

Pakistan: the end of exceptionalism?

Report N° 12

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This report derives from a seminar entitled ‘Pakistan – looking towards 2025: Drivers of democratic consolidation and stability’, organised by the EUISS in cooperation with the National Intelligence Council of the US Government, that took place in Paris on 20-21 May 2012. It features contributions submitted by a range of Pakistani, American and European experts who attended the seminar. These contributions present diverse viewpoints on Pakistan and generated a lively and contentious debate at the Paris seminar.

The views expressed in the various chapters are those of the authors and do not reflect the views of the EUISS.

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INTRODUCTION

Luis Peral

Pakistan is often approached by external analysts as a unique and challenging security problem which poses serious threats to the international community. The Pakistani people also tend to believe, if for different reasons, in their country's exceptionalism.¹ The consolidation of democracy will be made more difficult under these circumstances, since the consolidation process inevitably entails a 'normalisation' of political and institutional life. Exceptionalist approaches tend to be self-perpetuating, without giving the population a chance to build on their own strengths.

Domestic and international actors who have influence over Pakistan should be aware that democratic consolidation will be difficult in a climate of general distrust. International support, in particular, should proceed with the goal of moderating catastrophic perceptions of domestic tensions and external threats which can lead to extraordinary measures and excessive responses adopted as a result of such perceptions. This does not mean, of course, that the challenges Pakistan is facing should be underestimated.

Even if democracy is consolidating, tensions among constitutional institutions and powers are acute and will remain so for some time to come. Prime Minister Gilani has been forced to resign by the Supreme Court and his successor has been ordered to proceed with a corruption investigation against President Zardari. Considering how important the judiciary, led by the current Supreme Court Justice, was in helping bring an end to the Musharraf regime, there is hope that the current tussle does not represent a threat to the democratic regime as well. In the past, judicial activism of this kind was likely to be traced back to the most powerful political actors in the country: the military.

Perception and reality

Prospects for the long-term future of Pakistan were good in the 1990s, but in the aftermath of the 9/11 attacks, and even more so during the Obama Administration, the attitude has changed, especially among mainstream Western analysts and policy-makers. In these influential circles, the common wisdom today is that Pakistan is a failing state, with an extremely volatile internal political situation, which could implode and spread terrorism worldwide.

1. The term denotes the perception held by elites and the population at large that exceptional circumstances relating to the foundations, history and strategic position of a country entitles it to resort to exceptional measures, dispensing it from conforming to normal rules or even in some cases from abiding by the law. The term is also used here to denote the way that third states and mainstream policy analysts perceive Pakistan – as a theatre of war where extraordinary circumstances require extraordinary measures.

In contrast, some local observers believe that democratic consolidation may succeed in Pakistan since current civilian institutions are stronger than ever before in spite of high-level corruption in the government. Varying interpretations can in fact be made of the decision of the Chief Justice to dismiss Prime Minister Gilani for shielding President Zardari in a corruption case last June: does it signal the total collapse of governance or on the contrary is it a sign of the real independence of the judiciary? The truth is that, in spite of socioeconomic problems, Pakistan has seen more democratic consolidation in the past four years than in the previous decades – some 100 articles of the Constitution have been changed to improve democracy as a result of a consensus forged by the main political parties. It seems that the traditional conflict of identities is progressively being replaced by a conflict of interests, and as a result, the Pakistani people want Pakistan to be sovereign and to develop an autonomous foreign policy.

Among the main indicators and features of a general positive trend towards the consolidation of democracy are the following:

- Pakistan is undertaking a process of devolution of power, transferring greater resources and responsibilities to provinces, which entails the strengthening of local democratic structures and constitutes the most important democratic process since the adoption of the 1973 Constitution. Reforms in the Federally Administered Tribal Areas (FATA) are in this sense noteworthy.
- Pakistan has an active civil society and strong free press, and a growing, more assertive, middle class. Pakistani people increasingly interact among themselves including by using new technologies, with most young people advocating social reform and the modernisation of the country. Traditional elites and the military are thus losing ground as vested powers and are therefore gradually pledging their commitment to democratic reforms, while the whole idea of a ‘saviour state’ is being challenged.
- Even if the institutional structures of the past have not disappeared, a context of citizen-driven accountability does not allow for ‘business as usual’. The judiciary is championing this shift, with the Supreme Court subjecting Pakistani rulers to the rule of law. This does not mean, however, that the challenges relating to justice and law and order have been solved for ordinary citizens.
- In spite of serious outstanding problems, infrastructure and to a lesser extent education have improved in Pakistan in recent years – some 90 percent of the population has access to electricity and roads now connect the whole country. These developments help provide Pakistanis with a basis for a growing sense of belonging, as noted by some local observers.

However, Pakistan did not efficiently redistribute resources nor did it put an end to feudalistic economic structures in times of high growth rates, which may have in fact jeopardised, together with other problems such as energy supply, its current and future economic performance. The ‘Benazir Income Support Programme’ for low-income earners, if properly implemented, may be an example of how the government

is improving its approach to handling inequality. In this context, rising expectations and justified disappointment among the population are creating a volatile social situation which can be exploited by divisive political actors. Even the most optimistic analysts acknowledge a huge gap between political actors and society at large, with politicians being unable to respond to the aspirations of Pakistani citizens. The low turnout during recent elections and the emergence of a myriad of Islam-oriented parties illustrate this point.

A new pro-democratic mindset among elites has not yet sufficiently translated into a dismantling of traditional power structures. The political class needs to move from its traditional positions based on patronage and nepotism and put an end to corruption in order to concentrate on the country's welfare. Citizens already consider, according to the polls, that the main problems facing the country are poverty, inflation and law and order, but there is little effective government action in these areas. The whole state machinery needs reform so that civil servants do not represent an obstacle to new policies being implemented. A comprehensive fiscal reform which may also attract investment is urgently needed, since it is not possible to implement adequate policies for providing accountable effective governance without sound and reliable domestic financing.

Law and order is a parallel challenge, with little progress having been made in the criminal justice system, including the prosecution of criminal or terrorist suspects by civilian institutions. The judiciary needs to work at the local level and the police be made accountable to it, so that the military finally stops playing a prominent role in these areas. Securing citizens' rights must be the first goal for all Pakistani institutions, but this has been poorly implemented in the most volatile areas such as Baluchistan where the military-led response to the insurgency undermines the legitimacy of the Pakistani state in local eyes.

How can this democratic consolidation be supported?

Overcoming exceptionalism at the international level

Pakistan is not so different from any other country undergoing a process of democratic consolidation. It is therefore legitimate to emphasise those features and problems which are similar to other countries in order to help normalise the image of the country domestically and abroad. The end of exceptionalism represents the starting point of real democracy, and perceptions do matter in this sense. Some new political leaders are already developing a new narrative for the country, bringing to the public debate issues such as the youth bulge, politics as public service, taxation reform, and self-help instead of foreign aid. It is also time for new perspectives to be introduced in the prevailing international narrative on Pakistan, including by identifying problems which are shared by other emerging countries in the world.

Still, the international discourse on Pakistan, generated mainly in the US but also derived from traditional tensions with India, relies on exaggerating a negative representation of the country associated with threats and fears as they are generally perceived by public opinion abroad. But many common assumptions are simply false. As an example, Islamophobic attitudes subtly conveyed by policy-makers and the media project an image of certain pious religious groups or sects in Pakistan as violent, whereas most reliable surveys have demonstrated that there is no connection between the level of religiosity and affinity for terrorism. The confusion between the Taliban and al-Qaeda persists, and helps justify the US drone campaign in certain areas of Pakistan, which in fact stigmatises a whole population. But assumptions that Pakistan would not mind a mini-Taliban state on its borders are no longer true, particularly following the growth of the Pakistani Taliban since 2009.

Regional developments

The future of Pakistan to a great extent depends on developments in the region. Investment, trade and cooperation with big neighbours, namely India and China, will be crucial for long-term progress in the country. Pakistan might be able to catch the wave of the economic boom that the two giants are experiencing, which may have a positive impact beyond the economic realm. The way in which the situation evolves in Afghanistan in the aftermath of the US and ISAF withdrawal in 2014 will also be essential, as well as the post-withdrawal role of the US in the region. Future developments in this sense are, however, less certain.

The domestic discourse on exceptionalism is based as much on the founding narrative of the country as it is on the prevailing regional situation, which according to some represents a constant security threat for the Pakistani people. This exceptionalist narrative results in a greater influence of the military on internal politics, and has an impact on external economic investments, thus affecting the potential economic growth of the country. There are some positive signals in this regard; i.e. opening up trade with India is winning broad support, including among the military, and Pakistan is urging India to remove non-tariff barriers as a consolidation of the trend towards normalisation. Pakistani's fear of being encircled by India has not completely disappeared, however.

As a potential positive dimension of exceptionalism, Pakistan has for the last twenty years had a vision of itself as an economic hub straddling three regions, namely South Asia, Central Asia and the Middle East. The development of this vision may depend, however, on whether Afghanistan is fully integrated in the region, with the two countries then being able to play such a role. In this context, the looming 2014 withdrawal deadline is an unsettling prospect for Pakistan, but it also represents a moment of hope. It seems that even the most recalcitrant elements of the Pakistani establishment have modified their expectations of Afghanistan (and scaled down their ambitions in terms of what they have sought to achieve there).

US and ISAF withdrawal from Afghanistan

Pakistan recognises that there needs to be an Afghan solution in Afghanistan rather than simply a Pashtun solution, and that a renewed civil war would have terrible consequences also for Pakistan. An exclusively Taliban-led government in Afghanistan is not wanted by Pakistan, but it fears that the existing Afghan National Army will be insufficient to keep the situation under control in the absence of a political settlement. It is thus time for the US to accept the Taliban as a political actor and even as a peace partner, rather than continue to engage with them as an enemy.

The 2014 US withdrawal from Afghanistan looms large in Pakistani strategic thinking, both due to the impact that this will have on regional issues but also as regards domestic security. The US drone programme has greatly strained bilateral relations and has exacerbated anti-American sentiment among the population. Most local analysts believe that the US military role in Afghanistan is a major recruiting factor for militants. On the other hand, the financing of certain civilian projects will have limited impact in a country of 180 million citizens, especially considering that the bulk of US assistance is directly allocated to the Army. Pakistan is also wary of eventual US efforts at containing China. As a Pakistani participant in the EUISS seminar from which this report is derived remarked: 'If the Americans leave us alone for twenty years, that would be the best'. In this sense, the withdrawal provides an opportunity to further advance in the 'normalisation' process.

What can the EU do in this context? The EU is perceived by most Pakistani stakeholders as a very limited actor but it is seen as having been responsive to Pakistan's wish for market access both after 9/11 and after the 2010 floods, even if the European Parliament has so far prevented some of the trade benefits from being implemented. The traditional *civilian approach* of EU cooperation is well suited to Pakistan, and could be of value in the framework of the Security Sector Reform which is indispensable for democratic consolidation. The EU may encourage the US and other actors to take the long view by insisting on adopting a new strategic thinking leading to a different course of action, that of supporting a not so exceptional democratic consolidation process. It is time to support the strengthening of state institutions in Pakistan so that they are increasingly able to channel aid which is directly allocated to NGOs. The EU should lead a new approach and play an active intermediary role in order to help revise and adapt external action to that end.

I. PROSPECTS FOR DEMOCRATIC CONSOLIDATION IN PAKISTAN

DEMOCRATIC PROMISE AND PERIL

Maleeha Lodhi

Pakistan faces many new and enduring challenges today. Beset by an array of formidable problems, the country is navigating a critical transition from military to civilian rule – Pakistan’s third democratic transition. Transitions, as Pakistan’s history testifies, are complex processes. This time the transition is proceeding in a very fraught regional and domestic environment and when the twin, interconnected internal challenges of security and solvency are particularly acute. But it is also a moment of opportunity. Changes in the political and social landscape have opened up new possibilities for the consolidation of democracy and longer-term transformation of the country’s governance. What are the factors contributing to democratic consolidation and stability in Pakistan and what are the risks that lie ahead for the process of democratisation? What are, in sum, the drivers and counter-drivers for democracy?

There are two ways of looking at the present state-of-play in Pakistan and at relations between the various political stakeholders – as a glass half-full or a glass half-empty.

The half-full glass: five drivers for democracy

The major trends favouring the consolidation of democracy in Pakistan range from the emergence of new actors to the devolution process; whether they will prove to be transformational only time will tell.

Firstly, *political actors* – political parties and other stakeholders and participants in the political process – now have a common stake in the continuance of democracy. This was not always so in the past, when one or another political party looked to the army to ‘resolve’ political disputes or side with it to challenge and defeat its rival.

There is now wide acceptance and public consensus that military intervention is not the answer or an option. The military is part of this consensus, moving towards acceptance of the principle of civilian supremacy. This has added up to the delegitimisation of military rule – although this does yet mean the delegitimisation of the military’s role in national decision-making. Because security concerns loom so large today this continues to give the military a significant voice in national affairs and

foreign policy. An unpublished opinion poll conducted by the International Republican Institute in 2012 found that the approval rating for the military was higher – at 89 percent – than any other institution. But when people were asked whether they would choose democracy over military rule, 47 percent said yes.

Secondly, a *rebalancing of power* among state institutions is taking place in the democratisation process, with different actors trying to find their place in a changing political terrain. A renegotiation and realignment of power is underway between various national stakeholders – parliament, the executive, the judiciary and the army. At times this vying for space has unleashed tension and friction, but this can be seen as part of an inevitable process to establish a new equilibrium, which involves acceptance and determination of each institution's legitimate role.

A third positive factor for democratic consolidation is that the old power structure is being transformed by the *emergence of several new actors and countervailing forces* – an independent and assertive judiciary, an energetic free media and a diverse and vibrant civil society.

An activist judiciary is today the greatest source of support for democracy. It is seeking to operationalise democratic checks and balances, limit the excesses of executive power and focusing government attention on pressing issues – for example, the breakdown of law and order in Karachi. It is trying to ensure that rulers are subject to the law and that Pakistan's democracy is anchored in the rule of law and does not degenerate into an elected autocracy or kleptocracy, as happened all too often in the past.

The growth and expansion of the broadcast media has made it a powerful political force. It is exercising this power to hold rulers to account, expose corruption and injustice, and become a platform for sustained demands for accountable and responsible governance. This makes Pakistan part of a global trend of greater transparency brought about by the revolution in modern communications.

This has in turn generated or at least contributed to a new sense of public awareness and empowerment in the country. The transformed environment, characterised by the rise of new actors or newly empowered institutions, is recasting the relationship between state and citizen and the way citizens relate to governments and what they expect of them. This is opening space and unprecedented opportunity for citizen activism.

The country is thus witnessing an interplay between a recently empowered judiciary, vigorous media and citizen activism. This is filling a void in the formal system of accountability. With Parliament still weak and not able to act independently of the executive, this allows the establishment and political elite to escape sustained scrutiny and evade responsibility for their actions. The interplay is also compensating for inaction by political parties, which have been failing to effectively articulate public

demands. The combined impact of these factors is to strengthen the structures of democratic accountability.

Unjust practices and abuse of authority at the national or local level are now being challenged more frequently and with greater confidence. Examples abound of citizens taking their case to the media, the media mounting pressure, and the judiciary taking action in a mutually reinforcing process. In almost every case exposed in this manner, action has been taken. This is exemplified by the case of a member of the ruling party from an influential feudal family who assaulted a female polling officer and then faced disqualification. Another example is punishment of paramilitary personnel who recklessly shot a criminal suspect in Karachi. This followed an exposé of the brutal shooting by a television channel.

These and other similar cases illustrate a new form of citizen-driven accountability. Among many cases going on at present in the Supreme Court is an investigation of 'missing persons' allegedly picked up by the country's security services. Another one concerns the role of an intelligence agency in distributing state funds to politicians to influence elections in the 1990s.

This is not to suggest that entrenched power structures are about to be overturned. But they signify that it can longer be business as usual. Yet to be determined is whether these new forms of political activism can assume a more organised and institutional shape to transform the way Pakistan governs itself.

A fourth trend that has an important bearing on democratic consolidation is the *rise of a larger, more assertive urban middle class*. Its exact size may be disputed (it is estimated at anywhere between 30 to 50 million people) but the reality is not. The political dynamics unleashed by a middle class that wants a bigger political voice first expressed itself in the lawyers' movement of 2007-08. This saw months of sustained street action by lawyers and members of civil society in support of judges ousted by President Pervez Musharraf and in defence of the rule of law. Two waves of protests led to the restoration of the Chief Justice and his colleagues. Although the campaign had a single-point agenda, it reflected wider liberal-democratic aspirations and was spearheaded by middle-class professionals, with politicians following, not leading, this extraordinary urban upsurge.

An urban middle class wanting to play a role in the country's politics affords opportunities to align Pakistan's governance system both with the forces of demographic change, and also with the modernising impulses of a social class whose universe is quite different from the stagnant, patrimonial world of traditional politics. The rise of cricketer-turned politician Imran Khan reflects this phenomenon and largely explains his emergence as a symbol of hope for a changing Pakistan.

A fifth trend is the *devolution of power from the centre to the provinces* brought about by the combined impact of the 18th constitutional amendment and the award of

the National Finance Commission, which transferred greater resources to the provinces. If managed well this process of redefining political and financial relations can strengthen federalism and local democratic structures.

The half-empty glass: challenges to democratic consolidation

Turning now to the half-empty glass, from this perspective a number of challenges are posed to democratic and national stability. The first set of challenges stem from *Pakistan's geostrategic position* and location and the security dilemmas that flow from this. This has a significant bearing on the democratic transition because geopolitical developments, a regional environment in flux and unresolved security issues all reinforce the need to give priority to the management of diverse threats to the country's security. This also involves a prominent role for the army – not unlike other countries grappling with security issues.

Second, *threats to security from extremist violence* undermine civilian democracy by sapping its ability to address critical issues of governance and the economy. High levels of domestic violence and absence of a stable environment for investment contributes to the overall weakening of the economy and constrains the government's ability to meet public needs.

A third significant risk for democratic consolidation and the greatest danger to the country's stability is the *deteriorating economy*. Mired in the chronic problem of internal and external financial imbalances the country's runaway fiscal deficit is impeding economic growth, fuelling high levels of inflation and deterring much-needed investment that can create the jobs to absorb millions of young people entering the labour force every year. Urgent reforms are needed to expand the tax base and raise revenue, cut wasteful expenditure and restructure insolvent state-run enterprises that are a drain on the economy.

In nearly five years since the democratic restoration, the PPP-led coalition government has shown no will to reform, preferring to borrow its way out of this situation. This approach has reached a dead end as public debt has risen to an unsustainable level, growth has stagnated and investment has dried up. The spectre of external debt default looms as the balance of payments becomes harder to finance in the face of falling foreign exchange reserves. Meanwhile the unresolved power crisis in the country is crippling business and sparking growing public protests – jeopardising not just economic but social stability.

A fourth factor that poses a challenge to democratic stability is what might be called the *political gap* between the existing political parties and electoral system and a national landscape transformed by a number of factors. Recent years have seen a wave of urbanisation, a shift in the centre of economic power from the rural areas to cit-

ies (indicated by the falling share of agriculture in national output), the expansion of modern communications technologies and greater public awareness brought about by the broadcast and social media. But representative or electoral politics have lagged behind and failed to reflect these changes. This has created a growing disconnect between traditional politics and new social dynamics. Electoral politics based on *biradaris* (kinship groups), clans and networks of influential families inhabit a world quite different from that which a more politically-conscious, urban Pakistan identifies with or aspires to.

A telling symptom of the gap between electoral politics and changing public aspirations is the falling voter turnout. In the 2008 election for example voter turnout was 44 percent with the majority of the electorate abstaining from going to the polls. Low turnout indicating voters' rejection of the narrow choice available to them at the ballot box has implications for democratic consolidation. If turnout drops further it will cast doubt on the representative credentials of winning parties. There are other reasons too for the gap between the electoral process and citizen involvement. No census has been held since 1998 so delimitation of constituencies is based on outdated data. Rural Pakistan is over-represented while urban Pakistan is under-represented. Moreover constituency demarcations still coincide with the distribution of clans and *biradaris* especially in the country's largest province, Punjab, and this gives undue weight to traditional allegiances.

The archaic nature of Pakistani politics increasingly puts it at odds with a changing society and the needs of the majority of citizens. Politics still pivots around patronage and operating a spoils system rather than responding to the needs of the people. Electoral competition becomes principally about gaining access to and control of state patronage to distribute to supporters.

Governance based on clientelist politics is geared to rewarding networks of supporters, not responding to the needs of the broad citizenry. This encourages rent-seeking behaviour and corruption. Patronage-oriented politics is increasingly dysfunctional for modern governance, especially in a country beset by complex challenges that require effective policy responses rather than distribution of dwindling state resources. Politics trapped in narrow transactional structures are inherently unable to promote the welfare of the people at large. And this inevitably produces a democracy deficit. The challenge then is to close the gap between traditional politics and public expectations generated by a changing society to create a more functional polity.

Finally, there is the fifth rather obvious challenge. *Unless democratic rule produces effective governance and delivers public goods consistent with the expectation of citizens, a solid and sustainable foundation for democratic consolidation cannot be established.* On this count the past five years have been a major disappointment and cause for growing public disenchantment, as a series of opinion polls also confirm. This has to be the priority area of improvement including wide-ranging reforms that can serve as the bedrock for Pakistan's economic revival and prosperity.

WHAT MAKES 180 MILLION PAKISTANIS RESTLESS?

Ijaz Shafi Gilani

Pakistan: a country in the throes of transition

The fundamental challenge in Pakistan is that a stagnant state structure is unable to cope with the unsettling effects of a rapidly changing society. This is at the root of the prevailing unrest; but it also seems evident that Pakistani public opinion is clearly inclined to search for a new balance of forces in society through legal and constitutional means rather than by a massive upheaval of the *status quo* achieved through street politics and violence. The majority of the population supports the rule of law and does not endorse violence as a means of bringing about social change. Clearly, only a radical decentralisation of the state structure will provide the necessary institutional empowerment to the rising social forces in all geographical regions and social segments of the country. Unfortunately, at present managerial capacities and resources are grossly inadequate and strained at the central level. Current managerial capacities are unable to cope with population units above ten million. Since enhanced managerial capabilities cannot be created by an administrative or policy fiat overnight, or even in a few years, the obvious option is to reduce the span of governing space as a central strategy. The central government should not feel compelled to cede authority but rather take this step as a deliberate strategy. It should accordingly leverage its existing central resources towards ceding rather than accumulating authority in all except a few carefully selected areas of operation.

Moreover, the geographical boundaries of Pakistan are no longer disputed internationally or internally. At the international level India does not (leaving aside the issue of Kashmir) pursue an irredentist agenda in any part of the country, despite the fact that an older generation continues to express its emotional discomfort about the partition of India. The same is true for other neighbours. At the domestic level the Pakistani nation has over the past 65 years achieved a definitive sense of identity and is thus unlikely to experience fragmentation as a result of ethnic or identity-based conflicts. Incompetence and bad governance could, however, place strains on its unity. The central authorities should focus on good governance through massive decentralisation rather than worry about threats to national identity or geographical boundaries. Both have markedly diminished due to reasons rooted in social change and global developments unrelated to any specific successes or failures of the Pakistani state.

Empirical evidence of social change and social dynamism

Population – Pakistan’s population has grown two and half times during the last 40 years (since 1970). When Bangladesh seceded in 1971, Pakistan’s population was less than 7 million. In 2012 it is estimated to be over 180 million.

Literacy and Education – The literacy rate in 1971 was less than 20 percent. It has now risen to nearly 70 percent. During the last year alone college enrolment has risen by 40 percent from 700,000 to one million. The total university student body during the same year jumped by nearly 30 percent from 1.1 to 1.4 million.

Electricity – Electricity was available to barely 20 percent of households in 1970. Today it is accessible to over 80 percent.

Urban lifestyle – Urban amenities like roads, educational institutions and modern consumer goods were available to less than 20 percent of the population in 1970. Today such amenities are available to more than 60 percent.

Overseas work – In 1972, the number of Pakistanis living overseas were at best a few hundred thousand. Overseas travel was difficult and rare. At present there are well over 3 million Pakistanis working abroad. Nearly 10 million Pakistanis have over the years experienced overseas work and travel.

Telecommunications – Telecommunications has experienced the most dramatic transformation. As recently as the year 2000, only 2 million Pakistanis had access to a private phone. Today the number is nearly 70 million.

Media – In 1972 television had just been introduced to a few major cities. It is now watched on a daily basis by over 100 million people. On a given day more than ten million Pakistanis watch political debates and current affairs programmes through more than 20 current affairs channels available through cable TV.

Professional class – A professional class comprising doctors, engineers, scientists, accountants and other highly skilled persons numbers well over one million.

On the whole Pakistan (which with a population of 180 million is the country with the sixth largest population in the world) is increasingly asserting itself as a modern society. This is reflected in its cities and towns as well as overseas and in cyberspace through various means of communications. The country has at least ten urban centres whose populations are larger than one million, two of them being over ten million. In addition there are more than 450 middle-size and smaller cities, every one of which seems crowded and animated. There is a certain dynamism and optimism in Pakistani society. A global survey found that Pakistanis emerged on top (along with

Japan and, interestingly, the Philippines) as people for whom ‘doing something special’ is the most cherished value in life, ahead of prosperity and security.¹

Immobile state structure

Today, a dynamic and rapidly evolving Pakistani society is counterpointed by an immobile and rather stagnant state structure. Over the years Pakistan has shown little success in confronting and resolving issues pertaining to the consolidation of the state. Up until 1970, one key problem was linguistic and regional. Half of the country (which later became Bangladesh) spoke a very different language and was geographically truncated from the rest. Another problem related to the role of Islam in the political structure of the state. In the 1970s the country briefly experimented with socialism and nationalisation of the economy, education and health. It spent the next twenty years reversing those policies. The Pakistani state has been slow and incompetent in resolving these issues. The state has been run directly by the military for nearly twenty of the last forty years. However, considering the size of the country and its population the military has failed to exercise strong control over an independent-minded society. Compared to Latin America, Africa and the Middle East, military rule in Pakistan was weak and benign. As far back as 1968 the Swedish sociologist-economist Gunnar Myrdal published a book in which he coined the term ‘soft state’ for countries like Pakistan. While writing the book he had spent time in the country under military rule and engaged young Pakistani research assistants.²

The state has experimented with decentralisation and devolution of power twice during the last forty years, each time during periods of military rule. Neither of the two attempts seemed sincere. In hindsight, it seems the agenda was to weaken strong political intermediaries between the centre and local levels of political power. The stated objective of devolving power and ceding central authority did not prove to be genuine. Neither of the two experiments, despite their many tactical benefits, were able to outlive the respective military regimes under whose watch they were initiated.

The political system of the country is constantly under debate and a contentious issue. There are two exceptions. The first occurred when Pakistanis agreed to their current Constitution in 1973. Its implementation has been abused quite often, but most of the country grants legitimacy and respect to it. The second is the 18th amendment to the Constitution which was approved by an otherwise highly divided Parliament in 2010. A possible third exception is the extensive level of popular support provided to the judiciary and Supreme Court. The Supreme Court has emerged as the custodian of a widely respected Constitution. Moreover it is sub-

1. Gallup International, Global Survey, quoted in *Pakistani Consumer 2009* (Islamabad: Gallup Pakistan, 2009). See: <http://www.gallup.com.pk>.

2. Gunnar Myrdal, *Asian Drama: An Inquiry into the Poverty of Nations* (London: Allen Lane, 1968).

jecting the country's rulers to the rule of law. It is both mysterious and remarkable how a Supreme Court of 18 judges with no executive authority or control over the state apparatus (with its monopoly of the instruments of legitimate violence) has been able to keep both civilian and military authorities on a tight leash for nearly four years.

Prospects for the future

One explanation of this rather paradoxical state of affairs is that while many among the 180 million-strong Pakistani population are restless and a stagnant state delivers unsatisfactory governance, popular opinion does not favour social change through street politics, violence or terrorism. During the last four years, an anarchy-ridden society was predicted to be on the brink of either choosing a militant path under Taliban domination or sliding into populism. In the end it pursued neither of these tracks. Today leaders with populist and authoritarian appeal score low popularity ratings while the Chief Justice of the Supreme Court emerges among the top most liked figures in the country.

How can government and parliament regain the initiative and cope with social developments?

- (1) The roots of current unrest in Pakistan lie in the imbalance between a stagnant state structure and a rapidly transforming society. The existing balance of forces between society and state has been overturned while a new one has not yet emerged.
- (2) The majority of the Pakistani people favours a legal and constitutional search for a new balance of forces. It does not favour street politics and violence.
- (3) As a solution, only a massive decentralisation of authority will be able to bring good governance, since Pakistan does not possess the administrative and managerial capabilities to provide good governance beyond small units (*say 10 million*) of population.
- (4) The central government should voluntarily cede authority rather than seeking to extend and accumulate it. By ceding authority in most areas of governance, the central authorities can become effective in the few residual areas of their key interest.
- (5) The central government should focus on achieving good governance through massive decentralisation of authority. It should not worry about internal fragmentation or external aggression against a weak central government. For reasons deriving from social change within the country and global systemic changes, Pakistan is no longer threatened by irredentist forces from across the border or challenges to national identity from within the state. The challenge to central authority comes from poor governance as opposed to external aggression or contestations over national identity.

POLITICAL MANIFESTATIONS OF RELIGIOUS DISCOURSE IN PAKISTAN

Muhammad Amir Rana

Religious discourse in Pakistan is characterised by the presence of a large number of political and non-political religious organisations, violent sectarian and religiously-motivated militant groups and a vast network of religious seminaries, or *madrassas*, belonging to different schools of sectarian thought. The discourse of every religious sect, which is mainly represented by one or more of its major religious organisations, has these attributes. Religious organisations pursue multiple agendas, such as the transformation of society according to their ideologies, the enforcement of *Sharia* law, the establishment of the *Khilafah* (caliphate), the fulfilment of their sectarian objectives and achievement of Pakistan's strategic and ideological goals through militancy.¹ At the same time, thousands of *madrassas* spread across Pakistan have taken it upon themselves to preserve the Islamic tradition.

Almost all religious organisations in Pakistan today have or at some time had links with the main religious organisations which were active in the country in the 1950s, including the Jamaat-e-Islami (JI), Jamiat Ulema-e-Islam (JUI), Jamiat Ulema-e-Pakistan (JUP), Jamiat-e-Ahl-e-Hadith and the All Pakistan Shia Political Parties, which became Tehrik Nifaz-e-Fiqah-e-Jafaria in the late 1970s.²

These include religious organisations undertaking missionary or educational/charitable work or those engaged in militancy, which are at least ideologically affiliated with or are breakaway factions of these five major organisations. The *madrassas* in Pakistan are also divided along the lines of the various schools of thought represented by these major organisations. The affiliated/splinter groups believe in the agendas of their parent organisations, with the main difference being that the latter focus on Islamisation and the former on religio-socialisation.³ The parent parties, which have a religious agenda, believe in the Constitution of Pakistan, are part of mainstream politics in the country, participate in electoral politics, and are classified as religious-political parties.

In the last two decades another form of religious organisation has also emerged. These are the agents of Islamisation and religio-socialisation but believe that change is impossible within the Constitution of Pakistan and the current political dispensation. They deem democracy and the democratic process inadequate for the change

1. See Muhammad Amir Rana and Safdar Sial, *Radicalization in Pakistan* (Islamabad: Narratives Pvt Ltd, 2012).

2. Muhammad Amir Rana, 'Evolution of Militant Groups in Pakistan-I', *Conflict and Peace Studies*, Pak Institute for Peace Studies (PIPS), vol. 4, no. 3, 2011.

3. The term denotes a process of education through which one can learn to see the world as a place of religious significance.

they advocate and pursue. Some of them – such as Jamaat-ud-Dawa, the *Khilafah* movement, Hizbut Tehrir and Al-Muhajiroon – consider that democracy is an idea contrary to Islamic principles of governance and want to replace it with their own version of *Sharia*. Some groups such as Tanzeemul Ikhwan and Tanzeem-e-Islami believe that *Sharia* cannot be introduced in its entirety through the democratic electoral process and advocate the use of force to achieve power as an alternative. These organisations have sectarian and militant tendencies but the dominant approach is renewalist, characterised by their quest for a complete transformation of the system. This is contrary to the approach of the religious-political parties, which focus on effecting gradual change within the system.

Religious-political parties: agendas and objectives

The religious-political parties or organisations in Pakistan have been striving to further their agendas since the country gained independence in 1947. Their primary focus has been, as mentioned earlier, on Islamisation of the state and religio-socialisation. They made early gains on the Islamisation front, by managing to define the ideological discourse of the state through the Objectives Resolution of 1949. These organisations also had their say in the shape of a formal constitutional acknowledgment that ‘divine’ laws will have precedence over laws promulgated by parliament and also managed to get *Sharia* laws adopted during the rule of military dictator General Ziaul Haq. Despite these significant achievements, the religious-political parties are still struggling to achieve absolute Islamisation of the state.

At the same time, they have been promoting a discourse of religious socialisation, which dovetails with their political objectives. On that front also their achievements are significant since the trends of religio-socialisation are becoming increasingly visible in society. The ultimate goal of both the religious discourses is to enforce Islam in every sphere of life by blending the following six variables: political Islamisation, renewalist movements, Sufism, *Tableegh* and *Daawa* (preaching and drawing people to Islam), sectarianism and militarisation. These variables often overlap and can be found in most major religious organisations or movements in the country.

The complexity of these discourses spawns multiple disagreements among the organisations, based on how each group perceives its role and defines its sphere. It also exacerbates differences leading to divisions within the ranks of each group.

Although general trends are easy to identify, categorisation of religious-political parties *vis-à-vis* their agendas is not quite as straightforward, mainly because most of them are pursuing multiple agendas, either themselves or through affiliated religious groups and entities.

The ‘enforcement of divine law’ is the common agenda in the manifestos of all religious-political parties (See table below). Their primary objectives also include plans for economic, political, constitutional and foreign policy reform. But their emphasis is on complete Islamisation of the state and society. Many of these parties advocate reforms but remain silent on how those would be translated into policy. Many of their recommendations share significant points in common and at times it would be difficult to tell one organisation’s manifesto apart from that of another if the organisation’s name was not printed in the document.

Goals & objectives of religious-political parties

Party	Objective
Jamaat-e-Islami	Complete enforcement of divine law and making human beings follow the righteous path by creating fear of divine accountability.
Jamiat Ulema-e-Islam (Fazl)	The basic law of the country must be in agreement with the Quran and <i>Sunnah</i> , and these sources of law must <u>not</u> be transgressed by any legislative act or executive order.
Jamiat Ulema-e-Pakistan	Implementation of <i>Sharia</i> in Pakistan on the pattern of <i>Khilafat-e-Rashida</i> .
Markazi Jamiat Ahl-e-Hadith	Dominance of the Quran and <i>Hadith</i> .
Tehrik-e-Islami (Tehrik-e-Jafaria)	Divine rule on God’s land.
Muttahida Majlis-e-Amal	Legislation in line with the recommendations of the Council of Islamic Ideology in order to make the Quran and <i>Sunnah</i> the supreme law of the country and to bring every sphere of life under <i>Sharia</i> rule.

The mainstream political parties in the country also share many objectives of the religious-political parties.⁴ The Pakistan Muslim League promised in its manifesto that it would turn the country into ‘a modern ideological Islamic State’. Tehrik-e-Insaf’s statement of objectives focuses on ways of making Pakistan an ideal Islamic

4. See manifestos of all political and religious parties in Muhammad Usman and Masood Ash’ar, *Pakistan ki Siyasi Jamein* [Urdu] (Lahore: Sang-e-Meel Publications, 1986) which compiles the manifestos of all political and religious parties.

state. The Pakistan People's Party says 'Islam is our way'. But if all political parties, excluding those who represent the left-wing side of the ideological spectrum, share the same vision, where is the point of divergence?

First, religious and religious-political organisations engage in multifarious activities, including the religio-socialisation process. They believe that political parties are not capable of bringing about the desired change since they only follow political norms and are accommodative towards global, political, strategic and economic trends. On the other hand, religious parties distinguish themselves on the basis of religion and consider themselves to be saviours of Pakistan's Islamic ideology. They are generally suspicious of the country's political leadership, and believe that it wants to turn Pakistan into a secular state.

The proliferation of religious organisations usually occurs on account of different interpretations of religious teachings along sectarian lines. For instance, when the JUI says that no law could be made against the Quran and *Sunnah*, it seeks to confine legislation within the Hanafi framework. The JUI claims that the state must follow the majority's faith in its legislative function. Other sects want political protection and endorsement of their respective religious ideas. Most of these religious parties believe that parliament should only identify the areas where *Sharia* legislation is required. They do not envisage a role for parliament beyond that nor are they clear on what role it will play after Islamisation of the constitution and legislation is accomplished.⁵

The commonalities in the agendas of religious-political parties enable them to join forces to strive for their shared goals. In 1952, in an early demonstration of joint action to pursue common objectives, religious scholars from all sects developed a consensus on an Islamic constitutional framework consisting of 22 points. The framework later provided the fundamental principles for all religious organisations operating in Pakistan and their manifestos centred on the same 22 points. The framework emphasised the supremacy of 'divine' laws and declared that the state must not introduce laws contrary to *Sharia* law. Later, many of the clauses from the same framework were included in the Constitution of 1973. The second major consensus among religious-political parties emerged in 1976, when all of them joined forces to form an alliance with the opposition parties in order to topple the government of Prime Minister Zulfikar Ali Bhutto and enforce *Sharia* law in the country. The movement resulted in the imposition of martial law in the country and paved the way for General Ziaul Haq's Islamisation drive. The third major unison occurred in 2000 when religious-political parties formed an electoral alliance, called the Muttahida Majlis-e-Amal (MMA). In 2002, the MMA won 65 seats in the National Assembly, formed the government in the North West Frontier Province (since renamed as Khyber Pakhtunkhwa) and was part of the ruling coalition in Balochistan.

5. See Rana and Sial, *op. cit.* in note 1.

Although religious-political parties set aside their sectarian differences on all of these occasions, their partnership never survived for long. The alliances were short-lived not because of any sectarian difference or disagreements over agenda, but on account of power struggles and diverging political strategies of the groups forming the alliance.

There are two major divergences among religious-political organisations on both the ideological and tactical levels:

Ideological level – The ideological framework of religious organisations not only has a bearing on their worldview, it also defines the boundaries of their political activism. For instance, the JI is connected with the Muslim Brotherhood movements across the world and represents the global Islamist agenda in Pakistan. Sohail Mehmud argues that that is the reason why most JI members are more interested in matters affecting Muslims in other countries than in the affairs of their local communities.⁶ This approach by the JI has also created greater space for orthodox religious-political organisations, such as the JUI and JUP. Results of recent elections in Pakistan demonstrate that.

Similarly, Jamaat-e-Ahl-e-Hadith and Markazi Jamiat Ahl-e-Hadith seek their inspiration from Saudi Arabia, and Tehrik-e-Jafaria Pakistan (TJP) from Iran. Nevertheless, this outward focus of these three major religious organisations makes little difference to their Islamisation discourse in the country. However, their role in religious-socialisation is quite important in their sectarian domains.

Tactical level - This refers to the religious parties' potential to manoeuvre and to mobilise their support base at the local level to gain maximum benefits and defines their political discourse. In the last two decades, the orthodox religious-political organisations, especially the JUI, have gained more from the electoral process and influenced the masses more than the JI has. Joshua White notes that the Deobandi JUI-F has generally taken a less direct approach than the JI in its pursuit of Islamisation.⁷

The JUI, JUP and Markazi Jamiat Ahl-e-Hadith (MJAH) are conservative in this regard and focus on local issues. This despite the fact that the JUI had links with the Taliban in Afghanistan and groups affiliated with it engaged in the militancy in Indian-administered Kashmir. On the national level, these organisations share common agendas, but their distinct worldviews make a huge difference to their approach. After 9/11, for instance, the JI mainly focused on global issues to express solidarity with the Muslim *Ummah*. The party continued to protest against the US even as Pakistan was experiencing severe political and economic crises. More importantly, the JI mobilised its supporters among the urban middle class since they were more attracted to such causes, although their strength has rarely helped the party on the national level. This

6. Sohail Mehmud, *Islamic Fundamentalism in Pakistan, Egypt and Iran* (Lahore: Vanguard Books, 1995).

7. Joshua T. White, 'Pakistan's Islamist Frontier: Islamic Politics and U.S. Policy in Pakistan's North-West Frontier', Religion & Security Monograph Series, no. 1, Center on Faith & International Affairs, Arlington, 2008.

creates room for the conservative religious parties, which are more connected with the people at the grassroots level through their mosque-*madrassa* networks. This observation is also substantiated by election results.

Religious discourse and extremism

In this perspective, the religious discourse creates ideological and political ambiguities: as a result, a certain level of confusion prevails among the masses, especially among young people. For example a study conducted by the Pak Institute for Peace Studies (PIPS), an Islamabad-based research think tank, indicates that there is a widespread perception among young people that democracy would not help Pakistan deal with its problems.⁸ The study also found that frustration is increasing among young people over the current state of affairs in the country, a problem which needs to be addressed. Equally important among the social and religious variables that influence young individuals is the resistance to ethnic and religious diversity among a large section of Pakistani youth, necessitating urgent efforts to counter this distrust.

According to the PIPS study, a majority of the respondents thought that the Pakistani Taliban were not serving Islam. Most of the respondents believed that suicide bombings were prohibited in Islam. At the same time, the youth overwhelmingly considered religion an important factor in their life but said that they do not offer prayers regularly.

The survey noted growing religiosity and political awareness among the educated youth. Religion is an issue of identity for them but they seemed confused whether it could provide solutions to their problems as a large proportion of the respondents supported the country's hybrid legal system in which *Sharia* is not the only source of law. But a fairly large percentage (19.5) also thought that democracy would not make a difference. The same confusion could be seen in society overall. The prevailing confusion was attributed to the influence of parents, the media and religious publications.

The Arab Spring and its impact on religious discourse

The Arab Spring in the Middle East is itself in transition and it is difficult to predict the course it will take. The Islamist forces there have not only become part of the mainstream but also gained a substantial stake in power. Many wonder if the religious parties in Pakistan will go down the same road.

The religious parties in the two scenarios operate in contexts that are poles apart. The Islamist forces in the Arab world had suffered long under very harsh dictator-

8. Survey report, 'Radicalization: Perceptions of Educated Youth in Pakistan', PIPS, *Conflict and Peace Studies*, vol.3, no. 2, 2010, pp. 8-9.

ships, while their counterparts in Pakistan enjoyed the perks and privileges devolving to them as supporters of most governments and have been able to influence the policy discourse in the country. The lessons that Islamists have learned from past and recent events in the Arab world have persuaded them to modify their approach and that has contributed towards their successful entry into the corridors of power. They have also succeeded where others had failed, leaving the West no option but to recognise their mandate, which was not the case when the Islamic Salvation Front scored an electoral victory in Algeria or Hamas in Palestine. The West may simply have learned that pressure on liberal democracies may be counterproductive but credit is due to the religious parties whose accommodative, persistent and flexible attitude paved the way for 'Islamist democracies'.

Constitutionally, Pakistan is already an Islamic republic, a status which eludes most countries in the Islamic world so far. It is instructive here to compare Pakistan and countries in the wider Islamic world with regard to two specific aspects: first, the level of anger and frustration among the Muslim youth; and secondly, what they want to achieve. Anger against the ruling elite is also rising in Pakistan. The major contributing factors identified are political, economic and ideological.

In contrast, in the Arab world, demands for freedom of expression and better economic conditions were the triggers for the Spring uprisings. At that stage, the constitutional legitimacy of Islam was not the protesters' primary concern. The religious parties are trying to develop good governance models and striving not to disturb the social contract which has underpinned their societies for a very long time. That has been the key to their success.

In Pakistan, whenever the religious parties have got the opportunity to taste power, whether through democratic means or allying with military dictators, they have influenced the constitutional sphere to push through their narrow agendas, which has created resentment against them among the urban classes. From Mufti Mehmud's government in the North-West Frontier Province (NWFP) in the 1970s to General Ziaul Haq's Majlis-e-Shura and Muttahida Majlis-e-Amal's provincial governments in the western border provinces, the religious parties have tried to build legal fortifications around the fort of Islam of their interpretation.

Despite the contrasts, the Arab world has remained a source of inspiration for Pakistan. Different religious parties in the country have maintained links with the governments and Islamist elements in the Arab world, although often these links have only remained confined to groups with a shared sectarian identity. It seems that the religious political parties in Pakistan have failed to exploit the prevailing anxiety among the masses to generate a momentum and start a movement that would lead to the change they seek to bring about. Jamaat-e-Islami (JI), which has considerable links with Islamist movements abroad, mainly with likeminded Brotherhood movements in the Arab world, has failed to mobilise its supporters. Some analysts argue

that Pakistanis appear least concerned about the sea change in the Arab world on account of internal political, economic and security crises. This may not be the case after all, as religious publications have certainly focused on the changes in the Arab world, but unfortunately along sectarian lines. The Arab Spring is clearly influencing Pakistan's youth and religious parties in certain ways.

While Pakistan's youth are largely confused in their ideological and political vision, most Pakistanis subscribe to the vision of an ideologically strong national state with a good governance model. In the peripheries, ethnic identity and secular tendencies have taken centre stage. Islamist forces in Pakistan traditionally dominated thinking in the peripheral regions of the country, but now it seems that divergent trends are also emerging.

Jamiat Ulema-e-Islam-Fazl (JUI-F) seems to believe that it has correctly assessed the changing scenario and is taking a more pronounced anti-establishment stance and trying to gain ground in the political mainstream. However, the party is hampered by a conformist support base and deficient organisational structure. The *madrassas* have increased their influence in mainland Pakistan but the *madrassa* students and teachers mainly come from the peripheries and lack the capacity to influence the local political discourse. In order to effect the required wave of change, a good organisational network and likeminded people among the leadership are needed, and the JUI-F lacks both. The JI qualifies on both counts but it is persisting with its previous approach despite the recent political changes in the country, with the tide turning against the establishment.

Some negative influences from the changes in the Arab world have percolated through into Pakistan. Each school of religious thought is trying to interpret these through sectarian lenses. During the unrest in Bahrain, the religious parties in Pakistan held street demonstrations in support of their fellow Muslims. Even the banned Salafist group, Jamaat-ud-Dawa (JuD) was quite active in supporting Saudi Arabia. Investigators had connected attacks on the Saudi consulate in Karachi and the killing of a Saudi diplomat with the events in the Gulf. They suspect the Shia militant organisation, Sipah-e-Muhammad, of being behind these attacks. In this context JuD launched a pro-Saudi Arabia campaign. As tension increases in the Gulf, the sectarian divide is increasing in Pakistan.

The current trends show that the religious parties are trying to adjust to both the internal and external changes. While it seems unlikely that an Arab-Spring style movement could happen in Pakistan in the near future, recent events in the Arab world may continue to have a negative influence over the religious discourse in the country, at least until the new configuration of the Arab world takes definite shape.

II. LAW AND ORDER: UNCERTAIN TRANSITION FROM MILITARY TO CIVILIAN CONTROL

IN NEED OF REFORM

Samina Ahmed

The deterioration of law and order countrywide, from the state's failure to hold perpetrators of violence – political, criminal and militant – accountable, to the inability to effectively control large tracts of territory, has assumed alarming proportions in Pakistan. Focusing on the country's criminal justice system, more specifically on the role of the police and the judiciary, it is worth examining the challenges to law and order in the context of an evolving civil-military relationship.

Pakistan's democratic transition offers opportunities for tangible security sector reform, including the reform of a dysfunctional police force, deprived of autonomy and adequate resources – administrative, technical and fiscal – by an overbearing military apparatus. A democratic transition also provides opportunities for a reformed and independent judiciary, capable of upholding the law and protecting constitutionally guaranteed fundamental rights and freedoms. The future of a fragile democratic transition depends, to a considerable extent, on the state's willingness to enforce the rule of law, improve the public's access to justice and protect citizens. Yet should the democratic transition falter, so would the potential for tangible security sector reform and hence the restoration of law and order in Pakistan.

Reforming Pakistan's police

Four years into Pakistan's democratic transition, most citizens still see the police as corrupt and brutal, either unwilling or incapable of enforcing the law. There are certainly sufficient grounds for such mistrust. In Karachi alone, Pakistan's largest city and financial hub, targeted killings – along ethnic, sectarian and political lines – continue to claim scores of lives, while organised criminal gangs, many with political links, run extortion rackets unhindered.¹

Political interference, particularly in police appointments and performance, plays a significant role in preventing the force from combating criminals, bent on under-

1. In May 2012, as many as 176 persons were killed in targeted ethnic, sectarian and criminal attacks. In 2011, 1,724 persons were killed in such violence. See Atif Raza, '176 fall victim to Karachi violence in May', *Daily Times*, 4 June 2012.

mining law and order in Karachi, particularly since many offenders have links to one or other political party. Elsewhere too, such as in Punjab, Pakistan's largest province, the use of police for partisan ends or for duties such as guarding high officials undermines its capacity to perform its primary function.²

Some steps at reform are being undertaken, including increasing abysmally low salaries in provinces such as Punjab and Sindh and Khyber-Pakhtunkhwa (KPK), but such efforts are as yet piecemeal. Major reforms and reallocation of resources are essential if a police force is to be transformed into an effective and accountable institution. Besides increasing financial support and police numbers, elected governments, in the centre and the provinces, must also enact tangible organisational and political reforms.

The political, partisan use of the police must end. Instead efficient officers should be rewarded and corrupt officials removed. If the public's faith in the elected governments, particularly in the four federal units that oversee law and order, is to be restored, it is equally important to encourage community policing and establish an independent police ombudsman to investigate complaints of abuse and misconduct. Antiquated curriculums should be updated, with an emphasis on community policing, accompanied by the necessary technical training and equipment, including forensic laboratories. With modern tools, a culture of community policing and strong oversight mechanisms, police investigations will no longer rely on brute force to obtain confessions that then fail to hold up in courts of law. Instead, a professionally run, operationally autonomous and well-trained force would be far more capable of enforcing the law and protecting the citizen.

With militant violence claiming thousands of civilian lives, the police and civilian intelligence agencies should also be given the primary responsibility for internal security and greater capacity to do the job. The civilian law enforcement agencies are far more appropriate for counter-insurgency and counter-terrorism than a military trained to combat external enemies.³ However, giving control over such operations to the police and civilian intelligence agencies would depend on a sustained democratic transition.

For most of Pakistan's existence, the military, its paramilitary arms and intelligence agencies have shaped and implemented counter-insurgency strategies. Refusing to allow the police to take the lead, the military and its paramilitary agencies, such as the Frontier Corps, have also taken the lead in devising and implementing counter-terrorism operations. During the current democratic transition too, the military has refused to cede control over sensitive areas of internal security. Combined with

2. For detailed analysis of police functioning, see International Crisis Group, 'Reforming Pakistan's Police', *Asia Report* no. 157, 14 July 2008.

3. The Inter-Services Intelligence (ISI) directorate and Military Intelligence (MI) are the military's main intelligence arms. Civilian intelligence agencies include the Federal Investigation Agency (FIA) and the Intelligence Bureau (IB), the Criminal Investigation Department (CID) and the Special Branch.

control over equally sensitive areas of foreign policy, particularly relations towards India and Afghanistan, the military's preference and policies have only enlarged the political and operational space for *jihadi* organisations. For instance, given the military's continued reliance on *jihadi* outfits to conduct a proxy war with India, with the military's continued patronage despite an official ban, anti-India oriented *jihadi* organisations such as the Lashkar-e-Tayyaba and the Jaish-e-Mohammad continue to operate freely under changed names.⁴

The close relationship between these anti-Indian *jihadis* and domestic sectarian groups, such as the Sunni extremist Sipah-e-Sahaba and Lashkar-e-Jhangvi, fuels sectarian violence.⁵ In Balochistan, for example, the sharp spike in attacks on Shias can be attributed to this *jihadi* syndicate.⁶ In regions where the *jihadi* presence was non-existent, such as the flood-hit areas of Sindh, these *jihadi* groups, using the pretext of humanitarian relief, are now making inroads, boding ill for sectarian harmony.

Anti-India oriented *jihadis*, sectarian outfits and tribal militants maintain close ties with Afghan insurgents, particularly the al-Qaeda-linked Haqqani network. With the military's backing, this *jihadi* alliance threatens the peace in Afghanistan through attacks on foreign and Afghan troops and civilians. At the same time, the military's propensity to either resort to indiscriminate force or to forge peace deals with the tribal militants⁷ is largely responsible for the nexus of criminality and radicalism that weakens the writ of the state in the Federally Administered Tribal Areas (FATA), while emboldening militants in Khyber Pakhtunkhwa (KPK) province.

In FATA, where the military has conducted operations against tribal militants since 2004, scores of militant groups, aligned under an umbrella organisation, the Tehreek-Taliban Pakistan (the Taliban Movement of Pakistan), taking advantage of alienation among the population resulting from the military's indiscriminate use of force, have gained local support. Others, supposedly aligned to the military, are also challenging the state's writ. The military's failure to target the command and control of *jihadi* organisations, combined with the refusal to cede control to civilian law-enforcement bodies, has also allowed militant groups to reassert their presence even where anti-insurgency operations, such as in KPK's Malakand region, had initially proved successful.

4. After the 2002 ban, following the attack on the Indian parliament, Lashkar-e-Tayyaba now calls itself the Jamaat-ud-Dawa (JD), while the Jaish-e-Mohammad is now the renamed Khadim-ul-Islam.

5. Some 80 percent of Pakistan's predominately Muslim population are Sunnis. The Shia minority is largely concentrated in cities such as Quetta, Karachi and Multan, and regions such as Gilgit-Baltistan, but is also found countrywide.

6. According to Human Rights Watch, at least 275 Shias, mainly from the Hazara community, were killed in Balochistan in 2011. See Human Rights Watch, *World Report 2012*, available at: www.hrw.org/world-report-2012/world-report-2012-Pakistan.

7. These include peace deals with violent tribal outfits as the Gul Bahadur group in North and the Maulvi Nazir group in South Waziristan Agencies, aligned to the al-Qaeda-linked Haqqani network.

The military's claims that the police force was incapable of maintaining internal security are self-serving at best. Given the necessary resources and operational autonomy, the civilian law-enforcement agencies would be far more effective in countering violent extremism and enforcing the law. In Balochistan, for instance, military operations, which include enforced disappearances and extra-judicial killings, have sparked a province-wide insurgency. With Baloch alienation at an all-time high, the state's legitimacy can only be restored if the police force replaces the military and the Frontier Corps.⁸ But reforming and empowering the civilian law-enforcement agencies, and enabling them to take the lead on internal security, will depend on representative civilian institutions wresting control over domestic security and foreign policy from the military. In Pakistan's polarised political environment, such a sustained transition from military to civilian control is far from certain.

Reforming Pakistan's judiciary

While the judiciary is responsible for ensuring that constitutionalism prevails and the rule of law is enforced, fraught relations between the Supreme Court and the executive, and increasingly the legislature, bode ill for democratic stabilisation. In the past, the judiciary has repeatedly condoned and legitimised authoritarian interventions, justifying and providing constitutional cover to military *coups* and the overthrow of civilian governments. This includes judicial support for General Zia-ul-Haq's *coup* that disrupted Pakistan's first democratic transition in 1977, and the subsequent execution of an elected prime minister, Zulfikar Ali Bhutto, sentenced to death by the Supreme Court in a fabricated case. General Pervez Musharraf's 1999 *coup* was also given judicial sanction.⁹

The Supreme Court even gave Musharraf, the military ruler-cum-president, the authority to amend the constitution. Some military rulers had devised their own constitution, such as General Ayub Khan's 1962 constitution. Since the 1973 constitution, Pakistan's first democratically devised body of basic law, came into being, it remains the lodestone of regime legitimacy, with military-run or controlled governments unable to replace it.¹⁰ Facing strong domestic support for democratic functioning, forced to justify authoritarian interventions on constitutional grounds, military rulers, including Zia and Musharraf, used their absolute power to distort the letter and spirit of the constitution.

8. A resolution passed at an all-parties conference, hosted by the Supreme Court Bar Association, in Islamabad called for an end to military operations and the withdrawal of military and paramilitary troops from Balochistan. Opposition leader Nawaz Sharif queried: 'Who are these people who have enforced these disappearances? Is there no rule of law or respect for the constitution in this land?' See 'Balochistan conference demands end to military operation', *Dawn*, 26 May 2012.

9. For the superior judiciary's role in backing and legitimising direct and indirect military interventions, see International Crisis Group reports, 'Reforming the Judiciary in Pakistan', no. 160, 16 October 2008; and 'Building Judicial Independence in Pakistan', no. 86, 10 November 2004.

10. Samina Ahmed, 'The Westminster model and Pakistan: A continuing mirage' in Haig Patapan, John Wanna and Patrick Weller, (eds.), *Democracy and Responsible Government in Asia and the Pacific* (Sydney: UNSW Press, 2005).

Musharraf's downfall in 2007 resulted from a countrywide movement to restore democracy, spearheaded by lawyers, political parties and other segments of civil society. Since that movement was sparked by Chief Justice Iftikhar Chaudhry's dismissal and the imposition of a state of emergency, it was assumed that the Supreme Court would uphold democratic functioning and constitutionalism. Yet tensions between Chaudhry's court and the ruling Pakistan Peoples Party (PPP) government, particularly with President Asif Ali Zardari, could potentially disrupt the democratic transition.

Prime Minister Yusuf Raza Gilani's unwillingness to implement Supreme Court instructions to reopen cases of corruption against the president have resulted, for the first time in Pakistan's history, in the conviction of the head of government on charges of contempt of court. Gilani's refusal to obey the court's instructions was based on the president's constitutional immunity against prosecution in any court of law. The Speaker of the National Assembly subsequently rejected opposition calls to oust the prime minister on the grounds that the conviction disqualified him from being a member of parliament.¹¹ By taking up petitions challenging the Speaker's ruling, the Supreme Court has raised concerns that it is now challenging the legislature's authority and autonomy, which, in a parliamentary democracy, is the repository of the people's will.¹² Prime Minister Gilani was subsequently forced to resign by the Supreme Court and his successor has been ordered to proceed with a corruption investigation against President Zardari.

Critics believe that the Supreme Court's judicial activism constitutes unconstitutional interference in the domains of the executive and legislature, amid questions about the superior judiciary's impartiality. This focus on high-profile political cases is also taking time and attention away from the judiciary's main function – the delivery of justice. Indeed, the judiciary's performance – at all levels, from the lower courts to the court of last resort – has been uneven at best. There are more than 177,000 cases pending in the superior courts, and more than 1.3 million in the subordinate courts.

The courts are also responsible for the failure to hold perpetrators of violence accountable. With a low conviction rate, between 5 to 10 percent at best, the criminal justice system's ineffectiveness is partly due to poor police investigation and poorly prosecuted cases. Intimidation by violent extremists, combined with military or political interference, also explains the judiciary's reluctance to act against such law-breakers. Yet the judiciary's reluctance to apply the law is emboldening militants and contributing to the breakdown of law and order.¹³

11. Full text of Dr. Fehmida Mirza's ruling. *The Express Tribune*, 24 May 2012.

12. Sohail Khan, 'Supreme Court issues notice to PM Gilani, NA Speaker', *The News*, 7 June 2012.

13. See International Crisis Group, 'Reforming Pakistan's Criminal Justice System', *Asia Report* no. 196, 6 December 2010.

Instead of focusing on high-profile political cases, the superior judiciary would be better served by respecting the separation of powers enshrined in the constitution. By clearing the backlog of cases and countering corruption, particularly in its lower ranks, and holding violent offenders to account, the judiciary would regain the trust of Pakistani citizens. The executive branch too must respect and uphold judicial independence, while empowering civilian institutions, particularly law-enforcement bodies, to restore law and order and protect citizens. On its part, the legislature should repeal all those laws that discriminate on the grounds of religion and sect, which are used to promote and justify violence, such as the assassination of Punjab Governor Salman Taseer in January 2011.¹⁴ With all three branches upholding constitutionalism and the rule of law, spoilers would be deprived of opportunities to destabilise the democratic transition. The establishment of a well-functioning democracy is the only solution to tackling deteriorating law and order in Pakistan.

14. Taseer was assassinated by his police guard for supporting a Christian woman falsely accused under the discriminatory blasphemy laws.

THE FUTURE OF LAW AND ORDER: SIX POSSIBLE SCENARIOS

Stephen P. Cohen

Democratic consolidation may be inversely related to ‘stability’ if by that we mean the continuation of an oligarchic political order, usually termed ‘the establishment’. Over sixty years of an establishment-dominated political order – whether by the army or by the army in cooperation with civilians – has not made Pakistan a democratic country in most senses of the word, except that the aspirations of many Pakistanis are to have democracy Pakistan-style. This aspiration is held by many in the army, which would like to have political leaders that can govern Pakistan in a way that is commensurate with its own high standards.

The law and order problem in Pakistan mainly relates to the persistence of un-governed areas, the continuation of militant and criminal violence throughout the country, and low levels of government accountability. The historically expanded role of the military and the groping of the judiciary for a role somewhere between acquiescence and excessive activism are both symptoms and causes. Indeed, this is the core of Pakistan’s problems: there are many, many problems, they are both causes and consequences, they are interrelated, and there are obvious solutions to each, but Pakistan lacks the capacity to systematically undertake internal reforms.

The reasons for failure vary from issue to issue. For example, the existence of ‘un-governed’ areas did not mean that they were ungovernable. India had to contend with such areas in its northeast, including a separatist movement supported by other countries and with a sturdy base abroad, but it has slowly and systematically used the strategy once memorably described to this author as ‘first we hit them over the head with a hammer, then we teach them how to play the piano.’ Pakistan, as we were recently reminded, has never tried this; emulating the British, they deemed the tribal areas and frontier provinces too difficult to manage.

In a recent opinion piece the American columnist, David Ignatius, writes that Pakistan has missed the opportunity of the century by not working with the large NATO and American forces across the border in Afghanistan; together they could have launched a project that would have begun to establish the writ of the Pakistani state; instead, a mixture of paranoia and the temptation to use the tribals in a proxy war against both India’s presence in Afghanistan and American and ISAF forces proved to be too great.¹ No one will shed any tears when the backlash sweeps over Pakistan, and there is already talk of the importance of ‘containing’ this new Pakistan, no longer a friend but still a danger to itself and its neighbours.²

1. David Ignatius, ‘Pakistan’s Blown Chance’, *Washington Post*, 17 May 2012.

2. Bruce Riedel, ‘A New Pakistan Policy: Containment’, 14 October 2011. Available at: <http://www.nytimes>.

No one solution fits all problems, there are fifteen to twenty variables (depending on who and how one is counting), and we still have no clear idea which are fixable and which are going to permanently cripple Pakistan. No one in fact has a clear vision of which must come first and which can be deferred. Both these questions of prioritisation and sequencing should be at the core of thinking about Pakistan's future. In short, there is a methodological hiatus in contemporary studies of Pakistan, epitomised in the ambition of anticipating the future (why not 2030, 2050, or next year?). To put it succinctly: if you don't know where you are going, any variable will take you there.

A weakening state

One of the most devastating developments in Pakistan over the last forty years has been the systematic weakening of the state itself. This is one of Pakistan's critical vulnerabilities, worsened by the attempts of the army to carry out functions ordinarily executed by civilians. This goes beyond normal civil-military relations, because it affects the state's basic functions to tax, to educate, to maintain law and order, and to formulate strategic policy by integrating military, political, economic and administrative inputs in a central decision-making process.

The state's weakness is measurable in terms of Pakistan's low ranking on almost every governance indicator (crime, corruption, attitude towards the state), and its high ranking on *Foreign Policy's* Failed State Index, where it slipped from twelfth place in 2007 to the current Top 10 and 'critical' status. However, while the Pakistani state has lost much of its organisational integrity, it is still a formidable entity, especially if compared with its hollowed-out counterpart in Afghanistan.

Demands on the state are growing as its capacity shrinks, and the population continues to expand at a stunning rate. This could be a race that is already lost. Especially alarming is the incoherence at the very top: in crisis after crisis, particularly in security affairs, the state's decision-making system has failed. It stems in part from the civil-military divide but also from the loss of a valuable inheritance from the British Raj: a civil service that functioned, and a working relationship between civil servants and politicians. Ilhan Niaz's recent work, for example, demonstrates how the prescient advice of Pakistan's civil service, once an influential and independent bureaucracy, has been repeatedly ignored or sidelined since 1947, both by the political and the military class.³

There have been numerous – and usually good – studies of what needs to be done.⁴ The police have to be depoliticised, they have to be well-funded, they need modern

com/2011/10/15/opinion/a-new-pakistan-policy-containment.html.

3. Ilhan Niaz, *The Culture of Power and Governance of Pakistan: 1947-2008* (Karachi: Oxford University Press, 2010).

4. See the writings of the former policeman, Hassan Abbas, e.g. *Reforming Pakistan's Police and Law Enforcement Infrastructure: Is It Too Flawed to Fix?* (United States Institute of Peace, 2011), also *Pakistan 2020: A Vision for a Better Future* (New York: Asia Society Pakistan Study Group Report, 2011).

equipment, and they need to be reprofessionalised. They are not hopeless – some policing is done very well in Pakistan, and the leadership of most police services is competent, and some are more than that. There also has to be an effective judiciary, independent and concerned about the administration of justice, so police can deal with professional matters, not worry about becoming either agents of the politicians or *de facto* law courts on the streets and in the interrogation rooms.

This has not happened for one major reason, and several smaller ones. The major reason is the wary attitude of Pakistan's armed services, especially the army, towards the police, or towards any other institution of the state or provinces authorised to carry weapons and use deadly force, and which is not under army control (this seems to apply ambivalently to the various private armies and militia groups tolerated by the army for political and strategic purposes). The army simply will not abide losing this monopoly, and all other armed forces must be either so weak or so small as to present no imaginable threat to the army's monopoly of the legitimate use of force within Pakistan, let alone across Pakistan's borders.

Another, but less important, reason for the failure to reform Pakistan's police services is that it is not a high priority for the political community itself, which finds a corrupt and incompetent police force more amenable than a highly professional one. And, while raising and arming their own street gangs, politicians have been able to reach an understanding with the police forces on local law and order issues – in plain words, as in other weakly-governed regions of the world, there is a nexus between the police, the criminals and the politicians, all of which confirms for the army its need to maintain a tight lid on all three, lest the army itself become 'infected'.

Pakistan's courts present a somewhat different picture. Long craven and submissive, the courts – led by the Supreme Court – are attempting to establish a more balanced relationship with the political community, while also maintaining good relations with the army. The courts are trying to compress two hundred years of constitutional evolution into one decade, and this will be a long and difficult process under the best of circumstances, but at least the journey has begun. What remains problematic, however, is that the natural constituency of the courts, the lawyers, are not the shining liberals that some have portrayed them to be. Will the hardcore pro-Jamaat lawyers tolerate a truly independent judiciary? The so-called Lawyers' Movement was anti-dictatorship but is it pro-democracy?

Again, we come back to the army. Some very distinguished lawyers came to the army's rescue in the Ayub years when it needed a 'doctrine of necessity', to justify the imposition of martial law during a period of domestic and international crisis.⁵ Will this happen again?

5. In 1958, the 'doctrine of necessity' was used to validate the *coup* of General Ayub Khan.

The answer to this question is easy: Pakistan will revert to military rule, including the suppression of the courts and the degradation of all parts of the law and order machinery, unless a new role is found for the armed forces, and the political community begins to perform up to a moderately competent standard. I made this argument thirty years ago, but nothing has changed since then, except that Pakistan's economic and democratic decay has accelerated. In a book published in 1985 I argued that the army had to find a responsible and respectable role, other than that of chief political party and tutor to the Pakistani nation:

'Pakistani civilians of all regions must appreciate the military's sensitivity to domestic disorder, a disorder that may threaten the integrity of the military itself; they must also be capable of demonstrating their own competence and authority to run Pakistan. The soldiers are not blameless, and will have to accept a decline in their relative status and influence as a price that must be paid to reduce the necessity of intervention. A series of agreements, compromises, pacts, or understandings – possibly complete with timetables and election schedules – could still be worked out between civil and military for the sake of national survival, if not national unity.'⁶

But in addition to a new role, for example in international peacekeeping, normalisation with India remains necessary so that the army can devote itself to such worthwhile tasks. But is normalisation with India possible, and would that divert the army from its dominant position in the state, or merely strengthen it? Since we are some distance from normalisation this question is moot at the moment, but may become a live issue should the process go forward.

What future?

A recent project on the future of Pakistan identified about sixteen different factors or variables, ordered them into four major clusters, and looked at how they might shape Pakistan's near-term future, in five to seven years from now (about 2017).⁷ The first cluster includes educational and demographic variables, propelled or retarded by the economy; a second includes the different beliefs about the 'idea' of Pakistan and what it means to be a Pakistani; a third is Pakistan's 'stateness', the competence of state organs, including the police and military, and the ability of the political community to organise itself to govern; and, fourth, the influence of outside states and forces upon Pakistan – this includes not only the obvious candidates, such as India, China, and the United States, but also Pakistan's vulnerability to the negative effects of globalisation.

6. Stephen P. Cohen, *The Pakistan Army* (Oxford University Press, 1998 [first edition: 1984]), pp. 132-33.

7. Stephen P. Cohen, 'Pakistan: Arrival and Departure', chapter in Stephen P. Cohen et al, *The Future of Pakistan* (Washington: Brookings Institution Press, 2011).

Based on these various variables, there are six possible futures for Pakistan, consisting of three more radical and three more moderate scenarios. The three revolutionary scenarios are a Somalia-like state collapse, balkanisation along regional lines, and an Islamic revolution of the Iranian or Taliban kind. The three more moderate scenarios are deepening liberal democracy, a complete military takeover as in 1958, 1977 and 1999, and the continuation of the present ‘muddle along’ approach.

The most likely futures are military rule and an uneasy muddle along, with an alarming decay in the scope and power of the Pakistani state. This is because no person, institution, organisation, idea, class, region, or external power is strong enough to bring about a shift from the present direction. Pakistan is in what economists call a low-level equilibrium trap. As for an Islamic revolution, while there has been a steady growth in Islamisation and while violent extremist groups are wreaking havoc, public opinion has not shifted in favour of an overthrow of the present order towards a more radical alternative – support for the idea of a radical Islamic republic is simply not widespread enough. The Islamic parties have street power, but they cannot win elections. There is no charismatic figure among the extremist groups or political parties that could lead a revolution. A recent report published by the Pew Research Center reveals that extremist organisations remain largely unpopular in Pakistan and majorities express negative opinions on extremist groups including al-Qaeda (55 percent) and the Taliban (66 percent).⁸

As for the irreversibility of Pakistan’s economic decline, the huge youth bulge (combined with weak educational assets), the growth of sectarianism, and the erratic performance of Pakistan’s politicians, are all unknowns. We can predict likely futures in each instance for a short period, a year to five years, but speculating to 2025 is extremely difficult, if not impossible at this point. The United States National Intelligence Council (NIC) did this several years ago when it asked a group of non-officials to predict Pakistan’s future.⁹ They were, on balance, quite pessimistic. Was this useful to know? Obviously, some of us will be more optimistic, some of us more pessimistic, but without a serious analysis of the factors that will shape Pakistan’s future, and how they interact, such an exercise will merely be a feel-good (or feel-bad) exercise that lacks a strong analytic base and has zero policy implications. Knowing that the experts feel one way or another is not very helpful unless we know what they are experts about, and no one is an expert on events that have not happened.¹⁰

8. Pew Research Center Global Attitudes Project, ‘Pakistani Public Opinion Ever More Critical of U.S.’, 27 June 2012, available at: <http://www.pewglobal.org/files/2012/06/Pew-Global-Attitudes-Project-Pakistan-Report-FINAL-Wednesday-June-27-2012.pdf>.

9. U.S. National Intelligence Council, ‘Global Trends 2015: A Dialogue About the Future with Nongovernmental Experts’, NIC 2000-02, pp. 64 ff.

10. For my own discussion of what others have written about Pakistan’s future, see the Afterword to *The Future of Pakistan*, op. cit. in note 7.

III. DOMESTIC AND INTERNATIONAL RESPONSES TO SOCIOECONOMIC CHALLENGES

REFOCUSING ON 'MAIN PAKISTAN'

Polly Nayak

While much of the West's attention has been focused since 9/11 on security issues in the tribal periphery of Pakistan with an eye to Afghanistan, larger and longer-term risks to internal – and, potentially, regional – stability have been growing in 'main Pakistan.' The failure of successive Pakistani governments to translate past economic growth into improved social indicators represents a lost opportunity to shape foreseeable population and economic trends strategically. With Pakistan's economy now in decline and the added pressures of high global food and oil prices, even a visionary government with a free hand to make sweeping changes would face limited options for remedy. Some believe that the coming collision of demographic trends with the legacies of short-sighted government policies obviates any possibility in the next 15 years of improving the lives of Pakistanis and heading off unrest or even rebellion.

In order to understand the potentially dramatic consequences of socioeconomic trends in Pakistan, it is necessary to focus on (i) some rising internal challenges in 'main Pakistan' that will increasingly affect stability; but also on (ii) some factors and expedients that can mitigate the coming socioeconomic 'crunch' somewhat, pending basic changes needed to avert deeper crisis.

Not a developmental state

Even during times of rapid economic growth, successive Pakistani governments have failed to set priorities and make investments necessary to future socioeconomic development. These omissions reflect several well-known and intertwined factors, including:

- The short policy horizons of both military and civilian leaders. The short-term perspective of civilian leaders has been reinforced by frequent military *coups*.
- Inattention by an outwardly-focused security establishment and tactically disposed politicians to socioeconomic trends. At least since Ayub Khan, both groups have given short shrift to development and social investments.
- Resistance by elites to proposed economic reforms meant to improve the business climate, as well as extend the limited tax base to a variety of exempted elites.

- Government spending constraints owing to a limited tax collection effort, layered on the small base.

The result is a system that has no momentum for economic growth, is not conducive to new economic development or activity, provides few-to-no services, privileges elites, and provides few points of access for others.

Preserving privilege – and poverty. The failure of Pakistani governments to make social investments – in education, health and nutrition, job creation and job training – has ensured the persistence of large-scale poverty and greatly unequal opportunities for those at the top and the bottom of the socioeconomic structure. Pakistani researchers say that official poverty estimates have long understated its magnitude.

The socioeconomic elite retains privileged access to social and economic resources ranging from education and jobs to capital and water. Leading families, military officers, and parastatals (civilian and military) directly or indirectly own much of the urban and agricultural land. Diploma mills collect hard-earned tuition fees from aspiring lower-middle-class families – but confer low-status degrees, limited skills, and limited prospects.

Some key resource constraints on Pakistan's growth, in turn, are rooted in this system to which most citizens are outsiders. Power and water shortages are largely social and political in origin, not technical. Decades of technical advice to and donor investments in power production have bumped up against politicised management that gives local 'influentials' access without payment. The results are an insolvent power sector and crippling energy shortages. Pakistan faces a critical need for water for agriculture, industry and human consumption – and the risk of more major floods. Proposed changes to water management, however, have been vetoed by large landowners who see broader access to and control of waters running through their lands as reducing their influence. Pakistan's political parties are ideologically disinclined to challenge the socioeconomic system; even if this were not the case, the military's stake in the *status quo* would be a powerful disincentive.

An economy reliant on external flows. One result of Pakistan's failure to pursue development is that the country has never generated growth internally. The periods of most rapid economic growth have been sparked by high remittances from Pakistani expatriates and high levels of foreign aid. Remittances recently have far outpaced aid – increasing by some 30 percent in 2011 compared to the same period in 2010. The cash sent home by Pakistani workers has kept many poor families afloat and fuelled an incipient middle class.

Pakistan's economy suffers from low investment and a narrow base. Foreign trade plays only a minor role in this service-led economy. Its venerable private textile industry is largely sheltered from competition and is dominated by a few large companies.

Leather remains a major export. Inefficient state industries, many of them owned by the military, are privileged players.

Few Pakistani expatriates invest in enterprises at home; many instead buy land in their villages. The travails of small-to-medium-size Pakistani businesses – energy shortfalls, corruption, shortages of affordable land, unpredictable water supplies – are highly visible. Wealthy Pakistanis invest where they see reliable and efficient returns, mostly in the Gulf countries. Many prospective foreign direct investors see poor security conditions and uneven application of laws and regulations as deal breakers.

Government incapacity. This factor has been both a self-inflicted cause of economic stasis and a consequence of it. Abrupt changes in government (often the result of military takeovers) have sparked turnover in national economic teams and discontinuous development and growth strategies. Some blame Pakistan's hidebound civil service for policy implementation problems. By all accounts, the competence and morale of the civil service have been declining for years.

In any event, most Pakistanis receive few services from any level of government. Middle-class status means being able to afford a generator, drinking water, and private security – 'public goods' that are not publicly available in Pakistan.

Pakistani authorities have given short shrift to improving government capabilities. Little effort reportedly has been made to draw and build on lessons from widely criticised government rescue and relief efforts after the 2010 floods. Aid donors' efforts to upgrade governance, financial and technical skills at the national level have had little impact, in part because officials at all levels lack incentives to perform more efficiently. Retention of trained officials has also been a problem.

Pakistan's development experts concur with donors that a systemic lack of public accountability underpins these government capacity and performance problems. The ongoing devolution of powers and responsibilities to the country's provinces stemming from the 18th Amendment to the Constitution has the potential to increase accountability by bringing governance closer to citizens and introducing new blood. A learning curve is inevitable, however. A key uncertainty in the process is how provinces will choose to share responsibilities and resources with their largest cities.

For such accountability to take hold, citizens will need to overcome low expectations, apathy and cynicism about government. Lacking official help, poor Pakistanis facing earthquakes, floods or simply hunger have gratefully accepted aid from militant-associated charities. Pakistanis will have to move into 'pull' mode to improve government. Which Pakistanis will exert such pressures via what mechanisms – inside or outside existing political channels – is a question that will shape the country's future.

Snowballing socioeconomic pressures and unrest

Growing Poverty. Even vigorous Asian economies have been hurt by rising commodity prices and global financial crises, but most of these states are preoccupied with the widening gap in income and consumption between their poorest citizens and their growing middle classes, caused by uneven economic expansion. International financial institutions have counselled Asian states to focus more on social safety nets, targeted subsidies and inclusive growth to avert potential political crises sparked by inequality.

Pakistan's economy suffers instead from a lack of expansion – or any prospect of it. Per capita GDP and social indicators are falling rapidly. Poverty and near-poverty have widened as food and energy prices shot up. In May 2010, several Pakistani researchers estimated that, based on a variety of criteria used by international financial institutions (IFIs), the incidence of poverty had reached about 40 percent, well above the official 25 percent estimate. Pakistanis' average calorie intake has been dropping for at least three years.

Downward mobility. Most ominously from a political perspective, Pakistan's lower-middle and so-called new middle classes¹ are sliding into poverty, especially in cities. In general, downward socioeconomic mobility and consequent status loss appear more likely than continuing poverty to turn affected individuals or groups against entire establishments/systems – although more research on these issues is badly needed. Middle-class families reportedly are cutting investments in education, on which their new status depends, as well as basic food and energy spending.

Changing demographic tides. Disappointed expectations – sometimes raised, paradoxically, by initial improvements in educational and economic opportunities – will become a larger problem with the impending increase in the numbers of urban young in Pakistan.

Cities. Cities are where the promise of growth and threat of instability are both highest. Pakistan's cities are growing far faster than official records suggest, through both 'urbanisation-in-place' and in-migration. Pakistani researchers say that urbanisation has been understated since the 1998 census for political reasons: first, villages have grown to city size without being reclassified. Second, all but the wealthiest immigrants to cities settle initially in densely populated periurban areas, most of which retain their rural designation. Some of the lag in reclassification reflects administrative shortfalls. Pakistani authorities also have dragged their heels on new surveys and censuses that could inflame inter-group tensions over the allocation of resources and

1. I refer to this middle class as 'so-called' because its average consumption patterns appear constrained compared with those of nominal peers elsewhere in Asia, as well as in 'lower-middle' countries outside Asia. The size of Pakistan's new 'middle class' has reportedly been greatly overstated and probably has included many lower-middle-class and upper-poor individuals. Much of this new middle class is said to live outside the major urban areas, where it benefits from lower costs of living.

political power. In addition, governments want to avoid added expenditures implied by urban status.

Large flows of newcomers into cities are hardening the resistance of local notables to official surveys that could challenge the existing religious/ethnic profiles of and power arrangements in their locales. Political tensions are being stoked by 'horizontal inequalities' – that is, unequal opportunities between groups as to their access to opportunities and benefits. The practice of discounting newcomer populations impedes their ability to secure housing and services and increases official opportunities for graft. In time, clashes are inevitable, as newcomers press demands and old-timers oppose them. Political parties line up with one side or another and resort routinely to stirring tensions for electoral gain; the violence in Karachi between recently-arrived ethnic Pashtuns and earlier-arrived Mohajirs exemplifies this potential for competition for benefits and status to become a violent group project rather than an individual issue.

Youth. Future urban in-migrants will include huge numbers of young adults, mirroring Pakistan's youth bulge. Traditional social controls are lower in Pakistan's cities than its villages. Youth generically have a lower threshold for violence and rebellion and a higher proclivity to criminality than other age groups. Since it is the most ambitious youth who tend to migrate from rural to urban areas in Pakistan to improve their lot, their potential for frustration may be greater. Educated unemployment is already a hot-button issue. Some opinion polls suggest that anger at the corruption and inefficacy of the political system is especially high among teenagers and young adults. The military is more popular but appears disinclined to assume power in the face of intractable problems for which it, too, lacks solutions. In any case, floods of young in-migrants portend more demonstrations, riots and organised crime in cities, as well as crises of governability.

The poorest Pakistanis are unlikely to be in the vanguard of political protest. The notion that poverty fuels anarchy or rebellion has been widely debunked. Pakistanis illustrate the remarkably high tolerance of the poor in most places for so-called vertical inequality.

Short-term system firebreaks

Pakistan's prospects are poor without changes to its system, but the system does contain some buffers. For example, large flows of remittances to Pakistan by expatriates and of foreign aid have certainly had the unintended effect of keeping Pakistan's dysfunctional economic system afloat. Moreover, both types of external flow are susceptible to sudden decreases or even cutoffs. Remittances from Pakistani expat labour in the Persian Gulf could dry up quickly as economic indigenisation policies are implemented by receiving countries eager to reduce unemployment among their own youth. Foreign aid is subject to donors' changing resources, priorities and

preconditions – as well as to Islamabad’s growing reluctance to accept donors’ conditions. In the meantime, these external flows represent cushions against hard landings and unmet expectations that could feed social chaos.

Similarly, the informal sector of the economy is widely viewed as a development negative, perpetuating *underemployment* outside the fiscal and regulatory reach of struggling political systems. Pakistan’s informal sector is also blamed for fuelling predatory conduct by underpaid officials. The informal sector, however, also provides a sponge-like buffer against massive *unemployment*. Moreover, many now-registered Pakistani firms made their start in the informal sector, demonstrating its value as a portal. Accordingly, the Pakistan Planning Commission’s New Growth Framework – which focuses on cities as incubators for economic ventures – recommends accommodating the informal sector in cities. It urges the removal of barriers to starting businesses, including access to urban land. The Framework envisages small and medium firms as the engine to create jobs – and, eventually, exports. The plan assumes that the provinces will pick up social spending, including poverty alleviation – a function for which they are unevenly prepared.

It should also be noted that Pakistan has a strong tradition of private philanthropy. Well-to-do Pakistanis have endowed local non-government organisations (NGOs) to help the poor – filling some of the vacuum left by government. Locals line up daily for handouts from the kitchens of rich families. Charities provide healthcare, clothing and food. Pakistani private-public partnerships run imaginative longer-term programmes to improve services for the poor. Even these programmes, however, have been mainly small-scale, un-institutionalised, dependent on personal leadership, and thus, not replicable. A partial exception is the decades-old indigenous Orangi urban community development model, started in Karachi and duplicated in some other areas. The Orangi project won cooperation from the local government and help from foreign donors. Most private Pakistani programmes, however, lack any intent to make services – or poor recipients – self-sustaining, far less to coax performance from the government.

Other Pakistanis are working with foreign social entrepreneurs who bring small amounts of loan capital (some of it from prosperous Pakistani expats) to help the poor develop job skills and create self-sustaining small businesses. Early successes have begotten efforts to scale them up. Still other Pakistanis, including returnees from overseas, are starting high-technology ventures that could help absorb under-employed local high school and college graduates.

What the private sector cannot do is to mediate and coordinate among private programmes, different levels of government, and foreign donors. In any case, private-sector efforts will soon face new challenges from looming socioeconomic trends.

Trade and aid

Can Pakistan trade its way out of trouble? In the longer term, trade could be an important element of growth for Pakistan. Right now, however, its long-protected industries are not competitive. Moreover, it will need to move up the value chain for its exports to make a real difference. Trade with India, if sustained despite bilateral ups and downs, could eventually benefit both economies – but only if they foster complementarities.

While Pakistanis and foreign donors alike worry about aid dependency and Pakistan's existing international debt burden, carefully targeted foreign non-security aid could play a uniquely constructive role over the next ten years. Donors arguably have a stake in slowing the collision of social and economic trends in Pakistan's urban areas. The vast majority of foreign economic aid to date has gone to infrastructure, not social investments. To be relevant to Pakistan's socioeconomic deficits, social investments would need to link benefits to job creation. To avoid fuelling aid dependency, assistance would have to be time-limited and premised on Pakistanis assuming increasing responsibility for programmes and functions. More broadly, Pakistanis must shape, own, and carry through changes in their political economy to avoid further deterioration in living conditions, social turmoil, and loss of international standing.

THE RELEVANCE OF ENGAGING PAKISTAN

Gilles Boquérat

The vicissitudes of strategic reconfiguration

For many decades, international approaches to Pakistan were dictated by the context of the Cold War and the country's tension-filled relationship with its Eastern neighbour. From a Western perspective, democratic India was sitting on the wrong side of a bipolar world whereas military-ruled Pakistan was seen as an accommodative ally eager to assist in containing the Communist threat. Pakistan insisted on getting in exchange, apart from financial and military assistance, support in its dispute with India, notably over Kashmir. This made it difficult to move beyond a zero-sum game. It was nearly impossible to dissociate relations with one from relations with the other. The end of the Cold War facilitated the process of de-hyphenation to the chagrin of Pakistani rulers which saw their bargaining position considerably reduced. Interaction with India could be more easily conceived independently from what Islamabad might think or say. The nuclear tests of 1998 did not really change this new configuration. Pakistan was to be 're-hyphenated', this time with Afghanistan, in the aftermath of the 9/11 terrorist attacks. Although 'AfPak' was often denounced in Pakistan as demeaning in view of the usually poor consideration given to Afghanistan, it had some beneficial fallout through renewed Western interest in assisting Pakistan in its official commitment to join the war on terrorism.

Even if some Pakistani analysts will argue that the price paid for supporting the latter far exceeds the benefits from external assistance, the authorities remain concerned about a repeat of the early 1990s when the West turned its back on the region and sanctions were imposed on Pakistan for its nuclear programme. An ironic twist of fate being that Pakistan often complains of an overbearing US shadow but would not like being abandoned with an unstable neighbour on its Western border as its strategic value in the eyes of the Western countries would keep diminishing post-2014. A dire prospect in the likely case that recourse to international lending agencies is needed.

A new phase will indeed open with the withdrawal of NATO/ISAF troops from Afghanistan. Although the pullout is largely welcomed as it is associated with a larger role for India in Kabul, Islamabad would not like to see Afghanistan descending into an unmanageable chaos whose consequences would be felt across the border. After being sheltered in Pakistan's border areas, better known internationally as a breeding ground for militants than for efficient use of foreign funding, the Afghan Taliban could offer safe havens to their Pakistani counterparts in the Afghan Pashtun belt.

A new influx of Afghan refugees fleeing insecurity and deprivation might exacerbate tensions in areas where Afghan settlers are already seen as being competitors in an environment of limited economic opportunities. Pakistan actually still hosts about 1.7 million registered refugees living in refugee villages and urban areas, as well as a large number of unregistered ones. There is no reason to doubt Islamabad when policy-makers say they want a stable, peaceful and prosperous Afghanistan because it is vital for Pakistan's own peace, own security and own prosperity. Pakistan's professed desire for a friendly government in Kabul seems reasonable as long as this does not indicate an intention to forcibly impose one. An inclusive institutional set-up is a point on which convergence should be built on between the West and Pakistan if only to prevent Afghanistan from sliding back into turmoil and lawlessness. An endgame requiring flexibility on both sides and for which trust will first have to be restored, unencumbered by negative attributes like the outmoded doctrine of strategic depth.

The Pakistani establishment in the political and military capitals of Islamabad and Rawalpindi is already having to face the unpalatable fact that there is an increasing socio-economic gap between Pakistan and India. Adopting a pragmatic approach and opening up to its 'dissimilar twin' will carry more benefits than clinging to a confrontationist mindset. By the same token, encouraging steps taken to give substance to a *rapprochement* could only have a positive effect in terms of fostering conditions for the consolidation of a democratic dispensation in Afghanistan. An insecure Pakistan in an unstable and violence-ridden environment is a recipe for unmitigated disaster. China may have its own interests in having a grateful state on the north-western side of India, but it is not a zero sum game anymore.

Responding to socioeconomic challenges

Pakistan would have too much to lose from an Afghanistan descending into chaos, exacerbating regional tensions. This would dash hopes of a new Silk Road where Pakistan would take advantage of its geographic location as a potential trade corridor. A casualty would also be the TAPI pipeline as well as the CASA 1000 project aiming at developing the infrastructure needed to trade electricity between Central Asia and South Asia. This would be a difficult prospect at a time when Pakistan is reeling under an acute energy crisis. As the pipeline which was to link the gas fields of South Pars to the subcontinent remains a pipedream as long as Iran is unrelenting on the nuclear issue, and since the exploitation of the Thar coal reserves and the unexplored gas fields in Baluchistan is not around the corner, Pakistan will remain an energy-stressed country for many years to come. The increasing supply-demand gap is an explosive issue as it would feed popular discontent and entrepreneurial exasperation, especially if it is combined with a decreasing capacity of the authorities to subsidise the power sector. In a recent budget speech, the Finance Minister recalled that the total amount of subsidies to this sector in the last five years has been Rs. 1,250 billion. Assisting Pakistan in overcoming the power deficit, which is already dragging down

its manufacturing industries, and in supplying energy at an affordable price to the consumer is one sector in which Western countries could generate a lot of goodwill. In particular, they could share their experiences in energy efficiency and in limiting the release of carbon monoxides from thermal plants which largely run on furnace oil because of limited gas availability. Whatever the validity of the reasons given, opposition to the Iran-Pakistan pipeline and to a civilian nuclear cooperation programme similar to the one offered to India has distorted the image of the United States as a country working for long-term energy sustainability. It could be seen as a measure of the success of the EU project on improving livelihoods through the application of renewable energy that the Baluchistan government protested over its exclusion after funds got allocated to Khyber-Pakhtunkhwa.

As a country that could soon be defined as water-scarce, Pakistan is directly affected by the vagaries of climate change and global warming disrupting agricultural production patterns and deepening food insecurity. *Per capita* water availability has been continuously declining over the last sixty years. There is little room for complacency. The latest report on Human Development in South Asia 2010/2011 published by the Mahbub ul Haq Development Centre shows that despite some improvement in food production, food security as measured by average *per capita* daily intake of calories has deteriorated.¹

Power shortages, poor macroeconomic fundamentals and political uncertainty have combined to deter foreign direct investments which have shown a declining trend; and as a consequence FDI has not engineered a higher economic growth rate. The latter has been sluggish over the last few years (3.7 percent in 2011-12, after two years at 3.4 percent) and remains below the regional average. Remittances from overseas Pakistanis have reached unprecedented levels, increasing by 45 percent between 2009-10 and 2011-12, to reach over Rs. 13 billion, and have assumed the role of a safety net for countless families. Yet this source of revenue is by definition bound to fluctuate according to the economic situation in the host countries. A stabilised economy over the long term is of global interest. Pakistan has been for too long seen through a Cold War or Afghanistan prism rather than as a stand-alone issue. Yet the world can ill-afford a Pakistan slipping into bankruptcy. Helping to further economic growth, to strengthen the democratic institutions and the rule of law, to promote regional stability and to tackle extremism is the order of the day. Otherwise there is a real risk that extremist elements, driven by religious bigotry, will gain increasing leverage on governance in Pakistan, representing a step back on the road to modernity. At stake is the future of a country of 180 million inhabitants, up from 133 million in 1998 when the last census was held, and set to cross the threshold of 230 million by 2025, making it the fifth most populous country in the world. If Pakistan was to become a failed state, there would be mass migration of Pakistanis towards richer shores in search of a better life in an economically pressed world.

1. Mahbub ul Haq Development Centre, *Human Development in South Asia 2010-12* (Pakistan: Oxford University Press, 2012).

As the key foreign actor over the years, the means at the disposal of the United States are unmatched but its involvement in the country has also inevitably led to the growing hostility of Pakistani public opinion towards the US. The European Union enjoys a less controversial image which positions it favourably to make constructive propositions. The EU, as Pakistan's largest trading partner, receiving almost 30 percent of its exports, mainly textiles and clothing, has a role in assisting its industry to make investments to expand capacity and in ensuring that Pakistan manages, at the very least, to 'muddle through'. Trade preferences have already been offered in the wake of the devastating 2010 floods. Enabling Pakistan to apply for zero duties on its exports to the EU under the Generalised System of Preferences Plus scheme – on condition that the country abides by international conventions in the field of human rights, sustainable development, accountability and rule of law – can bring some relief for some productive sectors struggling to remain competitive.

Far more substantial is the decision to upgrade the engagement with Pakistan, shifting from a trade-oriented relationship to a wide-ranging strategic dialogue, allowing for a dialogue on a whole gamut of security issues. The first round of the EU-Pakistan Strategic Dialogue was held in Islamabad in early June 2012. This approach does not just include the traditional counter-terrorism and counter-proliferation dimensions but also investments in different fields, among which health and education, to address the social development requirements of a growing population. Regarding the future of Pakistan, much will also depend on the capacity to turn universal education into a priority (the country has the lowest primary enrolment rate in South Asia) and improving the standard of the public sector education institutions, rather than emphasising the sending of students abroad for higher education. The feeling of sharing a common destiny is also hard to come by when corruption is rampant, and there is widespread lack of accountability – for instance, 3.2 million people are registered with the Federal Board of Revenue (a paltry number by itself), but not even half of them file any income or wealth tax returns. By the same token, companies registered with the Securities and Exchange Commission of Pakistan are scarcely more diligent in paying taxes. There is also hardly any tax on income from agricultural production. As a result, Pakistan is among the countries with the lowest tax to GDP ratio in the world. Impunity does not only relate to the harsh reality of militancy in the country. To deal with the latter, supporting capacity-building efforts of civilian law-enforcement institutions and agencies is a necessity which has been acknowledged by foreign actors.

If security-related challenges reflecting a preventive approach are of immediate concern and must be overcome through collaboration in counter-terrorism and counter-proliferation, they cannot be seen in isolation and certainly not preclude more long-term imperatives such as promoting good, fair and democratic governance and sustainable economic development without which political stability will remain elusive. Entrenching a prospective civilian-led strategy is the need of the hour.

ANNEXES

Abbreviations

FATA	Federally Administered Tribal Areas
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
ISAF	International Security Assistance Force
JI	Jamaat-e-Islami
JuD	Jamaat-ud-Dawa
JUI	Jamiat Ulema-e-Islam
JUP	Jamiat Ulema-e-Pakistan
KPK	Khyber Pakhtunkhwa
MMA	Muttahida Majlis-e-Amal
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
PKR	Pakistani Rupee
PPP	Pakistan People's Party
Rs.	Rupees

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