists and women's rights groups also led to the FSC overturning some its more discriminatory judgments.[18] Additionally, demonstrations in 1983 against the Law of Evidence led to the reduction of its application to financial transactions alone. Gender-related activism also led General Zia to establish a Women's Division and a Commission on the Status of Women made up of thirteen women and three men to look into issues faced by women (Shaheed et al. 1998: 280).

Zia's death in a mysterious plane crash in 1988 paved the way for Pakistan's second transition from authoritarian rule to democracy. However, he left behind pernicious institutional, political and ideological legacies, which had a lasting impact on the exercise of effective civilian authority and with regard to gender-related legislation. These included a greater emphasis on Islam in state and society and the enhanced clout of Islamists parties and sectarian organizations. The language of religion in which the Hudood Ordinances are couched serves as an important ideological tool frequently used by religious groups to protest and block any attempts at reforming or amending them. Reform efforts are labeled as steps to undermine the country's "Islamic" ideology and seen as tinkering with "God's words."

Between 1988 and 1999 power alternated between the civilian governments of PPP under Z.A. Bhutto's daughter, Benazir Bhutto (1988–90, 1993–6), and the Pakistan Muslim League's

(PML-N) Nawaz Sharif (1990–3, 1997–9), a conservative Punjabi industrialist-politician with close ties to Zia. The PPP under Benazir Bhutto criticized the "anti-woman" bias in the Hudood laws, and made its repeal a rallying cry for their electoral campaign in the 1988 elections held after Zia's death. However, to counter a PPP electoral victory in the transitional elections held in 1988, the military's Inter Services Intelligence Agency (ISI) put together and funded an electoral alliance of nine right-wing parties named the Islami Jamhoori Itehad (IJI, or Islamic Democratic Front), headed by the PML-N, with the JI and a faction of the JUI as its prominent members. As a result the PPP under Benazir Bhutto managed to win only a razor-thin majority in parliament (38.5 percent of the total vote) in the national elections. The IJI won 31 percent of the total vote and also gained the majority of votes in the largest province, Punjab (108 seats out of a total of 204). Heading a shaky coalition government, challenged by the IJI in the Punjab, hampered Benazir's government's independence once in office. While the PPP's 1990 manifesto contained a separate section on "women's rights" and clearly stated that "discriminatory laws against women will be reviewed and reformed," the constraints imposed by Zia's authoritarian legacy combined with the absence of a "strong parliamentary power-base" prevented Benazir from carrying out any liberalizing gender-related reforms (Haqqani 2005: 202). While she failed to take concrete steps to reform laws such as the Hudood Ordinance during her first term in office (1988–90), Benazir released all female prisoners imprisoned under the Hudood Ordinances. She also elevated the Women's Division set up under Zia to the level of a full ministry whose research wing set up five committees related to women's rights (Shaheed et al. 1998: 280). During her second term in office (1993–6), the PPP government took steps for the appointment of female judges in family courts and announced that the courts would be set up in every divisional headquarters. In March 1996 Pakistan also became a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which binds the country to ensuring that women exercise their right to vote and hold public office. Benazir's government also elicited the support of women's rights groups and activists in developing a 20-year National Plan of Action for women to ensure that the goals of CEDAW were met. While WAF and other civil-society organizations supported her regime they continued to put pressure on the government to carry out substantive reforms, which included repeal of discriminatory legislation, "equitable compensation for work, fair access to employment" and the "guarantee of women's constitutional rights as equal citizens."[19]

Nawaz Sharif's party, the PML-N, won the 1997 elections with a two-thirds majority. Given the PML-N's right-wing allies and orientation, the process of "Islamization" which had been put on hold by the PPP was revived. However, Sharif's main political support base was in the urban business and industrial classes, which meant that one of his main priorities was economic liberalization, not Islamization. His economic plan included easing tensions and opening trade links with India, which irked the military and the JI, which left his government citing slow progress on the implementation of Sharia. But under pressure and apparently in an effort to renew his support with the right wing, Sharif decided to implement Sharia law through the fifteenth amendment to the constitution in May 1998. Additionally, the Qisas (retribution or equal punishment for the crime, i.e. "a life for a life and an eye for an eye") and Diyat (blood money) instituted by Zia were enacted into law by him in 1997 through the Criminal Law (Amendment) Act. This Act amended the Pakistan Penal Code (1860) by replacing sections 299 to 338 with the Qisas and Diyat provisions, which govern compensation and retribution for crimes involving bodily injury such as murder, attempted murder and bodily harm. According to the law a victim or her/his heirs (in case of her/his death) have the right to dictate punishment (death in the case of murder or other

forms of retribution for injury), forgive the assailant or agree to a settlement in the form of monetary compensation (*diyat*). The law thus places the choice of prosecution in the hands of the victim or her/his heirs rather than in the hands of the state. These laws provided for the settlement of murder cases out of court by allowing the relatives of murder victims to exact retribution or to forgive the offense in exchange for monetary compensation. Diyat for a female victim was half that of a man. Human rights groups, such as the Human Rights Commission of Pakistan (HRCP) criticized the law for "privatizing" justice, especially in the cases of "honor-killing" of women where the murderer is usually a next of kin who can gain forgiveness, exchange money and walk free.

Post-Sharif (who was overthrown in a military coup in 1999) the military under General Pervez Musharraf ruled Pakistan for 9 years. The ideologically ambivalent regime of General Musharraf portrayed itself as modernist to appropriate the support of civil society, but it also put in place an authoritarian coalition with the Islamist parties to circumvent the more secular political parties opposed to military rule. With help from the military government, the Muttahida Majlis e Amal (MMA), a coalition of six Islamist parties, dominated by the JUI and JI, did remarkably well in national and provincial elections in 2002 winning 11.1 percent of the popular vote, and 20 percent of the seats in the lower house of parliament. It also formed a government in the North West Frontier Province (NWFP), and partnered with the pro-Musharraf faction of the Muslim League, the PML-Q (Quaid-e Azam), to rule the Baluchistan province. The MMA backed Musharraf's bid to legalize a series of constitutional amendments that gave legal cover to martial law regulations, re-empowered the president to dismiss the prime minister, dissolve the National Assembly, and appoint military service chiefs. In return Musharraf gave the MMA provincial authorities a fairly free hand as they cracked down on the performing arts, banned music from public buses, vowed to end coeducation and segregated women in public places. The MMA government in the NWFP was also allowed to pass the Hisba (Accountability) Act 2005 aimed at Islamizing the province by setting up an office of a mohtasib (ombudsman) to ensure and regulate "the morality and religious conduct of citizens."[20] However, to showcase his "liberal" credentials, Musharraf allowed the parliament to pass the Women Protection Act (PWA) 2006. While the law did not repeal the Hudood Ordinance, it amended one of its components by placing rape under the Pakistan Penal Code, thus separating zina (adultery) from zina-bil-jabr (rape), which would prevent complaints of rape from being turned into "fornication" or adultery charges. The Act also allowed a victim of rape to be a competent witness and convictions of rape to be made on the basis of forensic and circumstantial evidence. However, the new amendment continued to criminalize consensual sex between unmarried individuals, which carried a punishment of up to 5 years imprisonment.[21]

The Criminal Law (Amendment) Act 2004, also known as the Honor Killings Act, was also enacted into law in January 2005. The law amended the Pakistan Penal Code 1860 (PPC) and the Criminal Procedure Code 1898 (CrPC) to declare honor killings as murder and prescribed penal punishments including maximum of 25 years imprisonment for such crimes. It also laid down a definition of "honor crimes" to include all "offenses committed in the name or on the pretext of honor" against women (and men) who were deemed to have brought "dishonor" to the family. Additionally, it assigned the responsibility of investigating honor crimes to high-ranking police officials and declared illegal the act of bartering women (*badl-i-sulah)* in exchange for a crime. While an important step, the law was criticized by women's rights activists for failing to do enough. The 2011 study by Aurat Foundation showed that despite the passage of the bill, honor killings continued to rise. In 2010, 557 women were killed in the name of honor,

whereas by 2013 that number had risen to 870 (according to the Human Rights Commission of Pakistan). The biggest loophole in the law is that it failed to do away with the Qisas and Diyat laws, thus retaining the provisions of waiver, which allows the murderer, usually a next of kin, to seek forgiveness or give compensation and escape punishment. It also did not make punishment for honor crimes mandatory. Though it laid down minimum sentences for honor killings (10 years imprisonment) they are not mandatory and in cases where Qisas is waived by the victim's guardian the awarding of the penalty is left solely to the discretion of courts, allowing perpetrators to obtain lenient sentences or acquittals. The Act also failed to explicitly rule out pleas based on "grave and sudden provocation," which continues to be used by courts to make concessions. It also did not lay down punishments for other involved parties, such as tribal councils, which abet, encourage and condone honor crimes.

Facing domestic pressure, Musharraf resigned as chief of army staff in November 2007, appointed himself a civilian president, and declared parliamentary elections. Elections held in February 2008 brought the PPP headed by Bhutto's widower, Asif Ali Zardari, to power. The PPP won a plurality of seats in February 2008 and formed a coalition government with the Pakistan Muslim League (Nawaz) (PML-N), the MQM (the Muttahida Qaumi or Joint National Movement), based in the urban areas of Sindh province, and the Awami National Party (ANP), the Pashtun nationalist party based in the then North West Frontier Province NWFP (renamed Khyber Pakhtunkhwa in 2010).[22]

While religious parties fared poorly in the 2008 elections, garnering only 2 percent of the vote, they frequently, loudly and often violently criticized the government's reform efforts, particularly those related to women's rights and gender laws. For instance, the Jamiat Ulema-e-Islam-Fazlur Rahman group (JUI-F) launched an opposition movement against a government proposed bill on domestic violence. Religious parties such as the JI and the JUI-F also opposed and blocked the government's reform of the country's blasphemy laws. However, the PPP's pro-women regime ideology combined with its electoral strength in parliament shaped its ability to promulgate a series of pro women laws.[23] Analysts also attributed the passage of these bills to the presence of a cross-party women's caucus in parliament, some of whose members authored and piloted these bills and crossed party lines to support them in parliament. For instance, in March 2010, the PPP-led government successfully signed into law the Protection against Harassment of Women at the Workplace Bill, which stipulates greater rights for women in the workplace. By amending Section 509 of the Pakistan Penal Code (PPC) it enhances the punishments for "insult to the modesty of women" and provides mechanism through which women can address related grievances. Similarly, in December 2011 the parliament unanimously passed two pro-women bills into law. These included the Acid Control and Acid Crime Prevention Act 2010, which provides for imprisonment of 14 years and a minimum fine of Rs 1 million for those "who disable, disfigure or deface any person" by throwing a corrosive substance. While the legislation is not women specific, 60 percent of acid-related crimes are perpetrated against women. The second bill was the Prevention of Anti-Women Practices (Criminal Law Amendment) Bill 2008, which makes amendments in the PPC and Code of Criminal Procedure 1898 for female-related crimes. Under the bill, forcing a woman into marriage (for settling a dispute or otherwise) is a non-bailable offense and carries a punishment of 3 to 7 years imprisonment. The crimes of coercing or compelling a woman to enter into marriage and arranging a marriage of a woman with the Quran (a practice prevalent in the rural areas of Pakistan, particularly Sindh province, to prevent a woman from gaining her rightful inheritance) also carries a similar sentence. Depriving a woman of her inheritance is also a crime liable to imprisonment of 5 to 10 years or a fine of Rs. 1 million or both. Despite this progress, a bill on domestic violence, the

Domestic Violence (Prevention and Protection) Bill, languished in parliament. The bill was criticized and opposed by Islamist parties within the parliament such as the Jamiat Ulema-e-Islam (JUI)-Fazlur Rahman group because of which it failed to be ratified.[24] However, in March 2016 a version of the bill known as the "Protection of Women against Violence Bill" was passed in the Punjab Assembly. Maulana Fazal-ur-Rehman of the JUI-F was quick to declare the bill as "unconstitutional" and contrary to the country's "Islamic values" and threatened to launch a movement against it.

In the same month, parliament also passed the "Anti-Honour Killing Laws (Amendment) Bill 2014" and the "Anti-Rape Laws (Criminal Laws Amendment) Bill 2014." The bills propose amendments in the Pakistan Penal Code 1860, Qanoon-e-Shahadat Order 1984, and the Code of Criminal Procedure 1898 to ensure that those committing honor killings are prosecuted. The passage of the bills languishing in parliament since 2014 is attributed in part to a documentary produced by Sharmeen Obiad Chinoy titled "A Girl in the River: The Price of Forgiveness," which documents the story of Saba Qaiser, an 18-year-old girl who survived an honor killing attempt by her father and uncle. The documentary won Chinoy an Oscar and also garnered the attention of Prime Minister Nawaz Sharif, who held a special screening of the film and vowed to make amendments in the legislation to address honor-related crimes.

Conclusion

The above analysis highlights the role of intra-regime dynamics manifested through ideological leanings/preferences and coalition support and the role of gender-related activism in shaping the passage, content and reform of gender laws in Pakistan. At the same time it also shows inter-temporal dependence among policies, i.e., once instituted, laws tend to produce their own "politics" both through institutional and ideological means, which in turn shapes future law-making and continues to constrain and hamper reform efforts.

Notes

1 Early feminist scholarship tended to compartmentalize the state and the steps it took with regard to gender laws into the binary categories of ally or adversary. "Public" patriarchy, reflected in male control over the state, corporations, religious institutions scholars argued upheld the privileges of men leading to the formulation of a social order (and family law) which was patriarchal and discriminatory towards women. Others saw the state as representing "the main recourse of women" by providing them services which remedied the discrimination that they faced in the household. More recent research has moved beyond this dichotomous approach to show how state-society relations, regime type, and the normative international context shape the state's interaction with women. By "disaggregating" the state, extant studies show the myriad ways in which it impacts gender relations and women's rights (see for instance Rajan 2003; Menon 2004; Htun 2003; Charrad 2001).

2 These include both family and criminal laws and refer to legislation relating to marriage, divorce, inheritance, adultery, rape, domestic violence and sexual harassment. Gender laws and rights are different from "women's rights" as they also involve men. As Htun (2003: 4) points out, "gender policies and rights are thus legal regulations, obligations, and privileges that refer to or reinforce sex relations and sex differences."

3 The military emerged as an important political actor in Pakistani politics soon after independence in 1947 and assumed direct power in 1958. Pakistan has been under military rule for almost 33 years out of the 66 years of its existence.

4 While the legislation is not women specific approximately 60 percent of acid-related crimes in Pakistan are perpetrated against women, Aurat Foundation 2014.

5 The Jamaat-i-Islami (Islamic Movement) is the oldest religious party of Pakistan. It was formed in 1941 in British India by Maulana Abul Aala Maududi.

6 Examples include Nazi Germany, Afghanistan under the Taliban and Vichy France.
7 Here I want to emphasize that my argument is not that there is a unified category of Pakistani women who are similarly impacted by gender laws. Women's experiences and engagement with the Pakistani state have varied and an important factor responsible for the variation is class.
8 Diamond and Gunther (2001) define "issue structuring" as the process of "structuring" policy "choices and alternatives along different issue dimensions."
9 The analysis thus far is not meant to imply that regime ideology necessarily produces "legitimacy" for the regime in the society at large. Merely that it reflects the ideological leanings of the regime elites and is also used by them to gain political legitimation and support, specifically from particular political and social groups. These groups might support the regime because they believe that it is "appropriate" or for purely instrumental reasons or both.
10 However, for Slater the "defining feature" of a coalition is that it provides political support regardless of whether it receives economic benefits in return for that support.
11 The "selectorate" is defined as "that subset of the population upon whose political support leaders could potentially rely to remain in office."
12 Author's interview with Farzana Bari, Islamabad March 2011.
13 Examples include Anis Haroon, who headed the National Commission on the Status of Women (NCSW), Nafisa Shah (Director of the National Commission on Human Development), Bushra Gohar, Sherry Rehman (former Pakistani Ambassador to the US) and Shahnaz Wazir Ali (Special Assistant to former Prime Minister Yousaf Raza Gillani).
14 These included rights of divorce and procedures for restricting polygamy.
15 Maulana Ihtshamul Huq Thanvi, the sole religious member of the commission, opposed the recommendations of the commission and its final report included his detailed note of dissent, see Jalal (1991: 9).
16 APWA was formed in 1949 by Begum Liaquat Ali Khan, the wife of Pakistan's first prime minister.
17 Pakistan is divided into four provinces or administrative units: Punjab, Sindh, Baluchistan and Khyber Pkhtunkhawa (formerly North West Frontier province).
18 For instance, the FSC repealed its decision in the Safia Bibi case in which a virtually blind domestic servant, Safia, was charged with adultery when she became pregnant after being raped by her employer and his son.
19 WAF Charter, *Viewpoint* (Lahore) 3 November 1988.
20 The Act was struck down in 2006 by the Supreme Court, see International Crisis Group Asia Report No. 196, 2010, p. 24.
21 Shehar Bano Khan, "Mixed Response to Women's Bill", *Dawn*, November 22, 2006.
22 The PML-N quit the government in August 2008 on the government's delay in the restoration of the judiciary and the reinstating of the chief justice.
23 The PPP's 2008 manifesto promised the "empowerment of women" including through legislative reforms, see www.ppp.org.pk.
24 "Joint Session: No Breakthrough on Domestic Violence Bill," *The Express Tribune*, 10 April 2012.

Bibliography

Beland, D. (2010). Reconsidering Policy Feedback: How Policies Affect Politics. *Administration and Society* 42(5): 568–90.

Bhasin, K. and Menon, R. and Khan, N. (1994). *Against All Odds: Essays on Women, Religion and Development from India and Pakistan*. Delhi: Kali for Women.

Brownlee, J. (2007). *Authoritarianism in an Age of Democratization*. Cambridge: Cambridge University Press.

Charrad, M. (2001). *States and Women's Rights*. Berkeley: University of California Press.

Cohen, S. P. (1984). *The Pakistan Military*. Berkeley: University of California Press.

Diamond, L. and Gunther, R. (2001). *Political Parties and Democracy*. Baltimore, MD: The Johns Hopkins University Press.

Finer, S. (1962). *The Man on Horseback: The Role of the Military in Politics*. London: Pall Mall Press.

Fish, S. (2002). Islam and Authoritarianism. *World Politics*, 55: 4–37.

Gelb, J. and Hart, V. (1999). Feminist Politics in a Hostile Environment: Obstacles and Opportunities. In M. Giugni, D. McAdam and C. Tilly (eds), *How Social Movements Matter* (pp. 149–81). Minneapolis: University of Minnesota Press.

Ghandi, J. and Prezeworski, A. (2007). Authoritarian Institutions and the Survival of Autocrats. *Comparative Political Studies*, 40(11): 1279–1301.
Gordon, Linda (1994). *Pitied but Not Entitled: Single Mothers and the History of Welfare*. Cambridge, MA: Harvard University Press.
Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington DC: Carnegie Endowment for International Peace.
Hirschman, A. (1961). *Ideologies of Economic Development in Latin America*. Latin American Issues, New York: Twentieth Century Fund.
Htun, M. (2003). *Sex and the State*. Cambridge: Cambridge University Press.
Htun, M. and Weldon, S. (2010). When Do Government's Promote Women's Right? A Framework for the Comparative Analysis of Sex Equality Policy. *Perspectives on Politics*, 8(1): 207–16.
Hussain, N. Mumtaz, S. and Saigol, R. (1997). *Engendering the Nation state*. Lahore: Simorgh Women's Resource and Publication Centre.
Hussin, I. (2007). The Pursuit of the Perak Regalia: Islam, law and the Politics of Authority in the Colonial State. *Law and Social Inquiry*, 32(3): 759–88.
Hyder, K. (1972). Pakistan under Bhutto. *Current History*, 63(375): 103.
Jalal, A. (1990). *The State of Martial Rule: The Origins of Pakistan's Political Economy of Defense*. New York: Cambridge University Press.
Jalal, A. (1991). The Convenience of Subservience, Women, Islam and the State. In Deniz Kandiyoti (ed.) *Women, Islam, and the State*. Philadelphia, PA: Temple University Press, pp. 77–114.
Janowitz, M. (1988). *Military Institutions and Coercion in the Developing Nations*. Chicago: The University of Chicago Press.
Krook, M. (2004). Reforming Representation: The Diffusion of Candidate Gender Quotas Worldwide. *International Studies Association Annual International Convention*. Montreal.
Linz, J. (2000). *Totalitarian and Authoritarian Regimes*. Boulder, CO: Lynne Reinner Publishers.
Lyclama a Nijehol, G., Vargas, V. and Wieringa, S. (eds) (1998). *Women's Movements and Public Policy in Europe, Latin America and the Caribbean*. New York: Garland Publishing
Mahmood, S. (2005). *Politics of Piety: The Islamic Revival and the Feminist Subject*. Princeton, NJ: Princeton University Press.
Menon, N. (2004). *Recovering Subversion: Feminist Politics Beyond the Law*. Urbana and Chicago: University of Illinois Press.
Mietzner, M. (2009). *Military Politics, Islam, and the State in Indonesia: From Turbulent Transition to Democratic Consolidation*. Singapore: Institute of Southeast Asian Studies.
Milner, H. and Kubota, K. (2005). Why the Move to Free Trade? Democracy and Trade Policy in the Developing Countries. *International Organization*, 59(1): 107–43.
Moghissi, H. (1999). *Feminism and Islamic Fundamentalism: The Limits of Postmodern Analysis*. London: Zed Books.
Moghissi, H. (2011). Islamic Feminism Revisited. *Comparative Studies of South Asia, Africa and the Middle East*, 31(1): 76–84.
Norris, P. and Inglehart, R. (2001). Cultural Obstacles to Equal Representation. *Journal of Democracy*, 12(3): 126–40.
Pierson, P. (1993) When Effect Becomes Cause: Policy Feedback and Political Change. *World Politics*, 459(4): 595–628.
Rajan, R. (2003). *The Scandal of the State*. Durham, NC, and London: Duke University Press.
Rizvi, H. (2000). *The Military and Politics in Pakistan: 1947–1997*. Lahore: Sang-e-Meel Publications.
Ross, M. (2008). Oil, Islam and Women. *American Political Science Review*, 102(1): 107–23.
Rouse, Shahnaz (1997). Gender(ed): The State, Religion and Civil Society. In K. Bhasin, R. Menon and N. Said Khan (eds) *Against All Odds: Essays on Women, Religion and Development from India and Pakistan*. New Delhi: India: Kali for Women.
Scott, J. (1998). *Gender: A Useful Category of Historical Analysis, Gender and Politics of History*. New York: Columbia University Press.
Scott, J. (2007). *The Politics of the Veil*. Princeton, NJ: Princeton University Press.
Seidman, Gay W. (1999) Gendered Citizenship: South Africa's Democratic Transition and the Construction of a Gendered State. *Gender and Society*, 13: 287–307.
Shah, A. (2003). Pakistan's 'Armored' Democracy. *Journal of Democracy*, 14(4): 26–40.
Shaheed, F., Warraich, S., Balchin, C. and Gazdar, A. (1998). *Shaping Women's Lives*. Lahore: Shirkat Gah Women's Resource Centre.

Slater, D. (2005) Ordering Power: Contentious Politics, State-Building, and Authoritarian Durability in Southeast Asia. PhD Dissertation, Department of Political Science, Emory University.
Talbot, I. (2005). *Pakistan: A Modern History*. Houndmills, Basingstoke: Palgrave.
Waldner, D. (1999). *State Building and Late Development*. Ithaca, NY, and London: Cornell University Press.
Warrick, C. (2005). The Vanishing Victim: Criminal Law and Gender in Jordan. *Law and Society Review*, 39(2): 315–48.
Waylen, G. (1994). Women and Democratization: Conceptualizing Gender Relations in Transition Politics. *World Politics*, 46: 327–55.
Weiss, A. (ed.) (1986). *Islamic Reassertion in Pakistan: The Application of Islamic Laws in a Modern State*. New Yotk: Syracuse University Press.
Zia, A. Shehrbano (2009). Faith-based Politics, Enlightened Moderation and the Pakistani Women's Movement. *Journal of International Women's Studies*, 11(1): 225–45.

PART V

Islam and Islamization

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19

EXPLAINING SUPPORT FOR SECTARIAN TERRORISM IN PAKISTAN

Piety, maslak and sharia

Christine Fair

Introduction

Pakistan concentrates the attention of policy-makers and scholars for numerous reasons. With over 196 million Muslims, Pakistan's population is larger than the populations of Iran (80.8 million), Egypt (86.9 million) and Saudi Arabia (27.3 million) combined (US Central Intelligence Agency 2015a, b, c, d). Its location has long been of strategic importance to the international community, as it sits astride the Middle East, Central Asia and South Asia. Most recently, Pakistan has been an important—albeit problematic—US partner in the conduct of US and NATO-led military and stabilization operations in Afghanistan. Pakistan's *madaaris* (pl. of *madrasah*, religious schools) and institutions of higher Islamic studies attract scholars from the world over and thus Pakistan is an important leader in Islamic thought and scholarship across the Muslim world.

Pakistan is also a nuclear-armed state with the fastest-growing arsenal in the world, inclusive of battlefield nuclear weapons (Koblentz 2014; Sankaran 2015). As the revisionist state in the security competition with India, Pakistan has long sought to alter maps in Kashmir. To do so, Pakistan has started several wars with India in 1947–8, 1965 and 1999 in an effort to seize territory in that portion of Kashmir controlled by India. More worrisome, the Pakistani state has employed Islamist militants as tools to achieve the state's goals in India as well as Afghanistan since 1947, essentially when the state became independent from the erstwhile Raj (Fair 2014; Nawaz 2008; Swami 2007). With both India and Pakistan possessing nuclear weapons, analysts fear that such Pakistani provocations may incite the next war in South Asia with potential escalation to nuclear use.

While Pakistan sustains critical attention for all of these reasons, Pakistan is itself a site of Islamist militant activities. Pakistan's domestic Islamist terrorists have long targeted religious minorities, including Hindus and Christians, as well as others who consider themselves to be Muslims such as Shia, Barelvis and Ahmedis because these militant groups do not consider them to be Muslims. Disturbingly, it should be noted that many non-militants such as influential clerics, popular television talk show hosts and ordinary citizens in Pakistan share these views (Hussain 2008; Tanveer 2014; Lashkar-e-Jhangvi 2008; Ispahani 2013). While Pakistanis are wont to blame the origins of these domestic militants upon the United States, India and even

Israel, their origins are in fact domestic. From late 2001 onward, many of Pakistan's one-time proxies began turning their guns against the state by taking on military, police and intelligence targets as well as civilian bureaucrats and political leaders (Qazi 2011).

As I detail herein, Pakistan's internal enemies have claimed more lives than all of Pakistan's wars combined, including the 1971 war in which Pakistan lost half of its territory and people. Given the lethal ferocity of Pakistan's internal enemies, in this chapter I focus upon public support for groups who are the vanguard of such violence: sectarian militant groups. Sectarian militancy, defined as violence between different sects within Islam, began to emerge in 1979 as a result of domestic factors as well as regional and geopolitical developments. Since then, Pakistan has persistently experienced sectarian violence. While in the early 1980s sectarian groups included both Shia and Sunni militias, since the mid-1990s sectarian violence has almost exclusively been the purview of the anti-Shia organization, the Sipah-e-Sahaba, and its related organization, Lashkar-e-Jhangvi (Abou Zahab 2002; Abou Zahab and Roy 2004; Nasr 2000a; Zaman 1998). Both of these groups are now known as the Ahl-e-Sunnat wal Jamaat (ASWJ). While these groups are most known for their murdering of Shia, they also are the key perpetrators in the slayings of Ahmedis, Christians, Hindus and Barelvis.

While Pakistan suffers a vast array of political violence with sanguinary consequences, in this chapter I focus specifically upon Islamist militant violence generally and sectarian violence in particular within Pakistan itself (Kfir 2014). The reasons for this particular focus are several. First, I hope to expand the debate about Pakistani Islamist violence. Contemporary discourse tends to frame Pakistan-based terrorist groups primarily in terms of the external threat they pose to Pakistan's neighbors and the international community, almost always at the behest of the Pakistani state. I want to remind analysts and scholars that many of the victims of Pakistan-based terrorist groups are Pakistanis themselves, second only to the Afghans whose lives have been continuously imperiled by Pakistan's proxies since the early 1970s if not earlier (Hussain 2005).

Second, while Pakistan's sectarian killers continue to claim thousands of Pakistani lives, these sectarian groups, which are almost exclusively Deobandi, also share overlapping membership with other Deobandi militant groups including the Afghan Taliban, the Pakistani Taliban, and the so-called "Kashmiri tanzeems" that focus upon Kashmir and the rest of India, most notably the Jaish-e-Mohammed (Abou Zahab and Roy 2004). Pakistan's Deobandi sectarian terrorist groups have served as the principle sub-contractors for al Qaeda in Pakistan as well (Fair 2004). These varied Deobandi militant groups also have important ties to the factions of the Deobandi Jamiat Ulema-e-Islami (JUI), which is a generally non-militant Islamist political party which regularly contests elections. This association with JUI leadership provides the militant groups with important political patrons and complicates government action against them.

Third, Pakistan's sectarian conflicts have long been inflected by extra-regional events such as the Iranian revolution, the Iran–Iraq war and the anti-Soviet Jihad in Afghanistan, and have had an adverse synergistic relationship with the Sunni Islamization of the state that began to unfold in the nation's earliest years (Haqqani 2005a). This is currently the state of affairs with Saudi Arabia and Iran engaging in another bout of high-stakes sectarian brinkmanship in Iraq, Syria, Yemen and elsewhere. The consequences of these regional developments are significant because many of Pakistan's Deobandi sectarian militants have elected to join the Islamic State to kill Shia and Allawites in Iraq and Syria respectively (Mehsud and Bukhari 2014; Ur Rehman 2013; Al-Salhy 2013).

In the discourse around sectarian violence in Pakistan and elsewhere, two prominent concerns come to the fore. The first is the notion that piety, or the intensity of Muslim religious practice, is a potential predictor for personal support for sectarian and other forms of Islamist violence. The second is the belief that individual conceptualizations of some forms of sharia also

explain this support. As I describe herein, scholars first espoused these concepts in the "clash of civilizations" thesis (Huntington 1996; Lewis 1990). Later writers advanced this discourse in scholarly and policy fora using qualitative and quantitative studies. In this chapter, I use a new and large dataset collected by Fair et al. (2013) which is drawn from a recent and large national survey of Pakistanis. The team's survey instrument collected several questions about different aspects of support for sharia as well as several dimensions of religious practice and piety. I use these various questions to create indices of both piety as well as support for three dimensions of sharia, described herein. I use these indices as explanatory variables, along with other explanatory and control variables such as sectarian background, in my regression analysis of support for sectarian violence, my dependent variable.

I find that the index of piety is a positive predictor of support for sectarian terrorism in Pakistan. In other words, persons who indicate greater piety are more likely to support sectarian violence than those with lower degrees of revealed piety. However, this significance disappears when I include district fixed effects in the model (including such fixed effects accounts for district-level characteristics for which I cannot explicitly control in my model). Those who espouse support for sharia in terms of good governance and restrictions upon women are less likely to support sectarian violence. Those who embrace the punitive dimensions of sharia are more likely to support this kind of violence. All three of these effects are not significant when district fixed effects are included in the model. In contrast, several other personal variables are more robust predictors than either piety or beliefs about sharia, including the particular school of Islam (maslak) that respondents espouse, ethnicity and key demographics.

The remainder of this chapter is organized as follows. In the second section, I provide a brief background to the problem of sectarian militants in Pakistan and the vast array of violence they produce. Next, I detail the literatures in which I root these present queries and derive several hypotheses which I test subsequently. In the fourth section of this chapter, I describe the dataset and analytical methods I employ. Fifth, I present the empirical findings. I conclude this essay with a brief discussion of the implications of this analysis.

Sectarian and other violence in Pakistan: the role of the Sipah-e-Sahaba-e-Pakistan

While many Pakistani security managers decry the purported threat from India, in fact, the most vicious threat to the Pakistani state and citizens alike comes from Islamist militant organizations that engage in a wide array of terrorist attacks against ordinary civilians as well as assaults on non-combatants (e.g., political leadership). Many of these crimes are explicitly sectarian or communally motivated. Additionally, these militant groups have perpetrated guerrilla campaigns against Pakistan's security forces and intelligence agencies as well. According to data collected by Bueno de Mesquita et al. (2013), between 1988 and 2011, terrorist attacks have claimed the lives of 5,783 Pakistanis[1] while another 35,839 Pakistanis have been killed in other kinds of political violence, which include insurgent attacks upon state forces, communal violence, ethno-nationalist violence, etc. (Bueno de Mesquita et al. 2013). In contrast, Pakistani battlefield deaths over four wars (1947, 1965, 1971 and 1999) are fewer than 9,000—a full order of magnitude less than those killed in internal security events (Sarkees et al. 2000).

While most commentators on Pakistan's dire internal security situation tend to use the anodyne descriptors of "Islamist", "terrorist", or even "sectarian militants" to describe these groups, these expressions suffer from considerable under-specification. In fact, the groups that are primarily engaged in this kind of Islamist domestic violence against Pakistanis in and out of government are almost exclusively Deobandi, one of the five major interpretive traditions

of Islam in Pakistan. Deobandis, like most Muslims in South Asia, follow the Hanafi School of fiqh, or jurisprudence.[2] This cluster of Deobandi militant organizations includes the sectarian (and communal) organization Ahl-e-Sunnat wal Jamaat (ASWJ), which is the name under which older Deobandi sectarian groups such as Sipah-e-Sahaba-e-Pakistan (SSP) and Lashkar-e-Jhangvi (LeJ) now operate. These Deobandi groups have long-standing ties to the Afghan Taliban and consequently to al Qaeda and to several Deobandi militant groups that the ISI groomed for operations in India, such as Jaish-e-Mohammed (JeM), Harkat-ul-Jihadi-e-Islami (HuJI), Harkat ul Mujahiden (HuA) and Harkat ul Ansar (HuA) (Ispahani 2013; Fair 2011a; Mahsud 2010). These groups are often called "Kashmiri tanzeems" (Kashmiri organizations) even though few of their cadres are actually Kashmiri and they operate well beyond Kashmir.

The so-called Tehreek-e-Taliban-e-Pakistan (TTP or Pakistani Taliban) also emerged from this morass of Deobandi militant groups, including the SSP (Rafiq 2014). While the TTP is often understood as a "Pashtun insurgency", in fact Punjab-based groups such as the Deobandi SSP/LeJ and JM are core components of the TTP and conduct attacks in its name (Roggio 2010). The roots of the TTP stretch back to 2002, when Pakistan's Deobandi militant organizations began a serious reorganization. First, Jaish-e-Mohammed (JeM) fissured over General and President Pervez Musharraf's decision (whether voluntary or not) to facilitate US operations in Afghanistan to overthrow the Afghan Taliban. After all, the Taliban regime was, for most intents and purposes, the only extant Deobandi-inspired Islamist government. Masood Azhar, JeM's amir (leader), remained loyal to Pakistan while Jamaat-ul-Furqan, its breakaway rump, initiated suicide-operations against the state (Qazi 2011; Mir 2004).

During the same period, important events began taking place in the Federally Administered Tribal Areas (FATA). After the US invasion of Afghanistan that began on 7 October 2001 many fighters associated with Al Qaeda and the Taliban (*inter alia* Uzbeks, Uighers, Arabs, Afghans) sought sanctuary in the FATA and paid considerable amounts of money to locals who would support them and provide them with shelter and amenities. In 2002 when the Pakistan army began undertaking limited operations in FATA, specific tribal dimensions of the conflict began to manifest. At first, the Wazirs elected to fight the Pakistan army, and later the Mehsuds—who had previously been loyal to the army—also joined the fight against the army. By 2007, Mullah Nazir and Hafiz Gul Bahadur led a new formation called the "Muqami Tehreek-e-Taliban" (Local Taliban Movement). This group aimed to protect the interests of Wazirs in North and South Waziristan. Nazir and Bahadur formed this group "to balance the power and influence of Baitullah Mehsud and his allies, the Islamic Movement of Uzbekistan" (Qazi 2011: 577). Notably, both Nazir and Gul Bahadur forged a pact with the Pakistan army whereby they would desist from attacking the Pakistan army and focus all of their efforts upon ousting the US/NATO troops from Afghanistan and helping to restore the Afghan Taliban to power (Fair and Jones 2010; BBC.com 2013). Other tribal lashkars (militias) also began forming to either challenge the Pakistan military or rivals. Some of the commanders began espousing the appellation of the "Pakistani Taliban".

These various Deobandi militias successfully forged a tentative archipelago of sharia (Islamic law) that arched across the Pashtun belt in the FATA and Khyber Pakhtunkhwa (KPK). Analysts generally cite 2007 as the year that the TTP formally coalesced. In November of that year, several Pakistani militant commanders, rallying under the leadership of Baitullah Mehsud, announced that they would henceforth operate under the banner of the Tehreek-e-Taliban-e-Pakistan (Pakistani Taliban Movement). Following Baitullah Mehsud's death in a 2008 drone strike, Hakimullah Mehsud took over the TTP. Under Hakimullah, the TTP became more coherent and intensified its campaign of suicide bombings of Pakistani security and intelligence agencies (Pak Institute for Peace Studies 2009; New York Times 2010; PBS Newshour

2010). Under the leadership of Hakimullah, TTP campaigns against civilian targets also became more vicious, singling out Shia and Ahmedis (also spelled Ahmediyyas), who are considered munafiqin (Muslims who spread discord in the community) and murtad (liable to be killed), respectively (Siddique 2014).

The TTP has also attacked important Sufi shrines. While this is a new phenomenon that had no precedent in Pakistan, since 2005 militants have launched more than 70 suicide attacks on such sites, killing hundreds. These attacks against Sufis have intensified in recent years. For example, Lahore's prominent Datta Ganj Bakhsh—perhaps the most important Sufi shrine in the Punjab—was attacked in late June 2010 (Tohid 2010; Tavernise 2010). In October of that year, TTP attacked the shrine dedicated to a saint named Abdullah Shah Ghaz in Karachi (Gul 2009). In April 2011, suicide bombers assaulted a shrine dedicated to a Punjabi saint, Sakhi Sarvar, in Dera Ghazi Khan (Masood and Gillani 2010). These and other Pakistani Taliban attacks have cumulatively served to deter Pakistanis from frequenting such shrines (Karimjee 2014). In May 2015, gunmen from a sectarian group operating under the name of Jandullah boarded a bus of Ismailis (a Shia sect) and began gunning them down. Before the carnage was over, at least 43 were dead. Jundullah is a confederate of the Pakistani Taliban and Lashkar-e-Jhangvi and pledged allegiance to the Islamic state in November 2014 (Hassan 2015; Bin Perwaiz 2014).

The focus on sectarian violence against Shia, Barelvis, Ahmedis and others no doubt reflected Hakimullah Mehsud's long-time association with the sectarian terrorist group SSP/LeJ (Siddique 2010). In November 2013, a US drone strike killed Hakimullah (Craig 2013). Maulana Fazlullah became the amir of the TTP. Fazlullah had previously achieved notoriety with the moniker "Maulana Radio" and as head of the Tehreek-e-Nifaz Shariat-e-Mohammadi (TNSM), an Islamist militant group in Swat that first agitated for the imposition of sharia in Swat in the 1990s. After resuming these demands with a sustained campaign of terrorism that lasted several years, in 2009 the TNSM wrested an agreement (called Nizam-e-Adl, "System of Justice") from the Pakistani government for Swat and Malakand (Hashim 2013). However, when the TNSM broke the accord, the Pakistan army moved in quickly to crush the movement. Scholars believe that Fazlullah now resides in Kunar province in Afghanistan. He rarely issues statements (Khan 2010). The most sectarian commanders of the TTP, particularly those associated with the SSP/LeJ are turning away from their traditional allegiance to the Afghan Taliban leader, previously Mullah Omar and now Mullah Mounsour, and are embracing the Islamic State (Nazish 2014).

The SSP (aka LeJ and ASWJ) and virtually all other Deobandi militant groups in Pakistan and Afghanistan are not only networked with each other, they are all tightly aligned with Islamist political organizations, most notably the Deobandi ulema political party, the Jamiat Ulema-e-Islami (JUI)-Fazlur Rehman and JUI-Sami ul Haq. These Deobandi militant groups also enjoy funding by wealthy Arab individuals and organizations (Abou Zahab and Roy 2004; Fair 2007). In addition, the SSP itself is a political party, which makes it difficult to completely disambiguate violent Islamist politics and non-violent Islamist politics. Given the role of coalitions in forming a government in Pakistan, numerous parties have partnered with SSP including President Musharraf's "King's Party" the Pakistan Muslim-Qaid, the Pakistan Peoples' Party (a left-of-center national political party with many Shia leaders) as well as the Pakistan Muslim League-Nawaz among others (Nasr 2000a, b; Rafiq 2014).

While Deobandi terrorist groups are mostly responsible for sectarian violence in Pakistan, Ahl-e-Hadith organizations have also targeted Barelvis and others as well, albeit with far less frequency. It is important to note that the Lashkar-e-Taiba, an Ahl-e-Hadith terrorist group, has never attacked targets in Pakistan (Fair 2011b). Notable anti-Sunni, Shia groups exist

(Sipah-e-Mohamad Pakistani (SMP) and Tehrik-e-Jafria-Pakistan (TJP)) and have enjoyed support from Iran in the past. These groups are not nearly as active as their Deobandi counterparts today and mostly engage in tit-for-tat killings in response to Shia assassinations. In the growing sectarian violence, observers worry that Iran may once again enter this arena of sectarian proxies with verve. In recent years, especially in areas like the tribal agency of Kurram where Sunni militants have targeted Shia, Shia militias have formed in small numbers (Ur Rehman 2013: 9–11). In recent years, Pakistan's Barelvis have begun attacking Deobandis in retaliation. Barelvis are also often involved in acts of political violence centered on blasphemy issues in Pakistan (Khan 2011). Barelvis have taken up violence against Deobandis in Pakistan as well (Nasr 2000b; Khan 2011; Jamal 2009).

Unfortunately, the activities of these sectarian militant groups are directly and indirectly sustained by Islamist and right-of-center political parties that are not overly militant. For example, Prime Minister Nawaz Sharif's Pakistan Muslim League (PML-N) has resisted cracking down on the sectarian groups for fear of alienating their sympathizers while Imran Khan's Pakistan Tehrik-e-Insaf has advocated conciliatory policies towards the TTP (Naqvi 2013).[3]

The extent of the problem

To provide an overview of the trends of domestic violence in Pakistan, I employ data on Pakistan's political violence, which were collected by Bueno de Mesquita and his colleagues using Pakistani press reports. Henceforth, I refer to this as the BFRS (Bueno de Mesquita, Fair, Rais, Shapiro) dataset (Bueno de Mesquita et al. 2013). Unlike most datasets on Pakistan, which focus only upon "terrorism", the BFRS dataset collects information about virtually every kind of political violence in Pakistan from the beginning of 1988 (when the anti-Soviet war was concluding) to the end of 2011. The BFRS dataset defines terrorism as political violence against non-combatants. An event is coded as "sectarian" if the news account explicitly characterizes the attack as sectarian, which we define as violence committed by one sect of Islam against another. This is distinct from communal violence which, in Pakistan, invariably involves Muslims attacking non-Muslims. In the BFRS dataset, an event is coded as communal or sectarian if there is information in the news account that identifies the attack in such terms. The BFRS data set also includes guerrilla attacks, which are those conducted by militant groups against security forces. The BFRS dataset offers a further refinement: ethno-nationalist

Table 19.1 BFRS political violence.

Variable	*1988–2001*	*2002–2011*	*Total: 1998–2011*
Total Incidents, Terrorist Attacks	2087	3721	5808
Total Killed, Terrorist Attacks	2086	3697	5783
Total Wounded, Terrorist Attacks	6754	9025	15,779
Total Incidents, Sectarian Violence	690	427	1117
Total Killed, Sectarian Violence	865	859	1724
Total Wounded, Sectarian Violence	1861	1414	3275
Total Incidents, Other Political Violence	11,340	12,820	24,160
Total Killed, Other Political Violence	10,873	24,966	35,839
Total Wounded, Other Political Violence	12,886	20,924	33,810

Source: In-house tabulations of BFRS (Bueno de Mesquita et al. 2013; BFRS Dataset).

attack. These are most commonly involving Baloch or Sindhi separatists. Because these are not Islamist events and because sectarian groups do not engage in these attacks, I do not deal with ethno-nationalist violence here.

In Table 19.1, I divide the various incidents in this dataset into two periods: before and after 9/11. As the data in Table 19.1 show, even before the events of 9/11, Pakistan was a dangerous place for Pakistanis. In Figures 19.1–19.5, I geographically depict terrorist events by type and year aggregated at the district level for 1988, 2001, 2002, 2006 and 2011. These figures demonstrate a few important points. First, while much of Pakistan has experienced some

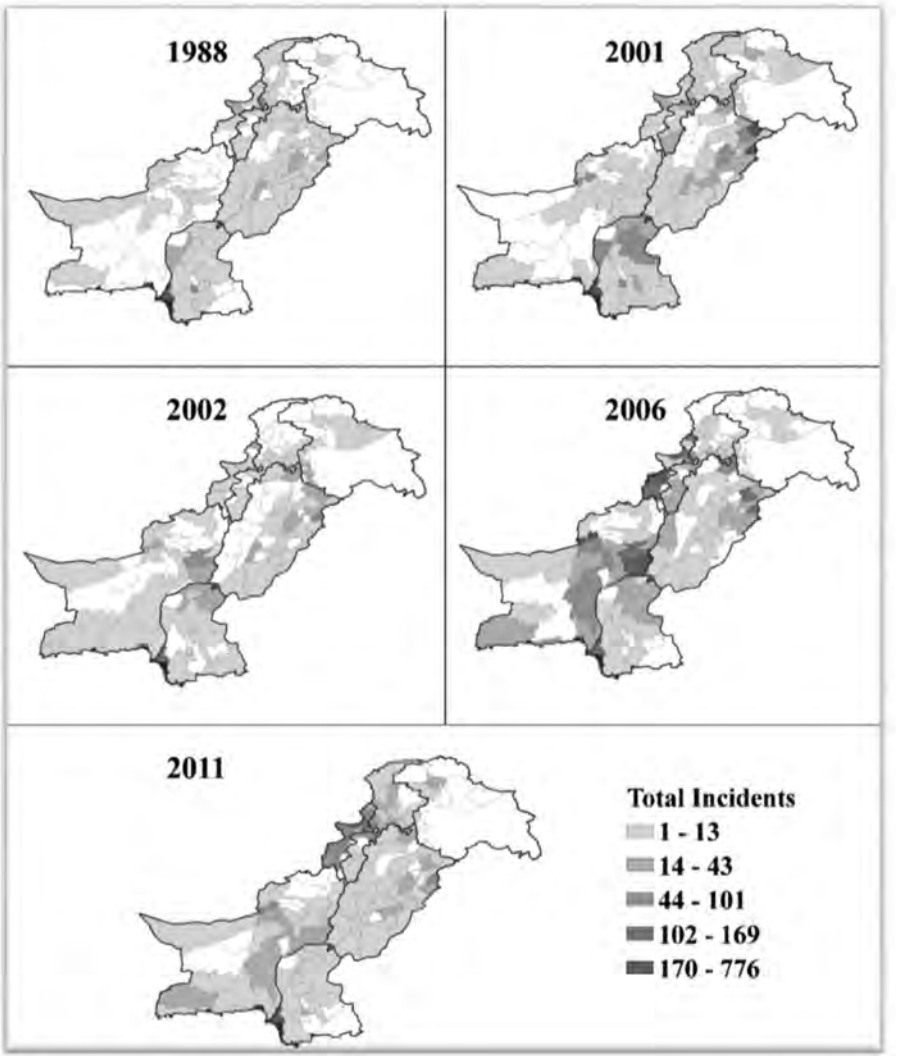

Figure 19.1 All political violence in Pakistan – selected years.

Source: In-house manipulations of BFRS dataset (Bueno de Mesquita *et al.* 2013; BFRS Dataset) by Jesse Turcotte.

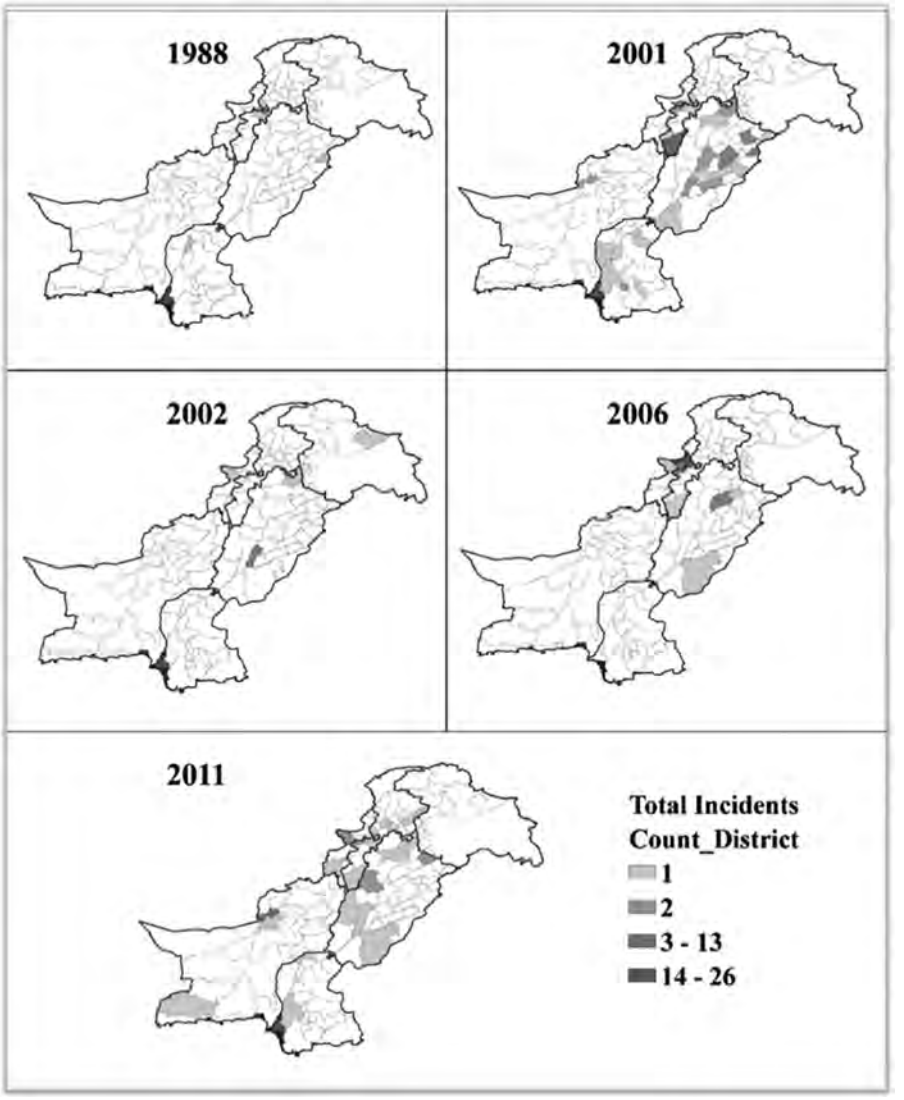

Figure 19.2 Sectarian violence in Pakistan – selected years.

Source: In-house manipulations of BFRS dataset (Bueno de Mesquita *et al.* 2013; BFRS Dataset) by Jesse Turcotte.

form of domestic political violence, some districts remain free of violence most of the time. Second, sectarian, communal and guerrilla violence seem to be confined to specific provinces and even districts. In other words, these forms of violence, despite the prevalence of reports in the news cycle, do not occur everywhere. Sectarian violence is most intensely concentrated in the Punjab in most years. In some years, it also has also occurred in parts of Sindh and the FATA. Communal violence is also mostly concentrated in the Punjab. Guerrilla violence is generally concentrated in Baluchistan (where the state has been at war with ethno-nationalist

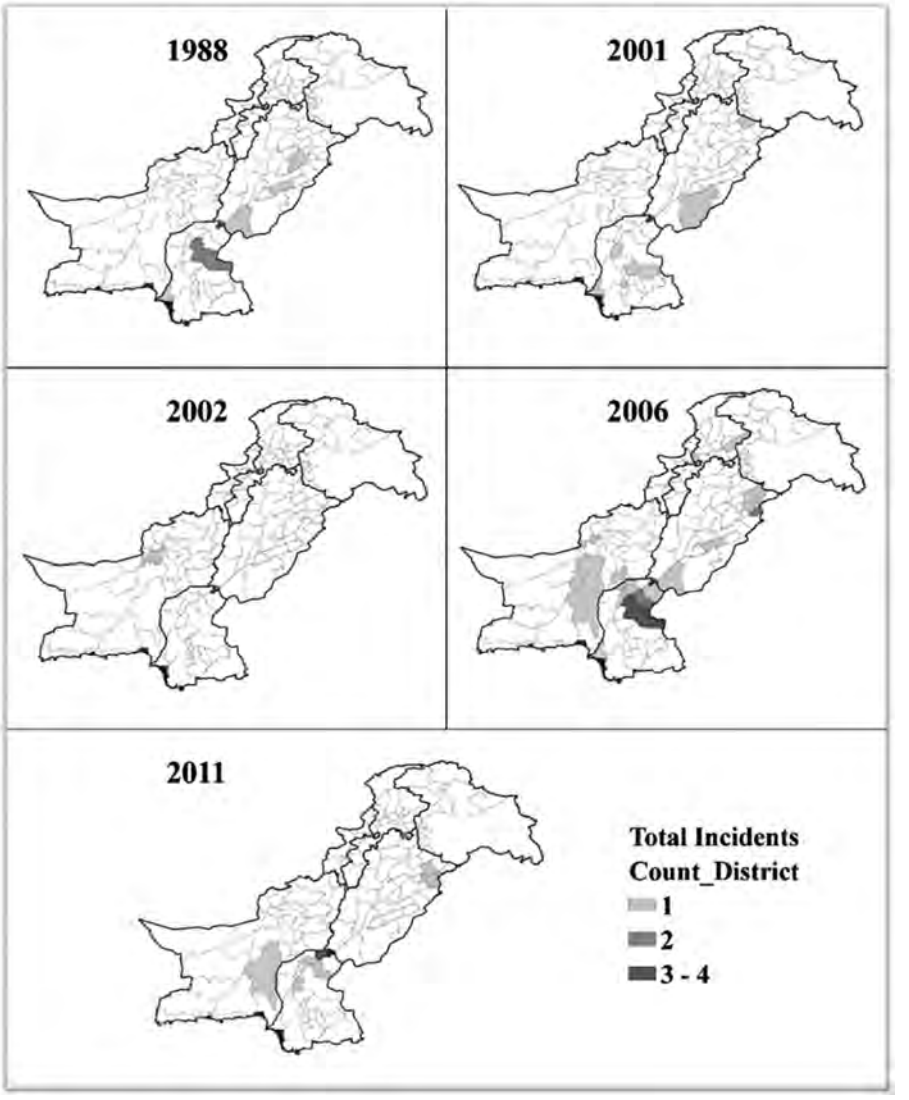

Figure 19.3 Communal violence in Pakistan – selected years.

Source: In-house manipulations of BFRS dataset (Bueno de Mesquita *et al.* 2013; BFRS Dataset) by Jesse Turcotte.

Baloch separatists) and in the FATA and parts of KPK where the state has been at war with the TTP and their confederates. What these maps also show is that the intensity of guerrilla violence is a relatively recent phenomenon after 9/11. And as discussed above, much of this violence is due to the Pakistan Taliban and their sectarian and other allies. These charts alone attest to the importance of understanding Pakistan as a victim of political violence as well as an active exporter of the same.

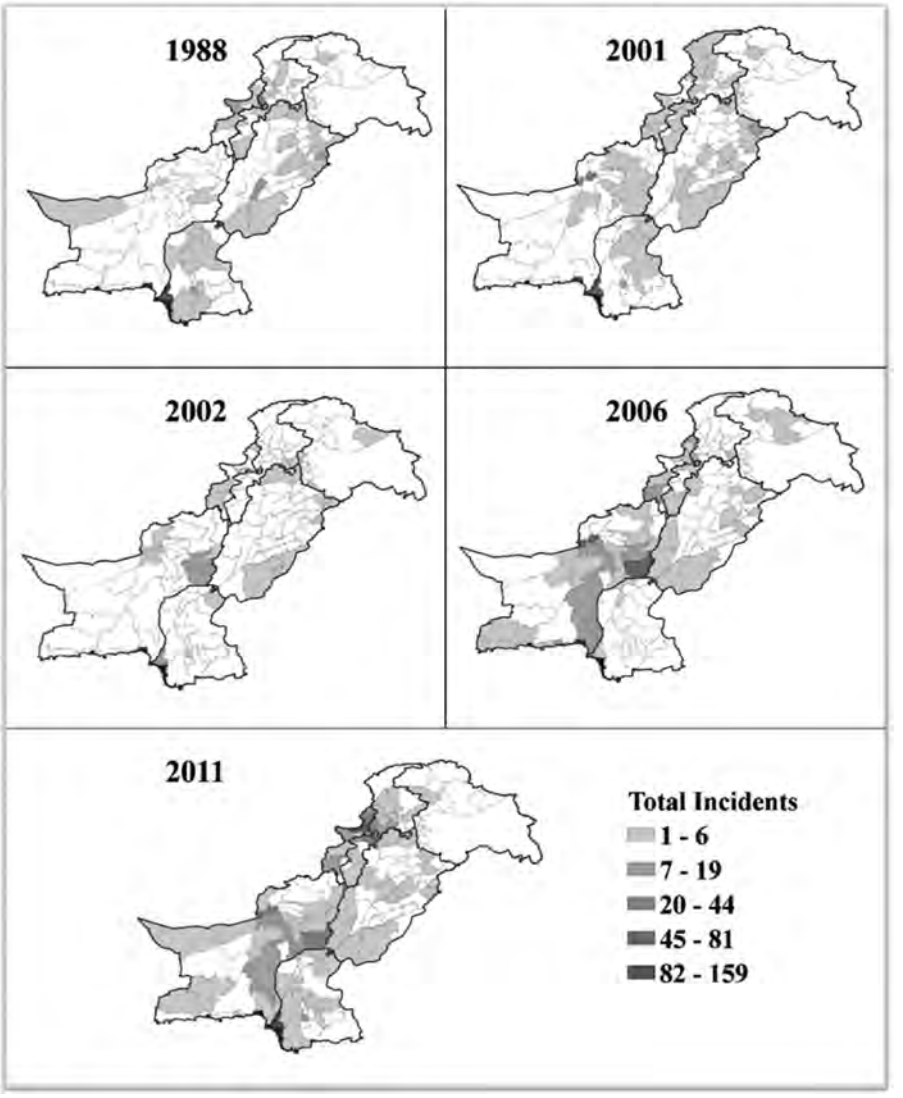

Figure 19.4 Terrorist violence in Pakistan – selected years.

Source: In-house manipulations of BFRS dataset (Bueno de Mesquita *et al.* 2013; BFRS Dataset) by Jesse Turcotte.

Literature review and hypotheses

To formulate testable hypothesis about the determinants of support for sectarian violence in Pakistan, I draw from several policy analytic and scholarly discourses about Islamist militancy. Specifically, I review the literatures that examine potential ties between support for Islamist violence and several aspects of Muslim identity politics in Pakistan and other Muslims countries namely: religious practice (piety), support for sharia, and adherence to a particular interpretative tradition or maslak.[4]

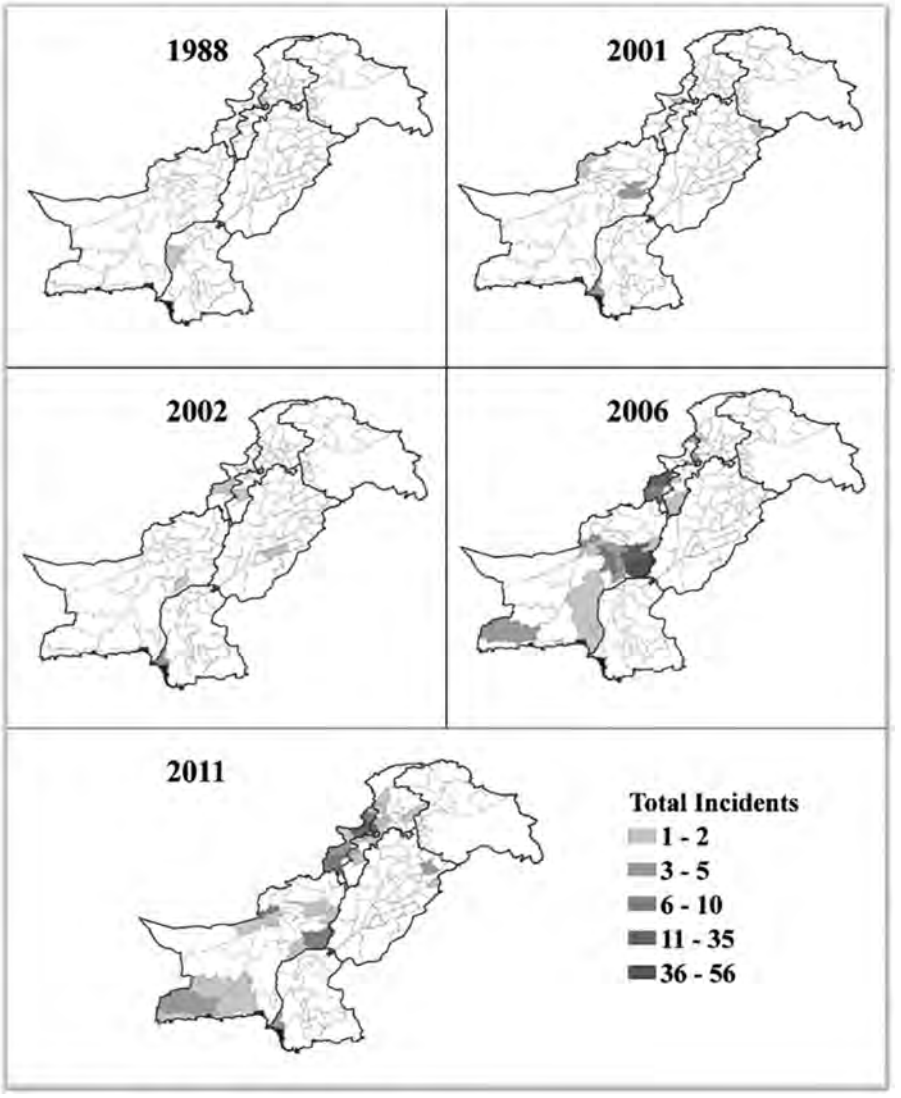

Figure 19.5 Militant/guerrilla violence in Pakistan – selected years.

Source: In-house manipulations of BFRS dataset (Bueno de Mesquita *et al.* 2013; BFRS Dataset) by Jesse Turcotte.

Piety and religious practice

The "clash of civilizations" thesis advanced by Huntington (1996) and Lewis (1990) held that tensions between the Muslim world and the West derive from innate conflicts between Islam and Christianity. This provocative assertion galvanized a widening discourse that posited intrinsic ties between Islam and support for Islamist violence.[5] Public intellectuals contributed to this debate with their varied contentions that public support for violence against "the West" is inherently related to Muslim religiosity or faith (Laqueur 1999; Calvert 2002; Mendelsohn 2005) and

renowned scholars pursued this line of empirical inquiry as well (Jackson 2007). Juergensmeyer, for example, employing qualitative case studies, concluded that the very theological foundations of religions are soaked in blood and that believers employ violence in elemental aspect of their religious corporate existence (Juergensmeyer 2003, 2008). Weinberg, Pedahzur and Canetti-Nisim, using the Palestinian–Israeli conflict as a case study, argue that it is difficult to "deny that in the Palestinian–Israeli conflict a substantial majority of suicide bombings have been the work of shahids or religious self-martyrs belonging to Hamas and Palestinian Islamic Jihad, two organizations expressing Islamist ideas about the nature of the situation" (Weinberg et al. 2003: 141). Similarly, Hafez (2007), taking the biographies and videos of suicide bombers in Iraq, details how al Qaeda goes to great pains to project the attackers as pious (e.g., frequently engaged in prayer). Taking a somewhat different stance and approach, Wiktorowicz (2005), drawing on interviews with recruits in the militant British Islamist group al-Muhajiroun, found that persons who were more religious and engaged with Islam were actually less supportive of and more resistant to al-Muhajiroun's message.

While robust evidence of a link between religiosity and support for militancy is scant, there is mounting countervailing evidence for such a claim (see, e.g., Tessler and Nachtwey 1998). Tessler and Nachtwey (1998), in their analysis of public opinion data from Egypt, Kuwait, Palestine, Jordan and Lebanon, found that frequency of prayer is uncorrelated with attitudes toward conflict with Israel. Clingingsmith, Khwaja and Kremer found that feelings of Muslim unity and intensified commitment to Islamic orthodoxy among Pakistani pilgrims after performing Hajj were co-extant with expanded tolerance towards non-Muslims (Clingingsmith et al. 2009). Fair, Malhotra and Shapiro using survey data from Pakistan and an endorsement experiment to measure such support similarly find no ties between support for Islamist militancy and piety (Fair, Malhotra and Shapiro 2012).

Given that the evidence on the relationship between religious piety and practice, on the one hand, and support for militant groups, on the other, is weak or ambiguous, I put forward H1 as a testable hypothesis:

> H1: Religious piety and practice is not positively related to support for sectarianism in Pakistan.

Islamist politics

Some scholars who have sought to exposit the determinants of individual support for Islamism and terrorism generally have found no significant positive or, in some cases, negative correlation between the two. Ginges, Hansen and Norenzayan (2009) report that while a 2003–4 survey of Indonesian Muslims did not show an association between religious devotion and prayer frequency and support for suicide attacks, their own research concluded that attendance at religious services did predict support for such attacks among Palestinian Muslims. Similarly, Kaltenthaler, Miller, Ceccoli, and Gelleny (2010) analyze data derived from a nationally representative survey of Pakistanis from 2007 and conclude that there is no correlation between individual beliefs about the extent to which Islam should play a more important and influential role in the world, on the one hand, and whether they justify terrorist attacks on civilians, on the other. Tessler and Nachtwey (1998) find that "politicized Islam", measured via responses to four binary questions about the role of Islam in politics, was negatively associated with peaceful attitudes; however, Furia and Lucas (2008), analyzing data derived from the 2002 Arab Values Survey, conducted in Egypt, Jordan, Lebanon, Kuwait, Morocco, Saudi Arabia and the UAE, conclude that Arab Muslims with higher levels of "Islamic consciousness" were no more hostile

to Western countries than others. Similarly, Fair, Ramsay and Kull (2008) find no relationship between views on sharia law and support for violence.[6]

Looking across these varied studies and the countries from which they draw, the evidence that ties support for political Islam (variously instrumented) and Islamist violence is not robust. Nonetheless there are several reasons why we might observe a relationship between support for Islamist politics and militancy in Pakistan. First, many avowedly Islamist parties in Pakistan take positions that are explicitly tolerant of some forms of Islamist violence. The two most important Islamist political parties not only vocally support "jihadi" actions but also have direct command and control over key militant groups themselves. For example, Jamaat-e-Islami (JI) not only offers its political support to the Afghan Taliban and opposes military action against the Pakistani Taliban, it also has direct ties to the Hizbul Mujahiden, a so-called "Kashmiri jihadi tanzeem" (organization) that is active in Indian-administered Kashmir. The other key Islamist party, the Deobandi Jamiat Ulema-e-Islami (JUI), vocally supports an array of Deobandi Islamist militant groups, including the Pakistani and Afghan Taliban as well as numerous Kashmiri groups and the SSP/LeJ, and has direct command and control over them (Swami 2007; Fair 2004, 2007, 2011a; Jamal 2009; Ali 2009; Haqqani 2005b). Second, these two parties frequently align with other Pakistan-based terrorist organizations such as the Jamaat-ud-Dawa (previously known as Lashkar-e-Taiba) to form political pressure groups around specific issues (*inter alia* Pakistan's ties with the United States; closure of the ground lines of control for the US military operations in Afghanistan; opposition to the US-led war in Afghanistan; support for Saudi Arabia's actions in Yemen). It is not unreasonable to assume therefore that a vote for such Islamist parties should be tantamount to supporting the party's jihadi politics.[7] Third, these groups, with their very visible ties to Islamist militancy generally and sectarian militancy in particular, also vocally advocate for the implementation of sharia along the lines of their own particular maslak. Incidentally, disagreement about which form of Sharia should form the basis of Pakistani law precludes lasting political alliances in and beyond the ballot box.

Previous empirical work by Fair, Malhotra and Shapiro (2010) on Pakistan finds that Pakistanis conceptualize sharia in various ways, with many more seeing sharia as a mechanism for good governance and rule of law rather than punitive measures. Fair, Nugent and Littman, expanding upon those findings and using a larger dataset (described below) that asks more expansive questions of Pakistanis about their beliefs about sharia, find that there are three broad categories into which their beliefs fall: sharia as a form of good governance; sharia as a set of punitive regimes such as the Hudood ordinances; and sharia as a set of rules that govern women's public role in particular (Fair, Littman, and Nugent 2014). Presumably, persons who believe sharia is fundamentally about rule of law and good governance should oppose organizations and activities that undermine both. This gives rise to the first of three inter-related hypotheses:

> H2a: Support for sharia defined as good governance is negatively related to support for sectarian militancy.

With respect to Hudood punishments, many Islamist militant organizations embrace them. For example, the Afghan Taliban with whom the SSP collaborated, were in power in Afghanistan and established a sharia government based upon their Deobandi interpretation of Sharia. The Afghan Taliban, both in and out of power, have used Hudood ordinances including stoning adulterers to death, whipping men and women who do not wear "Islamic" dress, punishing men who shave their beards, and other physical punishments. The SSP use similar rationale to kill Shia, Barelvis and Ahmedis as well as non-Muslims, arguing variously that they are apostates, blasphemers and kufar (non-believers), all of whom should be

killed (Lashkar-e-Jhangvi 2008). It stands to reason that if one rejects Hudood notions as a part of sharia, one should also be disinclined to support the militant groups that embrace them. This suggests another hypothesis:

> H2b: Support for sharia defined as Hudood is positively related to support for sectarian militancy.

Finally, while many militant and non-militant Islamist organizations in Pakistan maintain that women should observe veiling and restrict their presence in public, many women themselves see veiling as a means of expanding their access to the public space while retaining their respectability. Thus for some women, veiling is a liberating mechanism rather than a mechanism of confinement. For other women in Pakistan, different kinds of veiling take on different kinds of social signaling altogether, a full discussion of which is beyond this chapter.[8] Given these different interpretations about veiling and its contested relationship to various notions of sharia, there are no empirical reasons to suspect that support for aspects of sharia that restrict women should have any correlation with support for terrorism. This gives rise to the third hypothesis in this cluster:

> H2c: Support for sharia defined as rules governing women's public role is unrelated to support for sectarian militancy.

Maslak and militancy

In Pakistan, there are four key Sunni interpretative traditions called masalik (pl. of maslak): Ahl-e-Hadith, Deobandi, Barelvi, and Jamaat-e-Islami. All but Ahl-e-Hadith adherents ascribe to the Hanafi School of Islamic jurisprudence (fiqh). Those of the Ahl-e-Hadith tradition follow no fiqh and refer to themselves accordingly as "ghair muqalid", or one who does not follow any fiqh. In addition to these four Sunni masalik, the fifth maslak encompasses Shia Islam and its variants in Pakistan. While Jamaat-e-Islami is technically supra-sectarian and even denounces sectarianism in its public posturing, JI does align itself politically with the sectarian militant groups and their Deobandi supporters in the JUI among others as noted above and has long supported an array of jihadi causes. The Ahl-e-Hadith maslak also espouses a very sectarian world view. (Note that while Lashkar-e-Taiba follows this school, the terrorist organization is at odds with the mainstream Ahl-e-Hadith ulema; Rana and Ansari 2004.) As noted above, Barelvis have militarized in recent years largely in response to being attacked by Deobandis and even Ahl-e-Hadith adherents. In the past, Shia ulema have aligned with Shia militants who targeted their Sunni Deobandi rivals. These groups are now defunct.

In Pakistan, the production of these different ideological positions is the job of the madaris and the religious scholars they train irrespective of any particular madrassah's maslak.[9] As a fraction of the overall market of full-time enrolled children, less than 1 percent attends a madrasah full-time. However, many more children and young adults attend a madrasah in addition to their other schools (public or private). One of the dominant functions of madaris is to argue for the legitimacy of each school's maslak. Thus, madaris stand accused of fostering support for sectarianism in Pakistan or at least world views that espouse the superiority of one maslak over another (Fair 2008; Fair, Littman, Malhotra, and Shapiro 2013). In principle, JI madaris should be an exception as JI claims to repudiate such sectarian divides.

One of the most important function of madaris is the production of ulema (pl. of alim, scholar) and less-accomplished religious leaders who deliver sermons, most notably during Friday prayer and

on major Muslim holidays. Association with a specific maslak will expose a person to a particular set of sectarian commitments. However, despite the deepening of sectarian divides in Pakistan, not all Pakistanis will readily or openly identify with a particular tradition; survey work indicates that most respondents will prefer to simply say that they are "Ahl-e-Sunnah", or generically "Muslim". Thus, I anticipate that persons who espouse a particular commitment to one of the main Sunni masalik that have been tied to sectarian violence in Pakistan either directly or indirectly (Ahl-e-Hadith, Deobandi) will support sectarian violence while those who identify as "Ahl-e-Sunnah" will be less likely support this violence. This category includes those who espouse Jamaat Islami as well as Barelvi as their maslak of preference. This discussion gives rise to a third testable hypothesis:

> H3: Support for sectarian militancy should vary according to the maslak to which the respondent adheres.

Data and research methods

To explore the determinants of support for purveyors of sectarian violence and to test the above-posited hypotheses, I use a dataset originally collected by Fair, Littman, Malhotra and Shapiro (2013). That research team fielded a face-to-face survey with a sample of 16,279 people. This included 13,282 interviews in the four main provinces (Punjab, Sindh, Baluchistan and Khyber Pakhuntkhwa), as well as 2997 interviews in six of seven agencies in FATA (Bajaur, Khyber, Kurram, Mohmand, Orakzai and South Waziristan). The survey was fielded in January and February 2012 in the four main provinces and in April 2012 in FATA.

Analytical methods

My dependent variable measures explicit support for one of the key providers of sectarian terrorism in Pakistan, the Sipah-e-Sahaba-e-Pakistan (SSP). As noted above, the SSP not only commits sectarian attacks, it is also involved in communal violence, and it is an important collaborator in violence perpetrated by the Pakistani Taliban, or TTP, and even al Qaeda. In recent years, its cadres have also left to fight in Syria and Iraq abroad and, domestically, have thrown support to the Islamic State. The question I use for my dependent variable is "How much do you support Sipah-e-Sahaba-e-Pakistan (SSP) and their actions?" Respondents could answer "not at all", "a little", "a moderate amount", "a lot", or a "great deal".

Per H1, I require a measure that instruments for individual piety. Thus I constructed an index that would measure the intensity of person's religiosity or intensity of religious practice. This index is a straightforward, additive index of the several variables that tap aspects of intensity of, or frequency of, religious practice. To derive this index, I used several questions from the survey noted below.

- Do you attend dars-e-Quran? (if yes, then 1)
- If yes: How many times do you go to dars-e-Quran per week on average? (scaled from 0 to 1)
- How often per week do you pray Namaz? (range scaled from 0 to 1)
- How many times did you pray Namaz in congregation in the Mosque last Sunday?[10] (range scaled from 0 to 1)
- Do you pray "Tahajjud Namaz?" (if yes, 1)

To obtain the respondent score for this index, these five items are summed and then divided by five. The largest possible value for this index is one while the smallest possible value is zero.

Next I developed a cluster of independent variables that instrument for respondent support for different conceptualizations of sharia, derived from the empirical work of Fair, Littman, and Nugent (2014) and Fair, Malhotra, and Shapiro (2010) find that Pakistanis conceive of sharia in at least three key dimensions: good governance (access to services, minimization of corruption, etc.); "Hudood" punishments for crimes (whipping, stoning, etc.); and pertaining to women (veiling, presence in public, etc.). Following and at times modifying their approaches, I use several survey items to construct three additive indices which reflect these different dimensions of sharia. Specifically, the survey asks respondents "Here is a list of things some people say about sharia. Tell us which ones you agree with. Sharia government means: . . .". Respondents can agree or disagree with each item presented.

The first sharia index I calculate pertains to respondent's support for the notion that sharia has specific provisions for women. It is derived from the following two survey items:

- A government that restricts women's role in the public (working, attending school, going out in public) (If agree, 1)
- A government that requires women to veil in public. (If agree, 1)

To obtain the value for this index, I add these two measures and divide by two. Thus the maximum possible value of this index is 1 and the smallest value is zero.

The second measure of sharia is an additive index that reflects the degree to which the respondents view sharia essentially in terms of good governance. I derive this index from following four survey items:

- A government that provides basic services such as health facilities, schools, garbage collection, road maintenance. (If agree, 1)
- A government that does not have corruption. (If agree, 1)
- A government that provides personal security. (If agree, 1)
- A government that provides justice through functioning non-corrupt courts. (If agree, 1)

To obtain this index value, I add the values for the above items and then divide by four. This index has a possible of range of zero to one.

The third measure of sharia reflects the degree to which the respondents view sharia essentially in terms of physical punishments. It is derived from the following survey item:

- A government that uses physical punishments (stoning, cutting off of hands, whipping) to make sure people obey the law. (If agree, 1)

This value is zero if the respondent disagrees and 1 if they agree.

The third set of independent variables refers to the maslak of the respondent. Due to fears of respondent social desirability bias, Fair et al. (2012) do not ask respondents directly about the maslak they embrace. Rather, they ask this indirectly by querying the respondent "If a child in your house were to study hifz-e-Quran or nazira, what kind of madrassah or school would you like them to attend?" (Hifz-e-Quran is the memorization of the Quran while Nazira is learning to recite the Quran properly.) I similarly use this question to instrument for respondent maslak. In this open-ended question, respondents gave the following answers "Sunni" (which includes Jamaat Islami and Barelvi), "Deobandi", "Ahl-e-hadith", "Shia", "Non-Muslim", and "Don't Know".

In addition to these independent variables, following Shafiq and Sinno (2010), I include several control variables including marital status (single/never married, married, divorced, widowed), age

group (18–29, 30–49, 50+), educational attainment (less than primary, primary (6th grade), middle (8th grade) matriculate (10th grade), higher education (above 10th grade)), and income quartiles. In addition, I include ethnicity due to the observed geographical patterns in the kinds of violence evidenced and documented in this chapter. In Table 19.2, I present the summary statistics for the dependent, independent and control variables.

To conduct the analysis, I ran ordinary least squares regression on the dependent variable that captures support for SSP and its actions, using the above noted list of variables for Muslim respondents only. I categorized respondent as "non-Muslim" if they indicated that they were non-Muslim when asked about the kind of madrassah they would use for their children. If respondents did not answer the question or said "did not know", their responses were coded as "missing". To capture any district-level characteristics for which I cannot control directly, I ran this model both with and without district fixed-effects. Because the original survey sample was drawn at the level of the Primary Sampling Unit (PSU), standard errors are clustered at the PSU (for details about the survey execution, see discussion in Fair, Littman, Malhotra, and Shapiro 2013; Fair, Littman, and Nugent 2014). In Table 19.2, I indicate with an "*" the reference group within a particular variable cluster, which I used as the "omitted group" in the regression.

Table 19.2 Summary statistics of dependent and independent variables.

	Categories	*Frequency*	*Percentage*
Dependent Variable			
How much do you support Sipah-e-Sahaba-e-Pakistan (SSP) and their actions?	Not at all	6176	37.9
	A little	2238	13.7
	A moderate amount	2521	15.5
	A lot	1287	7.9
	A great deal	1268	7.8
	No answer	2789	17.1
Total		16,279	100
Independent Variables			
Piety Index (0.00–1.00)	0.00	912	5.60
	0.04	1121	6.89
	0.08	694	4.26
	0.12	543	3.34
	0.16	721	4.43
	0.2	1332	8.18
	0.24	480	2.95
	0.28	1345	8.26
	0.32	675	4.15
	0.36	742	4.56
	0.4	1152	7.08
	0.44	1123	6.90
	0.48	714	4.39
	0.52	603	3.70
	0.56	647	3.97
	0.6	564	3.46
	0.64	656	4.03
	0.68	396	2.43
	0.72	404	2.48

(continued)

Table 19.2 (continued)

	Categories	*Frequency*	*Percentage*
	0.76	635	3.90
	0.8	107	0.66
	0.84	259	1.59
	0.88	141	0.87
	0.92	92	0.57
	0.96	220	1.35
	1.00	1	0.01
Total		16,279	100
Sharia Good Governance Index (0.00–1.00)	0.00	415	2.55
	0.25	600	3.69
	0.5	1164	7.15
	0.75	2925	17.97
	1.00	11,175	68.65
Total		16,279	100
Sharia Hudood Index (0.00–1.00)	0.00	6913	42.47
	1.00	9366	57.53
Total		16,279	100
Sharia Women Index	0	3547	21.79
	0.5	6622	40.68
	1	6110	37.53
Total		16,279	100
Maslak: Type of Madrassah	Shia*	601	3.69
	Sunni	7394	45.42
	Deobandi	5928	36.42
	Ahl-hadith	585	3.59
	Non Muslim	384	2.36
	Don't know/No response	1387	8.52
Total		16,279	100
Control Variables			
Ethnicity	Other*	818	5.03
	Punjabi	5325	32.71
	Muhajiir	1073	6.59
	Pashtun	5718	35.13
	Sindhi	1673	10.28
	Baloch	1566	9.62
	No response/don't know	106	0.65
Total		16,279	100
Marital Status	Married	12,481	76.67
	Divorced	38	0.23
	Widowed	424	2.33
	Single/never married*	3292	20.22
	Don't know/ no answer	44	0.27
Total		16,279	100
Level of Education	Less than Primary*	6354	39.03
	Primary	1951	11.99
	Middle	2189	13.45
	Matriculate	2875	17.66
	Higher Education	2732	16.78
	Don't know/no response	178	1.09
Total		16,279	100

Age Group	18–29*	5945	36.52
	30–49	7896	48.50
	50+	2396	14.7
	Don't know/no response	42	0.26
Total		16,279	100
Income Quartiles	First quartile*	5640	34.65
	Second quartile	4272	26.24
	Third quartile	1974	12.13
	Fourth quartile	3162	19.42
	Don't know/no response	1231	7.56
Total		16,279	100

Note: * denotes regression reference level.

Discussion of regression results

As the regression results in Table 19.3 show, many of the independent variables are significant in the full model (without fixed effects). For example, with respect to H1 which posits ties between piety and support for sectarianism, I find that increased piety is significantly and positively associated with higher support for sectarianism contrary to what I had had hypothesized based upon the existing literature. Turning to respondent perceptions of sharia, on the one hand, and support for sectarian militancy, on the other, I find mild support for H2a that respondents who believe sharia implies good governance are less approving of sectarian militancy. Consistent with H2b, I also find that respondents who interpret sharia in terms of Hudood offences exhibit greater support for sectarian militancy. With respect to H2c, I find that those who interpret sharia as imposing strictures on women's public life are less supportive of sectarianism. However, all of these results dissipate when I control for district fixed effects. In other words, district-level characteristics for which I cannot explicitly control for in this model "absorb" the effects of these independent variables for piety and interpretations of sharia.

The third hypothesis concerns the respondents' professed maslak. It turns out that a person's maslak is a far more stable predictor of support for various aspects of sharia or evidenced piety. Relative to those who are Shia, the reference category in this regression, those who identify with one of the Sunni masalik, are strongly associated with support for sectarian militancy. Contrary to my expectations, even those who simply identify as "Sunni"—in contrast to "Deobandi" or "Ahl-e-Hadith"—are more inclined to support sectarian militancy. These results persist as significant and positive even when district fixed effects are included. This outcome tends to support the findings of Fair (2008) and Ali (2009) that sectarianism in Pakistan is tightly related to the production of identities associated with adherence to particular masalik.

One of the primary institutions that produces these identities is the madrasah, which educates Pakistan's religious scholars and preachers who in turn disseminate and reproduce these ideologies and identities within institutions tied to these masalik (e.g., mosques, madaris, etc.). Unfortunately, Pakistan's madaris have fiercely fought off any sort of reform that could possibly attenuate the sectarian world views that they generate and sustain far and beyond the numbers of students who pass through their doors. Madaris, of course, are not the only institutions that reproduce ties to a particular masalak and the sectarian outlooks they create and reinforce. Other sources of sectarian influence include, *inter alia*: family and social networks (Asal et al. 2008); public schools (Hussain et al. 2011); civil society organizations which have been inflected by Islamic movements (Qadeer 2006); proselytization efforts that many Islamist and Islamic

groups encourage (Shaikh 2008); Islamic revival organizations such as al Huda (Ahmad 2009); Islamist political parties (Shaikh 2008); religious television and radio programming (Khan 2014); internet-based religious content and programming (Khan 2014); as well as religious print materials. Unfortunately, it is beyond the data used to here to identify the various sources that contribute to a respondent's embrace of a particular maslak and the sectarian world views that identification seems to inculcate.

Most of the control variables (including marital status, education, income and age) are not significant when I control for district characteristics. There is one important exception: those in the oldest age category (50 years and older) are significantly less likely to support sectarian militancy. In many cases ethnicity is significant in explaining variation support for sectarian violence. Controlling for all other factors noted above and relative to those who identified their ethnicity as "other" (e.g., Kashmiri), Punjabis, Sindhis and Baloch are less

Table 19.3 Regression results: How much do you support Sipah-e-Sahaba-e-Pakistan (SSP) and their actions?

	No district fixed effects	*With district fixed effects*
Independent Variables		
piety_ind_rounded	0.400 (3.84)**	0.174 (1.82)
sharia_gg_ind	−0.457 (−4.61)**	−0.172 (−1.74)
sharia_h_ind	0.125 (2.57)*	−0.026 (−0.54)
sharia_wom_ind	−0.223 (−3.88)**	−0.079 (−1.54)
madrasa_sunni	0.754 (8.94)**	0.516 (4.23)**
madrasa_deobandi	0.953 (10.59)**	0.708 (5.38)**
madrasa_ahl_e_hadis	0.823 (6.16)**	0.646 (4.04)**
Control Variables		
maritalstatus_married	0.079 (1.78)	0.092 (2.29)*
maritalstatus_divorced	0.200 (0.57)	0.233 (0.73)
maritalstatus_widowed	0.140 (1.32)	0.132 (1.33)
ethnicity_punjabi	−0.283 (−2.45)*	−0.294 (−2.27)*
Control Variables		
ethnicity_muhajir	−0.560 (−4.30)**	−0.129 (−0.94)
ethnicity_pashtun	−0.153 (−1.29)	−0.162 (−1.13)
ethnicity_sindhi	−0.691 (−5.40)**	−0.492 (−3.17)**
ethnicity_baloch	−0.537 (−3.81)**	−0.343 (−2.16)*
educ_primary	−0.098 (−2.04)*	−0.064 (−1.46)
educ_middle	−0.070 (−1.44)	−0.039 (−0.90)
educ_matric	−0.084 (−1.67)	−0.036 (−0.77)
educ_higher	−0.158 (−2.97)**	−0.084 (−1.70)
age_30to49	−0.062 (−1.71)	−0.041 (−1.27)
age_50plus	−0.296 (−5.85)**	−0.218 (−4.74)**
quartile_second	0.008 (0.20)	−0.012 (−0.34)
quartile_third	0.011 (0.20)	−0.035 (−0.72)
quartile_fourth	0.072 (1.45)	−0.031 (−0.64)
_cons	1.049 (5.84)**	1.022 (5.21)**
R2	0.08	0.21
N	11,601	11,601

Notes: * $p < 0.05$; ** $p < 0.01$.

likely to support sectarianism in both models. This is likely due to the fact that Punjab, Sindh and Baluchistan have experienced considerable amounts of violence perpetrated by Islamists militants, as Figures 19.1 and 19.2 attest.

Conclusions and implications

While analysts and scholars of security studies typically view Pakistan as a perpetrator and exporter of Islamist terrorism, this analysis shows that Pakistanis are perhaps the largest group of victims of these Pakistan-based groups apart from the Afghans, whose country has been the object of considerable Pakistani predations from the 1950s onward (Hussain 2005; Rubin 2002). Unfortunately; the roots of these groups savaging Pakistanis are predominantly domestic and tied to the state's security policies towards India and Afghanistan (Qazi 2011). After all, there would be no Pakistan Taliban had there been no Afghan Taliban and the myriad other Deobandi groups that the state has supported has supported from the mid-1970s. Alarmingly, even Pakistan's sectarian groups such as the SSP/LeJ have been important allies of segments of the state at various times.

The durability of these Deobandi sectarian groups should motivate the Pakistani government to rethink its policies not only due to the toll they have exacted from Pakistanis, but because Pakistan's sectarian groups are likely to become ever more enmeshed in contemporary sectarian conflicts far beyond South Asia, as Saudi Arabia and Iran continue to carry out their sectarian proxy wars in Bahrain, Yemen, Syria, Iraq and elsewhere. Given that sectarianism in Pakistan has its origins from Iranian and Arab Gulf State sectarian competition in late 1970s, Pakistan should be deeply concerned. Indeed, it seems that the challenges of sectarianism in Pakistan are poised to deepen rather than retract given these developing realities and the insouciance and ambivalence that Pakistan's civilian and military entities exhibit towards the purveyors of sectarian violence.

Pakistan's will to eradicate sectarian militancy is constrained by the overlapping nature of the various militant groups and their membership. For example, Pakistan cannot tackle the Pakistani Taliban and their sectarian collaborators while it still fosters the Afghan Taliban and other Deobandi groups, such as the Jaish-e-Mohammed, that operate in India. Even if the state had the will to counter all forms of Islamist militancy including those that have external utility in Afghanistan and India, the evidence is not encouraging that Pakistan has the capacity. Pakistan's law enforcement institutions—including the judiciary—are woefully ill prepared for this task. All of Pakistan's rule of law institutions are riven with corruption and have suffered neglect at the hands of federal and provincial governments for decades (International Crisis Group 2010; Abbas 2011).

The survey data analyzed here offer little hope either. The most consistent and positive predictors of support for sectarian violence are sectarian commitments as expressed through their maslak. These characteristics—unlike education levels or poverty—cannot be easily influenced over time either by Pakistan policy actions or by international actors. More challenging yet, commitments to a particular maslak and the sectarian views they encourage are deeply rooted to multiple facets of Pakistan's educational landscape as well as social and cultural practices. However, the good news is that most ethnic groups are less likely to support sectarian violence relative to those who identified their ethnicity as "other". It is beyond this chapter and the data analyzed here to exposit this mechanism. It is possible that Punjabis, Sindhis and Baloch may oppose sectarian violence most because their provinces have witnesses much of this kind of violence. However, in recent years, so has KPK, and Pashtun ethnicity is not a significant

predictor of support. Understanding the drivers of these ethnicity effects may offer some future promise in dampening support for this violence if the Pakistani state is ever motivated to do so. It seems that Pakistan is going to continue to bleed for the foreseeable future.

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Notes

1 Per the so-called BFRS dataset, "terrorist attacks" are defined by attacks on noncombatants conducted by violent groups in effort to advance a political goal. Sectarian attacks are a sub-set of these terrorist incidents in the BFRS dataset. Between 1988 and 2011, the BFRS dataset records 1,724 deaths. This is most certainly an underestimate because the BFRS coders could code an attack as "sectarian" only if the article described the attack in such terms.

2 In Pakistan, there are five main interpretative traditions of Islam (*masalik*, plural of *maslak*). In addition to the Shia maslak, which itself has multiple sects, there are four Sunni masalik: Barelvi, Deobandi, Ahl-e-Hadith, and Jamaat-e-Islami (which is also a political party that purports to be supra-sectarian). Each maslak has its own definition of sharia and looks to different sources of Islamic legitimacy.

3 Neither the PML-N nor the TTP are themselves directly purveyors of violence even if there are groups that may conduct political violence on their behalf on various occasions. It is common throughout South Asia for political parties to have armed militias and/or thuggish student wings (Staniland 2015).

4 The first two correspond to Hypotheses 1 and 2 in Tessler and Robbins (2007).

5 Advocates of this view often reference "the verse of the sword" in the Quran (Sura 9:5) to justify the link between religious practice and militancy: "Then, when the sacred months have passed, slay the idolaters wherever ye find them, and take them captive, and besiege them, and prepare for them each ambush."

6 Kaltenthaler et al. (2010) similarly find that Pakistanis who were more accepting of the imposition of extreme Islamist views (often called "Talibanization") were more likely to believe that attacks on civilians could be justified. There have been other studies that focus upon political beliefs that are not easily classified as "political Islam." Specific political grievances are one of the few reliable determinants of support for militant actions. Chiozza (2010) finds that among Muslims in Jordan and Lebanon, the strongest predictor of support for suicide bombings against American forces in Iraq was disaffection towards the American people, not religiosity, and that religiosity was associated with support for attacks only when accompanied by fear for Muslim identity. Similarly, research on Palestinian public opinion towards Israel has repeatedly found that the perception of Israel as posing a threat is strongly associated with support for violence, but that support for political Islam exhibits no association (Tessler 2003, 2004; Shikaki 2006). National surveys of Algeria and Jordan in 2002 also showed that while higher levels of religious involvement did not make individuals more likely to approve of terrorist acts against the US, there was a significant relationship between respondents' attitudes towards their government and US foreign policy and their support for terrorism (Tessler and Robbins 2007).

7 While some of the Ahl-e-Hadith ulema in Pakistan have rejected militarized jihad waged by any actor other than the state, Lashkar-e-Taiba (now known as Jamaat ud Dawa) is the only jihadi group in Pakistan that is associated with the Ahl-e-Hadith masalik (Rana and Ansari 2004).

8 Among various Muslim women's blogs the issue of the "ho-jabi" is a serious affair. The etymology is a play on words of the original "hejab" and the misogynist epithet of "ho" or "hoe" for a promiscuous woman. A thorough discussion of this social phenomenon is beyond the scope of the chapter. But this serious debate among young women is a testament to the varying valence of "hejab" as a not-so-entirely pietic marking. See blog posts variously from (Jahan 2015; Khan 2014; Tanda 2011) among numerous others including microblogs on Facebook, Twitter, Instagram, Pinterest and the like.

9 This is not to say that madaris are the only sites of religious education in Pakistan. In fact, Pakistanis receive such education in the public schools as well and many private schools also teach religious and non-religious subjects. In some cases, private schools have even blended the entire madrassah curriculum such that students will have attained the title of alim upon completion of either ten or twelve years of schooling (Fair 2008).

10 As is well known, the most important day of prayer is Friday. For many men, they only go to a mosque on a Friday. For this reasons, we deliberately chose an "off day" to measure prayer attendance in a mosque. In Pakistan, few women are encouraged to pray in a mosque and thus they do their prayers at home.

Bibliography

Abbas, H. (2011). *Reforming Pakistan's Police and Law Enforcement Infrastructure: Is It too Flawed to Fix?* Washington: US Institute of Peace.

Abou Zahab, M. (2002). The Regional Dimensions of Sectarian Conflict in Pakistan. In *Pakistan: Nationalism Without a Nation*. London: Zed Books, pp. 115–30.

Abou Zahab, M. and Roy, O. (2004). *Islamist Networks: The Afghan–Pakistan Connection*. London: C. Hurst and Co.

Ahmad, S. (2009). *Transforming Faith: The Story of Al-Huda and Islamic Revivalism among Urban Pakistani Women*. Syracuse: Syracuse University Press.

Ali, S. H. (2009). *Islam and Education: Conflict and Conformity in Pakistan's Madrassahs*. Karachi: Oxford University Press.

Al-Salhy, S. (2013). Syria War Widens Rift Between Shi'ite Clergy in Iraq, Iran. *Reuters*. Available at: http://www.reuters.com/article/2013/07/20/us-iraq-politics-syria-idUSBRE96J04120130720 (accessed on 1 September 2015).

Asal, V. C., with Fair, C. and Shellman, S. (2008). Consenting to a Child's Decision to Join a Jihad: Insights from a Survey of Militant Families in Pakistan. *Studies in Conflict and Terrorism*, 31: 973–94.

BBC.com. (2013). The Afghan-Pakistan militant nexus. Available at: http://www.bbc.com/news/world-asia-21338263 (accessed on 31 August 2015).

BFRS Dataset. Available at: https://esoc.princeton.edu/files/bfrs-political-violence-pakistan-dataset (accessed on 1 September 2015).

Bin Perwaiz, S. (2014). Jundullah, LeJ Worked Together to Target SSP Farooq Awan. *The News*. Available at: http://www.thenews.com.pk/Todays-News-4-275158-Jundullah-LeJ-worked-together-to-targe (accessed on 31 August 2015).

Bueno de Mesquita, E., with Fair C., Jordan, J., Rais, R. and Shapiro, J. (2013). *The BFRS Political Violence in Pakistan Dataset*. Available at: https://webspace.princeton.edu/users/esocweb/ESOC%20website%20publications/BFJRS_2013_PK_Data_v10.pdf (accessed on 31 August 2015).

Calvert, J. (2002). The Islamist Syndrome of Cultural Confrontation. *Orbis* 46: 339–49.

Chiozza, G. (2010). *How to Win Hearts and Minds? The Political Sociology of the Support for Suicide Bombing*. Available at: http://www.elecdem.eu/media/universityofexeter/elecdem/pdfs/giacomochiozzatraining/How_to_Win_Hearts_and_Minds.pdf (accessed 16 September 2015).

Clingingsmith, D., Khwaja, A. and Kremer, M. (2009). Estimating the Impact of the Hajj: Religion and Tolerance in Islam's Global Gathering. *Quarterly Journal of Economics* 124: 1133–70.

Craig, T. (2013). Drone Kills Taliban Chief Hakimullah Mehsud; Pakistan Accuses U.S. of Derailing Peace Talks. *Washington Post*. Available at: http://www.washingtonpost.com/world/asia_pacific/pakistani-official-accuses-us-of-sabotage-as-drone-targets-taliban-leaders-in-northwest/2013/11/01/1463d0c2–431d-11e3-b028-de922d7a3f47_story.html (accessed on 31 August 2015).

Fair, C. (2004). Militant Recruitment in Pakistan: Implications for Al-Qai'da and Other Organizations. *Studies in Conflict and Terrorism* 27: 489–504.
Fair, C. (2007). Militant Recruitment in Pakistan: A New Look at the Militancy-Madrasah Connection. *Asia Policy* 4: 107–34.
Fair, C. (2008). *The Madrassah Challenge: Militancy and Religious Education in Pakistan*. Washington: United States Institute of Peace.
Fair, C. (2011a). The Militant Challenge in Pakistan. *Asia Policy* 11: 105–37.
Fair, C. (2011b). Lashkar-e-Tayiba and the Pakistani State. *Survival* 53: 29–52.
Fair, C. (2014). *Fighting to the End: The Pakistan Army's Way of War*. New York: Oxford University Press.
Fair, C. and Jones, S. (2010). Pakistan's War Within. *Survival* 51: 161–88.
Fair, C., Ramsay, C. and Kull, S. (2008). *Pakistani Public Opinion on Democracy, Islamist Militancy, and Relations with the US*. Washington: United States Institute of Peace.
Fair, C., Malhotra, N. and Shapiro, J. N. (2010). Islam, Militancy, and Politics in Pakistan: Insights from a National Sample. *Terrorism and Political Violence* 22: 495–521.
Fair, C., Malhotra, N. and Shapiro, J. (2012). Faith or Doctrine? Religion and Support for Political Violence in Pakistan. *Public Opinion Quarterly* 76: 688–720.
Fair, C., Littman, R., Malhotra, N. and Shapiro, J. (2013). *Relative Poverty, Perceived Violence, and Support for Militant Politics: Evidence from Pakistan*. Available at: http://www.princeton.edu/~jns/papers/FLMS_2013_Poverty_Violence_Support_for_Militancy.pdf (accessed on 1 September 2015).
Fair, C., Littman, R. and Nugent, E. (2014). *Pakistani Conceptualization of Shari's and Support for Militancy and Democratic Values: A New Empirical Approach*. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2482547 (accessed on 1 September 2015).
Furia, P. and Lucas, R. (2008). Arab Muslim Attitudes toward the West: Cultural, Social, and Political Explanations. *International Interactions* 34: 186–207.
Ginges, J., Hansen, I. and Norenzayan, A. (2009). Religion and Support for Suicide Attacks. *Psychological Science* 20: 224–30.
Gul, I. (2009). *The Al Qaeda Connection: The Taliban and Terror in Pakistan's Tribal Areas*. London: Penguin.
Hafez, M. (2007). Martyrdom Mythology in Iraq: How Jihadists Frame Suicide Terrorism in Videos and Biographies. *Terrorism and Political Violence* 19: 95–115.
Haqqani, H. (2005a). *Pakistan: Between Mosque and Military*. Washington: CEIP.
Haqqani H. (2005b). The Ideologies of South Asian Jihadi Groups. *Current Trends in Islamist Ideology* 1: 12–26.
Hashim, A. (2013). The Iron Fist of Maulana Fazlullah. *Al Jazeera*. Available at: http://www.aljazeera.com/indepth/features/2013/11/iron-fist-maulana-fazlullah-20131171538269715.html (accessed on 31 September 2015).
Hassan, S. (2015). Gunmen Kills 43 in Bus Attack in Pakistan's Karachi. *Reuters*. Available at: http://www.reuters.com/article/2015/05/13/us-pakistan-attack-idUSKBN0NY0FH20150513 (accessed on 1 September 2015).
Huntington, S. (1996). *The Clash of Civilizations and the Remaking of the World Order*. New York: Simon & Schuster, 1996.
Hussain, A., Salim, A. and Naveed, A. (2011). *Connecting the Dots: Education and Religious Discrimination in Pakistan A Study of Public Schools and Madrassas*. Washington: United States Commission on International Religious Freedom. Available at: http://www.uscirf.gov/sites/default/files/resources/Pakistan-ConnectingTheDots-Email(3).pdf (accessed on 1 September 2015).
Hussain, I. (2008). In the Name of Faith. *The Dawn*. Available online: http://www.dawn.com/news/421131/in-the-name-of-faith (accessed on 31 August 2015).
Hussain, R. (2005). *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Burlington: Ashgate.
International Crisis Group. (2010). *Reforming Pakistan's Criminal Justice System*. Available at: www.crisis-group.org/en/regions/asia/south-asia/pakistan/196-reforming-pakistanscriminal-justice-system.aspx (accessed on 31 August 2015).
Ispahani, F. (2013). Cleansing Pakistan of Minorities. *Current Trends in Islamist Ideology*. Available at: http://www.hudson.org/research/9781-cleansing-pakistan-of-minorities (accessed on 1 September 2015).
Jackson, R. (2007). Constructing Enemies: Islamic Terrorism in Political and Academic Discourse. *Government and Opposition* 42: 394–426.
Jahan, M. (2015). *Stop Calling Each Other Hojabis—Hijabi Problems*. Available at: http://muskajahan.com/2015/03/stop-calling-each-other-hojabis-hijabi-problems/ (accessed on 1 September 2015).
Jamal, A. (2009). *Shadow War: The Untold Story of Jihad in Kashmir*. Brooklyn, NY: Melville House.

Juergensmeyer, M. (2003). *Terror in the Mind of God: The Global Rise of Religious Violence*. Berkeley: University of California Press.

Juergensmeyer, M. (2008). *Global Rebellion: Religious Challenges to the Secular State, From Christian Militias to Al Qaeda*. Berkeley: University of California Press.

Kaltenthaler, K., Miller, W., Ceccoli, S. and Gelleny, R. (2010). The Sources of Pakistani Attitudes toward Religiously Motivated Terrorism. *Studies in Conflict & Terrorism* 33: 815–35.

Karimjee, M. (2014). Crocodile Tears: Taliban Attacks on Sufi Shrines Lead to Unlikely Victims. *Al Jazeera*. Available online: http://america.aljazeera.com/articles/2014/12/15/sufi-shrine-crocodiles.html (accessed on 31 August 2015).

Kfir, I. (2014). Sectarian Violence and Social Group Identity in Pakistan. *Studies in Conflict & Terrorism 37*: 457–72.

Khan, I. (2011). The Assertion of Barelvi Extremism. *Current Trends in Islamist Ideology* 12: 51–72.

Khan, Z. and Yusuf, M. (2014). *Cyberia: A New Warzone for Pakistan's Islamists*. *In Pakistan's Counterterrorism Challenge*. Washington: Georgetown University Press, pp. 69–186.

Khan, Z. (2014). Red Wine and Hojabis: A Judgment on Being Judgmental. *Muslimmatters.org*. Available at: http://muslimmatters.org/2014/02/10/red-wine-hojabis-judgment-judgmental/ (accessed on 1 September 2015).

Khan, Z. (2010). Pakistani Spies Trace Fazlullah to Kunar Province. *The Express Tribune*. Available at: http://tribune.com.pk/story/31093/pakistani-spies-trace-fazlullah-to-kunar-province/ (accessed on 31 August 2015).

Koblentz, G. D. (2014). Strategic Stability in the Second Nuclear Age. *Council on Foreign Relations*. Available at: http://www.cfr.org/nonproliferation-arms-control-and-disarmament/strategic-stability-second-nuclear-age/p33809# (accessed on 31 August 2015).

Laqueur, W. (1999). *The New Terrorism: Fanaticism and the Arms of Mass Destruction*. New York: Oxford University Press.

Lashkar-e-Jhangvi. (2008). Shia Wajib Ul Qatal Kiyon (Why Are Shia Deserving of Being Killed)? Idara-e-Inteqam-e-Haq. Available online: http://www.mediafire.com/download/oiv665tqtvsfve2/Shia+Wajib+Ul+Qatal+Kiyon.pdf (accessed on 3 September 2015).

Lewis, B. (1990). The Roots of Muslim Rage: Why So Many Muslims Deeply Resent the West and Why Their Bitterness Will Not Be Easily Mollified. *Atlantic Monthly* 266: 47–60.

Mahsud, M. (2010). The Battle for Pakistan Militancy and Conflict in South Waziristan. *New America Foundation*. Available at: http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The_Battle_for_Pakistan___Militancy_and_Conflict_in_South_Waziristan.pdf (accessed on 1 September 2015).

Masood, S. and Gillani, W. (2010). Blast at Pakistan Shrine Kills Dozens. *The New York Times*. Available at: http://www.nytimes.com/2011/04/04/world/asia/04pakistan.html?partner=rss&emc=rss (accessed on 31 August 2015).

Mehsud, S. and Bukhari, M. (2014). Pakistan Taliban Splinter Group Vows Allegiance to Islamic State. *Reuters*. Available online: http://www.reuters.com/article/2014/11/18/us-pakistan-militants-is-idUSKCN0J20YQ20141118 (accessed on 1 September 2015).

Mendelsohn, B. (2005). Sovereignty under Attack: The International Society Meets the Al Qaeda Network. *Review of International Studies* 31: 45–68.

Mir, A. (2004). *True Face of the Jehadis*. Lahore: Mashall.

Naqvi, F. H. (2013). An Unholy Alliance. *Express Tribune*. Available online: http://tribune.com.pk/story/512400/an-unholy-alliance/ (accessed on 1 September 2015).

Nasr, S. (2000a). The Rise of Sunni Militancy in Pakistan: The Changing Role of Islamism and the Ulama in Society and Politics. *Modern Asian Studies* 34: 139–80.

Nasr, S. (2000b). International Politics, Domestic Imperatives, and Identity Mobilization: Sectarianism in Pakistan, 1979–1998. *Comparative Politics* 32: 171–90.

Nawaz, S. (2008). The First Kashmir War Revisited. *India Review* 7: 115–54.

Nazish, K. (2014). The Islamic State's Potential Recruits in Pakistan. *The Diplomat*. Available at: http://thediplomat.com/2014/10/the-islamic-state-arrives-in-pakistan/ (accessed on 1 September 2015).

New York Times. (2010). Hakimullah Mehsud. 29 April. Available at: http://topics.nytimes.com/topics/reference/timestopics/people/m/hakimullah_mehsud/index.html (accessed on 1 September 2015).

Pak Institute for Peace Studies. (2009). *PIPS Security Report 2009*. Islamabad: PIPS. Available online: http://san-pips.com/download.php?f=29.pdf (accessed on 1 September 2015).

PBS Newshour. (2010). Pakistan Blast Sharpens Concern on Taliban. *PBS Newshour*. Available online: http://www.pbs.org/newshour/bb/military-jan-june10-pakistan_01-01/ (accessed on 1 September 2015).

Qadeer, M. (2006). *Pakistan—Social and Cultural Transformations in a Muslim Nation*. New York: Routledge.
Qazi, S. (2011). Rebels of the Frontier: Origins, Organization, and Recruitment of the Pakistani Taliban. *Small Wars & Insurgencies* 22: 574–601.
Rafiq, A. (2014). *Sunni Deobandi-Shi`i Sectarian Violence in Pakistan (Explaining the Resurgence Since 2007)*. Washington: Middle East Institute, 2014. Available online: http://www.mei.edu/sites/default/files/publications/Arif%20Rafiq%20report.pdf (accessed on 1 September 2015).
Rana, M. and Ansari S. (2004). *The A to Z of Jehadi Organizations in Pakistan*. Lahore: Mashal.
Roggio, B. (2010). Suicide Bomber Kills 60 at Mosque in Pakistan's Northwest. *Long War Journal*. Available online: http://www.longwarjournal.org/archives/2010/11/suicide_bomber_kills_40.php (accessed on 1 September 2015).
Rubin, B. (2002). *The Fragmentation of Afghanistan: State Formation and Collapse in the International System*. 2nd edn. New Haven: Yale University Press.
Sankaran, J. (2015). Pakistan's Battlefield Nuclear Policy: A Risky Solution to an Exaggerated Threat. *International Security* 39: 118–51.
Sarkees, M. R., Reid, M. and Schafer, P. (2000). The Correlates of War Data on War: An Update to 1997. *Conflict Management and Peace Science* 18: 123–44.
Shafiq, M. N. and Sinno, A. (2010). Education, Income and Support for Suicide Bombings: Evidence from Six Muslim Countries. *Journal of Conflict Resolution* 54: 146–78.
Shaikh, F. (2008). Islamisation to Shariatisation: Cultural Transnationalism in Pakistan. *Third World Quarterly* 29: 593–609.
Shikaki, K. (2006). Willing to Compromise: Palestinian Public Opinion and the Peace Process. *U.S. Institute of Peace, Special Report 158*. Available online: http://www.usip.org/publications/willing-compromise-palestinian-public-opinion-and-the-peace-process (accessed 16 September 2015).
Siddique, Q. (2010). *Tehrik-e-Taliban Pakistan: An Attempt to Deconstruct the Umbrella Organization and the Reasons for Its Growth in Pakistan's North-West*. Available online: http://diisinfo.dk/graphics/Publications/Reports2010/RP2010-12-Tehrik-e-Taliban_web.pdf (accessed on 1 September 2015).
Siddique, Q. (2014). *The Syria Conflict and Its Impact on Pakistan*. Available online: http://strategiskanalyse.no/Publikasjoner%202014/2014–02–20_SISA15_The-Syria-Conflict-Pak_QS.pdf (accessed on 1 September 2015).
Staniland, P. (2015). Armed Groups and Militarized Elections. *International Security Studies*. Available online: http://onlinelibrary.wiley.com/doi/10.1111/isqu.12195/abstract (accessed on 1 September 2015).
Swami, P. (2007). *India, Pakistan and the Secret Jihad: The Covert War in Kashmir, 1947–2004*. London: Routledge.
Tanda. (2011). The Myth of the 'Hojabi'; a Ramadan Reminder. *The Alternative Muslim*. Available online: https://thealternativemuslim.wordpress.com/2011/08/03/the-myth-of-the-hojabi-a-ramadan-reminder/ (accessed on 1 September 2015).
Tanveer, R. (2014). In broad daylight: Ahmadi leader gunned down in Gujranwala. *Express Tribune*. Available online: http://tribune.com.pk/story/813329/in-broad-daylight-ahmadi-leader-gunned-down-in-gujranwala/3 (accessed on 1 September 2015).
Tavernise, S. (2010). Suicide Bombers Strike Sufi Shrine in Pakistan. *The New York Times*. Available online: http://www.nytimes.com/2010/07/02/world/asia/02pstan.html (accessed on 1 September 2015).
Tessler, M. (2003). Arab and Muslim Political Attitudes: Stereotypes and Evidence from Survey Research. *International Studies Perspectives* 4: 175–81.
Tessler, M. (2004). The nature and determinants of Arab attitudes toward Israel. In Michael Robert Marrus, Derek Jonathan Penslar and Janice Gross Stein (eds) *Contemporary Anti-Semitism: Canada and the World*. Toronto: University of Toronto Press, pp. 96–121.
Tessler, M. and Nachtwey, J. (1998). Islam and Attitudes Toward International Conflict: Evidence from Survey Research in the Arab world. *Journal of Conflict Resolution* 42: 619–36.
Tessler, M. and Robbins, M. (2007). What Leads Some Ordinary Arab Men and Women to Approve of Terrorist Acts Against the United States? *Journal of Conflict Resolution* 51: 305–28.
Tohid, O. (2010). In Pakistan, Militant Attacks on Sufi Shrines on the Rise. *Christian Science Monitor*. Available online: http://www.csmonitor.com/World/Asia-South-Central/2010/1105/In-Pakistan-militant-attacks-on-Sufi-shrines-on-the-rise (accessed on 1 September 2015).
Ur Rehman, Z. (2013). Pakistani Fighters Joining the War in Syria. *Combating Terrorism Center*. Available online: https://www.ctc.usma.edu/posts/pakistani-fighters-joining-the-war-in-syria (accessed on 9 September 2015).

US Central Intelligence Agency. (2015a). *The World Factbook: Egypt*. Available online: https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html (accessed on 1 September 2015).

US Central Intelligence Agency. (2015b). *The World Factbook: Iran*. Available online: https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html (accessed on 1 September 2015).

US Central Intelligence Agency. (2015c). *The World Factbook: Pakistan*. Available online: https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html (accessed on 1 September 2015).

US Central Intelligence Agency. (2015d). *The World Factbook: Saudi Arabia*. Available online: https://www.cia.gov/library/publications/the-world-factbook/geos/sa.html (accessed on 1 September 2015).

Weinberg, L., Pedahzur, A. and Canetti-Nisim, D. (2003). The Social and Religious Characteristics of Suicide Bombers and Their Victims. *Terrorism and Political Violence* 15: 139–53.

Wiktorowicz, Q. (2005). *Radical Islam Rising: Muslim Extremism in the West*. Lanham, MD: Rowman & Littlefield Publishers.

Zaman, M. (1998). Sectarianism in Pakistan: The Radicalization of Shi'i and Sunni Identities. *Modern Asian Studies* 32: 689–716.

20

PAKISTAN'S DESCENT INTO RELIGIOUS INTOLERANCE

Farahnaz Ispahani[1]

Since its founding in 1947, Pakistan has gradually become less tolerant of religious minorities. The descent began in 1949 with the Constituent Assembly declaring the objective of Pakistan's Constitution to be the creation of an Islamic State. It reached a nadir with the 'Islamization' drive under General Zia-ul-Haq during the 1980s. Now, the country is dealing with armed militias and terrorist groups – many of which were sponsored by the state – each intent on imposing its version of Islam by violent means.

Having been created as a homeland for South Asia's Muslims, Pakistan's purpose was to protect the subcontinent's largest religious minority. But soon after Independence, some religious and political leaders declared the objective of Pakistan's creation to be the setting up of an Islamic State. Much of the prejudice against religious minorities can be traced to the effort by Islamist radicals to make Pakistan 'purer' in what they conceive as Islamic terms.

Given the denominational differences among various groups of Muslims, this concept of an Islamic State has led to unending debate over the role of religion in the life of Pakistanis. Pakistan's name is an acronym derived from the first letters of its component provinces and regions (coined well before the country was established from the names Punjab, Afghania, Kashmir, Sindh and Baluchistan). But the word also means 'Land of the Pure' in Urdu, a meaning embraced by Islamist activists since the country's founding. Their drive to 'purify' Pakistan has become a quest of imposing religious conformity, which in turn requires exclusion and marginalization of people believing in religions or practices other than those of the 'purifiers'.

At the time of partition in 1947, almost 23 percent of Pakistan's population (which then included Bangladesh) comprised non-Muslim citizens. The proportion of non-Muslims has since fallen to approximately 3 percent. Furthermore, the distinctions among Muslim denominations have become far more accentuated over the years. Muslim groups such as the Shias, which account for approximately 20 to 25 percent of Pakistan's Muslim population, are often targeted by violent extremists. Ahmadis, barely 1 percent of the Muslim population, have been declared non-Muslim by the writ of the state. Non-Muslim minorities such as Christians, Hindus and Sikhs have been the victims of suicide bomb attacks on their neighborhoods, and their community members have been converted to Islam against their will. Houses of worship of non-Muslims as well as of Muslim minority sects have been attacked and bombed while filled with worshippers.

When Pakistan was founded in 1947, its secular founding fathers did not speak of an Islamic State. Muhammad Ali Jinnah, recognized as Pakistan's Quaid-e-Azam (Great Leader), clearly

declared that non-Muslims would be equal citizens in the new country. Reflecting his secular views, Jinnah – himself a Shia – nominated a Hindu, several Shias and an Ahmadi to Pakistan's first cabinet. Now, non-Muslim representation at the cabinet level is limited to symbolic appointments, while Shias face smear campaigns from Sunni Muslims that declare them non-Muslims. And the Ahmadis – who were some of Jinnah's most ardent supporters in his quest for a Muslim homeland on the subcontinent – are completely unrepresented; they live as virtual outcasts in modern Pakistan.

In his famous speech of 11 August 1947, Jinnah declared:

> You are free; you are free to go to your temples, you are free to go to your mosques or to any other place of worship in this State of Pakistan. You may belong to any religion or caste or creed – that has nothing to do with the business of the State . . . We are starting in the days where there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another. We are starting with this fundamental principle that we are all citizens and equal citizens of one State . . . Now I think we should keep that in front of us as our ideal and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.
>
> *(Jinnah 1947)*

The vision outlined by Pakistan's founder remains unfulfilled. Indeed, it appears further from realization than at any time since this hopeful declaration of religious pluralism was made.

Demography, state and religion

Discussions about how to transform Pakistan into an Islamic State started almost immediately after Independence. Pakistan's first prime minister and Jinnah's right-hand man, Liaquat Ali Khan (1947–51), led the way in creating a national narrative for Pakistan that perpetuated the sense of Islamic victimhood. In March 1949, Liaquat Ali Khan proposed to the Constituent Assembly what came to be known as the 'Objectives Resolution': a declaration of the goals of the new state that would form the basis of its future constitution and laws.

The resolution described a vision for Pakistan diametrically opposed to the secular one Jinnah had offered in his 11 August 1947 speech. 'The Objectives Resolution accepted the premise that "sovereignty over the entire universe belongs to God Almighty alone" and that the State of Pakistan would exercise authority "within the limit prescribed by Him"' (Jinnah 1947). The resolution declared that 'Muslims shall be enabled to order their lives in the individual and collective spheres in accord with the teachings and requirements of Islam as set out in the Holy Quran and the Sunna' and 'adequate provision shall be made to safeguard the legitimate interests of minorities and backward and depressed classes'.

The net effect of the Objectives Resolution was to define the state in Islamic terms, opening the door for further legislation based on the interpretation of Islam by a parliamentary majority. In the ensuing decades, however, democracy in Pakistan became intermittent, leaving the authority of inferring the Quran and Sunna (practices of the Prophet Muhammad) for long intervals in the hands of military dictators (Objectives Resolution 2009: 91–199).

Huseyn Shaheed Suhrawardy, a former premier of Bengal, became the most prominent Muslim to openly disagree with what he saw as efforts to make Pakistan an exclusive Muslim State under the influence clerical leaders. 'Now you are raising the cry of Pakistan in danger for

the purpose of arousing Muslim sentiments and binding them together in order to maintain you in power,' Suhrawardy said further. He asked that Pakistani leaders, 'Be fair not merely to your own people whom you will destroy' but also to the minorities, adding that a state which will be founded on sentiments, namely that of Islam in danger or of Pakistan in danger, a state which will be held together by raising the bogey of attacks and which you keep together by keeping up a constant friction between yourself and your sister dominion – that state will be full of alarms and excursions (Constituent Assembly Records 1948: 260–3).

Pakistan was not a territorial nation in the traditional sense. Its leaders had to explain its raison d'être, and most found it convenient to do so in religious terms. Once Liaquat Ali Khan was assassinated in October 1951, even the hope of juggling demands of modernity and calls for an Islamic State diminished. The country was plunged into a power struggle between regional politicians and bureaucrats or generals, with each side invoking religion to enhance its standing and credibility. Between 1951 and 1958, when Pakistan's first military coup took place, there were incessant power struggles between the civilian political leaders and the military-technocratic establishment.

These power struggles had significant implications for the debate about the role of religion in the running of the state. India had written and implemented a constitution in 1949, less than 2 years after Independence. It also held general elections in 1951. Pakistan, on the other hand, remained bogged down by ideological debates and political divisions that prevented the writing of a constitution for almost 9 years. The absence of a constitution meant that religious minorities lived on the toleration of the majority rather than protections guaranteed by the rule of law.

At partition and immediately afterwards, it was the Hindus and Sikhs who suffered most. However, Muslim sects soon became targets, starting with the Ahmadiyyas. The issue of whether members of the Ahmadiyya community were Muslims and should or should not be allowed to join the Muslim League had been discussed as early as 1944. At that time, Jinnah had said that the Ahmadis 'would be entitled to such privileges as are enjoyed by members of other various sects of Muslims'. But after Independence, a coalition of clerics led by the orthodox Sunni ulema of the Deoband school demanded that the Ahmadis be declared non-Muslims under the law and the sect's adherents removed from senior government positions (*Dawn News* 1944).

In March 1953, anti-Ahmadi protests spread across Punjab. The politicians' dithering response to the pogrom in 1953 – as many as 2,000 Ahmadis were murdered by rioting mobs before order was restored – foreshadowed the response of Pakistani leaders in later years to religion-motivated violence. The anti-Ahmadiyya protests anticipated the more brutal treatment decades later of non-Muslims and heterodox sects within the fold of Islam who did not accept the beliefs and practices of the Sunni majority.

In the wake of the anti-Ahmadi riots in Punjab, there was some official recognition of the quandary governments in Pakistan faced in trying to appease Islamist demands inasmuch as the diversity of belief among the country's Muslim clerics was seemingly irreconcilable. A judicial inquiry commission convened in July 1953 examined not just the events culminating in the anti-Ahmadi pogrom of that year but also the state of religious intolerance in Pakistan. Comprising Supreme Court Justice Mohammed Munir and Punjab High Court Justice Muhammad Rustam Kayani, the two-member Commission (known as the Munir Commission) produced a 387-page report after exhaustive hearings, which concluded early in 1954.

The Commission interviewed almost all leading clerics and found that they often considered each other's beliefs incompatible with Islam. And although all Islamists wanted Pakistan to become an Islamic State, their visions of such a state differed significantly. They seemed to agree only on their contempt for and opposition to non-Muslims. Moreover, their definitions of 'non-Muslim' often extended to members of other Islamic sects with whom they had doctrinal differences.

The Munir Commission's conclusion on the issue of the definition of Muslim was:

> Keeping in view the several definitions given by the *ulema*, need we make any comment except that no two learned divines are agreed on this fundamental. If we attempt our own definition as each learned divine has done and that definition differs from that given by all others, we unanimously go out of the fold of Islam. And if we adopt the definition given by any one of the *ulema*, we remain Muslims according to the view of that *alim* [scholar] but *kafirs* according to the definition of everyone else.
>
> *(Munir Commission Report 1954)*

One of the most noteworthy findings of the Munir Commission related to the Islamist leaders' attitude towards non-Muslims. 'This aspect of the [ulema's] demands has directly raised a question about the position of non-Muslims in Pakistan if we are to have an Islamic Constitution,' observed the Commission. It pointed out:

> According to the leading *ulema*, the position of non-Muslims in the Islamic State of Pakistan will be that of *dhimmis* and they will not be full citizens of Pakistan because they will not have the same rights as Muslims. They will have no voice in the making of the law, no right to administer the law and no right to hold public offices.
>
> *(Munir Commission Report 1954)*

Several clerics who appeared before the Commission stated that position, contradicting the high-sounding language of the Objectives Resolution about equal rights for non-Muslims. The rub, clearly, was in the Objectives Resolution's qualifying language about non-Muslim rights being subject to Islamic law. From the ulema's perspective, Islamic law simply did not have the same view of equality for non-Muslims as modern conceptions of human rights.

Ideological state

Pakistan's first Constitution of 1956 – abrogated within 2 years – described Pakistan as 'the Islamic Republic of Pakistan' and included the Objectives Resolution as a preamble (Choudhury 1967). Part 3 of the new Constitution laid down several 'Directive Principles of State Policy', which included Islamic provisions such as 'steps shall be taken to enable the Muslims of Pakistan individually and collectively to order their lives in accordance with the Holy Quran and Sunna' and 'to promote unity and the observance of Islamic moral standards'. The Pakistani state was now committed to securing 'the proper organization of *zakat*, *wakfs* [religious endowments] and mosques', to 'prevent the consumption of alcoholic liquor' and to 'eliminate *riba* [usury or interest] as early as possible'. The 1956 Pakistan Constitution also barred non-Muslims from holding the office of head of state.

In October 1958 General Ayub Khan took over power as Pakistan's first military dictator. Ayub Khan ruled Pakistan for over 10 years and styled himself as a pro-Western authoritarian reformer. Ayub Khan believed that Pakistan's continued existence as an independent state depended not on the will of its people expressed through democracy, but on a national identity forged through Islam. He saw Pakistan not as a conventional state defined by territory and a claim to the land itself, as has been the raison d'être of most nations, but as a state defined by ideology. And for Ayub Khan, and indeed the Islamists of Pakistan, that ideology was unquestionably and exclusively Islamic. 'Till the advent of Pakistan none of us was in fact a Pakistani, for the simple reason that there was no territorial entity bearing that name,' Ayub Khan explained:

> Actually, the boundaries of Pakistan were still being drawn and re-drawn secretly in the Viceregal Lodge at New Delhi when Independence was proclaimed. So prior to 1947 our nationalism was based more on an idea than on any territorial definition. Till then, ideologically we were Muslims, territorially we happened to be Indians, and parochially we were a conglomeration of at least eleven smaller, provincial loyalties.
>
> *(Ayub Khan 1960: 549)*

When Ayub Khan arbitrarily framed a new constitution for Pakistan in 1962, he enshrined in it his views on the system of government he proposed for the country. His only secular gesture was to initially refer to the country as the 'Republic of Pakistan', though later he reverted to the nomenclature of 'Islamic Republic of Pakistan'. Like the 1956 Constitution, the new basic law also included several 'Islamic provisions' and restricted the office of president to Muslims. A Council of Islamic Ideology was assigned the task of making recommendations to the government on bringing all laws 'in conformity with [the] Quran and Sunna'.

From the perspective of Pakistan's religious minorities, Ayub Khan's self-styled benevolent authoritarianism offered little relief against the tide of intolerance that had engulfed the country since partition. The minorities' treatment now depended on the dictator's view of each community. Circumstances improved somewhat for Christians, whom Ayub Khan did not view as a threat to the state, resulting in some of their co-religionists gaining senior positions in government. The anti-Ahmadi agitation was also contained because the field marshal chose not to exclude groups from the fold of believers that deemed themselves Muslims. Pakistan's Hindus bore the brunt of Ayub Khan's particular variety of prejudice (Ayub Khan 1967: 172).

To ensure that Pakistan's future citizens were all raised to become well indoctrinated in the national ideology, the Ayub Khan regime made Social Studies compulsory from grades six to ten and Islamic Studies from grades six to eight in all schools. An official report proudly proclaimed, 'Students of Islamic history as now presented will develop confidence in themselves and instead of looking for leadership to other Muslim countries, will try to lead others in the presentation of Islam' (Sayeed 1963: 287). The syllabus emphasized Islam's martial traditions, spoke of a long-standing conflict between Hindus and Muslims in the subcontinent and drilled into students' minds the idea that Pakistan was created to be an Islamic State.

This promotion of religious intolerance continued during the military regime of Ayub Khan's successor General Yahya Khan (1969–1971). Ayub Khan and Yahya Khan characterized Hindus as 'the other' and emphasized Islam as Pakistan's raison d'être. This legitimized the view that religious minorities lived in the country only at the sufferance of the Muslim majority. Instead of the modern conception of inalienable human rights, the minorities' survival and religious freedom was made dependent on various interpretations of traditional Islamic law. The Islamization of Pakistan, therefore, was incremental. The developments under the military dictatorships of Ayub Khan and Yahya Khan paved the way for Zia's much harsher interpretation of Islamic law, primarily to the detriment of religious pluralism and minority rights.

In addition to their quests for a pre-eminent military and greater power for themselves as military's commanders, each of Pakistan's dictators seems to have been preoccupied by a desire to control national discourse. This was sometimes presented as an effort to 'save' the country from disagreements among its people and forge a coherent national identity, which they felt could only be done under the banner of religion. Ayub Khan voiced his concern that 'our society is torn by a number of schisms' while Yahya Khan often spoke of the need for everyone to fall in line for 'the unity of Pakistan and the glory of Islam'.

Like Zia in later years, Ayub Khan and Yahya Khan considered democratic political parties with regional support bases or ethnic identities as a threat to the country's integrity.

All military dictators sought to create a centralized, authoritarian Pakistan, using Islam as the national rallying cry. It was perhaps unsurprising then that they also regarded religious minorities as peripheral, and possibly hostile, to their campaigns of shaping a Pakistani national identity around an Islamic ideology.

In 1969 instead of conducting elections, when faced with protests against his rule, Ayub Khan preferred to hand over power to his chief of army, General Yahya Khan. Yahya Khan imposed martial law but also promised to hold multi-party elections for a new constituent assembly. Although all political parties in the country were allowed to contest the election, the military seemed to favor conservative parties described in the official media as 'Islam-loving' parties who were expected to keep in check the influence of secular and socialist factions. As the election campaign got under way, foreign observers spoke of 'a distinctly obscurantist tendency' developing in the country. According to American journalist Herbert Feldman, who lived in Pakistan at the time, 'This had much to do with an unconstructive harping on Islam and during the ensuing months it seemed as if no one could talk about anything else' (Feldman 1974: 39–40).

Perhaps in response to the extremist fervor gripping the country, a Martial Law Regulation was passed which pronounced a maximum penalty of 7 years' rigorous imprisonment for 'any person who published, or was in possession of, any book, pamphlet, etc., which was offensive to the religion of Islam' (Feldman 1974: 39–40). This 1970 law foreshadowed the infamous blasphemy laws imposed under Zia-ul-Haq's military dictatorship a few years later. The term 'offensive to Islam' was not well defined in Martial Law regulation 51, and attempts to define it could only result in the kind of religious exclusion that has emerged since the Zia era. Sunni extremists could claim that the views of Shias are offensive to them, while a similar opinion could be proffered by Orthodox Muslim sects about the beliefs of the Ahmadis.

In any event, military authorities were using religious zeal to stifle free debate in the country. An officially sponsored symposium on academic freedom, for example, declared that 'such freedom must be allowed but only to the extent that it did not conflict with the ideology of Pakistan' (Feldman 1974: 39–40). The emphasis on the 'ideology of Pakistan' was aimed at ensuring that the Constituent Assembly emerging from Pakistan's first general election (held 23 years after Independence) would not veer too far from the idea of Pakistan as cultivated by its establishment since 1947.

Militarism and national identity

The 1970 election, the ensuing civil war and the break-up of Pakistan were perhaps the most significant events in Pakistan's history since partition. They were to greatly influence the nation's future policies relating to religion and religious minorities. Indubitably, geography and ethnicity were compelling factors in the power struggle that precipitated East Pakistan's secession as Bangladesh. And the glaring threat to West Pakistani hegemony posed by the Awami League's decisive victory could barely have been countenanced without incident, given the authoritarian tenor of the times. Less obvious though was the fact that the east and west had sharply differing views on the role of religion in public life. It was a strong undercurrent drawing the two parts of Pakistan into direct confrontation.

Since 1947, power in Pakistan had been largely vested in West Pakistani (mainly ethnic Punjabi) politicians, generals and civil servants, most of whom looked upon Islamic religious sentiment as the glue that would hold the country together. The greatest challenge for the establishment view of Pakistan came from the secular Awami League, led by Sheikh Mujibur Rahman. The party, which was popular in East Pakistan, wanted the

future constitution of Pakistan to be truly non-confessional and federal, with less power for the central government. The Awami League also sought closer ties with India, which was anathema to Pakistan's military.

The Awami League won a clear majority in the 300-member Constituent Assembly by winning all but two seats in East Pakistan; but it did not win a single seat in West Pakistan. The spectacular victory of the Awami League, led by Sheikh Mujibur Rahman, in the 1970 elections challenged the status quo in more ways than one. Bengalis, not Punjabis, would call the shots if the national assembly was convened according to the election results. Moreover, Mujib was publicly committed to reducing the role of religion in government by advancing the causes of secularism and federalism.

Compromise was needed between the parties (Awami League and PPP) that represented the electorate of the two wings of Pakistan, but the initial discussions between the two sides did not yield agreement. General Yahya Khan then ordered the military to suppress the ensuing mass uprising in East Pakistan, alleging inter alia that the Awami League's electoral victory was attributable to the Hindu community and 'its sinister purposes' (Feldman 1974: 90–91).

Much has been written on the brutality of the Pakistan army in its attempt to suppress the 1971 uprising in East Pakistan. Estimates of those killed in the military operations range from a low of 300,000 (preferred by Pakistani officials) to a high of 3 million (cited by Bangladeshi officials). The Pakistani army's actions are widely described as attempted genocide, with even Pakistani generals later admitting that their orders were to secure control of territory, even if it involved elimination of large numbers of citizens.[2] But the most significant element of this tragedy in the context of understanding Pakistan's policies towards religious minorities is the Pakistan army's treatment of Bengali Hindus, who were at the time Pakistani citizens.

The humiliating defeat of the Pakistan army in the 1971 war with India, and secession of East Pakistan to become Bangladesh, made it impossible for the military to continue in power. Soon after the surrender at Dhaka, General Yahya Khan handed over power to Zulfikar Ali Bhutto, the charismatic leader of the PPP, which had won the largest number of seats in West Pakistan during the December 1970 election.

A fresh start?

Pakistan now had a representative government, contiguous territory and – with more than 96 percent Muslims comprising the citizenry – a more religiously homogeneous population. The country could make a fresh start, leaving behind the stultifying baggage of ideology and conflict that had accumulated since 1947. However, the loss of East Pakistan did not end the drive for Islamization. On the contrary, Pakistan's leaders persisted in nation-building through religion, rather than embracing inclusive civic nationalism. Pakistan's religious minorities were now more beleaguered than ever.

Bhutto revived the morale of a demoralized nation and promised to pick up the pieces in building a new Pakistan (Browne 1972). His own inclinations and previous public pronouncements indicated his preference for a modern, secular State. But the Pakistan that Bhutto governed, first as president and then as prime minister, had been influenced, in the words of a foreign commentator, by 'a distinctly obscurantist tendency' and 'an unconstructive harping on Islam'. (Feldman 1974: 39–40) The Yahya Khan regime had imposed laws that banned publications questioning the orthodox ulema's interpretation of Islam, creating an environment favorable to Islamist hardliners. Although religious parties had fared badly in the 1970 election, they still had a strong presence in Pakistani society: the three factions of the Muslim League and

the three Islamist parties, between them, had received 37 percent of the votes compared with 44 percent for Bhutto's PPP.

Furthermore, the proportion of non-Muslims in Pakistan's population had shrunk significantly with the loss of East Pakistan. When a census was conducted in 1972, none of the non-Muslim communities counted even a million members. Pakistan's total population of 62.4 million at the time included 60.4 million Muslims, 907,861 Christians and 899,000 Hindus. The number of Buddhists was down to 4,318 while the Parsis (Zoroastrians) numbered only 9,589 (Khan 1972: 20). In the past, the larger proportion of Hindus in united Pakistan had given some voice, however limited, to non-Muslims; that would no longer be the case. Having achieved a measure of purity in relation to non-Muslims within Pakistan, Islamists were now getting ready to purify the country of unorthodox groups hitherto identified as being Muslim.

The 1973 Constitution not only retained the Islamic provisions from earlier versions but also added new ones. Islam was declared the 'State religion of Pakistan' and a promise was made to ensure that 'all existing laws' conform 'with the Injunctions of Islam as laid down in the Holy Quran and Sunnah'. The Constitution declared that 'no law shall be enacted which is repugnant to such Injunctions'. The preamble of the basic law spoke of enabling the Muslims 'to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Holy Quran and Sunnah'. But it also promised that 'adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures' (Constitution of Pakistan 1973).

In addition to appealing to the Islamists with constitutional provisions, the Bhutto government created a Ministry for Religious and Minorities Affairs. Over the next 4 years, the Imams of Islam's holiest shrines in Mecca and Medina were invited to tour the country in well-publicized religious ceremonies that were telecast live on state television; the printing of the Quran was standardized, and religious schools began to receive government funding.

Bhutto initially tried to balance these 'Islamic' measures with efforts to emphasize pluralism and tolerance for religious minorities. The PPP had been strongly supported by Shias, Ahmadis, Christians and Hindus at the polls. These communities expected the party in government to protect them, and the PPP government acquitted itself well on this score in its first 2 years. While negotiating with India over what became the Simla Accord in 1973, Bhutto insisted that the Hindus who had fled Sindh during the 1971 war should return to their homeland.

Nonetheless, the balancing act between implementing liberal ideas and appeasing Islamist sentiment was not easy, as Bhutto discovered when he assembled scholars from all over Pakistan at a congress on Pakistan's history and culture. His idea was to redefine Pakistani nationalism away from the Islamic ideology that had prevailed since Liaquat and had intensified under Ayub Khan and Yahya Khan. The gathering was meant to emphasize Pakistan's identity as a Muslim homeland that did not need Islamization – the argument that Bhutto had advanced through most of his political career thus far. It ended up being dominated by those who did not want to revisit the established notion of Pakistan as an Islamic State.

At the Congress, secular scholars spoke of 'geological, geographic, ethnic and historical grounds for regarding the Indus Valley and its western and northern mountain marches as a distinct national unit separate from the rest of South Asia'. But the view of the majority of scholars was summed up by Pakistani historian Waheed-uz-Zaman: 'The wish to see the kingdom of God established in a Muslim territory . . . was the moving idea behind the demand for Pakistan, the cornerstone of the movement, the ideology of the people and the raison d'être of the new nation-state.' Echoing the sentiment of Ayub Khan and Yahya Khan, Zaman said that 'if we let go of the ideology of Islam, we cannot hold together as a nation by any other means'. He also voiced the 'dilemma' that faced Pakistanis in defining their nationalism: 'If the Arabs, the Turks,

the Iranians, God forbid give up Islam, the Arabs yet remain Arabs, the Turks remain Turks, the Iranians remain Iranians, but what do we remain if we give up Islam?' (Zaman 1973).

Two decades after the 1953 anti-Ahmadiyya protests, Pakistan was once again faced with riots targeting the Ahmadiyya community in 1974. Parallels were drawn immediately between the anti-Ahmadi violence of 1953 and this campaign, though clearly, the 1974 protests were milder and easily contained. Bhutto was concerned about an escalation in sectarian violence and the likelihood of it impacting his ability to maintain influence in Punjab, Pakistan's largest province. On 13 June, Bhutto declared he would ask parliament to debate and vote on whether Ahmadis were Muslim.

Instead of releasing pressure, the prospect of the Ahmadi issue being taken to parliament resulted in new maneuvers by religious parties. The Jamiat Ulema Islam members of the Northwest Frontier Province (now known as Khyber-Pashtunkhwa) – reflecting the orthodox Deobandi denomination of Sunni Islam – managed to secure support from members of secular opposition parties for a unanimous resolution which 'recommended and requested the federal government to declare the Mirzais, Ahmadis or Qadianis as a minority because they do not believe in Khatm-e-Nabuwwat' (*Dawn News* 1974).

For his part, Bhutto continued a balancing act of appeasing the Islamists and defending the rights of Ahmadis as citizens of Pakistan. He opposed calls for a social and business boycott of Ahmadis, 'which, he said, could not be justified on human or moral grounds. He asked whether it was an Islamic act to deny a section of the citizens the necessities of life. After all, they were human beings'. But he also insisted that 'it [was his] foremost duty to serve Islam. Everything else comes later' (*Dawn News* 1974).

In September, both houses of Pakistan's parliament passed the Second Amendment to Pakistan's Constitution, pronouncing Ahmadis non-Muslims (*Dawn News* 1974). The decision was welcomed, among others by Maulana Maududi, founder of the Jamaat-e-Islami, who 'thanked the Almighty that collective endeavors of the people, *ulema*, *mashaikh* [spiritual leaders], students, political organizations and the National Assembly have at last resulted in the solution of the ninety-year-old problem that constituted a big internal threat to the Muslims and Islam'. He claimed that 'previous regimes in Pakistan had tried to suppress the problem and imposed more and more, a non-Muslim minority over the Muslims' (*Dawn News* 1974).

The Second Amendment of the Pakistani Constitution altered Article 106 Clause 3, which lists religious minority communities to include 'persons of Qadiani group or the Lahori group (who call themselves "Ahmadis")'. The Ahmadis were the only religious minority who were listed in the Constitution not by the name they use but by pejoratives applied to them by their detractors. Moreover, a new clause that attempted to define 'Muslim' was added to Article 260 of the Constitution, transforming a purely religious question into a matter of law. 'A person who does not believe in the absolute and unqualified finality of The Prophethood of Muhammad (Peace be upon him), the last of the Prophets', it read, 'or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad (Peace be upon him), or recognizes such a claimant as a Prophet or religious reformer, is not a Muslim for the purposes of the Constitution or law' (Constitution of Pakistan 1973).

It was a tragedy that instead of diminishing the difference between Muslim and non-Muslim over time, as Jinnah had envisioned, Pakistan had created a new non-Muslim minority through a constitutional amendment. It was a greater tragedy that this had happened under an otherwise progressive and pluralist government. It is not unusual in the history of most faiths for religious leaders to classify members of other denominations as not belonging within the mainstream of their faith. But the purported heresy of a sect had not been made subject of legislation in any country in modern times.

Islamization

On 5 July 1977, Pakistan's second military coup took place and its third military dictator, Chief of Army Staff General Zia-ul-Haq, took over the reins of power, deposing the elected Bhutto government. Zia legitimated his dictatorship by claiming the mantle of Islamization. He promised to be guided by 'the spirit of the people's struggle for Nizam-e-Mustafa' from his first day in power. Zia changed laws by decree, imposed draconian punishments based on medieval interpretations of Islam, silenced secular critics and changed school curricula to pass on his bigoted worldview to the next generation.

Hardline clerics with limited followings now preached on national television, and orthodox religious schools (*madrasas*) proliferated with state and foreign funding. Islamist militias, trained to fight the communist occupation in Afghanistan, also turned their guns on non-Muslims, Ahmadis and Shias within Pakistan, often with a nod from Zia's officials and political allies. If the 1947 partition virtually cleansed Pakistan of Hindus and Sikhs, Zia-ul-Haq's decade-long dictatorship marked the beginning of a period of heightened sectarian violence, in which all but the most obscurantist Muslim sects and groups were targeted.

At home, forceful advocacy of an Islamic State was Zia's sole, albeit limited, source of legitimacy. His conduct was both cynical and hypocritical. But backed by military force, Zia was able to manipulate Pakistan's foundational dilemma – Muslim homeland or Islamic State – to his advantage. Pakistanis had heard the rhetoric of Islamic ideology before and were skeptical about promises of an Islamic State. Zia carefully nurtured his image as a man of Allah, with televised attendance at prayer congregations and annual pilgrimages to Mecca. He also met regularly with clerics, many of whom were given state jobs and titles. Zia thereby assembled a protective cohort of Islamist shock troops around himself, in addition to the uniformed military that he already commanded.

In February 1979, he ordered a revision of educational curricula to ensure that 'the ideology for which this nation had achieved Pakistan' may 'permeate' the lives of people. 'Our text books and courses of study have drifted us away from our orbit', he insisted. 'Consequently we had to devise a new educational policy to keep us within our intellectual orbit. The basic aim of this policy is to rear a new generation wedded to the ideology of Pakistan and Islam,' Zia said (Zia-ul-Haq 1979: 288–90). This decision had far-reaching consequences: it quashed the potential for critical thinking in the next generation, encouraged a false narrative of history and introduced religious bigotry to students at an early age.

Zia's lack of tolerance for other faiths was particularly evident in his general disregard for the concerns of Pakistan's minorities. Accordingly, as his Islamization of the nation was global in its scope and almost obsessive in its thoroughness, it is hardly surprising that Zia's Pakistan would, at least partially, impose shari'at. This undertaking could only have served to further marginalize the country's non-Muslims and dismay the Muslim minority sects whose views of shari'at would depart significantly from that of the Islamists.

While non-Muslims' standing as citizens was reduced before the courts, the power of their franchise was also diluted by shrewd alterations to the electoral laws. Although Zia did not hold legislative elections until 1985, he changed the Representation of the People's Act of 1976 to reintroduce separate communal electorates. Non-Muslim minorities could no longer vote along with Muslims to elect officials to local councils or provincial and federal legislatures. A fixed number of non-Muslim seats were to be allocated in each elected body and non-Muslims could vote for members only of their own religious community.

This measure was designed partly to deprive less conservative parties opposed to Zia and martial law, such as the Pakistan Peoples Party (PPP), of their non-Muslim vote bank. It also

diminished the political influence of non-Muslims, as their representatives in elected bodies did not carry any weight within the major political parties. The Ahmadis, who did not accept their designation as non-Muslims, refused to accept electoral representation as a minority and therefore were effectively disenfranchised.

By 1980, the Islamization process expanded to include the implementation of *zakat*, a 2.5 percent annual wealth tax that is required by Islam to be used for the relief of the poor. The Zia government imposed Zakat through a compulsory levy on bank deposits. In its first year, 485 million Pakistani rupees were collected as zakat to be distributed through local committees, which would serve as a patronage network for Sunni Islamist parties. But Shias objected to the compulsory collection of zakat on the grounds that it was not in accordance with their religious law. Instead of zakat, the Shia paid *khums* – twice the amount the Sunnis paid. According to Khaled Ahmed, 'it was traditionally aid to the Shia clergy, clearly a throwback to the history of Shias living as a suppressed majority or a minority in Sunni states' (Ahmed 2012).

Zia and his fundamentalist advisers either did not anticipate a Shia backlash or calculated that such a backlash would help consolidate Sunni opinion in favor of the regime. After the enforcement of the zakat ordinance, Pakistan's Shia staged a massive protest led by Mufti Jafar Hussain (1916–83), an erudite Shia scholar considered the head of the Shia community in the country. Led by Mufti Jafar Husain, on 5 July 1980, tens of thousands of Shias marched in Rawalpindi, near the capital, shutting down Islamabad. Violence ensued: one protestor was killed while fourteen were wounded. Zia amended the zakat decree to allow anyone who considered compulsory deduction of zakat as being against his faith to seek exemption from the tax (Gustafson and Richter 1981: 166–8).

Although the Shia had won the argument over zakat, Zia and his fellow generals were angered by the Shia's ability to defy martial law. Moreover, they were fearful that Pakistani Shias would now rely on the new Islamic revolutionary regime in Iran for support. Zia's regime responded by cultivating Sunni extremist groups that called for declaring Shias non-Muslim with proscriptions similar to those that had earlier been issued against the Ahmadis. Syed Vali Nasr cites reports that 'the martial law administrator of Punjab, General Ghulam Gilani, deliberately turned a blind eye to growing Sunni militancy and the rise of armed bands centered in *madrasas* after 1980, to address the problem of Shia resurgence' (Nasr 2000: 155–7).

Global jihad

In August 1988 Zia-ul-Haq died in a helicopter crash. Over the next decade a succession of civilian governments led alternately by Benazir Bhutto (1988–90, 1993–6) and Nawaz Sharif (1990–3, 1997–9) attempted to rule, thwarted each time by the entrenched military-technocratic-intelligence establishment. Benazir, Zulfikar Ali Bhutto's daughter, and head of Pakistan Peoples Party (PPP) was voted to power in 1988 with the expectation that she would turn Pakistan away from Zia's Islamization. However, the constant opposition she faced from the religious clerics, lslamist organizations and the establishment proved that the order created by Zia did not die, and secular political forces were eventually forced into pragmatic compromises over Islamization.

This meant that for the most part, Benazir Bhutto's ostensibly secular government was cast as a helpless observer while the Islamists thwarted its leader's vision of a society that did not discriminate on the basis of religion. Incidents of persecution of religious minorities thus continued in a pattern that had become familiar under Zia's rule. In addition to targeted attacks on Shias, the Ahmadis continued to be persecuted under the draconian Ordinance XX. There were several new cases of sect members being imprisoned for using Islamic symbols.

Local officials in several jurisdictions paid little attention to the prime minister's calls for greater religious tolerance.

Her successor, Nawaz Sharif, head of Pakistan Muslim League (PML), came to power with the support of Islamist parties and in May 1991 passed the shari'at bill that declared the Quran and Sunnah as the law of the land, not just the guideline for legislation as had been the case since the Objectives Resolution of 1949. The language of the Bill was such that it could render legislatures superfluous, notwithstanding that they remained both at the federal and provincial levels as the only law-making bodies in the country. The shari'at bill opened the way for courts to base their judgments on Islamic law, citing sayings attributed to the Prophet or to medieval Islamic jurists, instead of adjudicating cases on grounds of Pakistan's laws. Opponents of the bill, including minority and women's groups, saw it as a further step towards making Pakistan a theocracy (Khan 1992: 199).

Critics saw Sharif as following in Zia-ul-Haq's footsteps in playing the Islamic card. 'The prime minister's policy seemed to be "hunting with the hounds and running with the hare,"' commented Rais Khan, an academic. 'On Independence Day, he declared himself to be the standard bearer of Jinnah's principles and on Zia's anniversary three days later he pronounced himself the guardian of Zia's legacy', Rais Khan said, adding 'It did not bother him that Jinnah, the father of Pakistan, was a democrat and a secularist and Zia was a ruthless military dictator and religious bigot' (Khan 1993: 130–1).

The situation did not change when Benazir Bhutto returned to power as prime minister in October 1993 after the dismissal of the Sharif government a few months earlier. Once again, a liberal political party won the elections but Pakistan's political environment favored the Islamist viewpoint even without the Islamists winning a significant number of votes.

Bhutto spent her second term fighting fire, both domestic and foreign, the rise of the Taliban and a faltering economy. In such an environment, there was little room for policy and legislative changes that were needed to end the widespread abuse and harassment of the various religious minorities.

In his second term Nawaz appeared eager to burnish his credentials as a champion of Islam. By August, Sharif was ready to amend Pakistan's constitution 'to create an Islamic order in Pakistan and establish a legal system based on the Quran'. This attempt at sweeping Islamization was similar to that undertaken by General Zia-ul-Haq, with one crucial difference. While Zia was a military dictator who lacked legitimacy, Sharif was an elected leader who was trying to move Pakistan farther along the path toward theocracy through an act of parliament.

The inevitable consequence of the government nurturing the jihadi groups was unabated religious militancy and sectarian terrorism across the country. Academic Anwar Syed gave a crisp summation of the pattern of violence: 'Militant groups belonging to the Sunni and Shia sects within Islam, bombed each other's mosques and assassinated each other's religious and professional leaders and other notables. Police officers and high ranking civil servants were among those killed, and the police became reluctant to investigate because of fear of reprisals.' According to Syed, 'Many observers saw the Sunni–Shia conflict as a "proxy war" between Saudi Arabia and Iran on the soil of Pakistan' (Syed 1998: 120).

In October 1999, Nawaz Sharif was overthrown in a coup d'état that brought the army back into power. General Pervez Musharraf who took over styled himself as a reformer and promised to push back religious extremism. Musharraf ended the separate electorates, though some seats in parliament and provincial legislatures were reserved for non-Muslims. Ahmadis still could not vote because they refused to put their names in the non-Muslim register of voters. Musharraf initially expressed sympathy for Christians and Hindus and promised the end of

religious militancy. But overall, the situation did not improve for Pakistan's minorities during his decade in power.

Soon after the coup that brought him to power, Musharraf acknowledged religious extremism as a problem that had to be dealt with by the government and the military. In his first address to the nation as Pakistan's ruler, Musharraf criticized the 'exploitation of religion', spoke of Islam as a religion of tolerance and reassured 'our minorities that they enjoy full rights and protection as equal citizens in the letter and spirit of true Islam' (Musharraf 1999a).

However, with the passage of his dictatorship, Musharraf reverted to defining the role of Islam in Pakistan's life in ways similar to those adopted by earlier leaders after Jinnah. Upon being asked what role Islam should have in Pakistan, he stated that Pakistan was 'an Islamic republic', that 'Islam is a *deen*, a way of life' and he was 'a believer in taking Islam in its real, progressive form – a much broader, futuristic view rather than a dogmatic and retrogressive one' (Musharraf 1999b).

The new dictator was using language similar to that of earlier ones. He did not wear Islam on his sleeve, like Zia-ul-Haq, but he also was not willing to embrace Jinnah's vision of religion having nothing to do with the business of state. Some of his rhetoric resembled that of Ayub Khan, Pakistan's first military dictator, who was not an Islamist but inadvertently strengthened the Islamist cause while pursuing his external and domestic policies.

Under Musharraf, extremist madrasas continued to proliferate in an alarming manner even after the ousting of the Taliban from Afghanistan in 2001. The number of madrasas – ideological hothouses that almost invariably took a harsh view of unbelievers and apostates – had risen from 6,761 in 2000 to 11,221 in 2005 to 28,982 in 2011 (Chisthi 2011). Thus, in the 5 years that also saw the terrorist attack of 9/11, the number of apostatizing seminaries had almost doubled in Pakistan. There were now 448 madrasas for women too. The greatest number of madrasas were now in the city of Bahawalpur (where the October 2001 church attack on Christians had been perpetrated), followed by Lahore, Bahawalnagar and Faisalabad (Ahmed 2012: 128).

As the madrasas minted more and more extremist mullahs, religious vigilantism intensified against non-Muslims as well as Muslim sects. Pakistani laws, especially ones that deal with blasphemy, deny or interfere with the practice of minority faiths. Religious minorities are targets of legal as well as social discrimination. Most significantly, in recent years Pakistan has witnessed some of the worst organized violence against religious minorities since partition. Over an 18-month period covering 2012 and part of 2013, at least 200 incidents of sectarian violence were reported; these incidents led to some 1,800 casualties, including more than 700 deaths.

Many of those targeted for violence during this period were Shia Muslim citizens, who are deemed part of Pakistan's Muslim majority under its constitution and laws. During the same year-and-a-half period in 2012–13, Shias were subject to seventy-seven attacks, including suicide terrorist bombings during Shia religious observances. But fifty-four lethal attacks were also perpetrated against Ahmadis, thirty-seven against Christians, sixteen against Hindus and three against Sikhs. Attackers of religious minorities are seldom prosecuted – and if they are, the courts almost invariably set them free. Members of the majority community, the Sunnis, who dare to question state policies about religious exclusion are just as vulnerable to extremist violence.

Conclusion

Islamists have sought to purify Pakistan – the land of the pure – but in doing so have embraced bigotry and prejudice instead of invoking the nobler examples from Muslim history. They ignore the Quranic verse, 'There shall be no coercion in matters of faith' (2: 256), the generosity

of Prophet Muhammad towards his non-Muslim adversaries after the conquest of Makkah in 629 AD and the insistence of Caliph Umar (ruled 634–44) that injustice is the greatest of sins under an Islamic ruler. Successive governments in Pakistan's 67-year history have appeased Islamists, failing consistently to protect both non-Muslims and minority Muslim sects.

Pakistan's religious minorities have often been the target of religiously motivated attacks and persecution – these have risen in tandem with religious extremism in the country. Discrimination, harassment and violence have been directed against all religious minorities, including Ahmadis, Christians, Shia Muslims, Sikhs, Hindus, Parsis and Jains.

Pakistan's national discourse, aided by its school curriculum, generates religious prejudice against minorities. Although the country's founder, Muhammad Ali Jinnah, envisioned a secular Pakistan, over the years respect for the diversity of beliefs has eroded. Islamist groups have sought to purify Pakistan, which they deem to be the land of the pure. But history shows that these efforts at purification have only made Pakistan vulnerable to conflict, terrorism and lawlessness.

The pursuit of religious purity is not an attainable goal. It has hindered Pakistan's progress and rendered it insecure. The country has drifted far from its founder's ideal and has been engulfed in religious furies instead of cultivating humanistic passions. Violence against religious minorities has divided its people instead of uniting them or even making them more pious. Instead of allowing bigotry to cloak itself in the garb of a state religion, Pakistan would advance better as a non-confessional state, as imagined by its secular founder. Although there is no sign of such fundamental change yet, Pakistanis must start working towards dismantling the constitutional, legal and institutional mechanisms that have gradually excluded minorities from the mainstream of Pakistani life.

Notes

1 This chapter is an edited version of my book *Purifying the Land of the Pure.*
2 See, for example, Major General (Retd.) Khadim Hussain Raja, *Stranger in My Own Country: East Pakistan 1969–1971.* Karachi: Oxford University Press, 2012.

Bibliography

Ahmed, K. (2012). *Sectarian War: Pakistan's Sunni-Shia Violence and Its Links to the Middle East*. Oxford: Oxford University Press.
Ayub Khan, M. (1960). 'Pakistan Perspective'. *Foreign Affairs*, 38(4): 549.
Ayub Khan, M. (1967). *Friends Not Masters: A Political Autobiography*. Karachi: Oxford University Press, p. 172.
Browne, M. (1972). 'Bhutto a Whirlwind on Mission to Restore a Shattered Pakistan'. *The New York Times*, January 19.
Chisthi, A. (2011). 'Madrassa Menace'. *The Friday Times*, January 21–27. Available at: www.thefridaytimes.com/21012011/page4.shtml.
Choudhury, G.W. (1967). *Documents and Speeches on the Constitution of Pakistan*. Dacca: Green Book House.
Constituent Assembly Records. (1948). Legislature, March 2, pp. 260–63.
Constitution of Pakistan. (1973). Available at: http://www.pakistani.org/pakistan/constitution/.
Dawn News. (1944). 'Membership for Ahmadiyyas'. May 4.
Dawn News. (1974). Declare Qadianis a Minority: NWFP Assembly Resolution'. June 19.
Dawn News. (1974). 'PM Bhutto Interview'. July 2.
Dawn News. (1974). 'Issue Suppressed by Past Regimes Now Solved Well: Maududi'. September 7.
Dawn News. (1974). 'Qadianis Declared Minority: Preaching Against Finality of Prophethood by a Muslim Made Punishable'. September 7.
Feldman, H. (1974). *The End and the Beginning: Pakistan, 1969–71*. Karachi: Oxford University Press.

Gustafson, W.E. and Richter, W. (1981). 'Pakistan in 1980: Weathering the Storm'. *Asian Survey*, 21(2): 166–8.

Jinnah, M.A. (1947). *Constituent Assembly of Pakistan Debates*, Vol. I, August 11. Government of Pakistan Press.

Khan, A.H. (1972). 'Population Census of Pakistan 1972: Statistical Report of Pakistan'. Islamabad. Population Census Organization, Statistics Division, Government of Pakistan, pp. 1, 20.

Khan, R. (1992). 'Pakistan in 1991: Lights and Shadow'. *Asian Survey*, 32(2): 199.

Khan, R. (1993). 'Pakistan in 1992: Waiting for Change'. *Asian Survey*, 33(2): 130–1.

Munir Commission Report. (1954). Report of the Court of Inquiry constituted under Punjab Act II of 1954 to inquire into the Punjab Disturbances of 1953. Lahore: Government Printing, 1954.

Musharraf, P. (1999a). 'I Want a True Democracy'. *Time*, November 24.

Musharraf, P. (1999b). 'Text of Musharraf Speech'. *Dawn News*, October 17.

Nasr, S.V.R. (2000). 'The Rise of Sunni Militancy in Pakistan: The Changing Role of Islamism and the Ulema in Society and Politics'. *Modern Asian Studies*, 34(1): 155–7.

Objectives Resolution. (2009). *Islamic Studies*, 48(1): 91–119.

Raja, K.H. (2012). *Stranger in My Own Country: East Pakistan 1969–1971*. Karachi: Oxford University Press.

Sayeed, K.B. (1963). 'Religion and Nation Building in Pakistan'. *Middle East Journal*, 17(2): 287.

Syed, A.H. (1998). 'Pakistan in 1997: Nawaz Sharif's Second Chance to Govern,' *Asian Survey*, 38(2): 120.

Zaman, W. Uz (1979). 'The Quest for Identity'. As cited in W. Richter, 'The Political Dynamics of Islamic Resurgence in Pakistan.' *Asian Survey*, 19(6): 551.

Zia-ul-Haq (1979) Address of Zia on the introduction of Nizam-e-Islam in Pakistan (English rendering of speech in Urdu). *Dawn News*, February 12, Pakistan Horizon, 32(1–2) (First and Second Quarters): 288–90.

21

COMPETING VISIONS OF WOMEN'S RIGHTS IN PAKISTAN

State, civil society and Islamist groups[1]

Anita M. Weiss

Modernity itself generates ambiguities when religion, gender and politics intertwine, and we see this manifest significantly in Pakistan. Political expediency has often played a critical role in advocating legal changes to empower women within the context of a fairly restrictive political context that has relied heavily on an Islamic framework. Myriad constituencies within Pakistan are differentially interpreting the intersections of Islam and modernity as they grapple with understanding the parameters of women's rights today. This is not exclusive to different groups, which we may perceive as being polar opposites on the issues, but also within them as well. While many Pakistanis consider that only one version of Islam is practiced – or *should* be practiced – what that is has become heavily contested; in other words, there is no 'one version.' Compounded with this, many people essentialize the rights Muslim women have, as if everyone shares and embraces a one-dimensional view of women's rights. This is, categorically, incorrect as there are a cacophony or prevailing views within just one family – one neighborhood, one community – in Pakistan, and virtually no consensus.

Traditionally, Pakistani society views women as needing protection from the outside world where their respectability – and therefore that of their family's – is at risk. Women in many parts of the country live under traditional constraints associated with *purdah*, which necessitate the separation of women from the activities of men both physically and symbolically, creating very differentiated male and female spheres, albeit this is changing somewhat in urban metropolitan areas. In the past, most women spent the bulk of their lives physically within their homes, venturing outside only when there was a substantive purpose. In poorer urban and rural communities, this purpose largely was to contribute to her family's sustenance; once the family's financial position improved, the woman was usually withdrawn from the labor force. With the rise in the level of a family's prosperity and its concomitant aspiration for a higher social status, a family would then put a veil on its women and place them into some form of *purdah*.

However, despite Hanafi *fiqh*[2] being the major school of Islamic jurisprudence in Pakistan, there is no consensus on its views on women's rights. Instead, different voices have called for conflicting actions all "based on Islam," ranging from agitating to withdraw the conservative Islamic laws that had been implemented during Zia-ul-Haq's military regime, to passing progressive legislation outlawing traditional practices that discriminate against women, to

contending that women should only enter the workplace or other public arenas when they have fulfilled their domestic obligations. How these differences manifest as differing interpretations of women's rights in Pakistan between the state, civil society and Islamist groups, is the focus of this chapter.

We begin with an overview of state policies and legal reforms affecting women's rights in Pakistan, noting how the state's efforts to articulate a definition of women's rights has been complicated by its need to balance divergent views.[3] We then look at the influence civil society groups – particularly women's rights groups – have had on affecting the state's policies, and how these progressive, highly educated, generally urban-based activists would like to see the state move further on empowering women. There are a myriad of groups in this category and while we cannot essentialize this constituency as holding solely one vision on women's rights, many do share common interpretations. Therefore, we will review the key visions on women's rights of two of the most prominent organizations, the Aurat Foundation and Shirkat Gah, as they exemplify the kinds of vision and interpretations of women's rights held by the majority of civil society groups in Pakistan.[4]

Finally, we explore views on women's rights espoused by orthodox Islamist groups in the country. To capture the orientation within this constituency, we explore the vision held at the national level by the highly influential Jama'at i Islami. Its vision of women's rights is representative of the kind held by many entities in Pakistan that advocate for an "authentic Islam" to counter how the country has been led astray.

The state's vision of women's rights in Pakistan

The history of the state's vision of women's rights in Pakistan involves a complex pattern of policy advances and political setbacks, given its efforts to articulate a definition of women's rights complicated by the need to balance divergent views on the place of women in Pakistani society and in Islam. The state's location of that discourse within an Islamic framework (at least since the 1970s) has occurred regardless of it being governed by military or democratic regimes.

Soon after independence in 1947, the new government passed legislation, the Muslim Personal Law of Shar'iat (1948), to expunge British civil law from family affairs.[5] With this legislation recognizing a woman's right to inherit property consistent with Islamic laws (*shari'at*), the state also symbolically placed legal reforms within an Islamic discourse.

Begum Rana Liaquat Ali Khan (wife of Pakistan's president, Liaquat Ali Khan, between 1949 and 1951), as president of the All Pakistan Women's Organization (APWA), was influential in getting the Pakistan state to become a party to a number of UN human rights instruments including the 1953 Convention on the Political Rights of Women. Begum Rana, along with other activists, advocated for additional legislation promoting women's rights in the 1950s that resulted in a draft bill for the Charter of Women's Rights and the establishment of a Commission in 1955 to review prevailing marriage and family laws ahead of the passage of Pakistan's second Constitution in 1956. But the first true major legislation was the Muslim Family Laws Ordinance (MFLO) in 1961. The MFLO provides economic and legal protection to women through the regulation of marriage and divorce and restraining polygamy. It requires registration of all marriages, the written permission of a man's wife (or wives) to be presented before an arbitration council which decides if the man may marry again, the abolition of divorce by simple repudiation (*talaq*), and other safeguards for women in the event of divorce. It is said that women activists were so euphoric following the passage of this legislation that they showered President Ayub Khan's car with rose petals when he came to Karachi soon afterwards.

It took another decade before the state acted again to affect the rights of women. This time, in 1973, it was with the passage of Pakistan's third Constitution. Article 3 in the section on Fundamental Rights and Principles asserts that the state is committed to eliminating exploitation. Article 25 (1) guarantees that all citizens are equal under the law and are entitled to equal protection of law; the second section of this article. Article 25 (2) extends this to eliminating discrimination "on the basis of sex alone." Article 27 prohibits discrimination on the basis of sex, race, religion or caste for government employment and Article 34 states that, "steps shall be taken to ensure full participation of women in all spheres of national life." Article 38(a) adds that it is the responsibility of the state to "secure the well-being of the people, irrespective of sex, caste, creed or race, by raising their standard of living."[6] Women were ensured representation in the National Assembly through "reserved seats."

Thus far, the Pakistan state's efforts on legal reforms promoting women's rights had been consistent with those of the United Nations and the global community. We see this in the importance accorded to Pakistan participating in the UN's First World Conference on Women held in Mexico City in 1975 when Prime Minister Zulfiqar Ali Bhutto had his wife, Nusrat Bhutto, lead the national delegation. No one expected that the coup d'état two years later, resulting in the overthrow of Bhutto and the installation of General Zia-ul-Haq as military ruler, would change this progression, but it did, significantly. On February 2, 1979, Zia promulgated his Islamization program and the Hudood Ordinances. While the state had never initiated a public consensus on what "Islamization" should mean nor what it should comprise, the Hudood Ordinances – essentially just a new penal code – focused on enforcing punishments for distinct kinds of crimes explicitly outlined in *shari'at* such as theft of private property, the consumption of intoxicants, and adultery and fornication (*zina*). The most heated controversy was over the latter, *zina*, both because the ordinance governing it made no legal distinction between adultery (*zina*) and rape (*zina-bil-jabr*) and because its enforcement was discriminatory against women: a man had to be observed committing *zina* to be convicted, while a woman could also be convicted if she became pregnant (i.e., pregnancy was allowable as admissible evidence).[7] Other controversies arose including the circumstances under which women could provide evidence at a trial, whether the amount of compensation given to a female victim or a female victim's family in the event of injury or death should be the same as for a male victim, and what rights women would have under a national Shari'at Law. While none of these controversies were enforced by the state, for a while in the 1980s it appeared that women might be denigrated to being second-class citizens whose lives were not as valued as those of men.

Indeed, many of the laws enforced during Zia-ul-Haq's Islamization program exacerbate prevailing culturally sanctioned violence. Power relations between men and women, while being renegotiated in private spheres, were not on the agenda at the national level. Due to the tendency to censure victims of domestic abuse, rape or to risk being charged with *zina* (adultery) for claiming abuse, women were now even more reluctant to discuss violent acts of abuse that occurred within the family. A common fear among women was that if they fled from their homes (as victims of abuse), they might be charged with *zina*.[8] In the event a woman was raped, she often feared pressing charges because if she could not prove the allegation, she could in turn be charged with adultery and imprisoned for *zina*.

While the Pakistan state began to turn its attention back to the issue of women's rights in the 1990s, it focused more on external actions and treaty ratifications rather than promoting domestic legal reforms or adopting and enforcing new domestic policies. For example, Pakistan in 1990 became a state party to the UN Convention on the Rights of the Child,[9] and signed on to both the 1993 Vienna Declaration that recognized women's rights as human rights,[10] and to the 1994 Cairo Population and Development Conference's Program of Action.[11]

In preparation for writing its National Report and participating in the UN's 1995 Fourth World Conference on Women, the Pakistan Senate created a commission to review the country's laws to identify "iniquities against women." The resultant Report of the Commission of Inquiry for Women identified certain areas – laws, customs, practices, criminal procedures – that are discriminatory towards women, and made clear suggestions on how Pakistan could remove such discrimination, including recommending the country legalize abortion, abolish the Federal Shar'iat Court (on the basis of it being redundant and other courts could adjudicate the same issues) and repeal the Hudood laws (Commission of Inquiry for Women, Government of Pakistan 1997: ii). The report demands the government redress inequities and repeal discriminatory laws, arguing that to do so is not only to create more equitable circumstances within Pakistan but also to raise Pakistan's stature in the international arena. It makes the appeal that such reforms are inevitable. Indeed, this and other recommendations made throughout the report draw the state further into the discourse of defining women's rights through the institutional structures it supports.

Neither Benazir Bhutto's (1988–90; 1993–6) nor Nawaz Sharif's (1990–3; 1997–9) governments, despite numerous promises, ever actually passed legislation to promote women's rights nor took action to reverse some of the legislation passed by Zia-ul-Haq that negatively impacted these rights. Benazir Bhutto did participate in the UN Fourth World Conference for Women in Beijing in 1995 and soon after, had Pakistan become a state party to CEDAW, the Convention on the Elimination of All Forms of Discrimination Against Women, in March 1996. But that was essentially all she and her government did to support women's rights.

It was instead during another military government, this time under Pervez Musharraf in the 2000s (1999–2008), that the state actually turned its attention to considering various strategies and priorities to promote women's rights in Pakistan. It is important to reflect for a moment on *why* so as to understand the state's vision on women's rights.

Ayub Khan's vision had been to modernize Pakistan, especially in promoting economic development and the writ of the state. Providing women with rights – especially in the arenas of marriage, divorce, inheritance, and custody – was essential to promoting this transformation. Later, Zia-ul-Haq symbolically moved Pakistan closer to the Middle East: it wasn't in prioritizing *shari'at,* but rather in prioritizing laws and practices that had not actually been a part of Muslim traditions in Pakistan. Women historically have had greater agency here – even Hanafi *fiqh* ensures this more than the Hanbali and its Wahhabi derivative does in Arabia – but in the state's quest to find a basis of legitimacy for itself, it ignored the unreasonableness to tread on the legal rights of women. But why did we see Musharraf's government set about to rectify the legal discrimination women were now subject to in Pakistan, reinstitute reserved seats to encourage the political participation of women, and draft new legislation to promote women's rights that was continued under the PPP administration that followed it?

In many ways, Musharraf's goals were quite similar to Ayub Khan's – to promote growth and development in Pakistan – but we must not lose sight of the reality that this was now being done in a very different global context. The global community recognizes that no nation can move forward and prosper without bringing its women along in the process. Educated women have smaller, healthier families and make economic, political, and socially productive contributions to their countries. In addition, the pervasive globalization of the economy limits the influence a given country, like Pakistan, can have in asserting itself in external economic negotiations – so the more a local economy can strengthen itself the better its prospects when it looks outward, and nothing can have such an impact as incorporating qualified women into the mix.

In the various initiatives Musharraf's government undertook, it often used language that resembles the requirements of CEDAW such as the terminology of "creating enabling

conditions" which makes it obvious that the Government of Pakistan's concerns were more with its reputation within the international diplomatic community than necessarily with promoting substantive transformations domestically.

Since the early 1990s, while Islamist political parties and their supporters were championing traditional views towards women's roles in society in some domains, substantive changes had already been occurring throughout the country in social practices, orientations, and values. Conflicting images regarding the place and power of women were already having widespread social, economic, and political consequences. The Hudood laws had come under increased international condemnation and were included in many reports on worldwide human rights violations; that being raped in Pakistan could itself be a crime did more to hurt Pakistan's global image than anything else.

Musharraf's government set about to pass laws to rectify this poor image, including the Criminal Law (Amendment) Act of 2004 – popularly referred to as the "honor killing law"[12] – followed by passage of the 2006 Protection of Women Act (Government of Pakistan 2006) that placed the crimes of rape and adultery back into Pakistan's Penal Code.[13] The act of *being* raped was finally no longer a crime in Pakistan.

The Protection of Women Act was the culmination of the women's rights activism that had begun shortly after Zia introduced his Islamization program in early 1979. Reform of the Hudood laws was set in motion when Pakistan became a states party to the CEDAW Convention in 1996, which required it to pledge to review existing laws and social institutions to eliminate discrimination against women. But little was done until Musharraf's government revived the issue of women's empowerment as a key component of its policies to promote Pakistan's progress. It formalized the National Commission on the Status of Women, sought consensus on a National Policy on Women, and set in motion a series of reforms to promote women's rights consistent with the global norms articulated in the CEDAW Convention.

During the summer and early fall of 2001, the state was trying to get support from local-level politicians throughout Pakistan for its National Policy for Women. What particularly stands out about the policy is the first statement in its preamble:

> The first Bill of Rights for women was laid out (in the Quranic Chapter on Women Al-Nisa and Other Quranic Chapters/verses), nearly fourteen hundred years ago. It may be said that no document is more gender sensitive than the Quran itself. In all references to roles and responsibilities, it addresses women and men, at all and specific times. In fact, women's roles and responsibilities as engendered in Islam, accord them a high status in the family and society.
>
> *(Ministry for Women Development, Government of Pakistan 2001: 1)*

It continues to note that the Government of Pakistan, in accepting "its national and international commitments," was creating this policy to be comprehensive and encompass the globally recognized twelve areas of concern to be guided by "the principles of gender equality and equity at all times." The policy notes that it will address affirmative actions in all areas of concern, and "overall advocate and highlight Islamic/religious rights/obligations of society . . . in all spheres of life" (Ministry for Women Development, Government of Pakistan 2001: §4). But indeed, nothing else within the policy addresses anything in particular that can be associated with religion or with Islam. It is as if the state was declaring that the policy was not inconsistent with religion, but going no further than that in its interpretation of what that means. The National Policy for Women transformed into the National Policy for Development and Empowerment of Women (NPA), announced on 7 March 2002 by Musharraf, in which he elaborated on the state's plans to promote social, economic, and political empowerment of women in Pakistan

(Ministry for Women Development, Government of Pakistan 2001). Government mechanisms were established to try to ensure accountability and implementation of the NPA and the subsequent Gender Reform Action Plan (GRAP), initiated in August 2002.[14] The latter's mandate is to improve "the framework of gender policies and to develop institutional reform proposals outlining interventions at the federal, provincial and district level"; in other words, to develop an administrative structure to oversee the Government of Pakistan's efforts to enforce women's rights and empowerment. Both of these entities are ongoing.

It is not surprising that Musharraf championed these reforms. He was never affiliated with Islamist political groups and, therefore, never supported their agendas. Moreover, he consistently supported more "liberal" causes such as environmental sustainability, human development, and promoting education for all Pakistanis. However, one more factor must be considered as well: the timing of the reforms. In the wake of events of September 11, 2001, the global community gave the Pakistan state a clear message: are you a part of this global community, or not? In addition, by late January 2002, it was exerting a great deal of pressure on Musharraf to crack down on extremist political groups. By Musharraf taking this important stand promoting women's rights just over a month later, he was certainly placating the global community by ostensibly promoting women's rights while perhaps further eroding the social influence of Islamist political groups that some considered were compromising the state's credibility in the international arena.

Ultimately, Musharraf – as Ayub Khan had fifty years previously – prevailed and the bill became law in November 2006. Importantly, the Council of Islamic Ideology supported the Protection of Women Act as being consistent with Islam, against the stance being advocated by the country's conservative ulema in the unfolding legislative drama.[15] The Council of Islamic Ideology took a firm stand that they were trying to right a wrong that had been committed in the name of Islam.

The PPP administration that came to power in the February 2008 elections continued the process of promoting women's rights on three fronts: poverty alleviation (mostly through the Benazir Income Support Program),[16] ratification of major UN human rights accords, and legal reforms. Many of the reforms are clearly counter to what the majority of Islamist political groups argue is necessary to secure women's rights. The latter's emphasis instead is on reinforcing traditional norms of propriety and female subservience, and that anything more may expose them to ideas that are *shirk* and be disruptive for households and the wider community.

In November 2008, the Council of Islamic Ideology (CII) finally submitted its recommendations about the MFLO to the Government of Pakistan (Mas'ud 2012: 45). Despite having been promulgated in 1961, and despite the Allah Rakha case of 2000 having declared several sections of the MFLO as un-Islamic, the CII didn't take up the controversial legislation until 2006 (the same year it took a stand about Zia's Hudood Ordinances). Among various recommendations, it suggested that the MFLO ensure additional rights to women in the event of a divorce. However, as soon as the recommendations became public, Islamist groups vehemently opposed them. Khalid Mas'ud (2012: 46) argues that the divide culminated between two frameworks of legal interpretation: Shari'at Law (deemed immutable and unchangeable) and Common Law (created by humans and hence changeable). He argues that the ambiguity in using the Shari'at Law framework is that it makes no distinction between *fiqh* (Jurisprudence) and shari'at, while overlooking "the social and cultural context in which these doctrines developed and produced divergent interpretations" (2012: 47). Given the continuing clashes over the MFLO, the legislation remained untouched: neither changed to empower women further nor diminished to decrease the gains already made.

Soon after coming to power, the PPP government (2008–13) declared it would promulgate a national domestic violence act and address sexual harassment at the workplace. It finally did, in late February 2012, with the passage of the "Domestic Violence (Prevention and Protection) Act 2012." The act begins with a clear articulation of the Pakistani state's view on domestic violence as including "all intentional acts of gender-based or other physical or psychological abuse committed by an accused against women, children or other vulnerable persons, with whom the accused person is or has been in a domestic relationship." It outlines specific penalties for committing acts of abuse.

Another bill unanimously passed in the National Assembly, the "Protection against Harassment for Women at the Workplace" (2010), protects women from sexual harassment in public. The accompanying amendment to Pakistan's Penal Code importantly recognizes that sexual harassment occurs everywhere and at all times. Indeed, this amendment to the Penal Code signals a societal shift on thinking about sexual harassment because legal assurances – and penalties for breaking the law – now exist which can support awareness campaigns about sexual harassment and educate women that they now have the right to prosecute this kind of discrimination and persecution.

Passage of the 18th Amendment in April 2010, compelling the decentralization of many governmental offices and obligations to the provinces, had an important impact on how the Pakistan state would "manage" its interpretations of women's rights. The federal Ministry of Women Development had been the responsible entity for introducing relevant laws, conducting investigations into issues affecting women's rights, and even compiling Pakistan's periodic CEDAW reports and responses to gender-related matters in other international treaties. However, now that ministry too was devolved, and each province was to create its own provincial Ministry of Women Development. As these emerge, it is becoming clear that it is difficult to translate the vision at the federal level – which is heavily focused on conforming to and responding to international treaties – to the various provinces, especially as there is no way the federal government can compel them to share its views.

The momentum for new legislation was briefly halted due to the devolution process, but by the end of 2011, three important new bills pushed the legal empowerment of women in Pakistan further. Modifying the Pakistan Penal Code and the Code of Criminal Procedure, the "Prevention of Anti-Women Practices Act 2011" lists specific punishable offenses against compelling women to marry, especially "in consideration of settling a civil dispute or criminal liability." The act spells out specific violations including *wanni* and *swara* (women given as compensation), depriving women from inheriting property, the act of *karo-kari* (premeditated honor killing found in Sindh), forced marriages, and facilitating a woman marrying the Qur'an or other "anti-women practices." This act has had considerable impact; for example, there have been a number of cases where families have been able to go to the police and the courts to contest a decision, often taken by a local *jirga*, that a girl be given in *swara* as compensation for an offense committed by a male member of her family.

The second act passed in December 2011, The Criminal Law (Second Amendment) Act 2011, commonly referred to as the "Acid Control and Acid Crime Act," specifically cites penalties for causing harm or disfigurement by using a "corrosive substance," punishable by long imprisonment and fines up to a million rupees. Finally, the "Women in Distress and Detention Fund (Amendment) Act 2011" provides funding to women in detention, disabled women and to other women "in distress." It updates an earlier 1996 act and transfers responsibility for implementation to the Human Rights Ministry.

What does the passage of these three acts have in common regarding our understanding of the state's views on women's rights? They eliminate outdated traditions that denigrated women,

and sent out a clear message that women's rights could not be denied by throwing acid on them, by imprisoning them, or otherwise exploiting a disadvantaged group.

In light of the absence now of the federal Ministry for Women Development, the Government of Pakistan determined it had to replace that entity by enhancing the role and powers of the National Commission on the Status of Women (NCSW) to ensure the momentum promoting women's rights continued. Elevating the NCSW in March 2012 granted it greater administrative autonomy to review laws, make recommendations, liaise with provincial governments, and overall gain greater scope, funding and impact on redressing violations of women's rights.

The last effort by the PPP governmental to legislate women's rights was to create a National Counter Terrorism Authority "as a focal institution to integrate the country's efforts against terrorism and extremism" and to contribute to the Government of Pakistan's efforts to counter myriad forms of violence against women (Asghar 2013). But the Senate, despite widespread support, never passed the "National Counter Terrorism Authority Bill" as it and the National Assembly were suspended in advance of the May 2013 national elections.

That election resulted in a new administration, headed by Nawaz Sharif's PML-N, coming to power at the national level as well as heading the province of Punjab. While much of the legislation that had been promoted by the PPP passed its tenure ended, since then no new legislation has been introduced to further affect women's rights in Pakistan. Many people contend that such legislation should emerge from the now devolved provincial Women's Ministries and the provincial Commissions on the Status of Women, but this remains problematic. Yet a clear signal has been sent from the national PML-N government: it does not prioritize extending women's rights nor will it oppose the views elaborated by Islamists in the country.

Civil society and Islamist groups' vision of women's rights in Pakistan

We now juxtapose the state's vision of women's rights with those of civil society and Islamist groups' visions. There are a plethora of civil society groups in the country, and there is little that binds them together in a shared vision of women's rights.[17] What started out, by and large, as an urban-based reactive response to Zia-ul-Haq's promulgation of his Islamization program in 1979 has transformed into a vibrant conglomeration of distinct organizations that have helped facilitate the state's modernity project, and urge it to go even further than it has.[18] There are many organizations that fit into this group, some having their origins just after partition (e.g., the All Pakistan Women's Association), some in the 1970s as the UN Decade for Women was getting under way (e.g., Shirkat Gah founded in 1975), many in response to the threats to women's rights under Zia's regime (e.g., Women's Action Forum, AGHS Legal Aid Cell, ASR, Simorgh, Sindhiani Tehrik, and the Aurat Foundation founded in 1986), and others, generally newer, created in response to specific concerns (e.g., War Against Rape, Acid Survivors Foundation-Pakistan) confronting women.[19] In addition, there are a large number of organizations that while not explicitly identified as women's NGOs (e.g., SUNGI Development Foundation, Pattan Development Organization, PILER), they are nonetheless deeply concerned with women's rights and empowerment. The common experiences they have had – for those that predated Zia's time, those that emerged during it and new entries in this arena – is the commitment to fight for women's rights and interpret what those rights are as understood within the global human rights community, and have them realized in Pakistan.

The Aurat Foundation and Shirkat Gah exemplify the kinds of visions and interpretations of women's rights held by the bulk of civil society groups in this category; while each has distinct priorities and activities, these two organizations reflect best the common interpretation of women's rights shared by most members of this group in Pakistan's modern context.[20] Their compelling interpretation of Islam has one explicit difference from other kinds of civil society groups: they don't usually talk about it nor do they usually articulate women's rights within an Islamic framework. Instead, what emerges from reading innumerable reports and documents and talking with activists from both of these organizations as well as others is a general view that there are numerous verses in the Qur'an and stories in the *hadith* that provide women with equal – or at least equitable – rights with men, and that Islam does not support discrimination or injustices against women. Modernity requires readjusting social norms and visions, and therefore women should not be left to be solely dependent on men. They consider it important for women to be educated, have access to good health care, be an active participant in her own marriage arrangements, be able to earn an income that she can decide how to spend, and have a voice in the political process of the country. They consider that women's rights must be understood within the context of global human rights, and these should be realized in Pakistan. Operating exclusively within a global human rights framework, they address such themes as the rise in domestic violence, female education, and women's political participation, question Islam's jurisdictional space in the contemporary political sphere, and whether women's rights need necessarily be limited at all by Islamic injunctions. They have been demanding for reform of discriminatory laws and practices and resisting the counterattacks against progress made in legal reforms affecting women's rights in the country.

Both the Aurat Foundation and Shirkat Gah have had considerable influence affecting Pakistan state policies. They both began as resource centers focusing on research that could transform society into something equitable and inclusive. They both also conducted research in preparation for Pakistan's participation in UN conferences, CEDAW reporting, and implementing ODA donor priorities in collaboration with the Government of Pakistan.

Shirkat Gah was created in 1975 as "a non-hierarchical women's collective to integrate consciousness raising with a development perspective, and to initiate projects translating advocacy into action."[21] It has focused on applied development projects to promote the empowerment of women that combined substantive research with action-oriented proposals to promote enhanced capacity of local groups. It conducts and supports "various activities for creating awareness on issues and empowering individuals and organizations through advocacy, research, publications and interventions to work towards sustainable development." It conducts extensive baseline research to capture women's lived realities on the ground and is actively engaged in various campaigns in Pakistan to promote human rights, good governance, legal reforms, and related concerns. Its members have played important roles in the Pakistan state's stance on the full range of women-oriented global conferences, were included by the provincial Government of Punjab's Women Development Department in the recently reconstituted Punjab Provincial CEDAW Implementation Committee, helped create the Women's Division (later the federal Ministry for Women's Development), and were consequential in establishing, running and later elevating the National Commission on the Status of Women. Its current chairperson, Khawar Mumtaz, is a longtime member of Shirkat Gah.

The current over-arching initiative, the Women's Empowerment and Social Justice Program, begun in 2008, captures Shirkat Gah's vision on women's rights as it works with partners throughout Pakistan to address key legal, economic, livelihood, cultural taboos and attitudes, and health-related issues affecting women in the rural and underdeveloped parts of the country.[22] The three thematic areas are:

- Rights: ensure knowledge about and access to rights, with a focus on family laws, violence against women, sexual and reproductive health and rights, access to and control over resources, environmental rights.
- Governance: revise laws, policies, and procedures to eliminate gender biases and discrimination by engaging with policy-makers, duty bearers, and elected women representatives to ensure responsiveness by building the capacity of women and communities to claim their rights.
- Livelihoods: promote and facilitate access to and control over natural resources, women-led sustainable agriculture and livelihoods in the context of globalization.

The list of projects and publications that have resulted from this initiative is extensive. Overall, its efforts to promote research, activism and advocacy within a secular framework is central to Shirkat Gah's vision of women's rights.

The Aurat Foundation was founded a decade later than Shirkat Gah with the initial slogan "Women's Rights are Human Rights" that emerged from the activism of its founding members. The initial priorities were on mainstreaming women in the economy and legal equality, to integrate women and make Pakistan an inclusive society. It soon adopted a new slogan, "Information is Power: Share It," underscoring the importance it was placing on the research being conducted in and assimilated through its resource center. They began to organize women's groups in many areas of the country, followed by promoting women's political participation and engagement and making them visible. In the early 2000s, it was passionate about the need to end discriminatory laws (e.g., Hudood laws, Blasphemy Code, swara), resulting in a historic struggle to reform these laws. Naeem Mirza, the current head of the Aurat Foundation, reflects that they turned to prioritizing taking local actions as key to resolving problems and linking them to national policy, and especially to getting women to enter mainstream political life in record numbers.

Today, the Aurat Foundation has offices throughout Pakistan and about 700 employees. It prioritizes reducing gender gaps in political, economic and social arenas. The head of the Aurat Foundation's Gender Equity Program (GEP), Simi Kamaal, says that the Aurat Foundation "seeks a society where the demand for women's equality – equal rights for women as well as gender equity – is raised from the ground, from the people."[23] The Aurat Foundation acts as a catalyst to enable groups to influence policy, legislation, and programs for greater economic and political power for women in society. They have developed important linkages with other civil society groups and with various departments of the Government of Pakistan to achieve their current three main goals, to enable women to acquire greater access to knowledge, resources, and institutions; to influence attitudes and behavior for a social environment responsive to women's concerns and people-centered issues; to facilitate citizens' active participation in the process of social change and governance at all levels.

The Aurat Foundation's focus now, emerging from these goals, is gender mainstreaming and gender equity. In addition, over the past two decades it has launched a number of national-level advocacy campaigns including getting women's work recognized in the 1998 national census; to put women's rights issues on the electoral agenda in the 1993, 1997, 2002, and 2008 general elections; to repeal discriminatory laws including the Hudood Ordinances, "honor" crimes and ending violence against women; and to ensure 33 percent reservation of seats for women in all legislatures in Pakistan since the 1990s. Overall, their activism consistently retains strong ties with local communities and groups, albeit the organization sees the possibility of creating a level playing field for women is still a long way off.

The Aurat Foundation, along with Shirkat Gah and the other progressive women's NGOs in Pakistan, work within a secular paradigm. However, these two NGOs differ in that Shirkat Gah works entirely within a global human rights framework while the Aurat Foundation has consulted with a number of Pakistani Muslim religious scholars, including Muhammad Tufail Hashmi, Javed Ghamdi, and Khalid Mas'ud, to discuss the Qur'an and existing laws and women's rights. The result was a progressive, inclusive view of women's rights within Islam.

For all of their accomplishments, members of progressive women's rights NGOs consider that there remains a wide range of issues that still need to be addressed. They are very concerned about the shift in government priorities under the PML-N government that came to power after the national elections of May 2013. Thus far, after the abundant legislation passed in the previous two administrations to promote women's rights in Pakistan, nothing substantial has been proposed or even supported under the Nawaz Sharif government. Shirkat Gah has focused its efforts in advocating for women's sexual and reproductive rights, especially to improve maternal health. Towards this end, it has developed a number of policy briefs making explicit recommendations to provincial Education, Health, Population Welfare, and Women Development departments. These range from developing an "integrated approach to women's reproductive health that factors in women's rights, poverty, education, and employment" to such pragmatic efforts such as increasing the minimum age of marriage to eighteen years, promoting domestic violence legislation and its implementation at the provincial level to ensure reproductive health and rights of women, and making birth registrations mandatory so as to determine a girl's age at the time of marriage.

These do not differ greatly from the Aurat Foundation's future goals, although the latter incorporates greater emphasis on institutional transformations. Today, the Aurat Foundation's greatest concern is building on the functionality of institutional mechanisms. After the passage of the 18th Amendment and the devolution of many responsibilities from the federal government to the provinces, the federal Ministry for Women's Development was closed down, as were the respective standing committees in the Senate and National Assembly.

What Shirkat Gah and the Aurat Foundation are advocating for today is consistent with concerns widely found in the global arena, are situated within a rights-based framework, and are eminently secular in orientation. Their struggle to interpret rights for women is based on trying to figure out how to actualize global mandates to promote women's empowerment, and religion only fits in as a social context.

The starting points of the discussion on women's rights are dramatically different when we explore orthodox Islamist visions of women's rights. It is common to stereotype these groups as being unconcerned or even regressive regarding women's rights, but the reality is far more complicated than that. They seek to connect Islamic theology directly to women's actions in the world, believing they fully understand what scripture says. Based on research conducted with the most prominent Islamist political organization in Pakistan, the Jama'at i Islami (Jama'at), as well as with other entities, we can find many common orientations that are representative of those held by many similar groups, albeit given their unique contours, not absolutely identical.[24]

In the national context, the majority of Pakistanis generally engage in some sort of Islamic social discourse while steering away from extreme Islamist rhetoric. That discourse has been heavily influenced (if not dominated) by the Jama'at i Islami, whose ideology, message, and actions embody the globalized politicization of Islam, especially that borne out of conflict, economic instability, and identity politics. Since its founding in 1941 by Syed Abul Aala Maududi, the Jama'at has focused its activities in three arenas: theological ijtihad, social welfare, and political engagement, a characteristic found in most orthodox Islamist groups in Pakistan. Hence, our

focus is on the Jama'at's vision of women's rights as representative of that of orthodox Islamist groups in the country.

The Jama'at remains Pakistan's most effectively organized religio-political movement and has played a critical role in shaping Islamic political discourse in Pakistan. Maududi's vision was that only an Islamic state "which works towards the systematic Islamization of all fields of public and private life" can bring about a true Muslim society (Rashid 2006: 358). Its focus has largely been Islamization of law and society through changes in state policies as well as through its own efforts (establishing the *Hira* schools and other efforts). It has been influential in Pakistani politics during various periods, and especially during Zia-ul-Haq's regime in the 1980s. Financially supported by Saudi Arabia for decades, it has been able to develop a sound infrastructure and still enjoys a strong, popular following in Pakistan, especially among the urban middle class and within Pakistan's military and intelligence establishments.

Maududi's views on society, human rights, women, and other aspects of Islam in society remain largely uncontested.[25] He was deeply concerned with the potential for civilizational failure that the moral degradation of women might unleash on society and argued in his path breaking book, *Purdah*, that "women's freedom had led to the decline of many a nation" (1953, as cited in Ahmad 2008: 553). Quoting *Sura al-Nisa* 6 from the Qur'an, Maududi considered that Allah wanted men to have control over women and that, based on a hadith, anyone who disturbed such ordering of the family would not be dear to the Prophet (1953: 176–8, as cited in Ahmad 2008: 555–6). Based on his understanding of the Qur'an and the hadith, he opposed any political role for women and claimed that women should not step outside of the home, must veil themselves from head to toe, and that a woman's entry into the public domain causes immorality (Ahmad 2008: 549, 556, 557). While he supported female education, he argued that this should consist only of that knowledge that would make her "a perfect mother and housewife" (Ahmad 2008: 557). His vision of the social role of women in Muslim societies still influences the writings of many within the Jama'at and its related organizations (e.g., the Institute of Policy Studies think tank, many within the Islamabad International Islamic University, educators at al-Huda, and the works of other writers associated with the Jama'at).

Samia Raheel Qazi, a former MNA and President of the Women's Commission of the Jama'at i Islami (Jama'at) Punjab and, importantly, daughter of the late Jama'at leader, Qazi Hussain Ahmed, tried to capture the Jama'at's vision of women's rights in discussions with me.[26] She identified the Jama'at's five priorities that pertain directly to women: empowerment, education, health, free and speedy justice, and the social rights women are given by Islam but that they do not enjoy in contemporary Pakistani society. To the Jama'at, women's empowerment requires a clear vision of protection and human dignity, and that a woman's top priority must be to focus and concentrate on her children. Samia Raheel Qazi said to me, "We have defined roles for women. We first want women to have the responsibility for children, which requires tolerance and care." She considers that education should not prioritize secular matters, but that it should be "to learn *deeni* and *duniyav*i, about religion and about the world." I had not expected that she would include supporting reproductive health alongside prioritizing clean water, sanitation, and making Pakistan hepatitis-free, but given the national level on which the Jama'at operates, this is consistent with many people's identified priorities in the country. Her interpretation of "free and speedy justice" did not include the existing judicial system, which takes a long time, but rather that an Islamic *shari'at*-based system should replace it – albeit she never clarified, despite repeated questioning, what that system should look like. Finally, the Jama'at's goals explicitly regarding women's rights are to ensure women have the

rights Islam bequeaths to them, particularly in acquiring their share of inheritance, *kifalayat* (men's responsibility to women for maintenance), and that non-Islamic practices (e.g., *swara*, *karo-kari*) are eliminated in Pakistan.

The Jama'at vision is that there is no objection for women to be educated or for a woman to work at a job. But she should only do so in *hijab* – taking care of her modesty – and ensuring she has fulfilled her family obligations. While a woman preferably should work in an environment where she doesn't have to meet with men, social realities are such that workplaces cannot be separated like that anymore.

The Institute of Policy Studies in Islamabad has deep ideological affiliations with the Jama'at. Both its library and bookstore have many publications authored by Maududi and other former and current Jama'at leaders. It recently created a task force to analyze legal reforms affecting women's rights in Pakistan over the past decade. While acknowledging that women have been discriminated against in Pakistan, it concluded that most efforts to address such discrimination have had mixed outcomes as women "have generally been victims of exploitation and disrespect. More ironically, whenever society showed sensitivity towards woes of women, they were granted a role in public life with an aim to raise their status, but this enhanced role, in most cases, turned out to be 'double jeopardy' for them. In both these situations, needs, impacts, sentiments, feeling, and capabilities of women were overlooked" (IPS 2010: 127).

Its task force on gender legislation, comprised of lawyers, social workers, and academics reviewed various bills and ordinances. However, whether addressing penalties for engaging in anti-women practices (e.g., forced marriages, marriage to the Qur'an, loss of inheritance), child marriages, lack of maintenance of children in the event of a divorce, and other matters directly related to religious obligations, the IPS team members consistently supported the action to take no legislative action about these matters. This is similar to the Jama'at's opposition to the 1961 MFLO on the grounds that regulating marriage, according to Islam, is unnecessary.

A considerable difference in vision held by orthodox Islamist groups compared to that of the Pakistan state or progressive women's NGOs lies in their orientation toward the distribution of family responsibilities (i.e., assuming equality vs. men in charge) and segregation. Jama'at supporters tend to be uncomfortable with the idea that there should be no segregation in society and no limits to women's activities whatsoever. The Jama'at women's website notes that modern Western thought has given women two misguiding concepts: freedom and equality. However, freedom is not the same thing as being independent, and that Muslims cannot choose or reject a certain way of life.[27] There are inherent limitations associated with freedom. Equality, however, is rejected as a meaningless term, one that has never actually manifest between men and women. They argue that Islam, instead, prioritizes justice and complementarity.

There are tangible interests at stake in how the Jama'at conceptualizes women's rights, and the result clearly fits into the rigid conformity and conservative agenda advocated by many other orthodox Islamist groups in the country. These groups increasingly use the trope "Islam in danger" as a rallying cry, although they have no consensus on an "Islamic image" of women, aside from wearing some sort of head covering and having limited encounters with unrelated men.

The openness and fluidity which only three decades ago marked popular constructions of belief and practice in Pakistan have been replaced by rigid limitations of acceptable actions. The culture wars that have been ripping Pakistan's social fabric asunder for some time become reinforced as each side digs in further. Conflicting interpretations of women's rights and discourses on power result in more limitations as well as conflict than could ever have been imagined

before. Groups talk past one another, each confident that it is the proprietor of culture and interpreter of religion, while others are misinterpreting both.

By default, the state must provide leadership to enable Pakistanis hailing from all perspectives to find ways to build a consensus on women's rights that has eluded the nation thus far. The MFLO was such an accommodation fifty years ago; the challenge is to find such an accommodation today, something that most – if not all – groups can agree upon, seeing it as legitimate within their interpretations of Islam as well as responding to the requirements of modernity. Pakistanis today are aware of what transpires elsewhere and they are expecting – and will ultimately demand – more options for engagement.

Notes

1 This chapter borrows heavily, including some exact phrases, from Anita M. Weiss, *Interpreting Islam, Modernity and Women's Rights in Pakistan* (2014).
2 Founded by Abū Ḥanīfa an-Nu'man ibn Thābit, Hanafi *fiqh* is widely considered the most liberal of the four major schools of Sunni jurisprudence. The predominant *madhab* in South and Central Asia, it has the most adherents in the Muslim world.
3 This is covered more extensively in the book on which this chapter is based (*Interpreting Islam, Modernity and Women's Rights in Pakistan*, 2014).
4 It is certainly not my intention to omit many other important women's NGOs and other civil society groups which share similar visions, such as ASR, the Women's Action Forum, Simorgh, SUNGI, War Against Rape, etc. However, focusing on the vision and advocacy of these two groups provides an important clarity that is representative of this wider community.
5 This section borrows heavily from my earlier work, "Moving Forward with the Legal Empowerment of Women in Pakistan" US Institute for Peace, Special Report 305, May 2012.
6 All references are from Government of Pakistan, *The Constitution of the Islamic Republic of Pakistan, 1973* (1993).
7 I have written extensively on this issue. See for example Weiss 1985, 1987, 1994, and more recently, 2004 and 2014.
8 This is discussed extensively in Weiss 2014, chapter 2.
9 UN General Assembly Document A/RES/44/25 (12 December 1989), accessible at http://www.hrweb.org/legal/child.html
10 United Nations General Assembly "Vienna Declaration and Program of Action," 12 July 1993, accessible at: http://www.un.org/ecosocdev/geninfo/populatin/icpd.htm.
11 United Nations Population Information Network (POPIN), UN Population Division, Department of Economic and Social Affairs, with support from the UN Population Fund (UNFPA), A/CONF.171/13: Report of the ICPD (94/10/18), accessible at: http://www.un.org/popin/icpd/conference/offeng/poa.html
12 Government of Pakistan 2005. A fuller discussion of this act can be found in Mustafa 2007.
13 This, however, has come under further question and scrutiny by the sitting Council of Islamic Ideology. While the status of *zina* is somewhat unclear at this time, it is true that women no longer fear being charged with adultery if they report a rape.
14 For more information on GRAP, see its website: http://grap.gop.pk/About%20Grap.htm.
15 Former CII Director Khalid Mas'ud conveyed to me, on 17 August 2013 in Islamabad, the importance of the stance taken by the Council of Islamic Ideology in moving these actions forward.
16 The BISP was implemented in October 2008. Its website reviews its history: http://www.bisp.gov.pk/. As a poverty alleviation program, it provides modest monthly payments to households via women, not men.
17 Various entities have tried to identify and categorize civil society groups in Pakistan. See for example, the Council of Foreign Relations (http://www.cfr.org/pakistan/pakistans-institutions-civil-society/p14731#p2), the Asian Development Bank (http://www.adb.org/publications/overview-civil-society-organizations-pakistan), and the Pakistan Centre for Development Communication (https://sites.google.com/site/thecivilsocietyforumofpakistan/Pakistan-nonprofits-directory).
18 Women's groups, such as APWA, previously existed in Pakistan, but it was in response to Zia's Hudood Laws, in particular, that the number of organizations exploded.

19 For more information on women's NGOs and the history of the women's movement, see Afshan Jahar *Women's NGOs in Pakistan* (2011) and Khawar Mumtaz and Farida Shaheed *Women of Pakistan: Two Steps Forward, One Step Back?* (1987).
20 It is certainly not my intention to omit many other important women's NGOs and other civil society groups which share similar visions, such as ASR, the Women's Action Forum, Simorgh, SUNGI, War Against Rape, etc. However, focusing on the vision and advocacy of these two groups provides an important clarity that is representative of this wider community.
21 See Shirkat Gah's website for further elaboration of its history and activities: http://www.shirkatgah.org/
22 For more on this initiative, see Shirkat Gah's website: http://www.shirkatgah.org/programmes.html.
23 Personal communication with Simi Kamaal in Islamabad, February 2014.
24 The actions, policies and visions of women's rights of each of these three organizations are elaborated upon at length in Chapter Five of Weiss 2014.
25 Since the 1980s, Maududi's views on women have come under critique by some in the Jama'at. However, by in large, they remain the single most influential vision on women's roles and rights in Muslim society: complete segregation of men and women, the subordination of women to men and laws should be based on *shari'at*.
26 Most of this was conveyed in a personal interview with me in Islamabad 4 November 2003, and supplemented by Jama'at literature Samia Raheel Qazi kept referring to.
27 In particular, see this entry "Women: A Model or Role Model" accessed at: http://jamaatwomen.org/site/article_detail/635.

Bibliography

Ahmad, I. (2008). "Cracks in the 'Mightiest Fortress': Jamaat-t-Islami's Changing Discourse on Women," *Modern Asian Studies* 42(2–3): 549–575.

Asghar, R. (2013). "Anti-Terror Law Adopted to Mark Women's Day," *Dawn News*, March 9. Available at: http://dawn.com/2013/03/09/anti-terror-law-adopted-to-mark-womens-day.

Commission of Inquiry for Women, Government of Pakistan. (August 1997). *Report of the Commission of Inquiry for Women in Pakistan*. Islamabad.

Government of Pakistan. (1993). *Constitution of the Islamic Republic of Pakistan, 1973*. National Assembly of Pakistan.

Government of Pakistan. (2005). "Criminal Law (Amendment) Act 2004." Available at: http://www.af.org.pk/Important%20Courts%27%20judgement/Important%20legislation/CRIMINAL%20LAW%20ACT%20I%20OF%202005.pdf.

Government of Pakistan. (2006). "The Protection of Women (Criminal Laws Amendment Act 2006." Available at http://www.pakistani.org/pakistan/legislation/2006/wpb.html.

IPS (Institute of Policy Studies) Task Force. (2010). "Legislation on 'Women and Family' in Pakistan: Trends and Approaches," *Policy Perspectives* 7(2): 127–153.

Jahar, A. (2011). *Women's NGOs in Pakistan*. New York: Palgrave Macmillan.

Mas'ud, M.K. (2012). "Interpreting Divorce Laws in Pakistan." In R. Mehdi, W. Menski and J.S. Nielsen (eds) *Interpreting Divorce Laws in Islam*. Copenhagen: DJOF Publishing, pp. 43–61.

Ministry for Women Development, Government of Pakistan. (2001). "National Policy for Development and Empowerment of Women." Ministry for Women Development, Government of Pakistan. Available at: http://wcd.nic.in/empwomen.htm.

Mumtaz, K. and Shaheed, F. (1987). *Women of Pakistan: Two Steps Forward, One Step Back?* London: Zed Press, and Karachi: Vanguard Books.

Mustafa, Z. (2007). "A Long Way to Go," *Dawn News*, May 31. Available at: http://www.dawn.com/weekly/review/archive/070531/review2.htm.

Rashid, T. (2006). "Radical Islamic Movements: Gender Construction in Jamaat-i- Islami and Tabliqh-i-Jamaat in Pakistan," *Strategic Analysis* 30(2): 354–375.

Weiss, A.M. (1985). "Women's Position in Pakistan: Sociocultural Effects of Islamization," *Asian Survey*, 25(8): 863–880.

Weiss, A.M. (ed.). (1987). *Islamic Reassertion in Pakistan: The Application of Islamic Laws in a Modern State*. New York: Syracuse University Press; republished Pakistan: Vanguard Press, 1987.

Weiss, A.M. (1994). "The Consequences of State Policy for Women in Pakistan." In M. Weiner and A. Banuazizi (eds) *The Politics of Social Transformation in Afghanistan, Iran and Pakistan*. New York: Syracuse University Press, pp. 412–444.

Weiss, A.M. (2004). "Islamic Influence on Sociolegal Conditions of Pakistani Women." In Daniela Bredi (ed.) *Islam in South Asia*, Monograph of Oriente Moderno. Rome: Istituto per l'Oriente (volume in Italian and English), New Series, XXIII, 1, pp. 307–328; republished in Magnus Marsden (ed.) *Islam and Society in Pakistan: Anthropological Perspectives* Karachi: Oxford University Press, 2010, pp. 52–75.

Weiss, A.M. (2012). *Moving Forward with the Legal Empowerment of Women in Pakistan*, Special Report 305. Washington DC: US Institute for Peace.

Weiss, A.M. (2014). *Interpreting Islam, Modernity and Women's Rights in Pakistan*. New York: Palgrave Macmillan (Telangana, India: Orient Blackswan 2015).

PART VI

Military and jihad

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22

W(H)ITHER DR JEKYLL AND MR HYDE?

Mohammad Taqi

> All praise is for the Almighty who bestowed sovereignty upon the Army, then made the people subservient to the Army and the Army subservient to its own interests.
>
> *Eminent twentieth-century Pakistani jurist, the late Justice M. Rustam Kiyani*

For several decades Pakistan has been a hotbed of jihadism, which is at least state-tolerated if not state-sponsored. The use of irregular lashkars (hordes) flying the standard of Islam dates back to the country's first prime minister, Liaquat Ali Khan, presiding over the use of a tribal posse to launch a jihad in Kashmir in 1947 (Nawaz 2009: 45) while the country's founder, Muhammad Ali Jinnah, was still alive. However, more recently the blame for using jihadist terrorism to achieve foreign policy objectives has been placed at the Pakistani military's doorstep.

Pakistan held general elections in February 2008, which ushered in a democratic government and the military, led by a weakened dictator, General Pervez Musharraf, ostensibly gave up power. In May 2013 the country underwent another general election and its first ever democratic transition. After the 2013 elections, the military leadership too passed on from General Ashfaq Parvez Kayani to the incumbent General Raheel Sharif. This transition was accompanied by the military's pronouncements that it would no longer tolerate jihadist terrorism within and outside Pakistan (*Dawn* 2013). While high-profile military operations were undertaken against jihadis who have attacked Pakistani interests (Sherazi 2014b), terror groups focused against neighboring India (*Daily Times* 2014) and Afghanistan have remained largely unscathed.

The civilian leadership under current Prime Minister Nawaz Sharif, while apparently desirous of making peace with India and Afghanistan, is unable to exercise influence in the spheres of foreign and security policies. The military-intelligence establishment has engineered domestic unrest to keep civilians always on tenterhooks. In July 2015, Pakistan's defense minister, Khwaja Asif, blamed the sitting and former chiefs of the military's powerful spy wing, the Inter services Intelligence Directorate (ISI), for attempts to destabilize the civilian dispensation through an orchestrated campaign by opposition political parties (*The News* 2015).

Prime Minister Nawaz Sharif survived that attempt to topple him but in the process was sufficiently weakened to relinquish not just any claim to control the foreign and national security

policies but also his desire to bring to book General Musharraf, who had ousted his previous government in 1999 through an overt coup d'état. Leon Trotsky wrote decades earlier, "foreign policy is everywhere and always a continuation of domestic policy, for it is conducted by the same ruling class and pursues the same historic goals" (Trotsky 2004: 142). This proviso appears to hold true for the Pakistani military's involvement in domestic and foreign affairs.

For the last 69 years the Pakistani military's thinking with regard to India and Afghanistan seems to have remained unchanged and its machinations at home suggest little if any actual course correction vis-à-vis accepting not only the civilian supremacy but also the use of jihadis as a tool of Pakistan's foreign and national security policies. Additionally, the Pakistan army continues to wage a dirty war on the secular separatist movement in Baluchistan (Boone and Baloch 2016), an undeclared proxy war against Afghanistan (Najafizada 2015) as well as a silent war on intellectual dissent (BBC 2014a) within the media.

Pakistan claims to be a victim of terrorism while the world at large sees it as a major backer of jihadism. American officials have described Pakistan as the "ally from hell" and its officials as "duplicitous" (Hayden 2016: 348, 205). Do the recent real or perceived policy changes in Pakistan's approach to jihadism, mean an end of its Dr Jekyll and Mr Hyde act, and if so, what are its implications for the country itself and the region?

Pakistan's use of Islamist mercenaries has been well known to its neighbors India and Afghanistan but the September 11, 2001 terror attack put the country prominently on the world's radar as the principal backer of the brutal Taliban regime in Afghanistan, which in turn, was harboring the al Qaeda. A furious US was quick to put Pakistan on an ultimatum, with Secretary of State Colin Powell telling General Pervez Musharraf, "You are either with us or against us" (Musharraf 2006: 201).

Musharraf opted to side with the US after "war-gaming" the option to take on the US. Musharraf concedes that Pakistan "had assisted in the rise of the Taliban after the Soviet Union withdrew from Afghanistan", but after asking himself "whether it was in our national interest to destroy ourselves for the Taliban. Were they worth committing suicide over?" (Musharraf 2006: 202). He decided to go along with the US War on Terror (WoT). The US went into Afghanistan, liquidating the Taliban regime within a matter of weeks. Pakistan for its part provided the ground lines of communications (GLOCS) for the US and NATO troops in Afghanistan. Additionally, Musharraf's regime helped the US hunt and arrest many key al Qaeda figures inside Pakistan, with the prominent exception of the terror kingpin, Osama bin Laden.

Caught on an extremely wrong foot on 9/11, Musharraf was able to get on the right side of the US very quickly. In the 9/11's aftermath Musharraf came up with a catch phrase "enlightened moderation", which implied moving away from jihadist terrorism (Musharraf 2006: 297). The US played along without necessarily buying into the "enlightened moderation" at face value but it did expect Pakistan to abandon its backing of jihadi terrorism.

Enlightened moderation, however, turned out to be a veneer for what became known as Pakistan's "good Taliban vs. bad Taliban" distinction (Ricks 2015). The jihadis who focused on and targeted Afghanistan, including the US and NATO forces stationed there, as well as the India-oriented ones, were considered the "good" jihadis. On the other hand, the ones that targeted Pakistani state and its institutions were labeled as the "bad" jihadis. Al Qaeda and its Pakistani cohorts fell into the latter category.

While the Musharraf regime was helping the US nail al Qaeda personnel such as the 9/11 mastermind Khaled Sheikh Mohammed, Mullah Muhammad Omar's Afghan Taliban were trickling over the Durand Line into the Federally Administered Tribal Areas (FATA) and the settled areas of the southwestern Baluchistan province. The Afghan Taliban had opted

not to put up any significant fight against an overwhelming US military might and had simply melted away into the countryside. The Afghan Taliban regrouped inside Pakistan under the leadership of Mullah Omar, who is said to have operated out of Quetta, the provincial capital of Baluchistan.

For its part, Pakistan flatly denied any presence of the Taliban and its even more lethal wing, the Haqqani terrorist network (HQN), on its soil. The notorious Quetta Shura (council) and the Miram Shah Shura in the North Waziristan Agency of FATA, with Sirajuddin Haqqani of the HQN at its core, took shape on General Pervez Musharraf's watch (PBS 2006). This regrouping was followed by the Taliban resurgence and a full-blown insurgency in Afghanistan by 2006.

Pakistan, and more specifically its military ruler General Musharraf, continued to deny harboring the Afghan Taliban (Beehner 2006) but Quetta and its vicinity as well as large swathes of the FATA, including Miram Shah, remained off limits for foreign media. Musharraf was to concede a decade later that Pakistan indeed groomed and launched Taliban to undermine the then Afghan President Hamid Karzai (Boone 2015). Musharraf also ostensibly banned the India-oriented jihadist groups Lashkar-e-Taiba (LeT) and Jaish-e-Muhammad (JeM) (Reddy 2002) but they continued to operate under different names without any interruption.

While the army under Musharraf was able to continue running jihadis against its neighbors, it managed to alienate their less pliable cadres who considered even a nominal participation in the US's war on terror as a betrayal. The Pakistan army has long had this erroneous assumption that jihadis can be programed to operate in banker's hours from nine-to-five and told to take the weekends off when needed, without ever considering that deprograming an indoctrinated zealot is infinitely more difficult than the original commissioning.

The jihadis enter the fray on Pakistan army's behalf for assorted reasons including monetary, social, political and, most importantly, ideological ones. The niceties of tactical about-turns of the type Musharraf made after Colin Powell's call may be lost on the rank-and-file jihadis. Additionally, the jihadis do seek to establish an Islamic emirate not just in Afghanistan and Kashmir but in Pakistan as well.

Various jihadis took umbrage over Musharraf's perceived wavering from the ideological cause even though he continued to prop up the Afghan Taliban and its HQN affiliate as well as the LeT conglomerate operating as the Jamat-ud-Dawa (JuD). Musharraf's military action against the Red Mosque, a high-profile zealot hub in the heart of Islamabad, frequented by state functionaries, set him on a collision course with these disgruntled jihadists. The July 2007 military action was taken under pressure from China (Small 2015: xv), after the Red Mosque's students had abducted Chinese workers from local massage parlors. The battle lines had, however, been drawn and the various alienated jihadis came together under the umbrella group the Tehrik-e-Taliban Pakistan (TTP) in the fall of 2007. The TTP was blamed by Musharraf for having carried out the December 27, 2007 assassination of popular opposition leader and former prime minister Benazir Bhutto shortly after she returned to Pakistan after a political bargain with the military ruler. The year 2007 saw Musharraf's grip on power loosen due in part to widespread protests over his dismissal of the activist chief judge of the Supreme Court, Justice Iftikhar Chaudhry.

By the end of 2007 General Pervez Musharraf had doffed his uniform and by August 2008 he was pushed out of the presidential palace too. Musharraf's handpicked man, and chief of ISI, General Ashfaq Parvez Kayani, replaced him as chief of army staff (COAS) in November 2007. While Musharraf had been politically bruised, battered and nearly impeached before being ousted, the transition to civilian rule was hardly revolutionary in character or decisive in practical terms. The general elections held in February 2008 had given the late Benazir

Bhutto's Pakistan Peoples Party (PPP) a plurality of the vote, forcing it into forming a coalition government with the secular, Pashtun nationalist Awami National Party (ANP) and the Muttahida Qaumi Movement (MQM), a secular outfit representing the Urdu-speaking population of urban Sindh.

Nawaz Sharif's Punjab-based center-right Pakistan Muslim League-Nawaz (PMLN) was also part of the coalition initially but jumped ship, ostensibly over the PPP delaying the restoration of the maverick Justice Chaudhry. The PPP got Benazir Bhutto's widower and successor, Asif Ali Zardari, elected as the president, who, equipped with the authority to dismiss the parliament and the government, seemed all powerful on paper, but still feared a sleight of hand on the part of the army and Justice Chaudhry. Zardari dithered over restoration of Justice Chaudhry and Nawaz Sharif made common cause with the protesting lawyers against the PPP. Finally, General Kayani's threat to intervene forced Zardari to restore the judge. The PPP's past two governments had been shown the door in 1990 and 1996 through prying away its coalition partner the MQM, use of presidential power to dismiss the civilian dispensation according to the military's wishes, and a pliant judiciary helping along the way.

Cognizant of the ISI's role in cobbling together the anti-PPP alliances of the past and toppling civilian governments, the PPP attempted to bring the spy outfit under civilian stewardship by placing it under the Ministry of Interior. This half-baked attempt did not go well with the military brass, which rebuffed the move (Raza 2008) and kept the ISI firmly under the COAS, though its director nominally answered to the prime minister as before. The army, however, suspected further mischief and the ISI's media management section, the M wing, started a disinformation campaign about the stability of the civilian government. Several media reports and analyses suddenly started appearing about the "imminent fall" of the PPP government. When in September 2008 then President Zardari proclaimed that he did not see India as a threat and supported a no-first use nuclear policy (Dikshit 2008), the army, which considers a first use of nuclear weapons a key deterrent against a superior conventional Indian force, and its intelligence services increased their behind-the-scene maneuvers against the government.

From 2007/8 on there was a massive uptick in the TTP terrorism and the PPP and its coalition partner the ANP were under increasing fire from jihadis. The army dragged its feet in moving against the TTP, which had gained a massive hold in not just the FATA but also in the settled areas of the Khyber-Pukhtunkhwa (KP) province such as the picturesque Swat valley (Koelbl 2009). With the military not keen on acting against the terrorists, the PPP and ANP had little choice but to sign an agreement with the TTP in Swat.

The army finally moved in May 2009 against the TTP in Swat only after they came within some 60 miles of the capital Islamabad (Constable 2009). Later in 2009 the army undertook operations against the TTP in the South Waziristan tribal agency but General Kayani steadfastly refused to act against the massive jihadi terror conglomerate in the North Waziristan, where the Afghan Taliban, HQN, al Qaeda and the TTP all consorted together (Brown and Rassler 2013). Jihadis of various shades shared sanctuary, logistics, training camps and cadres, all within a stone's throw of the Pakistan army's garrison in Miram Shah, North Waziristan. General Kayani cited manpower issues and a resource crunch as reasons for the delay. Yet in May 2010 he commissioned, quite ironically, a military exercise named Azm-e-Nau (the new resolve) oriented against India with a whopping 50,000 men!

The general was to say later in August 2012: "We might, if necessary, undertake operations in North Waziristan, in the timeframe of our choosing and determined only by our political and military requirements. It will never be a result of any outside pressure" (Yousaf 2012). And therein lies the key to understanding the action the army eventually took in North Waziristan. The Pakistan army delayed action in North Waziristan as long as possible to continue providing

sanctuary to its Afghan jihadi assets. It seemed willing to absorb the very lethal cost of the venture in terms of the TTP attacks inside Pakistan so long as the Afghan jihadists could achieve their assigned goals in Afghanistan.

The two factors that seemed to have influenced the army's handling of North Waziristan were: (a) delaying the operations against the "bad" Taliban there until the strength of US troops in Afghanistan was on the ebb and the "good" Taliban, i.e. Afghan jihadists, could be offloaded into Afghanistan relatively safely; and (b) Pakistani public opinion, especially in the Punjab heartland, turned against the TTP and demanded action. Operation Zarb-e-Azb that started in June 2014 in North Waziristan on the new COAS General Raheel Sharif's watch came only when the US troops strength in Afghanistan had dwindled significantly. Additionally, the public opinion in the wake of a slew of terrorist attacks and failure of talks with the TTP did force the army's hand into action.

Pakistan's love affair with jihadis is a function of its thinking vis-à-vis India and that outlook has not changed over the last seven decades (*Dawn* 2010). The army under Kayani pursued its decades old policy of seeking, though its jihadi proxies, the strategic depth inside Afghanistan. Strategic depth is an old military strategy that was applicable in wars fought in Europe but has never been applicable to Pakistan. Pakistan's army, however, from the time of its first native army chief and military dictator, Field Marshall Ayub Khan, has seen it as the only way to ensure Pakistan's safety. Fearful of Indian intentions, Pakistani strategists argued that a friendly Afghanistan would provide strategic depth in the eventuality of a war with India, since Pakistan lacked geographic depth (breadth) and would be able to use Afghan territory to park its army and equipment and then continue the fight. For these strategists, both local and Afghan jihadis would serve as force-multipliers in such an eventuality. Even if the concept made some weird sense in the 1980s when it was first conceived, it was horrendous after Pakistan developed nuclear weapons.

Under General Kayani, the Pakistan army sought to keep the pot simmering in Afghanistan on the pretext of denying India a foothold there. India's relationship with the post-9/11 Afghan leadership, especially the then president, Hamid Karzai, and development projects undertaken by India in Afghanistan, did not sit well with the Pakistani security establishment, which would rather see an unstable, warring Afghanistan that made domestic and foreign policy decisions independent of Islamabad's influence. Kayani ensured a continuation of a decades-long policy in which Pakistan treats Afghanistan as its backyard.

With nearly daily bombings by the TTP – which shared logistics with the HQN, al Qaeda and Afghan Taliban – inside Pakistan it is unimaginable that the Pakistan army was unaware of the domestic jihadi blowback from their Afghanistan venture. Why then would they not act against the terror hub in North Waziristan? The answer was provided years later by a former director general of the ISI, Lt. General (retired) Asad Durrani, who described domestic terrorism inside Pakistan as the "collateral damage" (Al Jazeera 2015) of a much bigger war. General Durrani was hinting at the cost–benefit analysis of his former outfit, which suggests that to achieve certain ends in Afghanistan (and India) the army was willing to write off domestic civilian and, indeed, military casualties as the cost of war. Kayani was thus doing exactly what his outfit and its strategic vision required him to do. He was willing to take losses at home to keep their deadly Afghanistan venture going.

On Kayani's watch the Musharraf era's duplicitous policy of joining the fight against the al Qaeda and their Taliban hosts while protesting the US drone attacks that were killing those very terrorists holed up in Pakistan continued uninterrupted. The India-oriented Punjab-based jihadi proxies of the army and religious political parties featured prominently in the cast of characters protesting against the US Kerry–Lugar–Berman Act that would provide civilian aid

to Pakistan (but which sought civilian supremacy), the fabricated Memogate that sought to overthrow the civilian government by tarnishing the reputation of the ambassador to the US, and the drone strikes by the US, while the terrorist conglomerate in North Waziristan thrived and unleashed havoc on both sides of the Durand Line.

On the domestic front, too, the Pakistan army continued to hold on to power. However, a fundamental change in the army's tactics was that it did not attempt to overtly take over power but opted instead for a not-so-subtle tutelary role. After 9 years of military rule the Pakistani populace was not amenable to outright army control. Smarting from the public agitation against General Musharraf's dictatorship, the army did not seem keen to provoke another round of protests, which were a strong possibility were it to formally topple the PPP government. However, under Kayani, the army undertook a soft coup: maintain the façade of civilian power while in the background the army is in control. Kayani thus did not allow the civilian PPP government to have any say in national security matters either. The fact that the civilian government stumbled on multiple fronts helped deepen army control. The army secured all its domestic objectives by coercing the civilian dispensation through a series of manufactured crises. For the rest of its term in office, the PPP leadership was barely able to keep its head above political waters and abdicated the national security and foreign policies to the junta.

In May 2013 Pakistan held general elections and Nawaz Sharif's center-right Pakistan Muslim League-Nawaz (PML-N) secured a simple majority in the parliament, sufficient to form a government without any coalition partners. In his third stint as prime minister, theoretically Nawaz Sharif was supposed to be firmly in charge of the government. The PPP's leader and then president of Pakistan, Asif Zardari, had managed to achieve one major objective, i.e. giving up the presidential power to dismiss an elected government – an anomaly inserted in the constitution by military dictator General Muhammad Zia-ul-Haq. Multiple presidents had previously abused, at the behest of the military, that constitutional power in the late 1980s and 1990s to send successive elected governments packing. Zardari and the PPP gave the power to dissolve the government and the parliament back to the elected prime minister, something that Pakistan's 1973 Constitution had originally envisaged.

With the sword of government dissolution removed from above his head and a comfortable parliamentary majority under his belt, Prime Minister Nawaz Sharif presumed that he could assert his rightful role in shaping the country's foreign policy, especially vis-à-vis India. A whispering campaign against the PML-N government started when Nawaz Sharif apparently refused to give the former military dictator General Pervez Musharraf a free pass in the treason trial that he was facing for overthrowing Nawaz Sharif's government in 1999. Other leaders of the ruling PMLN spoke of letting the legal process take its course (S. Shah 2014).

The appointment of Khawaja Muhammad Asif, a man that the security establishment had despised for his clear anti-dictatorship stance, as Nawaz Sharif's defense minister did not go down well with the military either. Attitudes hardened when Sharif spoke of normalization of terms, including trade relations with India and attended Indian Prime Minister Narendra Modi's inauguration. Sharif also talked about peace with Afghanistan, though without giving any specifics.

None of these decisions went down well with the military, which by then was under new COAS General Raheel Sharif (no relation to the prime minister). The PML-N's comfortable parliamentary majority and former President Asif Ali Zardari's judicious decision to divest the president of his powers to dissolve the parliament made undermining the prime minister "constitutionally" impossible. Thus, the army's ISI directorate once again engineered street agitations against the government on the pretext of election rigging in the 2013 polls. The process of clipping Nawaz's wings had started.

The populist, pro-Taliban opposition leader Imran Khan of Pakistan Tehrik-e-Insaf (PTI) and a firebrand cleric Tahir-ul-Qadri besieged the parliament and government buildings for months in a long-drawn-out sit-in (dharna in local parlance) demanding Nawaz Sharif's resignation. Curiously, the sitting army chief, General Raheel Sharif, met with both Khan and Tahir-ul-Qadri at the height of the agitation, ostensibly to intercede between them and the government (*Dawn* 2014). Sharif's government was rattled but he refused to quit.

The movement fizzled out when the PTI's own president, Javed Hashmi, went public with the disclosure that the ISI's former director and current officials were egging on his party leaders to agitate against Nawaz Sharif (*Dawn* 2015). Hashmi charged the ISI for seeking to bring down an elected government. The incumbent defense minister of Pakistan, Khawaja Muhammad Asif, reconfirmed Hashmi's assertions and alleged that both the incumbent ISI director, General Zahir-ul-Islam, and his predecessor, General Ahmed Shuja Pasha, had commissioned and organized the sit-in protests against the elected government.

Nawaz Sharif and the parliament survived the crisis but in return for the army's help in defusing the crisis were forced to give up even the nominal control of both domestic and foreign policies. Sharif backed off from actively prosecuting Musharraf for the 1999 coup d'état, toned down his talk of normalization with India and let the army have its way in Baluchistan and Afghanistan. The army was given a free hand in dealing with the secular Baloch separatist nationalists who continued to face a brutal, dirty war replete with forced disappearances, a kill–mutilate–dump practice and even mass graves (Shams 2014). General Sharif was firmly in the saddle and the army's tutelary grip over domestic and foreign policy matters was complete.

Under Raheel Sharif the army started its North Waziristan operation, nicknamed Zarb-e-Azb, in June 2014 with proclamations that jihadis of all shades would be flushed out. However, just like the 2009 operation in South Waziristan there were months of pronouncements before the actual operation started, allowing both the good and bad jihadis to trickle out of their safe havens in North Waziristan and find new ones in the adjoining Kurram and Orakzai agencies and the Tirah valley straddling the Kurram and Khyber agencies, as well as into Afghanistan.

The Pakistan army claims that it killed over 3,500 terrorists and captured scores more in its Zarb-e-Azb Operation cannot be separately verified as independent media is not allowed in that region. According to a Pashtun tribal journalist in an area where the authorities claimed killing over 55 Uzbek terrorists, the locals saw only a dead pigeon! The Pakistan army's operational commander in the region, General Zafarullah Khan, conceded in July 2014 that many terrorists including their ringleaders had escaped, saying, "They had smelled that the operation is about to be launched. The build up for the operation had already begun, and they could see that" (BBC 2014b). The net effect was that once again the "good" jihadis got a free pass and only the "bad" Taliban (i.e. only the TTP groups that could not be reconciled) came under attack.

The news of the Taliban leader Mullah Omar's death inside Pakistan and the selection of Mullah Akhtar Mansour as his successor in the Quetta suburb of Kuchlak did not go down well either with the Afghan government or the international community. In a speech, Afghan President Ashraf Ghani stated:

> Pakistan still remains a venue and ground for gatherings from which mercenaries send us messages of war. The incidents of the past two months in general and the recent days in particular show that suicide training camps and bomb making facilities used to target and murder our innocent people still operate, as in the past, in Pakistan.
>
> *(Office of the President 2015)*

While claiming to ostensibly facilitate peace talks between the Taliban and the Afghan government, Pakistan continued to harbor the Taliban's Quetta Shura, including its incumbent emir, Mullah Akhtar Mansour, and also did little to keep the HQN from crossing over into Afghanistan.

With General Sharif and the army firmly in the driving seat on foreign policy, Pakistan continued to act simultaneously as what former US diplomat Peter Tomsen had described as both the arsonist and the fire fighter. Tomsen had noted presciently,

> If Pakistan hews to its fireman and arsonist policy in Afghanistan, the [President Barack] Obama administration will likely make little progress in Afghanistan . . . the most valuable contribution that America can make to Afghan peace lies not in Afghanistan but in Pakistan.
>
> *(Tomsen 2011: 692)*

Unfortunately, the United States, despite being able to see through Pakistan's Dr Jekyll and Mr Hyde act, seems to keep falling for that ruse. Former Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, described the Haqqani network as a "veritable arm of the ISI" (BBC 2011), publicly denouncing Pakistan for its support of jihadist groups waging insurgency against an elected Afghan government. Yet, US policy has been one of continued engagement and dependence on the Pakistan army. This US policy thus undermines civilian leaders and has contributed to strengthening the army's hand against the civilians.

The net effect of the Pakistan army's machinations since Musharraf left office in 2008 has been a creeping, soft coup d'état. The army does not seem keen on an overt takeover. The army's image among the populace took a nosedive during Musharraf's 9 years in power to the extent that at one point the officers were directed not to wear their uniforms in certain parts of the country (*Economist* 2015).

Under Kayani and now under Sharif the security establishment has reverted to its guardianship status, which it has afforded itself in the periods before, during and after its various coups d'état since Field Marshal Ayub Khan's era. Meticulous restoration of the army's aura of superiority along with political intrigue has been the cornerstone of its efforts to exercise power without overtly toppling a government. The army has jostled its way to a powerful tutelary role where it continues to call the shots on almost all major issues.

Instead of an actual coup, the mere threat of a coup or political change lets the army have its way. The 2014 agitation against Nawaz Sharif, where it seemed like he might have been toppled from power, induced a hard reset in the civil–military relations in favor of the latter. Under a veneer of comfort between Nawaz Sharif and Raheel Sharif, the chasm between the civilian dispensation and the military remains huge. The latter is stubbornly unwilling to cede its monopoly over defining the "national interest" and formulating national security and foreign policies.

The Pakistan army's recent domestic maneuvering to push back civilians is not new. Aqil Shah notes in his book *The Army and Democracy* that in 1953 the then army chief General Ayub Khan hobnobbed with Governor General Ghulam Mohammad to dislodge the elected government of the Muslim League Prime Minister Khwaja Nazimuddin. Shah notes: "In defense of the vice regal coup, Ayub deployed his troops at key points in the country and the threat of military action was used to preempt the legislative assembly from convening an emergency session" (A. Shah 2014: Kindle location 1418). Shah uses the term "civil–military coalition" (Kindle location 1418) for civilian collaborators working with the army to exercise "tutelage over the cabinet and parliament".

Shah notes that the Nazimuddin cabinet was "considering a no-war declaration offer by Indian Prime Minister Jawaharlal Nehru" that would have reduced military expenditure considerably.

Nazimuddin's no-war declaration was not much different from Zardari's proclamation of no-first use of the nuclear weapons or Nawaz Sharif's attempt to restore trade relations with India.

Ironically, politicians like Nawaz Sharif or judges such as Justice Chaudhry, who have suffered at the hands of the military, have also collaborated with it to undermine political opponents. The judicial and political collaborators notwithstanding, the appetite to overthrow democracy remains a direct function of the military keeping its corporate interests first and foremost.

According to Shah, "as a corporate organization, the military seeks to enhance internal control and limit external interference" (A. Shah 2014: Kindle location 3868). From Nazimuddin to Nawaz Sharif, civilian prime ministers have faced the army's wrath for attempting to clip its wings and curtail the lion's share of resources that it devours. The army on its part justifies its colossal existence on the grounds of real and imagined threats from India and Afghanistan. Ironically, it was the Pakistan army that started all four wars with India. Curiously, Afghanistan is portrayed as a potential collaborator of India while the fact is that during both the 1965 and 1971 wars between Pakistan and India, Afghanistan sided with the former. As late as 2011, then Afghan President Hamid Karzai declared that Afghanistan will support Pakistan if the latter has a conflict with the United States.

In her book *Fighting to the End: The Pakistan Army's Way of War*, Christine Fair deconstructs the notion that Pakistan is a security-seeking state that is up against hostile neighbors, and if the international powers, especially the US, could guarantee or facilitate its wellbeing by leaning on India and, to an extent, on Afghanistan, the country could be weaned off its toxic jihadist habit. Fair argues that from the outset the Pakistani military has been imbued with an "enduring and expanding revisionism" that seeks to alter not just the territorial status quo vis-à-vis India but also "insists that India and the rest of the world view and treat it as India's equal" (Fair 2014: 13). Fair notes the army has framed the conflict in "civilizational terms" (2014: 10) replete with a fanciful reading of remote and even contemporary history.

This ideology, firmly anchored in Islam and the two-nation theory (a concept put forth by Pakistan's founding father Muhammad Ali Jinnah that the Muslims and Hindus of India were two separate "nations") that seeks parity with India, has been the intellectual engine of the Pakistan army since its inception and the use of jihadi irregulars to change the territorial status quo dates back to the 1947 incursion into Kashmir.

However, in addition to this historical revisionism the Pakistan army masquerades its immense corporate appetite as altruistic patriotism, anointing itself the "guardian of the ideological frontiers" of Pakistan and labeling anyone who disagrees with it as traitor to the cause. Under the façade of Islam, jihad and patriotism is a mega business entity, which has actually become an economic class in its own right. In *Military Inc.,* Ayesha Siddiqa describes the military as Pakistan's largest business conglomerate, which holds large chunks of the banking, industrial, real estate, agriculture, transport and construction sectors of the Pakistani economy. Siddiqa describes the military as an economic class that seeks to control the nation's resources through whatever means necessary in the name of welfare of the servicemen ostensibly but really for the preservation and enhancement of the privileged officer class (Siddiqa 2007). This effectively redefines the military–nation relationship paradigm as a predatory phenomenon not merely a tutelary one.

Eminent Pakistani jurist, Justice Muhammad Rustam Kiyani, who was known for both his wit and taking on the dictator Field Marshal Ayub Khan at the height of the latter's power, succinctly put it thus, "All praise is for the Almighty who bestowed sovereignty upon the Army, then made the people subservient to the Army and the Army subservient to its own interests" (Kayani 1990: 1).

Pakistan today is one of few countries, and the only declared nuclear-armed power, where the military exercises such complete control over the state's policies, especially national security

and foreign affairs. The Pakistan army's domestic policies and practice over the past decade demonstrate that it has no intention of accepting civilian preeminence. The tutelary role that the military has comfortably settled in reflects more a change of tactics than change of heart. The army's perspective on both domestic and foreign fronts remains unchanged, raising a question about what if any inducement exists for it to change course vis-à-vis its neighbors.

What incentives or punitive factors have ostensibly forced the "sea change" in policy that the military under General Raheel Sharif has been trumpeting? The fact is that other than sporadic and tepid diplomatic pressure from the US, there actually has existed no negative reinforcement from the outside that could have forced the military to change its tack. On the domestic front, the army has been able to successfully manage the minor challenge to its tutelage by two successive civilian governments. The domestic blowback from jihadism did bring the army on the verge of losing face on Kayani's watch. By acting only against the so-called "bad Taliban", the army under Raheel Sharif still has criticism coming its way for grooming the assorted jihadis and then cherry-picking which ones to go after. Reduction in the TTP-claimed terror attacks, especially in Punjab and Sindh, also reduced the public outcry against the Taliban in general, a net outcome of which is little or no domestic demand for transparency about the handling of the Afghan Taliban and the India-oriented jihadis.

Public opinion in Pakistan, while questioning the army's ability to fight the jihadi terrorism at home, has nearly ignored its use of jihadis as instruments of foreign policy. It appears that for both the army and a large section of the Pakistani population and intelligentsia, the ideal situation would be a throwback to the pre-TTP era where the jihadis carried out their activities in India and Afghanistan but, apart from periodically killing the Shias or Ahmadis, did not conduct any large-scale terror attacks inside Pakistan. A 2011 report, based on the views of fifty-three of the country's "foreign policy elite", by the Jinnah Institute, undertaken jointly with the Washington-based US Institute of Peace, noted that these elite advocated a role for the Taliban and its ominous affiliate the HQN in the Afghan government, stating, "a sustainable arrangement would necessarily require the main Afghan Taliban factions – Mullah Omar's Quetta Shura Taliban and the Haqqani network – to be part of the new political arrangement" (Jinnah Institute 2011).

The military-intelligence establishment has also sought to enforce control over the media. Fifty-seven journalists have been killed in Pakistan since 1992 according to the Committee to Protect Journalists. The ISI's media wing, the Inter Services Public Relations (ISPR) maintains strict control over what is portrayed in the media; open criticism of the military is not allowed and neither is that of jihad and jihadi policies.

Those who disagree are killed like journalist Saleem Shahzad (Filkins 2011), who was tortured and killed shortly after his report on al Qaeda's links to servicemen in Pakistan's navy came to the fore. Television anchor-journalist Hamid Mir was shot at but survived the attack, while another editor-anchor, Raza Rumi, was attacked and his driver killed (Dietz 2015). The assailants remain unknown in these cases but the stifling of dissent speaks for itself.

It is not surprising then that when the Prime Minister Nawaz Sharif's senior advisor on foreign affairs, Sartaj Aziz, candidly conceded that Pakistan harbors Afghan Taliban insurgents, his remarks went without any scrutiny at home whatsoever. Aziz informed a Washington DC audience, "we have some influence on them because their leadership is in Pakistan, and they get some medical facilities, their families are here. So we can use those levers to pressurize them to say: Come to the table" (Council for Foreign Relations 2015).

Similarly, news of the local jihadis continuously making their way to Afghanistan has been suppressed in Pakistan. For example, in November 2015 at least twenty-two bodies were buried in Timargarah, Khyber-Pukhtunkhwa province, in a funeral attended by hundreds if

not thousands, including some elected officials from the district. A nazim (mayor), Sahibzada Fasihullah, from Upper Dir, confirmed his participation in the funeral to Voice of America's (VOA's) Pashto service, Deewa radio. Video clips from the funeral available on social media showed that the coffins were wrapped in the flags of a jihadi outfit called al Badr and bore its name. International media outlets confirmed that the militants had been killed in a US and/or Afghan security forces strike inside Afghanistan and were then brought to their home area for burial (*New York Times* 2015). Al-Badr is said to be associated with both the Kashmir-oriented jihadist outfit Hizb-ul-Mujahiden as well as Gulbuddin Hekmatyar's Hizb-e-Islami Afghanistan. Curiously, Pakistani military remained completely mum over the episode as well as over the reports that the Pakistani jihadists, including former TTP leaders, were filling the ranks of the Khurasan (Afghanistan and Pakistan) wing of the Islamic State (IS) (Sherazi 2014a).

The Pakistan army's domestic policies continue to reflect its designs across the country's borders. The military behemoth remains recalcitrant to allowing civilian oversight, especially in dealing with Afghanistan and India. The army does not plan to cut the Gordian knot of jihadism that it has tied over the better part of six decades. Pakistan's military-intelligence-jihadi complex remains intact enough to be of deep concern to the immediate neighbors and perhaps to the world at large. The killing of the Afghan Taliban emir Mullah Akhtar Mansour in a US drone strike inside Pakistan's Baluchistan province underscored yet again that the nexus between such non-state terrorist actors and the Pakistan army, which harbors them, is alive and well (Entous and Donati 2016).

The Pakistan army is hooked on jihadism not out of ideological or patriotic compulsion but due to an addiction to perks and political privilege that it has come to enjoy as an economic class. Even if the Kashmir issue with India and the Durand Line imbroglio with Afghanistan had any organic basis in the beginning, they are but now a convenient decoy for the army's insatiable lust for power.

In the foreseeable future, the Pakistan army and the state it presides over will attempt to contain jihadi blowback at home while continuing to prosecute the regional policy through its preferred jihadist proxies. Without a cohesive international diplomatic effort chastising it, Pakistan's Dr Jekyll and Mr Hyde act seems unlikely to wither away.

Bibliography

Al Jazeera. (2015). Pakistan: Victim or exporter of terrorism. *Al Jazeera*, 10 April. Available at: http://www.aljazeera.com/programmes/headtohead/2015/03/pakistan-exporting-terror-150324130451504.html.

BBC. (2011). US Admiral: Haqqani is veritable arm of Pakistan's ISI. BBC, 22 September. Available at: http://www.bbc.com/news/world-us-canada-15026909.

BBC. (2014a). Pakistan journalist Hamid Mir issues defiant statement. BBC, 25 April. Available at: http://www.bbc.com/news/world-asia-27153234.

BBC. (2014b). Taliban 'fled' Pakistani offensive before it began. BBC, 10 July. Available at: http://www.bbc.co.uk/news/world-asia-28241352.

Beehner, L. (2006). Musharraf dismisses claims of Pakistan harboring Taliban leaders. Council on Foreign Relations, 25 September. Available at: http://www.cfr.org/pakistan/musharraf-dismisses-claims-pakistan-harboring-taliban-leaders/p11526.

Boone, J. (2015). Musharraf: Pakistan and India's backing for 'proxies' in Afghanistan must stop. *The Guardian*, 13 February. Available at: http://www.theguardian.com/world/2015/feb/13/pervez-musharraf-pakistan-india-proxies-afghanistan-ghani-taliban.

Boone, J. and Baloch, K. (2016). Baluchistan: Pakistan's information black hole. *The Guardian*, 4 February. Available at: http://www.theguardian.com/world/2016/feb/04/Baluchistan-pakistan-information-black-hole.

Brown, V. and Rassler, D. (2013). *Foundation of Jihad: The Haqqani Nexus, 1973–2012*, Kindle edition. New York, NY: Oxford University Press.

Constable, P. (2009). Defiant Taliban forces advance to within 60 miles of Islamabad. *The Washington Post*, 24 April. Available at: http://www.washingtonpost.com/wp-dyn/content/article/2009/04/22/AR2009042200863.html.

Council for Foreign Relations. (2016). A conversation with Sartaj Aziz on Pakistan's Foreign and Security Policy. Council for Foreign Relations, Policy, 1 March. Available at: http://www.cfr.org/pakistan/sartaj-aziz-pakistans-foreign-security-policy/p37592.

Daily Times. (2014). JuD's ideology. 6 December. Available at: http://dailytimes.com.pk/editorial/06-Dec-14/juds-ideology.

Dawn. (2010). Kayani spells out threat posed by Indian doctrine. *Dawn*, 4 February. Available at: http://www.dawn.com/news/858309/kayani-spells-out-threat-posed-by-indian-doctrine.

Dawn. (2013). Pakistan's new army chief defies terrorist attacks. *Dawn*, 21 December. Available at: http://www.dawn.com/news/1075504.

Dawn. (2014). Rigging allegations: army assures oversight of judicial commission, Imran says. *Dawn*, 29 August. Available at: http://www.dawn.com/news/1128433.

Dawn. (2015). Dharna was Gen Shuja Pasha's brainchild, alleges Javed Hashmi. *Dawn*, 6 April. Available at: http://www.dawn.com/news/1174163.

Dietz, B. (2015). A year after Raza Rumi attack, little change for Pakistan's beleaguered press. Committee to Protect Journalists. 27 March. Available at: https://cpj.org/blog/2015/03/a-year-after-raza-rumi-attack-little-change-for-pa.php.

Dikshit, S. (2008). I am for no-first use of nuclear weapons: Zardari. *The Hindu*, 23 November. Available at: http://www.thehindu.com/todays-paper/i-am-for-nofirst-use-of-nuclear-weapons-zardari/article1381340.ec.

Economist, The.(2015). Pakistan's army: hail to the chief. *The Economist*, 26 September. Available at: http://www.economist.com/news/asia/21667980-politicians-are-overshadowed-publicity-seeking-general-hail-chief.

Entous, A. and Donati, J. (2016). How the U.S. tracked and killed the leader of the Taliban. *The Wall Street Journal*, 25 May. Available at: http://on.wsj.com/1OLroZV.

Fair, C.C. (2014). *Fighting to the End: The Pakistan Army's Way of War*, New York, NY: Oxford University Press.

Filkins, D. (2011). The journalist and the spies: the murder of a reporter who exposed Pakistan's secrets. *The New Yorker*, 19 September. Available at: http://www.newyorker.com/magazine/2011/09/19/the-journalist-and-the-spies.

Hayden, M.V. (2016). *Playing to the Edge: American Intelligence in the Age of Terror*. New York, NY: Penguin Press.

Jinnah Institute. (2011). *Pakistan, the United States and the End Game in Afghanistan: Perceptions of Pakistan's Foreign Policy Elite*. Online report. Available at: http://www.jinnah-institute.org/images/ji_afghanend-game.pdf.

Kayani, R. (1990). *Afkar-e-Pareshan (Urdu)*. Karachi: Pakistan Writers Guild.

Koelbl, S. (2009). Islamists triumph in Swat Valley: bowing down to the Taliban. *Der Speigel*, 21 February. Available at: http://www.spiegel.de/international/world/islamists-triumph-in-swat-valley-bowing-down-to-the-taliban-a-609575.html.

Musharraf, P. (2006). *In the Line of Fire: A Memoir*. New York, NY: Free Press.

Najafizada, E. (2015). Afghan leader blasts Pakistan 'undeclared war' after deaths. *Bloomberg*, 10 August. Available at: http://www.bloomberg.com/news/articles/2015–08–10/pakistan-has-an-undeclared-war-on-in-afghanistan-ghani.

Nawaz, S. (2009). *Crossed Swords: Pakistan, Its Army, and the Wars Within*. Karachi: Oxford University Press.

The New York Times. (2015). Funeral in Pakistan for militants killed in U.S. strikes draws hundreds. *The New York Times*, 20 November. Available at: http://www.nytimes.com/2015/11/21/world/asia/funeral-in-pakistan-for-militants-killed-in-us-strikes-draws-hundreds.html?_r=0.

The News. (2015). Two ex-ISI chiefs pushed anti-Govt. London plan of sit-in: defense minister. *The News*, 13 July. Available at: http://goo.gl/TorDos.

Office of the President (2015). Translation of remarks by President Ashraf Ghani at press conference, 10 August. Office of the President of the Islamic Republic of Afghanistan. Available at: http://president.gov.af/en/news/translation-of-remarks-by-president-ashraf-ghani-at-press-conference.

PBS. (2006). Return of the Taliban, *Frontline*, video transcript, PBS. Available at: http://www.pbs.org/wgbh/pages/frontline/taliban/etc/script.html.

Raza, S.I. (2008). Govt forced to withdraw ISI decision. *Dawn*, 28 July. Available at: http://www.dawn.com/news/313820/govt-forced-to-withdraw-isi-decision.

Reddy, M.B. (2002). Musharraf bans Lashkar, Jaish; invites Vajpayee for talks. *The Hindu*, 13 January. Available at: http://www.thehindu.com/2002/01/13/stories/2002011301010100.htm.

Ricks, T.E. (2015). The long term danger for Pakistan of believing in 'good and 'bad' Taliban. *Foreign Policy*, 29 September. Available at: http://foreignpolicy.com/2015/09/29/the-long-term-dangers-for-pakistan-of-believing-in-good-and-bad-taliban/.

Shah, A. (2014). *The Army and Democracy: Military Politics in Pakistan*. Kindle edition. Cambridge, MA: Harvard University Press.

Shah, S. (2014). Pakistan army chief unhappy over Musharraf case', *The Wall Street Journal*, 8 April. Available at: http://on.wsj.com/OyAf81.

Shams, S. (2014). Activists wants UN inquiry into Pakistan mass graves. *Deutsche Welle*, 28 January. Available at: http://www.dw.com/en/activists-wants-un-inquiry-into-pakistan-mass-graves/a-17392230.

Sherazi, Z.S. (2014a). Six top TTP commanders announce allegiance to Islamic State's Baghdadi. *Dawn*, 14 October. Available at: http://www.dawn.com/news/1137908.

Sherazi, Z.S. (2014b). Zarb-e-Azb operation: 120 suspected militants killed in N Waziristan. *Dawn*, 16 June. Available at: http://www.dawn.com/news/1112909.

Siddiqa, A. (2007). *Military Inc.: Inside Pakistan's Military Economy*. Ann Arbor, MI: Pluto Press.

Small, A. (2015). *The China–Pakistan Axis: Asia's New Geopolitics*. Kindle edition. New York, NY: Oxford University Press.

Tomsen, P. (2011). *The Wars of Afghanistan: Messianic Terrorism, Tribal Conflicts and the Failures of Great Powers*. New York, NY: Public Affairs.

Trotsky, L. (2004). *The Revolution Betrayed*. Mineola, NY: Dover Publications.

Yousaf, K. (2012). No timeframe: Kayani hits at blitz in North Waziristan. *The Express Tribune*, 18 August. Available at: http://tribune.com.pk/story/423703/no-timeframe-kayani-hints-at-blitz-in-north-waziristan/.

23
RULES FOR THE DOUBLE GAME

Stephen Tankel

It is difficult to keep track of the number of times observers have accused Pakistan of playing a double game – supporting some militants while fighting others – or Pakistani officials have promised they would no longer differentiate between the two. Yet perceptions of a binomial division miss the wider range of engagement by the security establishment with the militant community in Pakistan. Viewing treatment of militants through a good–bad dichotomy actually makes it more difficult for outside powers to develop effective policy prescriptions. In this chapter, I put forward a typology that situates Islamist militants in Pakistan in one of four categories: belligerence, collaboration, benign neglect, and coopetition. Traditionally, coopetition refers to the cooperative competition that occurs between businesses with partially congruent interests. It is used here to capture two situations that do not fit neatly into the normal paradigm of collaboration, benign neglect, or belligerence. This helps to unify and build on earlier typologies and enhances our understanding of the militant milieu in Pakistan. It is important to note at the outset that I focus on Islamist militants in Pakistan, but these are not the only groups that Pakistan has supported or confronted.[1]

I begin by describing the two most common typologies currently employed to categorize militant groups in Pakistan – sectarian orientation and loci of activity (Fair 2011a: 105–37; Tankel 2016: 49–71). I use this discussion to introduce the major Pakistani militant organizations and situate them in terms of where they operate. After discussing extant approaches, I discuss Pakistani threat perceptions and present a new typology that situates groups based on these perceptions in one of the four categories mentioned above. I conclude by assessing the broad implications for US policy toward Pakistan.

Existing methods of categorization

Christine Fair was the first scholar to propose a typology of Pakistan's militant milieu in which she discussed groups in terms of their sectarian identity and objectives, while accounting for their ethnicity and ties to political parties (Fair 2004: 489–504). Subsequent typologies built on Fair's work to expand the focus on militants' objectives to include their locus of operations. This captured the fact that some groups had multiple or secondary objectives, that one objective might necessitate fighting on more than one front, and overlaps existed among groups that were active in a non-violent capacity in geographic areas (Tankel 2016). Other scholars have offered

different types of taxonomies as well. For example, Paul Staniland produced a taxonomy that looks at how the Pakistani state contends with armed groups depending on their ideological position and electoral value (Staniland 2015: 694–705). These various methods of qualification inform the typology I propose below. Before doing so, I provide a brief overview of two of the more common methods of categorization for Islamist militant groups: sectarian identity and loci of operation.

Sectarian orientation

The first way to comprehend the dynamics of Islamist militancy in Pakistan is to categorize militant groups based on their Islamic school of thought. Most Pakistani Islamist militant groups belong to the Deobandi sect, which follows the Hanafi School of Islamic jurisprudence and were historically tied to the Jamiat Ulema-e-Islam (Assembly of Islamic Clergy, or JUI) and its robust madrassa infrastructure. The major Pakistani Deobandi organizations that formed during the 1980s and 1990s include Harkat-ul-Jihad-al-Islami (The Islamic Jihad Movement or HuJI); Harkat-ul-Mujahidin (Movement of the Holy Warriors or HuM), which splintered from HuJI; Jaish-e-Mohammed (Army of Mohammed or JeM), which broke from HuM at the ISI's behest; Sipah-e-Sahaba Pakistan (Army of the Friends of the Prophet or SSP), which was launched by the vice-chairman of the JUI in Punjab to counter Shia influence; and Lashkar-e-Jhangvi (Army of Jhangvi or LeJ), initially formed as the militant wing of SSP before (nominally) splitting from it. These groups were headquartered in Punjab province, but shared connections with Deobandi Pashtuns in Pakistan's frontier and across the border in Afghanistan.

The Tehreek-e-Nafaz-e-Shariat-e-Mohammad (Movement for the Enforcement of Islamic Law or TNSM), which formed in Malakand province, was also Deobandi in orientation, though it drew on Salafist influences as well. The TNSM and the aforementioned Deobandi Punjabi groups drew their cadres from some of the same madaris as the Afghan Taliban and tribal network of Jalaluddin Haqqani, both of which are Deobandi. At least eight Taliban cabinet ministers and dozens more Taliban officials graduated from the Dar-ul-Uloom Haqqania madrassa. Numerous Taliban cadres also attended the Jamiat-ul Uloomi Islamiyyah madrassa at Binori Town in Karachi (Rashid 2000: 90–1). Haqqani, who hails from eastern Afghanistan and rose to prominence as a military commander during the anti-Soviet jihad in the 1980s, accepted an appointment in the Taliban government as the minister of borders and tribes (Rassler and Brown 2011: 37). Although Haqqani was from Afghanistan, his tribal network straddled the Durand Line and has substantial infrastructure in Pakistan (Brown and Rassler 2013). Notably, the Pashtun tribal militants who rose against the Pakistani state after 9/11 are also Deobandi.

Lashkar-e-Taiba (LeT) was the biggest and most significant group to emerge from the Ahl-e-Hadith movement, which is Salafist in orientation. Salafis adhere to a strict interpretation of the Quran and Hadith and reject the various schools of Islamic jurisprudence and the learned men who interpreted them. They believe Muslims must return to a pure form of Islam and advocate emulating the Prophet and his companions in all areas of life. The Ahl-e-Hadith have a smaller following in Pakistan than the Deobandi movement. LeT was created as the military wing of the Markaz al-Dawa-Wal-Irshad (Centre for Preaching and Guidance, or MDI) to organize Ahl-e-Hadith Pakistanis participating in the anti-Soviet jihad (Jamal 2014).

Strong divisions existed between LeT and the Deobandi outfits (Fair 2004). LeT also historically had poor relations with the mainstream Pakistani Ahl-e-Hadith movement. Members of the mainstream movement participate in politics, which LeT leaders consider haram. Other Ahl-e-Hadith organizations also do not consider jihad to be an individual responsibility obligatory for all Muslims. Consequently, LeT leaders believe the other organizations within Pakistan's

Ahl-e-Hadith movement have deviated from the pure Salafi school of faith (Rana 2003: 330). This made it difficult for LeT to recruit from Ahl-e-Hadith madaris. Thus, LeT was forced to construct its own network and support structure. The group also recruited Deobandis and Barelvis (also followers of the Hanafi school) who soon after joining were expected to convert to Ahl-e-Hadith Islam (Tankel 2011: 84).

Loci of operation

There were three main areas of militant activity before 9/11: Indian-administered Kashmir (supplemented by terrorist attacks against India outside Kashmir); Afghanistan; and Pakistan.[2] Although Pakistani support for non-state militants fighting against India dates back to the first Kashmir war following Partition, this practice reached its apotheosis in the 1990s (Khan 1970; Nawaz 2008). The Pakistan military oversaw the creation of a full-blown, state-supported militant infrastructure to support the Kashmir jihad and terrorist attacks against India (Tankel 2011). The Pakistani security apparatus backed a welter of indigenous and Pakistani militants groups in Indian-administered Kashmir. The main Pakistani groups included the Deobandi HuM, HuJI, and JeM, and the Ahl-e-Hadith LeT. Hizbul Mujahiden (Party of Holy Warriors or HM) was the most notable indigenous group in Indian-administered Kashmir to receive Pakistani support.[3] In terms of Pakistani groups, the military initially threw its weight behind the Deobandi HuM, but found the organizations difficult to control. LeT's small size and weak position – it was an Ahl-e-Hadith group and estranged from the wider Ahl-e-Hadith movement – made the group an appealing proxy. The Pakistan military presumed that because LeT did not have natural allies or major funding flows of its own, it would be a more pliable proxy.

Pakistan's manipulation of Islamist politics in Afghanistan began in the 1950s in response to antagonist behavior by Kabul, including its support for Pashtun separatism in Pakistan (Hussein 2005). In 1974, Pakistan began providing financial and military support to Afghan Islamists who opposed the government (Rubin 2002: 83–4). After the Red Army rolled into Afghanistan, Pakistan supported the Afghan Mujahiden and also recruited Pakistani militants to fight against the Soviet Union (Coll 2004: 67–8). Pakistan continued to support Afghan factions involved in the internecine violence that erupted after the Soviet withdrawal and ultimately threw its weight behind the Taliban. It was hoped the Taliban would provide a secure western border and strategic depth against India (Rashid 2000). Pakistan also supported the participation of its own citizens in the Taliban's campaign against the Northern Alliance and used Taliban-controlled territory in Afghanistan to run training camps for Deobandi militants fighting in Indian-administered Kashmir (9/11 Commission 2004: 157).[4] Some of these camps were located in territory where the Haqqani Network held sway and which was only nominally under Taliban control.

The Taliban hosted numerous jihadist groups from outside the region, including al Qaeda. Some of these groups contributed fighters to the Taliban's fight against the Northern Alliance, though not to the same degree as the Deobandi organizations from Pakistan (Rashid 2000; *Jane's World Armies* 2001; Sirrs 2001).

General Zia-ul-Haq's regime initiated the practice of backing Sunni militant groups aligned against Pakistan's Shia minority (Zahab 2004: 117). The SSP and LeJ were the main groups engaged in sectarian attacks against the Shia. After its formation, JeM occasionally engaged in sectarian violence as well (Zahab 2011: 370). SSP and LeJ benefited directly and indirectly from state support at various times. When the civilian government finally took a hardline against sectarian groups during the late 1990s, forcing some leaders of Pakistan's most violent anti-Shia organization to flee to Afghanistan, disgruntled members of that group tried to assassinate the

prime minister (Zahab 2004: 121). After General Pervez Musharraf took power in 1999 in yet another military coup, his government continued the crackdown on sectarian groups. Notably, Pakistani authorities were unable to secure the extradition of militants who fled to Afghanistan.[5] The Taliban not only rejected Pakistani requests to intercede and extradite the fugitives. Its leaders also refused to sign an extradition treaty with Pakistan (Jamal 2009).

Pakistan's inability to secure the extradition of its citizens despite robust support for the various actors harboring them spoke to the strong ties among Deobandi militants on both sides of the Afghanistan–Pakistan border. Afghanistan became a place where many of the Deobandi groups came together for operational support and training (9/11 Commission 2004: 157).[6] These groups contributed cadres to fight alongside Taliban soldiers against the Northern Alliance (Rashid 1996). Al Qaeda grew closer to the Pakistani Deobandi groups because of their shared relationship with the Taliban and co-location in Afghanistan (Tankel 2016). The Ahl-e-Hadith/Deobandi divide militated against a close relationship between Taliban and LeT, which was not involved in the jihad against the Northern Alliance and instead focused all its military energies on India (Jamal 2014). Thus, although relations were not always rosy, the major Pakistani Deobandi groups all had strong ties to one another as well as to the Taliban, Haqqani Network, and al Qaeda. These connections contributed to the blowback Pakistan experienced from various Deobandi groups for supporting the US invasion of Afghanistan after 9/11.

Numerous scholarly works have focused on the development of the jihadist insurgency in Pakistan and there is neither space nor need to recount the multifarious causes or inflection points here. Suffice it to say that the genesis of an Islamist insurgency against Pakistan denotes the first critical development in terms of groups' loci of activity after 9/11. The escalation of sectarian violence was another one (Zahab 2011: 374–7). The revolutionary and sectarian loci became increasingly interconnected. Many of the militants from Deobandi organizations who fled to FATA had been involved in sectarian violence. Some TTP commanders were also previously affiliated with SSP/LeJ and this contributed to the intermingling of revolutionary and sectarian violence (Zahab 2011: 374–7). In terms of groups' loci of activity, reduced militancy in Indian-administered Kashmir is the third major development to occur. It is notable that as the Pakistan security establishment made progress in pacifying its own Islamist insurgency and US troops drew down in Afghanistan, LeT activities in Kashmir and against India appeared to be increasing once again.[7] HM and JeM also seem to have been rehabilitated for this purpose. Al Qaeda launched a Pakistan-based affiliate – al Qaeda in the Indian Subcontinent (AQIS) – with the aspiration of attacking India, but it has yet to do so (Barry 2014). Finally, attempts to rein in India-centric groups during the last decade were juxtaposed with the growing Taliban-led insurgency in Afghanistan. The Haqqani Network became the most lethal arm of the insurgency. Al Qaeda contributed to the fight, as did other foreign militants based in Pakistan (Boon et al. 2011). Many major Pakistani militant groups and a host of smaller networks and splinter groups also began fighting in Afghanistan, with their participation increasing as the insurgency regenerated (Giustozzi 2008: 34–5; Brown and Rassler 2013: 138–41; Zahab 2011: 373–4).

These loci are integrated with one another. For example, India's perceived malevolent involvement in Afghanistan contributed to the integration of these two loci, leading LeT and the Haqqani Network to target Indian interests there (Mazzetti and Schmitt 2008; Rubin 2010). Additionally, some of these groups fighting in Afghanistan also waged jihad against Pakistan. Further complicating these dynamics, some of these anti-state militants were pushed across the border, took refuge in Afghanistan and under the Karzai administration received some support from Afghan intelligence (Rehman 2013; Tankel 2013b). The integration of loci has contributed to and been exacerbated by debates about where militants should focus their violence. The existence of such debates is not new, but the emergence of the revolutionary jihad in Pakistan

and the presence of foreign forces in Afghanistan arguably increased their importance. Waging war against the state became a major dividing line within the Pakistani jihadi universe. But this dividing line was a permeable border, and one that was commonly crossed. This dynamism both challenged and informed Pakistan's segmented approach toward Islamist militancy after 9/11.

More than a double game

Alignments between the positions of a militant group and state toward one another are common, but not assured. Scholars have identified three approaches a state commonly takes to a militant group: collaboration, including the provision of active support; passive support or benign neglect (sometimes also called enablement); and belligerence (Pillar 2001: 179; Byman 2005a: 117–44). Belligerence is characterized by a period of sustained war. Even relationships characterized by belligerence on both sides can be nuanced, since each side may classify the other as the primary or secondary enemy depending on the other challenges it faces and the capabilities it possesses. Collaboration includes the ongoing provision of sanctuary and additional active support (Byman 2005b: 59).[8] In return, as we will see, state-affiliated organizations coordinate at least some of their activities with the Pakistan Army and ISI, submit to varying degrees of state direction, and refrain from launching attacks in Pakistan. Benign neglect describes cases in which the security establishment's consistent policy is to neither actively support nor target a militant group, instead merely tolerating its existence (Pillar 2001: 179; Byman 2005a). Because of the dynamic and interactive nature of engagement between the security establishment and some Islamist militant groups, I introduce a fourth category called "coopetition" to capture the degree to which some militant groups either move back and forth between support, benign neglect, and belligerence, or occupy more than one category at the same time.[9] In common parlance, we might call groups that fall into this fourth category "frenemies" of the state.[10]

Pakistan's approach toward the groups operating on its soil is predicated on the utility they provide and the perceived threats they pose to the state. Several critical variables inform Pakistani perceptions of a group's utility and threat. The first variable is an organization's intent. Groups that prioritize fighting against India or in Afghanistan are more likely to receive support, or at least benefit from benign neglect. As several scholars have shown, the security establishment has used some of these groups to degrade or reorient anti-state militants and against ethnic separatists in Baluchistan (Fair 2011b: 29–52; Tankel 2013a; Jamal 2011). In addition to their usefulness in terms of security, certain Islamist militant organizations have political utility as well (Staniland 2015: 694–705). Militants that prioritize jihad against the state are most likely to be targeted. Second, for groups that are not considered belligerents, perceptions about their controllability may inform how they are treated (Popovic 2015: 919–37). Third, sectarian and tribal dynamics sometimes influence perceptions about a group's controllability, utility, and potential threat.

It is critical to recognize the heterogeneous nature of the state. There are different elements of the "state" and they engage with Islamist militants in disparate ways. To begin with, there are divisions between civilian leaders and the military. The latter controls Pakistan's security policies and is more wedded to a policy of supporting Islamist militants than civilian leaders. On the whole, however, the two civilian governments that have led Pakistan since General Pervez Musharraf resigned from the presidency in 2008 have been more reluctant than the military to confront militants attacking the state. Moreover, Pakistan's major parties are all guilty of seeking support from Islamist organizations tied to militant groups or from these groups directly in some cases in order to serve their own electoral agendas (Staniland 2015). The utility that Islamist militants provide to Pakistan's political parties is not always consonant with the utility they provide to the military. In addition to the divide between civilians and the military, there are also

divisions within the security services regarding how militants are perceived and treated. This is especially relevant with regards to the ISI, liaison officers enjoy significant operational latitude, in part to provide Pakistan's leaders with plausible deniability, and often act upon their own initiative when it comes to managing relations with the militants (Tellis 2008). Thus, treatment of militants at the ground level may be reflective of broader policies, but is not always directly informed by them.

Belligerents

Militants who shared the aim of establishing "local spheres of Sharia" in Pakistan's western frontier formed the Tehrik-e-Taliban Pakistan (TTP, also known as the Pakistani Taliban) in December 2007 (Fair 2009; Ghufran 2009: 1092–114). The TTP was intended to serve as a vehicle for various actors to coordinate their activities against both Coalition forces in Afghanistan *and* the Pakistan Army (Yusufzai 2009: 32). Not every TTP faction qualifies as a belligerent. One camp prioritized the fight against the state, the other focused mainly on fighting in Afghanistan (Qazi 2011: 574–602). In short, the TTP is not a unified actor and the security establishment does not treat it as one. The focus in this sub-section is on the TTP factions that have consistently opposed the state. Keeping in mind its umbrella-like nature, I use the name "TTP" throughout this article to refer to the collective group of factions who qualify as belligerents. I do this both for ease of reference and because the TTP, despite its internally diffuse nature, ultimately became the face of the insurgency in Pakistan. Baitullah Mehsud (from South Waziristan) and Hakimullah Mehsud (from Orakzai) were the first two overall commanders respectively. Both were killed by US drone strikes. Mullah Fazlullah, who had commanded the Swat faction of the TTP, also known as both the Tehreek-e-Nafaz-e-Shariat-e-Mohammadi (TNSM) and the Swat Taliban, was the TTP amir at the time of writing. These men and their followers consider Pakistani security personnel, the state's civilian leadership, and anyone else who opposes their Islamist agenda to be apostates (Qazi 2011: 574–602).

The security establishment's approach to the TTP is informed not only by its behavior, but also the belief that the TTP benefits from Indian and Afghan support (Ahmed 2012; Rehman 2013). TTP militants have received safe haven and limited support from the Karzai government for cross-border attacks earlier this decade (Foust 2011; Tankel 2013b). No significant open source evidence indicates Indian support, but there are several explanations for Pakistan perceptions about its existence. First, New Delhi supported ethnic separatist movements in Pakistan in the past and its support for the Northern Alliance in Afghanistan before 9/11 was substantial.[11] As a result, India's presence in Afghanistan since 9/11 has stoked suspicion. New Delhi opened four consulates there, which Pakistani security officials allege India uses as listening posts to gather intelligence and equip the TTP (*Daily Times* 2015).[12] India also provided hundreds of millions of dollars in financial assistance to Afghanistan, some of which has paid for highly contentious construction near the border with Pakistan.[13] Second, to mobilize Pakistani soldiers for operations in FATA, they were told that they were fighting Indian agents (Hussain 2012). In other words, the Musharraf regime helped to create the misperception of a proxy war. Finally, civilian politicians and military officials serially repeat this trope to the media to avoid blame for the security situation at home or score political points.[14]

Militants who split from various Punjabi groups constitute another set of belligerents. The term Punjabi Taliban has come to be used as label for a network of networks designed to enable some of these militants to pool resources and improve coordination (Abbas 2009). Hassan Abbas defined the Punjabi Taliban as a loose conglomeration of (current and former) members of banned militant groups of Punjabi origin, most notably LeJ, SSP and JeM, who have developed

strong connections with the TTP. These Punjabi militants provided manpower and logistical networks to strike Punjab's cities (Zahab 2011). Moreover, as noted earlier, they contributed to the infusion of sectarianism into the revolutionary jihad.

Finally, groups that consist mainly of militants from outside the Afghanistan–Pakistan region also qualify as belligerents. The core al Qaeda organization is the most prominent. Pakistan targeted al Qaeda after 9/11 in return for US assistance, leading the group's leaders to declare a revolutionary jihad against the state. Al Qaeda has provided planning, financing, and technical assistance for attacks in Pakistan since as early as 2003 (Rassler 2009). Al Qaeda is small, foreign, and has limited utility to Pakistan, except as a mechanism for leverage vis-à-vis the United States. In September 2014, al Qaeda launched its regional affiliate, AQ, in the Indian Subcontinent (AQIS). Creating a South Asian affiliate ensured a long-term presence for al Qaeda in the region and enabled a division of labor, whereby AQ core (comprised mainly of foreigners) focused on attacking the United States and AQIS (made up mostly of Pakistanis) took the lead on waging jihad in Pakistan (Tankel 2015: 96–8).

In addition to al Qaeda, Central Asian militants, many of who are associated with the Islamic Movement of Uzbekistan, also qualify as belligerents. These militants fled Afghanistan after the US invasion in 2001 and initially joined the Taliban and al Qaeda in carrying out cross-border attacks against US and Coalition forces (Pannier 2015). Because many of the early incursions Pakistan conducted into FATA at Washington's request focused on capturing, killing, or expelling foreign militants, Central Asians became focused on attacking the security forces. These militants enjoyed protection from Baitullah Mehsud, who led the TTP after it cohered in 2007, and fought alongside his men against the Pakistani state (Qazi 2011). Some former IMU and TTP militants have announced their allegiance to the Islamic State of Iraq and al-Sham (ISIS), and Islamabad has issued reports warning that a local ISIS faction is collaborating with sectarian militant groups (Waraich 2015; Pannier 2015). It is too soon to assess how the security establishment will treat ISIS. Much likely depends on whether a local IS faction is able to attract a more substantial number of anti-state militants, perhaps by capitalizing on the fact that the revolutionary jihad against the Pakistani state has become intrinsically interconnected with sectarian violence.

Collaborators

Lashkar-e-Taiba (LeT), the Taliban, and the Haqqani Network are the three most notable organizations that partner with the state, receive support from it, and have consistently abjured attacks against it. These are not the only groups that qualify as collaborators. For example, Hizbul Mujahiden could also be categorized as such, but it is not as robust or reliable as the big three mentioned above. Other groups, like Jaish-e-Mohammed, are better thought of as "frenemies." Pakistan's treatment of collaborators is informed by four factors: their utility against India and in Afghanistan; their contributions to Pakistan's internal security; their perceived reliability; and the blowback that could ensue from ceasing support and cracking down on them.

Members of the Pakistani security establishment remain convinced that India poses an existential threat. Developing a nuclear capability was one means of countering perceived Indian aggression; reliance on non-state actors is another. LeT – in concert with HM and JeM – appears to be regenerating the jihad in Kashmir.[15] LeT and JeM have also executed numerous terrorist attacks against India outside of Kashmir and, along with the ISI, helped to facilitate the rise of an indigenous jihadist movement (Tankel 2014: 567–85). The Pakistan

military has supported the Taliban-led insurgency in Afghanistan in an attempt to reduce Indian influence there and ensure a stable and pliable government in Kabul. Ensuring adequate Pashtun representation in the government is viewed as necessary both for reducing the influence of the former Northern Alliance, which received Indian support during the 1990s, and reducing the chances of a civil conflict that spirals out of control and spills over the border. The Haqqani Network is not only a highly capable and lethal arm of the Taliban-led insurgency. Because its historical base is in eastern Afghanistan, the Haqqani Network is also viewed as a potential buffer against rising instability and a check against a robust Indian influence presence along the border. Moreover, as already discussed, the Haqqani Network and LeT have combined to provide the Pakistan military with power projection capability to launch terrorist attacks against Indian targets in Afghanistan.

State-associated groups also help counter militants waging a revolutionary war against the state. For example, LeT has carried out a propaganda campaign against al Qaeda and the TTP demonizing them for attacks in Pakistan (Fair 2011). The Pakistani security services used LeT to gather intelligence on anti-state militants and, at times, to neutralize them (Tankel 2013a; Jamal 2011). LeT has provided similar services against separatists in Baluchistan. (Jamal 2011; Abbas 2011). Although the Taliban and Haqqani Network do not directly counter revolutionary groups, they help reorient anti-state militants toward Afghanistan (Brown and Rassler 2013). Both also have acted as diplomatic interfaces with anti-state militants (and frenemies) to mediate cease-fires and peace deals (Rassler and Brown 2011: 2, 10; Brown and Rassler 2013: 160).

LeT, the Taliban, and Haqqani Network are not only useful, but also reliable. Their respective objectives may not perfectly align with the security establishment's objectives, but they certainly overlap. Sectarian and ethnic identity also factor in LeT's reliability, since the group has no natural allies in a militant milieu dominated by Deobandi groups and recruits from some of the same areas in Punjab as the Pakistan military (Tankel 2011: 123). Although they share ethnic and sectarian to anti-state militants in Pakistan, the Taliban and Haqqani Network are Afghan entities focused on evicting US forces from their homeland. Both organizations are reliant on Pakistan for safe haven to accomplish this objective. State support for these groups remains critical for maintaining influence over them. Members of the security establishment are concerned that the cessation of active support for state-associated groups could lead to a concomitant rise in anti-state violence (Tankel 2013a). Pakistani decision-makers believe that if the security services don't crack down on state-associated groups then these organizations will not attack the state (Tankel 2013a).

Benign neglect

Various militant groups and factions benefit from benign neglect, both because of the state's limited capacity and as a result of concerns that efforts to dismantle the militant infrastructure that has spread throughout the country would engender substantial blowback. For example, civilian and military elites fear that a crackdown on organizations like SSP and their infrastructure in the settled areas could result in a wave of terrorist attacks (Tankel 2013a). Fears of retaliatory attacks are compounded by concerns about the potential societal instability that could result from cracking down on groups with robust aboveground operations (Rana 2012). Civilian officials in the settled areas have also sought peace deals with FATA-based militants. For example, the Punjab chief minister, Shahbaz Sharif (brother of Prime Minister Nawaz Sharif), offered to reestablish normal relations with anti-state factions of the TTP (and possibly al Qaeda) as long

as they did not conduct operations in Punjab (Express Tribune 2015). The security services also practice benign neglect in the FATA, often tolerating groups and factions that were focused on Afghanistan (Qazi 2011). This is in addition to the support provided for state-allied groups like the Taliban and Haqqani Network.

It is important to recognize that the competition between the civilian government and the military, the federal and provincial governments, and among the various political parties contributes to benign neglect and deliberate inaction. With regard to the politics of militancy, this contributes to the use of certain militant entities as political proxies (Staniland 2015). A military–mullah–militant nexus has existed for several decades in Pakistan. During this time, the Pakistani military has used religious and political parties connected, directly or indirectly, to various militant outfits as political proxies. Pakistan's major political parties are also guilty of seeking support from Islamist organizations tied to militant groups. Politicians have courted militant leaders to obtain endorsements and assistance delivering vote banks and have shown a readiness to make deals in return (Zahab 2011: 382).

Coopetition

The security services have intermittently supported, ignored, and targeted certain groups, which in turn have shifted between collaborating with and attacking the state. As with its wider approach, the security establishment's flexibility was a function of a group's utility and threat. Because these were not always static, neither was the treatment of certain organizations. At the same time, militants responded both to how the state treated them and to organizational dynamics within their organizations and the wider militant milieu.

Among "frenemies" in FATA, tribal dynamics featured prominently in militants' mobility across categories. Hafiz Gul Bahadur and Maulvi Nazir are the leaders of two of the most notable groups to have engaged in a coopetive relationship with the state. They each led militias that attacked the security forces in North and South Waziristan respectively before subsequently signing peace agreements with the military. Unlike other militants, both men largely abided by these accords. This was partly a function of priorities. Both men favored fighting in Afghanistan over attacking the Pakistani state (Qazi 2011). In addition to a divergence in priorities, tribal dynamics also informed the behavior of Bahadur and Nazir, both of who belonged to the Wazir tribe. They joined forces to defend the Wazir tribe's interests in North and South Waziristan against the Baitullah's Mehsud tribe (Sulaiman 2009: 187). Notably, Pakistan's security services also provided Bahadur and Nazir covert support to attack IMU militants allied with Baitullah Mehsud (Jones and Fair 2010: 57). Yet the relationship between both Bahadur and Nazir, on the one hand, and the security establishment, on the other hand, remained fraught. Both men abandoned their peace deals with the military at various times, and Bahadur briefly allied with Baitullah to carry out an attack in June 2009 on a Pakistani military convoy that killed 23 soldiers (Qazi 2011).

Sectarian identity and objectives played a greater role than tribal dynamics among Punjabi militant organizations engaged in a cooperative relationship with the state. Jaish-e-Mohammed has moved from collaborator to semi-belligerent to benign neglect and back to collaborator once again. JeM's amir motivated the individuals involved in the first assassination attempt against Musharraf in December 2003 and a JeM member was involved in the second one (Musharraf 2006: 244–57; Rashid 2008: 230–1; Mir 2009: 108–10). This triggered a crackdown on JeM and other Deobandi groups (Zahab 2011: 73). The ISI also brought pressure to

bear on Maulana Azhar, leading him to turn in a portion of his rank-and-file to escape arrest and contributing to JeM's fragmentation.[16] After 2004, the group was tolerated, but largely inactive. By 2009, JeM had resurfaced and Azhar appeared to have purged "problematic" cadres (Popovic 2015). As a Deobandi group whose militants became involved in anti-state violence, JeM had utility as a mechanism for reorienting these men back toward fighting in India or Afghanistan (Mir 2009: 108–9). Thus, since 2009, the Pakistan security establishment has toggled between supporting and tolerating JeM's existence despite the fact that its members and infrastructure were still sometimes involved in anti-state violence (Tankel 2016).

Experts familiar with LeJ assert the security establishment treats the group's factions differently depending on the time, place, and circumstance (Pervez 2011). Crackdowns on LeJ led to its fragmentation and drove many of its members to begin launching attacks against the state. At the same time, although there is no evidence of an institutionalized policy of support, there are allegations that military and ISI officers in Baluchistan colluded with LeJ militants as part of a broader effort to quell the separatist insurgency (Walsh 2013). The group has been responsible for attacks on hundreds of Hazaras and Shiites in the province since the latest round of separatist fighting erupted. It is unclear whether collusion was direct or indirect (*Dawn* 2013). LeJ's Deobandi identity and ties to other anti-state militants also made the group's leaders useful to the security establishment at times. The military twice employed LeJ leader Malik Ishaq to negotiate with militants (Mir 2011). Finally, like its parent organization, SSP, LeJ provided electoral utility to various politicians partly because of the popularity of its sectarian ideology in certain areas. Beyond vote-bank politics, the provincial government was also reluctant to crack down on the group for fear of triggering a wave of terrorist attacks.

This issue with coopetition between the state and militants on its soil is that both sides may behave in a mercurial manner. The Pakistani security establishment has recently begun targeting some of these groups. Although Zarb-e-Azb assiduously avoided the Haqqani Network in North Waziristan, the military reportedly targeted Hafiz Gul Bahadur and some of his commanders via airstrikes (Khan 2014; Ali 2014). Bahadur pulled out of his peace deal with the military and fled across the border to Afghanistan (Khan 2014). It is unclear whether Bahadur's successor as the North Waziristan Taliban chief, Maulvi Halim, will pursue a tactical alliance with the state or take up arms against it. In the past year, the authorities also carried out a series of extrajudicial killings that eliminated top LeJ leaders, including Malik Ishaq, possibly because the group was drifting toward ISIS (Lalwani 2015; *The News* 2015).

Conclusion

Pakistan has made gains against anti-state militants in recent years, retaking control of territory in FATA and driving many remaining anti-state militants across the border into Afghanistan. These actions should not be perceived as a strategic shift in Pakistan's policy toward militants. There are no indications Pakistan plans to end its support for long-standing state-allied groups or its practice of tolerating others. Should Pakistan ultimately decide to change course, the decision to do so would likely be gradual rather than sudden. Skepticism about Pakistani claims to have turned over a new leaf is such that in the event Pakistan did change course, this might be recognizable to outsiders only in retrospect. Indeed, it is possible that even Pakistani decision-makers would not be able to identify a key instance or inflection point.

No realistic set of inducements and threatened coercive measures is likely to convince Pakistan to abandon the segmented approach toward militancy the country currently pursues. Thus, calls for instant, blanket action against militant groups are unlikely to yield satisfactory results. Yet accepting the reality that Pakistan is unlikely to alter its treatment of militants in the short term does not mean simply accepting the status quo. Instead, it might make more sense to focus on specific requests or demands that are measurable and could create conditions for a shift in Pakistan's approach. These demands must be matched with a greater vigilance when it comes to holding Pakistan accountable when it fails to comply. This requires an assessment of the step-by-step reforms necessary to begin dismantling this infrastructure. Identifying these milestones could enable some metrics for progress and also provide a possible roadmap for engagement, assistance, and the use of coercion. Ultimately, the onus is on Pakistan. There is every reason to remain skeptical that either the security establishment's segmented approach or the various factors that inform this approach will change in the near term.

Notes

1 For example, on Pakistani support for the Khalistan movement see, C. Christine Fair, "Lessons from India's Experience in the Punjab," in Sumit Ganguly and David P. Fidler (eds) *India and Counterinsurgency: Lessons Learned* (London: Routledge, 2009). On Pakistan support for ethnic militants fighting in India's northeast see, D.B. Shekatkar, "India's Counterinsurgency Campaign in Nagaland" in ibid.

2 Although I focus here on militant activities, it is important to note that most major Pakistani groups were involved in non-violent activism in Pakistan before 9/11. Activities included administering madaris; running private schools (in the case of LeT); and sometimes providing other social services. For a delineation of groups and their activities see, Mohammad Amir Rana, *A to Z of Jehadi Organizations in Pakistan* (trans. Saba Ansari) (Lahore: Mashal Books, 2006).

3 On HM see, Jamal, S*hadow War: The Untold Story of Jihad in Kashmir* (New York: Melville House, 2009).

4 The ISI moved some of the Kashmir-focused Deobandi groups' training camps into Afghanistan after the Taliban came to power. National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W.W. Norton, 2004), p. 157.

5 Islamabad sent a non-paper to the Taliban with the names, aliases, photographs, and last known sightings of nine wanted "terrorists." Three of the four camps identified as harboring the fugitives were in semi-autonomous areas under the control of Jalaluddin Haqqani. *Details of Training Camps in Afghanistan*, Harmony Documents, Combatting Terrorism Center at West Point, AFGP-2002–000079.

6 The ISI moved some of the Kashmir-focused Deobandi groups' training camps into Afghanistan after the Taliban came to power. National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W.W. Norton, 2004), p. 157.

7 For example, Stephen Tankel, "Pakistan Militants Plan Their Own Pivot East," *War on the Rocks*, 9 July 2013. Rohini Chatterji, "Lashkar-e-Taiba behind attacks in Gurdaspur, say MHA sources; Pakistan condemns strike," *FirstPost*, 27 July 2015. Harkirat Singh, Aseem Bassi, and Vinay Dhingra, "5 terrorists, 3 security men killed in Pathankot air force base attack," *Hindustan Times*, 2 Jan. 2016.

8 Active support includes some combination of money and material, assistance with training, operations, and logistics, organizational assistance, ideological direction, and intelligence sharing. Dan Byman, *Deadly Connections: States that Sponsor Terrorism* (Cambridge: Cambridge University Press, 2005), p. 59.

9 Traditionally, co-opetition refers to cooperative competition that occurs between companies with partially congruent interests. See for example, Adam M. Brandenburger and Barry Nalebuff, *Co-opetition* (New York: Doubleday, 1996).

10 Scholars have identified instances of rebels or insurgents simultaneously clashing and collaborating with one another and a ruling power in civil wars for the purpose of mutual benefit. This concept has

yet to be explored in great depth in relation to either Pakistan or the political violence and terrorism literature. On the civil war literature see for example, David Keen, *Useful Enemies: When Waging Wars Is More Important Than Winning Them* (New Haven: Yale University Press, 2012).

11 For details see, Fair "Under the Shrinking U.S. Security Umbrella: India's End Game in Afghanistan?" *The Washington Quarterly,* 34:2 (2011) 179–192.

12 In addition to supporting the TTP, Pakistani security officials also believe India supports separatists in Baluchistan.

13 For details see, Seth G. Jones (2007) "Pakistan's Dangerous Game," *Survival*, 49(1): 15–32.

14 For example, see Ahmed, "Our Pathology of Fear." *The Express Tribune*, 24 November 2012.

15 For example, R. Chatterji, "Lashkar-e-Taiba behind attacks in Gurdaspur, say MHA sources; Pakistan condemns strike," *FirstPost*, 27 July 2015.

16 Amir Mir, journalist with *The News*, interview by author, Lahore, Pakistan, July 2011. Jamaat-ud-Dawa official, interview by author, Lahore, Pakistan, July 2011. See also Mir (2009: 110–11).

Bibliography

The 9/11 Commission. (2004). *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*. New York: W.W. Norton, p. 157.

Abbas. (2009). Defining the Punjabi Taliban Network. *CTC Sentinel*, 2(4): 1–4.

Abbas, H. (2011). Presentation at the NDU-sponsored conference. *Extremism in South Asia: The case of Lashkar-e-Taiba*. 12 October 2011. Washington DC.

Ahmed, K. (2012) Our Pathology of Fear, *The Express Tribune*, 24 November.

Ali, Z. (2014). Change of Command: Maulvi Halim Replaces Gul Bahadur as Waziristan Taliban Chief. *The Express Tribune*, 15 August.

Barry, E. (2014). Al Qaeda Opens New Branch on Indian Subcontinent. *New York Times*.

Boon, K.E., Huq, A. and Douglas, C.L. (2011). *Al Qaeda, the Taliban, and Conflict in Afghanistan*. New York: Oxford University Press.

Brown, V. and Rassler, D. (2013). *Fountainhead of Jihad: The Haqqani Nexus, 1973–2012*. London: C. Hurst, Ch. 1.

Byman, D. (2005a). Passive Sponsors of Terrorism. *Survival*, 47(4): 117–44.

Byman, D. (2005b) *Deadly Connections: States that Sponsor Terrorism*. Cambridge: Cambridge University Press, p. 59.

Coll, S. (2004). *Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001*. New York: Penguin Books, pp. 67–8.

Daily Times. (2015). India funding terrorists in FATA, Baluchistan: army. *The Daily Times*.

Dawn. (2013). Formidable Threat: Lashkar-i-Jhangvi in Baluchistan. *Dawn*.

Express Tribune. (2015). Shahbaz Wanted to Cut Deal with TTP as Long as They Didn't Conduct Operations in Punjab: Report. *The Express Tribune*.

Fair, C. (2004). Militant Recruitment in Pakistan: Implications for Al-Qa'ida and Other Organizations. *Studies in Conflict and Terrorism*, 27(6): 489–504.

Fair, C. (2009). Pakistan's Own War on Terror. What the Pakistani Public Thinks. *Journal of International Affairs* Vol. 63, No. 1 (Fall/Winter), pp. 39–55.

Fair, C. (2011a). The Militant Challenge in Pakistan. *Asia Policy*, 11: 105–37.

Fair, C. (2011b). Lashkar-e-Tayiba and the Pakistani State. *Survival* 53/4, pp. 29–52.

Foust, J. (2011). The Undeclared Af-Pak War. *Foreign Policy*.

Ghufran, N. (2009). Pushtun Ethnonationalism and the Taliban Insurgency in the North West Frontier Province of Pakistan. *Asian Survey* 49(6): 1092–114.

Giustozzi, Antonio. (2008). *Koran, Kalashnikov, and Laptop: The Neo-Taliban Insurgency in Afghanistan*. New York: Columbia University Press, pp. 34–5.

Hussain, Z. (2012). Conspiratorial Paranoia. *Dawn*.

Hussein, R. (2005). *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Burlington, VT: Ashgate Publishing Company, Ch. 2.

Jamal, A. (2009). A Profile of Pakistan's Lashkar-e-Jhangvi, *CTC Sentinel*.

Jamal, A. (2011). Presentation at the NDU-sponsored conference. *Extremism in South Asia: The case of Lashkar-e-Taiba*. 12 October 2011. Washinton DC.

Jamal, A. (2014). *Call for Transnational Jihad: Lashkar-e-Taiba 1985–2014*. New Jersey: Avant Garde Books, Ch. 2.
Jane's World Armies. (2001). Foreign Pro-Taliban Fighters Inside Afghanistan Pre-hostilities. *Jane's World Armies*, 8 August.
Jones, S.G. and Fair, C.C. (2010). *Counterinsurgency in Pakistan*, Santa Monica, CA: Rand Corporation, p. 57.
Khan, A. (1970). *Raiders in Kashmir*. Karachi: National Book Foundation.
Khan, I. (2014). North Waziristan Operation – Daunting Challenge Ahead. *Dawn*, 15 September.
Lalwani, S. (2015). Actually, Pakistan Is Winning Its War on Terror. *Foreign Policy*.
Mazzetti, M. and Schmitt, E. (2008). C.I.A. Outlines Pakistan Links with Militants, *New York Times*, 30 July.
Mir, A. (2011). Blood Flows Freely in Pakistan. *Asia Times*.
Mir, A. (2009). *Talibanization of Pakistan*. New Delhi: Pentagon Press, pp. 108–10.
Mir, A. (July, 2011). Journalist with *The News*. Interview by author, Lahore, Pakistan.
Musharraf, P. (2006). *In the Line of Fire*. New York: Free Press, pp. 244–57.
Nasr, S.V.R. (2002). Islam, the State and the Rise of Sectarian Militancy. In Christophe Jaffrelot (ed.), *Pakistan: Nationalism without a Nation*. London: Zed Books, pp. 101–18.
Nawaz, S. (2008). The First Kashmir War Revisited. *India Review*.
The News. (2015). Malik Ishaq's Killing a Big Blow to Daesh. *The News*.
Pannier, B. (2015). What Next for the Islamic Movement of Uzbekistan. *Radio Free Europe*.
Pervez, Tariq (July, 2011). Tariq Pervez, former director general of the Federal Investigative Agency and currently director of the Initiative for Public Security, interview by author, Islamabad, Pakistan.
Pillar, P. (2001). *Terrorism and U.S. Foreign Policy*. Washington, DC: Brookings Institute, p. 179.
Popovic, M. (2015). The Perils of Weak Organization: Explaining Loyalty and Defection of Militant Organizations Toward Pakistan. *Studies in Conflict & Terrorism*, 38(11): 919–37.
Qazi, S.H. (2011). Rebels of the Frontier: Origins, Organization, and Recruitment of the Pakistani Taliban. *Small Wars & Insurgencies*, 22(4): 574–602.
Rana, M.A. (2003). *Gateway to Terrorism*. London: New Millennium, p. 330.
Rana, M.A. (2012). The Case of JuD, *Dawn*.
Rashid, A. (1996). Pakistan: Trouble Ahead, Trouble Behind. *Current History* 95(600).
Rashid, A. (2000). *Taliban*. Oxford: Pan Books, pp. 90–1.
Rashid, A. (2008). *Descent into Chaos*. London: Penguin Books, pp. 230–1.
Rassler, D. (2009). Al-Qa'ida's Pakistan Strategy. *CTC Sentinel* 2(6).
Rassler, D. and Brown, V. (2011). *The Haqqani Nexus and the Evolution of al-Qa'ida*. West Point, NY: Combating Terrorism Center, p. 37.
Rehman, F. (2013). Pakistan Intelligence Agency Claims Afghanistan Supports Taliban Splinter Groups. *NBCNews.com*.
Rubin, A. (2010). Militant Group Expands Attacks in Afghanistan, *New York Times*, 15 June.
Rubin, B.R. (2002). *The Fragmentation of Afghanistan*. New Haven, CT: Yale University Press, pp. 83–4.
Siddiqa, A. (2013). Pakistan's "Strategic" Backwaters. *The Express Tribune* 20 February.
Sirrs, J. (2001). The Taliban's International Ambitions. *Middle East Quarterly*, 8(3).
Staniland, P. (2015). Armed Groups and Militarized Elections. *International Studies Quarterly*, 59: 694–705.
Sulaiman, S. (2009). Empowering "Soft Taliban" over "Hard Taliban": Pakistan's Counterterrorism Strategy. In H. Abbas (ed.) *Pakistan's Troubled Frontier*. Washington, DC: The Jamestown Foundation, pp. 187.
Tankel, S. (2011). *Storming the World Stage: The Story of Lashkar-e-Taiba*. New York: Columbia University Press, p. 84.
Tankel, S. (2013a). *Domestic Barriers to Dismantling the Militant Infrastructure in Pakistan*. Washington, DC: United States Institute for Peace.
Tankel, S. (2013b). The Militants Next Door. *Foreign Policy*.
Tankel S. (2014). Indian Jihadism: The Evolving Threat. *Studies in Conflict and Terrorism*, 37(7): 567–85.
Tankel, S. (2015). Destabilizing Elements: The Punjabi Militant Threat to Pakistan. In Ravi Kalia (ed.) *Pakistan's Political Labyrinths: Military, Society, and Terror*. London: Routeledge, pp. 96–8.
Tankel, S. (2016). Beyond FATA: Exploring the Punjabi Militant Threat to Pakistan. *Terrorism and Political Violence*, 28(1): 49–71.
Tellis, A.J. (2008). *Pakistan and the War on Terror: Conflicted Goals, Compromised Performance*. Washington, DC: Carnegie Endowment for International Peace.

Walsh, D. (2013). Explosion in Crowded Market Kills Dozens in Pakistan. *New York Times*.
Waraich, O. (2015). ISIS Faces a Crowded Landscape of Terror in Pakistan. *Time*.
Yusufzai, R. (2009). A Who's Who of the Insurgency in Pakistan's Northwest Frontier Province: Part One – North and South Waziristan. In Hassan Abbas (ed.) *Pakistan's Troubled Frontier*. Washington, DC: The Jamestown Foundation, pp. 32–3.
Zahab, M.A. (2004). The Regional Dimension of Sectarian Conflicts in Pakistan. In Christophe Jaffrelot (ed.), *Pakistan: Nationalism without a Nation*. London, England: Zed Books, p. 117.
Zahab, M.A. (2011). Pashtun and Punjabi Taliban: The Jihadi-Sectarian Nexus. In J. Deol and Z. Kazmi, (eds) *Contextualising Jihadi Thought*. London: Hurst and Company, p. 370.

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VIOLENT NON-STATE ACTORS IN THE AFGHANISTAN–PAKISTAN RELATIONSHIP

Historical context and future prospects

Daveed Gartenstein-Ross and Tara Vassefi

As the United States draws down its troops from Afghanistan, and policymakers consider the shape and extent of future US commitments to the country, two overarching issues most concern strategic planners. One is the possibility that violent non-state actors (VNSAs) could experience an explosive growth that threatens outside states. Military analysts believe that the Taliban is strengthening its ties to other militant groups, with NATO spokesman Brigadier General Charles Cleveland saying that they "expect al Qaeda will very likely be working more closely with the Taliban as we move forward" (Wellman 2016). The other significant issue is the role that neighboring countries will play in Afghanistan's future. Afghanistan's neighbors have for years positioned themselves to better assert their interests post-drawdown, and to the extent that the United States maintains strategic interests in Afghanistan, it will have to navigate an increasingly complex landscape of state and non-state actors.

The twin issues of VNSAs and interference by Afghanistan's neighbors are deeply intertwined. Pakistan has been a particularly important sponsor of insurgent and militant factions in Afghanistan in recent years, including the Taliban and the Haqqani Network (Dressler 2012; Waldman 2010). But strong—and often complicated—relationships between the states of the region and VNSAs have deeper roots than the US war in Afghanistan, or even the Afghan–Soviet war. From the time of Pakistan's creation, VNSAs have played a defining role in the relationship between Afghanistan and Pakistan. In those early years the situation was the inverse of what it is today: Afghanistan sponsored Pashtun nationalist groups that threatened the integrity of the Pakistani state. Afghanistan did so in support of its demand for an independent "Pashtunistan," an ethnic state that Afghan leaders argued should be carved out of Pakistani territory.

Afghanistan's early aggression against Pakistan, which involved proxies and irregular forces dressed as tribesmen, looks strikingly similar to Pakistan's later support for VNSAs in Afghanistan. This is no coincidence: while Pakistan's paranoia surely played a role, Afghanistan's Pashtunistan policies were critical in prompting Pakistan to support violent Islamist groups in Afghanistan. After Pakistan began to support violent Islamists, the relationship between Pakistan, Afghanistan, and a variety of VNSAs became increasingly complex. The December 1979 Soviet invasion of Afghanistan prompted the United States and Saudi Arabia to channel enormous sums of

money to Pakistan's Inter Services Intelligence agency (ISI) to support Afghanistan's seven major Mujahiden factions, thus magnifying the power of VNSAs in Afghanistan and intensifying their ties to the ISI. Pakistan in turn adopted strategic doctrines that saw Islamist VNSAs as a strategic asset. Lasting relationships between ISI officers and religious militants were forged on the bloody battlefields of the Afghan–Soviet war.

Further complicating the role of VNSAs in the region, Arab militants—including Osama bin Laden and the original core of what would become al Qaeda—were also drawn to the Afghan–Soviet conflict. Bin Laden returned to Afghanistan after that war ended, in 1996, employing it as a safe haven for fighters affiliated with his organization and a host of other jihadist groups (Riedel 2008). Consistent with the strategic doctrines Pakistani planners had developed, Pakistan took advantage of the jihadist presence in Afghanistan during this period, leveraging these VNSAs to attack Indian interests. After the 9/11 attacks and the American occupation of Afghanistan, however, this offensive weapon against Pakistan's foes swiftly transformed into an out-of-control boomerang. Jihadists are now engaged in insurgent warfare against the Pakistani state that poses an increasingly acute threat.

Pakistan will continue to support a variety of unsavory VNSAs in Afghanistan when the American drawdown is complete. But it is already obvious that the source of Pakistan's strength in Afghanistan—its long-standing sponsorship of VNSAs—has also contributed to the overall weakness of the Pakistani state. While Pakistan's initial course as the United States draws down appears predictable, its weaknesses could ultimately cause Pakistan to dramatically shift its policies, or even collapse.

Pakistan's creation and Pashtunistan

Afghanistan's eastern border was settled in 1893. Known as the Durand Line, the border was named after its architect, Sir Henry Mortimer Durand. At the time the Durand Line was drawn, Britain had considerable strategic interests in the region, with British India the jewel in its colonial crown. Afghanistan's Amir, Abdur Rahman, vehemently opposed Britain's proposal for the Afghan–Indian border, which would force him to relinquish "his nominal sovereignty over the Pashtun tribes" outside the border (Barfield 2010: 154). Historically, the idea of being "Afghan" was tied to being from the Pashtun ethnic group. As James Spain, a former cultural affairs officer at the American embassy in Karachi, has written, the Durand Line thus left "half of a people intimately related by culture, history, and blood on either side" (1954: 30). In addition to dividing the Pashtuns, the Durand Line deprived Afghanistan of access to the Arabian Sea, thus rendering it landlocked. Britain used the threat of economic embargo to force Abdur Rahman to agree to the border, an effective threat because he depended on British subsidies and was in particular need of them at the time to fuel his internal war against the Hazaras. (He was in the process of expanding the power of Afghanistan's central government by conquering the country's non-Sunni areas.)

Kabul has never seen the Durand Line as truly legitimate, but it had little ability to challenge a global superpower like Britain. Thus, from Afghanistan's perspective, regional dynamics changed significantly when Britain left the scene and British India was partitioned into the independent states of India and Pakistan in 1947. This was particularly true because the disputed Pashtun regions were in Pakistan, the weaker of the two new states. There was no particular reason to think Pakistan—an agglomeration of ethnic groups with little uniting them beside the Islamic faith—would last. Compounding its challenges, Pakistan was born of an extraordinarily bloody partition with India, producing an enduring arch-rivalry. The perception of Pakistan's weakness spurred Afghanistan to undertake an aggressive strategy to recover its lost Pashtun territory.

Afghanistan immediately made its hostility to the new state clear. It was the only country to vote against Pakistan's admission into the United Nations, arguing that Pakistan's northwest frontier "should not be recognized as a part of Pakistan until the Pashtuns of that area had been given the opportunity to opt out for independence" (Hasan 1962: 16). In other words, Afghanistan demanded that its neighbor should allow Pashtuns in northwestern Pakistan to vote on whether they wanted to secede and become an independent state. Afghanistan would continue to advance this argument, and would use sub-state violence and unconventional force to lend power to this demand.

Afghanistan's demand was framed in legal and ethical terms. Afghan advocates called the proposed independent state "Pashtunistan," meaning "land of the Pashtuns." Though Afghanistan's Pashtunistan demands were framed as supportive of Pashtun national independence, they were in fact irredentist (International Crisis Group 2014: 2). If Pashtunistan were born, it would be fragile and essentially defenseless, and could not remain independent for long. The historical linkage between the Pashtuns and Afghanistan would, in Afghanistan's view, make a merger of Pashtunistan into Afghanistan a *fait accompli*. The fact that some Pashtuns inside Pakistan also wanted a Pashtunistan (though no reliable polling is available on how widespread this desire was) helped give legitimacy to the Afghan claim, and magnified Pakistani paranoia on the matter.

Though Afghanistan's proposed Pashtunistan fluctuated in size over time, it frequently encompassed about half of West Pakistan, including areas inhabited by the Baluch ethnic group. (At Pakistan's founding, it was divided geographically into West Pakistan and East Pakistan, with the latter known today as Bangladesh.) Making the Baluch a part of this proposal ensured that, if Pashtunistan joined Afghanistan, Afghanistan's newly constituted borders would again provide access to the Arabian Sea.

From a legal perspective, Afghanistan's protestations about the illegitimacy of its border with Pakistan were rather weak. Though Afghanistan claimed the border had been drawn under duress, the country's representatives had confirmed the demarcation many times, including in agreements signed in 1905, 1919 (at the conclusion of the Third Anglo-Afghan War), 1921, and 1930 (Hasan 1962: 15). Yet the weakness of Afghanistan's legal case was largely beside the point, given Afghan elites' feelings of connection to the Pashtun areas, and the strategic benefits Afghan planners saw in this territory.

Pashtunistan in the Afghanistan–Pakistan relationship

Less than a decade after Pakistan's birth, James Spain noted that "relations between Pakistan and Afghanistan have come to be centered on one issue," Pashtunistan (1954: 35). Afghanistan's decision to make this border dispute central to the two states' relations would prove fateful. During this period, Kabul launched a series of low-level attacks against Pakistan, maintaining some degree of deniability throughout, just as Pakistan would later do when it sponsored VNSAs that struck inside Afghanistan. On September 30, 1950, Pakistan's northern border was attacked by Afghan tribesmen, as well as regular Afghan troops, who crossed into Pakistan thirty miles northeast of Chaman in Baluchistan (Associated Press 1950a). It didn't take long for Pakistan to repel this rather crude invasion, as its government announced that it had "driven invaders from Afghanistan back across the border" after just six days of fighting (Associated Press 1950b). Afghanistan claimed that it had been uninvolved, that the attackers were tribesmen spontaneously agitating for an independent Pashtunistan. But its denials lacked credibility.

Tensions between Afghanistan and Pakistan rose again in 1955, when Pakistan announced that it was consolidating its control over its tribal areas. Afghan prime minister Mohammad Daoud

Khan criticized Pakistan's actions on Radio Kabul on March 29, 1955. At the time, though Muhammad Zahir Shah was Afghanistan's nominal monarch, Daoud held the real power. Peter Tomsen, a scholar of the region and former special envoy to the Afghan Mujahiden, describes Daoud, a career military man who was single-mindedly devoted to the Pashtunistan cause, as characterized by "an autocratic style" and "supreme self-confidence" (Tomsen 2011: 89). Following Daoud's denunciations of Pakistan, government-inspired demonstrations flared up in Kabul, Kandahar, and Jalalabad. S. M. M. Qureshi of the University of Alberta wrote that "Pakistan flags were pulled down and insulted and the [Pashtunistan] flag was hoisted on the chancery of the Pakistan Embassy in Kabul" (Qureshi 1966: 105). The two countries withdrew their ambassadors, and relations weren't fully restored until 1957.

The next crisis in Afghanistan–Pakistan relations came in 1960–61. In late September 1960, an Afghan *lashkar* (irregular militia) dispatched by Mohammad Daoud Khan crossed into Pakistan's Bajaur area. Pakistan announced that the *lashkar* "clashed with loyal tribesmen and fled after suffering heavy casualties" (Reuters 1960a). Conventional Afghan military resources, including tanks, massed on the Afghan side of the border (*Guardian* 1960). Eventually "a major battle" broke out between the two sides, with Pakistan bombarding Afghan forces with its air-power (Reuters 1960b). Rather than escalating the conflict, this quelled hostilities, at least for the moment. But in May of the next year, forces from both sides clashed in the Khyber Pass area. Pakistan announced that regular Afghan forces had attacked Pakistani border posts, and Pakistan's air force strafed Afghan positions (Associated Press 1961). Pakistan also stepped up police patrols and roadblocks. The *New York Times* noted that "relations between Pakistan and Afghanistan appear to have reached a new low, and no relief is in sight" (Grimes 1961).

After a new set of skirmishes broke out in the fall of 1961, Afghanistan and Pakistan formally severed diplomatic relations (Reuters 1961). Pakistan blocked trade routes into Afghanistan, damaging the landlocked state. Though his country was suffering economically, Daoud inexplicably demanded that the monarch, Zahir Shah, expand Daoud's powers. Zahir Shah declined his request, and Daoud angrily resigned (Tomsen 2011: 96). With Daoud out of power, the shah of Iran helped mediate a détente between Afghanistan and Pakistan in 1963. The resulting peace lasted about a decade, until Daoud deposed his cousin, King Muhammad Zahir Shah, on July 17, 1973.

Upon assuming power, Daoud immediately reignited the border dispute by fomenting unrest in Pakistan's tribal areas. His regime gave sanctuary, arms, and ammunition to Pashtun and Baluch nationalist groups. Even as Daoud fomented this insurgency, his regime simultaneously condemned Pakistan before the United Nations as "genocidal" in its treatment of ethnic minorities. This escalation came at a time when Pakistan had already lost nearly a third of its territory with the secession of East Pakistan in 1971. Rizwan Hussain writes that Afghanistan's support for ethnic insurgents "posed the greatest threat to Pakistan's integrity since the secession of East Pakistan" (2005: 78). Such provocation demanded a response.

Pakistani president Zulfikar Ali Bhutto was a secular reformist who unwittingly empowered the country's Islamists at several key turns. Many of his policy blunders in this regard were driven not simply by his own calculations, but also by "constant challenges from both Islamists and other elements" (Pande 2011). Bhutto fashioned a two-pronged strategy to confront Afghanistan. The first prong was to suppress nationalist uprisings in Pakistan, and the second was a "forward policy" that supported Islamist VNSAs in Afghanistan—a policy that clearly mirrored the way Afghanistan had supported nationalist VNSAs in Pakistan. Bhutto envisioned Pakistani support for militants as a short-term measure. Peter Tomsen argues that even though the young Islamists that Pakistan sponsored were assured that attacking Afghanistan could "spark a general uprising," Bhutto actually "knew the scattered, small-scale military operations

would fail" (Tomsen 2011: 107). Bhutto thought they could nonetheless serve their purpose by producing a crisis that would force Afghanistan's government to reach out to him for assistance in clamping down on the perpetrators. By solving a crisis that he had covertly produced, Bhutto planned to improve the relationship between Pakistan and Afghanistan.

Bhutto's Machiavellian scheme had lasting consequences. His policies produced personal relationships between Pakistani military intelligence officers and Islamic militants that would last for decades. Afghan Islamists who received covert Pakistani aid during this early period included Gulbuddin Hekmatyar and Burhanuddin Rabbani, both of whom were destined to become important figures in the Afghan–Soviet war and beyond (Emadi 1990).

The enduring impact of the Afghan–Soviet war

On December 27, 1979, the Soviet invasion of Afghanistan began with Operation Storm-333, in which Soviet Special Forces attacked the Taj-Bek palace and killed Afghan leader Hafizullah Amin (Feifer 2009). This inflamed the Muslim world. In January 1980, Egypt's prime minister declared the Soviet invasion "a flagrant aggression against an Islamic state," and said it showed the Soviet Union was "but an extension of the colonialist Tsarist regime" (BBC 1980). By the end of the month, the foreign ministers of thirty-five majority Muslim countries, as well as the Palestine Liberation Organization, passed a resolution through the Organization of Islamic Cooperation (OIC) declaring the invasion of Afghanistan a "flagrant violation of all international covenants and norms, as well as a serious threat to peace and security in the region and throughout the world." Afghanistan's Soviet-installed regime was expelled from the OIC, the delegates of which urged all majority Muslim countries to similarly withhold recognition from that government, and sever their relations with it. The *Christian Science Monitor* contemporaneously described this condemnation of Soviet actions as "some of the strongest terms ever used by a third-world parley" (Dorsey 1980).

Several states channeled aid to the Afghan Mujahiden fighting the Soviets. The Mujahiden became the beneficiaries of the largest US covert aid program since the Vietnam War, with American support (totaling around $3 billion) matched dollar for dollar by Saudi Arabia. The United States also provided supplies and weaponry, including Stinger missiles that helped negate the Soviet airpower advantage. This aid was channeled to the Mujahiden through Pakistan's ISI. Though this arrangement helped obscure America's role in the conflict, one decidedly negative consequence is that it bolstered the connection between Pakistani intelligence and Islamist VNSAs.

In addition to drawing states into the conflict in support of the Afghan Mujahiden, the Soviet invasion prompted thousands of Arabs to flock to South Asia to aid the Afghan cause. Many Arabs who traveled to the region provided humanitarian aid, but there was also a contingent of Arab foreign fighters. Osama bin Laden transitioned from being part of the former group, a humanitarian worker and financier of Mujahiden, to proving himself on the battlefield. He traveled to Pakistan in the early 1980s, where he initially occupied himself by "providing cash to the relatives of wounded or martyred fighters, building hospitals, and helping the millions of Afghan refugees fleeing to the border region of Pakistan" (Riedel 2008: 42). After his first trip to the front lines in 1984, bin Laden was thirsty for more action, and established a base for Arab fighters near Khost in eastern Afghanistan, where the Soviets had a garrison. Although the exploits of fighters affiliated with bin Laden were irrelevant to the broader war, his involvement launched him to prominence in the Arab media as a war hero (Coll 2004: 163).

Al Qaeda was founded in August 1988, in the waning days of the Afghan–Soviet war. Bin Laden and his mentor Abdullah Azzam agreed that the organization they had built during the

conflict shouldn't simply dissolve when the war ended (The 9/11 Commission 2004: 56). Rather, they wanted the structure they had created to serve as "the base" (*al qaeda*) for future efforts. Both the deepening relationship between Pakistan and Islamist groups and the enduring presence of Arab militants would greatly complicate the role of VNSAs in the Afghanistan–Pakistan relationship.

The Afghan–Soviet war occurred at a time when the Pakistani military was undergoing significant changes at the top and also among the rank and file. General Muhammad Zia-ul-Haq deposed Bhutto as Pakistan's leader in a July 1977 coup. In addition to being religious, Zia was "closely connected to several Islamists by virtue of his social and family origins" (Haqqani 2005: 112). During his rule, Zia changed Pakistan's military culture by incorporating such volumes as S. K. Malik's *The Qur'anic Concept of War* into military training, adding religious criteria to officers' promotion requirements and exams, and requiring formal obedience to Islamic rules within the military (Z. Hussain 2007). These top-level changes occurred as the demographics of the officer corps were shifting. The first generation of Pakistan's officers came from the country's largely secular social elites, while many new junior officers hailed from the poorer northern districts. Pakistani journalist Zahid Hussain notes that "the spirit of liberalism, common in the 'old' army, was practically unknown to them. They were products of a social class that, by its very nature, was conservative and easily influenced by Islamic fundamentalism" (2007: 20).

Furthermore, as Pakistan's support for Islamist VNSAs grew during the course of the Afghan–Soviet war, its strategic doctrine definitively embraced such support in order to advance the country's interests. Pakistan's rivalry with India always has been one of its key priorities, and Pakistani planners came to hold that supporting Islamist groups in Afghanistan would give them "strategic depth" against India (Fair 2014: 103). Supporting Islamist groups could also, in their view, defuse the Pashtunistan issue: groups whose primary self-identification was religious were less likely to support ethno-nationalist causes.

The civil war and the Taliban's rise

Though observers expected Afghan leader Mohammad Najibullah's government to fall shortly after the Soviet Union withdrew its troops in 1989, the regime outperformed expectations. The regime was helped by a major Mujahiden blunder in March 1989, when 15,000 anti-government fighters, egged on by ISI chief Hamid Gul, attacked the city of Jalalabad. They were crushed by the Afghan army, aided by more than four hundred Scud missiles fired by Soviet advisers. The scope of Mujahiden losses—around 3,000 dead—without an inch of territory to show for it swung momentum toward Najibullah, who was previously viewed as a dead man walking (Tomsen 2011: 261–2, 278–9).

Another reason for Najibullah's success was his soft-power strategy, in which he rebranded himself as a devout Muslim and ardent nationalist, and used a traditional tool of influence in Afghanistan—patronage networks—to neutralize foes (Barfield 2010). The combination of the Soviet departure and Najibullah's patronage caused many former Mujahiden to defect to the government, while still others agreed to ceasefires (Barfield 2010). Though it is impossible to state the number of "irreconcilables" with precision, outside observers considered them a relatively small portion of fighters.

But though Najibullah's regime survived for longer than expected, his strategy depended on continuing Russian support—and after the Soviet Union dissolved in December 1991, that support dried up. Najibullah's regime quickly collapsed, and the country descended into civil war. The Taliban emerged from the chaos. The group grew rapidly after its founding in 1994, not only because it boasted effective fighters, but also due to the backing of Pakistan's ISI, which

helped "uneducated Taliban leaders with everything from fighting the opposition Northern Alliance to more mundane tasks like translating international documents" (Schaffer 2001). By 1996 the Taliban had captured Kabul and Kandahar.

Bin Laden returned to Afghanistan around this time. After the end of the Afghan–Soviet war, he had lived briefly in Saudi Arabia before relocating to Sudan in 1991, where he began sponsoring terrorist attacks against US targets. As a result of pressure from American and Saudi intelligence services, bin Laden was expelled from Sudan (Riedel 2008: 56). At the invitation of Mujahiden leader Yunus Khalis, bin Laden returned to Afghanistan, the country where he had first made his reputation (Stenersen 2013: 72). The Afghan Taliban agreed to protect bin Laden from his many enemies, explaining in a statement: "If an animal sought refuge with us we would have had no choice but to protect it. How, then, about a man who has given himself and his wealth in the cause of Allah and in the cause of jihad in Afghanistan" (Atwan 2006: 54). Al Qaeda established a network of training camps that it also allowed a variety of other transnational jihadist groups to use.

Some of the groups that trained and found refuge in Afghanistan received Pakistani sponsorship and concentrated their militant activities on an issue of great interest to Pakistan, opposing India's presence in the disputed Kashmir region (Risen and Miller 2001). Pakistan saw pre-9/11 Afghanistan as advantageous to it in other ways, too: the period of Taliban rule is the only one since Pakistan's creation that Afghanistan had a strong relationship with Pakistan and an adversarial one with India.

The post-9/11 era and the future of Afghanistan–Pakistan relations

After al Qaeda executed the devastating 9/11 attacks, US deputy secretary of state Richard Armitage gave Pakistan an ultimatum: in then-President Pervez Musharraf's words, "we had to decide whether we were with America or with the terrorists . . . [and] if we chose the terrorists, then we should be prepared to be bombed back to the Stone Age" (Musharraf 2006: 201). This threat, along with material incentives that the United States dangled in front of Pakistan, prompted Musharraf to announce a dramatic about-face on the issue of VNSAs, declaring on January 12, 2002, "no Pakistan-based organization would be allowed to indulge in terrorism in the name of religion" (Hussain 2007: 51). He announced a ban on five jihadist groups, including Lashkar-e-Taiba and Jaish-e-Mohammed.

But this reversal didn't last. The various factors driving Pakistan's support for Islamist militant groups in Afghanistan represented too tangled a web. In addition to the strategic calculations behind Pakistan's support for these groups, strong personal relationships had developed between Pakistani intelligence officers and the VNSAs they supported. Further, the government of Pakistan does not operate as a unified actor. A divide exists between the civilian government and military, and there are also schisms within the military. The most notable is the distinct role of the ISI, which is often described as a "state within a state." The ISI has been the primary Pakistani actor supporting jihadist groups (Gartenstein-Ross 2009), but there are schisms and disagreements even within the ISI. The most obvious internal split is between the S wing, which liaises with militant Islamist groups, and the C wing, which interfaces with foreign intelligence services. The two wings are reportedly often at odds because their missions are almost diametrically opposed.

So when one says that Pakistan supports jihadist groups, it has numerous possible meanings. One possibility is that both Pakistan's civilian government and ISI support a particular group. A second possibility is that Pakistan's support is official government policy, but the civilian government provides only an implicit green light, with no oversight—similar to a black budget.

A third possibility is that Pakistan's support is an ISI policy that flouts the civilian government's wishes: the civilian government doesn't want the ISI to adopt a set of pro-jihadist policies, but it does anyway, pursuant to orders from ISI leadership. A fourth possibility is that the policy is carried out by "rogue elements" within ISI who are supported by neither the civilian government nor ISI at an official level (though ISI's leadership may give the so-called rogue elements an implicit green light while trying to maintain its own deniability).[1] And a fifth possible culprit is an outer ring of supporters for jihadist militancy who are no longer part of ISI, yet maintain influence within it. Retired ISI officers from the S wing with connections to militancy remained influential following their retirement, including the late former ISI head Hamid Gul.

One data point illustrating the non-unified nature of Pakistan's government is a May 2011 incident in which Pakistani president Asif Ali Zardari covertly sent a letter to the chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, asking for US help in disbanding the ISI's S wing (Nelson 2011; Shah 2011). The fact that Zardari reached out to the United States for assistance in changing ISI's internal dynamics, rather than acting on his own, shows that the civilian government is not in a position of uncontested authority. The disunity within Pakistan's government has often made it difficult for US policymakers to determine which level of Pakistan's government sanctioned support for jihadist VNSAs. This in turn impeded an effective US response when it became obvious that, contrary to Musharraf's assurances, jihadist groups continued to operate inside Pakistan and receive state support.

The factors elucidated earlier in this chapter will continue to drive Pakistan's support for militant Islamist groups in Afghanistan. Even if the civilian government wanted to reduce or end the country's sponsorship of Islamist VNSAs, the ISI's investments in these policies ensure that they will continue, certainly in the short term.

But taking the longer view, while Pakistan viewed the proliferation of jihadist groups in South Asia as an unalloyed advantage prior to the 9/11 attacks, it is now increasingly clear that this strategy has backfired. The emergence of the Tehrik-e-Taliban Pakistan (TTP), and the continuing threat posed by the various militant groups that it birthed, perfectly illustrates the dangers of Pakistan's proxy strategy. Established in 2007, TTP was designed as "an umbrella organization for Pakistani militant groups" in the Federally Administered Tribal Areas (FATA) and Khyber Pakhtunkhwa, which was formerly known as the North-West Frontier Province (Stenersen 2013: 78). About thirteen militant groups were part of TTP at the time of its founding (Laub 2013). The factions comprising the TTP have taken a confrontational approach toward the Pakistani state, which has engaged in periodic military offensives against these groups. These offensives included a campaign in 2004 against Nek Muhammad Wazir's forces and several hundred foreign fighters west and north of Wana, and an early 2005 campaign against fighters commanded by the South Waziristan-based Baitullah Mehsud and Abdullah Mehsud (Mahsud 2013: 190).

But even while the Pakistani state confronted these groups militarily, it also indirectly enabled them by continuing to assist Afghan militants who cohabited and cooperated with their Pakistani counterparts. Michael Semple notes how Pakistan-based militants have benefited from the successes of their Afghan counterparts:

> The TTP has successfully exploited the support and protection that the Afghan Taliban and particularly the Haqqani Network have enjoyed in Pakistan since the start of the current Afghan insurgency. Whether through central direction or local initiative, security forces along the frontier have typically been indulgent of armed Pashtuns claiming to be engaged in jihad in Afghanistan. This in itself has helped TTP fighters circulate under arms.
>
> *(Semple 2014: 10)*

The TTP's rise was accompanied by a massive escalation in violence against the Pakistani state and civilians. By early 2014, it was undeniable that the TTP posed a threat to the state. In Karachi, for example, where TTP "was largely responsible for a 90 percent spike in terrorist attacks" in 2013, insurgents began to take control of neighborhoods, giving rise to "concerns that one of the world's most populous cities is teetering on the brink of lawlessness" (Craig 2014). But internal cleavages within the TTP have reversed the group's momentum without undermining the Pakistani jihadist movement. Fault lines emerged in the group after Hakimullah Mehsud—the successor to Baitullah Mehsud, the TTP's first emir—was killed in a November 2013 drone strike. The TTP appointed Mullah Fazlullah, a cleric who hailed from the Swat district of Khyber Pakhtunkhwa Province, as Hakimullah's successor. This proved to be an ill-fated decision, as his poor leadership contributed to the TTP's fragmentation (Roggio and Joscelyn 2014).

In February 2014, a group known as Ahrar-ul-Hind broke away from the TTP (Roggio 2014a). Soon other groups broke away as well. In May 2014, Khalid Mehsud (a.k.a. Khan Said Sajna), a member of the Mehsud tribe who had initially been favored to succeed Hakimullah as the TTP's leader, defected. Mehsud brought with him thousands of fighters who make up the TTP's support base (Butt 2014). Sajna had reportedly bristled at Fazlullah's leadership, and a spokesman for Sajna's splinter group accused Fazlullah of employing "un-Islamic" tactics (Khan 2014).

Another blow came in August 2014, when Omar Khalid al-Khorasani, an influential commander from the Mohmand Agency, and several other commanders from the tribal areas broke away from TTP and formed Jamaat-ul-Ahrar. Khorasani's group accused the TTP's leadership of pursuing "narrow, personal objectives" (Roggio 2014b). The Islamic State's expansion efforts in Pakistan also chipped away at the TTP's dwindling network. In October 2014, several TTP commanders, led by Hafiz Saeed Khan, the TTP's emir in Arakzai Agency, announced that they were pledging *bayat* to the Islamic State's caliph (SITE Intelligence 2014).

Though it would later regain some of these splinter groups, the TTP has not fully recovered from the mass defections. But even when it is divided, the Pakistani jihadist movement continues to pose a significant threat to Pakistan's security. And, worryingly, Kabul may be returning to its own practice of destructive proxy warfare. The *New York Times* reported in 2013 that the Afghan government had tried to establish ties with the TTP as a way of striking back against Pakistan for its support of the Taliban movement in Afghanistan (Rosenberg 2013).

In contrast to Pakistan's deep concern about the TTP, the country's relationship with the Haqqani Network (HQN)—a militant group led by Sirajuddin Haqqani—more closely resembles its traditional support for jihadist VNSAs that could extend its reach into Afghanistan. Though this does not deter its support for HQN, Pakistan is increasingly aware of how HQN intersects with the country's domestic vulnerabilities. During the 1980s HQN, which was part of the anti-Soviet insurgency, benefited from the various actors working to oppose the Soviet presence in Afghanistan. It managed to establish a relationship with the ISI during this period (Dressler 2010). As the Taliban made gains in Afghanistan in the mid-1990s, HQN threw its military might behind them, and its forces engaged in several battles against Ahmad Shah Massoud's men.

Following the US occupation of Afghanistan, HQN became a powerful contributor to the insurgency. Though HQN has a cooperative relationship with several jihadist groups that turned against the Pakistani state, Pakistan views HQN as a strategic asset. The US Department of State believes that HQN has "several hundred core members," but can draw on a much larger pool of fighters, described as "upwards of 10,000" (Office of the Coordinator of Counterterrorism 2013). Jeffrey Dressler describes the benefits that Pakistan discerns from its sponsorship of HQN:

> The Haqqani Network's territorial control of the southeast could provide the Pakistanis with much needed "strategic depth" in case of a full-scale breakout of hostilities across Pakistan's eastern border with India. Additionally, given Pakistan's concerns of increased Indian involvement in Afghanistan, the Haqqani Network is a tool to target strategically Indian political, diplomatic and economic interests in Kabul and elsewhere around the country. Furthermore, by helping to dissuade anti-Pakistan insurgents, such as Tehrik-e Taliban Pakistan (TTP), from launching attacks on Pakistani security services and instead reorienting some of their focus on Afghanistan, the Haqqanis are assisting in the campaign to quiet military tensions in Pakistan's tribal frontier, though they have not been successful in doing so.
>
> *(Dressler 2012: 12)*

Thus, even in the case of HQN, Pakistan has domestic concerns, hoping HQN will be able to quell other jihadists' anti-Pakistan activities. This illustrates how, even though Pakistan's relationship with VNSAs puts it in a strong position in Afghanistan as the United States draws down, Pakistan is extraordinarily vulnerable. There are reasons to think the country might implode, as in addition to its domestic insurgency, Pakistan suffers also from rising food prices and a growing public realization of the state's incapacity (Perlez 2011: 23–24). Some VNSAs in Pakistan, notably Lashkar-e-Taiba, have grown so powerful and influential that Pakistan's government is reluctant to crack down on them for fear of triggering a backlash (Tankel 2011).

Pashtunistan no longer plays the central role in Afghanistan–Pakistan relations that it once did: Pashtuns from the FATA and settled areas of Khyber Pakhtunkhwa have no desire to join Afghanistan at this point. A recent survey of FATA residents that asked how the area should be governed found that "becoming part of Afghanistan was the most unpopular choice" (Ballen et al. 2013: 251). Nonetheless, Afghanistan's use of VNSAs to advance its Pashtunistan agenda is what originally set in motion a strategic course for both countries that has had a tremendous impact—not only on their relationship, but with ripples that reach all corners of the globe. Similarly, Pakistan's support for jihadist VNSAs, which was prompted by Afghanistan's Pashtunistan policy, initially advanced Pakistani interests in a Machiavellian way. Now, however, one of Pakistan's major hopes, as it continues to sponsor jihadist VNSAs, is that the VNSAs it backs will dissuade other VNSAs that it helped to empower from attacking the Pakistani state.

There is a powerful lesson here about unintended consequences. Afghanistan, Pakistan, and their neighbors will have to live with the succession of VNSAs that these countries spawned over the course of four decades. Jihadist VNSAs will not be defeated anytime soon, and other VNSAs—including smugglers, warlords, and ethnic militias—will also remain a part of the landscape.

Note

1 The United States responded to a couple of incidents in which the ISI was implicated—the November 2008 Mumbai "urban warfare" attacks and the July 2008 bombing of India's embassy in Kabul—as though rogue elements of ISI were to blame, though many commentators believe this approach let Pakistan off too easy.

Bibliography

9/11 Commission (2004). *9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*. New York: W.W. Norton.

Associated Press. (1950a). Pakistan Says Afghans Launch War. 4 October.

Associated Press. (1950b). Invaders Out, Pakistan Says. 5 October.

Associated Press. (1961). Regular Afghan Army Battles Pakistanis in Khyber Pass Area. May 21.

Atwan, A. B. (2006). *The Secret History of al Qaeda*. Berkeley: University of California Press.
Ballen, K., Bergen, P. and Doherty, P. (2013). Public Opinion in Pakistan's Tribal Regions. In Peter Bergen and Katherine Tiedemann (eds) *Talibanistan: Negotiating the Borders Between Terror, Politics, and Religion*. Oxford: Oxford University Press, pp. 248–261.
Barfield, T. (2010). *Afghanistan: A Cultural and Political History*. Princeton, NJ: Princeton University Press.
BBC. (1980). Egyptian Prime Minister on Middle East and Afghanistan. *BBC Summary of World Broadcasts*, 5 January.
Butt, Q. (2014). Sajna's Departure Likely to Exacerbate Divisions within TTP. *Express Tribune* (Pakistan), May 29.
Coll, S. (2004). *Ghost Wars: The Secret History of the CIA, Afghanistan, and bin Laden, from the Soviet Invasion to September 10, 2001*. New York: Penguin Books.
Craig, T. (2014). Karachi Residents Live in Fear as Pakistan Taliban Gains Strength. *Washington Post*, February 3.
Dorsey, J. (1980). "Islamic Nations Fire Broadsides at Soviet Military Interventions." *Christian Science Monitor*, January 30.
Dressler, J. (2010). *The Haqqani Network: From Pakistan to Afghanistan*. Washington, DC: Institute for the Study of War.
Dressler, J. (2012). *The Haqqani Network: A Strategic Threat*. Washington, DC: Institute for the Study of War.
Emadi, H. (1990). Durand Line and Afghan-Pak Relations. *Economic and Political Weekly*, July 14.
Fair, C. C. (2014). *Fighting to the End: The Pakistan Army's Way of War*. Oxford: Oxford University Press.
Feifer, G. (2009). *The Great Gamble: The Soviet War in Afghanistan*. New York: Harper.
Gartenstein-Ross, D. (2009). Fixing Our Pakistan Problem. *Journal of International Security Affairs* 16.
Grimes, P. (1961). Afghan–Pakistan Border Tense as Dispute on Tribe Worsens. *New York Times*, May 29.
Guardian. (1960). Incursion by Afghans 'Beaten Back,' Says Pakistan. September 29.
Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington, DC: Carnegie Endowment for International Peace.
Hasan, K. (1962). Pakistan–Afghanistan Relations. *Asian Survey* 2(7): 14–24.
Hussain, R. (2005). *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Hampshire, UK: Ashgate.
Hussain, Z. (2007). *Frontline Pakistan: The Struggle with Militant Islam*. New York: Columbia University Press.
International Crisis Group. (2014). *Resetting Pakistan's Relations with Afghanistan*. Asia Report No. 262, October 28.
Khan, M. I. (2014). Pakistan Violence: Mehsud Faction Walks Out of Taliban. BBC, May 28.
Laub, Z. (2013). Pakistan's New Generation of Terrorists. Council on Foreign Relations, November 18.
Mahsud, M. K. (2013). The Taliban in South Waziristan. In Peter Bergen and Katherine Tiedemann (eds) *Talibanistan: Negotiating the Borders Between Terror, Politics, and Religion*. Oxford: Oxford University Press, pp. 164–200.
Musharraf, P. (2006). *In the Line of Fire: A Memoir*. New York: Free Press.
Nelson, D. (2011). Admiral Mike Mullen Confirms Pakistan Army Plot Letter. *Telegraph* (UK). November 18.
Office of the Coordinator of Counterterrorism. (2013). Foreign Terrorist Organizations. *Country Reports on Terrorism, 2012*, chap. 6. Washington, DC: US Department of State.
Pande, A. (2011). Islam in the National Story of Pakistan. *Current Trends in Islamist Ideology*, October 14.
Perlez, J. (2011). Many in Pakistan Fear Unrest at Home. *New York Times*, February 3.
Qureshi, S. M. M. (1966). Pashtunistan: The Frontier Dispute Between Afghanistan and Pakistan. *Pacific Affairs* 39(1–2): 99–114.
Reuters. (1960a). Afghans Report Pakistani Clash. Reuters, October 8.
Reuters. (1960b). Pakistan Fears Afghan Invasion. Reuters, September 23
Reuters. (1961). Afghanistan Breaks with Pakistan. Reuters, September 6.
Riedel, B. (2008). *The Search for al Qaeda: Its Leadership, Ideology, and Future*. Washington, DC: Brookings Institution Press.
Risen, J. and Miller, J. (2001). Pakistani Intelligence Had Links to al Qaeda, U.S. Officials Say. *New York Times*, October 29.
Roggio, B. (2014a). Pakistani Jihadists Form Ahrar-ul-Hind, Vow to Continue Attacks. *Long War Journal*, February 11.
Roggio, B. (2014b). Taliban Splinter Group Jamaat-ul-Ahrar Forms in Northwestern Pakistan. *Long War Journal*, August 26.

Roggio, B. and Joscelyn, T. (2014). Discord Dissolves Pakistani Taliban Coalition. *Long War Journal*, October 18.
Rosenberg, M. (2013). U.S. Disrupts Afghans' Tack on Militants. *New York Times*, October 28.
Schaffer, M. (2001). The Unseen Power. *U.S. News & World Report*, November 4.
Semple, M. (2014). *The Pakistan Taliban Movement: An Appraisal*. Barcelona: Barcelona Centre for International Affairs.
Shah, S. (2011). Husain Haqqani, Pakistan's U.S. Ambassador, Offers to Resign. *Guardian*, November 17.
SITE Intelligence. (2014). TTP Spokesman Shahidullah, Five Officials Allegedly Pledge to IS. October 13.
Spain, J. W. (1954). Pakistan's North West Frontier. *Middle East Journal* 8(1): 27–40.
Stenersen, A. (2013). The Relationship Between al Qaeda and the Taliban. In Peter Bergen and Katherine Tiedemann (eds) *Talibanistan: Negotiating the Borders Between Terror, Politics, and Religion*. Oxford: Oxford University Press, pp. 69–92.
Tankel, S. (2011). *Lashkar-e-Taiba: Past Operations and Future Prospects*. Washington, DC: New America Foundation.
Tomsen, P. (2011). *The Wars of Afghanistan: Messianic Terrorism, Tribal Conflicts, and the Failures of Great Powers*. New York: PublicAffairs.
Waldman, M. (2010). *The Sun in the Sky: The Relationship Between Pakistan's ISI and Afghan Insurgents*. London: Crisis States Discussion Papers.
Wellman, P. W. (2016). Taliban Believed Strengthening Ties with Other Extremist Groups. *Stars and Stripes*, April 5.

25

THE OTHER PAKISTAN

Understanding the military–jihadi complex

Pranay Kotasthane, Guru Aiyar and Nitin Pai

Introduction

> He [Obama] questioned why the US should avoid sending its forces into Pakistan to kill al Qaeda leaders, and he privately questions why Pakistan, which he believes is a disastrously dysfunctional country, should be considered an ally of the US at all.
>
> *(Goldberg 2016)*

These lines succinctly sum up the world's Pakistan conundrum. When the policy response of a two-term president of the world's most powerful nation-state towards a "disastrously dysfunctional" ally is merely restricted to "private questioning", that country merits special attention.

The enigma that is the Pakistani state continues to confound governments, policymakers and analysts alike. So much so that using constructs to define Pakistan is no longer just a cottage industry, but a mature, medium-scale enterprise in the field of geopolitics literature.

And yet, the Pakistani state continues to puzzle the world. Here's another illustration that reflects how Pakistan continues to be a perplexing case:

> At a time when much of South Asia is harboring visions of rapid economic growth and social mobility, the Pakistani state has little to offer its citizens beyond the rents accruing to it from its geopolitical location. And yet, Pakistan persists in its pursuit of patently unrealistic and disastrously costly policies towards India and Afghanistan. Even the US, principal patron and benefactor, is unable to get Pakistan to adopt policies that could benefit itself and the wider region.
>
> *(Raghavan 2015: par. 1)*

This does not mean that the constructs describing Pakistan have not been helpful in decoding the Pakistani state. Many seminal works on this topic have refined our understanding about Pakistan, each of them uncovering a previously incomprehensible aspect of the Pakistan problem.

For instance, Husain Haqqani's work (2005) postulated the three political choices underlying Pakistan's domestic and foreign policies in the preceding decades. These were: pursuit of religious nationalism, a near manic obsession for confrontation with India, and a determined lobbying to

secure American support. Haqqani also contended that on numerous occasions, Islamist groups have acted as allies of the civil-military complex in ensuring its viceregal domination.

Other important studies have identified the Pakistan Army and its affiliates as the chief actor shaping the state's political outcomes. Mazhar Aziz (2008) explains that the military's thirst for power, directly or indirectly has left deep cleavages in the politics and society of the country, which successive civilian governments are unable to cope with. These cleavages have in turn helped military exploit the decision-making space to further its commercial interests.

Christine Fair (2014) argues that Pakistan's persistent revisionism in the face of repeated defeats is not security driven but ideological. And it is the Pakistan Army that determines the frontiers of this ideology. She further claims that "the strategic culture of the Pakistan Army is more or less interchangeable with that of the country because with few notable exceptions the army has set the country's key foreign and domestic policies" (Fair 2014: 4).

Other studies, particularly those by Aqil Shah, Stephen Cohen and Ayesha Siddiqa, have dwelled further on the relation of the Pakistan Army with the society at large in order to explain political decision-making in Pakistan.

All these studies have greatly contributed towards a better understanding of how Pakistan impacts the world. However, these works have fallen a step short of unraveling the meta-structure, of which the army, *jihadis*, crime syndicates and financing networks are merely constituent parts.

For example, what explains the repeated "duplicity" of the Pakistani leadership when it comes to taking action against terrorist groups? How is it that there is a high substitutability of labor between the army and the jihadi groups, and between jihadi groups themselves? How is it that various forms of behavior and outcome control methods have been ineffective in dealing with Pakistan? And finally what explains the fact that any efforts of peace talks between Pakistan and India are promptly followed by acts of violence, terror and intimidation from and within Pakistan?

We believe the answers to these questions lie in visualizing the nexus between the army, jihadi groups, criminal syndicates, intelligence agencies and a few other groups in Pakistan as *one* entity, rather than attempts at looking at the components in isolation to each other. This chapter is an effort in this direction.

Central idea

The central idea of this chapter is that Pakistan is not one geopolitical entity, but two. The first is a *putative state*, currently represented by a civilian government and a civilian *de-facto* head of state, having its own flag and other paraphernalia that make it appear like a sovereign state. The competing entity is not just the military, as it is generally believed, but a dynamic syndicate of military, militant, radical Islamist and political-economic structures that pursue a set of domestic and foreign policies to ensure its own survival and relative dominance: the military–jihadi complex (MJC). We claim that policies towards Pakistan will continue to be ineffective unless the dominant of the two Pakistans, i.e. the MJC is conceptualized and explicated as a whole.

The unique proposition of this study is that we analytically model the MJC using organization theory (OT): a systematic study of organizations to identify the patterns and structures they use to solve problems, maximize efficiency and productivity, and meet the expectations of stakeholders (Boundless 2015).

The reason we employ this method is because the field of OT has a well-developed literature that can help us decode complex structures like the MJC. Apart from explanatory power, OT also offers important clues on what makes organizations work and what makes

them dissipate. Such prescriptions can be useful in framing policies towards Pakistan. On the other hand, these prescriptions will also help the putative Pakistani state to counter, subjugate or dismantle the MJC.

In using an analytical framework to describe Pakistan, we implicitly agree to the observation by Mazhar Aziz (2008: 36) on the need to shift the focus of scholarship on Pakistan away from explanations driven by class, religion and/or ethnicity based interpretations to the explanation proposed by an institutional frame of reference.

Where we differ from Aziz is that he restricts the theoretical frameworks of path dependency and historical institutionalism to the military alone, which he refers to as "the most powerful institution in Pakistan" (Aziz 2008: 18). On the other hand, we argue that analyzing the military alone in an institutional framework is inadequate—it needs to be comprehended as a node of a much larger structure called the MJC.

Like with any other analytical framework, we are aware that our abstraction will lead to a loss of detail. But as we demonstrate in this chapter, the benefits of visualizing the MJC as an organizational entity far outweighs the costs of missing out on specific details. In any case, we firmly believe that a critique of this study will only help decode finer aspects of how the MJC operates.

Defining a complex

To begin with, we first use existing theoretical concepts in organization theory to understand what we mean by the term "complex".

The first such concept is an *organization,* which can be defined as a consciously coordinated social unit composed of two or more people that functions on a relatively continuous basis to achieve a common goal or set of goals (Robbins 2005).

Organizations come in various forms and types. A company, an army, a jihadi group and a think tank are all examples of organizations. However, the classical conception of an organization as a linear system with few variables weakly interacting with each other is insufficient to explain organizations like the MJC, which are characterized by a complex web of interlinks and interdependencies (Gupta 2009).

Instead, the more recent trend in organization theory has been to apply insights from the complex systems approach to characterize organizations whose behaviors cannot be explained by breaking down the system into its component parts. Such an approach focuses on understanding (a) the variables determining the system's behavior, (b) the patterns of interconnections among these variables, and (c) the fact that these patterns, and the strengths associated with each interconnection, may vary depending on the time scale relevant for the behavior being studied (Svyantek and Brown 2000).

We interpret the term *complex* as a meta-organization viewed through this lens of complex systems. More specifically, we define a complex as an organization that fulfills these conditions of a complex system:

1 It is made up of a large number of constituent entities that interact with each other and also with its environment (Gell-Mann 1995). These entities, called *nodes* are organizations in their own right, when seen in isolation.
2 It lies between an ordered system and a chaotic system. An ordered system constraints behavior of its agents through both, formal and informal rules. In a chaotic system, agents are not restricted. Whereas in a complex, informal methods of control constrain agent behavior.
3 The nodes of the complex have a going concern, i.e. they work on a continuous basis towards a common goal or set of goals.

4 There is a high degree of connectivity and interdependence between its nodes.
5 Its nodes co-evolve. The evolution of one domain or entity is partially dependent on the evolution of other related domains or entities (Ehrlich and Raven 1964; Pianka 1994; Kauffman 1993, 1995; McKelvey 1999a, b; Koza and Lewin 1998). These nodes share a common ecosystem and influence each other spontaneously.
6 It is self-similar: the different levels of hierarchy exhibit scaled versions of a common corporate culture (Mitleton-Kelly 2003).

An example of a complex is the Google Play Store ecosystem: the official store and portal for Android apps, games and other content. The complex comprises of a large number of nodes such as Google, Android developers, mobile advertisers and android phone users. These constituents are regulated by the key node: *Google Inc.* Beyond this regulation, the nodes co-evolve with each other. All nodes share a common goal—getting more value out an Android phone. Each node is heavily dependent on the other—developers need more users and advertisers, users need more developers and new upgrades, and Google needs more of all stakeholders. Actions by every node influence other nodes spontaneously.

Other examples of complexes may include political parties, multinational conglomerations and judicial systems—all social groups rooted in a particular corporate culture and ideology.

What is the MJC? Can it be described as a complex?

Having understood the key characteristics of a complex, we now offer what we consider in Pakistan as a complex. The Pakistani military–jihadi complex (MJC) is a highly interconnected and interdependent organization, comprising of a dynamic network of military, militant, radical Islamist and political-economic structures that pursues a set of domestic and foreign policies to ensure its own survival and relative dominance (Pai 2011). In this section, we describe how these seemingly disparate entities are part of an organizational whole.

Like any complex system, the MJC comprises of a large number of co-evolving nodes. These nodes can very broadly be classified on the basis of the primary functions they seek to perform. Given below is a description of the nodes of this complex along with a few representative examples of organizations in each node.

The first and primary node comprises of the armed forces of Pakistan, tasked with defending the territory and people of Pakistan from conventional and non-conventional threats. This node comprises of several organizations: the service triad composing of the Pakistan Army, the Pakistan Navy and the Pakistan Air Force. The node also includes Pakistan's premier intelligence agency, the Inter Services Intelligence (ISI).

The second node of the MJC is comprised of a range of militant organizations, each with their own operational strategies, command structure, stated aims and geographies. Some examples of organizations in this node include Lashkar-e-Taiba (LeT), Jaish-e-Mohammed (JeM), Harkat ul-Jihad-e-Islami (HuJI).[1]

The third node comprises of several socio-religious organizations and networks that are closely linked with the militant node of the complex, often as recruitment grounds or fronts for them. For instance, the *Jama'at-ud-Dawaa*, which continues to act as a front organization of the LeT, was listed as a foreign terrorist organization by the US Department of State in 2014 (Al Jazeera 2014). Similarly, the Tablighi Jamaat, an Islamist revivalist organization, has had links with the ISI and Harkat ul-Mujahiden. Members of militant groups often attend the Tablighi Jamaat's *Ijtima* (congregation) in Raiwind, where they hand out recruitment pamphlets (Howenstein 2006).

The fourth node comprises of organizations that are ostensibly set up as charity trusts but have deep connections with terrorist networks. Rabita Trust, Al-Akhtar Trust and Al-Rashid Trust are some examples of organizations in this node. All three have been listed as organizations linked with international terrorism by the US Department of State.

The fifth node comprises of organized crime syndicates that provide material and financial support to terrorists. Drug syndicates, trucking mafia and other syndicates such as the ones run by Dawood Ibrahim have provided financial support for terror groups and leased out their logistical supply chains for terrorist attacks. In the most recent terrorist attack on the Pathankot Air Force base, there were strong indications that arms and ammunition used by the Pakistani terrorists were part of a drug consignment that was concealed by smugglers, and the group of terrorists entered separately using the same route (Bhalla 2016).

The sixth node comprises of for-profit organizations such as the National Logistics Cell (NLC) and Bank of Credit and Commerce International (BCCI). The NLC, a trucking company wholly owned by the Pakistani military, developed a symbiotic relationship with the Taliban, bringing weapons and material to Afghan guerrillas while funneling out vast amounts of heroin (Peters 2009). BCCI, on the other hand, was an international bank started by a Pakistani financier. The CIA in 1991 admitted that BCCI was involved in "illicit activities, including money laundering and terrorism" (Tolchin 1991).

Some political parties form the seventh node of the complex. The MJC has a history of backing new political formations to resist, oppose and degrade the two dominant political parties of Pakistan, the MJC's most prominent challengers. The Islami Jamhoori Ittehad (IJI) was one such formation created by the ISI (*Dawn* 2012). In recent times, the army has backed protests by formations such as Pakistan Tehrik-e-Insaf and Pakistan Awami Tehreek against the civilian government (Kakakhel 2014).

What strings these disparate organizations together is the success factor behind the MJC's dominance in Pakistan. Like an archetypal complex, all the constituent organizations together subscribe to a set of common minimum goals: one, to maintain the MJC at the apex of Pakistan's power structure by delegitimizing civilian control. Two, hurting India's economic, political and social structures to justify the MJC's vitality and capability.

Another striking characteristic that completes the MJC is a high degree of connectivity and interdependence between its nodes, which will be illustrated through a few case studies here. The case studies expose that these nodes interact with each other frequently, and exhibit a shared common culture. There are clearly identifiable rules of engagement and interaction that may/may not be formalized and yet are sustained across the nodes. There are also informal and formal methods of control to constrain the behavior of the nodes, explained in subsequent sections of this chapter.

From an organizational point of view, the complex can be said to have a *functional structure with horizontal linkages*. This means that nodes are broadly grouped on the basis of a common function across the complex. OT reveals that such a structure is most effective when in-depth expertise is critical to meeting organizational goals, when an organization needs to be controlled and coordinated through the vertical hierarchy, and when efficiency is important (Daft 2008: 104).

Such a structure, however, suffers from high latency. To compensate for slow response times across nodes, the MJC has developed strong horizontal linkages. To demonstrate how the various nodes of the MJC interact with each other, a few case studies and profiles are given below:

> **Case 1**: Major (retired) Haroon Ashiq, a former Special Services Group (SSG) commando of the Pakistan Army left the forces in 2000. He then joined LeT, which he considered was an extension of the army (Ahmed 2011). Until 2003, he served as a close associate of Zakiur Rehman Lakhvi. After quitting the LeT over differences

with Lakhvi, he joined the Harkatul Jihadul Islami (HuJI) under Commander Illyas Kashmiri and thus got closer to al Qaeda.[2]

Haroon has two major achievements to his credit— being charged (but finally acquitted by the courts) for killing retired Major General Amir Faisal Alvi, who threatened to expose senior ISI officers of terror links and the logistical planning of the 26/11 Mumbai attacks. Several other details, captured by the slain journalist Saleem Shahzad in his book *Inside Al Qaeda and the Taliban: Beyond Bin Laden and 9/11* (2011), throw light on the horizontal linkages between the various nodes of the MJC. The case of Haroon Ashiq explains the *fungibility of labor* across the military and militant functional domains.

Case 2: A number of investigative reports have suggested that the ISI diverted American money designated for fighting terrorism to the Taliban. According to a 2007 document released by WikiLeaks, US military interrogators at Guantánamo implicitly acknowledged this problem when they placed the ISI on an internal list of "terrorist and terrorist-support entities" (Wright 2011). This case illustrates the formal methods of control that ISI employs over elements from other nodes.

Case 3: Pakistani Taliban (affiliated to al Qaeda) carried out the attack on the naval base PNS Mehran after negotiations with the navy for the release of officials suspected of al Qaeda links had failed. According to Saleem Shahzad (again), it was clear the militants were receiving good inside information as they always knew where the suspects were being detained, indicating sizeable al Qaeda infiltration within the navy's ranks. It was also alleged that there were some sympathizers of the Pakistani Taliban inside the military. This attack was similar to the one carried out on the General HQ in Islamabad in 2009. This case illustrates how closely the different nodes within the MJC are interconnected.

Case 4: A study of Illyas Kashmiri's terrorist career also shows the fungibility of actors across the militant organizations' functional structure. Nicknamed "Commander", his 313 Brigade of the HuJI is alleged to have been raised by the ISI to fight in the Kashmir valley. After the ceasefire with India emasculated his stature, he shifted his focus to Afghanistan where ISI officers continued to maintain links with him and helped him to buy weapons (Haider 2011). Ilyas Kashmiri also became an al Qaeda operative and served as the chief of its military operations.

Case 5: In 2013, LeT's Abdul Karim Tunda was arrested by the Indian security agencies. Investigations confirmed close links between the crime syndicates, the jihadi nodes and the ISI. It was even reported that ISI promised sanctuary to Dawood Ibrahim (on the wanted list of Interpol for cheating and criminal conspiracy), provided that he invested at least 30 percent of his earnings to fund terror activities (*Outlook* 2013). According to Indian security agencies, as the ISI found the influence of Indian Mujahiden (IM) and Students' Islamic Movement of India (SIMI) waning, it took Dawood's help to establish newer terror modules (Shekhar 2015). Ibrahim's D-Company used earnings from its DVD piracy racket to transform itself into an organization "not just passively supporting terrorists, but with close links to them" (Treverton et al. 2009). This case illustrates the close horizontal linkages between crime syndicates and terrorist networks in Pakistan.

Case 6: One of the most intriguing actors in the recent times in the intelligence circles is that of David Coleman Headley. A Pakistani-American national, he worked for multiple intelligence agencies and is one of the key accused by the Indian National Investigation Agency (NIA) in the 26/11 Mumbai attacks. Since 1999, he started training with the LeT. He acquainted himself with Sajid Mir, the foreign recruiter of LeT, and reportedly made seven trips to India collating intelligence through video filming and scouting targets for the attack. During the investigation, he identified his ISI handlers as Majors "Ali" and "Iqbal" (Barry and Kumar 2016). In a videoconference testimony to an Indian court in February 2016 from an undisclosed location in the US, he named Hafeez Saeed, Lakhvi, Kashmiri, Majors Iqbal and Ali as the chief conspirators.

What keeps this complex afloat?

From an objective viewpoint, it is admirable that the MJC continues to adapt to the changing environment. This section of the chapter looks at the organizational processes that allow this complex to thrive. As a corollary, an understanding of these forces can also offer clues to processes that can cause the complex to break apart.

First, a *strong, shared culture* is a cornerstone of the complex. It is a powerful force that keeps the various nodes together. The organization's culture is the underlying set of key values, beliefs, understandings and norms shared by employees. These underlying values and norms may pertain to ethical behavior, commitment to employees, efficiency, or customer service, and they provide the glue to hold the organization members together (Daft 2008: 18). The key features of the glue that holds the nodes of the MJC intact are:

1 A deep-seated antagonism towards India. All elements of the MJC share the view that India and Pakistan are locked in a zero-sum game. One can succeed only to the detriment of the other.
2 Islam as the ideological refuge.
3 A belief that Pakistan has been the victim of the international system.
4 An acceptance of all conventional and non-conventional methods of warfare against the MJC's enemies.
5 A condescending attitude towards the putative civilian leadership because of its inability to protect the ideological and territorial frontiers of Pakistan.

This set of beliefs is deeply cultivated, to varying degrees, in all the nodes of the MJC. Organizationally, this shared culture benefits the MJC in three ways. First, it inspires individuals across the nodes to perform beyond what can be controlled or monitored. It ensures commitment beyond compliance. Second, it promotes collaboration by creating a collective identity, critical for a diverse entity such as the MJC. And third, it controls the actions of individuals to align towards the common goal. Conversely, when any of these edifices on which the shared culture rests collapses, the internal stakeholders of the MJC can act against each other.

Second, a *mature socialization process* binds the MJC. As an organizational process, socialization helps reduce the problems of specialization. Because the MJC comprises of several specialized nodes, an efficient mode of socialization is necessary to uphold a common corporate culture among its various parts. This process helps reduce variability, increases predictability of responses, promotes co-ordination and minimizes scope for discretion. In the case of the MJC, this socialization is a cohesive force. For example, common socialization processes allow retirees from the army

to establish horizontal linkages with other nodes for training or for working alongside each other on specific projects.

High levels of socialization in the MJC are achieved in two ways. One, the literature used by the army and the militant groups are similar in that they both vilify the external *kufar* and glorify *jihad* as a means of eliminating the *kufar*. Two, as Fair (2014) shows, both the army and groups like the LeT share common recruiting grounds.

Third, a *high degree of legitimacy* in Pakistani society keeps the MJC afloat. From an institutional perspective, legitimacy is defined as a general perception that an organization's actions are desirable, proper and appropriate within the environment's system of norms, values, and beliefs (Daft 2008: 193). The MJC continues to enjoy a high degree of legitimacy. A survey conducted by Pakistan Institute of Legislative Development and Transparency in 2015 revealed that the respondents consider the Pakistan Army—the key node of the MJC—as the most trusted institution in the country (Haider 2015). This perception of legitimacy is important for the MJC as a whole to challenge the putative state.

Conversely, a drop in legitimacy can fracture complexes and lead to breakdowns. For example, decisive defeats in war can delegitimize the army, thereby splitting the army and potentially breaking the MJC too. Aqil Shah (2014) observes that decisive defeats in war can erode a military's professional cohesion, undermine the morale and badly tarnish its professional reputation. They can morally weaken the political influence of authoritarian militaries and open the way for their de-politicization.

These three factors are critical for the sustenance of the MJC.

Why does the MJC exist?

The MJC is an institutional arrangement that leverages collective resources to achieve a specific objective—irreconciliation towards India, which is a self-serving motive. Complexes need to create sustainable competitive advantage in order to survive and grow and that is what the MJC has done. By keeping India's actions tied to Pakistan's destiny, the MJC has continued to enjoy a comparative advantage over the putative state simply because it has successfully projected that "corrupt politicians" cannot be relied upon to handle a hostile India.

Being a co-evolving and interdependent network allows the MJC to pursue a wider range of strategies against India when compared to the putative state. "Jihad under the nuclear umbrella" is one such option that the MJC has successfully deployed against India.

Organized as a complex, the MJC can resist pressures from external stakeholders better. Whenever India and the USA press the armed forces to act against terrorists, the MJC is able to absorb this pressure effectively, not because the army is sympathetic to the terrorists, but because they are united in an institutional framework—a complex.

What is the relationship of the MJC with the external world?

An organizational environment is defined as all elements that exist outside the boundary of the organization and have the potential to affect all or part of the organization. Two essential ways in which the environment influences organizations is: (1) the need for information about the environment, and (2) the need for resources from the environment. The environmental conditions of complexity and change create a greater need to gather information and to respond based on that information. The organization also is concerned with scarce material and financial resources and with the need to ensure availability of resources (Daft 2008: 144–5).

Table 25.1 Relationship of the MJC with external stakeholders

External stakeholder	*What does the stakeholder want?*	*Extent and type of control over MJC*	*MJC's attitude towards the stakeholder*
The putative state of Pakistan	Regain suzerainty over Pakistan. This is possible only by displacing the MJC.	No control over the MJC. The putative state is a weak competitor.	Meets the MJC's resource and information needs. The MJC cannibalizes resources meant for the putative state. It also meets the MJC's information needs by allowing it to buffer itself from other hostile external stakeholders.
The USA	Stability in the Af-Pak region, an Afghan government that is not hostile to the USA. Upholding US military, business, and political interests in the Indian subcontinent.	An important financier of the Pakistani state, and hence that of the MJC. Needs MJC to uphold US interests in Afghanistan.	MJC is supportive of US demands as long as it does not hurt the internal dynamics of the MJC. The MJC resists and blocks any attempts by the USA to take action against terrorist groups, criminal syndicates and all other nodes.
The People's Republic of China	Balancing India in the Indian Ocean Region. To prevent radicalization of restive Xinjiang through Afghanistan and Pakistan.	An important financier of the Pakistani state, and hence that of the MJC. Sees the MJC as an important player in furthering its interests in Iran, Afghanistan, and Central Asia.	The MJC sees China as meeting both resource needs as information needs. China's support at political forums and economic partnerships legitimizes the MJC's dominance.
The Indian Republic	Peace along the Line of Control (LoC), and maintain status quo on the question of Kashmir.	Control over the MJC through nuclear deterrence and superior response in case of conventional wars.	The MJC's information needs are met through India. The MJC's legitimacy depends on being able to react aggressively to the prevailing environmental changes originating in India. Hence the MJC thwarts any attempts of reconciliation between the putative Pakistani state and India.
The Kingdom of Saudi Arabia	Retain the House of Saud's control over Saudi Arabia. Balance Iran's power in the Middle East.	Meets finance needs of the MJC. Needs the MJC for strengthening KSA's nuclear and conventional war capabilities.	The MJC depends on Saudi Arabia for money, oil, and diplomatic backing. The MJC sees itself as a mediator that can reduce tensions between Saudi Arabia and Iran. A successful mediation will enhance legitimacy of the MJC in the eyes of all external stakeholders.
The UN	Decreasing the potential flashpoints of violence in the Indian subcontinent.	Only enjoys reputational control over the MJC.	The MJC is able to sidestep UN resolutions that impose reputational costs by swift collaboration across its nodes. The MJC facilitates proscribed terrorist and crime groups to undergo cosmetic changes in response to UN resolutions, without needing fundamental changes in organization.
Islamic Republic of Afghanistan	Peace along the Durand Line and decreasing the Taliban's power.	Deters the MJC by supporting Pashtun nationalism on Pakistan's western borders.	The MJC seeks to dominate Afghanistan, fearing Pakistan's dismemberment. The MJC fears that a strong independent Afghanistan—like the one that existed up to the mid-1970s—will pursue an irredentist agenda, claiming the Pashtun areas of Pakistan. Hence the MJC interferes in Afghanistan.

Being a geopolitical actor, the MJC's external environment comprises of a large number of important external stakeholders. The extent of its activities means that it is dependent on the external environment for both, information needs and resource needs. This relationship of the MJC with a few key stakeholders is summarized in Table 25.1, which highlights the MJC's dependence on the external environment. Conversely, it provides clues for developing strategies to resist the MJC's control over Pakistan.

Operating dynamics of the MJC

In the final section of this chapter, we survey the MJC's operational tactics and strategies. Understanding operations allows external actors to identify strengths and weaknesses of an organization.

The first operational strategy of the MJC is to *appropriate Pakistan's resources for itself*. Right from its inception, the perceived threat of war with India compelled the political leaders to subordinate the needs of society to that of the army (Shah 2014: 4). Subsequently, this became the norm that the army's needs always came first vis-à-vis other expenditure like education, healthcare, etc. In addition, the army always had a say on what was to be done with foreign assistance. For example, under President George W. Bush, the US gave billions of dollars to Pakistan, most of it in unrestricted funds, to combat terrorism. Musharraf, who served as President between 1999 and 2007, admitted in 2009 that during his tenure he diverted many of those billions to arm Pakistan against its *bete noire*, India (Wright 2011). This illustrates how an overt transfer of funds by the US to fight terrorism was used covertly to bolster the strength of the MJC.

Post 9/11, the US had transferred more than $13 billion to Pakistan to fight al Qaeda. A large part of it was again appropriated for strengthening the MJC. In fact, a Pentagon officer conceded that once money was transferred, the US had no mechanism to track the final outcomes (Goswami 2012: 191). Retired General Mahmud Durrani, the then Pakistani ambassador to the US, justified the diversion of funds by saying that as there was very little left after the counter terror operations, the money was used for subsidies for the army.

Between 2005 and 2010, the Pakistani military and civilian government made $290 million from allowing the US and NATO to transit to Afghanistan via the port in Karachi. The MJC again appropriated over half of this sum, all of it in terms of pure rent (Pai 2012).

The MJC also deploys *"rogue" operations* as an operational strategy. The MJC is effectively able to deny the high degree of connectivity between its nodes. For instance, the ISI goes to great lengths to claim that militant groups act independently on their own. Bob Woodward reported that the previous director general of the ISI, Ahmed Shuja Pasha, acknowledged that persons connected to the ISI were involved in the Mumbai attacks but insisted that the operation was rogue (Fair 2014: 252).

More recently, following the Pathankot Air Base attacks, Pervez Musharraf conceded that the ISI trains Jaish-e-Mohammed (JeM) and Lashkar-e-Taiba (LeT) terrorists. At the same time he categorically denied the Pakistan Army's role in training militants (*The Hindu* 2016).

The informal methods of control between the various nodes leave enough room for plausible deniability maneuvers.

The MJC operates by *shielding itself from any accountability*. It is not held to any audit, whether operational, structural or accounts. The way the Hamoodur Rahman Commission report was dealt with by the political-military class is a testimony.[3] Set up after the military debacle in 1971 and headed by the chief justice of the Supreme Court, the report severely indicted the military's

handling of the East Pakistan crisis and its incompetence in surrendering to the Indian army. The Pakistan Army was accused of many atrocities like extra-judicial killings, purging of intellectuals, loot and rape. The report clearly indicated that the involvement of senior officers in running the country since 1958 was the main reason for corruption and incompetence in the military. It recommended the court martial of several generals. Reportedly, Zia-ul-Haq, after he overthrew Bhutto in a coup, wanted the army to be destroyed (Noorani 2000). Eventually the report was declassified in 2000 and no action was taken (Abbas 2000).

Risk diversification is another distinguishing operating strategy of the MJC. Like a multinational corporation, the ISI has multiple clients for outsourcing the proxy war. The terrorist node is especially diverse, with multiple groups focused on specific targets: Lashkar-e-Omar attacking Americans in Pakistan; Lashkar-e-Taiba and Jaish-e-Mohammed focused on India; Sipah-e-Sahaba mitigating Shiite influence in Pakistan; and the Haqqani Network and Taliban destabilizing Afghanistan. Such a range of terrorist groups diversifies the risk by allowing the core node—the Pakistan military—to balance the power of jihadi nodes in the complex.

The MJC controls the *nuclear weapons of Pakistan*. Unlike other nuclear-armed countries like the US, Britain, India, etc., where the nuclear command authority is firmly in civilian hands, the nuclear trigger is firmly in the hands of the Pakistan Army (though in theory, it is the prime minister). The unit responsible is named the Strategic Plans Division and is headed by a retired general. With a stockpile of about 120 warheads and tactical nuclear weapons, the Pakistan Army, and thus the MJC, is in an enviable position to enforce nuclear blackmail (ICAN 2015).

The MJC is *fiercely anti-competition*. It is vehemently opposed to a strong putative civilian state. The army's involvement in politics can be traced back to Jinnah when he broke the chain of command and involved junior army officers in Kashmir operations. Ever since, the army has become the guardian of Pakistan's identity as a state (Raghavan 2015: para 9). The army keeps a close watch on all the political parties and sees a threat when popular government gets elected. Any strengthening of the democratic process is seen as its emasculation from the public memory and national identity.

History was created when for the first time a civilian government completed its term in 2013. In an election held in May 2013, Nawaz Sharif's Pakistan Muslim League (PML (N)) was voted to power. Soon, the MJC swung into action. It was alleged that sections of the army played an active role when 70,000 protesters marched from Lahore to Islamabad in August 2014. Imran Khan, who was alleged to have had the backing of the army, led the protesters. It was reported that he was being advised by the then ISI chief, Zaheerul Islam. The ISI even drafted an Islamic cleric, Tahir-Ul-Qadri, to lead the protests. In a press conference, Javed Hashmi, the president of the Tehrik-e-Insaf Party, alleged that Imran Khan plotted with the army to overthrow Nawaz Sharif (Nelson and Siddiq 2014). If politics makes strange bedfellows, it can be said that politics with the Pakistan Army makes even stranger bedfellows, ranging from clerics to administrators and politicians of several hues and shades. The politicians themselves court the army to further their interests.

Conclusion

This chapter described how the military, crime syndicates, socio-religious organizations, businesses and jihadis in Pakistan are not independent institutions, but part of a superstructure—a complex called the military–jihadi complex.

A complex system like the MJC is characterized by a large number of interrelationships, making it inherently difficult for an external actor to comprehend the diverse actions of the

constituent parts at the macro level. We tried to bridge this gap by detailing various aspects of the MJC: what it comprises of, how it operates and what keeps it together.

This chapter provides a starting point for policies towards Pakistan. The existence of the MJC explains why powerful geopolitical entities like the US have consistently failed to restrain the negative externalities emerging out of Pakistan. This concept also makes it clear why any overtures towards making peace with India suffer setbacks with predictable accuracy. It also helps understand the seemingly "duplicitous" nature of the Pakistani leadership when it comes to taking action against terrorist groups of all hues.

In the long run, it is hoped that viewing the MJC from an organizational perspective will provide a toolkit for all agents outside the MJC to contain, resist, or dismantle this complex.

Notes

1 The complete list of 12 domestic and 32 transnational militant organizations originating in Pakistan along with their operations, leadership structures and their interconnections is archived on the *South Asia Terrorism Portal* at http://www.satp.org/satporgtp/countries/pakistan/terroristoutfits/group_list.htm.

2 For a complete account of Haroon's life, read http://www.atimes.com/atimes/South_Asia/NC21Df02.html.

3 The report is available at http://img.dunyanews.tv/images/docss/hamoodur_rahman_commission_report.pdf, accessed on 24 February 2016.

Bibliography

Abbas, Z. (2000). Pakistan Declassifies 1971 Report. BBC, 31 December. Available at: http://news.bbc.co.uk/2/hi/south_asia/1094788.stm.

Ahmed, K. (2011). Who Killed Saleem Shahzad. *The Express Tribune*, 19 June. Available at: http://tribune.com.pk/story/191621/who-killed-saleem-shahzad-2/.

Al Jazeera. (2014). US Blacklists Pakistan's Jamaat-ud-Dawa. *Al Jazeera*, 26 June.

Aziz, M. (2008). *Military Control in Pakistan: The Parallel State*. Abingdon: Routledge.

Barry, E. and Kumar, H. (2016). 2008 Mumbai Attacks Plotter Says Pakistan's Spy Agency Played a Role. *The New York Times*, 8 February. Available at: http://www.nytimes.com/2016/02/09/world/asia/david-headley-mumbai-attacks.html?_r=0.

Bhalla, A. (2016). Did Drug Smugglers Help Pathankot Terrorists? *Daily Mail*, 5 January. Available at: http://www.dailymail.co.uk/indiahome/indianews/article-3385923/Did-drug-smugglers-help-Pathankot-terrorists-Security-agencies-fear-Pakistani-attackers-used-trafficking-routes-sneak-India.html.

Boundless. (2015). Why Study Organizational Theory. *Boundless*, 21 July. Available at: https://www.boundless.com/management/textbooks/boundless-management-textbook/organizational-theory-3/why-study-organizational-theory-28/why-study-organizational-theory-163–7564/ (Accessed 7 March 2016).

Cohen, S. (2004). *The Idea of Pakistan*. Washington, DC: Brookings Institution Press.

Daft, R. (2008). *Organization Theory and Design*, 10th edn. Mason, OH: Cengage Learning.

Dawn. (2012). Hamid Gul Accepts Responsibility for Creating IJI. *Dawn*, 30 October. Available at: http://www.dawn.com/news/760219/hamid-gul-accepts-responsibilty-for-creating-igi.

Ehrlich, P. and Raven, P. (1964). Butterflies and Plants: A Study in Coevolution. *Evolution*, 18: 586–608.

Fair, C. (2014). *Fighting to the End: The Pakistan Army's Way of War*. Oxford: Oxford University Press.

Gell-Mann, M. (1995). What Is Complexity? *Complexity*, 1(1): 16–19.

Goldberg, J. (2016). The Obama Doctrine. *The Atlantic*. Available at: http://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/ (Accessed 12 March, 2016).

Goswami, A. (2012). *Deceit, Duplicity and Dissimulation of US Foreign Policy towards India, Pakistan and Afghanistan*. Bloomington, IN: Authorhouse.

Gupta, A. (2009). Insights from Complexity Theory: Understanding Organizations Better. *Tejas*. Available at: http://spidi2.iimb.ernet.in/~tejas/articles/12.php (Accessed 5 January 2016).

Haider, I. (2015). Army the Most Trustworthy Institution in Pakistan, Survey Reveals. *The Dawn*, 21 October. Available at: http://www.dawn.com/news/1214367.

Haider, S. (2011). The Story That Killed Saleem Shahzad. *The Hindu*, 3 June. Available at: http://www.thehindu.com/opinion/op-ed/the-story-that-killed-saleem-shahzad/article2071460.ece.

Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Washington, DC: Carnegie Endowment for International Peace.

The Hindu. (2016). ISI, Not Pak Army Trains LeT, Jaish: Musharraf. *The Hindu*, 12 February. Available at: http://www.thehindu.com/news/international/south-asia/isi-not-pak-army-trains-let-jaish-musharraf/article8224714.ece.

Howenstein N. (2006). Islamist Networks: The Case of Tablighi Jamaat. United States Institute of Peace, 12 October. Available at: http://www.usip.org/publications/islamist-networks-the-case-of-tablighi-jamaat (Accessed 21 January 2016).

ICAN (International Campaign to Abolish Nuclear Weapons) (2015). Nuclear Arsenals. ICAN. Available at: http://www.icanw.org/the-facts/nuclear-arsenals/ (Accessed 21 February 2016).

Kakakhel, I. (2014). Imran, Qadri have ISI's backing: Hashmi. *Daily Times*, 2 September. Available at: http://www.dailytimes.com.pk/islamabad/02-Sep-2014/imran-qadri-have-army-isi-s-backing-hashmi.

Kauffman, S. (1993). *The Origins of Order: Self-Organisation and Selection in Evolution*. New York: Oxford University Press.

Kauffman, S. (1995). *At Home in the Universe*. New York: Oxford University Press.

Koza, M. and Lewin, A. (1998). The Co-Evolution of Strategic Alliances. *Organization Science*, 9: 255–64.

McKelvey, B. (1999a). Self-organization, Complexity Catastrophe, and Microstate Models at the Edge of Chaos. In J. A. C. Baum and B. McKelvey (eds), *Variations in Organization Science: In Honor of Donald T. Campbell*. Thousand Oaks, CA: Sage, pp. 279–307.

McKelvey, B. (1999b). Visionary Leadership vs Distributed Intelligence: Strategy, Microcoevolution, Complexity. In Proceedings of EIASM Workshop, Brussels, June 1999.

Mitleton-Kelly, E. (2003). Ten Principles of Complexity and Enabling Infrastructures. In *Complex Systems and Evolutionary Perspectives on Organizations*. Philadelphia, PA: Elsevier.

Nelson, D. and Siddiq, J. (2014). Imran Khan 'Plotted with Army to Oust Nawaz Sharif', colleague claims. *The Telegraph*, 1 September. Available at: http://www.telegraph.co.uk/news/worldnews/asia/pakistan/11068811/Imran-Khan-plotted-with-army-to-oust-Nawaz-Sharif-colleague-claims.html (Accessed 29 December 2015).

Noorani, A.G. (2000). Lies and War Histories. *Frontline*, 17(21): 14–27, October. Available at: http://www.frontline.in/static/html/fl1721/17210580.htm.

Outlook. (2013). ISI Promised Dawood Protection if He funded Terror. *Outlook India*, 27 August. Available at: http://www.outlookindia.com/newswire/story/isi-promised-dawood-protection-if-he-funded-terror/808218.

Pai, N. (2011). *Understanding Pakistan's Military-Jihadi Complex*. Yahoo Opinions, 9 April. Available at: https://in.news.yahoo.com/blogs/opinions/understanding-pakistan-military-jihadi-complex-20110418-222725-136.html.

Pai, N. (2012). Calculating Pakistan's Al Faida income. *The Acorn*, 17 May. Available at: http://acorn.nationalinterest.in/2012/05/17/calculating-pakistans-al-faida-income/.

Peters, G. (2009). *How Opium Profits the Taliban*. Washington, DC: United States Institute of Peace. Available at: http://www.usip.org/sites/default/files/resources/taliban_opium_1.pdf.

Pianka, E. (1994). *Evolutionary Ecology*, 5th ed. New York: HarperCollins.

Raghavan, S. (2015). The Puzzle That Is Pakistan. *Seminar, 665*. Available at: http://www.india-seminar.com/2015/665/665_srinath_raghavan.htm (Accessed 12 February 2016).

Robbins, S. (2005). *Organizational Behavior*, 11th edn. Upper Saddle River, NJ: Prentice Hall.

Shah, A. (2014). *The Army and Democracy: Military Politics in Pakistan*. Cambridge, MA: Harvard University Press.

Shahzad, S. (2011). *Inside Al Qaeda and the Taliban: Beyond Bin Laden and 9/11*. London: Pluto Press.

Shekhar, S. (2015). Pakistan's ISI Using Dawood's Men to Spark Riots, Say Intelligence Agencies. *Mail Today*, 22 November. Available at: http://indiatoday.intoday.in/story/intel-isi-using-dawoods-men-to-spark-riots/1/528643.html.

Siddiqa, A. (2007), *Military Inc: Inside Pakistan's Military Economy*. Karachi: Oxford University Press

Svyantek, D. and Brown, L. (2000). A Complex-Systems Approach to Organizations. *Current Directions in Psychological Science*, 9(2): 69–74.

Tolchin, M. (1991). CIA Admits It Failed to Tell Fed about BCCI. *The New York Times*, 26 October. Available at: http://www.nytimes.com/1991/10/26/business/cia-admits-it-failed-to-tell-fed-about-bcci.html (Accessed 10 December 2015).

Treverton, G. F., Matthies, C., Cunningham, K.J., Goulka, J., Ridgeway, G. and Wong, A. (2009). *Film Piracy, Organized Crime, and Terrorism*. California: RAND. Available at: http://www.rand.org/content/dam/rand/pubs/monographs/2009/RAND_MG742.pdf.

Wright, L. (2011). The Double Game. *The New Yorker*. Available at: http://www.newyorker.com/magazine/2011/05/16/the-double-game (Accessed 30 December 2015).

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PART VII

External relations and security

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26

INDIA AS A FACTOR IN PAKISTAN'S POLICY

Savita Pande

> Pakistan's sense of insecurity, vis-à-vis a more powerful India, has been the core driver of its foreign policy since Partition. Its relations with its immediate neighbours such as Afghanistan and Iran, and other regional countries such as Turkey and the Gulf States, have all been filtered through this security prism. Its close alliance with the United States-led regional security systems for the past six decades was also shaped by this core insecurity dynamic.
>
> *(Khan 2015)*

This is a view that may have been written by one expert, but is generally agreed to by most of the Pakistani foreign policy analysts and observers. To quote Ayub Khan's *Friends Not Masters*: "(Pakistan's) aim should be to build up a military deterrent force with adequate offensive and defensive power . . . India's aim is to expand, dominate and spread her influence" (Khan 1967: 47). In the words of the former Pakistani prime minister, Shaukat Aziz, "The quest for security has been the paramount objective of our external perspective. Pakistan's regional security perspective is primarily shaped by the fundamental asymmetry that exists with India, especially in the area of defense capability. Indian conventional forces vastly outnumber Pakistan's capabilities" (Aziz 2005).

Foreign policy expert Moed Yusuf (2015a) echoes this:

> The real problem is that I find an overwhelming majority of those who matter in this country fixated on perceived realities about India and convinced that they have no option but to take notice. The Modi government's approach to Pakistan has further cemented this tendency. The result is that India is back at the fore of our national discourse.

Although his suggestion that India was not at the forefront of Pakistan's thoughts for a decade is debatable (Yusuf 2015a), Haqqani states that, "Pakistan sees India as an existential enemy, as it did soon after the bloody partition of 1947" (Haqqani 2015).

Theoretically speaking, Pakistan's dealing with India in the sphere of foreign policy is a classic case of balancing rather than bandwagoning in response to the perceived or projected threats from its neighbor. In his seminal work on the origin of alliances, Stephen Walt has

argued, "Balancing is far more important than bandwagoning", "states ally to balance against threats rather than against power alone; ideology is less powerful than balancing as a motive for alignment," and that "neither foreign aid nor political penetration is by itself a powerful cause of alignment" (Walt 1987: 5). These propositions have generated much debate, argument and counterargument and are significant from the perspective of this chapter, focused as it is on Pakistan's alliance behavior.

In terms of asymmetricity—the defining feature of India's neighborhood policy—it is interesting to consider another asymmetric context such as that presented by Brantly Womack, who has looked into China–Vietnam relations: "The effects of asymmetry are more acute for neighboring states because closeness increases the importance of asymmetry by increasing the general importance of the relationship. This is true even for the most peaceful asymmetric relations" (Womack 2010: 267). The India–Pakistan asymmetry has been studied in the context of a "strong state–weak state" paradigm (Basrur 2008: 50). Pakistan has tried to balance India internally as well as externally (Sattar 2007: 40). External balancing will be discussed in detail in this chapter, with reference to internal balancing wherever required. It will also focus on the "India factor" in Pakistan's relations with the United States and China. For Pakistan, India remains a major consideration in its engagement with Central Asia, West Asia as well as Afghanistan.

Current scenario

There is no let up in cross-border terror attacks—originating from Pakistan—taking place in India. The attack on the Indian airbase in Pathankot has further weakened the chances of a "comprehensive bilateral dialogue" occurring. The dialogue, begun in 2004, was meant to usher in the "peace process" between India and Pakistan after Prime Minister Vajpayee and General Musharraf met on the sidelines of the 12th South Asian Association for Regional Cooperation (SAARC) Summit. However, it almost came to an end after the Mumbai terror attacks of 2008 (Zaidi 2016).

The composite dialogue has delved into eight issues—Jammu and Kashmir, peace and security, Siachen, Sir Creek, Wullar Barrage, counterterrorism and narcotics, friendly exchanges and trade—but has been broken off several times since 2004 (such as in July 2006 when terrorists attacked a train in Mumbai and over 50 people were killed). It was, however, resumed in September 2006 when Indian Prime Minister Dr Manmohan Singh met General Musharraf in Havana, Cuba, during the Non-Aligned Summit, where a "joint anti-terrorism mechanism" was proposed but which proved to be a non-starter and produced nothing substantial for India. Interestingly, the joint statements of 6 January 2004, 24 September 2004, 18 April, 14 September and 4 October 2005 speak of the movement made in the peace process on various issues. But an attempt to reignite the process turned out to be a damp squib and relations did not show any change after the Sharm-al Sheikh statement or the Thimpu thaw in April 2010 (the Gilani–Singh meeting on the sidelines of the 16th SAARC Summit). In February 2010, at foreign secretary level talks, India's emphasis was on terrorism while Pakistan's was on reviving the composite dialogue. Even the July 2010 talks between the foreign ministers dwelt on India asking Pakistan to take action against the perpetrators of the Mumbai 2008 carnage, the rise in infiltrations in Kashmir, and on Pakistan accusing India of "human rights violations." Nothing was achieved when matters were discussed further in 2011 and 2012; and the process came to a standstill between the two countries in January 2013 after Pakistan fired across the Line of Control in violation of the ceasefire.

As India saw a new right-wing government rise to power in 2014, apprehensions surfaced on its relations with Pakistan, notwithstanding Nawaz Sharif attending the prime minister's

swearing in. Things took a nosedive thereafter. The Indian foreign secretary's visit to Islamabad in March 2015 turned out to be a damp squib (Shah 2015). Some hopes were raised for the resumption of the dialogue at the Shanghai Cooperation Organization summit in Ufa, Russia, in July 2015, where a joint statement focused on terrorism, and at a National Security Agency (NSA) level meeting in Delhi to discuss all the issues related to terrorism; a meeting of the director general of the Border Security Force and the director general of the Pakistan Rangers followed by that of the director general of Military Operations; religious tourism, release of fishermen and "ways and means to expedite the Mumbai case trial, including additional information like providing voice samples" (*The Hindu* 2015).

The change was sudden because in October 2015 the Indian external affairs minister, Sushma Swaraj, rejected a four-point peace plan for Kashmir proposed by Nawaz Sharif at the annual United Nations General Assembly, saying "We don't need four points, we need just one: Give up terrorism and let us sit down and talk" (Siddiqi 2015). Although the decision to revive the dialogue was announced at the time of her Islamabad visit in December 2015, a prelude to it can be traced from the respective prime ministers' meeting at the Paris Climate Change Summit on November 30, followed by a meeting of the two NSAs at Bangkok on December 6. On December 9, Ms Swaraj visited Islamabad to attend the Heart of Asia conference. Following a meeting with her counterpart, a "comprehensive bilateral dialogue" was announced to discuss all of the outstanding issues, including Kashmir. Further hype was generated around Prime Minister Modi making a brief stop in Lahore on December 25, en route to Delhi from Afghanistan, raising expectations for the forthcoming foreign secretary level talks in January 2016.

The issues

The list of disputes between the two countries—some actual, some perceived or projected—is long.

Kashmir and terrorism

Pakistan's first and foremost way to deal with India was war: both covert and overt. Thus, while the 1948 war was shown as an "invasion" by tribals, 1965 was more of a direct war for wresting Kashmir from India. The "asymmetry syndrome" seems to have grown after 1971—for obvious reasons. It was in the wake of the post-1989 assessment made by the Pakistan Army that stressed an important point: Pakistan had lost the two wars because they were fought on Indian territory. Then came Pakistan's doctrine of "offensive defense," under which warfare was to be conducted on enemy territory in a different manner—by low-intensity conflict or, as it is more popularly known, a proxy war. One more popular nomenclature is "cross border terrorism" in India and "Jihad" or holy war in support of the "freedom struggle of Kashmir" in Pakistan (Hussain 1989: 779).

It was a well-planned strategy:

> Large portions of the multibillion-dollar military aid given to the anti-Soviet Afghan rebels by the U.S. Central Intelligence Agency (CIA) was siphoned off by the conduit—the ISI—to ignite a bloody insurgency in Indian Kashmir after the ISI failed to trigger an uprising in India's Punjab state despite arming Sikh dissidents beginning in the early 1980s.
>
> *(Chellaney 2001: 97)*

Pakistan's post-1990 Kashmir strategy rested on promoting the Hizbul Mujahidin at the cost of the JKLF. Even before the world felt the full impact of 9/11, India saw one of the worst

terrorist attacks by Islamabad-backed militant groups on the Indian Parliament on December 13, 2001, which resulted in the deployment of troops under Operation Parakram. While dismissing India's allegation as baseless and inflammatory, Pakistan amassed and moved "around four divisions or over 80,000 Pakistani troops on the border, in anticipation of an Indian attack" (Bedi 2001). There has been no let up since.

The list of attacks goes on and on: the massacre of the Amarnath pilgrims and the attack on the Akshardham temple in Gujarat in August 2002; on the temples in Jammu in November 2002; on August 25, 2003, twin car attacks in Mumbai killed 45 people and injured 150; on October 29, 2005, three bombs exploded in markets in New Delhi two days before the Hindu festival of Diwali in which 61 were killed and 210 injured when one Islami Inqilabi Mahaz (Islamic Revolutionary Group) claimed responsibility; on July 11, 2006, seven bombs exploded in a crowded local train during the evening rush hour near Mumbai, in which 200 were killed and 700 injured; on August 25, 2007, two bombs exploded in Hyderabad's Lumbini Park and a restaurant in which 42 people were killed; on May 13, 2008, at least 60 were killed in nine bombs in Jaipur; and on November 26, 2008, when the assault on two five-star hotels, a train station and a Jewish cultural center left 165 dead and 304 injured in Mumbai. Thus, terror remains an instrument of Pakistan's state policy in popular perception.

From 2004 to 2008, the peace process noted above was reactivated and some confidence-building measures were carried out. These included a resumption of the Srinagar–Muzaffarabad bus service in April 2005, the opening of five cross-LoC points in the wake of the earthquake on October 8, 2005, the starting of the Poonch–Rawalkot bus service, and an agreement on the truck service on the Srinagar–Muzaffarabad route. There was also agreement on the monthly flag meetings along the LoC between the local area commanders, etc.

As the composite dialogue progressed, Musharraf proposed some "out of the box" proposals. At an Iftaar party in October 2004, he suggested the demilitarization of Kashmir and its division into seven zones that could be administered by India, Pakistan or the UN (Verma 2004). In 2004, he made a four-pronged proposal which included – a gradual withdrawal of troops, self-governance, no changes to the region's borders and a joint supervision mechanism (Naqvi 2006). He added that Pakistan was willing to give up its claim on Kashmir or the UN resolution option if this proposal could be worked out (Pennington 2006). In his words: "Yes, we will have to if this solution comes up" (ibid).

Nuclear weapons

Pakistan's oldest and most effective manner of dealing with the asymmetry with India, in terms of internal balancing, is the acquisition of nuclear weapons to offset the conventional superiority of India. Pakistan does not have a "no-first use" policy for the same reason. Media reports have also talked of a "second strike capability." By the mid-1980s, Chinese help in terms of design had been procured and in 1987 Pakistan became a de facto nuclear weapon state (Ahmed 1999: 178–204). The journey was long and clandestine as Pakistan assembled its weapons from components procured from different countries through a wide network, after the French bowed to US pressure and reneged on their proposal to build a reprocessing plant (Doerner and Munro 1987).

A recent estimate puts Pakistan's nuclear strength at between 70 and 90 nuclear weapons, with a steady uranium enrichment capability and an increasing plutonium production and reprocessing capability (Norris and Kristensen 2009: 82). Pakistan in 2000 and India in 2003 set up their respective nuclear command structures—the National Command Authority and the Nuclear Command Authority, respectively. To date, Pakistan has no official nuclear doctrine.

The "lesser disputes"

Pakistan's India policy is also underlined by what some people have described as the "lesser disputes" (Ahmed 2004b). These include primarily the issues of Siachen, Sir Creek and the Tulbul Navigation/Wullar Barrage.

The Siachen dispute is about the glacier of that name over which both lay their claim. It owes its origin to the Shimla Agreement when the boundary was marked to the point NJ9842, relying on the UN demarcated ceasefire line of 1949, beyond which the glaciers were only mentioned in general because of their inaccessibility. In 1983, Indian intelligence detected a column of Pakistani troops moving towards the Saltoro range, "the only viable route to Siachen from POK" (Noorani 1994). Pakistan wanted to "establish a permanent picket there"; the Indians reacted and moved troops there by helicopter (Lambah 2004). There have been several rounds of talks on the issue, which now seems to have become permanent (Raghavan 2000). In 1985, Rajiv Gandhi and General Zia decided to resolve the dispute through talks; two years later, in 1987, this region saw the worst-ever clashes. As per media reports, Pakistan referred to an understanding reached between the two countries in 1989, and sought a redeployment of forces in Siachen prior to the Shimla position, while the Indian side said that the existing position in Siachen should be authenticated—a position unacceptable to Pakistan (Umar 2004).

The talks on Siachen resumed at the defense secretary level in August 2004 followed by foreign secretary level talks which were essentially symbolic, as were the talks at the summit level between Prime Minister Manmohan Singh and General Musharraf and at the levels of the foreign secretaries, foreign ministers and defence secretaries at periodic intervals (Gilani 2007).

The Sir Creek is a 60-mile estuary in the marshes of the Rann of Kutch, forming the southern border between the two countries. The issue relates to the demarcation of the boundary from (1) the mouth of the Sir Creek to the top of the Sir Creek and (2) from the top of the Sir Creek eastwards to a point designated as the western terminus. The boundary thereafter has remained undemarcated. Pakistan's claims on the entire creek are based on its assertion that the boundary lies mid-channel on the eastern side (Bombay Resolution), whereas India says that the boundary lies in the middle of the creek (Thalweg Principle) (*Dawn* 2011). The determination of the boundary in the creek has impinged upon the Exclusive Economic Zone (EEZ) of either side by 250 square miles and therefore is not merely territorial but also a territorial-cum-resource dispute, and hence the deadlock. The issue has assumed particular importance because of the continental shelf claims that were to be submitted to the UN by 2009 and the beginning of the boundary was to decide the maritime boundary of the two countries (Ministry of External Affairs 2012).

The region became tense in 1999 when Indian jets shot down a Pakistani patrol plane and Pakistan retaliated by firing missiles at the Indian helicopters. Talks were initiated on the issue as part of the peace process to appraise each other of the situation on the ground and to share the respective views on how to resolve the dispute, but these failed to make any meaningful headway, except in agreeing "to continue the discussions." Technical level talks on the issue in December 2006 in Rawalpindi led to plans for holding a joint survey of the Sir Creek and adjoining areas by hydrographers, to be followed by a determination of the maritime zones of both countries (Haque 2004). The joint survey to verify the outermost points of the coastlines using the equidistance method was completed by mid-March 2007. The consequent talks in Rawalpindi in May 2007 nevertheless remained inconclusive. The talks when resumed did not yield any results when Pakistan asserted that the 2007 joint survey shouldn't be taken as an agreement on the dispute (Khan 2007).

The Tulbul Navigation/Wullar Barrage issue arose in 1985 after India started work on a barrage on the Jhelum river at the mouth of the Wullar Lake near Srinagar. According to India, the dam was meant to regulate navigation on certain months when the flow is low, but Pakistan considers it as a violation of the Indus Water Treaty. The halting of work at Wullar in the early stages actually encouraged Pakistan to raise another dispute—the 450 MW Baghliar Dam on the Chenab river. Raising objections on the grounds that it has adversely affected the water flow in Pakistan, the latter took the issue to the World Bank, which is the guarantor of the Indo-Pak Indus Water Treaty of 1960.

Contrary to Pakistan's expectations, the Bank appointed a neutral expert who in his report submitted in February did not order the halting of the project but asked for some modifications. The Indian argument is that the treaty permits it to build run-of-the-river dams on the western rivers (Indus, Chenab and Jhelum) and construct 3.6 million acre feet (MAF) of storage facilities and that it has not yet constructed any storage dam on these rivers; the underutilization of the eastern rivers (Ravi, Beas and Sutlej) leads to availability of 2 MAF of free water for Pakistan (Gupta 2010).

Pakistan now considers the inclusion of water as a subject in the agenda for future India–Pakistan talks (*Dawn* 2010). For Indians, critical power shortage is an important consideration; for Pakistan, the issues are of irrigation during the planting season (Polgreen and Tavernise 2010).

Trade

Bilateral trade is not a necessary indicator of trade relations, as is evidenced by Japan–China, China–Taiwan, US–China, India–China and China–Pakistan relations.

In the case of India–Pakistan relations, this issue is nevertheless brought up, notwithstanding the fact that there is miniscule trade between them. The total trade between the two was expected to be at US$1.97 billion in 2011 (nine times higher than in 2009), of which India's exports to Pakistan were US$1.66 billion and imports were at US$313 million. Trade has come to a halt, though, at times of war and terror attacks. The Mumbai attacks of 2008 had a severe and direct impact on trade—it dipped by more than 25 per cent (a July 2010 estimate put it around US$1.65 billion) from the US$2 billion earlier (*Wall Street Journal* 2010).

This is because Pakistan has complained that India has not granted it a mandatory "most favoured nation" status (i.e. non-discriminatory market access), which has been promised many times, and by not ratifying the South Asian Free Trade Area (SAFTA) proposals before what it thinks are political issues get resolved (Taneja et al. 2013: 6). Pakistani sources place official trade currently around 3 billion dollars (90 percent of it being Indian exports to Pakistan). Additionally, illegal and circuitous trade through third-party countries totals around 1 billion dollars (Murtaza 2014). Until March 2012, Pakistan used to have a positive list-based approach—it had a list of items importable from India—but this policy was changed to a shorter negative list based on non-importable items. In August 2012, India lifted a ban on foreign investment from Pakistan except in the fields of defense, space and atomic energy (Siddiqui 2014).

Much has been said about energy cooperation between the two countries, though the two pipelines—the Iran–Pakistan–India pipeline and the Turkmenistan–Afghanistan–Pakistan–Iran pipeline—have been non-starters in the sense that apart from instability in Afghanistan and Baluchistan, they have been hit by issues of pricing, transit fees, and even the availability of gas in Turkmenistan.

Balancing with alliances

The USA

Pakistan–US relations can be seen as a saga of,

> rotating phases of engagement and estrangement depending on the nature of regional and global dynamics . . . the first during the height of the Cold War, from the mid-1950s to mid-1960s; the second during the Afghan Jihad in the 1980s, lasting about a decade; and the third engagement (ongoing) dates from September 11, 2001.
>
> *(Ahmad 2012: 112)*

US engagement with Pakistan were based on US interests, which were normally single issue based, and not on shared interests. "The growing perception in Pakistan is that the United States is not a reliable ally and *has not helped Pakistan in its problems with India*" (Ahmad 2012: 112; emphasis added).

Pakistan's alliance with the West was seen as giving it "an air of security and protection" in the nascent stage of its existence and apart from forming "opening features" (which included US–Pakistan mutual aid, May 1954; membership of SEATO, September 1954; membership of CENTO, September 1955), also "introduced [the] military as a component with some durability" in the country's political system (Sial 2007: 2).

These agreements did not come without a cost. Nehru had warned that an agreement in the August 1953 communiqué issued by the respective prime ministers on plebiscite and the plebiscite administrator to be appointed by April 1954 would not hold in the event of a military assistance agreement with Pakistan and it thus fell through; in 1955, the former Soviet Union, which so far had held a neutral position on Kashmir, accused Pakistan of becoming a member of "an aggressive Western alliance and declared that Kashmir was an integral part of India." After that, it vetoed a resolution on Kashmir, and the Arabs (Nasser in particular, as he was extremely opposed to the Baghdad Pact) did not support Pakistan on Kashmir, notwithstanding Pakistan's claims to being a Muslim country.

The US declined to take part in the 1965 war, the US secretary of state, Dean Rusk, stating bluntly that, "the United States was being invited in on the crash landing without having been in on the take-off" (Tahir-Kheli 1997: 35). While Pakistan's joining of the Non-Aligned Movement (NAM) after the 1971 war was read as, "Pakistan once again realized that US can support India against China but can't support Pakistan against India; it thus withdrew from SEATO in 1972 and, later, CENTO in 1979" (Sial 2007: 4). Relations deteriorated as Pakistan pursued a nuclear path in 1972—particularly with regard to its reprocessing deal with France, which the US opposed and eventually succeeded in stopping. The Carter administration was particularly opposed to this pursuit and it is believed that the US may have encouraged the overthrow of Bhutto by Zia (Tahir-Kheli 1997: 54–5).

The Soviet intervention in Afghanistan in 1979 came as a boon to Pakistan. It helped both its civilian and nuclear arms build-up. In addition to the latter, it also provided Pakistan with a trained force of Mujahiden from the Afghan war which it was able to redirect to the border with India (first in Punjab and then, having failed there, to Jammu Kashmir) in order to replicate its Afghan jihad there.

For serving as a conduit to the Afghan rebels—the Mujahiden—Pakistan received a US$3.2 billion five-year aid package in 1981 including forty F-16 aircraft, and despite knowledge of its clandestine nuclear program, the American president certified that Pakistan did "not possess a

nuclear device," which exempted Pakistan from the Symington and Glenn Amendments for six years. In March 1986, another such package was agreed upon. However, after American interest (need) declined as the Soviets left Afghanistan, "the United States not only turned a blind eye to Pakistan's strategic concerns regarding India, but also brought it under greater scrutiny and pressure." After the failure of the president to give the requisite certification, the United States invoked the Pressler Amendment on October 1, 1990, and suspended all military assistance and economic aid to Pakistan in view of its clandestine nuclear program. Further sanctions restricting the provision of credit, military sales, economic assistance and loans to the government were imposed on Pakistan after the Chagai nuclear tests in 1998, which Pakistan claimed were in reaction to India's Pokharan tests earlier that year. And yet another set of sanctions was added, including restrictions on foreign military financing and economic assistance, in 1999 as the elected government of Nawaz Sharif was overthrown in a military coup.

In a televised speech to the nation on September 19, 2001, Musharraf identified four core Pakistani interests behind the decision to cooperate with the United States in its Global War on Terror: the security of the country, the need to meet economic challenges, the emerging need to secure Pakistan's strategic assets, and finally the pursuit of the Kashmir cause (BBC News 2001). He made it clear to the US that in return for Pakistan's collaboration with the global coalition, its key interests would need to be safeguarded. These included the acceptance of the condition that there would be no deployment of Pakistani troops outside its territory, besides having a pro-Pakistan government in Kabul, minimizing indiscriminate killings, and no disarming of Pakistan's nuclear or missile defenses (Wirsing 2003: 72). Musharraf also told Colin Powell on September 16, 2001, that there could be no normalization of relations with India without the resolution of the Kashmir dispute, which had to be in "in accordance with the wishes of the people."

Pakistan agreed to provide the US "with blanket overflight and landing rights to conduct all necessary military and intelligence operations, including the use of Pakistan's naval posts, air bases, and strategic locations on borders" and to "end diplomatic relations with the Taliban government; and assist the United States to destroy the Al Qaeda network" (Musharraf 2006: 205). In return for its U-turn on the Afghan policy, Pakistan saw its diplomatic isolation ending; there was a funneling of economic and military aid as well as writing off of debts. There was also an assurance for providing help to avert the crisis between Islamabad and New Delhi, particularly after an assault on the Indian Parliament on December 13, 2001 (Ahmed 2012: 213). Relations, nevertheless, did not remain smooth, as the US insisted that Pakistan "do more" to end the terror networks operating from FATA, including the Haqqani Network. The frequent use of drone strikes by the US in Pakistan's tribal areas; an upswing in the Indo-US relations particularly after the Indo-US nuclear deal; the killing of two Pakistanis in January 2011 in Lahore by an American contractor called Raymond Davies (released after paying $2.3 million as blood money); the killing of Osama bin Laden on May 2, 2011, by a covert military operation of the US Navy Seals inside Pakistan; the killing of 24 Pakistani soldiers in a NATO assault and the subsequent closure of the supply routes in November 2011 (though restored later) remained as some of the irritants—the status of major non-NATO ally given to Pakistan notwithstanding.

Unlike the other phases of Pakistan–US alignment, post-2001 the United States has maintained good relations with India, leading many to wonder if the US has actually been able to "dehyphenate" the two neighbors. The United States has designated two groups based in Pakistan as "terrorist organizations"; Richard Armitage, the then deputy secretary of state, who visited Pakistan in 2002, said that he had extracted a pledge from Musharraf to permanently end Islamabad's support of terrorism in Kashmir. A major irritant in Pakistan–US relations has also

been the latter's refusal of a nuclear deal with Pakistan (whose proliferation record is an open secret à la A. Q. Khan affair), similar to the one it has with India (*Dawn* 2008).

US–Pakistan relations took an upward swing in 2014 as the Pakistani military launched an operation against the militants in North Waziristan. In November that year, Army Chief General Raheel Sharif visited the US to inform the Obama administration about the developments in this context. Nawaz Sharif, "after years of having toned down his anti-India rhetoric, elevated the relations with India to the top of his list of talking points" during his October 2015 visit (Yusuf 2015b). The US reiterated that Kashmir was a bilateral issue and would "facilitate talks" only when asked to do so. While Pakistan asked the US to look at the conventional weapon imbalance between India and itself, Washington asked Islamabad to limit its nuclear program and (the State Department) "also disagreed with the prime minister's warning that India–Pakistan tension was the single greatest threat to the region's security" (Iqbal 2015). However, as Yusuf says,

> The fact that the prime minister managed to get a mention of Kashmir and recognition of India and Pakistan's "mutual concerns" on terrorism into the joint statement must have encouraged Pakistan further. This inclusion risks creating false hope in Pakistan that Washington is willing to accord more importance to the Indo-U.S. partnership.
>
> *(Yusuf 2015b)*

The sudden change in India's policy within a span of three months, without a change in the ground realities, has once again given rise to the speculation about possible US pressure.

China

The alliance with China has been more long standing, rooted as it is against the common shared target: India. The roots of the Sino-Pak strategic partnership go back to the 1960s—after the India–China war to be specific:

> Of all these nations, Pakistan's strategic significance is, nevertheless, priceless for China. Although a smaller nation, Pakistan rivals India in unconventional weapons. It has long denied India access to western and Central Asian nations, while at the same time literally paving the highway—Karakoram—for Beijing's direct access to Eurasia. Above all, it has tied down 500,000 to 700,000 Indian troops in the Kashmir Valley for the past 15 years. By keeping hundreds of thousands of Indian troops engaged in Kashmir, Pakistan indirectly helps ease India's challenge to China's defenses on their disputed border. More importantly, Pakistan emboldens the region's smaller economies to stand up to India and seek Chinese patronage, which hurts India's stature in the region.
>
> *(Niazi 2005)*

The relationship with China has seen an upward swing since it started modestly in 1955 at Bandung, where Prime Ministers Mohammed Ali Bogra and Zhou Enlai met each other. Following the signing of the China–Pakistan Free Trade Agreement (CPFTA) (enforced in 2007), trade volume increased from around $6 billion in 2006 to $16 billion in 2014 with a target of $20 billion (*The News* 2015). The Chinese investment in Pakistan (telecommunications, energy, infrastructure, heavy engineering, IT, mining and defense industries) has reached $1.5 billion and roughly 10,000 Chinese workers and sixty big Chinese companies

are engaged in 122 projects in Pakistan in the fields of oil, gas, power generation, engineering, and information technology (*The News* 2015).

Politically, Pakistan supports the One-China policy, opposes Taiwan's independence, endorses China's policies in its far western Xinjiang region, ensures that the Organization of Islamic Cooperation (OIC) does not pass any anti-China resolutions for steps like curbing the observance of Ramadan by its Uyghur Muslims, for which China has reciprocated by repeatedly using its permanent membership of the UN to protect Pakistan "for sheltering anti-Indian terrorist groups," including the latest veto to block India's move in the United Nations calling for action against Pakistan over the release of Zakiur Rehman Lakhvi, the mastermind of the 2008 Mumbai attacks (Mujahid 2015). Most of Pakistan's major weapon systems are of Chinese origin including the JF-17 Thunder fighter aircraft, K-8 Karakorum advance training aircraft, space technology, AWACS, Al-Khalid tank, the Babur cruise missile and the complete range of M-11 ballistic missiles components for the M-11 surface-to-surface missiles (*Arms Control Reporter* 1998: 706).

In the nuclear field, the cooperation includes designs for a 25 kiloton nuclear weapon test similar to the fourth nuclear test conducted in 1966; enriched uranium and tritium used to "boost the yield" of nuclear weapons; the 1986 Comprehensive Nuclear Cooperation Agreement; and the provision of 5,000 ring magnets (used in suspension bearings of centrifuge rotating cylinders) worth $70,000 to Pakistan in 1994–95 (Miller 1982). In 2003, China agreed to extend financial and technical help to Pakistan for the second phase of the Chashma nuclear facility, building another 300 megawatt nuclear power plant (*Dawn* 2003). In 2010, China promised to build two more nuclear reactors—Chashma 3 and Chashma 4 (Bukhari and Rehman 2011).

China also occupies the territory being claimed by India in Jammu and Kashmir. Its position on the Pakistani claims varies from treating it as a bilateral dispute left over from history to that of adopting a pro-Pakistan posture. It was from the beginning of 1964 that China started supporting the "Kashmiri people's war of self determination"—a support translated in the subsequent years into "material support to launch an insurgency" inside Jammu and Kashmir (Garver 2004: 15). In 1990, China conveyed to Pakistan that the dispute was one "left over from history"—a polite way of saying that it did not wish to take sides (Farooqui 2001). That position seems to have taken another turn as the Chinese carry out their dual—maritime and overland—Silk Road plans. The most serious strategic challenge comes from the China–Pakistan Economic Corridor (CPEC) passing through India's periphery—more specifically, Gilgit-Baltistan—claimed by India as part of the erstwhile princely state of Jammu and Kashmir. The issue is of particular concern to India, not only because of its strategic implications but also because of China's tacit acceptance of Gilgit-Baltistan as part of Pakistan, referred to in a *Xinhua* published statement on the closure of the strategic Khunjerab Pass in December 2014 (*Xinhua* 2014).

Apart from exerting pressures on both sides of the border, China is a beneficiary in Kashmir from a 1963 agreement with Pakistan, whereby the latter ceded Indian territory to the former. It is also involved in several projects including the upgrading of the Karakoram Highway and building the 165-kilometer Jaglot–Skardu and 135-kilometer Thakot–Sazin roads; building several hydropower projects (Dasu Hydropower Project, Phandar Project, Bashu Hydropower Project, Harpo Hydropower Project, Yulbo Hydropower Project) in Gilgit-Baltistan, and the Neelum–Jhelum Hydroelectric Power Project; raising the Mangla Dam reservoir by 60 feet; commissioning the Kohala Power Project for generating 1,050 MW of electricity; and building the Diamir–Bhasha Dam on the Indus.

Apart from increasing the presence of both the countries in the Gulf of Oman and the Arabian Sea, China intends to have a decisive and complete control over the Straits of Hormuz through the Gwadar Port, thus adversely impacting India's growing economic and military

power. Notwithstanding China's claims of the project being commercial in nature, the potential for intelligence gathering and forward deployment of its naval assets in the Gwadar and Karachi ports cannot but be a cause of strategic concern to New Delhi. Besides, the corridor will run through Gilgit-Baltistan. During a visit to China, Prime Minister Narendra Modi told the Chinese that the corridor was "unacceptable" to India. India also flagged its concerns regarding Chinese activities in Pakistan-occupied Kashmir (PoK) during Chinese Premier Li Keqiang's visit to New Delhi in May 2013. Answering a query on the projects between China and Pakistan in the Lok Sabha in December 2014, Ms Swaraj said:

> The Government has seen reports with regard to China and Pakistan being involved in infrastructure building activities in Pakistan Occupied Kashmir (POK), including construction of China-Pakistan Economic Corridor. Government has conveyed its concerns to China about their activities in Pakistan Occupied Kashmir, and asked them to cease such activities.
>
> *(Mail Online India 2014)*

Afghanistan

Pakistan has two troubled borders; it has serious problems on both fronts, largely rooted in its policy of proxy war. In Afghanistan, it has Afghan-centric issues also: Pashtunistan and the dispute over the Durand Line. Because of the Pashtun areas being spread across both sides of the Pakistan–Afghan border, there is a fear of the two forming a separate state (Pashtunistan). The Durand Line, demarcating the border between the two, remains disputed by Afghanistan.

Apart from keeping an eye on Pashtunistan, Pakistan's Afghan policy objectives are clearly India-centric:

> The second goal of policy toward Afghanistan has been to minimize India's influence and presence in Afghanistan. India is viewed as engaging in activities in Afghanistan intended to destabilise Pakistan domestically and threaten it militarily. A long-sought and perhaps outmoded third goal for nuclear-armed Pakistan has been to see Afghanistan as an asset in providing strategic depth in the event of a wide conflict with India . . . Through alignments with these countries [the US] Pakistan has hoped to strengthen its security and acquire leverage in its disputes, especially with India.
>
> *(Weinbaum and Harder 2008: 33)*

Many in Pakistan, however, deny the strategic depth theory. This is apart from the commercial interest that Pakistan has in Afghanistan, which includes jobs for 60,000 people, investments in projects and trade (annual exports are at US$1.2 billion, as opposed to the 25 million dollars in exports during the Taliban era and imports are more than US$700 million) (Rubin and Siddique 2006: 17–18).

Central Asia

Pakistan is supposedly "overlooked as a potential partner within Central Asia" as "between relations with Russia, China, Iran, India, and the West, there's only so much scope to allocate additional resources to building relations with relatively distant Islamabad," (Casey 2015) and this despite its involvement in two major US-backed infrastructure projects: the CASA-1000 electricity grid which is to export 1,300 MW of electricity from Tajikistan and Kyrgyzstan

to Pakistan (1,000 MW) and Afghanistan (300 MW), and the Turkmenistan–Afghanistan–Pakistan–India (TAPI) gas pipeline, as well as the potential emergence of the Gwadar Port as a trade and energy corridor, linking the region to the Arabian Sea (Casey 2015). A poor relationship between Pakistan and the Central Asian region has been attributed to "political instability, poor law and order situation, an unstable economy and lack of transport infrastructure" (Brohi 2015); Pakistan's own "political conditions, unrest in Afghanistan and fragile economy have prevented it from engaging with Central Asia" (Brohi 2015; Ruff 2015). Additional reasons as to why Pakistan's ventures to seek proximity with Central Asia on religious, cultural and historical grounds have not paid off have been enumerated as:

> the continuation of the civil war in Afghanistan, which is a barrier to increased trade; the reluctance of the central Asian republics to abandon their secularist heritage and inject Islamic elements into their foreign relations; the domestic politico-religious conflicts which continue to beset several of the republics; the strength of the links to, and the influence of, Russia; the competition for influence in central Asia among Turkey, Iran, and Pakistan; and finally the interest which certain central Asian republics have manifested in developing their relations with India.
>
> *(Delvoie 1996: 144)*

More immediate causes for Nawaz Sharif's 2015 tour of the region include a downturn in relations with the EU after a repeal of the death penalty in December 2014, with Saudi Arabia after a neutral position on Yemen in April 2015, and a slowing down of Turkey-funded projects and an upswing in connectivity projects with China in June 2015 (Zamarayeva 2015).

Traditionally, Pakistan had little contact with the states when they were part of the erstwhile Soviet Union, but after its disintegration the region presented Pakistan with a new situation "freed from the nutcracker squeeze the Soviet Union had created through an alliance between Afghanistan and India" (Malik 1994: 134). The fact is that post-Afghan War, the Central Asian states of Uzbekistan, Tajikistan, and Turkmenistan have suffered from terrorist violence as a consequence of Pakistan's Afghan policy, with Islam Karimov, the president of Uzbekistan, openly accusing Pakistan of training Uzbek rebel militants (Hunter 2001: 81). It is an open secret that foreign militants including Chechens, Tajiks, Uzbeks, etc., were trained in Pakistan and backed by the US as their proxies throughout the 1980s. Many had settled in the tribal areas and married local Pashtun women.

There is no doubt that Pakistan enjoys a clear geographical advantage over India as far as accessibility is concerned, but India has its own advantage of being a friend of the erstwhile Soviet Union and thus the desirability of the states themselves to foster ties, which is also accentuated because of their being victims of Pakistan's state-sponsored terror. It is therefore not without reason that India has access to an airbase at Ayni and a medical facility in Fakhor in Tajikistan, near the border with Afghanistan (Blank 2008). In any case, post 2001, there has been a flurry of activities between Central Asia and India, both in terms of high-level visits and trade (Akbarzaheh 2003: 219–28). Pakistan, in turn, has relied on the "China connection" to seek connectivity to Central Asia (Zamarayeva 2015).

Islamabad's economic interests in Central Asia took the institutional form of the Economic Cooperation Organisation (ECO), which is seen as an expanded form of the erstwhile Regional Cooperation for Development (RCD) of the Cold War days—namely Iran, Pakistan, and Turkey. Although formed in 1985, ECO was expanded in 1992 to include Afghanistan, Turkmenistan, Kyrgyzstan, Uzbekistan, Tajikistan, Kazakhstan, and Azerbaijan, apart from joint ventures with some countries worth ten million dollars each (Gul 1993: 188–9). Its recently acquired full membership is being seen as an asset in getting energy, commerce, and transit trade (Bhutta 2015).

An interesting observation regarding Pakistan's changed policy in the region is that it

> seeks to encourage its neighbors to deny India a base from which it can pressure or even destabilize Pakistan. This differs from the past when Pakistan sought to be the regional hegemon, denying India access to the region. Now India is firmly implanted in Iran, Afghanistan, and Central Asia, Pakistan can only hope that its neighbors will not permit themselves to be used to harm Pakistan's interests.
>
> *(Fair 2008: 202)*

West Asia

Islam as political factor in Pakistan's foreign policy is a post-1970 development (Haqqani 2004). According to him, "Pakistan's emphasis on its Islamic identity increased significantly as the civilian semi authoritarian government of Zulfikar Ali Bhutto (1971–7) channelled Pakistan's Islamic aspirations toward foreign policy. Pakistan played a key role in developing the Organization of Islamic Conference and opened up to special relations with Islamic groups and countries".

Pakistan voted against the UN partition of Palestine plan in 1947 and against Israel's admission into the UN. According to Kumaraswamy, "In its quest for Arab support, Pakistan played an important role in Israel's exclusion from the Bandung Conference of 1955 and Israel's subsequent isolation from the Third World bloc." However, even if this did not impress the Arabs, Pakistan soon joined the Western alliance system and became part of the American Middle East Defense system. Pakistan's lukewarm responses to the 1956 Suez Canal Crisis and the Arab–Israeli War of 1967 kept Islamabad away from the Middle East.

Pakistan's disillusionment with the West and China in terms of how far the alliance would go, drove it to a Middle-Eastern as well as Islamic identity (Haqqani 2005: 90). The resultant "Pan-Islamic upsurge" was because of "a combination of paranoia vis-à-vis disintegration of the heretofore West Pakistan, and the rise in the clout of Arab states, who were toying with the Western economies' futures through their oil wealth" (Shahid 2015). The ground was thence supremely fertile for Zia's Islamization endeavors. The 1974 Islamic conference, held soon after the rise of the Organisation of Islamic Cooperation (OIC) in 1969, and the Islamic response to its bomb, developed exclusively to deal with its problem with India, certainly paid dividends in terms of finances. Between 1975 and 1981, Arab assistance to Pakistan totaled over $1 billion, of which more than half was provided by Saudi Arabia and Kuwait (Hussain 2006: 72). Pakistani skills and talents were needed in the Arab world, particularly in the Gulf. As manpower was being absorbed into the oil-rich economies, remittances grew (Ziring 1975: 298). Defense agreements were concluded with Kuwait, Oman, the UAE, and Saudi Arabia, with Pakistani troops being deployed in some of them (Burke and Ziring 1990: 422).

Zia continued Bhutto's policy of drawing on "Pakistan's Islamic, trade, and military ties to the Middle East"; the military ties included "stationing Pakistani troops in Saudi Arabia and training missions in several other countries" (Defence Journal 1998). Economically, overseas remittances of the Pakistani migrant workers in the Middle East, especially in the Persian Gulf area, increased during the period and "became an important factor in Pakistan's foreign-exchange holdings" (*Defence Journal* 1998).

Pakistan played a prominent role in the OIC, with a Pakistani being secretary general, and Zia himself serving on committees on the status of Jerusalem and the settlement of the Iran–Iraq War (1980–88)—neither of which were successful; at the 1984 summit at Casablanca, Zia played a key role in the readmission of Egypt to the OIC and, in doing so, "reminded his fellow

heads of government that the organization was one for the entire Muslim community and not only for Arab states" (Ibid.). Zia made Pakistan "an important ideological and organizational center of the global Islamist movement, including its leading role in the anti-Soviet campaign in Afghanistan in the 1980s" (Haqqani 2005: 90).

The Soviet withdrawal from Afghanistan was soon followed by the Iraqi invasion of Kuwait, which brought a paradoxical situation for Pakistan: it sought a withdrawal of Iraqi troops but sent 11,000 of its own troops to Saudi Arabia in 1990–91, which saw massive protests at home. Nawaz Sharif, then prime minister, took "peace missions" abroad and the government claimed the "prevention of Pakistan from being marginalized" as the reason, although it is argued that Iraq was also seen by Islamabad as New Delhi's most trusted ally in the Arab world and the only country which opposed the Pakistani resolution on Kashmir at the OIC meetings (Hussain 2006: 73).

Pakistan's successes in the balance sheet, however, are remittances from the Gulf, its growing relations with the Gulf Cooperation Council (GCC) states, where it has joint business councils and defense ties, and an envisaged FTA (Ahmed and Bhatnagar 2010: 259–91). Politically, its role remains limited to keeping India out of the OIC, notwithstanding the Saudi King's 2006 remark that its membership should be proposed by Pakistan. Apart from a periodic statement in its favor on Kashmir and keeping India out, even as an observer, Pakistan has not succeeded much. India's growing economy and its growing relations with the GCC pose a challenge to Pakistan's presence there.

To conclude, one would thus agree with the proposition that

> Pakistan's historical venture to mould itself as 'anti-India' has gradually evolved into masochism, especially on the diplomacy front. It is because of Pakistan's masochistic foreign policy, that bilateral trade with India is conducted via UAE, ensuring that Islamabad does not reap the benefits of a marketplace of over one billion consumers. It is the same self-defeatist paranoia that forces Islamabad to cling onto eastward looking jihadist proxies like Lashkar-e-Taiba (LeT), also known as Jamat-ud-Dawa (JuD), aggravating the internal security situation. Not to mention that it's precisely this obsession with negating India that has damaged Pak-Afghan ties over the decades, leading to Ghani's epoch-defining outburst.
>
> *(Shahid 2015)*

Thus in its external balancing, other than China, Pakistan has not been able to find a partner which shares its objective of containing India/Indian influence. Even in the case of China, the dividends have been limited in terms of crisis situations. It has had some success in terms of accruing benefits to itself via contacts in West Asia but it has not been able to build an anti-India sentiment, barring perhaps blocking India's entry/observer status in the OIC. However, Pakistan needs to be credited with maintaining an equally good relationship—which includes reaping economic benefits—from both Iran and Saudi Arabia, and has maintained good relations despite regime changes with Iran, and despite a rift between the two.

Bibliography

Ahmad, S. (2012). Pakistan's quest for security and survival: US-Pakistan relations. In U. Butt and J. Schofield (eds) *Pakistan: The US, Geopolitics and Grand Strategies*. London: Pluto Press.

Ahmed, K. (2004a). Musharraf's "seven-regions" options in Kashmir. *The Friday Times*, 30 November. Available at: <http://www.thefridaytimes.com/page8.shtml>.

Ahmed, K. (2004b). South Asia's unresolved disputes. *South Asian Free Media Association Conference*, 9 October. New Delhi.

Ahmed, N. (2012). Redefining US–Pakistan relations. *Dialogue*, vol. 7, no. 3, p. 213.

Ahmed, S. (1999). Pakistan's nuclear weapons program: turning points and nuclear choices. *International Security*, vol. 23, no. 4, pp. 178–204.

Ahmed, Z. S. and Bhatnagar, S. (2010). Gulf States and the conflict between India and Pakistan. *Journal of Asia Pacific Studies*, vol. 1, no. 2, pp. 259–91.

Akbarzaheh, S. (2003). India and Pakistan's geostrategic rivalry in Central Asia. *Contemporary South Asia*, vol. 12, no. 3, pp. 219–28.

Arms Control Reporter, CD Rom version, 1998, Section 706.

Aziz, S. (2005). Dynamics of Pakistan's foreign policy in the new world order. Egmont Institute. 26 January. Available at: <http://www.egmontinstitute.be/speechnotes/05/050126-aziz.htm/>.

Basrur, R. M. (2008). *South Asia's cold war: nuclear weapons and conflict in comparative perspective*. London: Routledge.

BBC News. (2001). Musharraf rallies Pakistan. BBC News, 19 September. Available at: http://news.bbc.co.uk/2/hi/not_in_website/syndication/monitoring/media_reports/1553542.stm

Bedi, R. (18 December, 2001). India facing tough choices. *BBC News*. Available at: http://news.bbc.co.uk/2/hi/south_asia/1716857.stm.

Bhutta, Z. (2015). SCO membership: a potential trump card for Pakistan. *Express Tribune*, 28 September. Available at: <http://tribune.com.pk/story/963374/sco-membership-a-potential-trump-card-for-pakistan/>.

Blank, S. (2008). Russian–Indian row over Tajik base suggests Moscow caught in diplomatic vicious cycle. *EurasiaNet Insight*, 11 January. Available at: <http://www.eurasianet.org/departments/insight/articles/eav011108f.shtml>.

Brohi, N. (2015). Prospects of development of Pakistan's relations with Central Asia. *Foreign Policy News*. Available at: <http://foreignpolicynews.org/2015/08/28/prospects-of-development-pakistans-relations-with-central-asia/>.

Bukhari, S. S. H. and Rehman, A. (2011). Pakistan–China nuclear deals and international fictions. *Berkeley Journal of Social Sciences*. Available at: <http://berkeleyjournalofsocialsciences.com/March5.pdf>.

Burke S. M. and Ziring, L. (1990). *Pakistan's foreign policy: an historical analysis*. Karachi: Oxford University Press.

Casey, M. (2015). Sharif attempts to boost Pakistan–Central Asia ties. *Diplomat*, 29 May. Available at: <http://thediplomat.com/2015/05/sharif-attempts-to-boost-pakistan-central-asia-ties/>.

Chellaney, B. (2001). Fighting terrorism in southern Asia: the lessons of history. *International Security*, vol. 26, no. 3, p. 97.

Dawn. (2003). Beijing to help set up another N-power plant: Musharraf gets warm welcome in Boao, *Dawn*, 2 November. Available at: <http://www.dawn.com/2003/11/02/top4.htm>.

Dawn. (2008). Bush signs India N-Deal law. *Dawn*, 9 October. Available at: <http://www.dawn.com/news/324549/bush-signs-india-n-deal-law>.

Dawn. (2010). Gap widening, says Salman Bashir; first step to rebuild trust; Ms Rao: vague promise to stay in touch. *Dawn*, 26 February. Available at: <http://www.dawn.com/news/854179/gap-widening-says-salman-bashir-first-step-to-rebuild-trust-ms-rao-vague-promise-to-stay-in-touch>.

Dawn. (2011). Pakistan, India hold talks on Sir Creek. *Dawn*, 19 May. Available at: <https://www.dawn.com/news/630380>.

Defence Journal. (1998). Pakistan and the world during Zia regime. *Defence Journal*. Available at: <http://www.defencejournal.com/april98/ziaregime.htm>.

Delvoie, L. A. (1996). The Islamization of Pakistan's foreign policy. *International Journal*, vol. 51, no. 1, p. 144.

Doerner, W. R. and Munro, R. H. (1987). Pakistan knocking at the nuclear door. *Time*, 30 March. Available at: <http://www.time.com/time/magazine/article/0,9171,963894,00.html>.

Fair, C. (2008). Pakistan's relations with Central Asia: is past prologue? *Journal of Strategic Studies*, vol. 31, no. 2, p. 202.

Farooqui, A. (2001). The Sino-Pakistani relationship: from harmony to disquiet. *Policy Forum Online*. Available at: <http://www.nautilus.org/fora/security/0101A_Faruqui.html>.

Garver, J. (2004). China's Kashmir policies. *India Review*, vol. 3, no. 1, p. 15.

Gilani, I. (2007). India considering Siachen proposal. *Daily Times*, 18 January. Available at: <http://www.dailytimes.com.pk/default.asp?page 2007%5CO1%5C18%5Cstory_18-1-2007_pg7_1>.

Gul, H. (1993). ECO, strategic significance in the context of Islamic resurgence and geopolitical environment. In Tarik Jan et al. (eds), *Foreign policy debate: the years ahead*. Islamabad: Institute of Policy Studies.

Gupta, A. (2010). Vicious anti-India propaganda in Pakistan on water issue. IDSA, 29 March. Available at: <http://www.idsa.in/idsacomments/ViciousantiIndiapropagandainPakistanonWaterissues_agupta_290310>.

Haqqani, H. (2004). The role of Islam in Pakistan's future, *The Washington Quarterly*, vol. 28, no. 1, pp. 85–96.

Haqqani, H. (2005). The role of Islam in Pakistan's future. *The Washington Quarterly*, vol. 28, no. 5, p. 90.

Haqqani, H. (2015). A new foreign policy paradigm. *Dawn*, 2 February. Available at: <http://www.dawn.com/news/1160992>.

Haque, F. (2004). Sir Creek talks flop. *Nation*, 8 August. Available at: <http://www.dawn.com/2007/05/19/top13.htm>.

The Hindu. (2015). Comprehensive talks soon. Sushma. *Hindu*, 15 December. Available at: <http://www.thehindu.com/news/national/sushma-swaraj-on-indiapakistan-talks/article7988562.ece>.

Hunter, S. T. (2001). Religion, politics, and security in Central Asia. *SAIS Review*, vol. 21, no. 2, p. 81.

Hussain, M. (1989). Pakistan responding to change. *Jane's Defence Weekly*, 14 October, p. 779.

Hussain, S. R. (2006). Changing dynamics of relations between South Asia and Gulf region. *Regional Studies*, vol. 24, p. 72.

Iqbal, A. (2015). Political impasse: US, Pakistan agree to disagree. *Dawn*, 7 October. Available at: <http://www.dawn.com/news/1215748>.

Khan, A. (1967). *Friends not masters: a political autobiography*. New York: Oxford University Press.

Khan, I. A. (2007) Sir Creek differences remain. *Dawn*, 19 May. Available at: <https://www.dawn.com/news/247743/sir-creek-differences-remain>.

Khan, S. (2015). What should determine Pakistan's foreign policy? *Herald*, 5 June. Available at: <http://herald.dawn.com/news/1153158>.

Kumaraswamy, P. R. (2000). *Beyond the veil: Israel–Pakistan relations*, Memorandum no. 55, March 2000, Jaffee Center for Strategic Studies Tel Aviv University, p. 26

Lambah, S. K. (2004). Sir Creek and Siachen issues. New Delhi: South Asian Free Media Association.

Mail Online India. (2014). Pakistan vows to push ahead with China-backed development despite India's protest. *Mail Online India*. Available at: <http://www.dailymail.co.uk/indiahome/indianews/article-2870667/Pakistan-vows-push-ahead-China-backed-development-despite-India-s-protest.html>.

Malik, H. (ed.) (1994). *Central Asia: its strategic importance and future prospects*. Houndmills, Basingstoke, UK: Macmillan Press.

Miller, J. (1982). U.S. is holding up Peking atom talks. *New York Times*, 19 September, p. 11.

Ministry of External Affairs. (2012) *Joint statement on India-Pakistan talks on Sir Creek issue*. Government of India, 19 June. Available at: <http://mea.gov.in/bilateral-documents.htm?dtl/19918/Joint+Statement+on+IndiaPakistan+Talks+on+Sir+Creek+Issue>.

Mujahid, A. (2015). Lakhvi release: China blocks India move seeking action against Pakistan. *Dawn*, 23 June. Available at: <http://www.dawn.com/news/1189966UNITED NATIONS>.

Murtaza, N. (2014) Trading with India: implications for Pakistani businesses, *Dawn*, 21 April. Available at: <https://www.dawn.com/news/1101252>.

Musharraf, P. (2006). *In the line of fire*. New York: Free Press.

Naqvi, J. (2005). New measures to boost Pakistan, India trade. *Dawn*, 11 August. Available at: <http://www.dawn.com/2005/08/11/top1.htm>.

Naqvi, J. (2006). Musharraf's four-stage Kashmir peace plan: we can make borders irrelevant: India", *Dawn*, 56 December. Available at: <https://www.dawn.com/news/222111>.

The News. (2010). Pakistan, China resolve to face challenges together. *News*, 20 December. Available at: <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=2772&Cat=13>.

The News. (2015). Pak-China trade volume to be taken to $20 bn. *News*, 21 April. Available at: <http://www.thenews.com.pk/Todays-News-13-37104-Pak-China-trade-volume-to-be-taken-to-$20-bn>.

Niazi, T. (2005). China's march on South Asia. *China Brief*, vol. 5, issue 9. Available at: <http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=3849>.

Noorani, A. G. (1994). Confidence-building measures on the Siachen Glacier, Sir Creek, and Wular Barrage: easing the Indo-Pakistani dialogue on Kashmir. *Occassional Paper 16*. Washington, DC: Henry L Stimson Center.

Norris, R. and Kristensen, H. (2009). Nuclear notebook: Pakistani nuclear forces, 2009. *Bulletin of the Atomic Scientists*, vol. 63, no. 3, p. 82.

Pennington, M. (2006). Pakistan willing to drop Kashmir claim. *Washington Post*, 5 December. Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/05/AR2006120500149.html>.

Pike, J. (2000). AQ Khan engineering research laboratories. *Federation of American Scientists*, May 16. Available at: <http://www.fas.org/nuke/guide/pakistan/facility/kahuta...htm>.

Polgreen, L. and Tavernise, S. (2010) Water dispute increases India-Pakistan tension, *New York Times*, 20 July. Available at: <http://www.nytimes.com/2010/07/21/world/asia/21kashmir.html>.

Raghavan, Lt Gen. V. R. (2000). *Siachen: conflict without end*. New Delhi: Viking.

Rubin, B. and Siddique, A. (2006). Resolving the Pakistan–Afghanistan Stalemate. *Special Report 176*, *US Institute of Peace Briefing*. Available at: <http://www.usip.org/sites/default/files/SRoct06.pdf>.

Ruff, A. (2015). Pakistan seeks stronger ties with Central Asia. *Asian Tribune*, 5 May. <http://www.asiantribune.com/node/87035>.

Sattar, A. (2007). *Pakistan's foreign policy 1947: a concise history*. Karachi: Oxford University Press.

Shah, S. A. (2015). In cold storage. *Dawn*, 11 March. Available at: <http://www.dawn.com/news/1168712>.

Shahid, K. K. (2015). Abandoning Pan-Islamic diplomacy. *Nation*, October. Available at: <http://nation.com.pk/columns/01-Oct-2015/abandoning-pan-islamic-diplomacy>.

Sial, S. (2007). Pak-US: a balance sheet of relations. *Pakistan Institute of Peace and Security*, 26 June, p. 2.

Siddiqi, K. (2015). Blow hot, blow cold. *The Express Tribune*, 13 December. Available at: <http://tribune.com.pk/story/1009344/blow-hot-blow-cold/>.

Siddiqui, A. M. (2014) Negative list impacts, *Dawn*, 22 September. Available at: <https://www.dawn.com/news/1133416>.

Tahir-Kheli, S. (1997). *India, Pakistan, and the United States: breaking with the past*. New York: Council on Foreign Relations, p. 35.

Taneja, N., Mehra, M., Mukherjee, P., Bimal, S. and Dayal, I. (2013) Normalising India Pakistan trade, Working Paper 267, Indian Council For Research on International Economic Relations. Available at: <http://icrier.org/pdf/working_paper_267.pdf>.

Umar, G. (2004) Resolving the Siachen issue. *Dawn*. 19 August 2004. Available at: https://www.dawn.com/news/1066347/dawn-opinion-19-august-2004

Verma, K. J. M. (2004). Mark an area, disarm it, decide on freedom or joint control. *Indian Express*, 26 October. Available at: <http://www.indianexpress.com/archive/StoryO-57711—Mark-an-area-disarm-it-decide-on-freedom-or-joint-control-html>.

Wall Street Journal. (2010). India–Pakistan trade: what could be achieved' 2010, *Wall Street Journal*, 19 July. Available at: <http://blogs.wsj.com/indiarealtime/2010/07/19/india-pakistan-trade-what-could-be-achieve>.

Walt, S. M. (1987). *The origin of alliances*. Ithaca, NY: Cornell University Press.

Weinbaum M. G. and Harder J. B. (2008). Pakistan's Afghan policies and their consequences. *Contemporary South Asia*, vol. 16, no. 1, p. 33.

Wirsing, R. (2003). The enemy of my enemy: Pakistan's China debate. Asia Pacific Centre for Security Studies, December. Available at: http://www.apcss.org/Publications/SAS/ChinaDebate/ChinaDebate_Wirsing.pdf, p. 10.

Wirsing, R. (2003). Precarious partnership: Pakistan's response to U.S. security policies. *Asian Affair*s, vol. 30, no. 2, p. 73.

Womack, B. (2010). *China among unequals: asymmetric foreign relationships in Asia*. Singapore: World Scientific Publishing Company.

Xinhua. (2014). Khunjerab pass closes for winter season. *Xinhua*, 2 December. Available at: <http://news.xinhuanet.com/english/china/2014–12/02/c_133828478.htm>.

Yusuf, M. (2015a). The larger picture. *Dawn*, 13 October. Available at: <http://www.dawn.com/news/1212657/the-larger-picture>.

Yusuf, M. (2015b). The general's shot at improving U.S.–Pakistan relations. *The South Asia Channel*. Available at: <http://foreignpolicy.com/2015/11/17/the-generals-shot-at-improving-u-s-pakistan-relations/>.

Zaidi, A. S. (2016) The problem of making peace. *The Hindu*. Available at: <http://www.thehindu.com/opinion/lead/indiapakistan-ties-the-problem-of-making-peace/article8505425.ece>.

Zamarayeva, N. (2015). Pakistan and Central Asia: new phase, same goals. *New Eastern Outlook*. Available at: <http://journal-neo.org/2015/07/17/pakistan-and-central-asia-new-phase-same-goals/>.

Ziauddin, M. (2015). Time to take a closer look at Central Asia. *The Express Tribune*, 8 April. Available at: <http://tribune.com.pk/story/866037/time-to-take-a-closer-look-at-central-asia/>.

Ziring, L. (1975). Recent trends in Pakistan's foreign policy. *Asian Affairs*, vol. 2, no. 5, p. 298.

27

THE AFGHANISTAN–PAKISTAN CONUNDRUM

History and a likely future scenario, with a focus on the Pashtun areas

Farhat Taj and Syed Rashid Ali

Introduction

Pakistan came into being in the name of Islam in 1947. Pan-Islamist aspirations are implied in the raison d'être of Pakistan. Soon after its creation, Pakistani leaders began to define Pakistan and its potential as capable of uniting all Muslim countries in one 'pan-Islamic bloc' with a system of collective security (Haqqani 2005: 17–19). Pakistan thus saw itself morally obliged in establishing greater cooperation among the Muslims states around the world. Other Muslim countries were not as enthusiastic in their reaction (ibid.), and one such Muslim state – Afghanistan – posed a special challenge.

Afghanistan, a founding member state of the United Nations, refused to recognize Pakistan's creation, vetoing its admission to the UN in September 1947 on the grounds that the right of self-determination needed to be granted to the people of North West Frontier Province (NWFP)[1] (the Pashtun majority province of British India) before it would accord any such recognition. The reason centered mainly on the fact that the NWFP – as well as other parts of Pakistan – consisted of the Pashtun territories, a part of the original Afghan Durrani Empire that had been conquered by the Sikhs in 1818 before being acquired by the British. But the territorial reduction in size of the original Afghan state, as established by Ahmad Shah Abdali in 1747, was a gradual process comprising several different phases which extended from 1818 to 1893. Suffice it to say that Afghanistan as it now exists geographically was shaped by the creation of the Durand Line – the border between British India and the 'buffer' Afghan Durrani Emirate, the existence of which was formalized by a mutual treaty in 1893. This line is a typically unnatural boundary in that it defines a colonial sphere of influence but ignores ethnic realities.

Before the partition of the British India Empire in 1947, the Afghan government had officially demanded the restitution of all Pashtun territory as far as the River Indus from the departing British authority (Caroe 1958: 435–6). However, the British refused and thus Pakistan inherited the British colonial legacy of Afghanistan. This legacy, coupled with Pakistan's own pan-Islamic aspirations and its concerns over Pashtun nationalism (perceived to be backed by Kabul, which in turn was backed by India due to geopolitical alignments), poisoned Pakistan–Afghan relations from the outset and has continued to do so since 1947.

Pakistan's concerns over Pashtun nationalism stem from the pre-1947 Congress-allied character of the KKT (Khudai Khidmatgar Tehrik or Servants of God Movement) and the subsequent support given to it by the government in Kabul.

The KKT, Pakistan and Afghanistan

Between the 1920s and 1940s the KKT, led by the Pashtun social reformer Khan Abdul Ghaffar Khan (popularly known as Bacha Khan), was in alliance with the Nehru–Gandhi led All India National Congress (INC), a secular political party in the British parliamentary style, which claimed to represent the whole population of the Indian subcontinent. The Congress was opposed by the All India Muslim League, which was exclusively Muslim. All these parties participated in the struggle for the independence of India from British rule.

The KKT-Congress won the 1946 provincial elections in the NWFP, making it the only Muslim majority province in British India to be dominated by them. This called into question the Muslim League's claim of being the sole representative party of all Muslims in India – on which basis it was seeking the division of India to create a separate Muslim state – Pakistan. However, when Britain encouraged the partition of its former Indian Empire in the aftermath of World War II in 1947, the Congress Party abandoned its KKT ally, by accepting the partition of India and the inclusion of the British Pashtun areas in Pakistan. In distress, Bacha Khan regretted the Congress's decision, saying: 'We Pakhtuns [*sic*] stood by you and underwent great sacrifices to attain freedom, but you have now deserted us and thrown us to the wolves' (Gandhi 2004: 185).[2]

Thus abandoned, the KKT openly called for the creation of Pashtunistan[3] in a declaration in Bannu in June 1946, in which it demanded that Pashtuns be given a choice between joining Pakistan and establishing an independent state, rather than limiting the choice to Pakistan or India in the proposed plebiscite to ascertain the political self-determination of the Pashtun. Congress supported the KKT's new demand, and so did Afghanistan. But the British limited the plebiscite to a simple choice between India and Pakistan. The KKT boycotted the controversial plebiscite, and the departing British used the results to hand over the NWFP to Pakistan.

Later on in 1957, the KKT became part of other secular and progressive parties in the Pakistani political mainstream. Bacha Khan was invited to join the Constituent Assembly of Pakistan in February 1948, but the Pakistani state continued to view the KKT as an anti-state party. This was in direct contravention to his previous stance, since a year earlier he had called for an independent Pashtun state. Bacha Khan bitterly complained against Pakistan's hostile attitude on the floor of the Constituent Assembly when he declared that the KKT was viewed as an enemy of Pakistan although he had 'come to the assembly as a friend [of Pakistan] who does not want the destruction of Pakistan' (Bacha Khan Research Center 2010: 5, 12).

The KKT thereafter raised its voice for the rights of Pashtuns within the Pakistani state, but also supported closer ties with Afghanistan and, at the same time, rather ambiguously also kept the idea of Pashtunistan alive, which was reflected in Bacha Khan's will that he should be buried in Afghanistan instead of his native town of Charsadda in Pakistan.

The KKT later coalesced with other regional, secular sub-nationalist leftist forces in Pakistan to form the National Awami Party (NAP) in 1957. From that platform, Bacha Khan's slogan was the same – for Pashtun provincial autonomy within Pakistan, with occasional references to the 'Greater Pashtunistan'. Bacha Khan and his group in the NAP henceforth came to be called 'nationalyaan' or 'nationalists'. The Samad Khan Achakzai group, the old Congress allies of

the KKT in southern Pashtunkhwa (the Pashtun region of Baluchistan), separated to form the 'Pashtunkhwa NAP' following differences with Bacha Khan.

The NAP itself was banned by the Zulfikar Ali Bhutto government the following year, and after 1975 the KKT's successors re-emerged as the National Democratic Party (NDP) – with its latest evolution being the Awami National Party (ANP) formed in 1986. The NDP and ANP also followed the same vague ambiguity of its predecessors with regard to politics – of variously transforming the demand for an independent Pashtunistan into provincial autonomy within Pakistan, while keeping the rhetoric of a greater Pashtun nationhood and its ties to Afghanistan alive.

From this, it can be seen that this brand of politics was not consistent or serious. Pashtun nationalist politics in Pakistan on the whole remained characteristically vague, being more useful as a tool to further Cold War bloc geopolitical agendas in the region than anything meaningful with regard to any actual program or content. Today many young educated Pashtuns hold the KKT and its later forms, the NAP and ANP, responsible for the failure to achieve anything meaningful regarding the Pashtun national and political identity. On the whole, Pashtun nationalist politics has failed to define any vision of the relationship between the Pashtuns of Pakistan and the state of Afghanistan, while the Pakistani state has remained consistent on the Pashtun question in all of its policies in this regard – aiming to replace any Pashtun secular nationalist tendencies with radical Islamism, with the view to control not only Pakistani Pashtuns but also the Afghan state through Islamist ideology. Having said this, it can also be seen that the Pashtun character itself offers more to support Islamist tendencies, with secular Pashtun politics having largely remained an ethereal mirage. The Pakistani state is using Pashtun Islamist tendencies in pursuit of its Jihadi foreign policy, and ensuring that the tendencies never die out.

Nevertheless, it must be admitted that the KKT – which originally started as a social reform movement – was the most meaningful effort at social reform that Pashtun society has seen to date. The movement targeted two important anti-modernization hurdles in Pashtun society – illiteracy, especially female illiteracy, and revenge. Ironically, both are ultimately linked with underlying values of the Pashtun cultural code, *Pashtunwali*, which Bacha Khan eulogized at the same time, but did not explain: misogyny and male egotism, which severely denigrates women. By taking on such hurdles through mass mobilization and awareness, the KKT strived to prepare the Pashtun social universe for modern state-citizenship relation. But due to this contradiction, this effort was self-thwarted. The movement also faced tremendous opposition through British and Pakistani state oppression, but it did have a significant impact on the society and lives on in people's memory. It encouraged many to turn to education and thoughtfully reflect on the utility of modern lifestyles that could not sustain *Pashtunwali*.

Afghanistan–Pakistan relations: pre-9/11

Despite recognition accorded to Pakistan by Afghanistan after initial opposition in the UN, some other outward conciliation and establishment of diplomatic relations, Pakistani relations with Kabul remained strained for decades. The result was opposing regional alignments – such as the Kabul-Delhi cooperation, and membership of opposing superpower blocs on the global level. Afghanistan's irredentist claims on the Pashtun areas of Pakistan continued in one form or another. Pakistan in turn reiterated its stance as the lawful successor state to British India – having inherited (in addition to other rights and responsibilities) the methodology used by the British government in its Afghan policy, as well as towards the USSR beyond. This stance, in a way, proved Pakistan's actual neocolonial nature, being accepted and supported by the government of the United Kingdom (Caroe 1958: 436).

In line with this policy, Pakistan had always desired a subordinate and easily influenced Afghanistan. It got the opportunity to pursue this dream during the *Afghan Jihad*, and realized it after emerging triumphant in 1992. In other words, Pakistan looked upon the highly backward, war-torn and now Islamized Afghanistan as its *de facto* fifth province that would be – and should be – under the control of Pakistan, and adjunctive to its geo-strategic interests. But Afghanistan, also Muslim, resisted the ideological Islamic *raison d'être* pretense espoused by Pakistan and other associated claims, such as those to Kashmir, on the basis of ethnic nationalism. Even after 1992, under Islamic fundamentalist domination, it continued to confound its Pakistani patrons. In response, Pakistan tied the Afghan policies on Pashtunistan to an 'Indian conspiracy' to encircle and break up Pakistan on ethnic basis and this was one of its justifications for seeking US assistance, to pursue a national agenda of regional influence vis-à-vis India and Afghanistan (Haqqani 2005: 159).

Pakistan also faced other local Pashtun 'headaches' such as that in Waziristan during the 1950s, where the Faqir of Ipi (who had led his Waziri tribesmen against the British) vowed to continue fighting against their successor Pakistani state, rejecting the Islamic rationale of this state with this Pashto proverb: *khar magha da, katha ye badala kra* ('the same old donkey, only with a different saddle') – implying that there was no difference between the British colonial and the successor Pakistani state as far as Pashtuns were concerned. Pakistan had earlier lured the tribesmen for *Jihad* in Kashmir in 1948, capitalizing on their traditional proclivities to loot and plunder. The Faqir of Ipi opposed the Kashmir *Jihad* and called upon the tribesmen to refrain from it, but was largely ignored. Many tribesmen who participated in the *Jihad* were guided and directed by the officers of the new, British-created, Pakistan Army (Leeson 2003: 205–6).

Mr. Jinnah, the founder and first Governor General of Pakistan, assured the Pashtun tribal leaders, promising them that the new state will continue their 'special privileges' such as allowing their lawless way of life, precedence of local custom, political cash bribes and special quotas in levy forces – all granted to them previously during British times – in lieu of their continued loyalty to Pakistan.[4] Later, Pakistan removed the special law called the Frontier Crimes Regulations (FCR) from NWFP when the 1956 constitution was promulgated in the country. This was a special law designed to deal with the warlike tendencies of Pashtun culture and society resulting from its code of *'Pashtunwali'* and the contingencies arising thereof. It also, however, reconstituted the tribal areas as the Federally Administered Tribal Areas (FATA),[5] turning them into a wild autonomous 'buffer' zone between its 'settled' Pashtun-dominated areas and Afghanistan proper, and maintained the FCR in those, to counter Pashtun nationalist irredentism. A de-classified US document explains Pakistan's fear:

> The government of Pakistan was faced with an unenviable problem (in the Pashtun tribal areas). One of the main objects of the government is to effect national integration, which means they must break down petty local loyalties. Insofar as this policy is applied to the frontier area (FATA), it required detribalization, yet when the tribes begin to lose hold over their members, a fertile field for anti-Pakistan forces in the form of Pashtunistan agitation is created.[6]

Here, an elaboration regarding the various modes of governance in Pakistan's northern Pashtun regions is in order. The 'settled districts' described above comprised the province now called Khyber Pakhtunkhwa (then NWFP). These were those Pashtun-majority areas that were usually flat agricultural lands, and had remained under the regular rule of all empires and statehoods that passed over the region – Gandhara, Turkic Muslim, Mughal, Sikh and British. On the other hand, the 'tribal areas' comprised of those badlands which were hard to conquer or unworthy of

the effort, but they still had a strategic value, owing to the mountain passes they encompassed. The tribes of these areas were accustomed to living in the wild, owing to the lifestyle imposed on them by their terrain. They were given local autonomy in how to govern their own lives according to their tribal ways, provided that they supported the larger interests of the general ruling power of the area (British or Pakistani). This was not, however, a uniform definition.

There were 'independent princely states' like Bajaur, Dir and Swat – which were also autonomous, but under the rule of (the British and later Pakistan's) friendly princes, which were later designated as federal or provincial tribal areas by Pakistan. The British rejected requests of some tribes who sought inclusion into British territory, such as the Mishti tribe of the Orakzai region. The reason for this was various strategic considerations of whether these areas could safely be ruled or handled if incorporated, with the majority of these decisions being based on individual tribal characteristics and reputations. For example, the British did accept the request of the Shia Turi tribe of Kurram to be taken under the British control. This minority tribe had strained relation with the government of Afghanistan and was threatened by some among the surrounding majority Sunni tribes.

Nowadays, the tribals of FATA are technically Pakistani citizens, but have no rights under the Constitution of Pakistan. In the present day, increasing number of tribals want real change. Many also have to struggle against entrenched attitudes that desire the kind of tribal autonomy that had prevailed, which they fought for so zealously and proudly. This has held them and their areas back, and encouraged crime and lawlessness, which therefore make them subject to special regulations such as the FCR (Frontier Crimes Regulation).

Yet, at the same time, these tribals desire regular rules and the amenities and privileges of modern life. In recent decades the 'special status' of FATA has allowed Pakistan to exploit these characteristics to further its *Jihadi* policy. As a result of this, these areas have now become uncontrollable warzones, containing hotbeds of activity and bases of the Taliban insurgency on both sides of the border. It is from this root that one can see the emergence of a new and arguably more 'valid' Pashtun tribal ethnic concept, though one that is thoroughly negative in its connotations, i.e. Talibanized Pashtun.

In Pakistan–Afghanistan relations, ideational and cultural factors typically impinge upon the state security as perceived by the Pakistani elite (Hussain 2005: 5–7). In pursuit of its security objectives vis-à-vis Afghanistan, Pakistan decided from the outset to petrify and consolidate the tribal *status quo* in FATA by keeping it in legal isolation from the rest of the country and by exposing its population to a further, systematic Islamization in the following years. Afrasiab Khattak, an ANP leader on the persistent exclusion of FATA from the normal legal framework of Pakistan, notes

> The idea is that the tribalized FATA population driven by Islamism will prevent secular Pashtun nationalists from Afghanistan and Khyber-Pakhtunkhwa from uniting, just like a bad conductor of electricity, like a piece of wood or rubber through which electricity cannot pass; FATA had to act like bad conductor for Pashtun nationalism in the Pakistani scheme of things.[7]

The overthrow of the Durrani monarchy in 1973 by Prince Sardar Muhammad Daoud Khan, an ardent supporter of independent Pashtunistan, rang alarm bells in Pakistan. Sardar Muhammad Daoud thus rekindled Afghan support for Pashtun nationalists in Pakistan, but this was equally matched by Pakistan's Prime Minister Bhutto's support for Islamists in Afghanistan. Nasirullah Babar, then the Inspector General Frontier Corps, received the first Afghan Islamists escaping the Daoud government in 1973 (Magnus and Naby 1998: 180). Babar even publicly acknowledged

that Gulbaddin Hekmatyar and Ahmad Shah Massoud were first recruited as fake Frontier Corps personnel and then trained by the Pakistani military's Special Services Group.[8] This was during the time Pakistan cultivated more than one thousand disgruntled Afghan religious figures, including Gulbaddin Hekmatyar, Rabbani and Ahmad Shah Massoud, who would become key leaders of the *Jihad* that was soon to be launched against the Soviet intervention in Afghanistan.

Afghan irredentist claims on Pakistani territory are not the only cause of Pakistan's concerns regarding Afghanistan. According to Husain Haqqani, Pakistan evolved the strategic military doctrine of Strategic Depth[9] for Afghanistan soon after its independence as according to its military leadership Pakistan's physically narrow territorial shape could not be defended in the face of an Indian thrust, and Afghan territory was thus needed for Pakistan's Army as a theater in which to maneuver and entrench itself, in order to engage and repulse any Indian attack on Pakistan (Haqqani 2005: 165–7). But because nationalist Afghanistan opposed Pakistan due to its irredentist claims, it could not become such an ally. Pakistani military planners assumed that an Afghan state under Islamist ideology would be naturally supportive of Pakistan's self-arrogated pan-Islamic claims, and could therefore become Pakistan's trusted principal territorial ally in any such eventuality. By the early 1960s, Pakistani intelligence agencies were urging and facilitating Pakistan's Islamists to look for ideological partners in Afghanistan (ibid).

The Afghan *Jihad*, begun in 1980, came as a God-sent opportunity to fulfill just that. It was Pakistan's dream to place Afghanistan under Islamists who were beholden to, and under orders from, Pakistan. Pakistan sheltered, nurtured and trained Afghan Islamists under its all-encompassing control. Brigadier Mohammad Yousaf, the director of the Afghan bureau of Pakistan's intelligence agency, the Inter Services Intelligence (ISI) during the Afghan *Jihad*, had this to say about the Pakistani monopoly over the Afghan *Jihad*:

> To sum up: the CIA's tasks in Afghanistan were to purchase arms and equipment and arrange their transportation to Pakistan; provide funds for the purchase of vehicles and transportation inside Pakistan and Afghanistan; train Pakistani instructors on new weapons or equipment; provide satellite photographs and maps for our operational planning; provide radio equipment and training, and advice on technical matters when so requested. The entire planning of the war, all types of training for the Mujahiden [sic] and allocation and distribution of arms and supplies were the sole responsibility of the ISI, and my [Brigadier Mohammad Yousaf's] office in particular.
>
> *(Yousaf and Adkin 1992: 95–6)*

This implies that although the *Jihad* against the Soviets was financed and equipped by the West, and led by the US, the West could not establish direct contact with the Afghan resistance movement leaders and fighters whose physical control was in the hands of Pakistan's ISI. President Zia-ul-Haq of Pakistan once warned Gulbaddin Hekmatyar for his independent initiatives while carrying forward the Afghan resistance movement against the Soviets in these words: 'Gulbaddin must be clearly warned that it was Pakistan who made him an Afghan leader and it can just as equally destroy him if he continues to misbehave' (Muhammad Yousaf, as cited in Hussain 2005: 248).

During the Afghan *Jihad* Pakistan rekindled radical Islamic tendencies in an entire generation of Afghan children in refugee camps in Pakistan through indoctrination via education (Marwat 2005). During the course of the *Jihad* Pakistan's ISI trained around 80,000 Afghan guerrilla fighters (Yousaf and Adkin 1992: 4).The *Mujahiden* were brought from 70 countries of the world (Beg 2015: 32). The ISI-operated Afghan *Jihad*, backed by the West and Saudi Arabia, successfully removed the Soviet Union from the Afghan soil. The Soviet Union itself disintegrated and

Afghanistan plunged into more violent chaos in the post-Soviet period. From this violent chaos emerged the Taliban, who are basically the post-Soviet era evolution of the Afghan *Mujahiden* (Taj 2017). Pakistan achieved its strategic depth in Afghanistan when the country was taken over by the Taliban government until it was removed by the US attack on Afghanistan in the post 9/11 context.

Pakistan's security concerns are based on its 'ideological' interplay with its more powerful neighbor, India (Fair 2014). Pakistan's army looks upon itself as the prime defender of the 'ideological' as well as territorial boundaries of Pakistan (Haqqani 2005). Real and absolute power in Pakistan is wielded by the Army and its intelligence agencies. The other state institutions are of auxiliary status. Even the elected parliament cannot pass a policy or law, unless prior approval is given by the Army. It exercises de facto veto power over internal and external polices of Pakistan (Ahmad 2013). This is supported by the writings of Benazir Bhutto, where she says that at one time, the Director General of the ISI suggested to her, as Prime Minister, that appointment to any senior government post would have to be subjected to the screening of the ISI so that it could 'defend and maintain the ideological boundaries of the country' (Roshan 2007).

Pakistan's ideology is Islam, which, being a universal religion, acknowledges no territorial boundaries. Its further implication is that its philosophy of *Jihad* also knows no such limitations. In this light, it can be seen that Pakistan's doctrine of Strategic Depth is not an end in itself, but signifies a major stepping-stone towards the establishment of Pakistan's regional hegemony – in the form of a Central Asian Islamic bloc (Pande 2011: 77). Pakistan's army has repeatedly suggested a confederation of Afghanistan with Pakistan (Roshan 2007: 17), which would ignite Islamist militancy in the ex-Soviet Central Asian Muslim republics for this purpose.

The ISI initially ran an Islamic propaganda campaign and conducted terror operations inside the Soviet Uzbek region near the Afghan border following the Soviet defeat in Afghanistan (Riedel 2014: 65–6). It had to give up the campaign and operations because the CIA refused to provide necessary technical support and Soviets threatened that if the incursions continued the Soviet army and air force would directly attack Pakistan (ibid). But Pakistan's dream of encroaching on Central Asia never died (Pande 2011: 77).

Hence, for some time, the ISI diverted its surplus *Jihadi* manpower from Afghanistan to Indian Kashmir. Prime Minister Benazir Bhutto had been approached by Arab and Pakistani fighters in Afghanistan through the ISI for accepting an offer to enter Indian Kashmir to fight—the offer was rejected by her (Roshan 2007). The prime minister's rejection had no effect and the *Jihad* was nevertheless undertaken in Kashmir in 1990s. In Pakistan's strategic calculus, Afghanistan is the facilitator in its overall agenda in Kashmir, Central Asia and some other parts of the Muslim world. Before 9/11, Pakistan was openly involved in *Jihadi* escapades in Afghanistan, Kashmir, Bosnia, Chechnya, Ingushetia, Abkhazia, Uzbekistan, Tajikistan and many more . . .

Afghanistan–Pakistan: post-9/11

The US had previously actively built up the Afghan *Jihad* and had fully enabled Pakistan to attain the role, which it did in this affair. After the 1992 Cold War cum Afghan victory by the US and its proxy Pakistan, the fervor of US involvement cooled off considerably, the purpose having been achieved and America flush with victory, turning its attention towards savoring it.

Pakistan was thus largely left to its own devices with regard to the legacy it had on its hands. *Jihad* never ceased being a tool for American geostrategic planners in this region. The subsequent formation of the Taliban two years after the Afghan *Jihad* victory attests to the fact that the Americans wanted to use *Jihad* as a means to influence pipeline politics and the encirclement of Russia – and Pakistan also saw the *Mujahiden* as its primary tool for furthering the

new and unprecedented possibilities of regional hegemony which the American anti-Soviet *Jihad* had facilitated for it.

However, after 9/11, the US was in a state of shock, and hysterically resolved to try and punish something that it had itself created and nurtured. The night after 9/11 US President Bush phoned Pakistan's military ruler Gen. Pervez Musharraf and told him that 'it is either we or they'. This was meant to inform him that the previous *Jihadi* arrangements no longer held.

Many claimed that Pakistan took a 'U-turn' on its pro-Taliban Policy, implying that Pakistan abandoned the Taliban for good and joined the US to eliminate Taliban and their Al Qaeda allies in Afghanistan.[10] This was typical of Pakistani strategists, who wanted it to appear that way. However, the Pakistani state at this time was in the thick of its *Jihadi* successes (even though it was gradually succumbing to them) and did not want to give them up so easily. It was therefore faced with the challenge of holding onto its *Jihadi* protégés, while formulating a 'double faced' policy to show its American benefactors that it was acting against the Taliban and Al Qaeda, in order to appear compliant with US wishes and escape their disfavor in this regard (Rashid 2008). In simple words, they played both sides simultaneously (Gall 2014).

In February 2015 former army chief and military dictator, Pervez Musharraf admitted that his government supported the Taliban to preserve Pakistan's interests in Afghanistan despite Islamabad's war on terror alliance with the US.[11] The US was largely aware of all this, and at one point Admiral Mike Mullen, Chairman Joint Chiefs, publicly told US senators that the Haqqani Network is the 'veritable arm of ISI'.[12] But it never could afford to terminate relations with Pakistan let alone 'bomb it into the stone age' as Bush is supposed to have threatened Musharraf soon after the 9/11 attacks, if Pakistan did not cooperate with the US.[13] There are good reasons for this.

The Pakistani state and its ruling elites were major long-standing pawns of the Anglo-US lobby, too intimately connected with them in several aspects, and too involved in their overall global interests to be abandoned or destroyed (if at all possible). There were limitations on what action America could impose by all such considerations, and therefore, as long as it had the overt cooperation of the Pakistanis in its War on Terror, it turned a blind, if 'understanding', eye towards their continuing *Jihadi* involvements. These were keyed down and made discreet, but they never ended.

American warnings used to be given from time to time or incidents engineered to put pressure on Pakistan. A similar drama could be witnessed in the drone bombing policy begun in 2004 whereby Pakistani government publicly condemned the drone strikes but privately approved them[14] and in 2013 the former President Musharaf (1999–2008) of Pakistan publicly admitted in a CNN interview that his government secretly agreed with the US on the drone attacks.[15] The CIA also led at least two covert operations in Pakistan: one in 2002 to track down Al Qaeda militants; the other in 2011 that killed Osama Bin Laden in a military area in Pakistan (Riedel 2014: xvi).

It was inevitable that the War on Terror and its effects would eventually be felt in Pakistan's territories – even more so those with direct linkages to the *Jihad*. Soon after their appearance in Afghanistan in late 1994, the influence of the Taliban began being felt in Pakistani tribal territories such as Waziristan two years later. Taliban were based in these areas and were from the same ethnic stock, if otherwise not related. The heady spectacle of their being catapulted to Islamic power in Afghanistan evidently stirred the spirits of their Pakistani kinsmen who only had a fake and ill-defined border to separate them.

FATA was already busy being the nursery of the Taliban, and NWFP (now Khyber Pakhtunkhwa) was restive. It wouldn't be long before the conflagration totally embraced them too. That is what happened when the War on Terror arrived here five years later. It merely

ignited what was already in place. The effect was further intensified when insurgents and militants from the Afghan side fled to the safety of Pakistani territories. A religious coalition government (the MMA) took over in the NWFP as a result of the controversial 2002 elections. The 'Pakistani Taliban' appeared gradually from that time onwards, and began taking over the FATA. By 2004 they were fully visible, and three years later, they began insurgent activities against the state in Pakistani territories. This was when they formed their own chapter of the Taliban movement, or TTP (Tehrik Taliban Pakistan) – an umbrella organization for a motley of Pakistani *Jihadi* groups, both Pashtun and Punjabi.

Although this was an open challenge to the state and its survival, it still dealt with them piecemeal and gingerly, considering them to be its 'assets'. Pakistan tried to win back through negotiated deals and bribes those militants who were 'winnable'. It tried to eliminate the 'un-negotiable' through violence. This led to a war of shadows between the militants and the state.

Pakistan made the war-affected region a no-go area for independent international media access. The local media is typically hesitant in exposing Taliban-military ties or questioning the military dominated security policies of Pakistan. Many journalists have been killed 'mysteriously' in FATA and Khyber-Pakhtunkhwa since 9/11. Thus the military has successfully maintained an information vacuum in the various conflict zones of Pakistan such as FATA, Baluchistan and parts of Khyber-Pakhtunkhwa (Yusuf 2011: 108). The Pakistani media is supportive of both the military narratives and the militant tendencies (Mezzera and Sial 2010). The media and the country's right wing Islamist political parties' narrative dismisses the religious extremism and terrorism in Pakistan as a product of the US policies in Pakistan and Afghanistan, such as the US policy of the targeted drone strikes against the militants. The narrative is further popularized and entrenched by PTI (Pakistan Tehrik-e-Insaf), the party led by the Cricketer-turned-politician, Imran Khan. It is also a popular contention that the militants 'don't know real Islam, which stands for peace and democracy', or that they have simply been 'hired by India and the Jews' to destroy Pakistan. Pakistani public opinion is ready to drink in such opinions. This narrative has served as a bargaining chip for the Pakistani military leaders in their dealing with the US and when they want to raise the price of Pakistan's cooperation with the US in the war on terror (Shah 2013: 245).

The intensity of the Pakistan Army's counter insurgency activities in FATA is mind-boggling. In just two years (2009–10) Pakistan conducted over 1000 military operations[16] in FATA. These operations are in addition to tens of other operations conducted before and after 2009–10 since 2002 when the first post 9/11 operation was conducted in South Waziristan. Moreover, the army operations are in addition to over the 10,600 bombs dropped on 4,600 targets in 5,500 sorties over the region conducted by Pakistan air force since 2008.[17] But not even a single high profile Taliban commander was killed in the operations and the aerial bombardment all prominent Taliban commanders killed in the war were eliminated in US drone strikes.

With the exception of the Swat operation (which was not in FATA, but in Khyber-Pakhtunkhwa) no other Pakistan army operations permanently eliminated Taliban infrastructure or networks in the Pashtun areas of Pakistan. But the operations otherwise displaced whole tribal populations. Thousands were killed and injured. Hundreds of children were trained as suicide bombers without the approval of their families (Hussain 2013). Countless children and women ended up in prostitution and beggary.[18] Public and private property worth millions of dollars was destroyed.

Perhaps history would never know the full scale of human suffering caused by the military operations, which many in FATA believe were conducted as part of Pakistan double-dealing with the US in the war on terror rather than with the intention of actually eliminating the Taliban and their networks. Pakistani apologists and strategists are characteristically shameless, and will stoop to ridiculous levels in adding twists through which they try to dismiss or falsify realities.

In April 2015, Asad Durrani, former Director General ISI, told Al-Jazeera that Pakistan's pro-Taliban policy worked well during the War on Terror and the killing of innocent people was the inevitable collateral damage to get the US-NATO out of Afghanistan.[19] Obviously, the population of FATA was expendable. Not just for the Pakistani rulers, but due to the fact that the plant of militancy was so firmly rooted in their soil as logical consequence of Pakistan long term *Jihadi* policy focused on FATA due to its proximity with Afghanistan.

The dubious military operations and the Pakistani state's agreements with the Taliban (such as the agreement with commander Nek Muhamamd, 2004 and the agreement with Baitullah Mehsud, 2006, among several others) entrenched Taliban militants in FATA. Over 1,000 tribal leaders have been killed in the area.[20] This has caused the collapse of the British-tailored Political-Agent-Malik governance system in the area and has led to a political vacuum in the area now filled by the Taliban and the army.

The emboldened Taliban are now fully embroiled in fighting the Pakistani state itself. There have been spectacular attacks on Pakistan army installations and personnel since 2007. 2014 proved important in this regard, when the Army launched its Operation '*Zarb-e-Azb*' in the TTP stronghold of North Waziristan in June that year. The operation '*Zarb-e-Azb*' did not eliminate the Haqqani Taliban, the Afghan Taliban network based in Pakistan and nurtured by the ISI and, as a result, the network remains intact in Pakistan to this date. The operation did damage the TTP. Six months later, the TTP attacked a school in Peshawar, killing 146 children.

The leadership of the post-Musharraf (post-2008) Pakistan army has adopted a subtler tactic towards control over the state power. It exercises power in all crucial areas (*Jihad*, nuclear weapons and relations with India, Afghanistan and the US) while simultaneously allowing civilian rulers to hold office. Following the Peshawar school attack, the army compelled the civilian government to formulate a 'National Action Plan' (NAP). Implementation of the NAP is questionable. Police all over Pakistan, especially in Khyber-Pakhtunkhwa, are ruthlessly targeted by the Taliban. Educational institutions, especially in Khyber-Pakhtunkhwa, are being threatened by the militants. The state has surrendered its *de facto* writ in FATA to the Taliban and is retreating increasingly in Khyber-Pakhtunkhwa. Lawlessness is increasing, even by Pakistani standards. Taliban militants have a free hand. They kidnap for ransom and kill whosoever they like. More importantly, banned *Jihadi* organizations are freely working in Pakistan as ever. On May 20, 2016 a US drone strike killed the Afghan Taliban leader, Mullah Akhtar Mansour, in Pakistan. Within days following this drone attack the Defense of Pakistan Council (a platform for providing support to *Jihadi* activities in Pakistan and neighboring countries)[21] is revived under the leadership of Jamaat-ud-Dawa (JuD), led by Hafiz Saeed.[22]

More dangerously, the Taliban militants are rapidly joining the latest international *Jihadi* mutation – Daesh, or the 'Islamic State in Syria and Iraq'. This also came to the fore in 2014. The Inspector General of Police, Khyber-Pakhtunkhwa and the Counter-Terrorism Department of the Sindh provincial government have confirmed the existence of *Daesh* militants all over Pakistan.[23] Daesh has declared that 'AfPak' is the future Khorasan province of its Syria-Iraq based caliphate. Pakistan's involvement in *Jihad* – which it 'religiously' facilitated – is in its third stage of evolution (from *Mujahiden* to Taliban to Daesh) posing a serious security threat to the region and also the world at large. In addition, they have created accelerated social breakdown in the Pashtun areas with no end in sight.

This evolutionary proliferation of *Jihad* and the threats it poses to the world is the natural and logical outcome of the CIA-ISI joint *Jihadi* campaign against the Soviets in Afghanistan in 1980s and the *Jihadi* adventures of the ISI in 1990s and the post 9/11 inability or unwillingness of the US to stop Pakistan from nurturing *Jihadis* and *Jihadi* ideologies during the war on terror.

The Pashtun ethnicity: its history and peculiarities with regard to state formation

The topic at hand concerns Pakistan–Afghanistan relations, and these devolve upon the Pashtun ethnicity shared by both because this area is marred with religious extremism and Taliban militancy and poses a threat to regional security. Pashtun are one of Central Asia's innumerable Turco-Iranian ethnic permutations, but a major one, and also the one that is next door to India. The Pashtuns-Afghans,[24] in the shape that we now know them, first began being mentioned in historical annals with the arrival in Pashtun region of Islam via Turks, some 1,000 years ago – and were fully in the limelight by the time of the establishment of the Mughal Empire some 500 years later – but their actual ethnic roots can be traced further back to 2,500 years ago.

Straddling the arid and rugged eastern portions of Khorasan south of the Hindu Kush range, a key Eurasian invasion route, the Pashtun ethnicity has remained unsettled for the most part. The best social form adapted to such an existence is tribal, and Pashtuns are considered to be the world's largest tribal society. India itself has been traditionally overrun, settled and ruled throughout by countless different Aryan/Iranian and Turkic hordes from this direction, which have eventually become absorbed into India's baseline amalgam. Viewed in this context, the Pashtuns formed a perpetually unsettled, peripheral 'rim' to the Indian subcontinent's northwest in Islamic times and before. This rim was nominally part of all the great empires centered on India, but was for the most part autonomous and unruly.

It is evident that this rim was an area that, although 'outside' the general Indian context, was a very important component with a catalytic role in matters concerning India, especially the affairs of its political fate. In their known history, Pashtuns have ruled others, but have almost never ruled themselves. They formed a chaotic 'pool' on the edge of India, from which waves of Pashtuns would spread and create dynasties to rule over it.

Pashtuns are unusual in that they are an ethnicity that has never had exposure to the principles of state and social formation as expounded by modern political science. This still holds true for those of them in Pakistan and Afghanistan.

Afghanistan is not a state in the commonly understood sense, but a vast and fragmented multi-ethnic wasteland dominated by the Pashtun tribal ethnicity (which is itself in a state of internecine fractiousness and backwardness, where cohesion and other necessary characteristics of development are minimal and primitive). In other words, Afghanistan is a country only in name and the integrity of whose borders is guaranteed by powerful neighbors. Only its capital, Kabul, can be said to have truly urban characteristics, but these are based on the Persian culture of the Tajik variety.

Pakistan is keeping its Pashtun tribes in FATA under primitive special measures that do not permit effective social evolution. An exception is the Pashtun in Khyber-Pakhtunkhwa province, which is under the modern Pakistani state law, as it represents relatively developed areas as was the case with Gandhara in the ancient times. But the Pakistani state has its own (*Jihadi*) agenda that does not sit well with the idea of social reforms in the Pashtun society. Moreover, the Pashtuns of Khyber-Pakhtunkhwa suffer from the general lack of implementation of laws in Pakistan due to weak state writ – especially the laws concerning public wellbeing and social development. In the last two decades, this weak state writ has eroded further in large parts of this province making the province largely an extension of the lawless FATA (the process is also called 'Fatafication' of Khyber-Pakhtunkhwa) and vulnerable to Taliban influences, which, due to *jihad,* are now leading to a reversion to primal tribal influences coupled with a hard version of Devbandi Islam. Ever-expanding networks of *Devbandi madrassas*, now including women *madrassas,* and *Tabligh Markazes* (*Devbandi* Islam preaching centers) are ensuring that

religiosity dominates Pashtun social life. Religious forces are the most powerful on the ground and confront no indigenous Pashtun social counter force. Those Pashtun who disagree with religiosity-driven worldview are too weak to be taken seriously. Pashtun nationalists are dubious on matters concerning *Pashtunwali* and religiosity. They condone tribal patriarchy and are too uncritical towards symbols and rhetoric of religiosity.

The ANP's national anthem, ironically written by famous Pashtun poet philosopher, Ghani Khan, son of Bacha Khan, portrays man/male as ideal Pashtun socio-political agent.[25] The party took no action when in 2012 one of its leaders, Haji Bilour, announced a $100,000 bounty on the head of a California filmmaker who is said to have made an anti-Islam film, and again did nothing in 2015 when the same ANP leader announced a $200,000 bounty on the head of the owner of French satirical magazine *Charlie Hebdo* for publishing allegedly blasphemous material.[26] Pashtun nationalist leader of Southern Pashtunkhwa in Baluchistan, Mahmud Khan Achakzai – who till now portrayed himself as secular – invited the Taliban, typically, to join hands with him and other 'secular nationalists' for the 'dignity of the Pashtun nation'.[27] At times it is difficult to tell an ordinary Pashtun nationalist apart from politically religious Pashtun.

A large number of young Pashtun support the cricketer-turned-politician Imran Khan's party called PTI (Pakistan Tehrek-e-Insaf), the party that views Pakistan-sponsored terrorism in Afghanistan as a legitimate fighting for freedom, a 'true *Jihad*' against the US and NATO forces in Afghanistan. Imran Khan himself is arguably one of the most vocal Taliban apologist in Pakistan.[28] All this indicates that religious extremism is deeply rooted in Pashtun social universe and getting even stronger. Only a firm state that abhors religious extremism and is determined to use all resources at its disposal to uproot it and tribal patriarchy could turn the tide of religious extremism among Pashtun. Seemingly, Afghanistan is not capable of showing such determination and Pakistan neither wants this kind of determination for the sake of its current military led policy towards Afghanistan nor could it afford because such a determination would negate its very Islamic bases.

The Durand Line border between the two countries has all but been eliminated as far as its effect and purpose are concerned, existing only on maps and in paper documents. The region has become 'AfPak', a term coined in 2008 by the State Department of the first Obama Administration. Though it has been criticized by many of the 'players' involved in this region, for their own causes and reasons,[29] this is a term which will occur naturally to anybody who looks at the area's geographic context, or is acquainted with the general historical, political and cultural contexts of the area.

Future and Likely Scenario

Both the Afghan and Pakistani neocolonial states have been rendered dysfunctional by the *Jihad* and its effects. The Pashtun ethnicity located centrally in the AfPak region may now determine the fate of both *Jihad*-stricken nation-states, Afghanistan and Pakistan, and as a result of this it will also determine the reaction of the emerging powers, Russia and China, in this regard.

Russia is reasserting its position on the global stage after a break of over two decades, and together with China, is slowly moving in to secure the vacuum being created in this region by the decline of NATO–US's unipolar monopoly due to the failure of Western policies in the region. China has already stepped in to stabilize Pakistan or at least the non-Pashtun areas of Pakistan, i.e. Punjab and Sindh, through economic development. It is investing 46 million dollars under the CPEC (China Pakistan Economic Corridor) project to build roads, railways, ports and information networks. This leaves out the Pashtun area from benefits of CPEC project. This also indicates that the policy-makers of China and the Punjab-dominated Pakistan

believe that religious extremism among Pashtun is so entrenched and widespread that the idea of stability through economic development would not work in the Pashtun context. There is a Pashtun movement called *Pakhtunkhwa Ulasi Tehreek*,[30] led by Dr. Said Alam Mahsud, campaigning for inclusion of the Pashtun areas of Pakistan in to CPEC.

The movement is unsuccessful so far and there is seemingly little chance the movement's demands would be taken seriously by China or Pakistan. This implies that the Pashtun area of Pakistan will remain in religious extremism-driven turmoil for the foreseeable future as neither China nor Pakistan would have any compelling interest to clear the area of religious extremism and *Jihadism*. How the turmoil will pose a security threat to Russia, China and beyond will determine the territorial integrity of Pakistan and Afghanistan. Whether Pakistan and Afghanistan survive as nation-states or not, Pashtuns will continue to suffer as long as they have not shown a collective indigenous rejection of religious extremism and tribal patriarchy because there is little chance of this coming out in foreseeable future. This then means that Pashtun society will continue to suffer for a long time to come.

Moreover, Pakistan will continue to exploit the religious extremism of Pashtun and will continue to pose a threat to regional and international security. Pakistan, it seems, is standing in two boats, each going in opposite directions. It has accepted huge investments from China, which dislikes *Jihad,* and is simultaneously pursuing *Jihadi* policy vis-à-vis Afghanistan and India. It is now up to China, Russia and even to India, to decide how long they would or could tolerate the *Jihadi* policy of Pakistan and whether or not to do something about it to end it for good or otherwise.

Notes

1 Renamed Khyber-Pakhtunkhwa in 2010 through a constitutional amendment in the Pakistani parliament.
2 Today some secular Pashtun nationalists want the Congress Party of India to tender an apology for having them abandoned in 1947 (Farhat Taj's discussions with some Pashtun nationalists in Peshawar).
3 Pashtunistan refers to a conceptual independent homeland for Pashtuns in the Pashtun areas of the former British-Indian territories, now in Pakistan: the Khyber-Pakhtunkhwa province, FATA, Pashtun areas of Baluchistan and districts Attock and Minawali in the Punjab.
4 Jinnah's address to a tribal *Jirga* at the Government House, Peshawar on 17 April, 1948.
5 Federally Administered Tribal Areas.
6 Professor G. Tucci's comments in the 1962 CIA document. Available from author.
7 Afrasiab Khattak's discussion with Farhat Taj in 2010 in Islamabad.
8 Hassan Abbas: Transforming Pakistan's Frontier Corps.
9 Strategic depth is a defense strategy of securing 'Islamic depth' in the Muslim west to counter the superior military might of 'Hindu India' by strengthening diplomatic and military relations with Afghanistan and the Arab world to the extent that in case India attacking Pakistan, its army could retreat westwards and use Afghanistan as a secure rear base, from which to roll back Indian expansion into Pakistani territory. This doctrine also served to intimidate Afghanistan, in revenge for its irredentism.
10 Such as the Pakistani author Naseem Ahmed.
11 See *Dawn* (2015) 'ISI cultivated Taliban to counter India actions against Pakistan'.
12 See *BBC News* (2011).
13 *The Guardian* (2006) Available at: http://www.theguardian.com/world/2006/sep/22/pakistan.usa.
14 See Wikileaks (2010) 'Pakistan quietly approved drone attacks'.
15 See CNN (2013) 'Ex-Pakistani President Musharraf admits secret deal with U.S. on drone strikes'.
16 See *The Express Tribune* (2012).
17 See Geo TV (2011).
18 One of the authors of this chapter, Farhat Taj, met such unfortunate displaced women and children during her research for the Internal Displacement Monitoring Center in 2010.
19 See *Al-Jazeera* (2015) for Durrani's address at the Oxford Union Hall.

20 See *BBC Urdu* (2013).
21 This platform came into being in 1999 as Defense of Afghanistan Council, as a mark of solidarity with Afghan Taliban, who at the time were under huge international pressure for extraditing Osama Bin Laden from Afghanistan.
22 See *The News* (2016). The US has offered $10 million for information leading to Saeed's arrest and conviction, but he remains free in Pakistan. India alleges that JUD is involved in the 2008 deadly terror attacks in Bombay.
23 See *The News* (2015) and Khyber News TV (2015).
24 'Pashtun/Pakhtun' and 'Afghan' are coterminous. Pashtun is a very old term, which finds mention in the Vedas and by Herodotus; while Afghan is a much later term of probable Scythian origins, a form of which is first believed to have been mentioned in the Third Century AD. These terms are evidently derived from different strata in the ethnogenetic formation of this race.
25 Towards the end the anthem there is the line: 'Nar yama Pakhtun yama ta ta yadaidi afsanay zama' (I am the man, the (true) Pakhtun you (my land) remember (my stories) of gallantry.
26 See *The Daily Mail* (2012) and *Pakistan TV* (2015).
27 See *The Express Tribune* (2015).
28 See *The Independent* (2016).
29 One of the critics is the late Afzal Khan Lala (who died in 2015), a well-known Pashtun nationalist leader from Swat. He expressed his displeasure in a telephonic conversation with Farhat Taj. Referring to President Obama's term Af-Pak, Khan said: 'Watan zamong da, namay pe dwi kidi' (Land is ours and it is being named by them).
30 *Pakhtunkhwa Ulasi Tehreek*. http://ulasi.org

Bibliography

Ahmad, I. (2013). *Pakistan the Garrison State: Origin, Evolution, Consequences, 1947–2011*. Oxford: Oxford University Press.

Abbas, H. (2007). Transforming Pakistan's Frontier Corps. *Terrorism Monitor Volume*, 5: 6. Available at: http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=1056#.Vj5ITul9vdk (Accessed on 7th October, 2015).

Al-Jazeera. (2015). 'Head to Head – Pakistan: Victim or exporter of terrorism? Asad Durrani, Former Director General ISI's address at Oxford Union Hall'. *Al-Jazeera*, 10 April. Available at: https://www.youtube.com/watch?v=Z__lyS-wI7c.

Bacha Khan Research Center. (2010). Bacha Khan's Speeches in the Constituent Assembly of Pakistan. Peshawar: Bacha Khan Research Center. Available at: http://aiourdubooks.net/da-bacha-khan-taqreerona/.

BBC News. (2011) 'US Admiral: Haqqani is a veritable arm of Pakistan's ISI,' *BBC News* video, 0:52, 22 September. Available at: http://www.bbc.com/news/av/world-us-canada-15026909/us-admiral-haqqani-is-veritable-arm-of-pakistan-s-isi.

BBC Urdu. (2013). 'Over 1000 Tribal Leaders Killed in FATA'. Available at: http://www.bbc.com/urdu/pakistan/2013/02/130213_elders_killing_fata_rh.shtml.

Beg, M. A. (2015). Pakistan-Afghanistan relation: on a new road. Al-Haq. *Darul Ulm Haqqani, Akora Khattak*. Khyber Pakhtunkhwa, Pakistan. Vol. 50, No. 5, pp. 32–5.

Caroe, O. (1958). *The Pathan*. Oxford: Oxford University Press.

CNN. (2013). 'Ex-Pakistani President Musharraf admits secret deal with U.S. on drone strikes'. *CNN*. Available at: http://edition.cnn.com/2013/04/11/world/asia/pakistan-musharraf-drones/index.html.

The Daily Mail. (2012). 'Pakistani minister places $100,000 bounty on head of California filmmaker behind anti-Islam movie'. *The Daily Mail*, 23 September. Available at: http://www.dailymail.co.uk/news/article-2207254/Pakistani-Minister-Ghulam-Ahmad-Bilour-places-100–000-bounty-head-Innocence-Muslims-filmmaker.html.

Dawn. (2015). 'ISI cultivated Taliban to counter India actions against Pakistan'. *Dawn*, 13 February. http://www.dawn.com/news/1163376.

The Express Tribune. (2012). 'Tribal Militancy: 1,000-plus operations conducted in 2009–10'. *The Express Tribune*, 18 April. Available at: http://tribune.com.pk/story/366216/tribal-militancy-1000-plus-operations-conducted- in-2009–10.

The Express Tribune. (2015). 'Unprecedented call. Achakzai urges Afghan Taliban to join Pashtun struggle'. *The Express Tribune*, 3 December. Available at: http://tribune.com.pk/story/1002953/unprecedented-call-achakzai-urges-afghan-taliban-to-join-pashtun-struggle.

Fair, C. (2014). *Fighting to the End. Pakistan Army's Way of War*. Oxford: Oxford University Press.

Gall, C. (2014). *The Wrong Enemy. America in Afghanistan (2001–2014)*. Boston: Mariner Books.

Gandhi, R. (2004). *Ghaffar Khan, Non-Violent Badshah of the Pakhtuns*. New Delhi: Penguin Books India.

Geo TV (2011). *PAF made 5,500 Strike Sorties over Fata*. 14 November. Available at: https://www.geo.tv/latest/33882-paf-made-5500-strike-sorties-over-fata

Goldenberg, A. (2006) 'Bush threatened to bomb Pakistan says Musharraf,' *Guardian* (UK), 22 September.

Haqqani, H. (2005). *Pakistan: Between Mosque and Military*. Carnegie Endowment for International Peace.

Hussain, R. (2005). *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Hampshire: Ashgate Publishing Company.

Hussain, M. (2013). *Psychological Causes of Juvenile Suicide Terrorism in Orakzai and Kurram*. M.Phil thesis. Kohat University of Science and Technology: Department of Social Work and Sociology.

The Independent. (2016). 'Zac Goldsmiths relationship with Taliban apologist; Imran Khan raises big problems for the would-be Mayor'. *The Independent*, 11 April. Available at: http://www.independent.co.uk/voices/zac-goldsmiths-relationship-with-taliban-apologist-imran-khan-raises-big-problems-for-the-would-be-a6978781.html.

Jinnah, Muhammad Ali. (17th April, 1948). Jinnah's address to Jirga at Government House. Available at: http://m-a-jinnah.blogspot.no/2010/04/frontier-policy-of-pakistan-14-apr-1948.html (Accessed on 7 November, 2015).

Leeson, F. (2003). *Frontier Legion: With the Khassadars of North Waziristan*. West Sussex: Leeson Archive.

Khyber News TV. (2015). 'IS presence in KP can't be ignored: IGP'. *Khyber News TV*. Available at: http://khybernews.tv/is-presence-in-kp-cant-be-ignored-igp/

Magnus, R and Naby, E. (1998). *Afghanistan: Mullah, Marx and Mujahid*. Westview Press

Marwat, F. (2005). *From Muhajir to Mujahid, Politics of War Through Aid: (A Case Study of Afghan Refugees in NWFP*. University of Peshawar: Pakistan Study Centre.

Mezzera, M. and Sial, S. (2010). *Media and Governance in Pakistan*. IFP Democratization and International Justice Cluster: Country Case Study Pakistan.

Nadadur, R. D. (2007). Self-censorship in the Pakistani Print Media. *South Asian Survey*.Vol. 14, No. 1, pp. 45–63.

National Anthem, Aye zama watana. Available at: https://www.youtube.com/watch?v=Vq_yWgvoVd4&list=RDVq_yWgvoVd4#t=1.

The News. (2015). 'Daesh network exists in Sindh: CTD'. *The News*, 14 October. Available at: http://www.thenews.com.pk/article-200566-Daesh-network-exists-in-Sindh:-CTD.

The News. (2016). 'Hafiz Saeed asks Army to shoot down American drones'. *The News*, 11 June. Available at: http://www.thenews.com.pk/latest/127108-Hafiz-Saeed-asks-Pak-Army-shoot-down-American-drones.

Pakistan TV. (2015). 'Ghulam Ahmed Bilour Bilour announces $200,000 head money for Charlie Hebdo owner'. *Pakistan TV*, 2 February. Available at: http://www.pakistantv.tv/2015/02/02/another-controversial-statement-ghulam-ahmed-bilour/

Pande, A. (2011). *Explaining Pakistan's Foreign Policy: Escaping India*. London: Routledge.

Rashid, A. (2008). *Descend into Chaos*. London: Viking.

Riedel, B. (2014). *What We Won: America's Secret War in Afghanistan (1979–89)*. Washington DC: Brookings Institute Press.

Roshan, F. (May, 2007). *Pakhtun monthly*. Peshawar: Bacha Khan Markaz.

Shah, Z. P. (2013). *The Drone War: A View from the Ground. Talibanistan*. Oxford: Oxford University Press ANP.

Taj, F. (2017). *The Real Pashtun Question. How to Control Religious Extremism, Misogyny and Pedophilia?* Delhi: Kautilya.

Wikileaks. (2010). 'Pakistan quietly approved drone attacks'. *Wikileaks*. Available at: http://edition.cnn.com/2010/US/12/01/wikileaks.pakistan.drones/index.html.

Yousaf, M. and Adkin, M. (1992). *The bear trap: Afghanistan's untold story*. Lahore: Jang Publisher.

Yusuf, H. (2011). Conspiracy Fever: The US, Pakistan and its Media. *Survival*, Vol. 53, No. 4).

28
IRAN AND PAKISTAN
A case of keeping a distance

Alex Vatanka

The existing literature on the history of Iran's relations with Pakistan includes plenty of commonplace platitudes (Shah 2004; Pattanayak 2011). None are more mistaken, and misleading, than the claim that the Tehran–Islamabad relationship has, since the birth of Pakistan in 1947, been one of close friendship, cooperation and broadly compatible worldviews. Such distortions overwhelmingly rest on symbolically important but ultimately insubstantial events that mostly occurred in Pakistan's early post-independence life.

The most commonly cited episode is that Iran was the first country in the world to recognize the independence of Muslim-majority Pakistan in May 1949. Pakistan's founding father, Quaid-e Azam, Mohammad Ali Jinnah, was himself instrumental in raising Iran's exceptionalism for Pakistan. He repeatedly pointed to the western neighbor as the closest fraternal ally that his fellow Pakistanis could hope to find anywhere.

And the then young monarch of Iran, the Shah, Mohammad Reza Pahlavi, was initially more than happy to cater to such Pakistani perceptions. The Shah became the first head of state to visit Pakistan in March 1950 and over the following twenty years he would remain full of enthusiasm about what Iran and Pakistan could do together. Still, he seemingly never stopped believing that in this compact it was Iran that was meant to be the suzerain and Pakistan the novice, following his lead. This was a tendency that the Shah could not shake off, and in fact it strengthened over the years as oil money bolstered his position. In the end, his posturing evolved into a paternalistic attitude that Pakistani officials would come to loathe and hold against him.

This initial desire for friendship and cooperation did, of course, have certain indisputable bedrocks. The shared geography, including a 909-kilometer common border, and close historical ties between Persia and the subcontinent that span many centuries, did unquestionably provide an important platform for partnership. However, at the same time, these commonalities should not be exaggerated. The oft-cited warm cultural, sectarian and economic ties have in fact never been critical factors in keeping Iran and Pakistan close.

That was true even in the heyday of relations in the 1950s and 1960s. Instead, what arguably led to the establishing of good relations was the vision of one man, the Shah, and his fervid fears of a Soviet communist rollover into West Asia from the Soviet South in Central Asia. To prevent that scenario from happening he looked for potential regional allies and Pakistan at first fitted the bill. Still, it was to be a rollercoaster ride of sorts.

Once very close friends

Today it is commonplace to hear that the fall of the Shah in 1979 was the turning point in Iranian–Pakistani relations (Hussain 2005; Ali 1998; Kaleji 2002). The arrival of the Shia Islamist regime of Ayatollah Ruhollah Khomeini, coinciding with the Sunni-centric rule of Zia-ul-Haq, who came to power in 1977, is typically identified as the watershed moment. In fact, the break between the two countries had been under way for sometime. And it was not creeping sectarianism that was the catalyst but a combination of the Shah of Iran personally feeling slighted by the Pakistanis and a growing realism in Tehran that Islamabad's obsessive rivalry with India was unsustainable and a venture that Iran should stay out of to safeguard its own national interests.

At first, the Shah was categorical in siding with Pakistan against India. Close personal relations in those early days mattered as well in securing Iranian sympathies for the Pakistani cause. Iskander Ali Mirza, Pakistan's first president, who was a frequent visitor to Iran, epitomized the early elite-to-elite relations, and throughout the 1950s relations between Tehran and Islamabad strengthened. A number of agreements were signed in the first half of the 1950s, including a defense cooperation pact (which included Turkey) in 1954, which followed a friendship treaty that had been signed in May 1950. This was an important deal which led to the common border being finally delineated in February 1958. For Pakistan, the psychological significance of the agreement could not be underestimated at the time. Its other borders with Afghanistan, India, and China were all in dispute and often a source of violent conflict. The formal demarcation of the western border meant that it was much less of a security concern and resources could be further allocated toward the Indian and Afghan borders.

It was, however, the shared Iranian and Pakistani antipathy towards the Soviets to the north and Washington's desire to develop and utilize this common ground that became the most important platform for Iranian–Pakistani cooperation. Unlike other regional allies of the US, such as Turkey, which joined NATO in 1952, Iran and Pakistan were left out of any formal defense treaty that tied them to the West. In the face of a perceived threat from the Soviets, they were on their own, particularly as financial assistance and the supply of much-needed military hardware were concerned (Tahir-Kheli 1977: 474–7). Tehran and Islamabad thought this shortcoming would be addressed with the establishment of the so-called Baghdad Pact in 1955, which they equally enthusiastically welcomed. It would later be renamed the Central Treaty Organization (CENTO), with Iran, Turkey, Pakistan, and UK as members and the US as an observer member. CENTO, however, would be a perpetual disappointment to both Iran and Pakistan over the course of its existence until its demise in 1979.

It was this joint Iranian and Pakistani perception of a lack of commitment by the US to their line of defense that in effect pushed them toward closer bilateral defense cooperation. And yet, when the Iranians and the Pakistanis pleaded with the US for more support they never did so as one body or in the context of CENTO. Despite all the pledges of cooperation and boasting of brotherly ties, Iranian and Pakistani leaders mostly approached the US separately to make a case for being the one key ally to defend American and anti-Soviet interests in West Asia. As Field Marshall Ayub Khan, Pakistan's army chief during Mirza's presidency, put it, the notion of collective defense was a futile aspiration (Nawaz 2008: 154; Foreign and Commonwealth Office 1959). As a whole, CENTO member states each considered different threats as posing a bigger challenge to them than the Soviets, a reality that made collective action unfeasible.

The Shah never really warmed up to Ayub Khan, who removed Mirza in a coup in October 1958, but state-to-state relations remained strong at least for another decade. Political upheaval in the nearby Arab World, where pro-US monarchies were replaced with leftist-nationalist and

pro-Soviet regimes in Iraq, Syria, and Egypt, turned Pakistan into an important buffer zone in the Shah's geopolitical calculations. The nightmare scenario was that Pakistan might fall into Soviet hands, a genuine fear that the Shah considered thoroughly credible given his conclusion that the fragmented and impoverished Pakistani society was ripe for Soviet machinations. It was such assessments that compelled Tehran to take a very active role in mediating the border dispute between Afghanistan and Pakistan throughout this period in order to prevent the deepening of the conflict which could in turn lead to a tantalizing power vacuum for Moscow (Office of the Political and International Studies Iranian Foreign Ministry 1963).

Most critically, Iran opted to come to Pakistan's military aid in its 1965 war with India. This was a bold step by the Iranians, which Islamabad deeply appreciated. The Iranian aid amounted to no more than the supply of small arms and ammunitions but it was still more than any other CENTO country provided at that critical juncture (Avery 1968: 454). Throughout the 1960s, the Pakistanis had complained that the United Kingdom and United States were only paying lip service to the notion of military cooperation with allied states such as Pakistan and Iran and in fact never intended to come to their aid unless it involved Soviet encroachment into West Asia.

The war of 1965 proved this appraisal to be correct. Not only did Washington and London not want to become active parties in the Indian–Pakistani war they also put considerable pressure on the Turks and the Iranians to stay out of it (Hale and Bharier 1972: 221). The message from the West was simple. If weapons given to Turkey and Iran and intended for the Soviet threat were rerouted to Pakistan in the fight against India then the supply would end. Washington's firm judgment was that neither Iran nor Pakistan at the time could afford spending scarce resources on a high-cost and high-risk military rivalry with India.

Instead, the US continued to make the case for prioritizing stronger economic cooperation among the CENTO states. In 1964 it had helped establish the Regional Cooperation for Development (RCD) for this exact purpose. Meanwhile, in the India–Pakistan war of 1965 the Shah made it clear that Islamabad was right to feel betrayed by London and Washington but the war also convinced him that the Pakistani quest for military parity with Soviet-backed India was a pipe dream (Department of State 1965).

Accordingly, he began to see the potential of partnership with Pakistan differently. Six years later, in 1971, Pakistan and India went to war again, and again Tehran came to Islamabad's aid both diplomatically at the UN in New York and militarily with supplies while the conflict raged on (CIA 1972a). But in the interim, between the wars of 1965 and 1971, Ayub Khan had begun to unnerve the Shah by vigorously cultivating ties with the Shah's chief regional rival, the leftist Gamal Abdel Nasser of Egypt. But Pakistan's quest for stronger ties with the Arab states did not end there and would increasingly include major overtures to the oil-rich Arab sheikhdoms of the Persian Gulf as the British colonial power announced in 1968 that it was withdrawing from the region by 1971.

The Shah viewed this as a clear maneuver by Islamabad to make itself a key military power in the Persian Gulf region even though it was not a littoral state. The Shah looked on as Islamabad dispatched troops to a number of the Gulf States as part of its military-to-military efforts. He was displeased, and the Arab question would remain a spoiler in the Shah's ties with Pakistan for the remainder of his rule (Alvandi 2012).

From 1969, when Ayub Khan was replaced by Yahya Khan, until 1979, when the Shah was himself toppled, two issues shaped Iranian–Pakistani relations more than anything else. The first was Pakistan's thorough military defeat at the hands of India in the 1971 war and the country's dismemberment with the loss of East Pakistan, which became Bangladesh. If Pakistan's military performance in the 1965 war had given the Shah reservations, the outcome of the 1971 war left the Shah with no doubt that further rash political decisions and poor military performance by

Islamabad could lead to the collapse of the entire Pakistani state. This represented a nightmare scenario for the Shah. In particular, the Shah was alarmed about the secession prospects of Pakistan's Baluchistan's province, which borders Iran and which was experiencing a leftist separatist insurgency backed by Moscow and Baghdad, with the potential for spillover into Iran's own restive Baluchistan province (CIA 1972b).

At the same time, the Shah's turbulent personal relations with Zulfikar Bhutto, who replaced Yahya Khan in 1971, evolved to become a major stumbling block. Meanwhile, by this point, the dismemberment of Pakistan at the hands of the Indians coincided with the rise of Iran. This was fueled by a rapid rise in oil income and boosted by US President Richard Nixon's choice of the Shah as his primary ally in West Asia to keep out the Soviets. In the course of the next six years, Bhutto sought repeatedly to overturn this reality and return to the evenness in relations that had been in place in the 1950s and 1960s. But the Shah no longer saw Pakistan as an equal. In one of his more eccentric moments following the 1971 war, the Shah hinted that Iran might annex the troubled Pakistani province of Baluchistan if the country faced any more dismantlement due to ethnic conflict – such was his level of disapproval of the state of affairs in Pakistan (Foreign and Commonwealth Office 1971).

Pakistan's humiliation in 1971, and CENTO's failure to come to Islamabad's aid, reinforced an existing belief that the country was on its own. Bhutto, as Ayub Khan had done before him, turned again to China and the oil-rich Arab states of the Persian Gulf. In the February 1974 Islamic summit in Lahore, which the Shah refused to attend, Bhutto's plea for help was met by generous Arab financial aid. Tehran deemed this to be an unfortunate tilt by Islamabad toward Iran's Arab rivals. What angered the Shah even more was Bhutto's propensity to speak behind his back when he met American officials. When the Shah found out, he was livid, refusing for months to see Bhutto, who wanted to make amends (*New York Times* 1973). But even as the two men and countries were parting ways, regional events still had a way of keeping them close. The July 1973 palace coup in Kabul was a case in point.

In that instance, King Mohammad Zahir Shah was toppled by his cousin Mohammad Daoud Khan, who promptly abolished the Afghan monarchy. Tehran and Islamabad, despite tensions, judged Daoud Khan as a pro-Soviet sympathizer and went about cooperating to contain the regional fallout from the coup. The Shah had a central role to play. Daoud Khan's anti-Pakistani policies, particularly his unwillingness to recognize the legitimacy of the Afghan–Pakistani border, was dangerous not only to Islamabad but also to Tehran, which feared that the Soviets could exploit the new Afghan leftist government as a pathway to spread its influence to the oil-rich Persian Gulf region. The 1973 Afghan coup in fact became a spark for a noticeable revival in Iranian–Pakistani military cooperation in the fight against Pakistani Baluch separatists, emboldened by the coming to power of the Daoud government. In this period the Shah sought to incentivize the Afghans in various ways to lessen the anti-Pakistani rhetoric and to prevent them from providing a safe haven for Baluch militants (Ghauri 1974).

Until 1977, when General Zia-ul-Haq took over in Pakistan, the Shah anxiously watched Bhutto wrestle with his domestic political problems at home while seemingly pursuing a multi-front foreign policy strategy. This included separate advances toward the Soviets and the communist Chinese, on the one hand, and the US and oil-rich Arab states, on the other. The Shah saw it as somewhat confused, if not desperate, but continued to speak on behalf of Bhutto in Washington in the hope of averting further Pakistani separation from the American orbit. Even when Zia-ul-Haq had Bhutto imprisoned, the Shah did his outmost to see his once old friend avoid the gallows, which turned out to be an unsuccessful endeavor (Zand-Fard 2000: 340–63).

The coming of the Ayatollahs

The Shah was himself toppled in January 1979. The coming of an anti-American and revolutionary Shia Islamist government in Tehran put Pakistan in a very awkward position. What at a minimum had kept Iran and Pakistan together despite the ups and downs in relations was the basic common desire to stay in the American orbit. Suddenly, Iran very loudly left that grouping, opting to pursue what its new leader Ayatollah Khamenei called the 'independent' path. From Pakistan's perspective, the two key attributes of Iranian influence in Washington – to be able to diplomatically speak on behalf of Pakistan and prod the Americans to aid Islamabad with arms and financial aid – were instantly gone.

Furthermore, the new ruling elite in Tehran was quickly at loggerheads with Pakistan's close Arab friends in the Persian Gulf, who had become important financial backers and home to millions of Pakistani workers that annually sent home billions of dollars in remittances. In the face of such daunting realities, the strategic need to maintain close ties with Iran became much harder to do. However, while Pakistan opted to keep a safe distance from Tehran henceforth, it nonetheless de facto rejected calls by Islamabad's close Arab allies to shun Iran entirely. For example, during the Iran–Iraq War (1980–88), when the Persian Gulf Arab states were bankrolling the military efforts of Iraqi President Saddam Hussein and urging Islamabad to abandon Iran, the Pakistanis were undeterred (Vatanka 2016).

Zia-ul-Haq, the architect of Sunnification policies at home and a darling of the Arab World, paid lip service to Arab calls but in practice opened the port of Karachi to Iran so that its international trade traffic was shielded from attacks by the Iraqi air force, which was targeting Iranian ports. This ironically became a moment in history when Pakistani–Iranian trade blossomed to unprecedented levels (Reuters 1983).

It is also in this timeframe – the second half of the 1980s – that Pakistan, through the A.Q. Khan network, began to provide Iran with nuclear enrichment machinery (Levy and Scott-Clark 2007: 133–4). And yet Islamabad managed to pacify Arab disappointment about its lucrative dealings with Tehran. In other words, Pakistan struck a sensitive balance, and it paid off. Above all, however, Islamabad had no desire to turn its western border with Iran into an additional flashpoint. It had plenty of deeper problems to sort out first with its much more prickly Afghan and Indian neighbors.

Sectarianism and Afghanistan

From 1979 until the fall of the Taliban in Afghanistan in 2001 two factors dominated the relationship between Iran and Pakistan. First, the 1980s witnessed the issue of sectarianism, which created tensions in the relationship. Second, and something that was far more overt in its impact in damaging ties, was the race for influence in Afghanistan as soon as the Soviet Union pulled out in 1989.

After he came to power in 1977, General Zia-ul-Haq made no secret of his desire to Islamicize the country. From the perspective of the minority Shia population the problem lay in that Zia was superimposing Sunni theological doctrines in the process. Instead of seeing Zia's policies as Islamification they tended to see it as encouraging sectarianism at the expense of the Shia minority. It was in this context that Iran's Shia-centric 1979 revolution occurred, a fact that no doubt energized the most vocal anti-Zia Shia Pakistani voices. For sure, some Pakistani Shia activists looked to Iran at this time for both ideological guidance and practical support. The records show that considerable support was provided by Iran throughout the 1980s even though

not all Pakistani Shia activists aspired to replicate Ayatollah Khomeini's political model at home (Lodhi 1988; *Crescent International* 1986; Shah 1997).

Still, though, while the sectarian factor became more pressing than ever before it never came close to completely hijacking Iranian–Pakistani relations. In fact, on the broader geopolitical level, Islamabad's official position of neutrality during the Iran–Iraq war was unaffected and Pakistan continued to actively aid Iran's war effort unabated (Vatanka 2012). Meanwhile, by the mid-1990s, the fervor of the Iranian revolution had significantly decreased, and Tehran's earlier efforts to spread its Islamist revolutionary message and attempts to influence non-Iranian Shia communities became an afterthought as Iranian officials sought to restore diplomatic and economic ties with neighbors and the outside world.

This Iranian introspection did not mean cutting off ties with like-minded Shia political actors in Pakistan. To this day, the estimated 40 million Pakistani Shia population constitutes a key target audience for Iran's Supreme Leader Ayatollah Ali Khamenei's political messaging. And many Pakistani Shia Islamist activists still look to Iran for religious leadership (Abbas 2010). But while such linkages exist between the two countries, and prove at times to be annoying to officials in Islamabad, it still falls short of dominating the overall relations between Tehran and Islamabad. For example, Khamenei's frequent urging of Muslim unity is habitually wrapped in a broader anti-American and anti-Western message that is equally hostile to the status quo powers in the greater Middle East. This includes Saudi Arabia and other pro-US Arab states that happen to be important foreign policy partners for Islamabad, which in turn makes the Iranian messaging unhelpful at best in the eyes of the Pakistanis.

The Iranian–Pakistani rivalry for influence in Afghanistan, however, was much harder to downplay. Throughout the period of 1950s until the fall of the Shah in 1979, Islamabad and Tehran had shared a basic desire to keep Afghanistan from falling into Soviet hands. During the Soviet occupation of Afghanistan (1979–89), Iran and Pakistan were still on the same side but unlike before did not do much in terms of coordinating the anti-Soviet campaign. By now Iran had its chosen Afghan militant groups – mostly Shia and ethnic Hazara and Tajiks – while Pakistan had its Sunni and mostly Pashtun militants that it backed and which were to Tehran's dismay lavishly funded by the Arab states of the Persian Gulf (Mojdeh 2010).

Despite this innate competition, which came with backing opposing Afghan factions, the question of Afghanistan did not morph into a pivotal pitfall in relations during the 1980s. Iran was preoccupied with the war against Iraq and voluntarily accepted Pakistan to effectively represent it at the UN-brokered talks between the Soviets and Afghanistan's neighbors. But with the end of the war against Iraq in 1988 and Moscow's withdrawal in 1989, the Iranians found a new interest in shaping events in Afghanistan. This quickly developed into a zero-sum race that only escalated further with the collapse of the Soviet Union in 1991.

Not only did both sense a freer hand to act in Afghanistan, both Iran and Pakistan each wanted to become the primary passage to world markets for the landlocked Central Asian states that suddenly emerged on the map. It was in this context of intense rivalry in the midst of a political vacuum in Afghanistan that the puritanical and anti-Shia Taliban movement rose to power in 1994, leaving the Iranians feeling dejected but determined to face off Islamabad's ploy to turn Afghanistan into a Pakistani satellite state (Rashid 2000: 28–33).

Iran, rightly, saw the Taliban as the brainchild of the Pakistani intelligence services, and a project made possible thanks to the financial backing of its Arab rivals. Tehran would over the course of the Taliban rule (1994–2001) maintain extremely uneasy relations with Afghanistan. Iran openly supported Taliban's nemesis, the Tajik-dominated Northern Alliance. At times this intense rivalry could not be limited to the Afghan soil. During the 1990s, a number of Iranians, including a diplomat, were assassinated in Pakistan. Tehran saw the culprits, anti-Shia Sunni

extremists, as an extension of the Pakistani state and an act that was part of the cold war between Islamabad and Tehran (Lodhi 1988).

Meanwhile, when in August 1998, Taliban forces overran the northern Afghan city of Mazar-e Sharif, they not only engaged in a killing frenzy of the local Shia population but promptly detained and later executed nine diplomats that were holed up in the Iranian consulate (Human Rights Watch 1998). The Iranians blamed Pakistan, reduced diplomatic ties, and briefly contemplated a military intervention in Afghanistan to punish the Taliban. But Tehran opted not to raise the stakes and there was to be no major direct military retaliation against the Taliban and its military advisors. Iran merely sealed its border with Afghanistan.

The year 1998, however, was also memorable for another episode that surely played a role as Iran weighed its options against the Taliban. That year was Pakistan's official debut as a nuclear-armed state after it detonated six weapons in mountains not far from the Iranian border. Officially, Iran had congratulated Islamabad with making the 'first Islamic bomb' but there was no denying in Tehran that Pakistan had entered a much higher level in the realm of military power. Iran was therefore more than pleased and in fact actively aided the American military campaign to topple the Taliban from power in Kabul in late 2001 after it refused to hand over the Al Qaeda leaders that had staged the 11 September terrorist attacks against the United States.

Relations in the post-Taliban era

In the post-2001 era, with the Taliban removed from the scene, Iran and Pakistan have had a genuine chance to repair relations. To go back to the heyday of relations in the 1950s and 1960s was not possible, but the overt hostility that had developed in the 1990s was a trend that could be much more vigorously countered. In reality, while relations today are officially cordial, and often pragmatic, much suspicion on both sides continues to cloud relations. Neither Iran nor Pakistan has the other as part of its top-tier foreign policy agenda. It is almost as if 'managed tensions' are the best that can be hoped for in the bilateral relations.

Nothing perhaps illustrates this better than the issue of border skirmishes between the two countries in the last decade. In February 2014, for example, Iran threatened to send its forces into Pakistan after a Sunni and Iranian ethnic Baloch militant group, Jaish al-Adl, kidnapped five Iranian border guards.[1] This was one of the more high-profile incidents but other armed clashes on the border have become dangerously common. The Iranians, blaming Pakistan for an inability or unwillingness to prevent cross-border attacks, have many times vowed to take unilateral action inside Pakistan unless the attacks are stopped.

And yet the border, unlike the 1950s and 1960s, remains a flashpoint. Being resigned to accepting frequent violence on the border and tensions in the relationship elsewhere, Sartaj Aziz, the top foreign policy and national security adviser to Prime Minister Nawaz Sharif, simply labeled them as 'very unfortunate.' But Aziz's reluctance to dwell on the topic is somewhat understandable as at that time in early 2014 Islamabad was coping with serious incidents on its Afghan and Indian borders.

If tensions between Iran and Pakistan are not at a greater level it is because they each have other and bigger threat perceptions. Their rivalries with other states – India in the case of Pakistan and mostly the Arab Gulf states in the case of Iran – invariably forces Tehran and Islamabad to regulate the tensions between them so as not to become overpowered and distracted from those other regional rivals. Meanwhile, that more is not done to seek to remove tensions is linked to a structural roadblock. It is the two country's respective security and intelligence agencies – and not the foreign ministries – that are the dominant actors in shaping policy toward each other. This in turn makes security-centric considerations dominate the conversation.

In comparison, trade and other economic cooperation are almost entirely absent from the bilateral discourse in any meaningful way. Among its immediate neighbors, Iran today trades least with Pakistan, which happens to be by far its biggest neighbor with a population of 190 million. It is also this combination of entrenched suspicion and having other priorities that has kept the two countries from completing a strategic natural gas project that would otherwise herald a new phase in relations. Iran happens to have the largest natural gas reserves in the world and is looking for new export markets. Pakistan, on the other hand, is an energy poor country on the lookout for competitive strategic suppliers. In fact, an agreement was signed as early as 1994 for a so-called 'peace pipeline' to take Iranian gas to the Pakistani market. Some twenty years later, the project is yet to see the daylight (*The Diplomat* 2015). While commercial factors might also be at play in keeping the project from coming to life, there is no doubt that a stronger political will in Tehran and Islamabad would have made this and other economic projects much more likely to come to pass.

Meanwhile, the trends of violent geopolitical rivalry in the greater Middle East have, if anything, made an Iranian–Pakistani accommodation of sorts that much harder. Riyadh, the long time financial backer of the Pakistani military, is today engaged in a deep regional competition with Tehran. The Saudis at a minimum expect solidarity, if not outright assistance from Islamabad in facing off Tehran. Anything else could jeopardize relations and this reality compels Pakistan to continue to keep Tehran at a safe distance so as not to offend its Arab allies in the Persian Gulf. In such circumstances, Islamabad can at best hope to repeat the delicate but ultimately successful policy of Zia-ul-Haq during the Iran–Iraq War (1980–8) when Pakistan stayed out of the conflict and instead looked for ways to benefit from it.

Since the 1960s, the Arab question has repeatedly been a driver, if not a spoiler, in Iranian–Pakistani relations. In the context of its relations with the Arab World, the secular and pro-US Shah presented the same challenges to the Pakistanis as is the case today with the anti-American Islamist ruling elite in Tehran. When pushed to choose, Islamabad sees little strategic logic in siding with Iran. That basic premise will probably remain constant as long as India remains Pakistan's arch security concern and Tehran continues it line of anti-Americanism.

Today, Pakistan has much closer ties to the Arab countries of the Persian Gulf and particularly Saudi Arabia, home to millions of Pakistani expatriates and a source of subsidized oil and other financial incentives that matters in the military race against India. At the same time, however, Iran remains a large immediate neighbor and a nuclear-threshold state looking to emerge from years of international isolation. These factors might compel Islamabad to give Iran another look as it weighs Saudi and other Arab requests for support. What history demonstrates is that it is cold geopolitical calculations that will fashion Islamabad's approach to Iran in the foreseeable future.

Pakistan's basic blueprint, which has been applied for over forty years, will steer Islamabad's decisions in this most recent Iranian–Saudi struggle for power. But today, the position is not just about advantageous geopolitical maneuvering. Today, sectarianism has become a menace for Pakistan unlike anytime before. And given its huge population of around 190 million people, with an 80 to 20 percent Sunni–Shiite split, Pakistan cannot afford to become another battleground for sectarian competition instigated by Iran and Saudi Arabia. Instead, as it has done repeatedly over the decades, Islamabad will seek to placate the concerns of both Tehran and Riyadh, but without falling victim to their cold war for regional supremacy.

Note

1 Such attacks continued since. See for example 'Eight Iranian guards killed in 'Jaish-ul-Adl' attack' 2015, *The Dawn*, 8 April.

Bibliography

Abbas, H. (2010). *Shiism and Sectarian Conflict in Pakistan*. New York: Combating Terrorism Center at West Point

Ali, L.A. (1998). Pakistan–Iran Relations in the Post-Imperial World. *Journal of Political Studies*. Available at: http://pu.edu.pk/images/journal/pols/Currentissue-pdf/Iran%20-%20Pakistan%201%20xvi%20 2009.pdf.

Alvandi, R. (2012). Nixon, Kissinger, and the Shah: The Origins of Iranian Primacy in the Persian Gulf. *Diplomatic History*, vol. 36, no. 2.

Avery, P. (1968). Iran 1964–68: The Mood of Growing Confidence. *The World Today*, vol. 24, no. 11.

CIA. (1972a). Trends in Iranian Arms Procurement. *CIA Memorandum*, May. ER IM72-79.

CIA. (1972b). West Pakistan: Resupply Problems. *CIA Memorandum*, December.

Crescent International. (1986). Outlook for Revolution in Pakistan. *Crescent International*, February.

Dawn. (8 April, 2015). Eight Iranian Guards Killed in 'Jaish-ul-Adl' Attack. *The Dawn*.

Department of State (1965) 131965, *File 8919*, 13 September.

The Diplomat. (2015). Will the Iran-Pakistan Gas Pipeline Really Go Ahead? *The Diplomat*, 21 August.

Foreign and Commonwealth Office. (1959). *Diplomatic Cable 10321/59*, no 159, 19 November.

Foreign and Commonwealth Office. (1971). *File 1519551*, 17 December.

Ghauri, S.R. (1974). Bhutto Tries to Warm Iran Relationship. *Guardian*, 30 March.

Hale, W.M. and Bharier, J. (1972). Cento, RCD and the Northern Tier. *Middle Eastern Studies*, vol. 8, no. 2.

Human Rights Watch. (1998). Survivors Describe Taliban. Report, 2 November.

Hussain, K. (2005). *Pakistan's Afghanistan Policy*. Sindh, Pakistan: University of Karachi.

Kaleji, V.K. (2002). Ups and Downs in Iran–Pakistan Ties. *Iranian Review of Foreign Affairs*, vol. 2, no. 4, pp. 141–78.

Levy, A. and Scott-Clark, C. (2007). *Deception: Pakistan, the United States and the Secret Trade in Nuclear Weapons*. New York: Walker Publishing Company.

Lodhi, M. (1988). Pakistan's Shia Movement: An Interview with Arif Hussaini. *Third World Quarterly*, vol. 10, no. 2.

Mojdeh, V. (2010). *Political Relations between Iran and Afghanistan in the 20th Century*. Kabul: Mirvand.

Nawaz, S. (2008). *Pakistan, Its Army and the Wars Within*. Karachi: Oxford University Press.

New York Times. (1973). The Shah Mends Fences. *New York Times*, 20 May.

Office of the Political and International Studies Iranian Foreign Ministry. (1963). *Relations Between Iran and Pakistan (Selected Documents)*, Doc. No 5 (Published in 1996).

Pattanayak, A. (2011). *Iran's Relation with Pakistan: A Strategic Analysis*. New Delhi: Vij Books India Pvt.

Rashid, A. (2000). *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*. New Haven, CT: Yale University Press.

Reuters. (1983). With Its Ports Periled by War, Iran Boosts Trade with Pakistan. Reuters, 8 December.

Shah, A. (2004). Iran–Pakistan Relations: Political and Strategic Dimensions. *Strategic Analysis*, vol. 28, no. 4. Available at: http://idsa.in/system/files/strategicanalysis_salam_1204.pdf.

Shah, M.A. (1997). *The Foreign Policy of Pakistan: 1971–1994*. New York: I.B. Tauris.

Tahir-Kheli, S. (1977). Iran and Pakistan: Cooperation in an Area of Conflict. *Asian Survey*, vol. 17, no. 5, pp. 474–7.

Vatanka, A. (2012). The Guardian of Pakistan's Shia. *Current Trends in Islamist Ideology*, vol. 13. Washington, DC: Hudson Institute.

Vatanka, A. (2016). Pakistan's Game. *Foreign Affairs*, 17 January.

Zand-Fard, F. (2000). *Iran and a World in Turbulence*. Tehran: Shiraze.

29

SAUDIZING PAKISTAN

How Pakistan is changing and what this means for South Asia and the world

Pervez Hoodbhoy

For well over forty years deep tectonic forces have been silently tearing Pakistan away from the Indian subcontinent and driving it towards the Arabian Peninsula. This continental drift is not physical but cultural, driven by a belief that Pakistan must exchange its South Asian identity for an Arab-Muslim one. Grain by grain, the desert sands of the Kingdom of Saudi Arabia are replacing the rich soil that had nurtured a Muslim culture which produced magnificent Mughul architecture such as the Taj Mahal, the poetry of Asadullah Khan Ghalib and Shah Abdul Latif Bhitai, and so much more. But now a stern, unyielding version of Islam is replacing the kinder, gentler Islam of the sufis and saints who walked on this land for centuries.

Pakistan's cultural transformation started, albeit slowly, soon after the Arab–Israeli war of 1973. The oil embargo caused the price of oil to skyrocket and with their new found wealth Arab countries could purchase labour and expertise from across the world, including Pakistan. Workers from poorer Muslim countries suddenly came into contact with Arab Islam, finding it very different and more conservative than the one they knew back home. Overwhelmed by what they saw as authentic Islam unencumbered by interlocutors, many workers from Punjab, Sind, and NWFP – most with no or little education – were to return transformed. Some became vigorous proselytizers, aided by generous Saudi grants for creating madrassas.

Pakistan's villages began to change. Their mosques spawned giant madrassas propagating hardline Salafi and Deobandi beliefs through oversized loudspeakers. They soon became bitter opponents of the Barelvis, Shias and other Islamic sects who they derided as being not real Muslims. The Punjabis, once more liberal towards women than the Pashtun, also began taking a line resembling that of the Taliban. Hanafi law started to prevail over both tradition and civil law.

Since the 1970s Pakistan's economic dependence upon the Kingdom has increased many fold. According to the Ministry of Overseas Pakistanis, there were a total of 8 million Pakistanis working overseas in 2014–15. This includes an estimated 2 million Pakistanis in Saudi Arabia and another 1.3 million in the United Arab Emirates. In the financial year 2015, the State Bank of Pakistan (SBP) received a whopping $18.7 billion in foreign remittances. Of the $18.7 billion, close to 12 billion dollars came from Saudi Arabia, the United Arab Emirates, Kuwait, Qatar and Oman. This amounts to 65 percent of Pakistan's total foreign remittances (Saleem 2016).

Even with the depressed oil prices of the last few years, the Gulf royals are the richest of rich Arabs. Five extended families own a staggering 60 percent of the world's petroleum reserves, with the Saudis being at the very top. They underwrite the US and European defense industries

with multi-billion dollar arms purchases, own idyllic islands and private jets, and have investments valued in trillions of dollars. At the same time, they are passionate about tribal values and vigorously oppose modern thinking.

Arguably no other country has held up the modernization of the Arab world, and the Muslim world at large, as much as the Kingdom of Saudi Arabia. Wahabism – the orthodox Islam practiced in Saudi Arabia – promises a pristine back-to-the-Quran faith unadulterated by historical accretions. To preserve the legitimacy of the ruling family, it insists that Wahabism is the only true Islam. This has translated into a war aimed at eliminating other Islamic sects.

Wahabism is a strong anti-woman, anti-Western, and anti-humanistic creed that has laid the ideological basis for Al-Qaida, Da'ish, Boko Haram, Taliban, Jabat al-Nusra, Shabab-e-Islam, and countless other groups that wreak terror in their respective areas of operation. The export of toxic clerics has helped create a network of Salafi–Wahabi madrassas, mosques, and preachers through which Saudi Arabia has spread the message of hate and intolerance from Indonesia to Pakistan, and Iraq to Europe to America.

In a recent essay, Kamel Daoud, an Algerian journalist, describes Wahabism as,

> A messianic radicalism that arose in the eighteenth century, hopes to restore a fantasized caliphate centered on a desert, a sacred book, and two holy sites, Mecca and Medina. Born in massacre and blood, it manifests itself in a surreal relationship with women, a prohibition against non-Muslims treading on sacred territory, and ferocious religious laws. That translates into an obsessive hatred of imagery and representation and therefore art, but also of the body, nakedness and freedom.
>
> *(Daoud 2015)*

Saudi Arabia is so extreme that several writers have compared it to Da'ish, otherwise known as ISIS or ISIL. Daoud (2015) characterizes Saudi Arabia as "An ISIS that has made it." In his *New York Times* op-ed, he writes,

> Black Daesh, white Daesh. The former slits throats, kills, stones, cuts off hands, destroys humanity's common heritage and despises archaeology, women and non-Muslims. The latter is better dressed and neater but does the same things. The Islamic State; Saudi Arabia. In its struggle against terrorism, the West wages war on one, but shakes hands with the other. This is a mechanism of denial, and denial has a price: preserving the famous strategic alliance with Saudi Arabia at the risk of forgetting that the kingdom also relies on an alliance with a religious clergy that produces, legitimizes, spreads, preaches and defends Wahhabism, the ultra-puritanical form of Islam that Daesh feeds on.

Now here's a puzzle: haven't both Saudi Arabia and Da'ish declared war upon each other? Don't they actually kill each other, often brutally? This fact notwithstanding, there is scarcely any difference in terms of ideology as well as practice: both believe that democracy is impermissible in Islam. Both Da'ish and Saudi Arabia use punishments such as amputation of limbs for theft, public floggings for expressing dissent, stoning to death, etc. Crimes that are punishable by death include apostasy, blasphemy, idolatry, homosexuality, witchcraft and sorcery, and drug use/trafficking. Saudi Arabia is the only state in the world that allows beheadings as well as crucifixions.

That these two contenders for leadership of the Islamic Ummah are at war against each other is entirely understandable. There can, of course, be only one *amir-ul-momineen* (leader of the faithful) at a time. For this reason the self-proclaimed Caliph Abu Bakr al-Baghdadi refuses to kowtow to Saudi King Salman, and vice-versa.

The Kingdom's best friends

Since the early twentieth century it has been known that Saudi Arabia has the world's largest oil reserves. This has been the central fact around which the Kingdom's relation with the United States and Britain has been built upon. The relationship has weathered many a storm. So while Saudi Arabia may be despised, feared, and dreaded in much of the world as well as the West, its immense financial clout has made it almost impossible to touch.

Although it has occasionally cautiously disapproved of Saudi practices, the United States has made no significant attempt to influence its ally. Instead, it considers Saudi Arabia as the key to stability in the Middle East in spite of the fact that fifteen of the nineteen suicide attackers who flew into the World Trade Center were Saudis.

Washington is certainly aware of Saudi terror financing. According to US government cables leaked by WikiLeaks, "donors in Saudi Arabia constitute the most significant source of funding to Sunni terrorist groups worldwide" (Spillius 2010). A cable from Hillary Clinton, then secretary of state, dated 30 December 2009, reads, "It has been an ongoing challenge to persuade Saudi officials to treat terrorist financing emanating from Saudi Arabia as a strategic priority." Nevertheless, the US is currently helping Saudi Arabia to crush the Yemeni uprising even though there has been large-scale loss of civilian lives.

In a statement that is remarkable for both simplicity and correctness, Noam Chomsky has this to say about US attitudes towards terrorism: "Everybody's worried about stopping terrorism. Well, there's a really easy way: stop participating in it" (Chomsky 2002). But to not participate has proved impossible, at least so far. Although the Saudis made no secret of their dislike for Barack Obama, in September 2015 he nevertheless felt he had to reiterate "the longstanding friendship between the United States and Saudi Arabia." Surely it was the $100 billion in arms deals with Saudi Arabia that moved him to say that.

Shoot the bustards

If the Saudis think they own the world they may be wrong but not by very much. Their fantastic wealth also means that they expect their every command to be unquestioningly obeyed and every wish fulfilled. They make laws, and so no other law may stand in their way. Given that even the powerful Americans can't have their way, exotic birds stand little chance.

Every year, rich Arabs in search of bird meat with aphrodisiacal qualities descend upon the province of Baluchistan and travel in convoys of land cruisers carrying radars, powerful guns, binoculars, and scores of servants. With specially trained falcons, they come to hunt a diminutive, waddling, migratory bird known as the houbara bustard.

The bustard, an endangered species that has become extinct in the Middle East due to over hunting, is protected by Pakistani law. Protesting environmentalists finally had bustard hunting banned. But, given Pakistan's deferential relationship with Arab kings and princes, it is not law but power that matters. A *New York Times* report says that,

> Little expense is spared for the elaborate winter hunts. Cargo planes fly tents and luxury jeeps into custom-built desert airstrips, followed by private jets carrying the kings and princes of Persian Gulf countries along with their precious charges: expensive hunting falcons that are used to kill the white-plumed houbara.
>
> *(Walsh 2015)*

The report reveals that Prince Fahd bin Sultan bin Abdul Aziz, the governor of Tabuk province, was welcomed by a delegation of Pakistani officials. In the previous year the prince, along with

his entourage, had killed 2,100 bustards over twenty-one days during last year's hunt, or about twenty times more than his allocated quota.

This deference to Arab wealth and power exemplifies Pakistan's relationship with its Arab visitors. The quid pro quo for allowing the law of the land to be violated is more mosques and madrassas for the locals, who turn out in large numbers to welcome them.

Pak-Saud history

Pakistan's relationship with the Kingdom of Saudi Arabia lies at a different plane from that of America's. It is hard to say whether Pakistan's adoration is for primarily financial or ideological reasons because Makkah and Medina are the birthplace of Islam. The Saudi royal family lays claim to being custodians of Islam's holy sites. The reverential urge among Pakistanis should not be underestimated.

It was Prime Minister Zulfikar Ali Bhutto who initiated a political relationship with Saudi Arabia in the early 1970s. At the Lahore Summit of 1974, Bhutto sought to create Islamic unity, acknowledging Saudi Arabia as the key player in the post oil embargo world. The goal was to show India that Pakistan has powerful friends, and the hope was that the newly wealthy Arab countries would fund Pakistan's nascent nuclear program.

General Zia-ul-Haq, who hanged Bhutto a few years later, deepened this relationship after the Soviet invasion of Afghanistan in late 1979. The United States, in support of the Afghan resistance, waged an exceedingly elaborate, expensive, and ultimately successful covert war. Unlike other proxy wars in Africa and South America, for the first time ever, the United States supported a guerrilla army firing on Soviet troops. With Pakistan as America's foremost ally and Saudi Arabia as the principal source of funds, the CIA openly recruited Islamic holy warriors from Egypt, Saudi Arabia, Sudan, and Algeria. Saudi-funded madrassas sprang up across Pakistan, providing a steady stream of fighters. Radical Islam went into overdrive as its superpower ally and mentor funneled support to the *mujahidin*. In 1988 Soviet troops withdrew unconditionally and a US–Pakistan–Saudi alliance emerged victorious. A chapter of history was complete.

It was in those years that Pakistan started drifting westward. The earliest sign was heralded in the 1980s by a subtle but significant linguistic shift. Television and radio announcers were instructed to drop the customary parting salutation *Khuda Hafiz* (God be with you – Khuda is Persian for God) in favor of the Arabic sounding *Allah Hafiz*. Although the latter is not used in Arab countries, it somehow seemed more "Islamic" to use the Arabic god than the Persian one. But this was just one example. Hindi and Farsi words were expunged from Urdu wherever possible. The month of fasting, written as *Ramzan* in Urdu, morphed into the Arabic-sounding *Ramadan* or *Ramadan Kareem*. Similarly, *sehri* (the beginning time of fasting) became *suhoor*, *namaz* (prayer) became *salat*, etc.

A new seriousness became evident when the official historians of General Zia-ul-Haq's Pakistan were tasked with a massive rewrite of history. Today several officially prescribed Pakistan Studies textbooks claim Pakistan was born not in 1947 but with the conquest of Sindh in 712 AD by Arab invader Muhammad bin Qasim. The novels of Nasim Hijazi idolizing Arab conquerors became the rage.

To be seen as Arab, or to be seen as of Arab descent, has been the desire of generations of South Asian Muslims. Men typically have names such as Syed, Sayyid, Sayyed, etc., all of which suggest descent from Prophet Mohammed through his grandsons. A DNA test would, of course, show such claimed lineages to be false since South Asian Muslims are overwhelmingly from native rather than Arab stock. This has not stopped people from giving Arabic names to their children. In earlier years, it was unheard of for Muslim children to be named Talha, Firas, Mudrik, Wael, Farafisa, Hajjah, etc. But in the present times these names have become

common whereas South Asian ones like Pervez, Firoz, Shameem, Firoza, Jugnu, Chanda, etc., are becoming infrequent.

These days an abundance of cars bearing number plates entitled "Al-Bakistan" and "Al-Bunjab" makes desire for "Arabness" ludicrously evident. Ludicrous because, unlike Urdu, the Arabic language has no sound for "p" and instead uses "b." So, effectively, Pakistan and Punjab have been renamed! Aping the Arabs has reached ridiculous heights from time to time: at a cost of 25,000 rupees each, thousands of date palms were imported by Nawaz Sharif's government from the United Arab Emirates in the 1990s to line Islamabad's avenues and streets. None survived the very different climate.

The Arab cultural invasion has left quite a few Pakistanis worried. One wrote: "Is the land of five rivers slowly giving way to sand dunes, camels and date trees?" (Rizwan 2014). Another has scathingly called Pakistan's desire to emulate Arab culture as its Arab Wannabe Syndrome (AWS), defining this affliction to be "an uncontrollable urge to pretend to be, or to behave like, an Arab, when in fact the patient is not an Arab" (Syed 2015).

Why have Saudi-inspired Salafis and Wahabis been so successful in establishing their hegemony? Of course, petrodollars have been important but the key lies in their stark literalism and religious scholarship. Once upon a time, it was possible to have multiple interpretations from Hanifi, Shafi, Maliki, Hanbali, and Shia schools of jurisprudence. But a greater emphasis on religious education has increased the power of even everyday people to recall and quote specific *ayats* (Quranic verses) or episodes from the Hadith – sometimes in Arabic as well as Urdu. This enormously potent tool leaves pious listeners in speechless awe. One cannot possibly argue with someone so knowledgeable about the divine!

So what do Saudi-inspired cultural revolutionaries really want?

The first priority

Women, in orthodox eyes, are the very source of temptation and evil. To segregate them from men is therefore absolutely essential. In this regard, there has been considerable "progress": the segregation of men and women at weddings, and at private and public gatherings, is noticeably greater today than ever in the past. Dancing and festivities are ascribed to the "Hindu corruption" of the culture.

The Arab model is replete with extreme examples of segregation. Women are not allowed to drive, nor allowed to leave home without a male *mehram* (guardian), and that too only when fully cloaked. Some years ago Saudi Arabia's ubiquitous religious *mutaween* (religious police) stopped schoolgirls from leaving a blazing building because they were not wearing their cloaks. The panicked girls had rushed out without them! Uncharacteristically, Saudi newspapers blamed and criticized the mutaween for letting fifteen girls burn to death.

The ban on the intermingling of the sexes has had curious consequences. Too rich to need to work, there is little for Arabs to occupy themselves with. Even cinemas are banned, leaving raw consumerism as the only entertainment. Hence the enormous excitement when some glitzy new megastore opens in town. So, for example, after the "excitement" over the opening of an IKEA store led to several dead and many more injured, *Arab News* commented in its editorial that,

> the total lack of activity in the lives of the teenagers who went, the bored housewives who sit at home memorizing the various options on their satellite dishes and the civil servants who felt that a challenge between friends over the vouchers would be more productive than going to work was the motive that propelled all those people to the IKEA store.
>
> *(Al-Shayyal 2004)*

Segregation in Pakistan is nowhere as total as in Saudi Arabia, but it has substantially increased. The consequences are similar. On April 9, 2006, twenty-one women and eight children were crushed to death and scores injured in a stampede inside a three-story madrassa in Karachi, where a large number of women were attending a weekly congregation. Male rescuers, who arrived in ambulances, were prevented from moving the injured women to hospitals. I was personally witness to another such incident. Soon after the October 2005 earthquake, as I walked through the destroyed city of Balakot, a student of the Frontier Medical College described to me how hours ago he and his male colleagues were stopped by religious elders from digging out injured girl students from under the rubble of their school building lest there should be physical contact between them and some female.

Segregation in Pakistan has historically been most actively sought by Pakhtuns in the Khyber Pakhtunkhwa province. During the time when the conservative Muttahida Majlis-e-Amal Party formed a government there, the health minister, Mohammad Nasir Khan, assured the upper house of parliament that the government could consider banning female nurses looking after male patients at hospitals. Women's bodies were of particular concern to these holy men who banned the use of ultrasound for women: "We think that men could derive sexual pleasure from women's bodies while conducting ECG or ultrasound," proclaimed Maulana Gul Naseeb Khan, provincial secretary of the MMA (Lamb and Shehzad 2003). In his opinion women would be able to lure men under the pretext of these medical procedures. Therefore, he said, "to save the supreme values of Islam and the message of the Holy Prophet (PBUH), the MMA has decided to impose the ban." Destroyed or damaged billboards with women's faces can be seen in several cities of the frontier because the MMA deems the exhibition of unveiled women to be un-Islamic.

The success of dedicated efforts to promote the separation of the sexes, and to radically change women's apparel, is particularly noticeable among educated Pakistani women, including those who live in the elite Defense Housing Colonies of Karachi, Lahore, and other big cities. Proselytizers, such as Farhat Hashmi, have become immensely popular there. There are numerous indicators of success.

Barely twenty years ago, *abaya* was a word unfamiliar to speakers of Urdu and never to be seen. This shapeless gown, usually black, is of Arab origin. But today, countless shops in every city of Pakistan specialize in abayas, hijabs, and burqas. Some are at the high-end, frequented by rich housewives and their daughters. Those wearing a burqa sometimes also wear black socks and gloves, covering every inch of the body except for two slits around the eyes. This practice is made still unhealthier by the use of synthetic materials that make it difficult for the skin to breathe or sweat to evaporate. While some women are not allowed to step outside their house, others are veiled even inside their house because of hired male domestic help. Although doctors warn that vitamin-D deficiency results in these cases, this has made little difference (Douglas 2007).

Once upon a time, the fully veiled student was a rarity on Pakistani university and college campuses. But in colleges and universities across Pakistan, the female student is increasingly seeking the anonymity of the burqa. And in some parts of the country she seems to outnumber her sisters who still "dare" to show their faces.

How does the veil affect habits and attitudes? There does not seem to be a proper comparative study. However, my personal observation is that many veiled female students have largely become silent note-takers, are increasingly timid and less inclined to ask questions or take part in discussions. They lack the confidence expected of a young university student.

Mercifully, Pakistani men have not – at least as yet – taken to the tradition Arab dress of *thawb, ghutrah*, and *agal*.

Saudizing education

The primary vehicle for fulfilling the Saudi agenda in Pakistan has been the madrassa. In earlier times, madrassas had turned out the occasional Islamic scholar, using a curriculum that essentially dates back to the eleventh century, with only minor subsequent revisions. But their principal function had been to produce imams and muezzins for mosques, while those who eked out an existence as *maulvi sahibs* taught children to read the Quran.

The Afghan jihad changed everything. During the war against the Soviet occupation of Afghanistan, madrassas provided the US–Saudi–Pakistani alliance the cannon fodder they needed to fight a holy war. The Americans and Saudis, helped by a more-than-willing General Zia, funded new madrassas across the length and breadth of Pakistan. A detailed picture of the current situation is not available, but according to the national education census, which the Ministry of Education released in 2006, Punjab has 5,459 madrassas followed by the NWFP with 2,843; Sindh has 1,935; the Federally Administrated Northern Areas (FANA), 1,193; Baluchistan, 769; Azad Jammu and Kashmir (AJK), 586; the Federally Administrated Tribal Areas (FATA), 135; and the Islamabad capital territory, 77. The Ministry estimates that 1.5 million students are acquiring religious education in the 13,000 madrassas.

These figures appear to be way off the mark. Commonly quoted figures range between 22,000 and 30,000 madrassas. The number of students could be correspondingly larger. The free boarding and lodging plus provision of books to the students is a key part of their appeal. Additionally, parents across the country desire that their children be "disciplined" and given a thorough Islamic education. The madrassas serve this purpose, too, exceedingly well. Like Saudi Arabia's system, madrassa education provides an ideological foundation for violence and future jihadists. It demands that Islam be understood as a complete code of life, and creates in the mind of a school-going child a sense of siege and embattlement by stressing that Islam is under threat everywhere.

Madrassas have deeply impacted the urban environment. For example, until the 1990s Islamabad was a quiet, orderly, modern city quite different from the rest of Pakistan. It had largely been the abode of Pakistan's elite and foreign diplomats. But the rapid transformation of its demography brought with it hundreds of mosques with multi-barreled audio-cannons mounted on minarets, as well as scores of madrassas illegally constructed in what used to be public parks and green areas. Now, tens of thousands of their students, sporting little prayer caps, dutifully chant the Quran all day. In the evenings they swarm the city, making women minus the hijab increasingly nervous.

Pakistan's so-called "secular" public schools, colleges, and universities have been no less involved in producing the militant mindset. Militant jihad became part of the culture on college and university campuses. Armed groups flourished, they invited students for jihad in Kashmir and Afghanistan, set up offices throughout the country, collected funds at Friday prayers and declared a war that knew no borders. Pre-9/11, my university was ablaze with posters inviting students to participate in the Kashmir jihad. Post-2001, this ceased to be done openly.

But the world of the Pakistani students remained largely unchanged after 9/11, the event that led to Pakistan's timely desertion of the Taliban and the slackening of the Kashmir jihad. Indeed, for all his talk about "enlightened moderation," General Musharraf's educational curriculum was far from moderate. In fact it was a slightly toned down version of the curriculum that existed under Nawaz Sharif, which, in turn, was identical to that under Benazir Bhutto who had inherited it from General Zia-ul-Haq. Fearful of taking on powerful religious forces,

every incumbent government has refused to take a position on the curriculum and thus quietly allowed young minds to be molded by fanatics. What may happen a generation later has always been a secondary issue for a government challenged on so many fronts.

Apart from Deobandi-Salafi madrassas, the International Islamic University (IIU) in Islamabad is another Saudi bastion. With a frankly sectarian agenda, its president is a Saudi national appointed at the behest of authorities in Saudi Arabia. In a country where Arabic is not spoken or even understood, the choice of this individual as head of the institution is amazing since he speaks no English or Urdu. A student who studied at the IIU, after describing her harrowing experiences, wrote the following recommendation: "If Pakistanis are really serious about eradicating extremism and terrorism, this University (IIUI) and the likes of it should sever ALL links with Saudi Arabia. The administration of IIUI must go directly under the authority of government of Pakistan" (Shafqat 2015).

The cost of Saudization

In Pakistan's lower-middle and middle classes there now lurks a grim and humorless Saudi-inspired revivalist movement that frowns on every expression of joy and pleasure – even the flying of kites during the traditional festival of Basant. Kathak dancing, once popular with the Muslim elite of India, is nearly extinct and has few teachers left.

Lacking any positive connection to culture and knowledge, Saudi-inspired revolutionaries seek to eliminate "corruption" by regulating cultural life and seizing control of the education system. Hence, no university in Pakistan has a department of music. Students of the Islami Jamaat-e-Talaba at Punjab University forced the closure of their university's music department. Like other religious fundamentalists, they consider music *haram*. Later, the university was able to hold some music classes elsewhere.

While extremism and social conservatism do not necessarily lead to violent extremism, they certainly do shorten the distance. Such minds are more easily convinced than others that Muslims have been demonized by the rest of the world. They are also more easily blinded against facts that actually exist – such as the violence inflicted by Muslims on other Muslims. The real problem, they say, is the plight of the Palestinians, the decadent and discriminatory West, the Jews, the Christians, the Hindus, the Kashmir issue, the Bush doctrine, etc. Pakistanis under the Saudi spell vehemently deny that those committing terrorist acts are Muslims and, if presented with incontrovertible evidence, brush it away as reaction to oppression.

The result has been civil war. Presently, Pakistan is fighting a full-scale war in FATA, North Waziristan, and other "wild" areas of Pakistan. This has resulted in an estimated 60,000 deaths between 2004 and 2016. On 16 December 2014, the TTP (Pakistani Taliban) slaughtered over 122 children of army officers and burned alive their teachers in an attack on the Army Public School in Peshawar. In January 2016, it again attacked the Bacha Khan University in Charsadda, killing twenty students and a professor.

The suicide bomber and the masked abductor have massively impacted upon Pakistan's urban life and its national economy. Soldiers, policemen, factory and hospital workers, mourners at funerals and ordinary people praying in mosques have all been reduced to globs of flesh and fragments of bones. But, perhaps paradoxically, in spite of the fact that the dead bodies and shattered lives are almost all Muslim ones, few Pakistanis speak out against these atrocities. Nor do they fully approve of the army operation against the perpetrators of these acts because they believe that they are Islamic warriors fighting for Islam and against American occupation. Terrorism, by their definition, is an act only the Americans can commit.

How did Pakistan arrive in this peculiar mental state where all responsibility is pushed off to external actors? Although Islamic terrorists proudly take credit for committing an atrocity, almost invariably television and press analysts squarely blame it on some conspiracy hatched by *yahood* (Jews), *hanood* (Hindus), and *nisar* (Christians). Clearly, the answer is that people have been given a fatal overdose of Saudi-style religion.

Twenty-five years ago, the Pakistani state used Islam as an instrument of state policy. Prayers in government departments were deemed compulsory, floggings were carried out publicly, punishments were meted out to those who did not fast in Ramzan, selection for academic posts in universities required that the candidate demonstrate a knowledge of Islamic teachings, and jihad was declared essential for every Muslim. Today, government intervention is no longer needed because of a spontaneous groundswell of Islamic zeal. The notion of an Islamic state – still in an amorphous and diffused form – is more popular now than ever before as people look desperately for miracles to solve their problems. Across the country there has been a spectacular increase in the power and prestige of the clerics, attendance in mosques, home prayer meetings (*dars* and *zikr*), observance of special religious festivals, and fasting during Ramadan.

What prompted the Pakistani state in this direction? Was it a search for legitimacy, an urge to further differentiate it yet further from India, or a sincere desire for pan-Islamism? In the usual Marxist analysis, Islamization of state and the polity was supposed to have been in the interest of Pakistan's ruling class – a classic strategy for preserving it from the wrath of the working class. Whatever the real reason, the amazing success of the state ultimately turned out to be its own undoing. Today, it is under attack from religious militants. Ironically, the same army – whose men were recruited under the banner of jihad, and which saw itself as the fighting arm of Islam – today stands accused of betraying Islam and is almost daily targeted by Islamist suicide bombers as agents of the West.

The Pak-Saudi military nexus

In December 2015, the Kingdom of Saudi Arabia announced plans for creating a military alliance along the lines of NATO. This came as a result of it having failed to deter the United States from pursuing a nuclear deal with archrival Iran. Pakistan has been roped into this thirty-four country all-Sunni, Saudi-led effort, albeit somewhat reluctantly and after first denying that it was part of the alliance. Adel al-Jubeir, the Saudi foreign minister, and Prince Mohammed bin Salman, the deputy crown prince and defense minister, traveled to Islamabad one month later to meet the civilian and military leadership.

The relationship between Pakistan and Saudi Arabia goes back many decades. Former Saudi intelligence chief Prince Turki bin Sultan was on the mark when, speaking about Pakistan and Saudi Arabia, he said: "It's probably one of the closest relationships in the world between any two countries" (Riedel 2008). Both countries are Sunni and conservative; both have ruling oligarchies (though one is dynastic and the other military). They were the first to recognize and support the Taliban regime in Afghanistan. Their respective relationships to the US share a strong similarity: Pakistanis and Saudis strongly resent what they see as a master–client relationship. Pakistan has a long history of dispatching its soldiers to protect the Saudi royal family and its interests. Thousands of Pakistani troops were garrisoned there in the 1980s and during the 1991 US-led Gulf War. In 2013, Saudi Arabia proffered a "gift" of $1.5 billion to ease Pakistan's balance of payments crisis (Dawn 2014).

In the 1970s, major funding for Pakistan's nuclear program came from Saudi Arabia; it is said that suitcases of cash were brought into Pakistan from Saudi Arabia (as well as Libya).

In gratitude, Bhutto renamed the city of Lyallpur as Faisalabad (after King Faisal of Saudi Arabia). The Pak–Saudi–US jihad in Afghanistan was to further cement Pak–Saudi relations. Madrassas belonging to the Wahabi–Salafi school of thought exploded in numbers and enrollment. After India had tested its bomb in May 1998 and Pakistan was mulling over the appropriate response, the Kingdom's grant of 50,000 barrels of free oil a day helped Pakistan decide in favour of a tit-for-tat response and cushioned the impact of sanctions subsequently imposed by the US and Europe (Riedel 2008). The Saudi defense minister, Prince Sultan, was a VIP guest at Kahuta, where he toured its nuclear and missile facilities just before the tests. Years earlier Benazir Bhutto, the then serving prime minister, had been denied entry. Pakistani leaders, political and military, frequently travel to the Kingdom to pay homage.

The quid pro quo for the Kingdom's oil largesse has been soldiers, airmen, and military expertise. Saudi officers are trained at Pakistan's national defense colleges and the Pakistan Air Force, with its high degree of professional training, helped create the Royal Saudi Air Force. Pakistani pilots flew combat missions using Saudi jets against South Yemen in the 1970s. Saudi Arabia is said to have purchased ballistic missiles produced in Pakistan.

In early 2015, the Saudis requested Pakistan to join it in fighting allegedly Iranian-backed Houthi rebels in Yemen. In its attempt to rally Sunni support, the Kingdom wants the Yemen war to be seen as a doctrinal issue. Iran today is challenging Saudi hegemony in the Middle East. It is an insurrectionary, revolutionary power while Saudi Arabia wants to maintain the status quo. Iran's mullahs openly call for the overthrow of all monarchies. In their political model the Iranian clergy holds the reins of power, with some marginal space allocated for the expression of popular opinion. But any political freedom, no matter how small, is anathema to Saudi Arabia. It is deeply alarmed that Iran's support for the Palestinians, and its staunch opposition to US-led wars in the Middle East, has resonated with Arab public opinion even in Sunni majority countries.

Given Pakistan's past obedience, Saudi Arabia was quite shocked when Pakistan's parliament unanimously voted in April 2015 to decline a military role in the coalition. Worn out by an internal Taliban insurgency that has claimed upwards of 60,000 lives, and wracked by a series of targeted assassinations and bombings of Shia mosques, the country was in no mood for a potentially disastrous overseas adventure. It was overstretched at home and unwilling to pick sides between a "brotherly" Saudi Arabia and a "neighborly" Iran. Tension with Iran would be bad on several counts especially since the Iran–Pakistan gas pipeline, which has been largely constructed, could greatly reduce Pakistan's severe energy deficit. Moreover, with a 20–30 percent population of Shias, it cannot afford yet more killings carried out by Saudi-supported Sunni groups.

Interestingly, the only street demonstrations in support of joining the Saudi-led coalition were by the officially banned violent sectarian-militant group, the Sipah-e-Sahaba, now rechristened as Ahl-e-Sunnat-wal-Jamaat (ASWJ). Long the recipient of Saudi benevolence, ASWJ blasted the parliament's decision and staged public rallies urging Pakistan's intervention in Yemen.

As expected, the Gulf Cooperation Council (GCC) Arabs were in no mood to listen to lame excuses from a dependent country. Employed mostly as domestic help, wage laborers, construction workers, and restaurant employees, millions of Pakistanis, Indians, Bangladeshis, Nepalese, and Filipinos in the Gulf sustain their families back home by scrimping and saving their precious riyals. This left UAE's minister of state for foreign affairs, Dr Anwar Mohammad Gargash, flabbergasted: how could one such country actually dare to choose neutrality in an "existential confrontation" with Iran. Pakistan, he threateningly said, would "pay the price."

Arab anger at Pakistan is partly understandable. Nawaz Sharif and his government had given the Arabs an impression that his country stands at their beck and call. So, on the one hand, they pampered the egos of Saudi despots and gratefully accepted their favors, including the mysterious "gift" of $1.5 billion dollars in March 2014. Was there to be no quid pro quo? Then, various Pakistani leaders raised Arab expectations further with loud declarations promising to "shed every drop of our blood" for the defense of *Haram-ul-Sharafein* (keepers of the holy places) when, in fact, no Muslim holy site was ever threatened. But, when it came to putting boots on the ground in what would be a long-drawn bloody civil war, they had backed off.

To soothe an irritated Saudi septuagenarian monarch and his angry princes, an entourage consisting of the prime minister, chief of army staff, minister for defense, foreign secretary, and an assemblage of high officials went to Saudi Arabia hoping that their contrite expressions could somehow calm Arab anger. There was no indication of success.

Pakistan's "disobedience" might have been more forgivable had it not come at this particular moment, when the Saudis were already in a state of fury over the action of their long-time ally, the United States. A preliminary Iran–US nuclear deal, which the Kingdom has long feared and opposed, has already been signed. Although staunch anti-Iran and pro-Israel Republicans in the US Congress strained every nerve to block it, President Obama succeeded in pushing through the final version in 2015. The Saudi nightmare remains that an Iran–US rapprochement will accept Iran as a threshold nuclear state, and end US-imposed sanctions. Iran would then appear as the victor, giving a big blow to the Saudi-led Sunni coalition, of which Israel is an honorary member.

Pakistan eventually did join the all-Sunni, thirty-four country, Saudi-led alliance in early 2016. But it has not participated – at least openly – in the Saudi war on Yemen. While it fears Saudi anger, it knows that kicking out Pakistani workers is not a realistic option for the Kingdom. Nationals of all Gulf countries live in a work-free country and are hopelessly poor in skill and working habits. Moreover they are in no hurry to change – it remains to be seen whether the oil glut and drop of prices will significantly impact that. Without an adequate supply of hard-working and underpaid servants, every petro-country would grind to a halt.

A second reason also sharply limits the strength of Saudi reaction. Pakistan is the only country that can, at short notice, potentially provide the Kingdom with nuclear weapons, or with a nuclear umbrella. Of course, Pakistan would be wise to not even consider such a possibility. But the fact is that there are no other nuclear vendors in town – and the Saudis know it.

Conclusion

In allowing itself to becoming ideologically enslaved by the most retrogressive force in the world, Pakistan has done itself enormous damage. The resulting cultural climate has allowed the growth of extremism in its madrassas, mosques, colleges, and universities. Today, the Pakistani army and state are being attacked by the products of these urban institutions and so dropping bombs on the tribal badlands of FATA and North Waziristan is unlikely to produce more than just a temporary respite.

It would be tragic if Pakistan should surrender its rich and diverse cultures to oil-rich bedouins who consume ferociously, produce nothing, read nothing, and despise art and beauty. It is all the more astonishing that ultra-religious Pakistanis should revere those who have systematically destroyed the sacred sites of Islam, and erected hotels and shopping malls in their place.

Instead of imagining a cultural connection that does not actually exist, Pakistan needs to look to its actual roots. As heirs to the ancient civilizations of Mohenjo Daro and Harappa, its younger generations must be told of their magnificent heritage.

Ah, but this needs a very different mindset! It is one that had existed in many Muslim societies and was articulated by countless Sufis, mystics, and bards. Iran's famous poet, Shams of Tabriz (1185–1248), put it perhaps better than anyone else:

> I am not a Muslim
> None may call me Christian or Jew
> I am not of the East, nor the West
> I am neither of earth nor water
> I am not of India or China
> I am not of the kingdom of Iraq
> I am not of this world nor the next,
> not of heaven, nor of purgatory.
> My place is the placeless,
> My trace is the traceless.
> It is not the body nor is it the soul,
> for I belong to the soul of my love.
> If I should win a moment with You,
> I will put both worlds under my feet
> and dance forever in joy.
> O Shams of Tabriz, I am so drunk in the world
> that except for revelry and intoxication
> I have no tale to tell.

Bibliography

Al-Shayyal, A. (2004). IKEA Tragedy. *Arab News*, September. Available at: http://www.arabnews.com/node/254818?quicktabs_stat2=1. (Accessed 26 July 2016).

Chomsky, N. (2002). *Power and Terror: Noam Chomsky in our Times*. Documentary film, directed by John Junkerman.

Daoud, K. (2015). Saudi Arabia – An ISIS That Made It. *The New York Times*, 20 November. Available at: http://www.nytimes.com/2015/11/21/opinion/saudi-arabia-an-isis-that-has-made-it.html. (Accessed 26 July 2016).

Dawn. (2014). Dar Terms 1.5bn Donation a Gift from Friends. *Dawn*, 16 March. Available at: http://www.dawn.com/news/1093342. (Accessed 26 July 2016).

Douglas, D. (2007). Middle Eastern Women May Have Vitamin D Deficiency. *Reuters*, 25 June. Available at: http://www.reuters.com/article/us-middle-deficiency-idUSHAR56610220070625. (Accessed 26 July 2016).

Lamb, C. and Shehzad, M. (2003). Pakistan's Rising "Taliban" Hits Women's Health. *The Sunday Times*, 28 September. Available at: http://www.thesundaytimes.co.uk/sto/news/world_news/article38296.ece. (Accessed 26 July 2016).

Riedel, B. (2008). Saudi Arabia: Nervously Watching Pakistan. *Brookings Report*, 28 January. Available at: http://www.brookings.edu/research/opinions/2008/01/28-saudi-arabia-riedel. (Accessed 26 July 2016).

Rizwan, S. (2014). Ahlan Wasahlan, Al Bakistan! *Dawn*. Available at: http://www.dawn.com/news/1094959/ahlan-wasahlan-al-bakistan. (Accessed 26 July, 2016).

Saleem, F. (2016). Remittances and Oil. *The News*, 7 February. Available at: http://www.thenews.com.pk/print/96555-Remittances-and-oil. (Accessed 26 July 2016).

Shafqat, A. (2015). My Education in a Saudi Funded University. *Defense Blog*, 12 February. Available at: http://defence.pk/threads/islamic-university-islamabad-my-education-in-a-saudi-funded-university.359174/. (Accessed 26 July 2016).

Spillius, A. (2010). Wikileaks: Saudis Chief Funders of al Qaeda. *The Telegraph*, 5 December, Available at: http://www.telegraph.co.uk/news/worldnews/wikileaks/8182847/Wikileaks-Saudis-chief-funders-of-al Qaeda.html. (Accessed 26 July 2016).

Syed, H. (2015). Arab-Wannabe Syndrome (AWS). *Pakistan Today*, 26 November. Available at: http://www.pakistantoday.com.pk/2015/11/26/comment/arab-wannabe-syndrome-aws/. (Accessed 26 July 2016).

Walsh, D. (2015). For Saudis and Pakistan, a Bird of Contention. *The New York Times*, 7 February. Available at: http://www.nytimes.com/2015/02/08/world/for-saudis-and-pakistan-a-bird-of-contention.html?_r=0. (Accessed 26 July 2016).

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PAKISTAN AND THE UNITED STATES

Strategic partnership, discordant goals

Teresita Schaffer and Howard Schaffer

Pakistan's relations with the USA are often described in colorful terms – a roller coaster or a joining of estranged partners, for example. One shorthand that conveys its mercurial quality is "three marriages and two divorces." Pakistan and the United States have been drawn to each other by concerns that lay at the heart of each one's national security policy. In Pakistan's case, the "core issue," as Pakistani officials and strategists describe it, is India: the perpetually hostile relationship between the two heirs to the British Indian empire. Pakistan has long been determined to find major outside friends who would provide security against a much larger neighbor that many Pakistanis consider an existential threat.

The United States, on the other hand, was drawn to Pakistan during each of their big bilateral engagements by issues that were external to Pakistan itself but were connected instead to the country's strategic geographic setting. In the 1950s, the United States sought allies around the periphery of the Soviet Union that would aid it in halting what Washington saw as a Moscow-led communist threat to the Middle East and South Asia. Three decades later, the trigger was the Soviet invasion of Afghanistan, which brought one of the final episodes in the Cold War to Pakistan's northwestern border. The impetus again came from Afghanistan when at the turn of the twentieth century a weak and troubled Islamic government there allowed its territory to be used as a base for terrorists who carried out the 9/11 attacks on New York and Washington.

In each of these "marriages," Islamabad and Washington shared important concerns, but the top US priorities were at best second-order issues for Pakistan, and vice versa. Pakistan's primary strategic goals always revolved around the existential threat its leaders felt from India. Because of the prominence US–Pakistan ties had achieved on the US strategic landscape, however, there was built into Pakistan's foreign policy an assumption that the United States needed Pakistan more than Pakistan needed the United States. This proved to be the source of major misunderstandings and strategic miscalculations that led to the "divorces" that ended the first two engagements.

This analysis will present brief discussions of the first two major periods of US-Pakistan strategic partnership and the breakups that ended them. It will then look in greater depth at the third of these engagements, the one that followed 9/11. In each of these periods, the strategic disconnects between the two countries shaped their up-and-down relationship. Also central to the dynamics of US–Pakistan ties was the structure of Pakistan's governmental authority and power. More often than not, security issues and the Pakistan military drove the

bilateral relationship, even during times when civilians were in power and the United States was simultaneously trying to encourage the deepening of democracy. We will close with a look at how these factors may play out in the future, including an examination of the most surprisingly under-performing aspect of this relationship, economic ties.

The Cold War and America's "most allied ally" in Asia

The partition of the subcontinent on the British departure in 1947 left behind not just two newly independent states but also the seeds of long-term hostility which Pakistan soon saw as an existential threat. Pakistan comprised two wings, separated by 1,000 miles of Indian territory. India had three times the area and population of the combined two wings, and had inherited the bulk of the undivided region's financial and industrial assets. The few territorial issues that were not resolved at partition were for the most part settled in India's favor. The princely states with Muslim rulers that were located inside newly independent India wound up as part of India, the result of a show of military force by the Indian government and hardball negotiations with the states' rulers.[1] One important princely state that had a Muslim-majority population, Kashmir, lay astride the India–Pakistan border. It had a Hindu ruler, whose delayed decision to accede to India was never accepted by Pakistan. His choice sparked the first of the India–Pakistan wars, generated a lasting sense of unfairness in Pakistan, not least in the army, and engendered a strong, widely shared determination among Pakistanis to rewrite this "unfinished business of partition" in their own favor. Three of the four military conflicts between India and Pakistan since they became independent centered on Kashmir, whose most valuable areas remain under Indian control. The lone exception, the 1971 war that split Pakistan in two and gave birth to an independent Bangladesh, added to Pakistan's determination to right the wrongs it had suffered. It also led to an agreement that was aimed at, but failed to produce, an eventual settlement of Kashmir.

In these circumstances, Pakistan's foreign policy quickly came to revolve around a quest for powerful outside friends who would stand at Pakistan's side in its rivalry with India. Pakistan put out feelers to Washington about a security relationship as early as 1947, when Pakistan's iconic founder, Mohammed Ali Jinnah, told American photo-journalist Margaret Bourke-White that "America needs Pakistan more than Pakistan needs America," following up with a plea for military supply. Pakistan's main concern surfaced more clearly in a conversation between Jinnah and two visiting US diplomats, when Jinnah referred to the danger of "Hindu imperialism" spreading through the Middle East (Haqqani 2013: 8–10).

By the early 1950s, the United States was putting together a network of alliances along the southern boundary of the Soviet Union, to supplement the older North Atlantic Treaty Organization (NATO), forming the basic structure of the global contest between the communist countries and what Washington referred to as the Free World. This alliance network became the focus for more serious discussions between Washington and Pakistan's governor general, Ghulam Muhammad, and Generals Iskander Mirza and Ayub Khan, who were the powers behind his throne and eventually succeeded him. Following the logic of Jinnah's statement about how America needed Pakistan, the Pakistani leaders were reluctant to sign up with the Western alliance system without a clear US commitment of support against India. In the end, Ayub took the plunge. Assistant Secretary of State Henry Byroade recalled Ayub storming into Byroade's office during a 1953 visit to Washington. Venting his frustration over the dilatory pace of arms supply talks, Ayub exclaimed "For Christ's sake . . . our army can be your army, but let's make a decision" (Kux 2001: 57).[2] The strong and positive impression Ayub made on the US military set the stage for the signature of a Mutual Defense Assistance Agreement,

including an arms supply commitment, in May 1954. This was soon followed by Pakistani membership in several other elements of the US alliance structure: the Southeast Asia Treaty Organization (SEATO) in 1954; a US-blessed accord with Turkey the same year, linking the westernmost member of SEATO with Turkey, the easternmost member of NATO; and in 1955, the Baghdad Pact, later renamed the Central Treaty Organization (CENTO). Pakistan had become, at least geographically, a central player in the anti-communist alliance system (Department of State 1954).

The relationship soon came to include the usual features of US ties with a friendly country. Pakistan was a major recipient of US economic assistance starting in the mid-1950s. Military assistance during this period accounted for only about 25 percent of the value of overall US aid, but had a much higher profile politically.[3] The relationship was deepened by frequent high-level contact.[4] But during this phase, as in later periods of intense US–Pakistan involvement, the security relationship was in the driver's seat.

The discrepancy between the two new allies' primary objectives continued to form a recurring motif in their discussions, however. Washington periodically pressed its desire for military bases in Pakistan. The Pakistanis demurred, but in 1959 they agreed to provide a facility at Badaber, in northwestern Pakistan, for US signals intelligence and U-2 flights over the Soviet Union. The absence of a clear US guarantee against India continued to trouble the Pakistanis.

The romance began to sour when John F. Kennedy became president of the United States, and embarked on what the Pakistanis considered a dangerously friendly policy toward India's Prime Minister Nehru. It deteriorated further when Pakistan decided to mount an operation against India in the hope of reclaiming Kashmir in September 1965. "Operation Gibraltar," as it was called, was to a large extent the product of Pakistani self-delusion. It failed, ending in stalemate, and the agreement reached at Tashkent, with the Soviet Union as facilitator, left the boundary between Indian and Pakistan-controlled Kashmir unchanged.

Two side-effects of this war had profound consequences for US–Pakistan relations. First, the United States, having agreed to provide military equipment to Pakistan for use against communist aggressors, cut off military supply once Pakistan and India went to war. The United States was Pakistan's principal source of military imports, so this action had a devastating impact. The corresponding cutoff against India, though technically even-handed, had no significant effect, since US supply to India was very limited. This was the "first divorce," giving rise to a Pakistani dictum that the United States uses Pakistan as long as it is convenient and then discards it.

The US military supply cutoff led the Pakistanis to seek military supply from China. By October 1965, a Pakistani team was in Beijing, and an initial sale of 60 aircraft, the Chinese version of the MiG 19, were soon on their way. This was the beginning of a tremendously important strategic relationship for Pakistan, casting China in the role of Pakistan's protector against India.

At the time, the China–Pakistan connection was greeted with outright hostility by Washington. China was regarded as a hostile power by the United States. Six years later, the politics of China–Pakistan ties had changed, and Jinnah's comment about America needing Pakistan was back in vogue. The United States approached Pakistan, looking for a country that could serve as a go-between for the overture President Nixon and Henry Kissinger wanted to make toward China. In July 1971, Kissinger took off from Pakistan for his secret visit to Beijing. This was the beginning of the United States move to recognize communist China and implicitly make common cause with it against Russia. Pakistan continued to figure in Kissinger's efforts to build a more robust relationship with Beijing. As Pakistan and India headed toward the war that was to create an independent Bangladesh out of the former East Pakistan, Kissinger passed word to China that if China were to take action against India, the United States would look the other way (Bass 2013: 238–9).

The United States took Pakistan's side during the 1971 war. As trouble was brewing in East Pakistan, it had instituted a one-time exception to its weapons ban allowing the supply of non-lethal equipment. Washington also sent the aircraft carrier *Enterprise* into the Bay of Bengal but neither it nor China took direct military action. By the end of the war, Zulfikar Ali Bhutto was prime minister of Pakistan, his Pakistan People's Party (PPP) soon to become one of the country's two major political parties. US–Pakistan relations went back to a rather modest normality. As Pakistan rebuilt its domestic and foreign policy after the traumatic loss of half the country, it began looking away from Washington, focusing more on its ties in the Middle East, then flush with the proceeds of a dramatic rise in oil prices.

General Zia and the Russian invasion of Afghanistan

US–Pakistan relations became even more distant when in July 1977 General Zia-ul-Haq, the army chief of staff, overthrew Bhutto's elected civilian government and established a martial law regime that would last for eleven years. Zia's authoritarian rule, his imposition of intolerant Islamic orthodoxy on Pakistani society, his disregard for human rights, and his promotion of Pakistan's nuclear ambitions made him anathema to the newly installed administration of Jimmy Carter, which had taken office six months earlier. President Carter championed democracy and human rights and put these values at the forefront of US foreign policy. He was an enthusiastic admirer of democratic India and included it among the prominent regional powers to which his administration gave special importance. (Pakistan was not included on this select list.) Eager to move away from an approach to foreign policy that focused on Cold War confrontation, he sought to promote détente with the communist bloc, not alliances with strategically located states that could contain it. Carter's disdain for Zia was heightened when Pakistani security forces stood idly by as a mob burned the US embassy in Islamabad to the ground.

The Soviet invasion of Afghanistan a few weeks later, on Christmas Day 1979, suddenly rescued Zia's government from the Carter administration's doghouse, starting the second period of major US-Pakistan engagement. Fearing that the Soviets would attack Pakistan and seek warm-water ports on its Indian Ocean coast, Carter quickly offered Zia assistance. He publicly reaffirmed the American security commitment to Pakistan and pledged that "the United States will take action – consistent with our laws – to assist Pakistan resist any outside aggression." This tough approach was part of a newly declared "Carter Doctrine" under which a Soviet attack against the Persian Gulf would be considered an attack on US vital interests (Kux 2001: 249–51).

Negotiations soon followed. The Pakistanis entered these talks once again persuaded that the Americans needed them more than they needed the Americans. The fact that it had been Carter who had phoned Zia offering aid rather than Zia calling the White House to request it strengthened this long-standing Pakistani interpretation of the bilateral relationship in the Cold War era.

But the high-level negotiations failed. Zia bridled at the limited levels of military and economic assistance the United States was offering. His emissaries argued that a renewal of security ties between Washington and Islamabad could increase the threat of Soviet aggression against Pakistan and had to be accompanied by more substantial levels of aid. Famously dismissing Carter's offer as "peanuts," Zia soon concluded that Pakistan's interests could be better served by a US government led by Cold War hawk Ronald Reagan, the Republican candidate running against Carter in the upcoming November 1980 presidential election.

Zia's bet on a GOP victory paid off. The Reagan administration, which assumed power in January 1981, quickly offered Pakistan a multi-year package of security and economic assistance. This notably included advanced military equipment that critics correctly charged

would be far more useful to the Pakistanis in fighting against India than in staving off a Soviet invasion through the Khyber Pass. The administration assured Zia it would not comment on Pakistan's domestic political and religious policies. It soft-pedaled long-standing US concern over Islamabad's development of a nuclear-weapons capability.[5] Zia was warmly welcomed as a staunch anti-communist ally when he came to the United States as Reagan's guest in 1982.

But US–Pakistan cooperation to counter the Soviet invasion of Afghanistan went significantly beyond Washington's bolstering Islamabad's military and economic power. The Reagan administration strongly supported the efforts of the various Afghan *mujahidin* political-military groups based in Pakistan to organize resistance against the Soviets and their communist puppet regime within Afghanistan itself. It looked to the Zia government to direct those efforts.

Washington's ultimate objective – which it recognized was a long shot – was to force an eventual Soviet withdrawal. The Reagan administration was confident that this would bring about the prompt collapse of the Afghan communist regime, the liberation of Afghanistan, and a major victory for the West in the Cold War. Some American officials and analysts saw the operation as a way to "bleed" the Soviet Union and extract retribution for the role Moscow had played in supporting Hanoi and the Viet Cong in Vietnam. Reflecting the sharp change in Sino-Soviet relations since that time, Beijing supported the *mujahidin* financially, as did Saudi Arabia.

The Central Intelligence Agency (CIA) supplied cash and equipment to these anti-communist *mujahidin* forces indirectly through Pakistan's Inter Services Intelligence (ISI). Washington accepted the Zia government's insistence that Pakistan determine which *mujahidin* groups should be the beneficiaries of American and other support from outside the region. This arrangement allowed the Pakistanis to give preference to those *mujahidin* organizations they believed would be most sympathetic to Islamabad's own political, strategic, and ideological objectives in a post-Soviet Afghanistan. At Pakistani insistence, CIA was enjoined from having direct operational contact with the resistance and was obliged to work through ISI.

As they had during the first US-Pakistan "marriage" of the 1950s, policymakers in the two countries were once more pursuing discordant goals through their efforts to develop stronger bilateral political and security ties during the second. Both wanted to bolster Pakistan against potential Soviet moves southward. But in seeking sophisticated American military equipment, the Zia government, like Ayub's before it, was also using Washington's Cold War concerns to bolster its own efforts to counter a perceived Indian threat. And Islamabad saw its role as a conduit for US-provided arms and cash to the *mujahidin* as an opportunity to assure that a post-Soviet government that came to power in Kabul would be friendly to Pakistan, or at least not threaten its interests as Afghan governments had often done since Pakistan became an independent state.

For Pakistan, this meant a regime in Kabul that formally recognized as an international boundary the line the British had drawn in the late nineteenth century between their Indian empire and Afghanistan, known as the Durand Line. It also meant that a post-Soviet Afghan government would need to disavow support for the independence or amalgamation into Afghanistan itself of the Pashto-speaking districts in northwestern Pakistan ("The Pashtunistan Demand").

In Islamabad's view, such a friendly, non-threatening Afghanistan should have minimal political and security ties with India. Pakistan had long worried, not without reason, about the danger of collusion between New Delhi and Kabul against its own interests. Successive Pakistan governments had feared that a New Delhi–Kabul entente could trap Pakistan in a strategic pincer. For Pakistani policymakers, the installation of a Pakistan-friendly government in Kabul would remove such a threat and offer Pakistan the "strategic depth" it sought in dealing with India.

The United States, for its part, was largely indifferent to the complexion of a future post-Soviet government in Kabul, provided it was not communist. Washington's objective was to turn back the tide of Soviet imperialism. It was not significantly concerned about the role of India in Afghanistan or what that could mean for Pakistani interests. As events would prove, once the Soviets withdrew from Afghanistan US policymakers substantially reduced the attention they paid to the country and the resources they offered it.

Pakistan's support for the Afghan cause, which included providing refuge on its territory for more than three million civilians who had fled across the porous international border, won it admiration and sympathy in the United States. Its leadership role in rallying condemnation of the Soviet invasion by Muslim and non-aligned country representatives at the United Nations and other international forums was widely praised. Pakistan's activism on the Afghanistan issue helped Zia's government overcome much of the stigma its authoritarian rule and harsh social and religious policies had brought on it earlier.

The pro-Pakistan lobby in the United States, which had been reduced by both the waning of American interest in Pakistan and dissatisfaction with Zia's policies, began to revive. The resumption of a close bilateral military relationship made the Pentagon an important source of support for Pakistan once again. The CIA, where Director William Casey intimately involved himself in the agency's program to channel weapons to the *mujahidin*, also became much more sympathetic. On Capitol Hill, congressmen from both parties led by staunchly conservative Cold War hawks called loudly for increased US backing for the resistance. They were assiduously cultivated by Pakistan's able embassy in Washington.

This congressional lobby was led by Representative Charles Wilson, a Texas Democrat who almost singlehandedly persuaded the administration to supply hand-held Stinger ground-to-air missile launchers that *mujahidin* fighters could use to down marauding Soviet helicopter gunships. The Stinger became a major factor in turning the tide of the war. The colorful Wilson won considerable renown as the hero of a book describing his efforts, *Charlie Wilson's War* (Crile 2003). The book was soon made into a popular eponymous Hollywood film.

With some exceptions, which could not be widely articulated in their country's government-controlled media, Pakistanis welcomed the renewal of strong ties with the United States. But their muted satisfaction with this "second wedding" differed sharply from the enthusiastic welcome their parents had given the initial nuptials in the mid-1950s.

Many Pakistanis had been persuaded at that time that the new relationship brought with it a US commitment to defend Pakistan against India's aggressive designs and eventually force New Delhi to give up its hold over Kashmir. The United States became particularly popular with the Pakistan military, many of whose best officers trained at prestigious American armed services facilities. Newly recruited Pakistan foreign service officers spent an academic year at the highly ranked Fletcher School of Diplomacy at Tufts University. The Pakistanis were pleased by the high level of economic assistance they received from the United States and by the praise they got from American commentators for their development policies. Senior civilian bureaucrats and wealthy businessmen and landowners, who shared power with Pakistan's military leaders, also valued the new US connection and often became good friends with official Americans working in the country. (The popularity of the Ayub government's close ties with the United States was less evident in East Pakistan, where many Bengalis resented what they considered were US policies unacceptably favorable to West Pakistani interests.)

By contrast, Pakistanis began their second matrimony with the United States with a much more hard-nosed attitude. They saw it as a mutually advantageous partnership, rather than a genuine alliance. They were no longer under any illusion that Washington would support them against Indian aggression, let alone help them wrest Kashmir from India's grip. US failure to

back Pakistan in the 1965 war and its eventual unwillingness to take any effective measures to prevent the bifurcation of the country six years later had made them much more realistic on that score. Following the Soviet invasion of Afghanistan, they were happy to extract from the United States all the arms and economic assistance they could. They were again willing to associate themselves closely with US Cold War opposition to a threatening Soviet Union in their neighborhood if there was an appropriately generous payoff for their help. But they saw the new bilateral arrangement in transactional terms devoid of the warm sentiments and mistakenly high hopes the previous generation had felt in the 1950s, and they acted accordingly.

In the United States, the strong support Pakistan had enjoyed began to wane as the war in Afghanistan dragged on. Pakistan's nuclear program caused problems for the Reagan administration on Capitol Hill and elsewhere, as it had for its predecessors.[6] As Dennis Kux succinctly put it, "despite the primacy of the Afghan war in Washington, the nuclear issue refused to go away" (Kux 2001: 259–61).

The administration continued to downplay this sensitive issue in its public statements. But senior US officials led by President Reagan and Secretary of State George Shultz quietly warned Zia about the danger the nuclear program posed to bilateral ties and urged him to take specific actions to roll it back. Zia replied that he would "not embarrass" US–Pakistan relations and publicly denied any intention of making a nuclear weapon. But he did not meet the demands Washington spelled out for curtailing the program. Some members of Congress charged that the administration was deliberately obscuring Pakistan's progress toward a nuclear weapons capability. The indictment in Houston in July 1984 of three Pakistani nationals caught trying to export to Pakistan equipment that could be used in a weapons program, and the conviction in Canada of two others for a similar offense, further roiled troubled waters.

To persuade Congress to enact a second, slightly enlarged program of military and economic assistance to the Zia government as the time limit of the initial one ran out in 1986, the Reagan administration agreed to an amendment to the proposed legislation that unlike non-proliferation measures Congress had passed earlier dealt specifically with Pakistan's nuclear ambitions, not with those of other nuclear-threshold states as well. Named for Senator Larry Pressler, a South Dakota Republican, the amendment required that the administration certify annually that Pakistan did not possess "a nuclear explosive device" and that US assistance would significantly reduce the likelihood of its doing so (Congress 1985). Pakistan was understandably unhappy with this legislation but took it in stride as an element in the administration's effort to secure Congressional support for continuing the aid program, not as something it should seriously worry about. Many senior Pakistani officials seemed confident that Washington would not invoke the sanctions in the amendment unless Islamabad actually exploded a nuclear device. They remained confident that America needed Pakistan more than Pakistan needed the United States.

Meanwhile, the long-frozen domestic political equation in Pakistan began to change. In 1985, after repeatedly breaking his pledges to call fresh elections, Zia held a national referendum designed to demonstrate popular support for his rule. To no one's surprise, Pakistani voters approved his performance and elected him president for five more years.

The referendum was followed by a National Assembly election held, to the dismay of some Pakistani politicians, on a non-party basis. Soon afterwards Zia appointed Mohammed Khan Junejo, a little-known politician from Sindh, as prime minister. He was confident that Junejo would defer to him on all important matters and that despite the defeat of some of his cabinet members in the National Assembly election the old regime would in effect carry on unchallenged. The Reagan administration welcomed Zia's decision to hold the elections, though some Congressional skeptics such as Representative Stephen Solarz, a staunchly anti-Zia New York

Democrat who headed the House subcommittee that dealt with South Asia, criticized the barring of political parties from the contest.

These changes in the Pakistan political system, which included the lifting of martial law and the restoration of the country's democratic constitution, proved more significant than Zia had bargained for. To the president's widely shared surprise, Prime Minister Junejo refused to play second fiddle in what Zia intended would still be a one-man band under his own direction. The confrontation between the two leaders became the major focus of Pakistan politics.

From the US standpoint, the most troubling difference between Zia and Junejo was over the position Pakistan should take in the end game of the Afghanistan war. A negotiation process sponsored by the United Nations had begun in 1982, when Pakistan and the Afghan communist regime opened indirect "proximity talks"[7] in Geneva. Despite encouraging noises from Moscow, the talks remained deadlocked until 1986, when Mikhail Gorbachev, the newly chosen leader of the Soviet Communist Party, concluded that Afghanistan had become a losing enterprise for the Kremlin. This change in Moscow's approach led to the signing of an agreement in Geneva between Pakistan and the Afghan communist regime in April 1988 that provided for the withdrawal of all Soviet forces. The United States, which had monitored the talks carefully, served as a guarantor of the agreement, as did the Soviet Union. The last Soviet troops left Afghanistan in February 1989.

Against the opposition of almost all other concerned parties, Zia had earlier unsuccessfully insisted that an agreement on Soviet withdrawal timetable come only after a decision had been reached about the composition of a post-Soviet Afghan government. Unlike the United States, whose interests focused almost exclusively on getting the Soviets out of Afghanistan, Zia wanted the new regime in Kabul to reflect and respect long-standing Pakistani interests as he interpreted them. This meant a government in Kabul that would not cause Islamabad the problems that had since 1947 so often strained bilateral ties – and one in which Indian influence would be strictly limited. Such a regime would also follow the strictures of orthodox Islam that Zia sought to impose on his own country.

Junejo did not share Zia's position. For him the important thing was to get the Soviets out. Washington, which had long held this view, welcomed Junejo's opposition to Zia on this issue. US officials were convinced that once the Red Army withdrew the Soviets' puppet Afghan regime would promptly collapse. They remained largely indifferent to what happened in Afghanistan following this great Cold War victory over the Soviet Union.

These and other differences between the president and the prime minister led Zia to sack Junejo a month after the Geneva accords were signed, take for himself the office of prime minister, and call for fresh elections. But before these could be held Zia died in a mysterious plane crash that also took the life of the US ambassador to Pakistan, Arnold Raphel. The cause of the crash has never been finally determined. (Reflecting their strong tendency to find evidence of conspiracy in the most unlikely places, some Pakistanis were convinced that despite the death of Ambassador Raphel it was the CIA that engineered the air disaster.)

With the withdrawal of the Soviets and the death of Zia Washington again lost much of its interest in Pakistan, as it did in the fate of Afghanistan, where badly divided *mujahidin* forces masterminded by the ISI were unable to oust the communist government that Moscow had installed. The administration of George H.W. Bush, which had taken office in January 1989, welcomed the restoration of democratic government that led to the election as prime minister of the young Harvard-educated Benazir Bhutto, the daughter of Zulfikar Ali Bhutto, whom Zia had ousted and executed. She was given a warm welcome in Washington – and in Cambridge, Massachusetts – when she returned to the United States on an official visit in June 1989.

But US officials recognized that Bhutto shared power with Zia's successor as president and with the army, and that she was largely excluded from any role on nuclear issues.

Much of the remaining US interest in Pakistan focused on these issues. Benazir Bhutto was forced out of the prime ministership in the summer of 1990. As evidence accumulated that the post-Zia government was continuing efforts to develop a nuclear weapons capability, the Bush administration found itself unable to provide in late 1990 the certification required by the Pressler Amendment. This led to an immediate freezing of US security and economic assistance that would continue for a decade.

The decision surprised and angered Pakistanis. Many of them – and some American commentators as well – were convinced that further Pressler certifications would have been given were Soviets troops still in Afghanistan. Pakistanis saw it as yet another example of the unreliability of the United States as a partner and further confirmation, as the more bitter of them put it, that the Americans used Pakistan like a tissue, to be thrown away when it was no longer of use.

With the imposition of the Pressler strictures, the partnership created by Presidents Reagan and Zia almost a decade earlier collapsed. The cool, limited relationship between the two countries that followed would continue throughout the decade of the 1990s. It would take the terrorist attacks on New York and Washington on September 11, 2001, to usher in a "third marriage" between the two countries.

9/11 and the War on Terror

The attacks on New York and Washington of September 11, 2001, dramatically reordered US strategic priorities. Within hours, Lt. General Mahmud Ahmad, Director-General of Inter Services Intelligence (ISI) and as such Pakistan's intelligence chief, visiting Washington at the time, received an insistent US request to join its campaign (Musharraf 2006: 201). Newly arrived US Ambassador Wendy Chamberlin formalized this request two days later when she presented her credentials to President Musharraf, whom she pressed to support the effort, as he put it, "unstintingly" (Schaffer and Schaffer 2011: 136–7).

Shared and divergent goals

Once again, geography put Pakistan close to the center of US foreign policy concerns. Al Qaeda had used neighboring Afghanistan to plan the 9/11 attack, and in the process reactivated a US–Pakistan partnership. Once again, the two countries had diverging goals. The US priority was to eliminate any sanctuary terrorist organizations enjoyed in Afghanistan or Pakistan. Eliminating the Al Qaeda presence in Afghanistan was arguably an objective the two countries shared, but marginalizing the Taliban, whose government had protected Al Qaeda there, was more problematic. Inter Services Intelligence (ISI), Pakistan's principal intelligence agency, had a long-standing relationship with some of the main personalities in the Taliban, and Pakistan was one of only three countries that maintained diplomatic relations with the Taliban government. The US anti-terrorism objective included having Pakistan put the Taliban's Pakistan-based counterparts out of business.

By contrast, Pakistan's principal goal was to eliminate any meaningful role for India in Afghanistan. Pakistan's relations with both Afghanistan and India had long been troubled, and its nightmare of an Indian "pincer movement" using Afghanistan that would threaten Pakistani security from both east and west was as strong as ever. Islamabad was not prepared to jettison a potential asset against those

countries. Even after it became clear that the Taliban's Pakistan counterparts, loosely joined in the *Tehrik-e-Taliban Pakistan* (TTP), were conducting an insurgency within Pakistan, the army's view of the Afghan Taliban remained ambivalent. Washington for its part had developed an important relationship with New Delhi after the Cold War ended and was not ready to sacrifice this to achieve a Pakistani objective it did not share.

The top officials in the George W. Bush administration worked to craft a tight personal relationship with President Musharraf. Bush's first secretary of state, retired general Colin Powell, stressed his "soldier-to-soldier" bond with Musharraf. High-level visits reinforced these personal ties and gave the partnership a strong public face. After Barack Obama took over as US president in 2009, Richard Holbrooke, as special representative for Afghanistan and Pakistan, shifted the emphasis and worked hard to craft a "whole-of-government" approach in which close partnerships linked all parts of both the US and Pakistan governments. Throughout this period, however, the Pakistani military and intelligence services were in the driver's seat in the new strategic partnership, as they had been during previous periods of close ties.

US and Pakistani leaders met regularly at high levels, and each time declared their common strategic goals of peace and security in Afghanistan and Pakistan. Behind the summit meetings and carefully worded statements, however, the diverging US and Pakistani objectives remained. In the early years, the differences were subtle. Musharraf told the Pakistani public that partnership with the United States was important to both countries, but emphasized its limited character, for example in his post- 9/11 speech to the nation mentioned above. The message out of Washington tended to emphasize how important Pakistan's collaboration was in securing an acceptable outcome. Later, the divergence became more obvious.

Three areas were particularly difficult. US reluctance to serve as an ally against India complicated each of the three "marriages," but during this third engagement expanded US–India ties deepened Pakistan's frustration and suspicion. Second, US and Pakistani goals diverged with regard to Afghanistan, which was at the heart of the post-9/11 relationship. Third, the insurgency inside Pakistan that grew up during this period made the Taliban's Pakistani sympathizers and counterparts a critical element in internal politics. As a result, what Washington saw as pursuing shared goals in Afghanistan was viewed in Islamabad as endangering the vital balancing act that kept the government in power.

The India factor

Pakistan's leaders, in signing on to the US anti-terrorism effort, hoped to gain greater US sympathy for their country in its dispute with India. In his speech spelling out why he had decided to support the United States, President Musharraf had cited "the cause of Kashmir" and India's desire to harm Pakistan and its Kashmir goals (Musharraf 2001). He contended that if Pakistan did not provide the means for the United States to invade Afghanistan, India would. The US relationship with India, thin and discordant during much of the Cold War, was already undergoing dramatic transformation, as had been illustrated in the spring of 2000, when President Clinton spent five enthusiastic and well-photographed days in India, followed by five hours in Pakistan that were nearly devoid of direct public contact. The Pakistanis came to recognize the significance of this change when Washington reacted harshly to the attacks of Pakistan-based extremists against the Indian parliament in December 2001.

The US decision in 2005 to offer India an agreement opening up civil nuclear trade in spite of India's non-signature on the Non-Proliferation Treaty (NPT) crystallized Pakistan's resentment at the privileged position it believed India now had in Washington. Pakistan's record of supplying nuclear knowhow to Iran and North Korea made both the George W. Bush and Obama

administrations unwilling to consider a similar agreement for Islamabad. (Both administrations no doubt recognized how strong Congressional opposition to such an agreement would be under these circumstances.) This reinforced the Pakistani view that the US did not take Pakistan's security problems seriously. The "second marriage," after the Soviet invasion of Afghanistan, had been a hard-headed calculation on Pakistan's part. This "third marriage" after 9/11 was basically characterized by mistrust, deepened by the India factor.

Cooperation and disconnects in Afghanistan

US–Pakistan strategic engagement was focused on Afghanistan. The two countries collaborated closely and smoothly on many aspects of US operations in Afghanistan, especially in the early years. Generous aid flows also resumed, ending a decade-long cutoff. Between 2002 and 2014, the United States provided over $10 billion in economic assistance and $7.2 billion in military aid. An additional $11 billion in Coalition Support Funds, intended as reimbursements to Pakistan for its costs in supporting the war on terror, functioned in practice as another substantial aid stream (Congressional Research Service 2014). The arrangements for moving equipment through western Pakistan into and out of Afghanistan were worked out with relatively little fanfare soon after Pakistan agreed to support the anti-terrorism effort, and this transit facility was one of the many items for which Coalition Support Funds were designed to provide reimbursement. Coordination of military operations close to the Pakistan–Afghanistan border took place between military commanders. Drone strikes, used to attack important insurgent personalities inside Pakistan, started in 2004. They were handled in intelligence channels, out of public view. Pakistan's support in these areas was critical to the success of US efforts, and to the goals Washington and Islamabad shared. Later, as we will see, drones became one of the most intensely contentious issues between the two countries.

US military involvement in Afghanistan started in 2001 with 5,000 troops focused on Kabul and its immediate region. By 2006, the International Security Assistance Force (ISAF) authorized by the United Nations Security Council, now under NATO command, was operating in all of Afghanistan, with a troop strength of 60,000–70,000 (Dale 2009). As this expansion took place, and especially in the years after 2006, the gaps between US and Pakistani priorities became more apparent, and harder to manage. Pakistan never lost its focus on eliminating as much as possible of India's role in Afghanistan, and maintained its long-standing contacts with important groups within the Taliban family. The Taliban leadership had established itself in Quetta, the capital of Pakistani Baluchistan, a sanctuary that the authorities did not acknowledge and did not interfere with. As time went on, and especially as the US presence and casualties grew in Afghanistan, Pakistan's continuing support for elements of the Afghan Taliban became an increasing source of unease and eventually anger in Washington. Pakistan routinely denied the accusations that it was supporting forces that were in combat with Americans. This only deepened the mistrust.

Pakistan was a full participant with the United States in international political efforts to install and work with a new government in Afghanistan after the collapse of the Taliban government. The first and most important of these, the Bonn conference in 2001, laid the groundwork for the new government headed by Hamid Karzai that was formally appointed by the Afghan *Loya Jirga*, or Great Assembly and installed the following July. Karzai's government, however, was built around Afghan political figures who had resisted the Taliban and had close relations with India. Despite efforts by both countries to keep their formal relations on an even keel, the historical legacy of suspicion between Afghanistan and Pakistan was revived under the new government. The India angle figured importantly in this dimension of Afghan policy as well. US efforts to create an inclusive environment that would encourage Afghanistan's neighbors

and other regional powers to work constructively together inevitably intensified Pakistani mistrust. By 2007, India had emerged as one of the ten largest donors of economic assistance to Afghanistan. Pakistan was unhappy at acknowledging any role for India, and saw India's diplomatic presence as menacing. The deadly 2007 attacks on the Indian Embassy, a guest house used by Indian aid workers, and the Serena Hotel in Kabul were widely blamed on ISI. They brought US–Pakistan differences out into the open, adding to the suspicions generated by Pakistan's historical ties with certain Taliban groups.

Pakistan's internal cauldron

US–Pakistan strategic differences were also caught up in Pakistan's internal politics. An insurgency spearheaded by the *Tehrik-e-Taliban Pakistan* (TTP) manifested itself soon after 9/11, and grew in intensity. It spawned spectacular outbursts of political violence, including the 2007 assassination of former prime minister Benazir Bhutto, attributed to one of the TTP groups, and the 2009 attack on the army's General Headquarters. The divergent priorities of the United States and Pakistan were in greater evidence in Pakistan's largely ungoverned tribal areas near the Afghan border. Violent attacks on government representatives and on traditional elders occurred in both North and South Waziristan, and in Swat, a tiny former princely state in northwestern Pakistan. Military interventions in all three areas, undertaken after US pressure, but also after considerable agonizing on the part of both army and civilians, brought things under enough control to negotiate a kind of cease-fire. Most of these agreements, reached between 2004 and 2009, committed the government to release Taliban prisoners and accord the Taliban freedom of movement; some committed the Taliban to turn "foreign" militants over to the government and cease attacking government forces. But, as noted both by journalists covering the tribal areas and by former diplomatic officials, none lasted more than a few months, and many observers felt that the agreements benefited the insurgents more than the government (Khattack 2011, 2012; Khan 2011).

The US and Pakistan governments looked on these efforts quite differently. For Washington, Pakistan's military intervention was an essential step in reestablishing its government's authority and in curbing the TTP and its affiliates who were fighting against US forces in Afghanistan. Pakistan's civilian governments, by contrast, feared the political backlash that might follow from a military operation against Islamist forces. The Pakistan army feared that the government would somehow undercut their efforts – but was also wary of confronting elements of the Taliban who had useful ties with Pakistan's intelligence services.

The US had traditionally urged a return to full democracy, in keeping with its worldwide stance. This had presented a challenge to the relationship with Pakistan mainly at the rhetorical level during previous periods of strong relations. It became a more significant issue during this post-9/11 period. The United States prized Musharraf's cooperation even as it continued to talk about the importance of returning to full democratic rule. By 2007, military developments in Afghanistan and rising insurgent activity in Pakistan had led to considerable disillusionment in Washington about how the strategic partnership with Pakistan was working. The George W. Bush administration had focused its attention on Musharraf personally, seeing him as the key to achieving US objectives in Afghanistan. But Musharraf was in trouble. His effort to remove the stubbornly independent Pakistani chief justice in May 2007 backfired badly, and his decision to send the army into a heavily armed madrassa connected with Islamabad's Red Mosque had left over 100 people dead and caused widespread popular anger. As Musharraf's troubles mounted, the United States became more deeply involved in the political questions swirling

about Pakistan. In August, Secretary of State Condoleezza Rice urged Musharraf not to declare a state of emergency. Three months later, Musharraf took the step anyway.

The transition from Musharraf to an elected government under new leaders involved the participation of two former prime ministers, and especially of Benazir Bhutto, in fresh elections. US officials were discreetly but deeply involved in discussions with Musharraf over the conditions for their return to Pakistan in late 2007. This role became widely known, and the US was believed to favor Benazir Bhutto in the coming elections. This magnified the shock of Bhutto's assassination soon after her return.

Washington strongly supported the election in February 2008. The government that ensued initially included both major political parties, Bhutto's PPP, now led by her widower, Asif Zardari, and Sharif's Pakistan Muslim League/Nawaz (PML/N). Sharif pulled out after a few months, leaving the PPP in sole charge, but he was returned to power by the 2013 election. Washington tried to encourage the civilian governments and to support a genuine democratic process. The restoration of civilian government brought back familiar tensions between elected civilian leaders and the military, with the army occasionally serving as broker between contending political actors, but ultimately holding the strongest hand. Once again, however, Washington's preoccupation with security problems and the turbulence next door in Afghanistan, the relative ineffectiveness of the civilian governments, and the Pakistan army's standing as the country's most effective "mover and shaker" pulled the US–Pakistan relationship back toward the security side, as it had done in the past.

2011: the year from hell – and the resolution

A series of incidents in 2011 brought this uncomfortable situation to a new crisis point, threatening the foundations of the US–Pakistan partnership. The first came in January, when an obscure US official, Raymond Davis, shot dead two Pakistanis in Lahore. Confusion swirled around the incident. The United States asserted that Davis had diplomatic status; Pakistan disputed this, and Davis was later identified as a CIA officer. The US argued that the two dead Pakistanis had been would-be assailants; Pakistan disputed this as well. After spending nearly two months in custody in Pakistan, during which public protests called for his execution, Davis was released and allowed to leave Pakistan following the payment of blood compensation money to the victims' families. Meanwhile, both governments were incensed at the way the other had handled things, and it was clear that the normal way of doing business had broken down.

The second and most serious incident was the US raid on Abbottabad, Pakistan, in which Osama bin Laden was killed. The Pakistan foreign ministry initially congratulated the United States; three days later, the military spokesmen issued a bitter statement protesting this violation of Pakistan's sovereignty. Pakistan had not been informed in advance. In Pakistan, rumors swirled about how the raid could take place without the army being aware that something was up. In the United States, the government was careful not to make any official claims that Pakistan was complicit in Osama's lengthy stay in Pakistan, but privately most observers could not believe that this could have happened without someone high up in the military establishment either knowing or deciding not to look too closely. This incident infuriated the Pakistan military; it broke what little trust the US still had in its Pakistani partners and left official Washington looking at Pakistan as fundamentally deceitful.[8]

In September, Admiral Michael Mullen, chairman of the Joint Chiefs of Staff, gave his final testimony to the Senate Armed Services Committee before retiring. He argued that the United States needed to revitalize its relationship with Pakistan. However, his harsh description

of Pakistan's policies, including a specific accusation that one of the key Taliban groups was "a strategic arm of Pakistan's Inter Services Intelligence," shocked his Pakistani counterparts (Mullen 2011). The personal relationship between military leaders has always been critical to US–Pakistan ties; these remarks made the crisis personal as well as official.

The last straw came in late November, when US aircraft attacked a Pakistani post at Salala, near the Afghan border, killing 28 Pakistani troops. The Pakistan military angrily charged that this was a deliberate attack. The US, after investigating the incident, concluded that the incident was the result of operational mistakes on both sides. By this time, however, the Pakistan army was in no mood to accept any responsibility for the event.

Faced with mounting anger among the military, civilian leaders, and the population, Pakistan took action. It announced that it was revoking its permission for the United States to transport supplies to Afghanistan through Pakistani territory – known in the trade as the GLOCs (Ground Lines of Communication). This set up an intense and acrimonious period of negotiations between the United States and Pakistan. And, once again, their priorities were in conflict. For the United States, the objective was to restore use of the GLOCs; for Pakistan, the objectives were to bring US drone attacks under their control and to obtain substantially higher payment for use of the GLOCs. Underlying both of these Pakistani aims was a more fundamental goal: to put the Pakistan government in the driver's seat for US–Pakistan relations in such a way as to visibly counteract the damage the incidents of 2011 had done to the army's honor and the government's authority.

As had happened in the past, Pakistan assumed that the United States needed it more than it needed the United States. Its tactics reflected this belief. Pakistan made it difficult for US military officials to see their counterparts in Pakistan. American negotiators pursuing a high-profile objective tend to become activist, and when one proposal does not lead to progress, they readily put together another – a practice known disparagingly by practitioners as "negotiating with yourself." This reinforced Pakistan's view that it held the high cards. Public statements by US officials stressing that the GLOCs were essential to US success in Afghanistan reinforced Pakistan's belief that it was in charge. In fact, the United States, fearing this type of problem, had during the preceding months negotiated transit agreements with countries north of Afghanistan. These routes were slower and more costly than those through Pakistan, but they did provide an alternative. Washington gave a chilly reception, however, to Pakistani calls for a dramatic increase in US payments for using the GLOCs. With the passage of time and continuing use of the northern route, the two sides eventually found a path to resolving this issue.

The drone issue turned out to be more complicated, and triggered a highly unusual formal parliamentary review of relations with the United States. The United States had in fact consulted with Pakistan, and specifically with the army, over the use of drones and their targeting, but the Pakistan government had not shared this information with its parliament or population. One message disclosed through the Wikileaks revelations quoted Pakistan's army chief, General Kayani, as requesting more drone attacks (*Express Tribune* 2011). As popular outrage mounted in Pakistan over the incidents of 2011, a special parliamentary committee composed a set of "Guidelines for Revised Terms of Engagement with USA/NATO/ISAF and General Foreign Policy."[9] The document was formally approved in April 2012 by the full parliament and blessed by the cabinet and senior military leadership. It called for a higher price for resumption of the GLOCs, an end to drone strikes, a "smaller footprint" for the US in Pakistan, a formal apology for the attack on the Pakistani border post at Salala, and an end to any informal or verbal understandings between the two governments.

This formal assertion of parliamentary power and prerogative set the stage for resolving the most urgent issues in the US–Pakistan crisis. Secretary of State Hillary Clinton telephoned her

Pakistani counterpart on July 3, 2012, to express her regrets over the Salala incident. A few days later, the GLOCs reopened. The relationship gradually moved out of crisis mode, and mutual references to "partnership" resumed. Several efforts to hold talks with the Afghan Taliban on the future of Afghanistan provided an opportunity for the United States and Pakistan to work together, though both their diverging priorities and the volatility that always characterizes such talks made this enterprise uncomfortable. By early 2016, the US and Pakistan were cooperating on a range of Afghanistan-related issues, and high-level strategic talks resumed.

The "new normal" Washington and Islamabad had reached was certainly not a "third divorce." However, it was a much less expansive partnership than the two countries had known in the past. The US decision to sell eight F-16 aircraft to Pakistan, which the Obama administration formally notified to the US Congress in early 2016, came with a sting in the tail: Congress was willing to allow the sale to go forward, but served notice that it would block any US government financing for the planes. Hostility to Pakistan in the US Congress was still significant, and once again, Pakistan interpreted this as US fickleness.

Looking ahead: living with different objectives

Radical changes in the nature and governance of the Pakistani state and in America's assessment of its own role in South Asia and the Middle East could again make bilateral ties vulnerable to the wild swings characteristic of earlier bilateral nuptials, divorces, and estrangements. Even under the most promising of circumstances the relationship will not be an easy one and will require attentive handling by both sides. As our analysis suggests, the track records of governments in Islamabad and Washington on this score have been mixed at best. The fundamental issues American and Pakistani policymakers will face will be the familiar ones discussed above, involving India, Afghanistan, and the challenge of radical Islam and terrorism.

India

The disconnect between US and Pakistani attitudes toward India's global and regional aspirations has widened since Narendra Modi took power in New Delhi two years ago. Although some commentators viewed Prime Minister Nawaz Sharif's acceptance of Modi's invitation to his May 2014 inauguration in New Delhi as a promising augury of better ties, India–Pakistan relations have worsened. The two governments have been unable to resume their on-again, off-again broad-ranging dialogue. Nor have they succeeded in negotiating a long anticipated trade agreement. Just a few days after Modi's surprise December 2015 visit to Pakistan, an Indian airbase close to the India–Pakistan border was attacked, an operation apparently directed from Pakistan. This further roiled the relationship, as did the increasing anti-Indian political violence in Indian-administered Kashmir, which New Delhi has harshly repressed.

In dealing with Pakistan, the Modi government has chosen an approach that differs from the cooperative policies it has adopted toward most of India's other South Asian neighbors. Relationships with these countries have benefited from a new Indian willingness to negotiate economic issues on a multilateral basis rather than to use its superior power to overawe them one by one, as New Delhi has customarily done in the past. Pakistan has been excluded from these arrangements. The tighter grip that the traditionally anti-Indian Pakistan army has exerted over Islamabad's foreign and security policies and the increasing prominence of Hindu nationalism in Modi's domestic political program also suggest that relations between Islamabad and New Delhi will remain poor. A breakthrough will necessarily involve real compromises by both sides. That will be tough to achieve unless attitudes on both sides change.

By contrast, US relations with India have strengthened since Modi took office. The prime minister and President Obama developed a warm personal and professional rapport that was highlighted when Modi invited Obama to be guest of honor at India's 2015 Republic Day ceremony. Obama appeared to recognize India – and its leader – as forces to be reckoned with on the world stage. The US Congress, which in the Cold War years had usually shown little positive interest in India, generally shares this attitude. Although there continue to be skeptics among lower-level US officials who engage in day-to-day dealings with Indian opposite numbers, the positive overall appraisal of India prevailing in Washington contrasts favorably with attitudes there toward Pakistan. Modi's India is seen as offering opportunities for the United States. Pakistan led by Nawaz Sharif, in Washington's assessment a much less impressive figure, looks more like a set of problems.

Should these aspects of Washington's relations with New Delhi and Islamabad persist, the strategic disconnect between the United States and Pakistan over India's role in achieving their objectives in South Asia will not be bridged. This US–Pakistan divergence has been especially sharp with regard to Afghanistan policy. Pakistan has resented US efforts to encourage India to adopt a more expansive role in bolstering Afghan security. It will continue to insist that India focus exclusively on economic and social reconstruction there and that it steer clear of any involvement in Afghan military or political activity, including the efforts to bring about a settlement among the contending forces in the Afghan civil war. So far, at least, the Indians do not seem inclined to become more involved. Washington, for its part, has welcomed stepped-up Indian training of Afghan troops. It appears to recognize, correctly, that any effort to inject India into the difficult settlement negotiations between the Afghan government and Afghan Taliban representatives would be a non-starter.

More generally, Pakistan will increasingly resent any evidence of US support for India's ambitions to achieve a seat at the global high table. Washington's cool response to Pakistan's pleas for an agreement on civilian nuclear commerce similar to the one negotiated by the George W. Bush administration with India also rankles.

Afghanistan

President Obama announced in May 2014 that by the end of 2016 only a vestigial force would remain to protect the US embassy in Kabul and help the Afghans with military purchases and other supply matters. This seemed to portend a major change in US–Pakistan relations. As we have seen, it was the US need for Pakistan logistical and other support to overthrow the Taliban regime in 2001 that had been the basis for the renewal of strong political and security ties between Washington and Islamabad. Some surmised that once it no longer needed Pakistan to provide convenient land supply routes into Afghanistan, Washington would radically downgrade its relationship with Islamabad, as it had done after the Soviets withdrew in 1988. At the very least, the United States in this view would have greater freedom of action in the way it dealt with Pakistan.

A Taliban resurgence in 2015 and 2016 led the Obama administration to postpone the withdrawal timetable and keep what the president termed a "modest but meaningful" US military presence in Afghanistan throughout 2016 and into 2017. The press reported in early 2016 that "hundreds" of US troops had been hurried to the key Helmand Valley, where Afghan government forces faced a Taliban offensive. Increasing ISIS military activity in Afghanistan is also likely to postpone a final US military withdrawal.

The extent of this continuing US military involvement and how important it will be in determining the nature of US–Pakistan relations remain unclear at the time of writing. President

Obama left the White House in January 2017 and the key decisions on a future US policy on Afghanistan will be made by Donald Trump. Much will depend, of course, on the kind of settlement – if any – that can be worked out between the government in Kabul and its resurgent Afghan Taliban rivals. But the decision will also obviously reflect the role the new administration in Washington sees for the United States in the struggle against militant Islam on a broader international front. It seems reasonably clear that a post-Obama White House will not favor the installation in Afghanistan of the kind of pro-Pakistan, anti-Indian government Islamabad will remain eager to promote. But what it is prepared to do about a new Afghan dispensation will only become clear in due course.

Radical Islam and terrorism

The Obama administration welcomed the Pakistan Army's June 2014 launching of operation *Zarb-e-Azb* ("Sharp Strikes") designed to root out Islamic terrorist guerrillas in the North Waziristan Agency on Pakistan's frontier with Afghanistan. Accepted with considerable reluctance by the Nawaz Sharif government, the operation and other military offensives against the Pakistan Taliban and militant Islamic organizations affiliated with it have bolstered law and order in the tribal areas and elsewhere in the country. The Pakistan parliament formalized the anti-terrorism program by adopting a tough 20-point National Action Plan in December 2014. This plan significantly strengthened the role of the army in judicial proceedings leading to the execution of militants found guilty of terrorist acts.

Despite these measures and the relative tranquility they have helped restore to the countryside and urban areas, the threat of radical Islam in Pakistan remains a real one. Political violence, after a two-year drop, was back on the front pages with the March 2016 bombing of a park in Lahore. Massive street demonstrations supporting terrorist organizations and celebrating terrorist "martyrs" continue to disturb Pakistani cities. Although the seizure of power by armed radical Islamists seems a remote possibility at this time, it cannot be ruled out at some future point. Such a takeover, or a significant weakening of anti-Islamic forces, would have a profound impact on US relations with Pakistan. It would make earlier disconnects between the United States and Pakistan seem almost trivial by comparison.

The larger international canvas

Discordant US and Pakistani strategic goals with respect to India and Afghanistan are woven through the history of US–Pakistan relations, as we have seen. Different ways of thinking about and dealing with Islamic extremists punctuated the third of the "marriages" between these two partners, and are likely to grow in importance.

Another familiar feature is likely to characterize the US–Pakistan strategic relationship. In the past, periods of major US–Pakistan engagement were driven by events outside of Pakistan, and Pakistan's relations with the US had an important global dimension. This is likely to continue – but in a new way. Islamabad's fast-growing nuclear weapons arsenal and the physical security of these weapons from Islamic terrorists will also continue to be a major US concern. So will its ties with China, which over the years has significantly helped it develop this weapons program.

In the past, Washington has alternatively viewed close Sino-Pakistan ties as an asset for US strategic interests (as it did when Islamabad facilitated the 1971 Nixon/Kissinger opening to China) or as a potential threat to them (the Chinese navy's potential use of Pakistani Indian Ocean seaports to project Beijing's growing maritime power into the Indian Ocean and the

Persian Gulf). Now, Washington's assessment will need to include an evaluation of the strategic impact of China's economic ties with Pakistan – and of Pakistan's possible hope of using China to replace its ties with Washington.

One visible sign of this is China's pledge of massive funding for an "economic corridor" linking the two countries via routes across the Himalayan mountain range (including over territory claimed by India as part of Kashmir). The US government does not have the official funds to match these proffered Chinese investments, for which China announced a pledge of $46 billion. But depending on how it operates, the China–Pakistan Economic Corridor project might offer opportunities for both the US government and American private firms to involve themselves more substantially in the strengthening of the Pakistani economy. There would be a certain irony in this: despite the vast sums the United States has spent in Pakistan over the years, economic ties remain the most underdeveloped aspect of the bilateral relationship. Some see the possibility as a silver lining to the dark cloud increasing Chinese involvement in Pakistan could pose to American interests there and elsewhere in the Indian Ocean region. However, for private sector economic engagement to rise to significant levels, Pakistan will need to offer a more secure environment for investors.

A second indication is China's apparent decision to block India's entrance into the Nuclear Suppliers' Group until the group is willing to admit Pakistan as well. Given Pakistan's track record in transferring nuclear knowhow, such a package deal is most unlikely, and China's action has undercut one of the most significant US initiatives to normalize India's nuclear status.

The global dimension of US–Pakistan relations, in other words, could be an extension of the bridge that Pakistan has occasionally provided between Beijing and Washington. Alternatively, it could be one more element in a shifting geopolitical balance. This would reflect China's increasing willingness to put major economic resources into South Asia and its interest in ensuring that Pakistan is strong enough to keep India off balance. Which direction these events takes will reflect not just how the United States and Pakistan manage their complex relations, but also how successfully China weathers its current economic storms and the United States deals with its confrontational internal politics.

Notes

1 The Muslim ruler of Junagadh, a princely state located on the coast northwest of Bombay, had initially acceded to Pakistan, but Indian troops surrounded the territory and eventually integrated Junagadh into India as part of Gujarat state. Pakistani maps continue to show it as part of Pakistan.
2 Byroade was later US Ambassador to Pakistan, 1973–7.
3 U.S. Overseas Loans and Grants, https://explorer.usaid.gov/aid-trends.html (accessed 7 January 2016). The data are in 2011 dollars.
4 The most noteworthy of these was President Ayub Khan's 1961 visit to Washington. In his address to a joint session of the US Congress, Ayub declared: "If there is real trouble [in Asia] . . . the only people who will stand by you are the people of Pakistan" (*New York Times*, 13 July 1961).
5 Americans dubious about the Reagan administration's approach were assured that the equipment would bolster Pakistani self-confidence and make it less likely that Islamabad would feel a need to develop a nuclear arsenal. India protested against the Reagan administration's Pakistan policy but eventually recognized that there was nothing it could effectively do to change it.
6 Congress had forced the Ford administration to cut off assistance to the Pakistanis because they had imported uranium-enrichment and nuclear reprocessing technology. These sanctions were lifted in 1981 after Reagan took office.
7 In diplomatic parlance, "proximity talks" are those in which the contending sides do not deal directly with one another but communicate through an intermediary, in this case a UN representative. They resemble "shuttle diplomacy" but do not involve international travel by the intermediary.

8 Seymour Hersh claimed, in a story in the *London Review of Books*, that the United States had worked with the Pakistan government in planning and executing the raid. We have found no evidence substantiating this claim, and believe based on all the evidence we have found that in fact the Pakistanis were not informed in advance, nor did they give any kind of clearance (Hersh 2015).
9 Reproduced on the website of the Council on Foreign Relations, http://www.cfr.org/pakistan/national-assembly-pakistans-guidelines-revised-terms-engagement-usa-nato-isaf-general-foreign-policy-april-2012/p29766. (Accessed 11 April 2016).

Bibliography

Bass, G. (2013). *The Blood Telegram: Nixon, Kissinger and a Forgotten Genocide*. New York: Alfred A. Knopf.
Congress (1985). Public Law 99–83, August 8, 1985. Washington, DC: Government Printing Office. Available at: https://www.congress.gov/bill/99th-congress/senate-bill/96/
Congressional Research Service. (2014). *Direct Overt U.S. Aid Appropriations for and Military Reimbursements to Pakistan*. Washington, DC: Congressional Research Service.
Crile, G. (2003). *Charlie Wilson's War: The Extraordinary Story of the Largest Covert Operation in History*. New York: Atlantic Monthly Press.
Dale, S. B. a. C. (2009). *War in Afghanistan: Strategy, Military Operations and issues for Congress*. December 3. Washington, DC: Congressional Research Service.
Department of State. (1954). *Southeast Asia Treaty Organization (SEATO)*. Washington, DC: Dept. of State.
Express Tribune. (2011). Kayani Wanted More Drone Strikes in Pakistan. *Express Tribune*, May 2. Available at: http://tribune.com.pk/story/172531/wikileaks-kayani-wanted-more-drone-strikes/. (Accessed 23 March 2016).
Haqqani, H. (2013). *Magnificent Delusions: Pakistan, the United States, and an Epic History of Misunderstanding*. New York: Public Affairs.
Hersh, S. M. (2015). The Killing of Osama bin Laden. *London Review of Books*, 21 May. Available at: http://www.lrb.co.uk/v37/n10/seymour-m-hersh/the-killing-of-osama-bin-laden. (Accessed 21 April 2016).
Khan, R. M. (2011). *Afghanistan and Pakistan: Conflict, Extremism, and Resistance to Modernity*. Washington, DC: Woodrow Wilson Center Press.
Khattack, D. (2011). *Evaluating Pakistan's Offensives in Swat and FATA*. Washington, DC: U.S. Military Counter Terrorism Center.
Khattack, D. (2012). *Reviewing Pakistan's Peace Deals with the Taliban*. Washington, DC: U.S. Military Counter Terrorism Center.
Kux, D. (2001). *Disenchanted Allies: The United States and Pakistan, 1947–2000*. Washington, DC: Woodrow Wilson Center Press.
Mullen, A. M. (2011). *Statement before Senate Armed Services Committee*. September 22. Washington, DC: s.n.
Musharraf, P. (2001). *Speech to the Nation*. 19 September. BBC web site. Available at: http://news.bbc.co.uk/2/hi/not_in_website/syndication/monitoring/media_reports/1553542.stm.
Musharraf, P. (2006). *In the Line of Fire*. New York: Free Press.
Schaffer, H. B. and Schaffer, T. C. (2011). *How Pakistan Negotiates with the United States: Riding the Roller Coaster*. Washington, DC: U.S. Institute of Peace.
Schaffer, T. C. S. and Schaffer, H. B. (2012). *Pakistan's New Player*. 23 April. South Asia Channel. Available at: foreignpolicy.com.

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PAKISTAN AND THE ONE BELT, ONE ROAD INITIATIVE

Prospects for the China–Pakistan Economic Corridor

Andrew J. Small and Ben Lamont

A common rivalry with India has anchored close Sino-Pakistani relations for more than fifty years and inspired an unusual depth of cooperation in the security and political spheres. However, the two sides have never enjoyed robust economic ties. China's first-ever comprehensive Free Trade Agreement (FTA) was with Pakistan, but in 2012 China's trade with Pakistan accounted for just 0.3 percent of its overall total, and investment numbers have lagged far behind the public announcements (Salidjanova 2015: 9). China's One Belt, One Road (OBOR) initiative, also known as the Silk Road Economic Belt and the 21st-Century Maritime Silk Road or Belt and Road initiative, offers the prospect of transforming this dynamic. The China–Pakistan Economic Corridor (CPEC), with tens of billions of dollars of potential investment, has been described as the "flagship project" for OBOR, which is Chinese President Xi Jinping's signature foreign policy initiative, and an important component of China's economic rebalancing strategy. Whether the CPEC succeeds or fails, the consequences for Pakistan and for the bilateral relationship will be significant. After decades in which Beijing has been a relatively removed actor from day-to-day Pakistani politics, even the promise of a significantly expanded economic presence has already sucked China into controversies and battles that it had traditionally avoided.

China and Pakistan: foundations

The China–Pakistan relationship was not always an "all-weather friendship." Pakistan was one of the first states to formally recognize China, but the two sides spent the 1950s in opposing camps and significant outstanding territorial disputes between them persisted, with China laying claim to 3,400 square miles of territory in Kashmir (Khan 1960). Pakistan was firmly aligned with the West, a US ally and member of the region's Western treaty organizations SEATO and CENTO. It allowed the establishment of a US listening post in Badaber to spy on Chinese communications and supported US efforts to back Tibetan rebels. In 1959 Pakistani president Ayub Khan even suggested the idea of a "defence union" with India because, in his words, "I can see quite clearly the inexorable push of the north in the direction of the warm waters of the Indian Ocean" (Khan 1960). While the two sides generally maintained cordial relations – and

Pakistan privately assured the Chinese at the Bandung conference that its military agreements were not directed at China – Beijing's closest partner in the region was Delhi (Syed 1974: 61).

The deterioration of Sino-Indian relations after the 1959 uprising in Tibet, culminating in the 1962 war, marks the phase in which China's close relationship with Pakistan really began to take shape. US support to India during the 1962 conflict led Pakistani leaders to question the value of their relationship with the United States, and Beijing's decision to withdraw forces unilaterally without pressing for a broader regional settlement over Kashmir illustrated to Pakistan the value of being more closely coordinated with Beijing. The year 1962 also introduced the concept of the "two-front war" into the minds of planners in all three capitals – as a threat to India and a potential point of leverage for Pakistan and China. Pakistan and China reached a rapid border settlement in the aftermath of the conflict. The 1965 war between India and Pakistan marked the first point at which the threat of a two-front war was brought to bear by Chinese threats of intervention on Pakistan's behalf. To leaders in Islamabad, public support for Pakistan's position from Beijing and the coordination of arms supplies at the peak of the conflict were a welcome contrast to the suspension of military aid by the United States.

China's position as Pakistan's chief arms supplier has persisted virtually ever since. The prospect of Chinese military involvement in wars on the subcontinent, however, effectively came to an end following the next war between India and Pakistan in 1971. Despite US and Pakistani entreaties for Beijing to take action, China was unwilling then, and has been unwilling ever since, to swing in on Pakistan's behalf when the crisis was one of its own making. Instead, the model has been one in which Beijing will provide Pakistan with the requisite backing to play a counterbalancing role in the region without exposing China to the risk of being drawn into Islamabad's episodic adventurism.

China's principal form of support came in the form of procurement, not defense treaties or security guarantees. Not only was China Pakistan's largest and most reliable arms supplier, it consistently assisted Pakistan in developing its own indigenous production capabilities. Much of this was for relatively low-end equipment like tanks and ammunition – the United States was the most important supplier of high-end platforms – but the major exception was Chinese support to Pakistan's nuclear and missile programs. China provided crucial technical assistance, from bomb designs to triggering mechanisms, and materials, including fissile material itself. Beijing's supply of highly enriched uranium at a critical juncture for the Pakistani nuclear program is the only known instance in which a nuclear state has transferred HEU to a non-nuclear state for military use. In some respects, Chinese support to the missile program was even more important, given that Pakistan's technical base for delivery mechanisms was far weaker. As in other areas, this began with outright sales of Chinese-made missiles, but moved quickly towards building up Pakistan's own capacities. Nonetheless, virtually every new Pakistani missile has born a striking resemblance to an existing missile in the Chinese arsenal, with the exception of the North Korean-made Ghauri missiles.

The relationship was conceived as a two-way street, with China benefiting from Pakistan's access to Western technologies. On occasion, such as Pakistan allowing Chinese experts access to the US stealth helicopter left in Abbottabad after the Osama bin Laden raid or handing over US cruise missiles, this has been genuinely useful to China, but by and large the flow of assistance has been from China to Pakistan. The arms supply relationship continues to the present day, with major projects such as the jointly produced JF-17 combat aircraft, and the sale of eight Yuan-class submarines placing Pakistan as by far the largest purchaser of Chinese weapons.

This close security cooperation has built high levels of trust between the two sides, and Pakistan has acted as a reliable interlocutor for China. This was most important during Beijing's years of isolation in the 1960s and early 1970s, with Pakistan's bridging role for the

establishment of relations between the PRC and the United States the most notable such occasion. But it has continued since, in forms ranging from Pakistani assistance in the establishment of Sino-Saudi relations in the late 1980s to its role in navigating China's dealings with an assortment of militant groups, including the Taliban. Over the years, new generations of leaders have added new clauses to the mantras used to describe the relationship – "higher than the mountains," "deeper than the oceans," "stronger than steel," "sweeter than honey" – though the pithiest encapsulation came from China's head of military intelligence in the 1990s: "Pakistan is China's Israel" (Paal 1997: 113). These attitudes are also rooted in the Pakistani public: despite the significant differences in religious traditions and the fact that China has never been a cultural reference point for Pakistan, a 2015 poll in Pakistan showed that 79 percent of respondents consider China to be Pakistan's most reliable friend, followed by Saudi Arabia, which received just 12.3 percent (*The News* 2015).

The close China–Pakistan relationship has its limits however. China has given Pakistan some limited cover for activities against India, including blocking action at the UN's sanctions committee against Lashkar-e-Taiba on a number of occasions. But since the nuclearization of the subcontinent, China has also sought to ensure that conflicts and crises between India and Pakistan do not escalate into nuclear confrontation. During the Kargil war in 1999, the first war since the two sides' nuclear tests, China coordinated closely with the United States on managing the crisis and refused to provide Pakistan its usual discreet political backing, instead urging it to pull its troops back. This cooperation with Washington would be replicated during the Twin Peaks Crisis of 2001/2 and the aftermath of the Mumbai attacks in 2008. China has also grown concerned about Pakistan's handling of jihadi groups, as a number of them have increasingly moved beyond the capacity of the Pakistani state to manage effectively. Until the Zarb-e-Azb operation in 2015–16, Beijing complained about Pakistan's insufficient willingness to take decisive action against Uighur militant groups. China has also worried about the broader rise of extremism in Pakistan and the possibility that militant sympathies will become deep-rooted in the Pakistani army, which would seriously undermine the relationship.

Economic relations have long lagged in relation to security ties between the two sides. In 2014 Pakistan was China's thirty-second ranked export destination, after Poland, and its sixty-sixth ranked source of imports, after the Democratic Republic of Congo. This is due partially to geography and partially to a lack of complementarity between the two economies. Whereas maritime Asia benefited from exposure to China's booming coastal cities, Pakistan's land border links it to poorer interior provinces; and Chinese industries, such as the textile sector, were largely competitors for Pakistani firms. But other areas that might have benefited from the close political relationship between the two sides have also performed poorly. The military-industrial sector has seen robust trade and investment relations and a few projects with significance that was more political than commercial succeeded – the Karakoram Highway and the nuclear power plants – but little else has. According to RAND, just 6 percent of the 66 billion dollar financial assistance pledged from China to Pakistan between 2001 and 2011 actually materialized (Wolf et al. 2013: 38).

Since at least the time of Zhou Enlai, the first premier of the People's Republic of China, there have been dreams of trade and energy corridors running through Pakistan from the Indian Ocean to China. Pakistan President Pervez Musharraf sought to pursue such a vision during his time in office from 2001 to 2008. However, what began with a sense of promise – Pakistan's GDP growth reached 7.7 percent in 2005 – failed to materialize after the security situation deteriorated. In 2004 two Chinese engineers were kidnapped while working on a dam project in Waziristan, one of whom was killed in a botched rescue attempt by the Pakistani army. Later that year the Baluch Liberation Army killed three Chinese workers on their way to work at

the port of Gwadar. The watershed moment, however, came in 2007. On June 24, 2007, a self-appointed "vice and virtue" squad abducted several Chinese women from a nearby massage parlor that they asserted was a brothel and brought them to a madrassa adjacent to Lal Masjid (Red Mosque) in central Islamabad. In the preceding years Lal Masjid had become an epicenter for extremist forces in the nation's capital. Fraught negotiations involving the Chinese ambassador, Luo Zhaohui, and the leader of Musharraf's political party, Shujaat Hussain, secured the release of the Chinese women. But stern phone calls from senior Chinese officials to their Pakistani counterparts followed. President Musharraf finally moved against the militants holed up at Lal Masjid in July. The resulting security operation cleared the complex, but at the cost of more than a hundred, and some sources say hundreds of, lives. Among the dead were a dozen Uighurs. At the same time as that operation was happening, gunmen killed three Chinese workers in Peshawar. More violence erupted and in the year following the siege 1,188 people were killed and 3,209 were wounded in militancy-related violence (Hussain 2010: 120). Citing security concerns, China's largest private-sector mining company withdrew from a $19 billion project in 2011 and it took several years for China to regain the confidence to invest in "mega-projects" in Pakistan (Wright and Page 2011).

The history of the port of Gwadar is in some sense a microcosm of this broader history. Ambitious development plans by a British consortium stalled in the 1990s, and in 2001, to mark the fiftieth anniversary of China–Pakistan relations, China announced that its companies would develop it (Haider 2005). Work on the first phase of development, which included new ship berths, port buildings, and a road link to Karachi, was plagued by attacks by Baluch militants. Nonetheless, President Musharraf inaugurated the revitalized port in spring 2007 after work on the first phase was completed. After Musharraf left office in 2008, though, funds for the port's development were diverted to other causes, land disputes between the Pakistani Navy and the Singapore Port Authority (which was awarded the contract to run the port) persisted, and it never achieved real commercial use. When Chinese companies took over the management of the port in 2013, the port was operating at a fraction of its full capacity (Ahmad 2013).

Drivers of the CPEC

The China–Pakistan Economic Corridor (CPEC) was formally launched during Xi Jinping's April 2015 visit to Pakistan. Twenty-eight billion dollars of projects were announced during Xi's visit, but the figure cited by the Pakistani government was a larger number composing the full array of projects being negotiated between the two sides: 46 billion dollars. Given the history of economic relations between the two countries, the initiative understandably elicited skepticism from observers. However, although the CPEC builds on a long-standing bilateral relationship, it is largely an outgrowth of recent Chinese economic and geostrategic thinking. Chinese economic planners knew that China would exhaust domestic infrastructure development opportunities, a long-time cornerstone of economic growth in China, and rather than let industries such as cement, coal, and steel suffer difficult job losses, envisioned a set of ambitious Silk Road schemes as a means by which to create new opportunities abroad for these industries. OBOR is also intended to help develop new drivers of growth in the Chinese interior and build new markets for Chinese products.

Asia's infrastructure needs are estimated to be $5.3 trillion in 2025 (PricewaterhouseCoopers 2014), in theory providing plenty of opportunities for substantial increases in Chinese investment in regional infrastructure. But the feasibility of massive Chinese investment in many Asian countries is limited by issues ranging from the economic or political capacity rapidly to absorb high-levels of Chinese financing to concerns about Chinese investment in sensitive

infrastructure such as ports. Pakistan is in a virtually unique position, relative to other Asian countries, in being able to offer opportunities for such a wide array of shovel-ready projects amid an atmosphere of high political trust between the two governments. Chinese Foreign Minister Wang Yi stated in February 2015 that "If 'One Belt, One Road' is like a symphony involving and benefiting every country, then construction of the China Pakistan Economic Corridor is the sweet melody of the symphony's first movement" (Wang 2013).

In its public messaging Beijing has sought to downplay the geopolitical factors motivating OBOR, but there are several. These can be distilled into three categories: mitigating the Malacca dilemma, power projection, and forestalling conditions for Islamic extremism.

One traditional geostrategic objective encapsulated by OBOR is a diversification of Chinese supply routes. Chinese strategists have long highlighted the "Malacca dilemma" – that China is heavily reliant on supplies of energy and other materials that flow through the narrow Malacca strait – as a strategic vulnerability for China, since an adversary could potentially blockade shipping at this narrow channel. OBOR, and the CPEC specifically, could help to address this by creating a major new route for goods and raw materials to enter China through its western provinces.

In a similar vein, as China develops more geographically dispersed interests, it is cognizant of its need to be able to project Chinese power globally in order to protect its citizens and interests. China's evacuation of thousands of its citizens from Libya in 2011, and Yemen in 2015, which relied on forward-deployed assets in the Gulf of Aden, demonstrated the need for reliable facilities. OBOR will aid Chinese power projection capabilities by funding dual-use facilities such as ports, which can be used for both civilian and military purposes. Pakistani ports, including the deep-water port at Gwadar, have been identified by the PLA Navy's planners in the highest tier of potential facilities – where trust between the Pakistani and Chinese militaries puts them in the rare position of being reliable even at times of major crisis.

The last geostrategic driver of OBOR is an ambition to forestall Islamic extremism that could threaten China more seriously in the future. China sees its investments as a stabilizing force that can mitigate against the risk of regional militancy issues becoming more serious, with spillover implications for its own restive province of Xinjiang. In Pakistan's case, this deployment of economic means to security ends is even broader – the rationale being that by helping address Pakistan's energy challenges, boosting the Pakistani economy, and offering the incentive of tens of billions of dollars of investment, it will generate growth and employment, mitigate Pakistan's instinct for regional adventurism, and make it a stronger and more capable partner.

OBOR, and hence the CPEC, has also become a political priority for President Xi, an initiative into which he has invested considerable political capital. The Leading Group for Advancing the Development of One Belt One Road, which reports directly to Xi, is stacked with political heavyweights and chaired by the first-ranked vice premier. All of this Chinese attention is welcome in Pakistan, as it presents a potentially transformative opportunity for a country that has faced considerable economic and security struggles over the last decade. It also comes at a time at which Western attention to the region is declining. Islamabad has accordingly rolled out the red carpet for Beijing and expectations for the CPEC are high.

OBOR and the CPEC in motion

OBOR has been described as the largest economic diplomacy program since the Marshall Plan. The Chinese Academy of Social Sciences has estimated that the total resources behind the scheme could add up to as much as six trillion dollars (*People's Daily Online* 2015). The exact size of the CPEC is uncertain – some projects that appeared on the list circulated at the time of

Xi's visit have already been put on ice, while others have been added. The number currently in play is certainly in the tens of billions of dollars though, which would be multiples of total US economic aid to Pakistan since 9/11, albeit very different in nature (Lieven 2015).

OBOR is part of a broader portfolio of Chinese foreign aid and government-sponsored investments that has grown steeply since 2000. Chinese aid has traditionally been allocated roughly 40 percent toward natural resource development and 40 percent toward infrastructure development (Wolf et al. 2013: xiv). However, in recent years China has been shifting away from natural resource development investments and OBOR is more squarely focused on infrastructure development. Projects and investments that fall under the umbrella of OBOR are diverse in terms of sector and geography. They include, for example, a container port in Turkey, the Italian tire manufacturer Pirelli, and an LNG plant in northern Russia. The incorporation of many such projects under the auspices of OBOR now hooks together a very diffuse, seemingly unrelated set of projects.

The China–Pakistan Economic Corridor (CPEC) is one of two announced "corridors" that "are closely related to" to OBOR, the other being the Bangladesh–China–India–Myanmar (BCIM) Corridor (National Development and Reform Commission 2015). The idea of a physical corridor made up of roads and bridges is striking and has captured the popular imagination, but such an understanding of the CPEC is misleading. The CPEC has two main components: a "physical corridor" (improved transportation links running the length of Pakistan, from Gwadar to China) and a "development corridor" (various development projects, mostly power, and special economic zones). The latter accounts for a greater share of CPEC funding and it is more accurate to think of the scheme as an investment package than a physical corridor. Another way of looking at the CPEC is to break it down into four categories: energy, the port at Gwadar, transport infrastructure, and industrial cooperation.

The physical corridor aspect of OBOR begins with the Karakoram Highway (N-35), which links Gilgit-Baltistan and Xinjiang via the Khunjerab pass. The highway was severely compromised by a 2010 landslide, which created a lake covering nearly twenty kilometers of the road. Since then China and Pakistan have cooperated to build kilometers of new tunnels that make the route passable in spite of the lake. From Gilgit-Baltistan, there are eastern and western routes, which run through Khyber-Pakhtunkhwa/Baluchistan and Punjab/Sindh, respectively. The eastern route, which is already relatively well-developed in comparison to the western route, terminates in Karachi and the western route in Gwadar. In total, the CPEC plans to add about 1,272 km of new roads to Pakistan's existing network (*Express Tribune* 2015a).

As part of the development corridor, close to 75 percent of CPEC funding will be devoted to energy projects across Pakistan, a figure which does not include financing for new nuclear power plants, which are not designated as CPEC projects. Specific energy projects include what will be the world's largest solar power plant at Bahawalpur, the Karot hydropower dam on the Jhelum river (and possibly the 14 billion dollar Bhasha dam), and a coal power plant at Port Qasim. The first of the power projects is scheduled to come on line before the next Pakistan elections in 2018, though the timelines for other CPEC projects run as long as 2030. In the end, the CPEC energy projects could double Pakistan's electricity capacity, which would be a significant change for a country that is today plagued by regular blackouts (*China Daily* 2015).

CPEC and OBOR are only beginning to be implemented and will take years to unfold. In the last few years, the most visible symbols of OBOR's progress have been public commitments of financing by an alphabet soup of Chinese institutions. While much attention has been placed on the new Asia Infrastructure Investment Bank, many of the bilateral funding mechanisms are even larger. The commercial Bank of China (BOC) and the China International Trust and Investment Corporation both have $100 billion OBOR vehicles, China's sovereign

wealth fund (CIC) has established a subsidiary to support infrastructure investments abroad, and the Chinese government pledged 40 billion dollars toward the new Silk Road Fund (SRF) to facilitate other financiers' investments in OBOR. The China Development Bank (CDB), Export-Import Bank of China, and China International Trust and Investment Corporation will also finance OBOR projects.

OBOR has also catalyzed other competing initiatives. Prime Minister Shinzo Abe announced Japan's $110 billion Partnership for Quality Infrastructure (PQI) in May 2015. Other countries are involved in smaller ways. In 2015 the UK gave a $121 million grant to co-finance (with the Asian Development Bank) roughly half of a 59-kilometer expressway north of Islamabad (Rana 2015). Whether other countries' financing is competing with or complementing China's efforts varies on a case-by-case basis, but if Chinese investment inspires rather than crowds out other investors, Pakistan may benefit beyond the CPEC funding itself. And in the broader picture, Asia's infrastructure investment needs are so vast that all of these various initiatives are still expected to fall well short of fulfilling them.

Prospects for the CPEC

The announcement of the CPEC was met with skepticism by critics who questioned whether China would follow through on its pledges, but it is already clear that the political commitment to the scheme by Beijing is far higher in the context of OBOR than previous plans for a transport and energy corridor that were largely pushed by the Pakistani side. Pakistan has also addressed a number of obstacles to the economic relationship between the two sides. Security measures in place since 2008 have meant that several years have passed without a successful attack on Chinese workers in Pakistan. The security situation in Pakistan as a whole has improved with an estimated 70 percent decline in terrorist attacks in the first nine months of 2015 (Craig 2015). The Pakistani army's Zarb-e-Azb operation in North Waziristan addressed a longstanding Chinese irritant by displacing Uighur militants from their bases there.

China has also been more enthusiastic about Nawaz Sharif's business-friendly government and the PML-N's historic track record of delivering grand infrastructure initiatives. Yet CPEC's success is far from preordained. The CPEC faces two, possibly inter-related risks. First are the implementation risks – that the project will be poorly implemented, exacerbate regional political tensions within Pakistan, and cause tensions between Pakistan and China. The second risk is that the CPEC will not achieve its ambition of positively affecting the security situation in Pakistan and across the region, leading to the initiative ultimately being derailed.

OBOR and CPEC are in many respects externalizations of China's domestic development model, but the demonstrated capacity of the Chinese bureaucracy to drive projects through at home have not corresponded to a similar capacity to do so abroad, where local politics can be a challenge to navigate. A lack of transparency has been a serious issue for the CPEC thus far. Officials overseeing the CPEC, in part because of a desire to move quickly on projects that are in an ongoing process of negotiation and renegotiation, have been opaque about its details to the extent that the governor of the State Bank of Pakistan has said he does not understand the financing of the scheme (Reuters 2015). This opacity has fueled political controversy in Pakistan over the routing of the CPEC. CPEC money has pitted province against province, with non-Punjabis concerned that the China–Pakistan Economic Corridor will become the "China–Punjab Economic Corridor," and with developed regions claiming the lion's share of the resources, thereby exacerbating inequalities in the country. A lack of transparency could also potentially affect the efficacy of CPEC projects if administrators steer funds into poorly conceived projects that are insufficiently attuned to sensitivities in the local environment. China's

ability to recognize and respond to these challenges has been relatively limited so far – it has never attempted an investment package of this scale in a single country before. It is also a challenge for Pakistan itself, where the bureaucracy is facing the challenge of implementing an enormous array of projects more rapidly than at any point in its history.

There is also scope for Afghanistan to become a divisive issue for the two sides. The CPEC has been the first significant effort by China to attempt to create positive economic incentives that might change security dynamics in the region – including the Pakistani state's own behavior. China has demonstrated a growing desire to see peace in Afghanistan, as exemplified by substantial Chinese efforts to facilitate a reconciliation process between the Taliban and the Afghan government. This is a marked change from a decade ago, when China was more apathetic about matters in Afghanistan and fearful of a possible long-term American presence there.

Beijing's increased interest in Afghanistan is the byproduct of greater concern about the threat of terrorism following a spate of deadly attacks inside China in recent years. Militant groups hostile to China such as the Turkistan Islamic Party have a presence in Pakistan and Afghanistan, albeit now largely in the latter since the Zarb-e-Azb operation. China believes the economic conditions in which terrorism has propagated must be addressed, including in Pakistan, and is working closely with the United States to address related issues such as peace talks in Afghanistan. Its fear is that Afghanistan will once again become a haven for Uighur militants, as it was under Taliban rule in the 1990s. Chinese Prime Minister Li Keqiang told his Indian counterpart that CPEC was "designed to wean the populace from fundamentalism" during Modi's visit to China in May 2015 (Gupta 2015). But China also expects more from Pakistan itself.

During previous phases of the relationship, Beijing largely outsourced its Afghanistan policy to the Pakistani intelligence services, and had very limited objectives, such as the protection of Chinese assets and addressing Uighur militancy. Now it has broader concerns about the implications of stability in Afghanistan for its domestic terrorism situation and for OBOR itself, and as a result is taking on a far more active role vis-à-vis Afghanistan's future. China's heightened interest in seeing a stable outcome there is not wholly in accord with Pakistan's demonstrated willingness to sustain ongoing conflict when other strategic imperatives weigh more heavily.

The situation in Afghanistan also has a direct connection to the security situation inside of Pakistan. Both China and Pakistan are acutely aware of the need to protect CPEC projects and Chinese workers in Pakistan. Pakistan has raised a new 12,000-strong Special Security Division of the Pakistani army specifically for CPEC, a personnel number that could even go up depending on the nature of the projects that move forward. Hundreds of Chinese security personnel will also enter Pakistan for capacity-building and guard duties. High-ranking military officials on both sides have made assurances that security will be maintained and a former head of Pakistan's National Counter Terrorism Authority called it "a do-or-die situation" (*Express Tribune* 2015b).

Baluchistan, where the key port of Gwadar is located, is the greatest concern as a security challenge. Baluch Liberation Army forces have attacked Gwadar facilities and Chinese workers there on and off for more than a decade. In addition to protecting its workers and investments, China maintains a strong interest in seeing Pakistan take action against the Uighur militants in Pakistan. In spite of Operation Zarb-e-Azb, China remains skeptical that Pakistan has fully eliminated all Uighur militants in Pakistan. There is also a larger question about whether China's equation between economic investments and security improvements is one that will be born out – while the long-term correlation is clear, there is a possibility that an influx of new resources will exacerbate political contests in the near term.

Conclusion

The CPEC portends the first major realignment of the China–Pakistan relationship in a decade. The level of interaction it will demand is new, uncharted territory for the two partners. Much will depend on how both sides manage their increased interaction. CPEC will mean the transformation of a relationship once described as "two-legged" – lacking an economic dimension – into one that is more comprehensive and balanced. In a sense, the relationship will finally move past its India-centric phase and into one where Pakistan has a more substantial place in Chinese foreign policy thinking.

Adjusting to this new reality will create new challenges for the relationship. China has enjoyed a vaunted status as Pakistan's "all-weather friend" and the hype around CPEC has created expectations that are unlikely to be fulfilled at such a stratospheric level. There are concerns about the extent to which it can be implemented successfully, about whether it will prove divisive within Pakistan, and about whether it will have a positive impact on the security situation in Pakistan and Xinjiang.

The best-case scenario for both sides is that the tsunami of Chinese investment speeds Pakistan's transition into a middle-income nation, making it a more valuable partner to China, and stymieing the growth of Islamic extremism in Pakistan, Afghanistan, and western China.

The worst case scenario is one in which unhappiness about security conditions and the implementation of the scheme lead to it being scaled down to a degree that casts doubt on China's status as a genuinely "all-weather friend." The China–Pakistan relationship has benefited from a degree of remove from the rough-and-tumble of Pakistani politics and media attention; that remove is already a thing of the past.

For the most part, this is a relationship that is going through an upswing. Its central role in Xi Jinping's signature foreign policy initiative has resulted in an unusual level of energy being put into ties with Islamabad. China is also more willing to embrace the relationship openly. In the year since Xi's visit, leading Chinese thinkers have described Pakistan as China's "one real ally" and that the relationship as a "model to follow" (Huang 2016). The CPEC and Beijing's heightened involvement in the broader region comes with substantial opportunities for Pakistan, but also a new set of pressures. The future of that relationship is now tied to a significant degree to an ambitious investment scheme facing significant uncertainties – if the gamble does not come off, it will potentially have a greater impact on Sino-Pakistani ties than any development since the 1960s.

Bibliography

Ahmad, I. (2013). Gwadar awaits Chinese takeover. *Hindustan Times*, 27 February. Available at: http://www.hindustantimes.com/world/gwadar-awaits-chinese-takeover/story-q4N5m4SaqFQjbGs83WfZfJ.html. (Accessed 4 February 2016).

China Daily (2015). Backgrounder: China–Pakistan Economic Corridor. *China Daily*, 22 April. Available at: http://www.chinadaily.com.cn/world/2015xivisitpse/2015–04/22/content_20503693.htm. (Accessed 4 December 2015).

Craig, T. (2015). In Pakistan, a prime minister and a country rebound – at least for now. *Washington Post*, 8 September. Available at: https://www.washingtonpost.com/world/asia_pacific/in-pakistan-a-prime-minister-and-a-country-rebound–at-least-for-now/2015/09/07/4661049e-5173-11e5-8c19-0b6825aa4a3a_story.html. (Accessed 4 December 2015).

Express Tribune. (2015a). CPEC to benefit all provinces: PM. *The Express Tribune*, 29 August. Available at: http://tribune.com.pk/story/947154/cpec-to-benefit-all-provinces-pm/. (Accessed 4 February 2016).

Express Tribune. (2015b). Economic corridor: Pakistan, China agree on four-layer security. *The Express Tribune*, 1 November. Available at: http://tribune.com.pk/story/983033/economic-corridor-pakistan-china-agree-on-four-layer-security/. (Accessed 13 March 2016).

Gupta, S. (2015). Govt makes it clear: India has not forgotten Pakistan-occupied Kashmir. *Hindustan Times*, 24 May. Available at: http://www.hindustantimes.com/india/govt-makes-it-clear-india-has-not-forgotten-pakistan-occupied-kashmir/story-uYgfYuruxj4eYBfpGV0H7L.html. (Accessed 4 December 2015).

Haider, Z. (2005). Baluchis, Beijing, and Pakistan's Gwadar Port. *Georgetown Journal of International Affairs*, Vol. 6, No. 1.

Huang, Y. (2016). Q and A: Yan Xuetong urges China to adopt a more assertive foreign policy. *The New York Times*, 9 February. Available at: http://www.nytimes.com/2016/02/10/world/asia/china-foreign-policy-yan-xuetong.html. (Accessed 11 February 2016).

Hussain, Z. (2010). *The Scorpion's Tail: The Relentless Rise of Islamic Militants in Pakistan – And How It Threatens America*. New York: Free Press.

Khan, M. A. (1960). Pakistan perspective. *Foreign Affairs*, July.

Lieven, A. (2015). The China–Pakistan corridor: A fate-changer? *Al Jazeera English*, 16 November. Available at: http://www.aljazeera.com/indepth/opinion/2015/11/china-pakistan-corridor-fate-changer-151111080012375.html. (Accessed 11 March 2016).

National Development and Reform Commission. (2015). Vision and Actions on Jointly Building Silk Road Economic Belt and 21st-Century Maritime Silk Road. First Edition, March. Available at: http://en.ndrc.gov.cn/newsrelease/201503/t20150330_669367.html. (Accessed 2 March 2016).

The News. (2015). Most Pakistanis believe India behind terror in Pakistan. *The News* [Pakistan] 27 October. Available at: http://www.thenews.com.pk/Todays-News-13-40418-Most-Pakistanis-believe-India-behind-terror-in-Pakistan. (Accessed 6 March 2016).

Paal, D. (1997). China and the East Asian security environment: complementarity and competition', in E. Vogel (ed.), *Living with China: U.S./China Relations in the Twenty First Century*. New York: Norton, p. 113.

People's Daily Online (2015). Investment on infrastructure projects for the "Belt and Road" likely to reach $6 trillion: CASS report. *People's Daily Online*, 17 June. Available at: http://en.people.cn/n/2015/0617/c98649-8908112.html. (Accessed 9 March 2016).

PricewaterhouseCoopers. (2014). Infrastructure development in Asia Pacific (APEC): The next 10 years. October. Available at: https://www.pwc.com/gx/en/capital-projects-infrastructure/assets/infrastructure-development-in-asia-pacific.pdf. (Accessed 16 November 2015).

Rana, S. (2015). UK to partner in CPEC, provide $121.6 million grant. *The Express Tribune*, 1 September. Available at: http://tribune.com.pk/story/948870/uk-to-partner-in-cpec-provide-121-6-million-grant/. (Accessed 13 January 2016).

Reuters. (2015). Pakistan should be more transparent on $46 bn China deal, state bank head says. *Reuters*, 4 December. Available at: http://www.reuters.com/article/pakistan-china-idUSL3N13T4SK20151204. (Accessed 16 February 2016).

Salidjanova, N. (2015). China's trade ambitions: strategy and objectives behind China's pursuit of free trade agreements. *U.S.–China Economic and Security Review Commission*, 28 May. Staff Research Report. Available at: http://origin.www.uscc.gov/sites/default/files/Research/China's%20Trade%20Ambitions%20-%2005.28%2015.pdf. (Accessed 1 March 2016).

Syed, A. H. (1974). *China and Pakistan: Diplomacy of an Entente Cordiale*. London: Oxford University Press.

Wang Y. (2013). *Remarks at the Inauguration of the Year of China–Pakistan Friendly Exchanges*, 13 February. Available at: http://www.fmprc.gov.cn/mfa_eng/wjb_663304/wjbz_663308/2461_663310/t1244615.shtml. (Accessed 16 November 2015).

Wolf Jr., C., Wang, X. and Warner, E. (2013). China's foreign aid and government-sponsored investment activities. *RAND Corporation*. Available at: http://www.rand.org/content/dam/rand/pubs/research_reports/RR100/RR118/RAND_RR118.pdf. (Accessed 16 November 2015).

Wright, T. and Page, J. (2011). China pullout deals blow to Pakistan. *Wall Street Journal*, 30 September.

GLOSSARY

Ahmadiyya/Ahmadi (Urdu) A sect of Islam; Islamic religious movement founded in Punjab, British India on the life and teachings of Mirza Ghulam Ahmed

Al Badr (Arabic) Paramilitary wing of several Islamist parties in Pakistan, during the war of 1971, in which East Pakistan (later Bangladesh) gained independence from West Pakistan

Al-Shams (Arabic) Paramilitary wing of several Islamist parties in Pakistan, during the war of 1971, in which East Pakistan (later Bangladesh) gained independence from West Pakistan

Alawite A sect of Islam, centered in Syria

Alim (Arabic) Learned religious leader

Badl-i-sulah (Arabic) Consideration of compromise

Baluch People who live in the region of Baluchistan that encompasses parts of Pakistan, Iran and Afghanistan; a member of the Baluch community

Baluchistan One of the four provinces of Pakistan located in the southwestern region of the country

Barelvi (Urdu) A movement, founded by Ahmed Raza Khan Barelvi, following Sunni Hanafi jurisprudence, originating in the twentieth century in colonial India

Bazaar Market

Biradari Kinship networks

Caliph (Arabic) The chief Muslim civil and religious ruler who was regarded as the successor to the Prophet

Chowkidar Guard

Deen Religion

Deeni Religious

Deoband A sect of Islam

Deobandi (Urdu) Members of the Deoband sect

Dharna Non-violent sit in protest

Dhimmi Specific individuals living in Muslim lands, who were granted special status and safety in Islamic law in return for paying the capital tax

Diyat Financial compensation paid to the victim or heirs of a victim in the cases of murder, bodily harm or property damage

Duniyavi Worldly

FATA Federally Administered Tribal Areas

Fiqh Body of Islamic law extracted from detailed Islamic sources and jurisprudence
Ghair-muqalid Rejecting 'taqlid'; to accept a statement without evidence
Hadith The sayings of Prophet Mohammad
Hanafi One of four schools of Islamic jurisprudence
Hanbali One of four schools of Sunni Islamic jurisprudence
Haram Forbidden; forbidden by Islam
Hazara Persian-speaking people, predominantly Twelver Shia Muslims, who live primarily in central Afghanistan and in Baluchistan, Pakistan
Hijab A type of veiling that covers the head and chest
Hisba Islamic doctrine roughly translated to accountability; sanctions rulers to intervene in society to right wrongs
Hudood Set of Islamic laws and punishments; sanctions mandated under Sharia law
HuJI (Harkat ul-Jihad- e-Islami) A jihadi organization based in Pakistan and Bangladesh
HuM (Harkat ul-Mujahiden) A jihadi organization that was a faction of HuJI
Jamaat-e-Islami An Islamic political, social and cultural movement founded in 1941 by Maulana Abul Ala Maudoodi
JeM (Jaish-e-Mohammed) A jihadi organization based in Pakistan and operating inside India, primarily Kashmir
Jihad (Urdu) Literally, struggle both violent and nonviolent; over time has been used by radical Islamist groups to justify terror and violence
Jirga A local, tribal council
JuD (Jamaat-ud- Dawaa) An Islamist terrorist organization and parent organization of the Lashkar e Taiba (LeT)
Kafir Non-believer; infidel
Karo-kari The practice of honor-killing, prevalent in the Sindh region of Pakistan
Khyber Pakhtunkhwa A north-western province of Pakistan
Kifalayat Men's responsibility to women
Lashkar Irregular militia
LeT (Lashkar-e-Taiba) A jihadi organization based in Pakistan operating inside India
Madrassah A religious school for Islamic education; a school that specializes in teaching Islamic thought
Maslak A school of Islam
Maulvi A Muslim Doctor of law; an Imam
Millat Muslim nation
Muezzin A man who calls Muslims to prayer
Mujahiden Islamist guerrilla fighters in Afghanistan during the anti-Soviet Afghan jihad of the 1980s
Munshi Contractor, writer, or secretary
Nazira Insight, observation
Pashtuns/Pakhtuns People inhabiting southern Afghanistan and north-western Pakistan; speak Pashto and Dari (Persian)
Pir Sufi saints
Purdah (Urdu) The practice of veiling
Razakar Paramilitary force organized by the Pakistan Army in East Pakistan during the Bangladesh Liberation War in 1971
Riba Interest (monetary); interest payments
Sajjada Nashin Hereditary custodians of Sufi shrines
Salafi A sect of Islam

Sharia (also: shariah, shari'a, shari'ah) The canonical Islamic code of law
Shia (Urdu) One of the two main sects of Islam
Sufism Esoteric side of Islam
Sunnah Verbal teachings of the prophet Muhammad
Sunni One of the two main sects of Islam
Swara The practice of giving away women as a form of compensation; a form of commodification of women
Tableeghi Jamaat A Sunni Islamic proselytizing and revivalist movement originating in South Asia but spread across the globe
Tajik People of Iranian origin, who inhabit Tajikistan, Afghanistan and neighboring countries; speak Persian
Tanzeem (Urdu) Organization
Tehrik-e-Taliban Pakistan (TTP) Pakistan Taliban Movement, a jihadi Islamist organization founded in 2007 in the FATA region of Pakistan
Tehsil Administrative division of a country
Ulema Literally "the learned ones"; body of Muslim scholars
Ummah Muslim community
Wahhabi An orthodox Sunni Muslim sect founded by Muhammad Bin Abdul Wahhab in Saudi Arabia that has spread to other parts of the world
Waqf Endowment made by a Muslim to a religious, educational, or charitable cause
Zakat Obligatory payment made annually under Islamic law on certain kinds of property and used for charitable and religious purposes

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Note: The following abbreviations have been used – *f* = figure; *n* = note; *t* = table

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