

ASSESSING THE ROLE OF CONFIDENCE BUILDING MEASURES IN THE INDIA PAKISTAN TANGLE

Pervaiz Iqbal Cheema*

The future of peace in South Asia rests heavily upon the Indo-Pak equation. Jointly they can shoulder the responsibility of ensuring security and stability of the region. Persistence in adversarial pursuits can continue to damage the collective interest of the region. For years India and Pakistan concentrated on strengthening their defences against each other. Admittedly, during the initial stages problems emanating from the hasty partition of the Indian subcontinent compelled them to adopt hostile posture. However, experience of the past 56 years indicates that a continuation of the antagonism can only result in further violence and destruction. It is time for both India and Pakistan to realize how much by way of resources is being squandered on maintaining large military establishments, while poverty continues to grow. This paper initially attempts to identify the outstanding issues, and then concentrates on assessing the role of confidence building measures.

The Issues

While it is not possible to analyze all the issues and disputes effectively impeding the process of normalization, an attempt is made here to highlight the major issues in this long-standing confrontation. These issues include the past which haunts both nations, minorities, communalism, issues emerging at the time of partition such as the Kashmir dispute, nuclear developments, domestic factors, superpower involvement in the region, and the shadow of post 9/11 developments along with the US led Afghan war and its aftermath.

Historical factors

The Indo-Pakistan conflict assumed its modern character after the partition of the subcontinent, but the roots of this antagonism lie deep in history. Hindus and Muslims clashed for the first time when Mohammad Bin Qasim defeated Raja Dahir of Sind in 712. Since then the subcontinent has witnessed a continuous struggle between the two communities for the domination of this part of the world. Despite conciliatory efforts of saints like Data Ganj Bux (Sheikh Ali Hajveri), Baba Farid Shakarganj, Khawaja Moinuddin Chishti. Nizamuddin Aulia and their Hindu counterparts, who did their best to check

* Dr Pervaiz Iqbal Cheema is President, Islamabad Policy Research Institute.

Hindu-Muslim antagonism, the acrimony continued to manifest itself, some times overtly and at other times covertly, but always simmering and smouldering because of the basic irreconcilability of the two religions. Throughout the Muslim rule, the Hindus, inspired by stories of their own golden age, continued to express their discontentment and bitterness against Muslim domination in one form or the other, and waited for a favorable turn of destiny. The long awaited opportunity came when the British emerged as the successors to the Mughals after the war of independence in 1857. The Hindus seized this opportunity with religious zeal and began to extend unlimited cooperation to the British, which enabled them to firmly establish their hold over the subcontinent. Realizing the significance of existing Hindu-Muslim friction, the British shrewdly exploited this to their advantage. It is not surprising that the intensity of communal riots increased significantly during the 90 years (1857-1947) of the British Raj.

During the freedom movement, Hindu-Muslim antagonism was transformed into Congress-League rivalry with differing interpretations of the "Two Nation Theory," and the friction intensified. Even an acknowledged pacifist like Gandhi, who had a great talent for controlling the instinctive urge to express indignation, could not suppress his feelings when he realized that the Muslims of India were likely to obtain a separate homeland on the basis of the two nation theory. During the first few years following partition, Indo-Pak relations were influenced not only by the legacy of the past but also by the unresolved issues that were the product of partition. These issues included communal slaughter, mass migration, refugees, evacuee property problems, the division of financial and military assets, the Indus waters, minority problems and the struggle over the accession of princely states with special focus on Junagadh, Hyderabad and Kashmir etc. While most of these problems were resolved in one form or the other, communalism and the Kashmir dispute defied all efforts at conciliation.

Minorities and Communalism

Despite a long history of living together in the same area the Hindu and Muslim communities of India have yet to develop a measure of mutual tolerance and harmony. Perhaps the inherent incompatibilities of the two religions (Islam and Hinduism) impeded and prevented such a development on important matters, yet there are not many examples of interference in each other's respective religious spheres. Irrespective of the religious inclinations of the rulers, both communities learned to live with the situation with apparent ease. The result was that religious antagonism remained dormant until the arrival of the British. The British utilized this underlying religious cleavage to their own advantage. The colonial strategy of 'divide and rule' effectively encouraged Hindu-Muslim antagonism. Communal riots rarely occurred under the Mughals or their predecessors, but there were innumerable clashes

between Hindu and Muslim communities under the British. The establishment of the British Raj widened the gulf between the Hindus and the Muslims of India, while its departure raised the existing antagonism to the point of hatred for each other. One of the more significant legacies of the hasty British departure was the problem of religious minorities.

While the creation of Pakistan satisfied the Muslims of the majority areas, it also made the large number of Muslims, who had opted to remain in India, somewhat inadvertently an unreliable minority. For several years after partition they were not only regularly blamed for the division of the subcontinent, they were also 'regarded as representatives of anti-India, hostile, divisive and subversive influence which had shattered the aspiration for national unity'.¹ Prompt protest notes from Pakistan over communal riots further confirmed the negative beliefs of extremist Hindus. What is surprising is the fact that even secular minded Hindus, who linked the Kashmir question with professed Indian secularism, became ambivalent about measures to safeguard cultural distinctions of the Muslim minority. Even Nehru was unable to persuade states with sizeable Muslim populations to implement the safeguards and recommendations of the Language Statement of 1958.²

It was not until the break-up of Pakistan in 1971 that the situation began to improve for the Muslims in India and the prejudices shaped by the events of the past began to be gradually eroded. The Muslim community in India no longer looked at Pakistan as the guardian of its interests and welfare, and its increasing identification with India also began to minimize the apprehensions of extremist Hindus. The dismemberment of Pakistan provided great satisfaction to those opposed to the two-nation theory and eased considerably the fears and apprehensions which were responsible for the negative attitude of important sections of the Hindus towards the Muslim minority. However, this gradual change in the attitude of the Hindus towards the Muslim minority in India did not produce the expected harmonious juxtaposition of the two communities in India. It would take some time to attain that goal even if the normalization process were allowed to proceed at a steady pace. The erosion of the bitterness and hatred accumulated over the centuries requires patience and a long-term programme coupled with stern measures to control communal riots, if and when they occur. The negative forces will certainly continue to try to thrive on this hatred as long as it fits into their overall strategic objectives.

The recent Gujarat anti-Muslim riots, alleged to be the product of a planned conspiracy of militant Hindu organizations with the connivance of the state government, are just the latest examples of the workings of these

¹ Bashiruddin Ahmad, "Process of integration", in *Seminar*, no.140, August 1979, pp. 12-17.

² *Ibid.*

negative forces. The objectives involved in these recent riots appeared to be the eviction of relatively prosperous Muslims from the state of Gujrat. Despite severe criticism by many international human rights watch organizations, the Gujrat riots were not brought under control. Whenever anti-Muslim riots take place in India, Muslims in Pakistan instantly express their concern. Extremist Hindus of course always resent this and tend to misinterpret all expressions of sympathy emanating from Pakistan.

The past has been a frequent victim of negativism manifested in the form of communal riots. Riots were invariably sparked off by simple matters such as the decision to declare Urdu as the second official language of Uttar Pradesh. Many major northern states like U.P., Madhya Pradesh, Gujarat, Rajasthan and Bihar experienced communal violence that resulted in innumerable deaths of Muslims. While there is no doubt that communal minded parties and forces deliberately exacerbated communal tension, the Bhagalpur and the Gujarat riots clearly indicate the active involvement of local police on the side of the communalists. For several months the Ramjanmabhoomi - Babri Masjid controversy was used to whip up Hindu intolerance of the Muslim community under the banner of Hindu revivalism. The delayed court verdict regarding the fate of the disputed land of the demolished Babri mosque and the vacillating attitudes of most Indian governments have not really helped in resolving the controversy.

The Kashmir Dispute

No other issue has generated so much ill will between India and Pakistan as has been done by the ongoing Kashmir dispute. Although the dispute originated in 1947 along with many other complex problems generated by a hasty and badly planned partition, the Kashmir dispute is perhaps one of the few important disputes that have survived over the years in somewhat original form. Even the end of the Cold War has not dampened this issue. While India is known to have made innumerable efforts to bury the issue, Pakistan is still pursuing efforts for a peaceful and lasting solution. Disappointed by the world community's apathetic attitude, the Kashmiris seem to have opted since 1990, for a more violent course of action. Most Pakistanis, 55 years after partition, have forgotten what happened to Junagadh and Hyderabad, but Kashmir is still viewed as a constant reminder of India's duplicity and highhandedness. Pakistan claims that her stand on Kashmir is not motivated by any kind of territorial ambition, and that she asks for nothing more than the extension to Kashmir of the principle of self determination. Pakistan stresses that India should allow the people of Kashmir to decide their future through an internationally supervised plebiscite. To the holding of such a plebiscite, Pakistan argues, India is officially committed through the Indian Government's repeated pledges to Pakistan as well as to the United Nations. Both India and Pakistan accepted the UNCIP resolutions of 13 August 1948

and 5 January 1949 pledging to the world to hold a plebiscite as stipulated in these resolutions.

While recognizing that a vast majority of the Kashmiri people are followers of Islam, India justifies her possession of Kashmir on the basis of the Maharaja's instrument of accession, the legality and validity of which have been frequently questioned. As regards her undertaking to ascertain the Kashmiris' will through a plebiscite, India claims that she promised to do so "long before" the dispute was referred to the Security Council. Hence it was a promise to the people of Jammu and Kashmir and not to Pakistan or the United Nations, and as such it does not involve any international commitment as far as the validity of accession is concerned. Still, although India was prepared to fulfill her promise to the people of Kashmir, the holding of a plebiscite was constantly obstructed by Pakistan's refusal to withdraw her troops from parts of the State which were under her "illegal" occupation. In these circumstances, India had no alternative but to let the Kashmiris decide their future through a "duly elected representative body", the Constituent Assembly, which in a meeting on 17 November 1956, confirmed the State's permanent accession to India. This being its people's voluntary verdict, Kashmir's accession to India "is therefore final, complete, perfect and irrevocable."³ Pakistan of course, does not accept the arguments advanced by India, and her attitude thereon is generally shared by most other members of the United Nations. It was not until the advent of the 1971 Indo-Pak War and the consequent dismemberment of Pakistan that the spotlight shifted away from Kashmir. At Simla in 1972, it was mutually decided to transform the UN arranged cease-fire line into a line of control. Not only was the accommodation shown at Simla hailed as a positive step, but the Simla Accord also initiated an era of Indo-Pak normalization.

Undoubtedly, a major source of Indo-Pak antagonism is the continuing dispute over Kashmir, despite the existence of the Simla Agreement. Pakistan's frustrations stem from the increasing realization that she has not been able to influence India to hold a plebiscite in Kashmir in the past despite all inducements, and that the future does not hold much promise in this regard. India has become extremely sensitive over any reference to Kashmir. Such references depict an ugly picture of broken promises and commitments, which in turn hurt her pride. An injured Indian ego often reacts strongly and sometimes even punitive measures are seriously contemplated. The recent Indian reactions to the current eruption in Kashmir reveal India's continuous efforts to cover up its broken pledges and to justify its unceremonious and unilateral withdrawal from its commitments.

³ B.R.Chauhan, *Kashmir and its place in the Indian Union*, distributed by the Indian High Commission, London, no date, p.13.

While the Indian government has consistently attempted not to recognize the Kashmir problem, the Kashmiris have gradually been rallying around the notion that they will have to do something tangible to keep the issue alive. Rejecting the ideas, approaches and efforts of their elders, the new generation of Kashmiris decided to opt for a violent course of action in order to secure independence from India. The indigenous uprising demonstrated the fury of angry young Kashmiris taking up arms to free Kashmir from the Indian stranglehold. Having experienced ruthless suppression by the Indian security forces, the younger generation of Kashmiris decided to match Indian brutalities with violence. Since January 1990 the violent eruption in the valley and Indian efforts to crush the independence movement by force have already taken a heavy toll. According to Kashmiri sources more than 90,000 Kashmiris have already been killed in their quest for freedom.

Unable to contain the unrest, India began to employ age-old tactics of shifting the focus from the real issue. Soon after the advent of the Kashmir crisis, India began to accuse Pakistan of fomenting trouble in Kashmir and initiated the process of escalating tension levels between India and Pakistan. The objective of such a strategy is to divert world attention from the Kashmir dispute to a likely war between India and Pakistan. For obvious reasons not only would world attention be shifted from the real crisis but efforts would be made to prevent war. This, of course, implies that India needs to regularly accuse Pakistan and consistently issue threats to teach the Pakistanis a lesson. In contrast, Pakistan has made many efforts to defuse the situation, including peace missions to India, offering dialogue, allowing the international press to monitor the situation and vociferously asserting that it does not want war with India. Even in the current situation the Indians have been accusing Pakistan of encouraging “cross border” terrorism in occupied Kashmir, whereas the Pakistanis have not only been denying such allegations, they have also repeatedly advanced suggestions to station international observers on the LoC in order to monitor infiltrations. India, of course, has consistently refused permission to international monitors to man the LoC.

Since the tragic events of 9/11 and the consequent participation of both India and Pakistan in the international coalition against terrorism, thousands of innocent Kashmiris have been indiscriminately slaughtered by the Indian forces under the excuse of combating terrorism. The real objective of the Indian forces is to break the back of the Kashmiri freedom movement. While India is seeking a military solution of the Kashmir problem, history has taught many nations that a political problem can best be resolved through political means. Unable to read the clear lessons of history India continues to rely heavily upon military means. Such an approach not only tarnishes India's self projected pacifist image, it also reveals its real hegemonic intentions coupled with its inability to hide the intensity of reaction generated by the guilt of broken pledges and promises.

Linked Issues-1) Siachin Glacier

The Siachin glacier is located in an area where both the cease-fire line and the line of control are ill-defined. Climatic hostilities of the region prevented both India and Pakistan to go in for a detailed demarcation of the line. The Indian attempt to obtain physical occupation of the glacier resulted in several violent clashes.

For years the Siachin glacier was not an issue of discord between the two nations. Many reasons account for this. Not only did innumerable mountaineering expeditions to the region seek permission from the Pakistani authorities, but also most maps and atlases, published inside as well as outside Pakistan, showed the region as a part of Pakistan.⁴ These maps published by American and British publishers depicted the ceasefire line in the northern extremity of Kashmir as stretching far eastward and ending right at the Karakoram Pass. India has never challenged these maps. Even the description of the northern extremity given by the Indian Foreign Minister, Sardar Swaran Singh soon after the signing of the Simla Accord, was generally in congruence with these western published maps and was totally different from what was later published in the Indian maps of August 1984.⁵ Secondly, both the Karachi Agreement of 1949 and the preamble of the Pakistan-China Boundary Agreement of 1963, in many ways, indicate that the control of the region was with Pakistan.⁶ Since 1947 Pakistan's administrative control of the region was also widely recognized by both insiders and outsiders. Thirdly, the people inhabiting the Siachin region use Pakistani currency and speak Balti language, a language of the Baltistan district, which is part of Pakistan's Northern Area, and buy almost all their goods from Pakistan. The Indian argument primarily dwells upon the fact that since the Maharaja of Kashmir signed the instrument of accession in favour of India and India claims that the Northern areas are part of the state of Jammu and Kashmir, therefore these regions also fall within the jurisdiction of India.

Despite Pakistan's generally acknowledged control over the area since 1947, the early 1980s witnessed Indian efforts to establish its territorial rights using somewhat novel means of mountaineering.⁷ Soon India established military posts in the area. However, it was not until November 1984 when India airlifted a full battalion to the snowy heights of Karakoram that the

⁴ For instance *Britannica Atlas of 1979* and the *Atlas of the World* (American edition of 1980 and 1981) showed the Siachin region as part of Pakistan. Quoted in (*Quomi Digest*) (Urdu Monthly) No. 7, December 1989. Also see Robert Wirsing's article on "The Siachin Glacier Dispute-1. The Territorial Dimension", in *Strategic Studies*, vol. X, no.1, Autumn 1986, pp. 49-68. *Dawn*, 30 June 1968. *The Pakistan Times*, 6 September 1985.

⁵ *The Muslim*, 16 August 1985.

⁶ Wirsing, *op. cit.*, pp.60-61.

⁷ *Amrita Bazaar Patrika*, 11 March 1985.

glacier began to witness frequent, but inconclusive border clashes. Since then both sides have been consistently arguing that the glacier belongs to their area of control. A close scrutiny of various arguments and counter arguments indicates that Pakistan's claim is stronger than that advanced by the Indians. Neither the cease-fire line nor the line of control attempted to physically demarcate the border in a climatically hostile region of the glacier. The absence of a clear demarcation of the line in the area caused cartographic confusion, which, in turn, gave birth to many misrepresentations and misinterpretations. Setting the glacier on fire is one unfortunate by-product of the unsettled larger issue of Kashmir.

Linked Issue-2) Wuller Lake Barrage

Another irritant linked directly with Kashmir is the Wuller Lake Project. The Wuller Lake Project on the River Jhelum comprising a barrage with a width of 439 feet is being constructed apparently to improve navigation during the winter months between Wuller Lake and Baramullah. From the Pakistani perspective, the strategic importance of the site lies in the fact that through this storage work, India could pose a threat to the vast tracts of agricultural lands in Punjab. Thousands of acres of fertile land in Pakistan are fed by the river Jhelum and its canal system. The successful completion of the project will provide India the necessary control to release or stop the flow of water at any time. Not only would Mangla Dam, which is fed by the river Jhelum, be endangered, the possession of such a massive reservoir of water would equip India with a strategic weapon to flood the lower riparian area especially during times of war. Additionally, a severe shortage of electricity could be artificially created should India decide to withhold water over an extended period, especially during the dry season.

Pakistan's objection to the proposed barrage is based on Article. III of the Indus Waters Treaty, which forbids India from storing any water or constructing any storage works exceeding 10,000 acre-feet. The proposed barrage would have a capacity of 300,000 acre-feet. Being thirty times more than the permitted capacity, it is clearly in violation of the terms of the Indus Waters Treaty. Pakistan's fears about India's intentions grow deeper with the realization that India has been most reluctant to supply the relevant information, which she has the obligation to do under the terms of the Treaty. It appears that through dilatory tactics India wants to present Pakistan with a *fait accompli*.

Since April 1986, the matter has been dealt with between the two Governments at the level of the Permanent Indus Commission but without much success. During the last meeting of the two Commissioners, held in the spring of 1987 it was decided to refer the matter to the two Governments for resolution at the political level. Representatives of the two governments met in October 1987, in which India agreed to suspend all construction work.

Following this meeting five rounds of talks have taken place without any tangible result. Whatever the ultimate outcome of the talks (which hopefully like the Salal Dam would be positive), the present dispute shows how India is even reluctant to abide by its conventional obligations. This, in turn, exacerbates the existing atmosphere of suspicion and mistrust. Recently another irritant, known as Baghiliar, dealing with the overall water issue has emerged. The two sides have already initiated the process of discussion over the issue.

Linked Issue-3) Kargil

The third linked issue that caused further complications revolves around the Kargil clashes in May 1999. A couple of months after Vajpayee's historic visit to Lahore and the subsequent signing of the Lahore Declaration, fighting broke out in the Kargil sector. It is a well-known fact that both India and Pakistan hardly miss an opportunity to undermine each other's position. In early May, a few hundred freedom fighters along with their sympathizers consisting mostly of warriors of the Afghan jihad who had not left the area, some members of the militant wings of the religious parties based in Pakistan, Kashmiri mujahideen and members of NLI (Northern Light Infantry), went up to the Kargil heights and occupied the posts which are normally vacated by the Indian soldiers during the winter and reoccupied in the early summer. The Indian intelligence failed to detect the occupation. Even the media were unable to ascertain the identity of the occupants.⁸ Various versions were published describing the occupants as freedom fighters, mujahideen, holy warriors of the Afghan war, Pakistan based Lashkars of religious parties and the NLI which later became part of Pakistan army. By the end of May India had not only deployed troops but also used the air force to evict the freedom fighters. The Pakistanis shot down three Indian aircraft. Unable to evict the occupants, the Indians then began a comprehensive diplomatic onslaught. In this connection the Indian media also fully supported the Indian government. What the Indians lost in the battlefield was adequately made up by the efforts of the Indian media. With the crucial support of the media, India was able to garner sufficient international diplomatic pressures on Pakistan to secure the withdrawal of the occupants of the Kargil heights.

Pakistan took three major steps to defuse the situation. First, it decided to send its Foreign Minister to initiate a dialogue with his Indian counterpart, who refused to discuss the issue. Second, the Pakistani Prime

⁸ For details, see Shireen M Mazari, *The Kargil Conflict : Separating Fact From Fiction* (Islamabad: Institute of Strategic Studies, 2003), pp. 42-62. Also see P.R.Chari and Pervaiz Iqbal Cheema, *The Simla Agreement 1972: Its Wasted Promise*, (Colombo: Regional Centre for Strategic Studies, 2001 and New Delhi: Manohar, 2001), pp. 177-80.

Minister visited China and US for consultations. Third, the Prime Minister appealed to the freedom fighters and other occupants to withdraw. Soon they withdrew, but in the process of withdrawal many of them were killed. The Indians interpreted the withdrawal of the freedom fighter as an Indian victory. The Indian media managed to project the Indian defeat as an Indian victory. Not much was said in the Indian media regarding the inability of such a large Indian force to dislodge a few hundred infiltrators, consisting of unconventional irregulars and NLI for more than eight weeks.

Regarding the intelligence failure, most Indians initially refrained from discussing it publicly, but later, when the world began to view the Indian interpretation of events sympathetically and the pressure against Pakistan intensified, some section of the Indian public began to acknowledge it. However, it needs to be asserted here that later this failure was openly recognized in the Kargil Committee report. The only redeeming feature from the mujahideen's and Pakistan's points of view was that the clash at Kargil once again internationalized the significance of the ongoing Kashmir dispute. Since this clash occurred after the acquisition of nuclear weapon status by both India and Pakistan, the international community was extremely anxious to contain it.

Nuclear Developments

On May 11 and 13 India conducted series of nuclear tests that were followed on 28th May by Pakistan's nuclear tests. By the end of May, both India and Pakistan had acquired the status of nuclear weapon states. India had many reasons for developing nuclear weapons. First, India's vision of itself as a great power. It is the quest for the attainment of this vision, which has caused and continues to influence Indian decision makers to build a militarily strong India. Second, Indian perceptions of a deteriorating security environment. The Chinese tactical position in Tibet, as well as what they call Sino-Pakistan nuclear collaboration are often quoted reasons for India's nuclearisation. Third, the commitment of the BJP government to make India a nuclear weapon state. Fourth, India's disapproval of the existing nuclear world order. Why should the nuclear haves be allowed to retain nuclear weapons while others are denied their possession? India also demanded the nuclear haves to give a timetable to destroy their nuclear weapons. Fifth, India also constantly accuses Pakistan for causing major developments in Kashmir.

The factors influencing Pakistan to opt for nuclear weapon status include Indian acquisition of nuclear weapons, muted reaction to Indian tests, and the non availability of a nuclear umbrella. Not much persuasion in terms of monetary incentives was undertaken, increasing domestic pressures in the wake of the Indian nuclear tests and the threatening posture of India's home affairs minister regarding the Kashmir dispute. Although the BJP government argued that Pakistan was already preparing to conduct nuclear tests, this

argument was viewed by many (including Indians) as fallacious. The responsibility for making the two leading states of South Asia nuclear weapon states rests upon the shoulders of India's BJP government.

India detonated a nuclear device in May 1974 asserting publicly that it was a Peaceful Nuclear Explosion (PNE). Apart from the Canadians whose reactor CIRUS was instrumental in producing the nuclear device, not many nations attempted to discourage Indian nuclear pursuits. On the contrary, the French not only congratulated the Indians but also offered help to build a fast breeder reactor.⁹ Similarly, the Americans readily accepted India's explanation that it was a PNE despite the fact that they themselves had concluded, after running a series of tests, that there was no significant difference between peaceful and military nuclear devices. The American's quick acceptance of the Indian interpretation of the Rajasthan nuclear explosion code-named 'Smiling Buddha' was heavily dependent on the hope that the acceptance would make it easier for the Indians to stop there and not embark upon the path leading to nuclear weapons. At the time many Americans did not overreact primarily because they thought that one explosion did not necessarily make India a nuclear state and in order to become one it would need to acquire and develop a delivery system. Today India has not only acquired nuclear weapons but has also perfected delivery systems including heavy bombers and missiles, and is feverishly engaged in acquiring a nuclear submarine.

Domestic Factors

Domestic pressures and compulsions are known to have contributed substantially towards major policy shifts in most countries of the world. To divert attention from pressing internal political, economic, social and even security crises, external diversion is not uncommon in Third World Countries. Hostile external responses of course, make it relatively easy to enhance cohesion by employing emotional and sentimental jargon. One does not have to look too closely behind the scenes to realize the existence of strong pressures generated by varied types of internal crises in India and Pakistan. Both India and Pakistan are blessed with a fair share of internal problems. Being locked in a conflict - relationships, both India and Pakistan have consistently exploited each other's internal turmoil and tensions through propaganda and other available means. India's overt support for the East Pakistani separatists, unconcealed sympathies for the advocates of separate Pakhtoonistan and Sindudesh, public support gestures for the MRD (Movement for Restoration of Democracy) activities, injecting seeds of ethnic strife and causing political disturbances in Sindh are just a few well known examples that need not be elaborated here. Similarly, the Pakistanis' excessive

⁹ Steve Weissman and Herbert Krosney, *The Islamic Bomb* (New York: Times Books, 1981), pp. 132-35.

interest in India's internal trouble spots like Punjab, Assam and Kashmir, and their concealed sympathies for movements like Khalistan, Gorkhaland, and several other movements in eastern India often tended to cause undesired misunderstandings. Just as the Pakistanis accused the Indians of interfering in Sind's political disturbances, Indians blamed the Pakistanis for training and aiding the militants in Kashmir. In the recent times the Indians have been accusing Pakistan for encouraging what they call "cross border terrorism". Both invariably deny the alleged involvements. Accusations and counter accusations constitute the norm within the Indo-Pak framework of relationships.

Superpower Linkage

The prospect of a fresh Indo-Pak start is also, in many ways, affected by the posture of the superpowers. Both the Americans and the Soviets were introduced to the area by Pakistan and India respectively, each seeking to satisfy its perceived security requirements.¹⁰ The Pakistanis' sense of insecurity brought the Americans to South Asia and a quick Indian reaction to this introduced the Soviets to the region. Both the superpowers got quickly enmeshed in the South Asian cobweb believing to be serving their own global objectives. Neither gave much attention to the incumbent level of conflictual relationships between India and Pakistan. That is how the Cold War came to South Asia. In 1954 and 1955 Pakistan joined the Western SEATO alliance and the Baghdad Pact (later renamed CENTO). Pakistan perceived a threat from India and joined the above-mentioned alliance in order to procure much-needed weapons and to equip its forces for what seemed to be a certain conflict. The Indians, of course, interpreted Pakistan's bid to enhance its security as an attempt to upset the existing power equation and to challenge its overriding authority in sub-continental affairs. India had assigned for itself a central role not only in South Asian affairs but also in Asian affairs in general. Consequently, enraged over Pakistan's membership in SEATO and CENTO, India invited the Soviet leaders in 1955 to visit the area. The Soviets, who were also annoyed over Pakistan's participation in Western defence alliances that were directed against them, were in a punitive mood, and in utter disregard of Pakistan's stance on the Kashmir dispute and Pakhtoonistan, the Soviets immediately committed themselves to support both India on Kashmir and Afghanistan on Pakhtoonistan.

This state of affairs continued until the early 1960's when the thaw in the Cold War, the introduction of intercontinental missiles and the Sino-Indian War of 1962 caused dramatic changes. Despite the warnings and protests of

¹⁰ Pervaiz Iqbal Cheema, "India-Pakistan Relations" in Bertram Bastiampillai, ed., *India and Her South Asian Neighbours*, (Colombo: Bandranaike Centre for International Studies, 1992), pp. 37-65.

Pakistani leaders, the West rushed arms aid in response to an Indian request following the Sino-Indian border war. Pakistan, disenchanted with the West, began to drift away and started searching for new friends in order to maintain the balance vis-a-vis India. China responded positively to Pakistan's search and readily lent its support. The Soviet Union, realizing that Pakistan's sense of insecurity might push it too deeply into the Chinese lap, began to seek ways to impede Pakistan's growing friendship with China and at the same time to weaken its pro-Western policy. The Soviets began to smile at Pakistan. The smile vanished in 1969 when President Yahya firmly rejected Brezhnev's proposal of an Asian collective security system and Kosygin's idea of a regional economic grouping.¹¹ In the meantime, Pakistan's relations with China continued to grow while those with America continued to deteriorate, especially because of the American arms embargo after the 1965 Indo-Pak War.

After the 1971 Indo-Pak War, the Pakistani leaders, realizing the crucial role the Soviets could play in future South Asian affairs, carefully avoided criticizing the Soviet role in the separation of East Pakistan and began to mend fences with the Soviets. Initially, the Soviets were somewhat cool towards Pakistani overtures, but gradually through the efforts of Bhutto, the Soviets began to open up. Disenchanted with the West and desirous of pleasing the Soviets, coupled with some other considerations Pakistan withdrew first from SEATO and later from CENTO. By the late 1970s relations with the Soviets had vastly improved.

Not only did American policy towards the area change with the passage of time, in general, it has been less consistent than the policies of the Soviet Union and China. It fluctuated from decade to decade. During the 1950s the emphasis was upon the containment of perceived Communist expansionism in the area. Pakistan, with its two wings, was regarded as a useful instrument to serve American strategic interests in the area. The western wing could play an important role in the containment of Soviet expansionism and the eastern wing could prove to be useful in its strategy vis-a-vis China. Although the Americans would have preferred India to Pakistan, Nehru's strong opposition to the Cold War alliance system and Dulles' contempt for non-alignment more or less forced the India policy makers to opt for the second best. However, the Kennedy administration not only de-emphasized the Soviet threat but also recognized non-alignment as a valid approach to international relations. The Sino-Indian War of 1962 provided the long-awaited opportunity to win back Indian friendship and consequently India emerged as a useful instrument in America's containment of China policy of the 1960s. Improvement in Sino-American relations again caused a

¹¹ G. W. Chaudhury, *India, Pakistan, Bangladesh and the Major Powers* (New York: Free Press, 1975), pp.63-66.

fundamental change in the American policy towards the area. The earlier part of the decade witnessed improved relations with Pakistan and a slight deterioration of Indo-American relations. However, the latter half of the 1970s registered a marked improvement in Indo-American relations, especially during the Desai regime. Again with the Afghanistan crisis and consequential aid to Pakistan, Indo-American relations registered a slump initially, but the ascendancy of Rajiv Gandhi to power once again pushed them upwards.

Chinese relations with Pakistan were further strengthened especially after the Sino-American normalization.¹² As long as Sino-Indian and Sino-Soviet relations continued to be cool, China could not afford not to help Pakistan and counter-balance Soviet influence in the area. However, the decade of the 1970s witnessed efforts, though painfully slow, towards the normalization of Sino-Indian relations. In 1976 ambassadors were exchanged, and in 1979 the Indian Foreign Minister Vajpayee visited China. The major outcome of the visit was that the Chinese acknowledged the need to resolve the longstanding border dispute as a precondition for complete normalization of relations. Since then many rounds of talks have taken place in order to resolve their mutual disputes. The recent visit of Prime Minister Vajpayee has certainly caused the much-desired thaw in Sino-Indian relations. The joint communiqué issued at the end of the Vajpayee visit clearly reflected an improved comprehension of the complex issues involved, and indicated that India had recognized Tibet as part of China. The two sides also came close to resolving the issue of Sikkim – another major irritant between the two nations.¹³ The Pakistanis welcomed the outcome of the Sino-Indian talks and stressed that it augured well for the peace and stability of South Asia. They hoped that it would end India's pretext for further development of weapons of mass destruction, or its unbridled shopping spree for sophisticated conventional weapons.¹⁴

The difference in Indian and Pakistani perceptions of each other's threats, coupled with the superpowers' active involvement in pursuit of their regional and global objectives continued and still continues to exacerbate tensions and conflicts in South Asia. When the situation begins to register improvement some extra-regional development takes place and undermines the fragile harmony brought about after lengthy and complex negotiations. The late 70s witnessed an improvement in Indo-Pak relations but then came the Afghanistan crisis and its undesired repercussions. However, towards the end of the 80s, the global situation began to change radically. The ascent of

¹² Pervaiz Iqbal Cheema, "The China Threat: A View from Pakistan", in Herbert Yee and Ian Storey, eds., *The China Threat: Perceptions, Myths and Reality* (London: Routledge Curzon, 2002), pp.302-11.

¹³ *The Nation* (Islamabad), 26 June 2003.

¹⁴ *Dawn* (Islamabad), 1 July 2003.

Gorbachev, followed by his introduction of perestroika and glasnost, coupled with a positive western response brought an end to the perennial cold war and initiated a new era of cautious cooperation between Russia (previously Soviet Union) and the West. The threat of joint pressure or denial by both superpowers could act as an effective deterrent.

The death of the cold war, the disintegration of the Soviet Union, and the emergence of the US as the sole super power transformed the existing world order. The new world order witnessed the rapid ascendancy of economic imperatives and the relegation of political imperatives to a secondary position. The previous equations no longer remained viable. In the emerging world scenario India and US drifted closer towards each other. The Americans viewed India as a useful counterpoise to China, while India also went out of its way to befriend the Americans.

The situation changed after the tragic event of 9 September. As a consequence of this development an international coalition against terrorism came into existence. The Americans launched an invasion of Afghanistan with the objective of apprehending Osama bin Laden who was regarded as the mastermind of the 9/11 tragedy, and to punish the Afghan Taliban regime, which had given him refuge. Again the relations between Pakistan and US began to improve as Pakistan joined the international coalition and agreed to help the Americans in the prosecution of their Afghan war. Almost all the sanctions to which Pakistan was subjected were gradually removed, and the US also extended some economic incentives. Another development of great significance was the American invasion of Iraq, bypassing the United Nations. The invasion itself did not go down well with either the Pakistanis or the Indians. Based on a newly evolved doctrine of pre-emptive defence, the Americans launched a massive invasion of Iraq and soon removed Saddam and occupied the country. Currently they are engaged in running the country with the help of a newly installed governing council that consists of various factions of the Iraqi society.

While both India and Pakistan are members of the international coalition against terrorism, they do not get along because of the ongoing Kashmir dispute. The Indians continuously accuse Pakistan of encouraging cross border terrorism, which Pakistan consistently denies. Acts of terrorism have taken place in both countries resulting in heightened levels of tension. The Americans have initiated a relatively low-key role in resolving the main dispute between India and Pakistan. So far they have not met much success, but it needs to be mentioned that they are consistently applying pressures to influence both to subject the dispute to a bilateral process of negotiations.

The Shadow of the Afghan Crises

Relations between India and Pakistan are also under continuous strain because of two Afghanistan crises. The first crisis dealt with the Soviet invasion and

the consequent American participation on the side of the freedom fighters, whereas the second crisis was the product of developments of 9/11. While a vast majority of countries condemned the Soviet invasion of small, nonaligned Afghanistan, India, though at the time Chairman of the nonaligned movement, was unable to condemn the Soviets.¹⁵ Tied by the Indo-Soviet Friendship Treaty, which provided massive economic, technological and military aid vital for India's economic development and security requirements, India decided not to condemn the Soviet invasion. Being heavily indebted to Soviet support and being the only reliable and powerful non-communist friend of the Soviets, it was confronted with unpleasant choices; to condemn the Soviet aggression would invoke Russian anger and weaken its profitable links, while to condone the Soviet action would tarnish its own image. India chose not to condemn the Soviets and tried to repay its massive debt, incurred over the years, by accepting the Soviet version of the Afghanistan situation. It is also alleged by some quarters in India that it concentrated on the diplomatic front to defuse the situation and reportedly conveyed even to the Soviets its uneasiness over the situation.¹⁶ However, once the urgency and tension generated by the invasion subsided, India became milder towards the Afghan situation and even went so far as to revive the India-Afghanistan Joint Commission that had been put on the shelf after the Marxist takeover in 1978.¹⁷ Having enjoyed so many benefits by its close association with the Soviets, it was unrealistic to expect that India would be critical of their moves in Afghanistan. Had the Janata Government remained in power, one might assume that India's Afghan policy would have been slightly different. But with Mrs. Gandhi's ardent advocacy of 'realpolitik' that frequently compromised principle for expedience, it was an altogether different story.

Perhaps the most painful aspect of the first Afghan crisis for the Indians was the American decision to agree to a military sales-cum-economic assistance package with Pakistan in order to cater for the enhanced security responsibilities of the Pakistanis. Instead of making a realistic assessment of Pakistan's threat, India opted to project a scenario that magnified out of all proportions the effects of US aid to Pakistan on the military balance between the two. It seems that the underlying purpose was to overplay the US role in the region to induce the Soviets to substantially increase their contributions. Badly requiring Indian support over its Afghan policy, the Soviet Union had no choice but to comply.

¹⁵ Pervaiz Iqbal Cheema, "Indo Pakistan Relation", in Bertram Bastiampillai, ed., *India and Her South Asian Neighbours* (Colombo: Bandaranaike Centre for International Studies, 1992), pp. 53-54.

¹⁶ Surjit Mansingh, "United States-India Relations: Problems and Prospects", *India Quarterly*, vol. 36, July-December 1980, pp. 268-70.

¹⁷ Amaury de Riencourt, "India and Pakistan in the Shadow of Afghanistan", *Foreign Affairs*, vol. 61 (Winter 1982-83), p. 434.

The first Afghan crisis not only brought the US and Pakistan closer to each other but also linked them with a military sales and economic assistance programme - which, in turn, edged the Indians even closer towards the Soviets. The Indian acceptance of the Soviet interpretation of the Afghanistan situation eroded India's credibility. Unable to gauge the intensity of approaching danger, India continued to view the whole game from its own version of developments. Irritated by the Pak-American linkage, India seemed intent on solidifying the Soviets in the region. With the signing of the 1988 Geneva Accords, the situation slightly changed. Although the Soviets and the Americans continued to back their respective clients, the Geneva Accords demonstrated a certain level of cooperation among them that strengthened hopes for a resolution of the Afghan crisis.

The second Afghan crisis started with the destruction of the twin towers of New York. The Americans blamed Osama bin Laden, who had taken refuge in Afghanistan. Afghanistan's Taliban rulers refused to hand him over to the Americans. This started the US led war against Afghanistan. Pakistan decided to opt for the international coalition and to help the Americans in the prosecution of their Afghan war. As a consequence the US and Pakistan once again improved their relations. However, it needs to be mentioned that this is characterized by a great deal of caution on either side. The Americans are particularly concerned not to undertake any action that could annoy the newly befriended Indians. They are trying to maintain a balance between the Indians and the Pakistanis. They do not want to lose the Indians and they need the Pakistanis at least as long as the Afghan crisis continues. To undertake effective operations against the al-Quaida members, the Americans require the help of the Pakistanis. But they also recognize the dire need to resolve the India-Pakistan dispute over Kashmir. For the first time the Americans are indeed making efforts to solve this dispute. Whether or not these efforts are short, lived as in the past, or sustained over time remains to be seen. However, one thing is certain that policies and strategies change in accordance with domestic, regional and global dynamics.

Recent Initiatives

The process of normalization initiated by the Simla Agreement did not receive any serious setback during the 70s, but developments in the 80s and 90s did affect the pace somewhat inadvertently, even though both SAARC and the Indo-Pak Joint Commission had already become operational during the 80s. The Sikh crisis in the early 80s, the intensification of Kashmir's freedom struggle in the late 80s in India and Pakistan's quest for a viable democratic system are just a few events that had and continue to have a direct bearing on foreign relations. A further complication was injected when both decided to acquire nuclear weapons in 1998. Since BJP's ascendancy to power Indo-Pak relations have seen rather pronounced ups and downs. While the year 1999

saw two major developments, the Lahore declaration and the Kargil clashes, two ceasefires marked the year 2000 including the one announcement by the Hizb ul Mujahideen in late July, and Vajpayee's Ramazan ceasefire which invoked positive responses from Pakistan, leading to the holding of the Agra Summit in July 2001. The failure of this summit coupled with the tragedy of 9/11 created a rather loaded atmosphere, which was effectively exploited by the Indians who accused Pakistan-based militant outfits of attempting to destroy the Indian democracy by launching an attack on the Indian parliament on 13th December 2001. This accusation was used by the ruling Hindu militant parties to mobilize troops on the border, eliciting a similar response from Pakistan. Until the middle of October the two countries' forces faced each other.

Realizing the ineffectiveness of a policy of coercive diplomacy, Vajpayee once again decided to extend the carrot and announced on 18 April 2003 his willingness to talk to Pakistan. At the time of his announcement he did not mention any conditions, but two days later he made the offer of talks conditional by asserting that Pakistan must first stop cross border terrorism. The Pakistani authorities on the other hand continuously stressed that no infiltration was/is taking place across the LoC. The Pakistani Prime Minister responded to the Indian gesture positively and telephoned his counterpart. Since then many positive developments have taken place including the exchange of High Commissioners, goodwill visits of parliamentarians, women, students, labour leaders, journalists and businessmen from both sides, fixation of a date for the next SAARC summit, and the resumption of the Lahore-Delhi Bus contact etc. India suggested many useful steps in order to secure desired normalcy of relationships to which Pakistan not only responded positively but even suggest some more CBMs including ordering unilateral ceasefire on LoC.¹⁸ Though the current peace process is moving forward at a much slower pace than what is desired by many, some tangible steps have been taken to re-establish communication linkages. Not only the High Commissions have become fully operational and the Bus began to ply again from New Delhi to Lahore, but agreements to restarted air links from 1st Jan 2004 and rail links from 15th Jan 2004 have also been signed by the respective representatives of the two governments.

Track II: and CBMs

Definition and Characteristics

Track II diplomacy is often defined as a process of unofficial dialogue among non-official representatives of the parties locked in a dispute. Influential

¹⁸ For details see Pervaiz Iqbal Cheema, "Meaningful steps or another game", *The News*, 2 November 2003 and Najimuddin A. Sheikh, "The Indian proposals", *Dawn* (Islamabad), 29 October 2003.

persons or opinion makers, who have the ability to influence both the government and the public, undertake the process. Track II diplomacy may involve a third party either for observation purposes or for the initial push. This is particularly relevant when there is a backlog of suspicion along with institutionalised intolerance, hatred and distrust. In such situations the participation of government officials is prone to a wide range of misinterpretations, which policy and decision makers can hardly afford. Thus, influential, non-governmental individuals on both sides, who are seen to be balanced in their approach are brought together to discuss the issues. The basic objective of Track II is to prevent conflict and to facilitate the conflict resolution process. Being influential persons most of the members of the Track II concept have either direct access to their governments or are in a position to effectively influence the public. The governments are informed either directly or by suggestions through the media.

A scrutiny of the groups engaged in Track II diplomacy reveals two dominant characteristics; a) all members of these groups are often fully cognizant of the need to resolve the disputes as quickly as possible, b) and all have the ability to make constructive contributions towards the desired resolution of ongoing conflicts in one form or the other. Many of these individuals are already engaged in their individual capacities, to improve conflictual regional situations either through their writings (both general and research) or through teaching, seminars, conferences, travel etc.

A Track II group is often formed in two ways. First, it might be the product of a local initiative of an individual or an institution like a university or research institute or a newspaper group etc. Second, it might be formed by the encouragement and efforts of interested outsiders. However, it needs to be clarified that groups formed because of the efforts of outsiders invariably emphasise a scrupulous avoidance of external interference. It is indeed up to the participants to jointly agree to have an outsider as their chairman who is known for his knowledge of the area and whose balanced and impartial treatment of the issues has already earned him the respect of many insiders.

Objectives

The major objectives of the Track II diplomacy are threefold; a) to make attempts to resolve ongoing disputes; b) to discourage and prevent the emergence of new disputes; and c) to make efforts with a view to bringing the two estranged countries and societies closer by introducing confidence building measures (CBMs). Indeed, it is the most difficult objective to attain, especially if the dispute has lasted for more than a decade. The passage of time not only adds new dimensions, it also invariably converts a simple dispute into an extremely complex one. However, this does not mean that the dispute be allowed to carry on with its unchartered flight. Old disputes are not easy to resolve but then again efforts must always be directed to find a way out. An

old unresolved dispute always contaminates the atmosphere and may impede constructive developments. Recent events, both inside and outside the disputed territories of Kashmir, clearly highlight the fact that relations between India and Pakistan will never be normal until the Kashmir dispute is resolved. The nuclearisation of both India and Pakistan had made it imperative that the world community begin to focus its attention on this neglected and potentially dangerous issue. Many members of the international community view the Kashmir dispute as a potential nuclear flashpoint.

The first two objectives imply that Track II diplomacy should not only explore and provide feasible alternatives for complex issues to their respective governments, but should also suggest arresting mechanisms if it is realised that the situation is rapidly deteriorating. In both pursuits, Track II diplomacy is expected to provide positively orientated alternatives facilitating and enabling the governments to arrest the adverse drift and advance towards positive goals. The introduction of CBMs will not only ease the situation, but may even help in securing a better comprehension of each other's perceptions. Indeed, CBMs can facilitate communication among the disputants, and can also help in maintaining some kind of contact even though it may not appear very useful.

Confidence Building Measures (CBMs)

CBMs imply the existence of a situation that requires measures for confidence building. The main purpose of CBMs is to arrest the dangerous drift towards war and reverse the trend, if possible, by introducing transparency, which may reduce tensions and make the atmosphere conducive to some form of cooperative behaviour. Openness can introduce qualitative improvement in the climate of distrust and apprehension, enhance understanding of the adversary's perceptions and help establish working relationships between antagonistic states. Simply defined the term itself reflects a process of building confidence between adversaries. To generate confidence in an atmosphere of distrust is not an easy task. Even to begin negotiations in such a situation requires political will and recognition of the dictates of the time. Since it is easier to negotiate a CBM than an agreement or a formal arms control treaty, not only the popularity and efficacy of CBMs have been on the rise but they are emerging as essential means of preventing unintended escalation and minimising the dangers of accidental war.

CBMs and South Asia

Confidence building is not really a new phenomenon in South Asia in general and between India and Pakistan in particular. Since the partition of the subcontinent, both India and Pakistan have signed many agreements aimed at

generating confidence and reducing tensions.¹⁹ Among them perhaps the most notable are the Liaquat Nehru Pact -1951 (Dealing with minorities), the Indus Waters Treaty-1960, the Tashkent Agreement-1966, the Rann of Kutch Agreement-1968, the Simla Accord-1972, the Salal Dam Agreement-1978, the Joint Commission-1983, and the Lahore Declaration-1999. With the exception of the Joint Commission and Lahore Declaration, all of them were the product of either a crisis or a war that necessitated a logical end to the preceding developments.

Existing CBMs

The main conflict between India and Pakistan revolves around the Kashmir dispute. Despite the advent of so many CBMs, normalisation still seems an illusive pursuit. Since the end of the 1971 Indo-Pak war, many CBMs have been adopted with a pronounced emphasis upon military CBMs. The earliest one came immediately after the 1971 war. A 'hotline' between the DGMOs (Director Generals of Military Operations) was established in 1971. The existing CBMs can be grouped in the following categories;

A. *Communication Measures*

1. A direct communication link (DCL) known as 'hotline' between DGMOs was established in 1971. Following the 1990 crisis it was decided to use this line on weekly basis.
2. DCLs are also in place between sector commanders.
3. Establishment of a hotline between the Indian and Pakistan Air Forces (1993).
4. Communication between the naval vessels and aircrafts of the two navies when in each other's vicinity (May 1993).
5. Establishment of a hotline between the Prime Ministers in 1997 after the Male summit.
6. People to people contacts, Track II diplomacy, NGOs, and dialogues between various non-governmental groups like the Neemrana Initiative or the India- Pakistan Forum started in 1991.

B. *Transparency and Notification Measures*

1. Inviting observers to watch military exercises (Zerb-e-Momin in 1989 and 1990 Indian exercise and the US observers).
2. Publication of Annual Defence Report- India publishes it regularly.
3. Public negotiations for arms procurement by both India and Pakistan.

¹⁹ Pervaiz Iqbal Cheema, 'CBMs and South Asia' in Dipankar Banerjee, ed., *Confidence Building Measures in South Asia* (Colombo: Regional Centre for Strategic Studies, 1999), pp. 29-40.

4. Advance notification regarding military exercise or major troop movements (1991).
 5. Joint declaration on prohibition of chemical weapons (1992). Despite the declaration, it was revealed in 1997 that India had a very large chemical weapons programme.
 6. Advance notification of ballistic missile tests (1999)-a product of the Lahore meeting.
- C. *Consultation Measures*
1. India - Pakistan Joint Commission (1982).
 2. Foreign Secretary Level Talks- periodically interrupted- resumed after Sharif-Vajpayee talks in New York 1998.
- D. *Goodwill Measures*
1. Various military goodwill measures (1993).
 - i) Participation of senior military and civilian officials in various seminars in each other's country (1993).
 - ii) Inviting Guest Speakers at each other's national defence colleges.
 - iii) Participation and visits of various sports teams (which received a set back when BJP decided to disallow sporting contact but it has now been allowed in late 2003).
 2. Code of Conduct for Treatment of Diplomatic/Consular Personnel (1992).
 3. Visits of Parliamentarians.
 4. Visits of businessmen.

Despite the above-mentioned impressive list of CBMs, tensions between the two countries have not really subsided in a meaningful way. Does this mean that the CMBs have failed to deliver the expected dividends? Indeed, the track record of the CBMs has not been very impressive. But this does not mean that they have failed to contribute towards the desired amelioration of the prevalent atmosphere. Different opinions have been expressed regarding the efficacy of the CBMs. While some attributed limited success, there were others who viewed the CBMs as complete failure. Those expecting that the CBMs would resolve all the complex problems of South Asia would indeed be disappointed, but those viewing them as means of improving the atmosphere in order to open channels of communication and various private options to their respective governments, would appear to be somewhat satisfied. Whatever one may say, the indisputable fact is that since 1972 India-Pakistan have not really fought a full-fledged war. During 1986-87 1990, and 2002 the two countries came close to blows but war was averted. A contribution was indeed made by the existing CBMs. However, the two countries did experience a large border clash at Kargil in 1999.

The inability of the CBMs to effectively contribute towards the desired peace in South Asia is the product of many factors. First, and perhaps the most important, is the ongoing Kashmir dispute.²⁰ Many Pakistanis view Kashmir as part of the unfinished agenda of partition and a symbol of Indian highhandedness and clever manoeuvring. They feel that they have been outwitted and cheated by India. India took over states of Hyderabad and Junagadh on the grounds of overwhelming non-Muslim population and their geographical position, whereas in the case of Kashmir India employed the principle of the ruler's right to accede. The ruler of Junagadh opted to join Pakistan and the Nizam of Hyderabad wanted an independent status yet India invaded those states and occupied them on the grounds of their geographical locations and the overwhelming majority of Hindu population. By employing delaying tactics, India bought sufficient time to complicate the dispute and systematically projected various arguments for justifying its occupation of Kashmir. India dislikes being reminded of its application of different principles to different states and asserts that it is an integral part of India. Many Indian writers also link the retention of Kashmir as extremely important for its secular polity.

Second, to accord maximum respect to agreed principles and agreement does not seem to be very common in South Asia. Different interpretations of agreements often exacerbate non-compliance and non-adherence. It is often stressed, in some quarters, that honouring the spirit of an agreement is not as sacrosanct in South Asia as it is in the Europe, Middle East and Latin America.²¹ Not only does South Asia lack the cordial spirit deemed so essential for the proper implementation of agreements, it lacks respects for the prerequisites for CBMs as codified in the Helsinki Final Act and Stockholm Documents, namely, the inviolability of frontiers, the non-use of force, and non-interference in internal affairs. Perhaps, that is what has led to less than desired level of what is called a 'sense of ownership' for the existing CBMs.

The Third factor revolves around perceptions and negative images.²² Both India and Pakistan continue to entertain negative images of each other. The most attractive view of India among the Pakistani elite and decision makers is that of a hegemonic bully. The Indian view of Pakistan is that of a theocratic and militaristic state. An objective view probably disagrees with both of them. While there are many factors and developments that assist the formation of both perceptions and misperceptions, as well as self and

²⁰ Pervaiz Iqbal Cheema, "What CBMs have gained until now", in *Kashmir: What Next?* (Islamabad: Friedrich-Naumann-Stiftung, October 2001), pp. 18-26.

²¹ Michael Krepon, "A Time of Trouble, A Time of Need", in Michael Krepon and Amit Sevak, eds., *Crisis Prevention, Confidence Building and Reconstruction in South Asia* (New York: St Martin's Press, 1995), pp. 1-10.

adversary's images, three factors have reinforced these negative images; history, media, and weak and irrational leadership. A historian has to be mercilessly accurate with his facts. Unless the histories are written accurately, the lessons derived from them would be distorted, encouraging inaccurate images. Ample evidence is available confirming that the histories are not written properly, while both print and electronic media have contributed heavily towards adversarial images rather than reflecting an existing situation accurately. Being in the selling business, most newspapers tend to publish what they think is newsworthy and it is well known that negative developments attract more attention than positive ones. The government controls the electronic media in both countries. Though many new independent channels have also come into existence during the last two decades, even they seem to be toeing the government line rather than demonstrating complete independence. The Pakistani independent channels seem to be far more critical of policies than their counterparts in India. In general, one finds the media highlighting negativity much more than even extending deserving coverage to positive developments.

Finally, weak and irrational politicians, whose main preoccupation is to get power, somehow or the other have also made a sustained but somewhat inadvertent contribution towards adversarial images and misperceptions. One has to recognise that most politicians have their own agenda and they have generally demonstrated an inability to rise above the anticipated gains. They have consistently pushed aside long-term positive regional gains for others to pursue. Lack of political will in both countries to ensure the smooth working of the established CBMs has impeded efforts to resolve conflicts.

Given the less than expected performances of the CBMs in South Asia, what recipe can be pursued in order to make them work? At the outset it needs to be recognised that the CBM is not a device to resolve conflict, it is just one piece in the process-an important piece that needs to be promoted.²³ With the nuclearisation of South Asia, it is imperative for both India and Pakistan to demonstrate rational qualities. Both sides should not only encourage a balanced approach to history writing and positive image making in the media, their political leaders should also demonstrate a determination to resolve outstanding issues. The media in both countries should prepare and educate the people about the need to resolve the incumbent disputes. In recent times both the Indian and Pakistani PMs have been demonstrating rational behaviour. PM Vajpayee's tough stand against Shiv Sena's threats to the Pakistani sports teams' Indian visits was matched by Nawaz Sharif's equally strong measures against the disruptive activities of the Jamat during Vajpayee's Lahore visit. Similarly Vajpayee's offer of April 18, 2003 was quickly and

²² Cheema, 'CBMs and South Asia', p.36.

²³ Cheema, 'Kashmir: What Next?', pp.18-26.

positively responded by Pakistani Prime Minister Jamali, who in fact, picked up the telephone and talked to his Indian counterpart. Such pursuits could and indeed would resuscitate the effectiveness of CBMs as well. Besides, there exists a need to introduce more CBMs in economic and social areas. This is not to suggest that military CBMs are not necessary. In fact, there should be more and more CBMs. The following suggested CBMs could further facilitate and improve the atmosphere, enabling the two governments to address the contentious issues with patience and perseverance.

A. Military CBMs

1. More transparency in defence budgets.
2. Publication of annual calendar of exercises.
3. Increasing the number of observers, including international observers for military exercises.
4. Allowing participation from across the border in Defence Colleges' courses.
5. Exchanges of military instructors at various levels.
6. Registration of weapons sales and procurement agreements with SAARC.
7. Joint security studies.
8. No War Pact in some acceptable form
9. An agreement, in principle, for reduction of forces without going into details initially.
10. Proposal for collaborative arrangement for nuclear waste disposal.
11. Withdrawal of troops from border areas and creating a ten mile, (on both sides) troop free security zone.
12. Proposal to freeze defence budgets for at least two years initially.
13. Keeping nuclear warheads and delivery systems apart.
14. Establishing centres of risk reduction.
15. De-alerting missiles and removal from deployment areas or launch sites.

B. Economic CBMs

1. Encouraging Chambers of Trade and Commerce contacts-exchange of regular visits.
2. Energising and strengthening SAARC, revamping and improving the Charter, promoting SAPTA and SAFTA.
3. Joint Ventures-may be initially in a third country.
4. Joint Commission on Agriculture.
5. Promoting increased trade- mutually agreed increase in trading items.
6. Collaborative schemes tackling both countries' energy problems.

C. *Cultural and Social CBMs*

1. Joint archaeological excavation and monument preservation
2. Visa relaxation – country visa should be introduced instead of continuing with city visa – drop police reporting.
3. Visits and tours to historical and religious places to be encouraged and facilitated.
4. Cultural agreements to be finalised.
5. Flow of books, journals and newspapers to be encouraged – start with allowing selected papers and journals (Sport).
6. Contacts between medical and scientific institutes.
7. Joint educational projects, exchange of student and teachers, initially for a short period but later could be extended.
8. People to people contacts must be encouraged, track 11 diplomacy, NGOs work.
9. Joint research projects, regarding minimising the adverse effects of religious intolerance.
10. Establishing contacts between professional associations.
11. Creating SAARC Chairs at various leading Universities of SAARC countries.

D. *Political CBMs*

1. Inviting election observers from across the border.
2. Encouraging contacts between parties and parliamentarians.
3. Holding speakers' conferences.
4. Curbing propaganda.
5. Adherence to non-interference in each other's internal affairs
6. Creating institutional linkages, like judiciary etc.

While one can think of many CBMs, it needs to be kept in mind that progress in core areas, as well as regarding the outstanding disputes, is absolutely imperative. While a core dispute like Kashmir remains unresolved and no progress towards its resolution is registered, achievements in less significant areas would soon be eroded. Thus it is important that the two sides clearly recognise what they consider to be the core issue.

Track II and Pakistan's Experience

Pakistan's experience with the Track II process has been a mixed one. Those who are keen to see peace in the region have viewed it as a useful exercise. They feel that it can encourage much-desired interactions and highlight new approaches with fresh ideas. They are convinced that at the minimum Track II can facilitate the advent of realistic perceptions. But there are those who dismiss it as a western concept and therefore regard it as irrelevant. Most right wing extremists view it as a foreign inspired conspiracy aimed to promote US

goals in the region. Just as in India, the bureaucracy in Pakistan looks at all non-governmental dialogues with barely controlled suspicion.

The advent of the Track II process seems to have caused four positive developments. First, it has started a debate within the country regarding normalisation with India. The advantages and disadvantages of reconciliation with India has been subjected to serious academic as well as general discussions. Second, the existing stereotyped enemy images have also undergone changes. Much more realistic assessments have been put forward. Third, growing recognition that in the absence of normalisation both India and Pakistan would suffer in the long run. Fourth, the need to have increased economic interaction, as well as people to people contacts is gaining widespread recognition.

On the negative side, the militants and many religious parties view the process as an American device, which is meant to safeguard American interests in the region. They tend to link the process with developments both in Kashmir and Afghanistan. The view that normalisation with the Indians amounts to a betrayal of the Kashmiris' freedom struggle is quite popular. The American policies towards Afghanistan (especially the Afghan war and the accompanying quest to arrest Osama Bin Laden and to destroy al-Quaida network) are viewed as part of America's anti-Islamic pursuits by many. They regard Americans responsible for what is happening in both Afghanistan and Israel. After all, it is indeed difficult to deny that the Americans are not responsible for the current mess in Afghanistan. The ousted Taliban were the same group, which were once praised and welcomed as great Islamic warriors by the Americans to oust the Soviets from Afghanistan. Second, hardliner politicians on both sides invariably dislike the process. India's hegemonic pursuits, coupled with its regular modification of original commitments or even outright reversal, make the task rather easy for such politicians. Third, the government in Pakistan is just as ambivalent and distrustful of the process as the Indian government, but it also is aware of the useful aspect of the process. While it quietly endorsed the process linked with the presence of a third party, it remained somewhat sceptical of direct people-to-people contacts. On the other hand, the Indians were not keen to initiate a dialogue with the government unless the environment became conducive. The excessive emphasis on cross border terrorism was and is a device to buy time. However, with the realisation that the policy of coercive diplomacy had not yielded a reasonable dividend, the Indian policy underwent a carefully calculated change and in consequence the Indian Prime Minister Vajpayee offered to talk to the Pakistanis. Not only did the Pakistani authorities respond to the move positively but the Prime Minister of Pakistan even announced a unilateral ceasefire on the LoC. Almost all recent reports, published in both countries, clearly indicate that no cross border infiltration is taking place. While the Pakistani authorities have repeatedly and consistently stressed that no activities

around LoC are taking place, some BJP leaders still continue to harp on cross border infiltration even after the publication of reports denying such infiltrations.

To improve and to increase the effectiveness of Track II efforts some more measures need to be subjected to serious thinking. These measures include the promotion of economic dialogues among the Chambers of Commerce and Industry, convincing the vernacular press to be associated more with the Track II processes, making Track II more balanced and representative in terms of gender and younger participants, encouraging more contacts among parliamentarians, promoting regular contacts between educational and research institutions, institutionalising contacts between sports bodies, establishing regular cultural interaction, bringing SAARC into such pursuits etc.

Concluding Remarks

Peace in South Asia hinges on the normalized state of relationships between India and Pakistan which is, in turn, directly linked with the resolution of the ongoing Kashmir dispute and the political will of the leaders in both countries. The Kashmir dispute continues to take a very heavy toll of all peace efforts, as well as those developments that can even remotely contribute towards peace orientated building blocks. Undoubtedly, the most appropriate approach would be political rather than military. Both need to, and seem to, have recognized the fact that militarily the Kashmir dispute is unlikely to be settled. Temporarily the situation in Kashmir has been frequently controlled but it soon rebounds with the passage of time. To secure a lasting solution the two countries need to initiate a dialogue. Indulgence in mutual recriminations and accusations would not lead anywhere. India's allergic reaction to the involvement of a third party is somewhat incomprehensible. Since both parties are prone to interpret and misinterpret the situation according to their own policy pursuits, it would be useful to consider seriously allowing independent observers in Indo-Pak talks.

While the need to initiate dialogue on the ongoing Kashmir dispute is undoubtedly recognized by many powers, the existence of political will among the regional leaders is still questionable, even though the two Prime Ministers have demonstrated the requisite will in recent times. Minority governments or coalition governments are inherently handicapped to take quick and firm decisions, even if they recognize the need to do so. Such governments often adversely influence the effectiveness of CBMs and Track II diplomacy. Nevertheless, the process of confidence building has its own utility which cannot be brushed aside. Efforts aimed at the reduction of tensions and acceleration of any process moving towards conflict resolution should always be encouraged and supported. The recently undertaken visits of

parliamentarians, businessmen, labour leaders, women, students and journalists have vastly improved the atmosphere. The fact that businessmen and industrialists of both countries seriously considered projects, and the possibility of joint ventures by itself is reflective of the contributions of Track II and CBMs.

As mentioned above CBMs are expected to arrest a dangerous drift towards undesired armed conflict, to reverse the trend, reduce tension, initiate a process of confidence and trust building which, in turn, could and may facilitate the birth of a process aimed towards the initiation of negotiations. The negotiation itself may or may not result in the resolution of conflict. The CBMs must be viewed as a means and not an end. A review of the past couple of decades clearly reveal that the introduction of the CBMs have alleviated the situation and reduced tensions. A close scrutiny of crises like Brasstack (1987), Crisis of 90 (1990), Kargil clashes (1999) and troops confrontation (2002) clearly under scores the varied contributions made by the CBMs. The most recent manifestation of CBMs' contributions is the vastly improved atmosphere that has facilitated the resumption of communication and transportation links. If the trend continues, there is no doubt that the negotiations regarding the continuous issue and disputes will soon start. The usefulness of CBMs cannot be either denied or even undermined. Perhaps the India-Pakistan tangle needs more and more CBMs. Admittedly, some may not pay the desired level of dividends, but even an extremely limited contribution would certainly make a difference in the overall prevailing situation as has been experienced during the last three decades.■

WAR AGAINST TERRORISM: PAKISTANI PERSPECTIVE

Syed Rifaat Hussain*

This paper²⁴ is divided into five distinct but interrelated sections. It begins by noting the significance of the Pakistani perspective on the global war on terror. The second section deals with the most salient features of this perspective. The third section highlights the key elements of Islamabad's response to the events of September 11, including some of its action strategies as a frontline state in the war against terror. The fourth section outlines some of the challenges faced by Islamabad as a pivotal coalition partner in the ongoing global campaign against terrorism. The paper concludes with some observations concerning what needs to be done by way of next steps to help Pakistan successfully cope with some of these challenges.

1. Significance of the Pakistani Perspective

The significance of the Pakistani perspective derives from **four** factors.

The first and foremost is its geography. Pakistan's location at the crossroads of Central Asia, South Asia and Southwest Asia makes the country a pivotal state.²⁵ Pivotal states include those countries that have the potential to work significant or harmful effects on their regions. According to Robert Chase et al., "these are not desperately poor... all of them are large, populous states with a growing middle class, considerable infrastructural and educational investments, and an "emerging markets" potential that involves increasing integration into the global economy... Each pivotal state... influences its neighbours through extensive economic and/or political linkages. These linkages suggest that if a pivotal state grows smoothly and equitably, its success would nurture other states in the region. Conversely, chaos in a pivotal state... would generate transboundary mayhem in the form

* The author is Professor and Chairman of the Department of Defence and Strategic Studies, Quaid-I-Azam University, Islamabad. He was a Visiting Professor of Political Science at Stanford University during the academic year 2002-2003.

²⁴ This is a revised version of the text of remarks made at the New Century Seminar held at the Center for International Security and Cooperation (CISAC) Stanford University on 4 February 2003. The author gratefully acknowledges the financial support provided by CISAC in the writing of this paper.

²⁵ Hasan-Askari Rizvi, "Pakistan" in Robert Chase, Emily Hill and Paul Kennedy, et al., eds., *The Pivotal States: A New Framework for U.S. Policy in the Developing World* (New York: W.W. Norton & Company, 1999), pp. 64-88.

of severed trade links, increased migration, communal violence, pollution, disease and so on.”²⁶

The second factor imparting significance to the Pakistani perspective pertains to its “Muslim Episteme” – its creation as an ideological state. Pakistan’s Muslim essence is reinforced by the fact that the country is surrounded either by Muslim states (Afghanistan and Iran) or by states with large Muslim populations such as Russia, China and India.

Pakistan’s demography as the 6th most populous country with rapidly growing population also makes it an important regional player.

The fourth reason lending importance to the Pakistani perspective on the war on terror relates to its crisis-prone rivalry with neighbouring India, which has acquired a deadly dimension following India-Pakistan overt nuclearization in May 1998.

Because of these reasons, the former national security adviser Sandy Berger has aptly described Pakistan along with Egypt as the “twin towers” of the Western support in the Muslim world which the terrorists would like to bring down to promote a “clash of civilizations” between Islam and the West.

It should be noted here that while imparting geostrategic significance to it, **geography is also Pakistan’s enemy** in one critical respect, namely, its lack of “strategic depth”.

The absence of geographical depth makes it impossible for Pakistan to pursue a defensive strategy by trading away geographic space for reaction time.

As often pointed out by Pakistani strategic planners, India’s capture of just 140 kilometers would wipe out Pakistan because its communication, irrigation, industry and population are all together within that depth.

This lack of geographical depth²⁷ has not only constrained Pakistan to embrace the doctrine of “offensive defense” in a conventional war with

²⁶ Ibid. p. 7.

²⁷ According to one analyst, “The absence of strategic depth affects Pakistan’s insecurity dilemma in three ways. First, “it strips Pakistan” of the classic “defensive strategy” whereby “a country ought to give up ground initially in the face of an enemy’s offensive and withdraw into the depths of its own territory... simply put trading away geographic space for reaction time...” Second, the geography of Pakistan leaves its major cities and lines of communication vulnerable to India. According to a Pakistani assessment of its own strategic weakness, “Pakistan feels exposed because its lines of communication and the highly developed canal system that irrigates the fertile area of Pakistan that are critical to its economic survival run close to the Indo-Pakistan border.” (Shirin Tahir Kheli, “Defense Planning in Pakistan,” Stephanie Neuman, ed. *Defense Planning in Less-Industrialized States* (Lexington, MA: D.C. Heath, 1984), p. 212. Third, all of Pakistan’s air bases... are extremely vulnerable to massive Indian preemptive air strikes with smart-bomb technology supplied to India by none other than the United States. This is a particularly troublesome problem for Pakistani defence planners because air support

India but also created the compulsion for it to look for a friendly regime in Kabul to secure the western frontier.

II. Salient Features of the Pakistani Perspective on the war on terrorism

The Pakistani perspective on the ongoing war on terrorism has five noteworthy features:

First, there is no single unified Pakistani perspective on the war on terror. Rather, there are multiple views and perspectives.

This multiplicity reflects the diverse nature of Pakistani public opinion, the differential impact of the war on terror on Pakistani society and economy and the deeply contested nature of the role of Islam and religion in Pakistani politics and its relationship to the country's foreign policy.

Second, Pakistani views on the war against terrorism are inextricably linked to prevailing attitudes towards the United States. Those opposed to the war on terror regard this war as unjust largely because of their deeply ingrained ideological and political opposition to the United States as a global hegemon.

Those who support the war on terror are also favorably disposed toward the United States.

Third, while the ruling military-bureaucratic-political elite has tended to be supportive of the war on terror, the communicative elite in Pakistan has tended to be somewhat critical of the official policy of "unstinted cooperation" with the United States. This is mainly due to reasons of national sovereignty and deep-seated distrust of the United States.

Four, the most vocal societal opposition to the war on terror has emanated from the extreme elements of the religious right in Pakistan especially those who had long supported the Taliban regime in Kabul for ideological, political and economic reasons. The JUI controlled Madrassas along the Pakistan-Afghanistan border are the hotbed of this religiously motivated "Islamic" opposition to the United States.

Fifth, despite many recent surveys including the 2002 PEW Study, which depict overwhelming majority of the Pakistanis opposing the war on terror, the reality on ground is different and more complex.

For example, when asked whether they supported the US-led war on terror, majority of the Pakistanis (as indeed majorities in many other Muslim countries) said no.

is a crucial element of an effective defensive combat strategy, especially in modern warfare. [Given these vulnerabilities in future war] "Pakistan would face the classic dilemma vis-à-vis its nuclear arsenal in the event of war with India: use them or loose them." *Nuclear Brinkmanship: Is Kashmir the Most Dangerous Place in the World?* (Unpublished manuscript, 2002), pp. 8-12.

But when asked whether terrorist attack on the WTC were morally justified 61% of Pakistanis (as indeed majorities in many other Muslim countries) said no. This clearly shows that while expressing their opposition to the US-led war on terror, most Pakistanis are also strongly opposed to the killing of the innocent civilians by terrorist groups such as Al-Qaeda in the name of Islam.²⁸

It is pertinent to mention here that the total number of people who took part in the pro-Taliban demonstrations in Pakistan after the start of the US military campaign on October 7, 2001 did not exceed 240,000. This is a tiny number in a country of 140 million people.

The largest single rally that was organized by the Pakistan-Afghan Defence Council – an umbrella organization of more than dozen pro-Taliban religious groups and parties – in November 2001 in the biggest city of Pakistan, Karachi, where 14 million people live, managed to attract only 40,000 people.

The results of the October 2002 national elections in Pakistan, which many have mistakenly seen as a clear indication of the gathering religious storm on Pakistan's electoral horizon, also corroborate this trend.

The Mutahida Majlis-i-Amal (MMA), a political alliance of six religious parties, namely, the Jamaat-I-Islami, Jamiat Ulema-e-Pakistan (Noorani) Jamiat Ulema-e-Islam (Fazlur Rehman), Jamiat Ulema-e-Islam (Samiul Haq), Islami Tehreek-e-Pakistan and the Markazi Jamia Al-Hadith (Sajid Mir Group), did not get more than 20 per cent of the popular vote, the same percentage they received during the 1970 national elections.

The bulk of their electoral support came from the North Western Frontier Province and Baluchistan, which are contiguous with Afghanistan.

It would be erroneous to think that MMA's electoral victory in these provinces was purely a vote for their Islamic agenda. The economic dislocation caused by the decimation of the illicit trade economy of \$2.1 billions²⁹ due to the war in Afghanistan was as potent a reason for MMA's success in these elections as was the inability of the mainstream political parties to field strong candidates against those put up by the MMA.

²⁸ According to the findings of the Gallup Poll of the Islamic World released in February 2002 last year, 61% of the Pakistanis did not regard WTC attacks as morally justified. Only 13% thought otherwise. (2, 043 Pakistanis were polled in a sample of 10 leading Muslim states – Iran, Indonesia, Turkey, Lebanon, Morocco, Kuwait, Jordan and Saudi Arabia.

²⁹ A recent World Bank Study valued the illegal border trade between Afghanistan and Pakistan at US\$2.5 billion annually. As quoted in *Report of the Committee of Experts regarding monitoring of the arms embargo against the Taliban and the closure of terrorist training camps in the Taliban-held areas of Afghanistan S/2001/511* (New York: United Nations, 2001), p. 11.

III. Musharraf Government response to the 9/11 attack

Pakistan became a pivotal coalition partner of the U.S-led global war against terrorism after the September 11 terrorist attacks on New York and Washington.

A day after the attack the US deputy secretary of state, Richard Armitage met with the head of the ISI, General Mehmood, who was visiting Washington and told him in the presence of Pakistan's Ambassador Maleeha Lodhi to make a choice: "You are either 100 per cent with us or 100 per cent against us. There is no grey area."³⁰

The Pakistani officials promptly called General Musharraf in Islamabad to convey the stark choice facing Pakistan. In a "snap decision" General Musharraf told them to let Washington know that it would get "what it wanted."

Two days later US conveyed a set of seven "non-negotiable" demands to Islamabad.³¹

On September 14, Secretary of State Colin Powell called General Musharraf in Islamabad and bluntly told him: "the American people would not understand if Pakistan was not in this fight with the United States."³² General Musharraf, much to Mr. Powell's "surprise", readily agreed to "support the United States with each of the seven actions."³³

Having said an unqualified yes to American demands, General Musharraf then convened a meeting of his corps commanders, members of the National Security Council and top political aides to seek their endorsement of his "personal" decision.

After a marathon debate lasting six hours, General Musharraf got the backing of his corps commanders.

³⁰ Owen Bennet Jones, *Pakistan: Eye of the Storm* (New Haven: Yale University Press, 2002), p. 2.

³¹ These included the following: a) "Stop al Qaeda operatives at your border, intercept arms shipments through Pakistan and end ALL logistical support for bin Laden"; b) "Blanket over flight and landing rights"; c) "Access to Pakistan, naval bases, air bases and borders"; d) "Immediate intelligence and immigration information"; e) "Condemn the September 11 attacks and curb all domestic expressions of support for terrorism against the United States, its friends or allies"; f) "Cut off all shipments of fuel to the Taliban and stop Pakistani volunteers from going into Afghanistan to join the Taliban"; g) "Should the evidence strongly implicate Osama bin Laden and the al-Qaeda network in Afghanistan AND should Afghanistan and the Taliban continue to harbor him and his network, Pakistan will break diplomatic relations with the Taliban government, end support for the Taliban and assist us in the aforementioned ways to destroy Osama bin Laden and his Al-Qaeda network." Bob Woodward, *Bush At War* (New York: Simon and Schuster, 2002), pp. 58-9.

³² *Ibid*; p. 59.

³³ *Ibid*;

Following his assurance of “unstinted cooperation” to Washington in the fight against terrorism, Pakistan closed its airspace for several hours to enable the United States to “prepare to deploy a small group of forces at northern military bases in Pakistan.” It seems pertinent here to ask why did Islamabad jettison Taliban-controlled Afghanistan so swiftly? Was it a tactical adjustment or a maneuver or a strategic choice?

In his 19 September, 2001 address to the nation, President Musharraf proffered **five** reasons for offering unstinted cooperation to the US:

1. Secure Pakistan’s strategic assets;
2. Safeguard the cause of Kashmir;
3. Prevent Pakistan from being declared a terrorist state;
4. Prevent an anti-Pakistani government from coming to power in Kabul;
5. Have Pakistan re-emerge politically as a responsible and dignified nation.³⁴

One can make a strong case that General Pervez Musharraf’s decision to abandon the Taliban was not only a rational policy response to the cataclysmic events of 9/11 but also a logical outgrowth of his pre- 9/11 reformist agenda. In his address to the nation on 17 October 1999, a week after the military coup, General Pervez Musharraf identified the following seven aims and objectives of his regime:

- One: Rebuild national confidence and morale
- Two: Strengthen federation, remove provincial disharmony
- Three: Revive economy and restore investor confidence
- Four: Ensure law and order and dispense speedy justice
- Five: Depoliticise state institutions
- Six: Devolution of power to the grass root level
- Seven: Ensure swift and across the board accountability.³⁵

³⁴ There were several immediate considerations underpinning this qualitative shift in Pakistan’s pro-Taliban policy: come out on the right side of history; avoid American retribution; prevent emergence of Indo-US axis against Pakistan with dire consequences for country’s security and survival; clear sense of gains: get sanctions lifted, put Pak-US ties back on track, gain international legitimacy for his military regime and most importantly create political and social space for Pakistan to deal with the “blow-back effects” of the Taliban-controlled Afghanistan on the Pakistani society.

³⁵ When asked what was his key priority General Musharraf told Mary Ann Weaver in an interview in November 2000: “The economy. Only with a viable economy will

The military regime of General Musharraf faced three sets of challenges prior to 9/11. These ranged from issues relating to a faltering economy, to difficulties resulting from Islamabad's international isolation, to problems spawned by the rising tide of sectarian violence. It seems pertinent to discuss each of these challenges briefly.

Pakistan's Economic Crisis

General Pervez Musharraf inherited a vulnerable and sick economy, which needed urgent attention to avoid economic collapse.

A third of the Pakistani population is living below the poverty threshold, defined by the World Bank as income of less than a dollar a day.

Pakistan's external debts add up to \$38 billion, half the size of the country's GDP of 76 billion. Servicing the external and internal debt consumes more than half of the national budget.³⁶

By 2000, more than three quarters of the federal budget was going to defense and debt servicing, with very little remaining for spending on social programs.

According to a World Bank assessment, Pakistan needed international financial assistance to the tune of 6 billion dollars until the year 2004 in order to get out of the debt trap.

He took some painful and unpopular measures to put the economy back on track.

He brought in an oil-price mechanism which led to significant price rises of 7.5 to 22.5 percent; imposed a General Sales Tax on electricity; abolished some wheat subsidies and announced curtailing public sector jobs by 12 per cent.

In November 2000, a National Accountability Bureau was set up to oversee the recovery of \$5 billions from loan defaulters, mostly corrupt politicians, bureaucrats and businessmen.

General Pervez Musharraf also tried to tackle the problem of tax evasion in agriculture, in service industries and in business.

the security of Pakistan be guaranteed. Economic revival is the key to everything. Out of a nation of 150 million people, only 1 per cent – 1 percent – pays income tax. Our debt burden is \$38 billion, and we have got to prioritize reducing it. My program, simply put is to concentrate on reducing our fiscal deficit, improving our trade balance, and broadening our tax base. We also have to privatize our assets, which are being mismanaged, and revive our moribund industries.” Mary Ann Weaver, *Pakistan: In the Shadow of Jihad and Afghanistan* (New York: Farrar, Straus and Giroux, 2002), p. 23.

³⁶ Pakistan has a very low rate of domestic savings (11% of the GDP), which contributed to a continuing need for foreign aid, deficit financing, and a rising debt problem. In 2000, Pakistan's fiscal deficit was 5.3% percent of GDP, against a desired level of 4.0 percent. The total debt, including external and internal debt, stood at 92 percent of GDP.

The number of taxpayers is put at 1.2 million out of a population of 140 million. He brought in a tax on agricultural income and a Sales Tax on services.³⁷

Most significantly, the Musharraf regime decided to reduce the defence budget by 5% as part of its economic recovery plan.

Pakistan's Diplomatic Isolation

Prior to 11 September Pakistan also stood isolated on the international front. At least, five factors combined to produce this disagreeable situation. The first factor related to the shift in American geopolitical focus after the demise of the Soviet Union in 1991. During four decades of its hegemonic competition with the Soviet Union, Washington cultivated strategic ties with Pakistan and enabled it to assume the role of a "frontline" state in the East-West cold war. Out of deference to its strategic compulsions of fighting the "evil empire" during the Afghan war, Washington not only bolstered Pakistan's conventional military capabilities but also turned a blind eye to Islamabad's nuclear pursuits which had occasioned the use of American anti-proliferation laws against Pakistan in the late 1970s. However, following the Soviet military defeat in Afghanistan in 1988 and the subsequent disintegration of the USSR in 1991, Washington no longer felt compelled to continue to accord Pakistan the same kind of geo-strategic primacy which it had enjoyed during the heyday of the Cold War. Pakistan's active nuclear programme once again became the focus of American punitive action. In October 1990, all American aid to Pakistan was suspended and in 1993 Washington demanded that Islamabad should "roll back" its nuclear programme. Islamabad's refusal to submit itself to American non-proliferation goals also evoked the specter of Pakistan being put on the list of those countries whom Washington accused of sponsoring "terrorism".

The second factor which compounded Pakistan's diplomatic difficulties in the post-cold war period and put it squarely on the wrong side of "history" was Islamabad's decision to embrace overt nuclearization by conducting tit-for-tat nuclear tests in May 1998. Having carried out its nuclear tests against the collective will of the international community, including repeated entreaties by Washington for "restraint", Pakistan was made to pay a heavy diplomatic and economic price by the world for this act of defiance. Led by the United States, fourteen countries, including Japan, Germany, Australia, Canada, Denmark, and Sweden, suspended bilateral aid programs as a sanction against Pakistan. They also suspended all loans to Pakistan, which totaled \$231 million in 1997-98, and canceled grant aid of approximately \$55 million. The

³⁷ The latter prompted a tradesmen's strike, which led to a spate of "Close down the town" campaigns. Pakistan's economic problems were compounded by the onset of a terrible drought, which hindered economic growth. The growth rate fell from 3.9% to 2.6% because of the poor performance of the agricultural sector.

United States and other shareholders in the IMF also formed a coalition to block disbursement of the IMF credit and the parallel adjustment loan from the World Bank to Pakistan. These punitive international measures coupled with bad economic policy decisions, such as the freezing of all foreign currency accounts by the Nawaz Sharif government, contributed significantly to the crisis of international confidence in Pakistan and also resulted in the loss of vitally needed foreign exchange by the country.

The third factor, which contributed to Pakistan's diplomatic isolation, was the total mismanagement of the Kargil operation by the Nawaz government. Unable to defend and project the Kargil incursion as a logical outcome of Indian policy of territorial aggression against Pakistani-administered part of Siachin, the Nawaz Sharif government let the Indian media distort Islamabad's limited involvement in Kargil as a paradigm case of military invasion of "Indian" territory by Pakistan. Additionally, by keeping its "back-channel" links with New Delhi open and active during the entire Kargil episode, the Nawaz government gave credence to the malicious Indian propaganda that Kargil was a "rogue" military operation, which had been carried out to sabotage the great "Lahore spirit", unleashed by Vajpayee's "peace journey" to Pakistan in February 1999.

Buying the Indian line on Kargil, the international community led by United States exerted strong diplomatic pressure on Pakistan to vacate the Kargil heights and also to commit itself to observing the sanctity of the Line of Control (LoC) in Kashmir. Frightened by the specter of an internationally supported full-scale Indian military retaliation, Nawaz Sharif sued for peace essentially on Indian terms. The July 4 joint statement which he signed with President Bill Clinton in Washington not only called for "concrete steps" aimed at the "restoration of the (LoC)" but also clearly stated that India-Pakistan dialogue would get underway after "the sanctity of the LoC has been fully restored." India and the world have taken this to mean a unilateral undertaking by Pakistan not to stoke further the fires of armed struggle in the Indian-held part of Kashmir. The extent of Islamabad's international isolation during the Kargil episode was dramatically illustrated by the studied indifference with which China dealt with the whole issue. During their June 1999 visits to China, Beijing told the Pakistani Foreign Minister Sartaj Aziz and Prime Minister Nawaz Sharif that Islamabad should not expect China to "take sides" in an armed conflict between India and Pakistan and that escalation of their tensions had ill-served the cause of regional peace and security.

The fourth factor, which reinforced Pakistan's drift toward diplomatic isolation, was the 12 October military coup and Pakistan's visible retreat from democracy. Although necessitated by multiple crises of governance, economic collapse, social segmentation and political discord facing the country, the bloodless military coup by General Musharraf was seen by the world community as a step in the wrong direction. As a consequence, additional American

sanctions were imposed on Pakistan and Islamabad's membership of the British Commonwealth was suspended.

The fifth and perhaps the most significant factor underlying Islamabad's diplomatic isolation prior to 9/11 was its increasingly failing pro-Taliban Afghan policy. Having played a key role in their rise to power in Kabul in September 1996, Islamabad began to suffer from the syndrome of "guilt by association." As the Taliban-controlled Afghanistan faced international criticism and sanctions on account of Mullah Muhammed Omar's harsh internal rule and his insistence to treat Osama bin Laden as his "honored guest" and not as a terrorist, who should face an international trial, Islamabad found itself in the unenviable position of being the "sole spokesman" for the world community's "constructive" engagement with the Taliban. Additionally, Pakistan faced sustained international diplomatic pressure to seek Taliban's compliance with international demands for the closure of terrorist camps and the handover of Osama bin Laden.³⁸ Islamabad's repeated but failed attempts to influence the fundamentalist Taliban regime not only put Pakistan at risk to face adverse consequences of supporting the Taliban but also made Islamabad realize the limits of its influence over its client regime in Kabul. This was graphically illustrated in March 2001 when despite a personal appeal from General Pervez Musharraf, the Taliban under the direct orders of Mullah Muhammed Omer, destroyed the pre-Islamic Bamiyan Buddhas.

Deteriorating Law and Order

This is graphically illustrated by the accelerating rate of sectarian killings in the country.³⁹ In 1989 there were only ten incidents of sectarian violence and by year 2001 there were 261 such incidents occurring mostly in the largest province of Pakistan, Punjab.

Between his coup on 12 October 1999 and August 2001, sectarian violence left 220 dead and 2,000 wounded.

In April 2000, nineteen Shia worshippers were killed and thirty-seven were injured when Lashkar-i-Jhangvi assaulted a Shia mosque in Rawalpindi.

These outbreaks of violence were fomented mainly by two Sunni organizations: the Lashkar-i-Jhangvi (LJ) and the Sipah-i-Sahaba Pakistan (SSP) and their nemesis Sipah-i-Mohammed Pakistan – a Shia movement.

³⁸ For a good account of these American pressures, based on official Pakistani documents seized in Kabul after the fall of the Taliban regime in November 2001, see Tim Judah, "The Taliban Papers," *Survival*, London, vol. 44, no. 1 (Spring 2002), pp. 69-80.

³⁹ Pakistan has long been the victim of acts of terrorism. In 1987, out of 777 terrorist incidents recorded worldwide, 90 percent took place in Pakistan. Mary Ann Weaver, *op.cit.* p. 8.

To bring this worsening law and order situation under control, General Musharraf unequivocally condemned Islamic extremism in his June 2001 speech to the Seerat Conference in Islamabad and on 14 August 2001 announced a ban on Lashkar-i-Jhangavi and Sipah-e-Mohammed.

In his address to the 25th National Seerat Conference on 5 June 2001 in Islamabad, General Musharraf urged the religious leaders to lend him their support to promote religious and sectarian harmony in the country.

He told them that as opposed to our claim that “Islam is vibrant and forward looking...and most tolerant of faiths,” the outside world “looks upon us as terrorists”. This is simply because “we have been killing each other. And now we want to spread violence and terror abroad. Naturally, the world regards us as terrorists. Our claim of tolerance is phony in its eyes.... For our internal strife, the outside world is asked to declare us terrorists. Some say we are primitive. Others say we are a failed state. It hurts badly. We are one hundred and forty million, we are a nuclear power, and yet somebody gets up and tells us we are a failed state.” To counter this view “religious and sectarian harmony” had become an inescapable necessity in Pakistan.”

On 18 June 2001, General Pervez Musharraf took the decision to promulgate the Pakistan Madrasas Education Board Ordinance 2001 under which over 10,000 religious seminaries – Madrasas – were to be brought into the public education system through registration, curriculum reform and financial audit.

These observations clearly indicate that by the time 9/11 terrorist attacks occurred General Musharraf was fully engaged in a multi-pronged effort aimed at the revival of economy, improvement of law and order situation and to help Pakistan reposition itself internationally. The events of 9/11 offered his regime the opportunity to accelerate the pace of this ongoing effort.

Pakistan’s participation in the US-led global coalition against terrorism was thus driven by several interlinked objectives. These include:

- Diminishing the threat from the extremist Islamist movement inside Pakistan;
- Avoiding the disintegration of Afghanistan, which would aggravate the serious refugee problems for Pakistan and potentially engulf the Western section of the country;
- Preventing the emergence in Kabul of a successor government hostile to Pakistan;
- Improving ties with the West, particularly the United States, to prevent the emergence of an Indo-US axis against Pakistan;
- Seeking international help and assistance to enhance Pakistan’s institutional capacity to effectively cope with the rising menace of “homegrown” sectarian terrorism;

- Rehabilitating Pakistan's image as a moderate, liberal, Muslim state. Avoid becoming part of the "axis of evil".

In pursuit of these goals the Musharraf government took a number of steps.

IV. Actions Taken by Pakistan (post 9/11)

- Sharing of intelligence on terrorist activity with the United States and its allies.
- Ban on Jihadi organizations such as LAT, JEM, TNFJM, SSP, TNSM;
- Strengthening of an anti-terrorist law and setting up of anti-terrorist courts with military's participation;
- Condemnation at the highest level of acts of international terrorism performed by groups with societal links and roots in Pakistan.
- Ban on display and carrying of weapons.
- Freezing of financial assets of the banned Jihadi groups.
- Freezing of bank accounts of more than 50 organizations suspected of links with sectarianism or international terrorism.
- The decision to incorporate the anti-terrorism recommendations of the inter-governmental Financial Action Task Force on Money Laundering in Pakistani banking laws.⁴⁰
- Arrest and trial of those involved in terrorist activities.
- Hunting down and arrest of remnants of "Al-Qaida" network in Pakistan. According to official Pakistani figures more 443 Al-Qaeda suspects belonging to 18 different nationalities have been handed over to the US authorities⁴¹.
- Ban on "hate speech" during Friday prayers.
- Setting up of a special anti-terrorist task force.
- In March 2002, Pakistan deployed nearly 100,000 troops around Tora Bora to block fleeing Al-Qaeda fighters from crossing over

⁴⁰ FATF was set up at the G7 meeting in Paris in 1989 to monitor the implementation of measures against money laundering. The FATF Eight Special Recommendations on Terrorism Financing issued on 31 October 2001 are: 1) Ratification and implementation of UN instruments; 2) Criminalizing the financing of terrorism and associated money laundering; 3) Freezing and confiscating terrorist assets; 4) Reporting suspicious transactions related to terrorism; 5) Increasing international cooperation; 6) Regulating alternative remittance systems; 7) Disclosing wire transfer details; and 8) Regulating non-profit organizations. For more details see www1.oecd.org/fatf/SrecsTF-en.htm.

⁴¹ Qudssia Akhlaque, "443 Al-Qaeda suspects handed over to US," *Dawn*, 6 January 2003.

into the Pakistani territory.⁴² Deployment of over 70,000 regular troops along the Pakistan-Afghanistan border to prevent the Al-Qaeda fighters from crossing the border into Pakistan.

- According to a Department of Defense fact sheet released on 28 May 2002, “Pakistan has provided bases and over flight permissions for all US and coalition forces, deployed a large number of troops along the Afghanistan border, has spent a large portion of its logistical reserves to support the coalition, a very significant contribution in light of the country’s current economic difficulties and self-defence support requirements, and ISI has helped in various phases of the operation.”⁴³

V. Challenges facing Pakistan

The most serious challenge facing Pakistan is the threat from religious Islamic militancy. Scott Sagan calls it the “Jihadi Boomerang”. This threat of homegrown militancy has been compounded by the spill-over effects of the ongoing war against terrorism in Afghanistan. As a consequence, Pakistan has been transformed into, to use Steve Metz’s terminology, a “Category II sanctuary” for terrorist activity. Category II states, according to Metz, tolerate terrorist activity not as a deliberate policy but “because of fear, weakness, or sympathy.”⁴⁴ The fight against terrorism has now become an existential issue for Pakistan. This means that unless the terrorist threat is brought under control, the coherence and viability of the Pakistani society cannot be fully guaranteed.

The second security challenge that Islamabad faces is the rising possibility of war with India on account of Islamabad’s perceived unwillingness to discourage “cross border terrorism” in the Indian-held Kashmir. The relations between India and Pakistan reached their lowest ebb after the December 13 incident of terrorist attack on India’s parliament in which over a dozen people, including five security guards, were killed. Despite Islamabad’s swift and strong condemnation of the attack, Prime Minister Vajpayee accused Islamabad of supporting Kashmiri militant outfits such as Lashkar-i-Tayyiba and Jaish-i-Mohammed, whom he blamed for carrying out the attack.

⁴² “Pakistan deployed 100,000 troops: US,” *Dawn*, 2 August 2002.

⁴³ “US Issues fact-file on Pakistan’s assistance,” *Dawn*, 28 May 2002.

⁴⁴ Category 1 states support terrorist movements as an official policy (e.g. Afghanistan, Syria, and Iraq). Category III states become haven for terrorist activities because their systems of legal and civil rights and their large immigrant communities provide a form of protection. Most of the Western open societies with large concentration of immigrant communities would fall in this category.

Islamabad denied these allegations and accused New Delhi of “stage-managing” the attack to discredit the Kashmiri struggle for freedom and also to give a bad name to Pakistan as a state supporting terrorism. Having warned Islamabad of dire consequences if it failed to address New Delhi’s concerns regarding cross-border terrorism, especially the arrest and handing over to India of Maulana Masood Azhar, head of Jaish-i-Mohammed, who was released from Indian prison as a swap for a hijacked Indian Airliner in late December 1998, India announced that it had begun deploying troops along its border with Pakistan and that its short-range missile had been put “in position.” New Delhi also rejected Islamabad’s call for an independent investigation of the December 13 attack on Indian Parliament and described as “cosmetic” Islamabad’s decision to freeze the financial assets of Lashkar-i-Tayyiba and Jaish-i-Mohammed and to detain the latter’s leader.

Worried that a shooting war between India and Pakistan would derail its ongoing military campaign against Al-Qaeda network of terrorism in Afghanistan, Washington repeatedly called on India and Pakistan to exercise restraint. Following New Delhi’s decision to recall its envoy from Pakistan and announcement of tit-for-tat economic and diplomatic sanctions by both sides, the UN General Secretary Kofi Annan called on Islamabad and New Delhi to “avoid escalating actions and further statements that could aggravate the situation between both countries.”

Despite these calls for restraint, relations between India and Pakistan remained explosively volatile. With warlike noises emanating from New Delhi, on 12 January 2002, President Musharraf in his address to the nation announced a sweeping reform agenda. Condemning the radical Islamists who had set up a “state within a state” unequivocally, he declared his determination to rid the Pakistani society of their pernicious influence. He announced a ban on all sectarian-related activity and set up speedy trial courts to punish those involved in it. Most significantly, he banned six extremist Islamic groups involved in sectarian campaigns in the country including Lashkar-i-Tayyiba and Jaish-e-Mohammed that had already been designated as terrorist groups by the US State Department. Signaling a qualitative shift in Pakistan’s involvement in the Islamic militancy in Kashmir, President Musharraf said, “No organization will be able to carry out terrorism on the pretext of Kashmir.”

Two days before President Musharraf’s landmark speech, Islamabad announced the setting up of National Kashmir Committee, under the presidency of the moderate Sardar Muhammed Abdul Qayyum Khan, former President of Azad Kashmir. The purpose of this Kashmir Committee was to continue the struggle for the rights of the Kashmiri people by new means. Islamabad’s sweeping measures to curb Islamic militancy in Pakistan and to end armed support to the insurgents in Kashmir, however, failed to dissipate the war clouds.

Fearing that war with India was imminent, Pakistan withdrew more than 50,000 troops it had deployed along its border with Afghanistan to prevent the Al-Qaeda and Taliban forces from entering into its territory. Islamabad also informed Washington that in the event of an India-Pakistan war, it would have to reclaim some of its airfields, which had been loaned to the United States for its military operations in Afghanistan.

To prevent looming India-Pakistan war playing havoc with its military campaign against Al-Qaeda forces, Washington launched a frantic diplomatic campaign to defuse the crisis. Following Deputy Secretary of State, Richard Armitage's visit to New Delhi and Islamabad in June 2002, both countries agreed to pull themselves back from the brink of a catastrophic war. In response to President Pervez Musharraf's pledge that he would "permanently" end his country's support for armed militancy in Indian-held Kashmir, New Delhi lifted some of the diplomatic and economic curbs imposed on Islamabad in the wake of the 13 December 2001 terrorist attacks on the Indian parliament.

President Musharraf's decision to limit Islamabad's strategic support for the militancy in Kashmir, while being greeted with howls of "sell out" by Islamic hard-liners in the country, evoked a positive response from New Delhi in May 2003.

India's Prime Minister Atal Behari Vajpayee told the Indian Parliament on 2 May 2003 that he was willing to make his "third and final" effort at peace by agreeing to hold "decisive talks" with Pakistan to resolve the India-Pakistan dispute. Two weeks earlier, during a visit to Kashmir he had said that he wanted to extend the "hand of friendship" to Pakistan, its archenemy with whom India nearly went to war last summer.

Taking advantage of this peace offer, Pakistan's Prime Minister Mir Zafarullah Khan Jamali, called Mr. Vajpayee on 28 April 2003 and thus broke the ice between the two feuding neighbors.

Following their telephonic conversation in which the two prime ministers discussed ways of improving bilateral ties, both sides announced the return of diplomats to each other's capitals and also agreed to re-establish communication and sports links between them.

Islamabad also extended an invitation to Mr. Vajpayee to visit Pakistan and proposed that both sides should "begin talks from where they were left off at Agra and work out an agenda for a tiered dialogue, including summit-interaction." Pakistan also offered to discuss trade issues and measures relating to building confidence and security of both countries nuclear arsenals.

While agreeing to examine these Pakistani proposals "in due course", New Delhi has added the standard caveat that real peace between the two countries is possible only "when there is evidence of Pakistan taking firm and

credible action against cross-border terrorism and to dismantle the infrastructure of support to terrorism.”

Changing course on Kashmir is a very difficult task for Musharraf, especially under the coercive Indian military pressure. In this context, questions are being raised about the ultimate purpose, strategic intent and future use of American military power in the region. Many in Pakistan believe that Islamabad's post 9/11 alignment with the United States has not only made the Musharraf regime totally “servile” to Washington, but also has made Pakistan vulnerable to a US pre-emptive strike against its nuclear assets.

The MMA has publicly and repeatedly called for the removal of American forces from the Pakistani soil and has vowed to pursue this goal as a matter of “national sovereignty, dignity and security.” Qazi Hussain Ahmed, Amir of Jamaat-i-Islami, has publicly described General Musharraf as a “security risk” and there have been at least three reported attempts by the banned Jihadi groups on General Musharraf's life. There is a historical context to these anti-American feelings in Pakistan. Washington's frequent resort to sanctions against Pakistan on nuclear and missile technology issues, perceived American apathy towards Muslim issues, especially with regard to the question of Palestine and perceived lack of balance in American stance on Kashmir, are some of the historical causes underpinning this societal hostility. As a consequence of this, there has been a string of terrorist attacks in Pakistan against American and Western targets. The recent attacks on the Northern Sui Gas Pipeline in Baluchistan have also been linked to the activities of these banned Jihadi groups.

The third challenge posed by the ongoing war on terrorism for Pakistan relates to its substantial financial and economic cost. Pakistan's pivotal role in this war has been a costly affair. Besides turning away the foreign investors and slowing down the domestic economic activity due to political uncertainty, the global war on terror had an adverse impact on the flow of direct foreign investment into the country, Islamabad is estimated to have lost about \$2 billion in export earnings due to cancellation of orders. Pakistan's average annual export earnings are estimated to be 8 billion dollars during the current financial year as against the annual average of 10.2 billion dollars.

As the foregoing suggests, Islamabad's participation in the US-led global war on terrorism has enormously complicated the internal and regional security environment of the country. Despite this myriad of challenges, the Musharraf government has shown great resolve and commitment to be on the “right” side of history. While playing the role of a frontline state in the global war on terrorism, Islamabad has insisted that its position on the question of international terrorism is governed by a strategic framework in which a distinction between freedom fighters and terrorists is clearly drawn on the one hand and the need for global efforts to address and eliminate the root causes

of terrorism recognized on the other.⁴⁵ In his speech to students at the Beijing University on 4 November 2003, President Musharraf described the ongoing operations against Al-Qaeda and the Taliban, Hamas and Hezbollah as “short-term” and of limited “tactical value” and emphasized that “long-term strategy lies in addressing the root causes of terrorism.” He proposed a five-pronged strategy to help create a terrorism-free environment in the world.⁴⁶

As Islamabad tries to cope with the multiple strains of its convulsive security environment, there are a number of things that Washington can do to help Pakistan overcome the heavy odds.

First and foremost, the US should not treat Pakistan in instrumental terms – “merely as a means to a larger end, once containing Communism, now destroying Islamic terrorism.” Many Pakistanis feel that US gives short shrift to Pakistan’s legitimate security needs, apparently at the behest of influential lobbies.

Second, as a corollary, the US must stay positively engaged with Pakistan over the long haul. The US must commit itself to a long-term programme of economic and political support to help Pakistan stabilize its struggling economy and stagnating social development.

Washington should play a lead role in finding a resolution of the Kashmir dispute, which remains at the core of India-Pakistan confrontation. Islamabad’s quest for “strategic depth” in its conflict with India was the primary reason for its support for the odious Taliban and the militancy in Kashmir.

Finally, one area in which the international community and the United States can make a big difference in Pakistan is the realm of education. 57% of Pakistani population is totally illiterate, 18% is literate up to the primary level, just 9% reaches middle school, and only 3.7% holds graduate

⁴⁵ In his address to the 57th session of the UN General Assembly on 12 September 2002, President General Pervez Musharraf told the world body that “...there is a need to address the root causes of terrorism. It is not religion, which impels a terrorist act; it is a sense of frustration and powerlessness to redress persistent injustices. When a people’s right to self-determination and freedom are brutally suppressed by foreign occupation, they will be driven to put up resistance by all means. Terrorist attacks must be condemned. But acts of terrorism by individuals or groups cannot be a justification to outlaw the just struggle of a people for self-determination and liberation from colonial or foreign occupation. Nor can it justify state terrorism.” *Address by the President General Pervez Musharraf at the 57th Session of the UN General Assembly, 12 September 2002. Document No. 11, IPRI Journal (Winter 2003), p. 237.*

⁴⁶ These steps include a strong UN system, peaceful resolution of disputes, rejection of terrorism in all forms and manifestations, tolerance and understanding for other political and social systems, values and cultures and creation of an equitable and just economic order. See “Musharraf for tackling root cause of terrorism,” *The News*, 5 November 2003.

and post-graduate level degrees. The gender disparity in this educational profile of the country is simply dismal: 80% of the female population is illiterate, 7.1% is literate up to the primary level, only 1.5% reaches Middle School. Pakistan's future hinges on reversing this appalling situation in the field of education. In responding to the threat of terrorism we must not forget that terrorism feeds off the parasitic dialectics of Jihad and poverty. And poverty as a human condition cannot be ameliorated unless people are empowered through education. There are as many Pakistani children going to Madrassas in the country as there are in public schools. The number and the quality of the latter must improve if this alarming trend is to be reversed. Reacting to the anti-American hatred fostered by 10,000 Madrassas in Pakistan, the former American Ambassador to Pakistan, Wendy Chamberlin had very wisely said: "the future of American security depends on the quality of education in Pakistan." One could only add that the future of nuclear Pakistan also depends on the quality of education in Pakistan. ■

POLITICAL RESTRUCTURING AND TRANSITION TO DEMOCRACY IN PAKISTAN: 1999-2002

Rashid Ahmad Khan*

Introduction

With the swearing in of Mir Zafarullah Khan Jamali as the elected Prime Minister of Pakistan on 21 November 2002, the fourth military regime of Pakistan came to an end.¹ The Proclamation of Emergency announced by the Chief of the Army Staff (COAS) on 14 October 1999 and the Provisional Constitution Order (PCO) of 1999 were rescinded.² General Pervez Musharraf, who assumed power on 12 October 1999, relinquished the office of Chief Executive and was sworn in as President of Pakistan on the basis of the mandate he secured in the Presidential

* Dr. Rashid Ahmad Khan is Senior Research Fellow at Islamabad Policy Research Institute.

¹ Pakistan's first military regime headed by Chief Martial Law Administrator (CMLA) General Mohammad Ayub Khan lasted from 8 October 1958 to 7 June 1962 when a civilian order with a presidential form of government was established under the 1962 Constitution. On 24 March 1969 the then Commander-in-Chief (C-in-C) of the Armed Forces of Pakistan, General Agha Mohammad Yahya Khan abrogated the 1962 Constitution and placed the country under Martial Law, assuming the powers of President and CMLA. General Yahya Khan resigned on 22 December 1971, and Zulfikar Ali Bhutto, the leader of the Pakistan Peoples Party (PPP) that had won majority of seats from West Pakistan in the 1970 elections, was sworn in as President and CMLA. Martial Law, however, was lifted on 13 April 1972, when the Interim Constitution was promulgated. On 5 July 1977 the then Chief of the Army Staff (COAS), General Mohammad Zia ul Haque enforced Pakistan's third Martial Law and assumed the powers of CMLA-President. The Constitution, however, was not abrogated, it was held in abeyance till 30 December 1985 when Martial Law was lifted. COAS, General Pervez Musharraf removed the government of the then Prime Minister Mohammad Nawaz Sharif on 12 October 1999; suspended the National Assembly, the Senate and the provincial assemblies, and dismissed the provincial governments. The Constitution of 1973 was held in abeyance and an emergency was declared throughout the country under a Proclamation of Emergency issued on 14 October, 1999. The country, however, was not placed under Martial Law and instead of declaring himself as CMLA; General Musharraf assumed power as the Chief Executive.

² The Proclamation of Emergency issued on 14 October 1999 and the Provisional Constitution Order No. 1 of 1999 validated by the Supreme Court of Pakistan in its judgment dated the 12 May 2000, formed the basis of authority of Chief Executive General Pervez Musharraf during the period the Constitution of 1973 remained in abeyance.

Referendum held on 30 April 2002. He, however, retained the office of the Chief of the Army Staff.

The National Assembly formed on the basis of elections held on 10 October 2002 elected Mir Zafarullah Khan Jamali as the Prime Minister of the country. The elections were held in the light of the judgment of the Supreme Court of Pakistan in *Zafar Ali Shah v. COAS* case announced on 12 May 2000. In its judgment the Supreme Court, while endorsing the military take over of 12 October 1999 by COAS General Pervez Musharraf and validating the Proclamation of Emergency of 14 October 1999 and the Provisional Constitution Order No. 1 of 1999, allowed General Musharraf to exercise powers as Chief Executive for a period of three years “with effect from the date of the Army takeover i.e. 12th October, 1999 for achieving his declared objectives.” In the same judgment the Supreme Court also observed that “the Chief Executive shall appoint a date, not later than 90 days before the expiry of the aforesaid period of three years for holding a general election to the National Assembly, the Provincial Assemblies and the Senate of Pakistan.”³ In compliance with the time frame given by the Supreme Court for holding elections to the National Assembly, the Provincial Assemblies and the Senate of Pakistan, the Chief Executive issued The Conduct of General Elections Order 2001 (Chief Executive’s Order No. 7 of 2002) on 27 August 2002. The elections were to be held under this order. But before this, the Military Government had introduced a series of reforms aimed at political restructuring in the country.

The Focus and Scope of the Paper

This paper aims at critically evaluating the process of political restructuring initiated by the military regime of Pakistan headed by Chief Executive General Pervez Musharraf from 12 October 1999 to 10 October 2002, focusing on those reforms, changes and constitutional amendments that were directly or indirectly related to elections. In addition, an attempt will be made to judge whether and how these measures affected the process (campaign, participation and conduct) and outcome (the composition of assemblies and Senate) of the October elections. In other words, the purpose of the paper is to find to what extent the goal of transition to democracy in Pakistan was achieved by holding elections on 10 October within the constraints of the plan for political restructuring introduced by the Military Government of Pakistan. The paper, although it contains reference to the on-going Government-Opposition dialogue on the Legal Framework Order (LFO), will not discuss developments that took place after the elections.

³ Supreme Court of Pakistan, *Short Order* dated 12 May 2000 in Abrar Hassan, *Decisions of Superior Courts of Pakistan* (Karachi: Asia Law House, 2001), p. 788.

Political Restructuring in the Historical Perspective

Political restructuring under military rule is not a new phenomenon in the history of Pakistan; nor is it confined to the military regime of General Pervez Musharraf. The first military ruler of Pakistan, Field Marshal Mohammad Ayub Khan (1958-69), attempted to reform the political system of Pakistan through a new constitution in 1962, based on a presidential form of government and a system of indirect elections to the National Assembly, provincial assemblies and office of the President. The Local Government members of the newly created system known as Basic Democracies (BDs) , numbering 80,000 from both parts of the country, were converted into an electoral college for the election of members to the federal and provincial legislatures, and the president of the country. Field Marshal Ayub Khan was motivated to introduce a presidential form of government by his belief that a parliamentary system of government would impede the process of economic development and lead to the disintegration of the country. But he concentrated so many powers in the hands of the centre that, under the 1962 Constitution, Pakistan practically ceased to be a federal state. Instead of strengthening the unity and integrity of the country, this constitution is believed to be one of the factors responsible for the separation of East Pakistan⁴, thus defeating its own purpose.

General Yahya Khan abrogated the 1962 Constitution and placed the country under Martial Law on 24 March 1969. He had his own plan for political restructuring. This plan, known as Legal Framework Order (LFO), was unveiled before holding Pakistan's first general elections in December 1970. Under LFO (1970), the elections to the National Assembly and provincial assemblies were to be held directly and on the basis of universal adult franchise with one-man-one-vote. However, the Assembly so elected did not have unfettered powers of sovereignty. The LFO promulgated by General Yahya Khan required it to frame the Constitution within 120 days "from the date of its first meeting" and, if it failed to do so, would "stand dissolved."

There were two other limitations placed on the Assembly: one, if the Constitution Bill passed by the Assembly was refused authentication by the President, it was to stand dissolved (Article 25); and two, the Assembly had no power to make any amendment in the LFO announced by General CMLA-President (Article 27-2). These legal measures were meant to facilitate an orderly and smooth transfer of power from the military to the elected civilian leadership. But instead of resulting in the restoration of democracy in Pakistan,

⁴ Justice (retd.) Nasim Hassan Shah, interview in Rashid Ahmad Khan, *Pakistan Ki Aini Tarikh* (Constitutional History of Pakistan), Pakistan Television (PTV) Series, August-September, 2002. For a detailed account of Ayub Khan's Martial Law period, see Herbert Feldman, *Revolution in Pakistan; A Study of Martial Law Administration-1962-69* (Karachi: Oxford University Press, 2001).

it led to civil war and the ultimate separation of the eastern wing from Pakistan. Some of the policy measures taken by General Yahya Khan were positive responses to the democratic aspirations of the people of Pakistan as expressed in the mass movement against the autocratic system of Ayub Khan under the 1962 Constitution. For example, he agreed to dissolve One Unit as unanimously demanded by the Combined Opposition Parties (COP). The constitutional formula of parity between East and West Pakistan, on which the two earlier constitutions of Pakistan (of 1956 and 1962) were based, was replaced by the democratic principle of one-man-one-vote. The system of indirect elections as provided under the 1962 Constitution was replaced by the method of direct elections on the basis of universal adult franchise; and the demand for a parliamentary form of government was accepted. However, the constraints on the Assembly under Articles 25 and 27-A of the LFO proved to be counterproductive. Had the Assembly been empowered to amend LFO, it could have extended the mandatory period of 120 days to bring in-house parleys on the future constitution of the country to a satisfactory conclusion.

Like his predecessors, Pakistan's third military ruler, General Ziaul Haque, had his own agenda for constitutional and political reform. Unlike Ayub Khan and Yahya Khan, he did not abrogate the (1973) Constitution but held it in "abeyance" for eight years, five months and twenty-six days of martial law--the longest in the history of Pakistan. The martial law government of General Ziaul Haque amended the Political Parties Act of 1962, providing for the registration of political parties with the Election Commission and submission of accounts in order to qualify to contest elections (Section 3-B). However, after the death of General Ziaul Haque in a plane crash in August 1988, the Supreme Court of Pakistan declared the condition of registration of political parties with the Election Commission void.⁵ In 1983, CMLA-President General Ziaul Haque issued the Revival of Constitution Order (RCO) under which a number of articles of the 1973 Constitution were amended. Some clauses were changed, omitted, or added.⁶ In 1985, the

⁵ *Benazir Bhutto vs Federation of Pakistan*, PLD, 1988, Supreme Court of Pakistan, p. 541.

⁶ Some of the amendments made in the 1973 Constitution under RCO (1983) included:

- (1) Insertion of Article 2-A, making the Objectives Resolution of 1949 a substantive and effective part of the Constitution.
- (2) Expansion of the Electoral College for the election of President to include both Houses of Parliament and all the four Provincial Assemblies (with equal weightage given in terms of votes in each Provincial Assembly).
- (3) The seats reserved for the women were increased from ten to twenty.
- (4) Where the National Assembly was dissolved at the discretion of the President, a caretaker cabinet could be appointed till such time that the election of Prime Minister had taken place on the reconstitution of National Assembly after the elections.

National Assembly formed as a result of the party-less elections of March 1985, retained some of the amendments made under RCO and gave approval to a package of constitutional amendments under the Eighth Amendment. The most important change under the Eighth Amendment was the insertion of a new clause 58 (2-b), which empowered the President to dissolve the National Assembly in his discretion when, in his opinion, a situation had arisen in which the Government of the Federation could not be carried on in accordance with the provisions of the Constitution, and an appeal to the electorate had become necessary.⁷

The RCO had introduced sweeping changes in the original 1973 Constitution, tilting the balance of power heavily in favour of the President. In fact, RCO had seriously undermined the parliamentary character of the government introduced under the 1973 Constitution as “the balance of power had clearly shifted in favour of the President...and the office of the Prime Minister was relegated to a subservient and subordinate position.”⁸ Therefore, the National Assembly, though elected on a non-party basis in March 1985, modified some of the proposals contained in the RCO. These modifications

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- (5) The number of members of the Senate was increased from sixty-three to eighty-seven.
 - (6) The President, could, at his discretion appoint any member of the National Assembly as Prime Minister who in his opinion could command the confidence of the majority of the members of the National Assembly. However, a Prime Minister so appointed had to obtain a vote of confidence from the National Assembly within sixty days. The Prime Minister was to hold office during the pleasure of the President, but the President could not remove him unless he was satisfied that the Prime Minister no longer commanded the confidence of the majority of the members of the National Assembly.
 - (7) Federal Ministers and Ministers of State were to be appointed by the President on the advice of the Prime Minister.
 - (8) The number of general seats for Muslims was increased from 200 to 207. Ten seats were reserved for minorities.
 - (9) Separate Electorate was introduced in Pakistan for the first time.
 - (10) Additions to Article 62 and 63 were made to provide for new conditions for the qualifications and disqualifications of candidates in the election to the Parliament.
 - (11) The executive authority of the Federation was to vest in the President, to be exercised by him either directly or through officers subordinate to him in accordance with the Constitution.
 - (12) A National Security Council was to be constituted under Article 152-A, which was to include the President, the Prime Minister, the Chairman of the Senate, the Chairman Joint Chiefs of Staff Committee and Chiefs of the three armed forces. See Hamid Khan, *Constitutional and Political History of Pakistan*, (Karachi, Oxford University Press, Second Impression 2002) pp.668-674.

⁷ Government of Pakistan, *Act XVII (Amendment) of 1985, Gazette of Pakistan, Extraordinary, 11th November 1985.*

⁸ Khan, *Constitutional and Political History of Pakistan*, p. 674.

whose cumulative effect was “to reduce the powers of the President a little bit and to correspondingly extend the powers of the Prime Minister and the Cabinet” were approved by the Assembly under a package known as the Eighth Amendment.⁹ Under the Eighth Amendment;

- (1) The President was required to act on the advice of the Prime Minister and the Cabinet.
- (2) The period for giving Presidential assent to a bill passed by the Parliament was reduced to thirty days, instead of forty-five days as proposed in the RCO.
- (3) Article 58 (2-b) was retained. But a new condition on the exercise of powers by the President under this Article was added, whereby the President could dissolve the National Assembly provided that in his opinion, the Government could not be run in accordance with the provisions of the Constitution and an appeal to the Electorate had become necessary.
- (4) The President retained the powers to appoint in his discretion, Chiefs of Armed Forces and Chief Election Commissioner.
- (5) The power of the President to appoint the Prime Minister was limited to a period of five years, that is, until 20 March 1990, after which the Prime Minister was to be elected by the majority of the members of National Assembly.
- (6) The proposal for the establishment of a National Security Council was dropped.
- (7) All the President’s orders, ordinances, Martial Law Regulations, Martial law Orders, Referendum Order 1984 (under which General Ziaul Haque was elected President for five years), the RCO and the constitutional amendments made by General Ziaul Haque from time to time were affirmed and, for this purpose, a new article (Article 270-A) was added to the Constitution.

Ever since it was passed in 1985, the Eighth Amendment has remained controversial. Political parties opposed to the martial law rule of General Ziaul Haque termed it undemocratic and against the parliamentary structure of the government as envisaged by the original 1973 Constitution. Opposition to the Eighth Amendment gained momentum after the President, using his powers under this provision of the Constitution, dissolved four democratically elected assemblies.¹⁰ The General Elections held in February

⁹ Ibid., p. 676.

¹⁰ The four dismissals of democratically elected federal governments and national assemblies were: (1) dismissal of the Junejo Government and dissolution of National Assembly by General Ziaul Haque in 1988; (2) the 1990 dissolution of the National Assembly and the removal of the Benazir Bhutto Government by President Ghulam Ishaq Khan; (3) the 1993 dissolution of the National Assembly and dismissal of the Government of Nawaz Sharif by President Ishaq Khan; and (4)

1997 returned the Pakistan Muslim League (N) headed by the former Prime Minister Nawaz Sharif to the new National Assembly with more than two-third majority. His party was therefore in a convenient position to amend the Constitution. Under the Constitution (Thirteenth Amendment) Act 1997, passed by the Assembly on 4 April 1997, the powers granted to the President under Article 58 (2-b) to dissolve the National Assembly in his discretion were done away with, and parliamentary supremacy as provided by the original 1973 Constitution was restored.

The Thirteenth Amendment was passed by the National Assembly elected in the 1997 elections in the wake of a bitter struggle between President Leghari and the PPP government of Ms Benazir Bhutto, costing the latter her position as Prime Minister. The new government of Prime Minister Nawaz Sharif did not want to suffer the same fate at the hands of a President armed with the lethal power of Article 58-2 (b). One of the first things Prime Minister Nawaz Sharif did after winning the 1997 elections was to strike at the discretionary powers of the President under the Eighth Amendment.

A review of the constitutional and political history of Pakistan from the first martial law of General Ayub Khan to the third martial law under General Ziaul Haque reveals that unilateral efforts to restructure the country's political system invariably failed. Authoritarian strands inserted into the body politic of Pakistan through arbitrary constitutional changes and amendments were gradually pulled out by assertive democratic elements reflected in the supremacy of parliament. Both Ayub Khan and General Ziaul Haque tried to mould the political system of Pakistan according to their own world-view. They failed because their decisions did not enjoy the general support of the people of Pakistan. Ayub Khan replaced the parliamentary form of government with a presidential system under the 1962 Constitution and prescribed indirect methods of elections for the President and members of the National Assembly. But in less than eight years, the political and constitutional structure based on this constitution collapsed; and General Yahya Khan, who took over in March 1969, had to accept popular demands for the restoration of parliamentary democracy and direct elections based on the principle of one-man-one-vote. These principles were incorporated in the Legal Framework Order (LFO) issued by General Yahya Khan as the basis for holding Pakistan's first general elections in 1970. The Constitution of 1973 providing for parliamentary supremacy and fundamental democratic rights embodied the desires and aspirations of the people of Pakistan as expressed during the mass movement of 1968-69 against the authoritarian political system of Ayub Khan. The Constitution was also unanimously supported by representatives of all the

the dismissal of the second government of Benazir Bhutto and dissolution of the National Assembly by President Farooq Ahmad Leghari in 1996.

political parties in the National Assembly elected in the 1970 elections. This is why the 1973 Constitution is generally accepted as consensus Constitution.

General Ziaul Haque introduced changes in the constitution with the conviction that a balance of power between President and Prime Minister was necessary to ensure the stability of the political system based on the 1973 Constitution. He defended the constitutional amendments under RCO with the argument that the powers of the President were enhanced without reducing the authority of the Prime Minister and a balance was struck between the two. He was of the view that the crisis of 1977 could not be resolved because there was a gross imbalance between the powers of the President and those of the Prime Minister under the original 1973 Constitution. He sought to remove this lacuna in 1977 according to the constitutional and political requirements of Pakistan.¹¹ In introducing various constitutional amendments, General Zia was also motivated by his strong desire to Islamize the political system of Pakistan. He stated this unequivocally in his address to the nation on the assumption of power on 5 July 1977. With a view to implementing his plan, he introduced a number of steps, one of which was the replacement of Joint Electorate system for holding elections to the representative and legislative bodies in Pakistan with a Separate Electorate system. The 1985 elections to the National Assembly and the four provincial assemblies in Pakistan were held on the basis of this system. However, the minorities never accepted it, and some of the mainstream parties also remained opposed to it. But since the restoration of the previous system required an amendment in the constitution, it was not restored till the military government of General Pervez Musharraf decided to hold elections on the basis of Joint Electorate. Thus, two of the main components of the political structure of General Ziaul Haque based on the Eighth Amendment, namely, Article 58-2 (b) and Separate Electorate, were removed, paving the way for the restoration of parliamentary supremacy as envisaged in the 1973 Constitution.

Although structural changes in the political system of Pakistan introduced by Field Marshal Ayub Khan and General Ziaul Haque did not last long and Pakistan's polity soon reverted to a democratic dispensation based on the supremacy of the parliament, the significance of these moves for the transition from direct military rule to a civilian order should not be underestimated. The first of these moves brought to an end about four years of martial law. The Constitution (1962) restored representative and elective institutions, integrated the Local Government Bodies (Basic Democracies) in the political system, restored the fundamental rights of the people and powers

¹¹ Interview with General Ziaul Haque by a panel of editors of national newspapers in Islamabad on 3 March, 1985, published by the Ministry of Information, Government of Pakistan, Islamabad, cited in Khan, *Constitutional and Political History Of Pakistan*, p. 664.

of the judiciary, allowed political parties to function and set the whole political process in motion. The benefits that these measures brought to the people of Pakistan were enormous, as the rule of law replaced martial law, and the people could now get relief for their grievances from civilian authorities and courts of law. The level of people's participation in the local, general and presidential elections showed that they accepted the system as a change for the better.

It should also be noted that powers under Martial Law had enabled Ayub Khan to introduce certain social reforms that have proved to be more enduring than his political reforms. These measures included Muslim Family Laws, which liberated many Pakistani women from the unfair exercise of certain traditional Islamic institutions, notably plural marriage and divorce by *talaq*. Certain conservative groups disliked these changes, and they maintained steadfast opposition to them, which continues to this day. However, it seems unlikely that the law either will, or could be, reversed or nullified. In any case, the number of legal notices appearing in the newspapers by aggrieved or deserted wives is testimony enough to the utility of some changes Ayub Khan brought about.¹²

Similarly, the decision of General Ziaul Haque to replace the repressive Provisional Constitution Order (PCO) with the Revised Constitution Order (RCO) in 1983 was greeted by the people of Pakistan as a welcome change.¹³ The PCO had granted the CMLA-President General Ziaul Haque sweeping powers to consolidate his position as an authoritarian ruler over Pakistan. He used the powers under PCO to validate all his actions,

¹² The Herbert Feldman Omnibus, *Revolution in Pakistan: Study of Martial Law Administration* Book II (Karachi: Oxford University Press, 2001), pp. 9-10.

¹³ The Provisional Constitutional Order (PCO) was enforced by CMLA General Ziaul Haque in March 1981. Under this Order:

- (1) All fundamental rights provided in the 1973 Constitution and the provisions for their enforceability were suspended.
- (2) The powers of Higher Judiciary were drastically reduced.
- (3) Only those political parties, which had registered themselves with the Election Commission, would be allowed to function whenever political activities were restored. All other political parties stood dissolved and their funds forfeited to the Federal Government.
- (4) The CMLA-President assumed the power to amend the Constitution.
- (5) All judges of the Supreme Court, High Courts and the Federal Shariat Court, including the Chief Justices, were required to take an oath under the PCO.
- (6) Judges who took oath under PCO, were bound by the provisions of PCO and could not call into question or even permit it to be called into question the validity of its provisions.

According to Hamid Khan, the PCO issued by General Ziaul Haque fell heavily on the judiciary and drastically curtailed its powers and position. "The judiciary was so demoralized that no judge could entertain the thought of defying the Martial Law Government." Khan, *Constitutional and Political History of Pakistan*, pp. 648-49.

decisions, orders, ordinances and directives issued since 5 July 1977. Under PCO political parties were repressed in Pakistan and all political activities were banned. The media was under full control of the government while press censorship of the worst kind was imposed.¹⁴ When we compare PCO with RCO, the latter was much better in terms of rights, freedoms and liberties as defined in the Constitution of 1973. As a leading constitutional expert has remarked;

Although RCO brought some basic changes in the structure of the Constitution, which were to create constitutional and political crises later on, it was a step towards the restoration of civilian government under the 1973 Constitution, even though greatly defaced. It was certainly some progress over what the people had experienced during the previous eight years. At least with the introduction of RCO, the reprehensible PCO had come to an end.¹⁵

General Musharraf's Military Rule

The military takeover by the Chief of the Army Staff (COAS), General Pervez Musharraf, on 12 October 1999, made some significant departures from similar exercises under General Ayub Khan and General Ziaul Haque. Unlike the previous three military rulers of Pakistan, namely Field Marshall Ayub Khan (1958-69), General Yahya Khan (1969-72) and General Ziaul Haque (1977-88), General Musharraf did not declare martial law in the country. The Constitution of 1973 was not suspended, it was held in abeyance. Instead of dissolving the National Assembly, the Provincial Assemblies and the Senate, these representative legislative bodies were suspended.¹⁶ The Military Government did not ban the political parties and political activity was not prohibited. The whole country was, however, placed under the control of the Armed Forces.¹⁷ The Provisional Constitution Order No.1 of 1999 further elaborated the character of the military regime that assumed power on 12 October 1999. Under this Order, General Pervez Musharraf assumed the title of Chief Executive. The PCO further provided that:

- (1) Pakistan shall, subject to PCO and any other Orders made by the Chief Executive, be governed as nearly as may be in accordance with the Constitution.

¹⁴ Ibid., p. 655.

¹⁵ Ibid. p. 674.

¹⁶ However, in an Order issued in June 2001, these bodies were dissolved to pave the way for new elections.

¹⁷ Government of Pakistan, Cabinet Division, "Proclamation of Emergency", Islamabad, 14 October 1999.

- (2) All Courts in existence immediately before the commencement of this Order shall continue to function. However, the Supreme Court, High Courts and any other court shall not have the power to make any order against the Chief Executive or any person exercising powers or jurisdiction under his authority.
- (3) The fundamental rights conferred by Chapter 1 of Part II of the Constitution not in conflict with the Proclamation of Emergency or any Order made thereunder from time to time shall continue to be in force.
- (4) The President shall act in accordance with the advice of the Chief Executive.
- (5) No court, tribunal or authority shall call or permit to be called in question, the Proclamation of Emergency of 14th Day of October 1999 or any order made in pursuance of that.¹⁸

The address to the nation by Chief Executive, General Pervez Musharraf, on 17 October 1999 sheds further light on the nature of the change that had taken place on 12 October 1999. In this address, General Musharraf said:

“The choice before us on 12th October was between saving the body (that is the nation) at the cost of losing a limb (which is the Constitution) or saving the limb and losing the whole body. The Constitution is but a part of the nation, I chose to save the nation and yet took care not to sacrifice the Constitution. The Constitution has only been temporarily held in abeyance. This is not MARTIAL LAW, only another path towards democracy. The Armed Forces have no intention to stay in charge any longer than is absolutely necessary to pave the way for true democracy to flourish in Pakistan.”¹⁹

Commitment to the Restoration of Democracy

The Military Government of General Pervez Musharraf was, therefore, committed to restoring democracy in the country from the very beginning. However, like previous military rulers of Pakistan, it possessed its own views on the form of democracy (true democracy) needed for the country. These views were expressed by General Musharraf from time to time in his speeches and statements; and finally were presented before the nation in June 2002 in the form of Proposals for Political and Constitutional Changes. After an

¹⁸ Government of Pakistan, Cabinet Division, *Provisional Constitution Order I of 1999 No10/1999-Min. 1*.

¹⁹ Government of Pakistan, *Toward Authentic and Enduring Democracy in Pakistan*, (Islamabad: Directorate of Films and Publications, Ministry of Information and Media Development, 2000), p. 22.

extensive public debate, General Pervez Musharraf announced modified proposals on 22 August 2002 in the form of the Legal Framework Order (LFO). But before we discuss LFO, which embodies the military regime's blueprints for political restructuring, it would be useful to refer to the 7-Point Agenda of the Military Government announced by the Chief Executive in his address to the nation on 17 October 1999; and the short Order of the Supreme Court of Pakistan on the Constitution Petition under article 184 of the Constitution, popularly known as the Zafar Ali Shah *vs.* General Pervez Musharraf, Chief Executive case of 12 May 2000. Both these documents bear relevance to the main focus of the paper, that is, the scope and the limitations of the restructuring of the political system of Pakistan that the Military Government thought it was competent to do.

The 7-Point Agenda reflected the aims and objectives of the Military Government as announced by General Pervez Musharraf in his address to the nation on 17 October 1999:

- (1) Rebuild national confidence and morale.
- (2) Strengthen federation, remove inter-provincial disharmony and restore national cohesion.
- (3) Revive economy and restore investor's confidence.
- (4) Ensure law and order and dispense speedy justice.
- (5) De-politicize state institutions.
- (6) Devolve power to the grass-root level.
- (7) Ensure swift and across the board accountability.

This agenda served as the basis for the Military Government to take a number of initiatives for political restructuring, such as Devolution of Power Plan announced by the Chief Executive in March 2000. We will give the details of the Devolution of Power Plan later; but let us first examine the Short Order of the Supreme Court and see how it defined parameters for the Military Government to introduce changes/amendments in the constitution in order to achieve its goal of political restructuring.

In its Short Order, the Supreme Court:

- Justified the military take over of 12 October 1999 on the basis of the Doctrine of State Necessity.
- Held the Constitution of 1973 as the supreme law of the land "subject to the condition that certain parts thereof have been held in abeyance on account of the Doctrine of State Necessity".
- Held that the Superior Courts would continue to function under the 1973 Constitution.
- Empowered the Chief Executive to perform all acts or legislative measures, which were in accordance with, or could have been

made under the 1973 Constitution, including the power to amend it.

- Decided that no amendment would be made in the salient features of the Constitution i.e. independence of judiciary, federalism, parliamentary form of government blended with Islamic provisions.
- Declared the current electoral rolls outdated and ordered the preparation of fresh electoral rolls followed by delimitation of constituencies.
- Allowed the Chief Executive a period of three years with effect from the date of Army take over i.e. 12 October 1999 for achieving his declared objectives.
- Directed the Chief Executive to appoint a date, not later than 90 days before the expiry of the aforesaid period of three years, for holding a general election to the National Assembly and the Provincial Assemblies and the Senate of Pakistan.²⁰

The Basis and Parameters of Political Restructuring

While the 7-Point Agenda announced by the Chief Executive General Pervez Musharraf in his address to the nation on 17 October 1999 provided the basis for the functioning of the Military Government, the Short Order issued by the Supreme Court of Pakistan on 12 May 2000 fixed the parameters of any measure it might take for the achievement of its declared objectives.²¹ Item number 6 of the 7-Point Agenda of the Military Government called for the devolution of power to the people at grass-root level. In pursuance of this objective, the Chief Executive General Pervez Musharraf in a statement on 23 March 2000 outlined the Devolution of Power Plan, In this statement, General Musharraf said; “The political structure, we plan, involves a trilateral distribution of responsibilities between the centre, the provinces and the district representing the (lowest) rung of democracy.” According to the plan for District and Local Government, as spelt out by the Chief Executive, elections were to be held at three levels: direct elections at the Union Council and District levels and indirect elections for the Tehsil Councils.²² Explaining the objective of the Plan, the Chief Executive said, “The new

²⁰ Ibid. pp. 11-15.

²¹ See Para 6, Clause (I) and Sub. Clause (d) of Short Order of the Supreme Court of Pakistan, p. 12-13.

²² For details of the Outline of the Plan for Devolution of Power, see Government of Pakistan, *Devolution of Power and Responsibility: Establishing the Foundation of Democracy*, (Islamabad: Directorate of Films and Publications, Ministry of Information and Media Development, 2000).

redistribution of power and responsibility between the Federation, the provinces and districts represents a real, authentic, fundamental change in the structure of governance of our country.” Towards the end of his statement, General Musharraf said: “We would like to open this local governance plan for a thorough analysis/debate in the national media, stretching from now to 14 August, 2000, on which date the final shape of the District Government will be decided and the implementation machinery for the elections set into motion.”²³

The Devolution of Power Plan-2000 and ‘Real Democracy’

After incorporating various suggestions and recommendations emerging from a four-month long public debate, the Devolution of Power Plan was finally presented to the nation by the Chief Executive General Pervez Musharraf on 14 August 2000 as his “top priority”, which, according to him, was to “have far reaching effects to change the fate of the country.” Introducing the Plan, the Chief Executive said,

In the very beginning, I have stated that I want to bring real democracy and I want to restore real democracy in the country, not sham democracy. I have been talking about essence of democracy. Sham democracy is just for the privileged class and their off springs. We want to wipe out this kind of democracy. We have started this democratic process from the lower strata, from the level of masses, common people. We have started it from District, Tehsil and Union Council Level. Had we started it from the top, it would have meant that we were handing the power to the same privileged people again and not the masses.²⁴

In its final shape, the Local Government Plan provided for the establishment of a three-tier system of government, namely, District government, Tehsil government and Union government.

The District government comprises the Zila Nazim, the Naib Zila Nazim, the Zila Council and the District Administration. The function of the Zila Nazim was to ‘provide political leadership for the development of the district’ and to be “in a position to influence policies that could improve both the current quality of life and the future development prospects of a district in collaboration with the Tehsil Nazims.”

²³ Ibid.

²⁴ Government of Pakistan, *Address to the Nation By Chief Executive General Pervez Musharraf, Islamabad, 14 August 2000* (Islamabad: Directorate General of Films and Publications, Ministry of Information and Media Development, 2000).

“We wanted to establish a new political order and entire system of local government was the foundation of the new order.” Lt. General ® Tanvir Hussain Naqvi, Chairman, National Reconstruction Bureau (NRB), *The News* (Rawalpindi), 15 September 2002.

The Tehsil government includes the Tehsil Nazim, the Naib Tehsil Nazim, the Tehsil Council and the Tehsil administration. The primary function of the Tehsil government is the provision and coordination of municipal services to both the urban and rural areas across the whole area of the Tehsil. The second function of the Tehsil government is the development through land use control and master planning for every town and village across the whole Tehsil. The third function of the Tehsil government is to monitor the work of the Tehsil administration and district government officials located in the Tehsil.

The Union government comprises the Union Nazim, the Naib Union Nazim, the Union Council and the Union administration. All Union Councils are supposed to undertake local level development projects and the monitoring of citizen's rights, security and services. Provision of monitoring reports to the Tehsil and District level administrations as well as Zila Councils and Tehsil Councils and their Committees will constitute a major function. They will also closely work with village Councils in the rural areas and Citizen's community boards in both rural and urban areas. The plan envisages this coordination to entail promoting direct citizen involvement in development activities, including support to their micro-projects.²⁵

Devolution of Power plan and Political Re-structuring

The Devolution of Power Plan enjoyed top priority on the agenda of the Military Government for political re-structuring; and for the purpose of its sustainability, the plan has been given constitutional cover under the Legal Framework Order (LFO) enforced by Chief Executive President General Pervez Musharraf in August 2002. After the announcement of the final plan, the phased elections, starting from 31 December 2000, were held for Nazims and Naib Nazims at all levels, Union Councils, Tehsil Councils and Union Councils. Direct elections on the basis of universal franchise were held only at Union Council level. The minimum voting age for voters was reduced to 18 years. The elections, were, however, held on the basis of separate electorate.

Election Commission and Political Parties

In addition to the enforcement of the Devolution Plan as the major initiative for political restructuring, the Military Government also changed the composition and powers of the Election Commission of Pakistan and introduced new rules for the political parties. The number of members of the Election Commission was increased to four, "each of whom shall be a judge of the High Court of each province, appointed by the President after consultation with the Chief Justice of the High Court concerned and the Chief

Election Commissioner.”²⁶ Under the Political Parties Order, 2002, (Chief Executive’s Order No. 18 of 2002), intra-party elections were made compulsory for political parties desirous of taking part in the elections. Under the same order, political parties were prohibited from promoting “sectarian, regional or provincial hatred or animosity”. The Order also forbade political parties from imparting any military or para-military training to its members or other persons.²⁷

Constitutional and Political Reforms package

On 26 June 2002, the National Reconstruction Bureau (NRB) announced for public debate a package of constitutional and political reforms, proposing changes, amendments, additions and insertions in about 28 Articles of the 1973 Constitution.²⁸ The main proposals of the Package were;

- (1) Restoration of Article 58-2(b).
- (2) Reduction of the term of National Assembly from five to four years.
- (3) Direct elections to the women seats and the Senate of Pakistan.
- (4) Establishment of National Security Council.
- (5) President to make all key appointments in his discretion, including Chairman Joint Chiefs of Staff Committee, Chiefs of the Staff of Army, Navy and Air Force and all provincial governors.
- (6) Minimum qualification of graduate for candidates in the elections for the National Assembly, Provincial Assemblies and the Senate of Pakistan.
- (7) Intra-Party election for the political parties.
- (8) The number of seats of the National Assembly, Provincial Assemblies, and the Senate were increased along with the expansion of representation for the minorities and women in legislative bodies.
- (9) Loan defaulters to be banned from contesting elections 2002.

While presenting the proposals, the NRB explained the purpose of the package as “reconstruction of the institutions of state for establishing genuine and sustainable democracy, to ensure durable good governance for an irreversible transfer of power to the people of Pakistan within the parameters of the judgment of the Supreme Court of Pakistan.”²⁹ As mentioned in the

²⁵ For full details of the Plan visit <<http://www.nrbgov.pk/archive/document-0003-01.htm>>

²⁶ Election Commission of Pakistan, *Election Laws, General Elections 2002 vol. (I)*, “The Election Commission Order 2002 (Chief Executive’s Order No. 1 of 2002)”, p. 8.

²⁷ *Ibid*, “The Political Parties Order 2002.” pp. 34-40.

²⁸ For the full text of these proposals, see *The Nation* (Rawalpindi), 27 June 2002.

²⁹ Para 11, “Text of Constitutional Amendments Package”, *The Nation*, 27 June 2002.

earlier part of the paper, the Supreme Court had fixed certain parameters in its judgment in the Zafar Ali Shah case (12 May 2000) within which the Chief Executive was competent to amend the Constitution. According to these parameters, no amendment could be made in the salient features of the Constitution, namely independence of judiciary, federal structure and parliamentary form of government blended with Islamic principles. The spokesman of NRB claimed that the proposals were made within the stated parameters of the judgment. With regard to the parliamentary form of government, the statement of NRB said:

While observing this constraint, it is to be observed that there is no universal format of parliamentary democracy, the proposals made here seek to change specific provisions of the parliamentary form with a view to ensuring checks and balances in order to reflect our own circumstances and enhance the sustainability of democracy in Pakistan.³⁰

Elaborating further on the objective of the package of the constitutional amendments, the statement of NRB said:

The implementation of Democratic Framework proposals is expected to enhance the credibility of the electoral process, reduce size of constituencies, improve representative character and quality of legislatures and replace the discredited method of election of women and the Senate of Pakistan³¹

The mainstream political parties, however, rejected the package, saying that it would render the Constitution “controversial.”³² The Government, especially the President, strongly defended the proposals. In a Pakistan Television Interview on 13 July 2002, President Musharraf came out stoutly in favour of the proposed amendments, arguing that

Authority and power should remain with one person and there should be no power-sharing. I believe the executive authority of the Federation and power to run the government should remain with the Prime Minister. I believe in unity of command, as a soldier, and authority and power should remain with one person.³³

³⁰ Ibid, Para 19.

³¹ Ibid, Para 26.

³² For reaction of Pakistan Peoples Party and Pakistan Muslim League (N), see *The Nation* (Islamabad), 27 June 2002.

³³ *The News* (Rawalpindi), 13 July 2002.

Musharraf's Concept of Governance

In an earlier interview with the daily *Dawn*, President General Pervez Musharraf had outlined his concept of governance in Pakistan, underlining the need for a 'new balance of power among the three power brokers, namely the President, Prime Minister and Chief of the Army Staff' to ensure the smooth working of the future set up and to avoid the overlapping of power. In this interview, the President referred to past practices and regretted that in the past all three had overstepped their powers, because of which the country had to face difficult times.³⁴ What the President meant was that, if in keeping with the principles of parliamentary democracy, it was necessary to vest the authority and power of the government in the Prime Minister, it was also imperative keeping in view the past record of events to arm the President with the power to dissolve the Assembly as proposed in the Package of Constitutional Reforms and Changes announced on 26 June 2002. In the interview the President was quoted as saying that he wanted the Assembly to complete its five-year term. When asked by the panelists how that was possible with the President having the power to dissolve the Assembly, he replied that the President must have such power.³⁵ Would restoration of democracy mean more powers for the President? In response to this question, President Musharraf replied;

No. I don't believe that at all. Now this word 'power' is not really understood by everyone. What is power? What really do you mean by power? I am a firm believer being from the army, in the unity of command. You can never have the duplicity of command. The government will never function; no organization can function unless there is unity of command. So I am firm believer that power to govern, to run the government, run the country, must be vested in the Prime Minister of Pakistan. But there has to be a check, a balance on him, on his performance. He is supposed to function well. He is supposed to function in a democratic manner, honestly and that is where a watchdog role is required. So that is not power. The watchdog role is not power. Power to function and run the government is power. He (Prime Minister) will have the power.³⁶

³⁴ Interview with a panel of journalists from daily *Dawn*. *Dawn* (Karachi), 26 March 2002.

³⁵ Ibid.

³⁶ Interview in *BBC World Service Programme*, "Hard Talk Pakistan" 24 May 2002. In this programme, President Musharraf also said that the democracy his military regime was going to restore in Pakistan would be parliamentary democracy and western democracy. 'But we are going to tailor it to our own requirements, the environment in Pakistan' he said.

Political Re-structuring: Challenge for the Military Government

Political restructuring was one of the areas of special focus for the Military Government. As President Musharraf told US intellectuals and scholars in Washington in February 2002:

Political restructuring ... is the most serious challenge for us and we do intend introducing true democracy in Pakistan. And when I say true democracy in Pakistan, I differentiate democracy or I divide democracy into two parts. One is having an elected government and the other is how that government functions. Whereas elected government is essential for democracy, but democracy does not end at having an elected government. I think it is the start of democracy. I think it is the way that the elected government functions, which is the true essence of democracy. So what we are trying to introduce in Pakistan is the true essence of democracy. We have already issued a road map for the return or for the introduction of democracy in Pakistan.³⁷

These ideas and concepts of democracy as enunciated by Chief Executive/President General Pervez Musharraf from time to time during the three year period of his military rule, were fully reflected in the changes and constitutional amendments he announced in Islamabad on 22 August, 2002 under Legal Framework Order (LFO) after receiving feedback from a nationwide debate on the Package of Constitutional Reforms and Changes announced by NRB on 26 June 2002.

Legal Framework Order (LFO)

The LFO consists of 29 items, which contain amendments/changes and additions in a number of Articles of 1973 Constitution as it stood before 12 October 1999. Under these constitutional amendments:

- (1) Intra-party elections to elect the office bearers and leaders of the party were made compulsory for every political party.
- (2) President Musharraf was deemed to have been elected President for five years.
- (3) The number of seats in the National Assembly was increased to 342, including the seats reserved for women and minorities.

³⁷ Government of Pakistan, *President of Pakistan, General Pervez Musharraf's address to the gathering of US intellectuals and scholars: jointly organized by American think tanks 'Carnegie Endowment for International Peace' and 'Woodrow Wilson Center Inter'*, Washington, 13 February 2002 (Islamabad: Director General of Films and Publications, Ministry of Information and Media Development, 2002).

- (4) Defaulters of loans from public financial institutions or utility bills were barred from contesting elections.
- (5) The number of general seats and the seats reserved for women and minorities in the Provincial Assemblies was increased.
- (6) The number of seats in the Senate was increased from 87 to 100.
- (7) Article 58-2(b) was restored.
- (8) A new Article (152-A) was added to the Constitution, providing for the establishment of the National Security Council.
- (9) Under a new Article (270-AA), all the orders, actions, decisions and ordinances issued by Chief Executive/President General Pervez Musharraf were validated.³⁸

LFO and Parliament

While presenting the constitutional amendments under Legal Framework Order, President Musharraf emphatically asserted that the amendments were irreversible and needed no validation by the Parliament to be formed after the October elections. "I am hereby making it a part of the Constitution through the powers given to me by the Supreme Court. I do not need the Assembly's approval." In the press conference he held in Islamabad, the President made it clear that if the future Parliament tried to reverse the amendments, particularly the one pertaining to the National Security Council, "either they will quit or I will quit."³⁹ In further elaborating his plan for political restructuring in the country, the President said, "There is no fixed formula for democracy around the world. I am trying to tailor democracy according to the needs of Pakistan." Explaining the reason behind the plans for political restructuring in the country, the President said that the nation was more important for him, "Democracy is important, but the nation is much more important; and whatever is in the interest of the nation, I will do that."⁴⁰

Considerations behind the plan for Political Re-structuring

As explained in numerous statements and speeches, Chief Executive/President General Pervez Musharraf claimed that he was a democrat and not a dictator and the purpose of political restructuring was to introduce the essence of democracy in Pakistan. "...I have introduced the essence of democracy in Pakistan. So I am a democrat."⁴¹ Apart from the "essence of democracy", the President in his statements also laid emphasis on two other considerations as motivating factors behind the plan for political

³⁸ For full details of the Legal Framework Order, "Text of Legal Framework Order 2002". Gazette of Pakistan Extraordinary, 2002.

³⁹ *Dawn* (Karachi), 22 August 2002.

⁴⁰ *Dawn* Karachi, 6 September, 2002.

⁴¹ *Ibid.*

restructuring: One, barring the two former prime ministers (Benazir Bhutto and Nawaz Sharif) from participating in elections, and institutionalizing the role of the armed forces in the politics of Pakistan. "Those who looted and plundered the country and had two chances to govern but failed, will not be allowed to take part in the elections."⁴² The President had expressed similar views earlier on this issue in March 2002, in a panel interview with daily *Dawn*.⁴³

The second consideration behind the scheme of political restructuring was, as President Musharraf said, "to introduce a system of checks and balances" by establishing the National Security Council (NSC). The President explained that this would not amount to legitimizing the army's role in the running of the Government. On the contrary, he said, it will keep the army out of the affairs of the Government. "If you want to keep army out you bring them in", President said in a press interview giving the rationale behind NSC. "In the presence of this forum, the army chief would not take over," President said adding further, "we have included those who can take this rash decision."

The LFO invoked a mixed reaction from the political parties, the legal community and other civil society institutions. The expansion of women representation in the legislative assemblies, the lowering of age limit for voters, the increase in the seats of the assemblies and the Senate and restoration of joint electorate was generally welcomed. Two mainstream political parties i.e. PPP-P and PML-N opposed restoration of Article 58-2(b), the establishment of National Security Council and educational and other restrictions on the candidates for the assemblies. Muttaheda Majlis Amal (MMA) joined other parties in the Alliance for the Restoration of Democracy (ARD) in terming LFO as unconstitutional and an attempt to undermine the supremacy of Parliament and the Constitution. However, some political parties, like PML-Q, the Millat Party headed by former President Farooq Ahmad Leghari, the Tehrik Insaf of Imran Khan and the Awami Tehrik of Allama Dr. Tahirul Qadri, supported LFO. The political parties grouped into National Democratic Alliance (NDA) and Imran Khan's Tehrik Insaf were of the view that the constitutional amendments under LFO would help prevent the former rulers (Benazir Bhutto and Nawaz Sharif) from staging a comeback through elections; and that reforms like lowering the voting age and imposing educational restrictions on candidates would bring young and new faces into politics.

⁴² Ibid.

⁴³ *Dawn* (Karachi), 26 March 2002. For this purpose Article 63 of the Constitution was amended and a new clause was substituted to bar a person "convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force" See Section 5 (7) of Legal Framework Order.

The Announcement of the Election Schedule

When the election schedule was announced, the response of the political parties was very encouraging. According to the Election Commission of Pakistan, 131 political parties applied for the allocation of symbols in the election. Out of them 92 political parties were allotted election symbols; and the number of political parties who took part in the elections was 73.⁴⁴ In the National Assembly formed after the elections, 16 political parties and alliances are represented by their MNAs. Even political parties like PPP-P that fiercely opposed LFO, participated in the elections with full vigor. According to the Secretary General of PPP-P, Mr. Raza Rabbani, the party gave about 1000 tickets to its candidates for the national and provincial assemblies.⁴⁵ The Chairperson of PPP-P, Mohtrama Benazir Bhutto, though herself ousted from the electoral process, continued to direct her party, according to Senior Vice-Chairman of the Party, Makhddoom Amin Fahim, to take an active part in the elections to ensure the restoration of democracy. Makhddoom Amin Fahim further said that the target of his party was to reach the Parliament and have democracy restored.⁴⁶

From the number of political parties taking part in elections and the vigorous campaign launched by some of the political parties that were adamant in their opposition to the constitutional amendments, it is clear that all the political parties agreed to contest elections within the parameters of LFO as a first step in the transition to democracy in the country.

The level of participation was also satisfactory. The lowering of age for voters led to an increase in the total number of votes.⁴⁷ The election campaign was slow in the beginning; but gradually it picked up. There were allegations of widespread rigging; but the Election Commission of Pakistan rejected them. The Secretary of the Election Commission claimed that the polls were fair and free with accurate results. According to him, the estimated turnout was slightly more than 40 per cent.⁴⁸

⁴⁴ The actual number of political parties taking part in elections 2002 was more than that figure as a number of political parties participated under the umbrella of some political alliances, like MMA and NDA.

⁴⁵ *Dawn* (Karachi), 16 September 2002.

⁴⁶ *Dawn* (Karachi), 15 September 2002.

⁴⁷ According to the data supplied by the Election Commission of Pakistan, the number of new voters after the lowering of age limit to 18 years was as follows;

NWFP: 746,585

FATA: 120,085

Punjab: 2,936,796

Sindh: 1,128,635

Balochistan: 306,056

Capital: 38,687

⁴⁸ *The News* (Rawalpindi), 15 October 2002.

A study done by a Non-Government Organization (NGO), *Pattan Development Organization*, claimed that the actual turnout in the 10 October general elections was 54.78 per cent.⁴⁹

Elections 2002: Results

The elections held on 10 October 2003 produced a hung Parliament, as no party was able to win an absolute majority in the National Assembly. According to the results announced by the Election Commission, out of 261 general seats, PML-Q won 88; PPP-P: 63; MMA: 44; PML-N: 19 and MQM: 16. As an analyst has put it:

“The October polls produced a fragmented polity. The elections resulted in regionalization of political trends in the absence of national parties, which would have operated as integrative forces across ethnic and provincial boundaries.”⁵⁰

On 21 November Mir Zafarullah Jamali, a PML-Q leader from Balochistan, was elected as Prime Minister securing 172 out of 342 votes. Ten days later, he won a vote of confidence in the National Assembly, bagging 188 votes. Following the formation of the government at the centre, the provincial governments in all four provinces were installed. The electoral process initiated by the military government with the announcement of LFO in August 2002 was thus completed.

Conclusion

Restructuring Pakistan’s political system has been a favourite game with all military rulers of Pakistan. Part of the motivation for such exercises has stemmed from every military ruler’s determination, first, not to let ousted political forces come back to power through fair, free and transparent elections, and second, to maintain military ascendancy in a civilian order. For example, the main purpose behind Ayub Khan’s system of Basic Democracies and method of indirect elections was to replace feudal politicians (who were mostly in power till the military coup of October 1958) with a new political leadership from the middle class. Ayub Khan introduced the presidential form of government with the conviction that it would keep the old, traditional

⁴⁹ *The News* (Rawalpindi), 19 October 2002. According to South Asian Non-Governmental Election Observation Mission Report, voter turn out in the main cities and towns was considerably lower than in the rural areas, where voter choice is determined largely by patron-client relationship. Pakistan Election 2002, *South Asian Non-Governmental Observation Mission Report*, International for Ethnic Studies, Colombo, (Lahore: Human Rights Commission of Pakistan), p 37.

⁵⁰ Mohammad Waseem, *The Election 2002 and Government Formation*, (unpublished paper).

politicians away from the corridors of power and help him consolidate his own position in the new set-up.

General Ziaul Haque made fundamental changes in the 1973 Constitution primarily with a view to (1) evolving a power-sharing system between the military and politicians based on non-party elections and (2), preventing secular and liberal forces from gaining political ascendancy. He replaced Joint Electorate with Separate Electorate, not only to appease the religious parties, but also to deprive PPP of minority votes in future elections. The process of Islamization was initiated to enable the religious parties to gain influence in the polity and promote orthodox forces, which have been traditional allies of authoritarian rulers. He made a shift in the balance of power from prime minister to president by adding Article 58-2(b) in the Constitution to strengthen the authoritarian character of the country's political system based on an amended version of the 1973 Constitution.

However, it would not be fair to say that Field Marshal Ayub Khan and General Ziaul Haque were motivated *solely* by their personal ambitions and parochial interests in introducing reforms in the political system through constitutional amendments or changes in the form of government. No doubt they catered to vested interest in the continuation of the order they presided over; and the major consideration behind the reforms or changes in the political system was to strengthen the constituency they belonged to, but we should not forget that there were other factors that facilitated their actions and sustained their stay in power. For example, the structural flaws in the Constitution of 1956 based on the parliamentary form of government were largely responsible for unending political crises in the country from March 1956, when the Constitution was enforced, till October 1958, when the Constitution was abrogated and Martial Law promulgated. The people of Pakistan generally welcomed the martial law of 1958, as it put an end to the political squabbling of selfish, unscrupulous politicians. But the same people turned against Ayub Khan when it became clear to them that he intended to perpetuate his personal rule through an authoritarian system

In carrying out the military coup of July 1977, the Chief of Pakistan's Army, General Ziaul Haque, successfully exploited the absence of a mechanism in the 1973 Constitution which could have been used to resolve the crisis like the one country faced in 1977. A number of constitutional experts believed that the martial law of 1977 could have been averted, had there been some check on the unlimited powers of the Prime Minister under the original Constitution of 1973.

In his address to the nation soon after taking over on 12 October 1999, the Chief of the Army Staff (COAS) General Pervez Musharraf made it clear that his government aimed at structural changes in the political system of Pakistan. For this purpose, he announced a seven point agenda, which also included a plan for devolution of power through restructuring the existing

system of Local Government Bodies. The Supreme Court of Pakistan in its judgment of 12 May 2000 directed the Chief Executive to complete the process of transition from military rule to civilian order within three years from the day of assumption of power by the COAS, through holding elections to the National Assembly, Provincial Assemblies and the Senate of Pakistan. The Supreme Court also empowered the Chief Executive to amend the Constitution within certain parameters. The Military Government announced a package of constitutional amendments and political changes under Legal Framework Order before holding the elections on 10 October 2002. The Military Government claimed that political restructuring under LFO was necessary for smooth transition from military regime to a civilian order; and was done within the parameters of the judgment of the Supreme Court. In other words, the Government of President Pervez Musharraf claimed that LFO did not violate the salient features of the 1973 Constitution i.e. Independence of Judiciary, Federalism and Parliamentary form of Government blended with Islamic principles. The general elections of 10 October 2002 were held under LFO, despite the fact that some political parties expressed serious reservations on it.

The Military Government claimed that the transition to democracy has been completed with the formation of elected civilian governments in the centre and in all the four provinces. However, the Opposition comprising mainly PPP-P, PML-N and MMA rejected the Government's view and demanded changes in LFO to restore the supremacy of Parliament in accordance with the principles of the parliamentary form of Government. The contentious issues in LFO were: Article 58-2(b), President Musharraf's holding of the office of COAS, the National Security Council, the President's discretionary powers to make key appointments, amendments in the Political Parties Act, Article 63 and the insertion of Article 270AA in the Constitution of Pakistan. The Parliamentary Opposition rejected the claim of the Government that LFO was part of the Constitution and continued to insist that unless it was approved by the Parliament, it had no constitutional status. From the first day of the normal working of the National Assembly, parliamentarians from the Opposition staged protests against LFO and blocked the functioning of the Assembly. In view of the persistent protests, the Government of Prime Minister Jamali invited the Opposition to talks, which were held from 2 May to 19 May 2003. However, the deadlock over LFO between the two sides continued till the Government-MMA accord was signed on 24 December 2003.

Under LFO, the President of Pakistan enjoys powers that are normally not available to a head of state under the parliamentary form of government. The combination of the offices of President and COAS in one person leads to a widely shared perception both inside and outside the country that the October election was an oblique dispensation for continuing military

rule. At the same time, it must be said that the elected and representative assemblies and governments at the centre and provinces are working. There is no restriction on political activity. The courts are free and independent. The press is free and all fundamental rights and freedoms are operational. The installation of civilian governments after 10 October can therefore be described as an important, if not final, stage in the transition from a military regime to a civilian order. ■

NUCLEAR-CAPABLE NAVIES OF INDIA AND PAKISTAN: IMPACT ON THE STRATEGIC ENVIRONMENT OF INDIAN OCEAN REGION

Zafar Nawaz Jaspal*

Introduction

The era in which we are living has challenges of its own. Economic growth has made all of us dependent on access to international markets and resources. Fusion between expanding international commerce and peace is inevitable for the prosperity of mankind. In such a scenario, the peace and free flow of trade through Indian Ocean is not only in the interest of its littoral and hinterland states, but also in the entire world. Unfortunately, the concept *Indian Ocean as a Zone of Peace* has failed to materialize. Moreover, the May 1998 nuclear tests of India and Pakistan and subsequent developments appear to have a destabilizing effect on the Indian Ocean's strategic environment. In addition, since the last decade India's blue water navy has been on the rise and will have a major influence on the Indian Ocean region's political, strategic and economic environments.

India has been developing its sea-based nuclear assets. Pakistan's force inventories and weapons acquisition policies indicate that its Navy does not possess nuclear capability at present. But one cannot rule out the possibility that in the future Pakistan would equip its Navy with nuclear weapons. This policy shift would be because of Pakistan's primary concern with India's improved nuclear arsenal and Pakistan's deterrence need to reciprocate by reducing asymmetry. Like Indians, Pakistanis are well aware that the nuclear powered, missile-carrying submarines provide assured second-strike capability in the nuclear age. To be precise, a nuclear accident or nuclear battle in the Indian Ocean region is not beyond the realm of possibility. The nuclear accident or war would have perilous repercussions for the international community in general and Indian Ocean littoral and hinterland states in particular. It is because the Indian Ocean provides major sea routes connecting the Middle East, Africa, and East Asia with Europe and the Americas. It carries heavy traffic of petroleum and petroleum products from the oilfields of the Persian Gulf and Indonesia.

Realist international relations theories have been dominating policy-makers mindset in New Delhi and Islamabad. Like cold war era realists, they

* Zafar Nawaz Jaspal is Assistant Professor at the Department of International Relations, Quaid-i-Azam University, Islamabad, Pakistan.

derive their national interest from the international balance of power, and assess the utility of both military and economic instruments of statecraft. Nevertheless, in real terms, India and Pakistan discount the concept of regional unification and overlook the deeper set of connections between economic prosperity and mutual cooperation within the South Asian regional context. In simple words, both India and Pakistan define their respective security in military terms. What are the repercussions of defining security in military terms? How does the nuclear weaponization of the sub-continent affect Indian Ocean region's strategic environment? What could be the processes by which we could cope with the evolving challenges?

The following study seeks to examine the anticipated impacts of India-Pakistan's nuclear strategies on the geo-political and geo-economic environment of the Indian Ocean. The repercussions of South Asian nuclearization sound straightforward, yet it is a very complex issue. Therefore, the following discussion begins with a brief overview of the strategic positioning and strategic environment of the Indian Ocean. Subsequently, followed by the discussion about nuclear dimension of India and Pakistan's maritime strategies, this discussion takes into consideration both the theoretical assertions and practical developments which would adversely affect the security environment of the Indian Ocean region. This is followed by the anticipated repercussions of the nuclear weaponization of the sub-continent and recommendations for tackling and decreasing the evolving danger to the regional security arrangements.

Geo-Strategic positioning of the Indian Ocean Region

The Indian Ocean is the third largest of the world's five oceans (after the Pacific Ocean and Atlantic Ocean, but larger than the Southern Ocean and Arctic Ocean). Unlike the Atlantic or the Pacific, however, four continents—Africa, Asia, Australia, and the frozen Antarctica—surround it. Four critically important access waterways or choke points of the Ocean are the Suez Canal (Egypt), Bab el Mandeb (Djibouti-Yemen), Strait of Hormuz (Iran-Oman), and Strait of Malacca (Indonesia-Malaysia). Moreover it includes Andaman Sea, Arabian Sea, Bay of Bengal, Great Australian Bight, Gulf of Aden, Gulf of Oman, Mozambique Channel, Persian Gulf, Red Sea, Strait of Malacca, and other tributary water bodies.

The Indian Ocean includes forty-four littoral states and eleven hinterland states. The United States, United Kingdom, China, Japan, France and New Zealand are the user countries of the Indian Ocean.¹ For an analysis

¹ Pervaiz Iqbal Cheema, "Conflict and Cooperation in the Indian Ocean: Pakistan's Interest and Choices", *Canberra Report on Strategy and Defence: No 23*, (Australia: Australian National University: 1980), p. 5

the Ocean can be divided into six distinct areas of study—South Africa, the Red Sea region, the Persian Gulf, South Asia, South East Asia and Australia. Notably, these divisions of the region around the periphery of the Indian Ocean should not be viewed as watertight compartments.

Strategic Environment of the Indian Ocean Region

The British withdrawal from Diego Garcia and subsequent sale of the island to the United States, in the heart of the Indian Ocean in 1968, brought a fundamental shift in the strategic environment of the Ocean.² The deep involvement of the Super powers as a consequence of cold war rivalry and instability in the region because of local disputes and regional conflicts between the littoral states resulted in the militarization of the Ocean. The non-regional powers justify their military involvement by asserting that the littoral states were unable to ensure the safety of the sea-lanes of communication. Michael Klare opined, "... An interruption in the supply of natural resources would portend severe economic consequences, the major importing countries now consider the protection of this flow a significant national concern.... Large energy importers, such as China, Japan, and the major European powers, have made ensuring the stability of their supplies a top priority."³ Significantly, the Western states are dependent on the import of 50 different strategic materials such as manganese, cobalt, titanium, chromium, platinum, tin, nickel, iron, lead, copper from the Indian Ocean region. European, Japanese, and the United States economies import 70 percent, 76 percent, 25 percent of their crude oil requirements respectively from the Indian Ocean. Beside crude oil, the West imports agricultural produce such as tea, coffee, rubber, and sesame in large quantities from littoral states of the Indian Ocean.⁴ To be precise, this dependency element has necessitated the emergence of a new Europe-United States-Japan centric alliance or consensus of approach about controlling and managing the natural resources of the Indian Ocean.

The fear among the smaller regional states of the enduring dominance over them by the big local/neighborhood power(s) has often been the cause of inviting non-regional powers into Indian Ocean affairs; for example, the concerns of smaller South Asian states about India, Singapore about Indonesia and Israel about its Arab neighbors. J. N. Dixit, stated that "the tensions of the region are resulting in the presence of foreign military forces of every category in the region, either under the UN umbrella, or under direct bilateral

² The United States military presence in the Indian Ocean could be traced to the end of World War II. In 1948, the Americans raised their own Middle Eastern Force.

³ Michael T. Klare, "The New Geography of Conflict", *Foreign Affairs*, vol. 80, no. 3 May/June 2001, pp. 49-61.

⁴ V. S. Sheth, "Indian Ocean in a Globalising World", *Journal of Indian Ocean Studies*, vol. 10, no. 3, December 2002, p.348.

arrangements.”⁵ Parallel to it, the Australia’s best defense strategy is taking shelter under the United States military umbrella and India is seeking strategic partnership with the United States. India and Australia are regional powers, but they want to enhance their political and strategic significance by such arrangements with the sole super power.

The military presence of the super powers in the Ocean brought a sense of insecurity among the littoral states. The military presence of the non-regional powers and the local disputes led the littoral states to address their insecurity by strengthening their individual military muscles as well as seeking support of the major powers through alliance arrangements. Consequently, the United States and France had openly established military pacts and bases, whereas, the former Soviet Union had denied setting up bases, but found it necessary to maintain a permanent naval presence in the Ocean.⁶ This further generated suspicion and mistrust among the littoral states and unleashed an unending arms race among them. Consequently, the region has seen considerable militarization, including the introduction of latest weaponry in the last two decades. Almost every littoral state has missile firing ships and craft. Despite the end of the cold war, the littoral states have failed to address their security dilemma. For instance, none of the seven Gulf Emirates has been able to settle its maritime boundaries.

Importantly, during the Cold war and in the aftermath of it, the overwhelming majority of the littoral states of the Indian Ocean advocated Indian Ocean as a zone of peace, free from intrusion of foreign navies and a Nuclear Weapons Free Zone. These cherished objectives, however, have not been realized due to the multiple interests of the non-regional powers,⁷ and the divergent regional political aspirations. The United States war against terrorism and National Strategy to Combat Weapons of Mass Destruction ushered a new era of non-regional interference and military presence in the Indian Ocean. USA is continuously enhancing military presence in the region by renewed security links with Pakistan, and through its growing relationship with India. Consequently, the Indian Ocean remains strategically an area of multi-polarization, multi-rivalry and volatility.

The security dilemma is more acute in South Asia. The situation remains complex because of demographic, geographical and economic disequilibrium between India and its South Asian neighbors. Perhaps the biggest obstacle to peaceful coexistence in South Asia has been the ongoing tension between India and Pakistan, especially over Kashmir. This tension

⁵ J. N. Dixit, “Role of Navies in Asia’s Regional Security”, *Journal of Indian Ocean Studies*, vol. 9, no. 2, August 2001, p. 175.

⁶ Kamal Kumar, *Indian Ocean as a Zone of Peace: Problems and Prospects* (New Delhi: A.P.H. Publishing Corporation, 2000), p. 15.

between India and Pakistan continues to pose the most likely risk of a nuclear exchange. For instance, India mobilized from December 2001 to October 2002 over 700,000 troops on its Western border to dissuade Pakistan from its stance on Kashmir. In summer 1999, India and Pakistan fought a limited war in Kargil along the Line of Control in Kashmir.

It is generally viewed that an escalation from the freedom movement in Indian held Kashmir to conventional war and to nuclear exchanges is a possibility as Kashmir is recognized internationally as a flash point between two nuclear neighbors in South Asia. Chris Gagne argues that “the risk of an accident leading to nuclear war would be particularly great in South Asia, where there would be almost no time to distinguish between a deliberate launch, an accident, or a false alarm”.⁸ In addition the spectre of nuke of fissile materials falling into the hands of non-state actors or an odd problem in command & control system etc remain a security concern.

The possession of nuclear weapons might have prevented escalation of limited border war into total war, but it has not brought any significant change in the military postures of India and Pakistan. Both states have continued a military build-up. They not only have tested nuclear capable short and medium range missiles, but also handed these over to their armed forces. The surface to surface Ghauri-I medium range and Shaheen-I short-range ballistic missiles were handed over to Pakistan Army’s Strategic Force Command for induction on 8 January 2003 and 6 March 2003, respectively.⁹ India had already handed over her surface to surface Prithvi-I, nuclear-capable short-range ballistic missiles to its Army in May/June 1997,¹⁰ which deployed them at some distance from the Pakistan border. Furthermore, India is expected to deploy Agni-I within a year.¹¹ These developments indicate a drift towards launch-on-warning posture between India and Pakistan.

⁷ Today, the United States aircraft carriers constantly conduct surveillance while its submarines patrol the Indian Ocean’s depth.

⁸ Chris Gagne, “Nuclear Risk Reduction in South Asia: Building on Common Ground”, in Michael Krepon and Chris Gagne, ed., *The Stability-Instability Paradox: Nuclear Weapons and Brinkmanship in South Asia*, Report No. 38 (Washington, DC: The Henry L. Stimson Center, June 2001), p. 40.

⁹ “Pakistan N-power with assured delivery system”, *The Nation*, January 9, 2003. Rana Qaisar, “Pakistan Army gets Hatf-V missiles” *Daily Times*, January 9, 2003. “Hatf-IV handed over to army”, *Dawn*, March 7, 2003.

¹⁰ “Indian –Pakistani Missile Activities, Accelerate As Bilateral Talks Continue”, *Arms Control Today* (June/July 1997), p. 24.

¹¹ “Agni-I ready for induction into Indian armed forces”, *The Daily Times*, May 12, 2003.

<http://www.dailytimes.com.pk/default.asp?page=story_12-5-2003_pg4_14>

Sri Lanka is a strategically located island state, that is neither militarily powerful nor economically strong. Its Armed Forces are designed primarily for internal security and coastal defence. Britain maintained a large naval base at Trincomalee harbour on the East Coast, which lost its military character since the British withdrawal from the Indian Ocean. Recently, India has acquired some rights for the use of Trincomalee on lease from Sri Lanka. This lease will have strategic repercussions for the Indian Ocean region once the Indian plans are fully operational.

A number of littoral states are in the process of developing their sea power and have attained varying degrees of achievement. Geoffrey Till states that “many Indian Ocean states are steadily developing their amphibious forces too. Although this is part of a global trend, such forces seem likely to be of particular utility in South Asia because of the variety of their possible use.”¹² Admittedly, the general trend among a majority of the states is one of concern for their self-defence and safeguarding their maritime interests.

India-Pakistan Blue Water Navies: Role of Nuclear Weapons

A nation that has any sort of link with the sea can be termed as a maritime nation. Significantly, any strategic assessment independent of maritime security for a maritime state contradicts the very concept of national security.¹³ In the following discussion, however, the term maritime strategy would not be aimed at maritime security, but exclusively associated with naval strategy and war at sea. Ashley J. Tellis states: “All observations pertaining to any tactical balance must be situated within the relevant nation’s grand strategy, and in the Indo-Pakistani case in particular, it is geography that plays a pivotal role in determining strategic postures and, in turn, forces inventories and weapons acquisition policies.”¹⁴ India and Pakistan have been building up their maritime strike capabilities in the Indian Ocean. It is in this context that the inquiry becomes relevant about India and Pakistan maritime strategies in general and naval strategies in particular.

India and Pakistan’s official statements increasingly envisage that both belligerent neighbors would establish a triad based nuclear deterrence. Honore M. Catudal stated: “In fact, there is a growing body of evidence that would

¹² Geoffrey Till, “Regional Naval Trends in the Indian Ocean”, in *Indian Ocean: Security and Stability in the Post-Cold War Era* (Rawalpindi: The Army Press, 1995), p. 30.

¹³ In a modern international political set up not only the littoral states alone are maritime states, but also all the nations in today’s world could be considered members of the maritime states club because of their dependence on the sea. Prabhakaran Palen, “Maritime Security and Concept of Ocean Property”, *Journal of Indian Ocean Studies*, vol. 10, no.1, April 2002, pp. 18, 20, 21.

¹⁴ Ashley J. Tellis, “The Naval Balance in the Indian Subcontinent: Demanding Missions for the Indian Navy”, *Asian Survey*, vol. xxv, no. 12, December 1985, p. 1187.

indicate that the doctrine of nuclear deterrence serves as a convenient rationalization for the development and deployment of the weapons made available by military technology.”¹⁵

Many Indian and Pakistani strategic analysts argue that sea based nuclear assets are very important for their credible nuclear deterrence. J. N. Dixit, former Indian Foreign Secretary argued: “The Navy is conceived of as not just, but perhaps the most effective triad of platforms on which nuclear weapons are/can be deployed. Both surface and submarine deployments of nuclear warheads endow a nuclear defense posture, with the virtue of surprise of mobility and survival in case of a first strike by an opponent.”¹⁶ In fact, they believe that the submarine's mobility and its invisibility under water not only protect it from a first strike, but also from theft. In the case of a physical accident (as happened to a Soviet ballistic missile submarines), the vessel simply sinks into deep water, with minimal environmental effects.

India

India has maritime boundaries with as many as seven countries. India's interests are inextricably linked with the Indian Ocean. Therefore, it has deep and enduring interests in the strategic environment of the Ocean. In the post cold war international order, New Delhi seems comfortable with the emergence of the United States as the sole super power and a dominating Indian Ocean player. P. S. Das, the former Indian Commander-in Chief, Eastern Naval Command stated: “However, there is no basic conflict between core American interests and Indian concerns, and in fact there are several areas of convergence. It is, therefore, possible to evolve strategies, which further our interests in the new global environment.”¹⁷ At the same time, the Indians consider another non-littoral Indian Ocean User State, China, a potential adversary. China's relations with Myanmar and Pakistan¹⁸, its facilities in the Coco Islands off the Andaman and its ability to influence political postures in many Indian Ocean littoral states figure prominently in India's security calculus. In the evolution of India's nuclear policy, which Prime Minister A. B. Vajpayee submitted to the Indian Parliament on 27 May 1998, he stated that

¹⁵ Honore M. Catudal, *Nuclear Deterrence—Does it Deter?* (New Jersey: Humanities Press International Inc., 1986), p. 40.

¹⁶ J. N. Dixit, “Role of Navies in Asia's Regional Security”, *Journal of Indian Ocean Studies*, vol. 9, no. 2, August 2001, p. 175.

¹⁷ P. S. Das, “Indian Ocean Region in India's Security Calculus”, *Journal of Indian Ocean Studies*, vol. 9, no. 3, December 2001, p. 320.

¹⁸ On 18 July 2003 the agreement was reached between China and Pakistan to conduct joint maritime exercise. It was reported that it would be for the first time that People's Liberation Army Navy would be conducting joint maritime exercise with any foreign navy. “Pakistan, China plan joint naval exercise”, *The News* (Rawalpindi),

“the decades of the 80s and 90s witnessed the gradual deterioration of our security environment as a result of nuclear and missile proliferation. In our neighborhood, nuclear weapons increased and more sophisticated delivery systems were inducted. It is a Pakistan specific allegation and can be deleted.¹⁹

Many Indian analysts believe that build up of India's own navy would ultimately neutralize the naval power of foreigners in the Indian Ocean region and ensure its own impressive status. The motto of the Indian Navy is “Sanh-No-Varunah,” which means let the Lord of the Seas Neptune be our Companion, our Protector. Implicit in the motto is the concept that the navy is a major factor in the sustenance of Indian security, as are the navies of other countries in relation to their security.²⁰ This professed concern for security in the Indian Ocean region is not a recent development. The late Prime Minister Jawaharlal Nehru summed up India's concerns regarding the Indian Ocean region in 1958 when he stated. “History has shown that whatever power controls the Indian Ocean has, in the first instance, India's sea-borne trade at her mercy, and in the second India's very independence itself.”²¹

Though the Indian Navy remains the most powerful in the Central and South Asian region, the Indian Naval Doctrine 2000 stressed the need to have a fleet capable of operating in both Eastern and Western Indian Ocean by having two operational aircraft carriers and highly capable submarines.²² On August 17, 1999 an officially constituted advisory panel to the Indian National Security Council released the draft of its nuclear doctrine which awaits a formal approval of the Indian parliament. Nevertheless the Draft of Nuclear Doctrine is an important document, which discloses India's nuclear policy. According to it, India's nuclear policy appears to be too ambitious in the sense that an upper limit of nuclear capability is not clearly delineated. According to Bharat Karnad, “the deterrent in the Indian definition is, therefore, minimum, relative only to the existing American and Russian inventories, each numbering in tens of thousands of nuclear armaments.”²³

Moreover, a reference to a nuclear triad of aircraft, mobile land-based missiles and sea-based assets was made in the Draft. The notable point here is

19 July 2003, p. 1. A short while later, China also conducted naval exercises with India.

¹⁹ *East Asian Strategic Review 2002* (Japan: The National Institute for Defense Studies, 2002), pp. 109, 110.

²⁰ J. N. Dixit, “Role of Navies in Asia's Regional Security”, *Journal of Indian Ocean Studies*, vol. 9, no. 2, August 2001, p. 168.

²¹ Colonel Gregory Allen Harding, “Implications of the Expansion of Indian Naval Power”, *NDC Journal* (2000), p. 29.

²² *The Military Balance 2002-2003*, International Institute of Strategic Studies (London: Oxford University Press, October 2002), p 125.

²³ Bharat Karnad, “India's Force Planning Imperative: The Thermonuclear Option”, in D. R. SarDesai and Raju G. C. Thomas, ed. *Nuclear India in the Twenty-First Century* (New York: Palgrave-Macmillan, 2002), p. 107.

that the Indian government and the strategic community have always made a pretext of “threat of China” for India’s nuclear weapons program. But its maritime strategy reveals its ambitious agenda, which it desires to accomplish by its overt nuclearization, i.e. to deny Chinese and the United States presence in the Indian Ocean. In December 1998, the Standing Committee on Defense in the Lok Sabha recommended that the government “review and accelerate its nuclear policy for fabricating or acquiring nuclear submarines to add to the deterrent potential of the Indian Navy in the face of the presence of the subsurface nuclear submarines and subsurface ballistic nuclear submarines of China and the United States in the Indian Ocean.”²⁴

In 1998, India set out to introduce nuclear reactor technologies by acquiring on lease a Charlie-1-class nuclear powered cruise missile submarine from the Russian Federation. It is estimated that the construction of a prototype will be completed around 2006 and the vessel will be ready for missile loading in 2010.²⁵ Raja Menon argues that a nuclear submarine is undetectable “... An Indian nuclear submarine could possibly be on either side of the peninsula without anyone knowing about it. Its undetectability makes the command system confident that retribution can be made unhurriedly after careful evaluation, and that the effect on the enemy would be catastrophic.”²⁶

India is placing extensive resources towards the development of submarine-launched cruise missiles (SLCM). An India SLCM—Sagarika—is likely to be nuclear capable and would be carried by a Russian Kilo-class submarine. In April 2000 India had tested Dhanush, a naval version of its short range Prithvi SSM, from a launch pad in the Bay of Bengal.²⁷ It was reported in the *Indian Defence Yearbook 2002* that Dhanush will soon be integrated into the Indian Navy.²⁸ It was also reported that India has a plan to equip some of its principle surface combatants with the Brahmos supersonic nuclear capable missiles. The decks have been cleared for the induction of French made Scorpene submarines in the Indian Navy.²⁹ Significantly, there is a strong pro-nuclear submarine lobby in India. Matin Zuberi, former member, National Security Advisory Board, argued: “The nuclear-powered, missile-carrying submarines, protected by mobility and by the shroud of concealment

²⁴ *East Asian Strategic Review 2002*, Op. Cit., p. 123.

²⁵ *Ibid.*, pp. 123, 124.

²⁶ Rear Admiral Raja Menon, *A Nuclear Strategy for India* (New Delhi: Sage Publications, 2000), p. 225.

²⁷ The test was not that successful with the missile travelling only 20-25 kilometers before plunging into the sea. See Ben Sheppard, “Ballistic Missiles: Complicating the Nuclear Quagmire”, in D. R. SarDesai and Raju G. C. Thomas, ed., Op. Cit., p. 196.

²⁸ Lt. General (Retd.) R. K. Jasbir Singh, edit., *Indian Defence Yearbook 2002* (Dehra Dun, Natraj Publishers, 2002), p. 359.

²⁹ *Ibid.*, p. 360.

provided by the waters surrounding it, will continue to ensure second strike survivability in the nuclear age.”³⁰

Pakistan

Despite the recent thaw, Islamabad does not expect a major strategic change in India’s hostile posturing in a long term perspective. In the aftermath of nuclear weaponization of subcontinent, in pure military terms, most of Pakistani analysts believe that India cannot impose total war against Pakistan. They argue that any such military misadventure would lead to its own detriment including a possible nuclear Armageddon. The conclusion, however, is inescapable that New Delhi has a Grand Design for political, military and economic dominance over peoples and territories extending from South Asia to the littoral states of the Indian Ocean. To be precise, a massive, and sudden Indian attack on the LoC and a subsequent total war is the threat that has driven Pakistani strategic planning since Independence, may have lessened due to nuclear weapons but has not ceased to exit.

The strategic mindset in Pakistan has heretofore perceived the balance of power between India and Pakistan mainly as strenuous interactions between land and air force. The clearest evidence of this pervasive land oriented mindset is the defensive strategies developed since 1947 by Pakistan. Though the continental concept of strategy has been a determining factor in the making of Pakistan defense strategy, the situation is bound to change in the post-May 1998 strategic environment, particularly since 2002 eye-ball to eyeball confrontation and realization that the United States has been taking a more pro-India policy.³¹ In fact, during April-May 2002, the Indian Navy was reportedly ready to impose a naval blockade against Karachi, having transferred five principal surface combatants from the Eastern to the Western Indian Ocean for this purpose.³²

Importantly, the bulk of Pakistan’s foreign trade moves by sea. Unlike India’s grand strategic designs, Pakistan has set a very modest role for its naval forces. The first and foremost responsibility of the Pakistan Navy is defence of the 830- Kilometer coastline. This includes securing Karachi harbour and the smaller ports of Gwader, Jiwani, Rasormarah, and Pasni.³³ The Indian naval build-up fuels suspicions, fears and causes apprehensions in Pakistan because

³⁰ Matin Zuberi, “Nuclear Oceans”, *Journal of Indian Ocean Studies*, vol. 10, no. 1, April 2002, p. 12.

³¹ India is valued in the United States foreign and strategic policies because of its potential as a trade market, democratic values and above all as a hedge against China’s prominence.

³² *The Military Balance 2002-2003*, Op. cit, p 126.

³³ Rasul Bakhsh Rais, “Pakistan’s Maritime Interests and Policy”, in *Indian Ocean: Security and Stability in the Post-Cold War Era* (Rawalpindi: The Army Press, 1995), pp. 189, 190. For more details about Pakistan Navy see Pervaiz Iqbal Cheema, *The Armed Forces of Pakistan* (Karachi: Oxford University Press, 2002), pp. 97-99

of historical antagonism and proximity. Therefore, majority of analysts believes that for the credibility of its sea denial strategy, Pakistan must start strengthening its navy now. Otherwise, it is likely to face block obsolescence in times to come.

Notwithstanding various constraints, Pakistan has not only continued to induct modern weapons like the modified Agosta-class submarines, it has also initiated a modest shipbuilding project. Admittedly, Pakistan's nuclear weapons force posture indicates that it lacks sea-based nuclear assets. It has nuclear capable aircraft and mobile land-based missiles. Nevertheless, the Pakistani Navy is seen as becoming nuclear capable in the near future. This assertion is based on the following facts:

- Pakistan lacks strategic depth, which means that the core of its striking air and armored forces are within easy reach of the international border. Thus, geography dictates that a nuclear capable navy is the best form of deterrence, which in practical terms means to enhance survivability of retaliatory forces. Submarines, loaded with nuclear capable submarine launched missiles, cruising in Ocean waters can easily save themselves from the adversary's preemptive strikes.
- Interstate violence becomes more frequent when vast asymmetries develop in weapons capabilities of nations and there is no balance of power. Therefore, Pakistan cannot separate the implications of nuclearization of Indian Navy from its overall military capability. In both war and peace, India would mobilize its combined military power to achieve its political and strategic objectives. Hence, Pakistan is forced to revise its maritime strategy.³⁴ In brief, the nuclear capable Pakistan Navy would ensure that there is no gross asymmetry in weapons capabilities between India and Pakistan.

Impact on Strategic Environment of Indian Ocean

Though it is always difficult to predict the course of world events, there is no doubt that India and Pakistan's nuclear weaponization would increase the security dilemma of the Indian Ocean's littoral states, especially in a situation when the peace zone concept is a matter of speculation.³⁵ India's nuclear

³⁴ Pakistan nuclear program has been developed almost exclusively as a counterweight to India's size and conventional military superiority and in response to India's own nuclear program. John B. Wolfsthal, "Asia's Nuclear Dominos?", *Current History*, vol. 102, no. 663, April 2003, p.172.

³⁵ Since 1971 to date, despite some 450 meetings of the United Nation's Ad Hoc Committee on the Indian Ocean, the contemplated Zone of Peace still has to come up. Moreover, the key western members of the committee withdrew from this body in 1989, arguing that superpower rivalry in the Indian Ocean had been diminished with the end of the cold war and, therefore, creation of a Zone of Peace would be a purposeless exercise. Donald L. Berlin, "Indian Ocean Redux—Arms, Bases and

strategy has also discarded the concept of making Indian Ocean a nuclear weapons free zone. Each littoral or hinterland or User State interprets India and Pakistan's nuclear weaponization according to its own strategic environment and its relations with them.

It is unfair to blame India and Pakistan alone for nuclearizing the Indian Ocean. The Indian Ocean had already been converted into a launching base, as well as a target base for nuclear weapons since the British withdrawal from Diego Garcia and subsequent sale of the island to the United States in 1968. Donald L. Berlin observes that "Diego Garcia has been developed from a small communications station to track submarines to a multipurpose base. The development of Diego Garcia is continuing."³⁶ The development and maintenance of the American Naval base at Diego Garcia indicated that during the cold war they were not ignoring the increasing influence of the former Soviet Union in the region.

It is not a misleading assessment that the United States and the former Soviet Union's competition for military superiority in the Indian Ocean served as a catalyst for India to develop nuclear weapons. Notably, the United States Navy maintained the policy of neither confirming nor denying the presence or absence of nuclear weapons on its vessels. In 1974, retired Vice Admiral Gene R. La Rocque stated: "My experience has been that any ship that is capable of carrying nuclear weapons, carries nuclear weapons. They do not off-load them when they go into foreign ports such as Japan or other countries."³⁷ On 23 March 1963, Ram Chandra Bade, Jan Sangh Parliamentarian, said in the Lok Sabha (Indian Lower House of the parliament), "only those who wish to see Russians or Chinese ruling India will oppose the development of nuclear weapons".³⁸ K. Subrahmanyam stated: "The ability of three nuclear weapons states, the United States, Britain, and France to devastate a non-nuclear weapon state, Yugoslavia, while the other two nuclear weapons states, Russia and China, could do nothing to stop it, reinforces the Indian case for pushing a credible minimum nuclear deterrent."³⁹ Similarly, the objective of Pakistan's pursuit of nuclear weapons was to neutralize both India's conventional superiority and nuclear capability.

The perilous nuclear arms race between India and Pakistan has been undermining regional security. It is increasing the likelihood of a nuclear showdown both by accident or by design. India and Pakistan's nuclear

Re-emergence of Strategic Rivalry", *Journal of Indian Ocean Studies*, vol. 10, no. 1, April 2002, p. 27.

³⁶ Ibid., p. 32.

³⁷ Matin Zuberi, Op. Cit., p. 3.

³⁸ Akhtar Ali, *Pakistan's Nuclear Dilemma-Energy and Security Dimensions* (Karachi: Economic Research Unit, 1984), p. 34.

³⁹ K. Subrahmanyam, "India and the International Nuclear Order", in D. R. SarDesai and Raju G. C. Thomas, ed. Op. Cit, p. 64.

strategies suggest that they may wage nuclear war not solely along their continental frontier. Their naval forces may also conduct nuclear related offensive and defensive operations, in a future total war. Any war between these belligerent neighbors would be extremely destructive for them, but one in which the Indian Ocean is a theatre of the war could be equally destructive for the littoral states. The increasing emphasis on nuclear weapons, is a reflection of what has been called the “deadly trinity” in which weapons are gaining in range, becoming more precise and more deadly.

The following are some of the important areas of impact;

Regional Hegemony

Naval forces can be used to compel an adversary to do something he doesn't want to do, or to deter him from doing something he wants to. The recent Gulf war illustrates the various ways in which naval forces can be used. The Coalition naval forces also played an important role in military victory in Iraq. A strong blue water navy of India increases the security dilemma of the neighboring littoral states. Geoffrey Till argues: “ In the Indian Ocean area the inevitable disparity between the maritime forces of India and everyone else naturally raises concerns and tensions (especially when there are other things in dispute as well).”⁴⁰

India has maritime boundaries with seven countries. In addition, more than a thousand miles from the Indian mainland, the Andaman and Nicobar Islands lie at the mouth of the Malacca Strait, the second busiest sea-lane in the world. Vice Admiral Arun Prakash stated: “They (Andaman and Nicobar) could be lucrative objects of desire for any country, which may harbour ambitions of dominating the Bay of Bengal and holding to ransom, vital sea lanes of communications. At the same time, they form a springboard from where India can reach out and project power, exert influence or strike bonds of friendship in [with] our eastern neighbors.”⁴¹ In brief, nuclear weaponization of the Indian Navy ensures India's emergence as a dominating power in the Indian Ocean region at the cost of endangering the security of other states. Consequently, in times of crisis, the Indian Navy could opt for a blockade strategy for dictating its own terms and conditions.

A militarily strong Pakistan can counter any outside threat to the continuous flow of oil and gas supplies from the Gulf. Pakistan sits astride the sea-lanes out of the Persian Gulf and that fact of geography allows it adequate opportunity to neutralise any attempt at naval blockade of the oil tanker sea

⁴⁰ Geoffrey Till, “International Maritime Trends and Indian Ocean in 21st Century”, *Journal of Indian Ocean Studies*, vol. 9, no. 2, August 2001, p. 161.

⁴¹ Vice Admiral Arun Prakash, “Evolution of the Joint Andaman and Nicobar Command and Defence of Our Island Territories (Part 11)”, *The Journal of the United Services Institution of India*, vol. cxxxiii, no. 551, January-March 2003, p. 23.

lanes from the Gulf easily from its bases on the Makran Coast. However, Pakistan has no designs for domination, nor should its neighbors feel uncomfortable with its nuclear capable Navy, which has purely defensive portents. Yet India also showed its uneasiness over Pakistan's efforts for correcting the naval balance of power between the two countries. While commenting on India about a stronger Pakistan Mohan Malik wrote: "India also worries that a stronger Pakistan, aided by the United States, Europe, Japan, and international financial institutions, would not only be better able to contain India, but also continue its hostile policies."⁴²

Freedom of Navigation

The safety and security of Indian Ocean shipping is a vital concern of many countries around the world. The major east-west sea-lanes, from the Indian Ocean pass through two choke points, the Straits of Malacca in the east and the Gulf of Aden and Suez Canal in the west. More than half of the oil exported through the Gulf of Hormuz, passes through the Straits of Malacca. Kenneth M. Pollack argues: "America's primary interest in the Persian Gulf lies in ensuring the free and stable flow of oil from the region to the world at large."⁴³

It seems possible for a power exercising control of these choke points to seriously interfere with the interests of others.⁴⁴ India's feverish arms buildup and its hegemonic ambitions may disrupt the freedom of navigation in the Indian Ocean. In fact, India lies within striking distance of these choke points. Any future conflict between India and Pakistan could threaten the Indian Ocean's freedom of navigation because they would use their naval power for their military objectives and the seabed for their nuclear submarine's strategic manoeuvres. In addition, here one cannot ignore India's desire to free the Indian Ocean from Western colonialism and dominate it by itself. The pursuit of this objective would have serious repercussions for the navigating states of the Indian Ocean.

⁴² Mohan Malik, "High Hopes: India's Response to U.S. Security Policies", *Asian Affairs An American Review*, vol. 30, no. 2, Summer 2003, p. 107.

⁴³ The reason the United States has a legitimate and critical interest in seeing that Persian Gulf oil continues to flow copiously and relatively cheaply is simply that the global economy built over the last 50 years rests on a foundation of inexpensive, plentiful oil, and if that foundation were removed, the global economy would collapse. See Kenneth M. Pollack, "Securing the Gulf", *Foreign Affairs*, vol. 82, no 4, July/August 2003, p. 3.

⁴⁴ The British had recognized these features early and set about exercising their suzerainty through a chain of naval bases, suitably garrisoned with adequate naval forces to ensure control. Once they withdrew, the Americans entered the scene and their bases in the Gulf and at Diego Garcia provide them power to transform the Indian Ocean strategic environment according to their will. P. S. Das, *Op. Cit.*, p. 317.

Horizontal Proliferation of Nuclear Weapons

Proliferation begets proliferation. This is understandable, because any new political entity endowed with additional military capacities disturbs the security and strategic status quo. The point to remember, however, is that several Indian Ocean rim states such as Israel, South Africa⁴⁵ and Iran have harbored a desire to develop nuclear weapons. At the same time the potentialities of Japan could not be underestimated.⁴⁶ The May 1998 nuclear explosions by India and Pakistan and their intention to disburse their nuclear deterrence among the three military forces have a nuclear weapons' proliferating impact on the strategic policies of these states. Thus, there are ample chances that in the near future they would employ the Indian Ocean as a patrol zone for submarine or surface warships equipped with nuclear-armed missiles.

Nuclear Weapon States' Competition

The United States, Russian Federation, European countries, Japan and China have vital interests in the Indian Ocean region. The proliferation of nuclear weapons and expansion of Indian naval strength would worry these user states. While analyzing India's nuclear deterrence objectives Raju G. C. Thomas states: "These ballistic missile and space rocket programs suggest the intention to create a global nuclear deterrent that goes beyond India's regional rivals, China and Pakistan, to the other major nuclear powers."⁴⁷ The nuclear weapons, certainly, enhance the military potential and political influence of India and Pakistan. Being adjacent to choke points India more than Pakistan could impose stricter regulations on passing ships and oil tankers than those generally accepted by the international maritime community for the sake of political, strategic and economic benefits. While examining the salience of the

⁴⁵ South Africa renounced its nuclear weapons program. After dismantling its nuclear weapon, South Africa joined Nuclear Non-proliferation Treaty as a regime, non-possessor of nuclear weapons in 1991. For how long it would stick with this policy in a changed strategic environment is a matter of debate.

⁴⁶ Japan does not possess nuclear weapons. However, it can easily develop them, once any such political decision is taken and in a very short span of time. The factor fuelling such suspicions are: Japan is continuing its research and development work on its 'Fast Breeder' reactors for power generation even after the majority of countries have given up the technology as impracticable, and it has been stockpiling plutonium that could be used in nuclear weapons. Secondly, the impact of domino theory - in case North Korea conducts nuclear tests and declares itself a Nuclear Weapon State. In sum, Japan has its capability ready in the basement.

Indian Ocean, Donald Berlin wrote "... New Delhi's interest in the affairs of this Ocean will grow, and this will be accompanied by a growing interest of others—especially major states—in these waters, either to check India or to ally with it."⁴⁸

There is, at present, nuclear naval presence of the United States and China in the Indian Ocean. Though it is not quite clear about similar Russian Federation naval presence, its possibility cannot be denied. The United States and China would further strengthen their naval presence in the Ocean with all types of weapons in order to meet challenges posed by the newly emergent nuclear weapon states of South Asia. The United States strategic partnership with India indicates that Western states and Japan would protect their interest in Indian Ocean by allying with India, instead of checking it. Beijing's course of action, however, would be strengthening its strategic posture in the area. China has been enhancing its strategic relations with its Indian Ocean littoral allies—Pakistan and Burma—by developing the port at Gwadar in Pakistan and building a naval base near Kyaukpyu and naval and air base near Kawthaung off the Tenasserim Coast, in Burma.⁴⁹

The Naval build-up of China would instigate the United States to increase its naval forces in the Indian Ocean region. In fact, the primary strategic objective of the United States in the post cold war era is to prevent the reemergence of a new rival similar to its cold war competitor the former Soviet Union.⁵⁰ Joseph S. Nye Jr. opined that "George W. Bush entered office committed to a realist foreign policy that would focus on great powers such as China and Russia... China was to be a strategic competitor not the strategic partner of Bill Clinton's era, and the United States was to take a tougher stance with Russia."⁵¹ The strategic competition between India and China, and China and the United States would produce a new geography of conflict in the

⁴⁷ Raju G. C. Thomas, "Whither Nuclear India", in D. R. SarDesai and Raju G. C. Thomas, ed.. Op. Cit., p. 11.

⁴⁸ Donald L. Berlin, Op. Cit., p. 28.

⁴⁹ China plans for a security and commercial alternative to the Pacific Ocean—an Irrawaddy corridor linking China directly to the Indian Ocean through Burma. For the relevant details about China's modernizing naval equipment and training its personnel see *East Asian Strategic Review 2003* (Tokyo: The National Institute For Defense Studies, June 2003), pp. 192-194.

⁵⁰ An important Pentagon planning document stated in 1992, "Our strategy must now refocus on precluding the emergence of any potential future global competitor." See John J. Mearsheimer, "The Future of the American Pacifier", *Foreign Affairs*, vol. 80, no. 5, September/October 2001, p. 46.

⁵¹ Joseph S. Nye, Jr., "US Power and Strategy After Iraq", *Foreign Affairs*, vol. 82, No. 4, July/August 2003. For the United States and China relations see also Denny Roy, "A Late Honeymoon for Bush and China: Enjoy It While It Lasts", *Asian Affairs An American Review*, vol. 30, no. 2, Summer 2003, pp. 79-87.

Indian Ocean, that would negatively influence the peace and prosperity of the Indian Ocean littoral and hinterland states.

Ecological Impact

India and Pakistan's nuclear programmes have serious ecological implications for the Indian ocean region. Nuclear waste dumping in the Indian ocean pollutes the ocean. In addition, both India and Pakistan's offensive and defensive strategies indicate that they would operationalize their sea-based arms of their nuclear triad during the war. Any nuclear related mishap at sea or authorized or unauthorized use of nuclear weapons would not only harm the maritime life at the ocean, it would also have long term backlash for maritime states.

The ocean environment governs climate conditions. Geoffrey Till writes: "Even more fundamentally, and although we do not fully understand the way it works, the ocean is not just a barometer but also a regulator of the world climate to the extent that the physical health of the planet may depend on that of the ocean."⁵² In brief, a nuclear accident would negatively affect the fisheries industry, which is already facing catastrophic depletion in many areas.

Recommendations

That India and Pakistan are nuclear-weapon states is a reality people cannot just ignore. Therefore, the nuclearization of their navies would be a matter of vital and continuing concern. The Indian Ocean's security and peace requires the promotion of existing peace initiatives coupled with innovative approaches to reduce and finally exclude the prospects of micro-level and macro-level conflicts and destructive competition between India and Pakistan, so that the Indian Ocean littoral states exploit the Ocean's economic resources for their economic prosperity. Following are a few recommendations for achieving such objectives.

- Despite the end of the cold war, the creation of the Indian Ocean as a Zone of Peace is not an exercise in futility, as the western nations concluded in 1989. All the states of the Indian Ocean would support the concept of a Zone of Peace. It would not only serve as a bulwark against non-regional intruders, it would also reduce the arms race among the Indian Ocean's littoral states.
- India and Pakistan must define their security paradigms in economic, not just military, terms. They should opt for a way to alter their military competition into economic competition by institutionalizing bilateral, regional, and international economic

⁵² Geoffrey Till, "International Maritime Trends and Indian Ocean in 21st Century", *Journal of Indian Ocean Studies*, vol. 9, no. 2, August 2001, p. 159.

cooperation. The two sides should conclude an agreement on prevention of incidents at sea in order to ensure safety of navigation by naval vessels, and aircrafts belonging to the two sides.

- The proper approach to tackle nuclear dangers in the Indian Ocean is to seek to create an equitable global regime that actively devalues nuclear weapons and creates conditions for their eventual elimination. The first step in this regard could be the creation of the Indian Ocean as a nuclear weapon free zone and the implementation of the February 1999 Lahore summit's Memorandum of Understanding between India and Pakistan.
- India and Pakistan should exercise restraint in using their naval power lest they prove counter-productive. Their non-provocative attitude and positive interaction could make a constructive contribution to arms control, reduction of arms and defense expenditure, and perhaps ultimately, to the process of genuine disarmament in the region.
- Pakistan and India must exploit the commonality of interests within the region, which includes oil/ gas pipelines laid from Iran, Persian Gulf and Central Asia to India across Pakistan. Jasjit Singh opines that "the best techno-economic method of supply of natural gas from the huge reserves of these areas is by an overland pipeline. The other options, of offshore transportation of natural gas, whether by surface ships, by sub-surface pipeline in shallow waters or those laid in deep sea, would be costlier to build by 30 per cent or more, and to maintain and repair."⁵³ These pipelines could also be outlets for Japan, to be picked up from the Indian ports. Such an arrangement could not only facilitate the supply, but also build confidence and trust among the conflicting parties resulting in conflict reduction.

Conclusion

India and Pakistan's preoccupation with the military dimension of statecraft and the deadly rivalry between them has not only endangered their own strategic environment, but also jeopardized that of the Indian Ocean region. India is determined to strengthen and equip its blue-water navy with nuclear weapons. Moreover, the end of the cold war terminated super power confrontation in the Indian Ocean, but it has not minimized the regional conflicts and major powers' military presence in the Indian Ocean. In this

⁵³ Jasjit Singh, "Not a pipe dream" *The Indian Express*, July 23, 2003.

<http://www.indianexpress.com/full_story.php?content_id=28120 > accessed on July 30, 2003

scenario, we are likely to see increasing nuclearization of the Indian Ocean and perpetual threat to the economic security of the Indian Ocean rim states. Consequently, it could hinder the free flow of international trade through the Indian Ocean in the future.

Anticipatory and timely actions are essential for the Indian Ocean region's peace and security. It is imperative that India and Pakistan opt for an ahistorical, apolitical method(s) of articulating the right answers to their nuclear weapons related problems. They should settle their mutual differences by peaceful means and avoid mating of their nuclear warheads with delivery systems and deployment of these lethal weapons. At the same time, they should try and build mutual interdependence. A mutual interdependence approach would start to build stakeholders on both sides to exert pressure for co-operative peace rather than looking for ways to bleed each other to death. This is also where the international community could play a constructive role.

In sum, the great powers also take into account the economic prospects of creating Indian Ocean as a Zone of Peace and relinquish their struggle for power and military postures in the Indian Ocean. It is timely for users and littoral states to step up discussions on the concepts of Indian Ocean as a Zone of Peace and Nuclear Weapon Free Zone. ■

IMPLICATIONS OF THE 9/11: A PAKISTANI PERSPECTIVE

Syed Farooq Hasnat & Tahmina Rashid*

Introduction

Today, Pakistan is under immense internal and external pressure to formulate its policies, both foreign and domestic, in accordance with a global dispensation that is overwhelmingly under the influence of the United States. The set of “Global Values” imposed by the “New World Order” in the early 1990s could not prevent the terrorist attacks on the United States on 9 September 2001 (9/11). Whatever the intentions of the terrorist groups might have been, there is no denying that the 9/11 attacks on the World Trade Centre and Pentagon were interpreted as symbolic attacks on the economic power, the free market economy and the military capabilities of the United States.

This forced a chain of readjustments in global, regional and national trends along lines suggested by the new policies and implemented by the coalition led by the United States along with its allies in Western Europe. These changes and their modalities will continue to be a key topic of debate in the near future. Many questions are being asked, opening a new area of debate and dialogue, assessing the real repercussions of the modifications on the international scene. While proceedings are in a state of flux, it is safe to assume that all actors on the global stage are not fully activated at this point in time. However, as events unfold, particularly in Afghanistan and Iraq, we can expect a progressively broader, clearer picture to emerge.

At this juncture, our concern should be with whatever is accessible and worth examining in the thought processes as well as in the responses of the affected cultures, with reference to the Muslim World in general and Pakistan in particular.

American Response to the Terrorist Attacks

Even cursory analyses of the speech made by the US President George W. Bush, after the terrorist attacks will bring to light certain tendencies and values that emerged as clear symbols in the thinking of the US leader. His words became the foundation for future US policies towards countries such as

* Dr. Syed Farooq Hasnat is Professor and Chairman, Department of Political Science, University of the Punjab, Lahore

Tahmina Rashid is Assistant Professor, Department of Political Science, University of the Punjab, Lahore and a Ph.D. candidate at the Department of Political Science, University of Melbourne, Australia

Pakistan, Afghanistan, Iraq, Syria and Iran. The highlights of the speech are given below:

- The attackers are terrorists, and their intention is not for any financial inclination but to impose radical beliefs and that these individuals believe in an exclusive interpretation of Islamic extremism – the extremist groups in fact have distorted the peaceful teachings of Islam. The American President represented a view shared by many in the West that the terrorists' fancy is to “kill Christians and Jews, to kill all Americans...”
- The demands that the American administration presented to the Taliban were not for negotiation or even discussion, as Taliban were asked to “act and act immediately”. Although he made a clear distinction between peaceful Islam and terrorists, the American President himself blurred these boundaries when he declared that terrorists wish “to disrupt and end a way of life. We are not deceived by their pretences to piety. We have seen their kind before. They are the heirs of all the murderous ideologies of the 20th Century.” He also mentioned that, “This is civilisation's fight. This is the fight of all who believe in progress and pluralism, tolerance and freedom...” President Bush declared that appropriate acts against the terrorists are a crusade. One can imagine that such words were not unintentional but a mindset of the West, which was inclined to present this particular act of terrorism in a manner which they perceived as correct. There was a clear message that now the West would regard the Muslims in general as antagonistic towards Christian interests.
- President George W. Bush further elaborated his views by asking “Why do they hate us?” He employed a binary - “they” and “us” and then continued that, “They hate... democratically elected government. These terrorists kill not merely to end lives, but to disrupt and end a way of life...” One can presume that when a President of the sole super power addresses the world community implying that what he perceives is correct, while rejecting all other opinions then it would be perceived as if a policy of a certain mindset is to be launched against the “enemies” – both real and imaginary.
- The American belief of “moderation” was set aside, when the President of the United States, representing a consensus of the American opinion left little choice for the international community. The things were now being visualised in black and white – the shades of grey in between were removed altogether. It was said in the official pronouncement of the American President that, “Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that

continues to harbour or support terrorism will be regarded by the United States as a hostile regime..." His concluding remarks are even more interesting as he goes on to say that, "the course of this conflict is not known, yet its outcome is certain."

The language employed by the Americans caused further resentment in the Muslim world. The terrorist attacks on the American soil were hailed as attacks on freedom and democracy. The targets of the 9/11 attacks – the American symbol of military force and commercial trade – were not an attack on democracy or a civilization but a very specific assault on the American establishment and its foreign policy, no matter how unjustifiable it might have been. The American government's claim that any such assault on its soil is tantamount to a serious challenge to freedom itself, thus making America synonymous with freedom, is enough to make one cringe and wonder at the mixing of interpretations by the opposing forces that exist in the present day conflict situation. Rationally analysed, the targets attacked were not icons of democracy but of commerce, military power, government and foreign policy.¹

Nearly two days after the horrifying suicide attacks on New York and Washington, D.C., it became clear that most of the Americans did not comprehend the complexities of the problem that had arisen. From those holding the highest office to the ordinary American citizen, the perception was the same: the assault was on their freedom and system of democracy and had to be given an immediate response. It was also a nearly unanimous belief that overwhelming force was the only *modus operandi* available to prevent further threats to the Americans and their way of life. All this was formulated without taking into account the credibility of the pronouncements. Shock, rage and grief overcame reason, patience and moderation; little thought was given to the *real* cause of the acts. Any recognition of why certain groups of people are motivated to carry out such atrocities, taking their own lives in the process never figured either in the corridors of the administration or in the print and electronic media. The question that why the United States foreign policy was so bitterly disliked, not just in Arab and Muslim countries, but across the developing world remained absent from the American scheme of analysis.

The mood that gripped Washington soon after the collapse of WTC towers offered little to reassure sceptics, says François Burgat, a French social scientist in Yemen. "When Bush says 'crusade', or that he wants bin Laden 'dead or alive', that is a *fatwa* (religious edict) without any judicial review", he cautions. "It denies all the principles that America is supposed to be."² On an intellectual level, argues Bassam Tibi, a professor of international relations at

¹ George W. Bush, "Address to the Congress", *BBC News* (Web edition), 21 September 2001.

² Peter Ford, "Why do they hate us?" *Christian Science Monitor*, 27 September 2001
<<http://www.csmonitor.com/2001/0927/p1s1-wogi.html>>

Gottingen University in Germany, and an expert on political Islam, "we need value consensus between the West and Islam on democracy and human rights to combat Islamic fundamentalism. We can't do it with bombs and shooting - that will only exacerbate the problem."³ A German foreign policy expert is of the view shared by many analysts that "America is both menace and seducer, both monster and model."⁴

However, some among the American intelligentsia occasionally share the view of many around the globe. Bruce Lawrence, a professor of religion at Duke University, referring to popular opinion in the Middle East said: "I think they hate us because of what we do, and it seems to contradict our own basic values." Another American writer, Steve Emerson masterfully reiterates the grievances against local corruption, immorality, or oppression that many immigrants from Palestine had begun to experience, when they arrived in the land of their "dreams", the United States. Emerson believes that the 9/11 attacks might well have been a reflection of those experiences. He believes that as a reaction these groups might have established sympathy links with extreme militant groups like Hezbollah and Lashkar-i-Toiba.⁵ Many share his belief that what the American people and government assume to be true about them has nothing to do with the ground realities. The US government's global policies in actuality negate all the democratic and civilized values it pretends to believe in. When Bush calls for the defence of "Civilisation" with its overtones of Huntington's theories of post-cold war confrontation between the West and Islam, it further heightens sentiments of racism and hypocrisy.

US foreign policy has been perceived as a bundle of contradictions. During the Soviet invasion of Afghanistan in the 1980s, the Americans supported the Afghan Jihadi groups in their resistance against the Soviets. It was the Americans who poured resources into the 1980s war against the Soviet-backed regime in Kabul, at a time when girls could go to school and women to work. It was with American encouragement that the whole concept of jihad was universalised. Furthermore, the *mujabideen* were armed and trained by the CIA and MI6 (Military Intelligence Section # 6, UK) as Afghanistan turned itself into a wasteland.⁶ It is a well known fact that at the end of the Soviet occupation, the United States abruptly lost interest in the region, thus leaving a wide vacuum in the region, where extremist groups flourished, groups which ultimately resorted to terrorist activities at the global level. Bin Laden had turned against his American sponsors, while US-sponsored Pakistani circles had spawned the grotesque Taliban protecting him. To punish

³ Ibid.

⁴ Josef Joffe, "Who's afraid of Mr Big?", *The National Interest*, Summer 2001.

⁵ Steven Emerson, *American Jihad: the terrorists among us* (New York: Free Press, 2002), pp. 5-26

⁶ Seumas Milne, *Guardian* (London), 13 September 2001.

its wayward Afghan offspring, the US subsequently forced through a sanctions regime, which helped push four million to the brink of starvation (according to the UN figures) while Afghan refugees fanned across the world”⁷

Response of the Government of Pakistan

Since the American President left little room for any policy option for Pakistan once he had stated that, “Either you are with us, or you are with the terrorists,” the response of the military regime was simply to align its options with that of the American strategy in the region. Within a span of few days after 9/11, Pakistan became the prime focus of the US policy makers. Regional and international communities have long regarded the Pakistani establishment as the principal supporter of the Taliban and a sympathizer of Osama bin Laden. As far as violence goes, the Pakistani law enforcement agencies have a poor record, as complete apathy had prevailed, while daily terrorist murders occurred on the streets of Pakistan and the suspected terrorist gangs were allowed to operate freely, as the then establishment looked the other way. The leaders of these violent groups were frequent visitors to Kabul and Kandahar. Pakistan was pushed to the wall with practically no option left but to give in to the demands of the United States – it could either be an active supporter and to engage the Afghan-based terrorists or to be branded as a partner in the regional terrorist gangs. In the given global changing environment the Pakistani government took the correct decision of supporting the international coalition against terrorism. Apart from the cooperation factor, the aftermath of the September incident raised many questions from the US government, regarding the “responsible” Control and Command System of Pakistan’s nuclear capabilities.

Pakistan has been struggling to remain a part of the coalition against terrorism and thus become a partner of the United States in its war against terrorist groups as well as their shadows. Conscious of Pakistan’s previous support to the Taliban regime President Musharaf offered his support towards combating international terrorism in the following words:

The Government and people of Pakistan spontaneously expressed shock and grief over the death of innocent people, offered condolences to the bereaved families and affirmed solidarity with the American people. We joined the world community in offering cooperation to bring perpetrators, organizers and sponsors of the terrorist attacks to justice.

Compliance with the relevant UN Security Council resolutions by the Taliban government would have saved Afghanistan from the damage it is suffering since 7 October. We grieve for the innocent victims.

We regret that the Government of Afghanistan jeopardized the

⁷ Ibid.

interests of millions of its people. Our decision to support the international campaign against terrorism in all its manifestations is based on principles. The extraordinary session of the OIC Foreign Ministers held on 10th of October has endorsed this position. It has also denounced the minority and fringe voices that try to cause harm to Islam and the Muslims.

I emphasized to Secretary Powell that the root causes of most acts of terrorism lie in political oppression and denial of justice. In order to achieve durable results, the current war on terrorism must address and eliminate its causes.⁸

During the previous two decades, Pakistan's interference in the affairs of Afghanistan as a party in the civil war had serious implications: it resulted in the gradual Talibanisation of the Pakistani society. Pakistan's support to various Jehadi groups in the Afghan civil war had a serious negative backlash. There was a clear and definite demand from the Pakistani government to act against extremism, and time and again it was reminded that "there are religious fanatics in the country callous enough to kill in cold blood innocent women and children as part of what they regard as a 'holy war' is a bitter reality. Whether they are ignorant people, misguided elements, or criminals in the garb of religious warriors, they are a factor to reckon with in the context of any plan or strategy to combat terrorism and religious extremism."⁹ In spite of these serious concerns, the government for unknown reasons failed to respond and the carnage continued.

It was only after 9/11 that the government addressed the problem seriously. President Musharaf's assertive policies against the religious right offended certain elements, while others cautiously hinted that, had the action against the extremist groups been taken prior to 9/11, it would have received a favourable response and support from the people in general.

Response of the Pakistani People

Certain religious groups representing a section of the people were visibly unhappy over the president's "turnabout" when he pledged support to the American "invaders". These elements openly expressed the view that the presence of foreign troops in Muslim Afghanistan would mean nothing short of a "crusade" against the Muslims. Between the government viewpoint and that of the religious right, stood the silent majority of Pakistan, who believe in a delicate blend of Eastern and Western value systems. On the one hand they are familiar with all western music and fashion trends and know who is who in

⁸ Pervaiz Musharraf, President of Pakistan, Press Conference, *Dawn* (Islamabad), 17 October 2001.

⁹ Khalid Mahmud, "Time to tame the fanatics", *Dawn* (Islamabad), 6 November 2001.

Hollywood and in the fashion industry while on the other hand they participate in all social and religious rituals. Dressed in traditional fashion, they accompany their elders to say Friday prayers in the mosque; otherwise they prefer Western casual and formal clothes. They plan to study in American universities, aspire to settle in the USA and adopt a western lifestyle with high living standards. Ironically, despite their attraction to the West, these westernised Pakistanis harbour serious apprehensions about the contradictions in the society they imitate and its treatment of Muslims and their faith.

The changing global scenario has had a deep impact on the lives of many Pakistanis; they are in the process of rediscovering their religious identity as a separate identity from the Christian/Western world. A sizeable number of Pakistanis would like to keep the best of the both worlds. They would not part with American fashions, music, and movies to name just a few of their 'favourite likes'. At the same time, the youth in Pakistan tend to identify with their fellow Muslims around the globe. Their conviction is based on the sayings of the Holy Prophet (PBUH) that all Muslims are like one body, and if one part of the body gets injured, then all components experience a pain of the same magnitude. As such, a considerable number of Pakistanis educated or otherwise believe that the injury inflicted on the Afghan Muslims required them to respond with sympathy for their Afghan brethren.

Many in Pakistan feel that the American policy presents different standards in its dealings with its friends and enemies, standards not based on a set of principles but designed for its own convenience. There is a commonly held belief that the United States makes no distinction between a terrorist action and a genuine war of liberation, such as the one in the Indian-held Kashmir. Supporting its actions on this formulation, the American administration branded some Pakistan-based Kashmiri freedom groups amongst the principle supporters of "terrorism."

A significant number of Pakistanis have always expressed reservations about religious extremism and have condemned the suicide bombings of 9/11. They maintain, however, that the devastating attack was a result of America's "arrogant" policies in the Middle East and elsewhere. Those who are of this opinion would like the American people to realise the manner in which their government is conducting its unjust policies worldwide. Pakistanis do regard America as an ally, but one, which is not very reliable. The prevailing mood in Pakistan is of anger and suspicion towards the United States and springs from a deeply rooted perception that the US has been an inconsistent friend. Furthermore, Pakistanis feel that this is true for other Muslim nations also. Although, there is a convergence of interests between the United States and Pakistan in the fight against global terrorism, but the impressions created by the American leadership – especially the language used – needs to be reassessed and modified. According to an experienced Pakistani war veteran and diplomat, "When Bush talked of a Crusade ... it was not a slip of the

tongue. It was a mindset. When they talk of terrorism, the only thing they have in mind is Islam."¹⁰

Not many Pakistanis, or other Muslims, had actually gone to Afghanistan after the US and allied forces began a military operation there to fight the war on terrorism. Militant views of this kind are not shared by most Pakistanis. But in a broader sense and in the longer term, many people fear the backlash of the war against terrorism could unleash new waves of anti-American sentiments. The intelligentsia in Pakistan shares a belief that an atmosphere of confidence can still be constructed between the West and the Muslims. They would like to see the American government realise that all human lives are equally precious. There is a widespread belief that if Americans are concerned about the 2800 deaths in the world Trade Centre, they should also show similar concern about the deaths in Kashmir, in Palestine, in Chechnya, in Bosnia. It is no doubt the double standards that create suspicion and lack of trust.

The Islamists' Response

Islamic groups expressed a strong reaction to the Pakistani government's alliance with Washington, as they believe that the United States is not a trustworthy ally. They strongly criticise previous American policies in the region and the way US has used Afghans to achieve its own interests during the cold war period. They maintain that the transformation of these Afghan Mujahideen from anti-Soviet to anti-American militants took place because the policy planners in Washington abandoned them at the end of the war and the US further made special efforts to disarm and disperse them. Islamists are still fuming over President Musharraf's policy of supporting the Americans and propagate that the government has forcefully adopted a one sided tilt for the US interests in the region. Sentiments run high against the perceived American crusade against Islam and many believe that recent American policies in Afghanistan, Iraq, Syria, Iran, Pakistan and other Muslim countries are merely an excuse to colonise these Muslim nations and utilise their resources to enhance the American political and economic power. There is a mood of resentment towards the West in general and the US in particular, reflected in a series of anti-US protests and public assertion and reaffirmation of religious identity in the world. American policies in Afghanistan, its "unjustified" pressure on Pakistan, Iraq and Indonesia are perceived by the Pakistani religious extreme as if the Americans are ruthlessly pushing a hatred agenda in the Muslim world. The Islamists question why American lives are considered more precious than those of Afghans, Kashmiris, Palestinians or Chechens. Moreover, they ask why the loss of Afghan civilians is 'collateral

¹⁰ Sajjad Haider, former Military Attache, Pakistan Embassy, Washington D.C., in Ford, "Why do they hate us?"

damage' – to which the media gives little or no attention while the loss of American lives becomes a “global loss” which requires a declaration of war on “terrorism.” Why is terrorism by states such as India and Israel acceptable, but individual terrorist acts are exploited to label and persecute the whole Muslim community? A solution to these questions asked by the Islamists is answered when said that, "America should spread its culture, rather than weapons or tanks." Mohammed el-Sayed Said, Deputy Director of Cairo's influential Al Ahram think tank further adds that "they need to act like any respectable commander or leader of an army. They can't just project an image of contempt for those they wish to lead."¹¹

Islamist women share similar views as held by Muslim men. Like many other Eastern and religious communities, women in Pakistan are considered symbols of cultural authenticity and identity. Women's status is defined within the religious and existing social parameters of society and their public role is heavily dependent upon the definition of what is socially, culturally and religiously acceptable in a given period of time. In the post 9/11 scenario, women in Pakistan are at the cross roads to rediscover their identity. At this juncture there is a commonality of views amongst the modernists and the Islamists, as both share the apprehensions regarding American policies towards the Muslim world.

After the 9/11 attacks, Osama became a fashionable name, a symbol of anti-Americanism, a voice of Muslims and the oppressed of the world. Graduates from various religious schools cherished Osama's heroic role and aspired to become martyrs. Women graduating from religious schools advocated domestication and glorification of motherhood as against a public role for women as they began to observe Islamic rituals fervently and even the slightest change in the traditional point of view is not acceptable to a large majority of them. The Western media played up the whole situation showing selective images; which were at times out of context. For instance, CNN Asia presented a different version of the news from that telecast in the US. A picture of a woman holding her baby son whom she had named Osama was repeatedly shown on CNN to portray a stereotypical image of Muslims as militants, intending to participate in jihad against the United States as suicide bombers. However, this fervor proved to be a short lived reaction to the American military assault in Afghanistan.

American print media was no less nationalist – even jingoistic – particularly dailies such as *The New York Times* and *The Washington Post* and weeklies like, *Time* and *Newsweek* that have a combined readership of seven to ten million. The impact of their policies resulted in the spread of disinformation through the wider American community about US around the

¹¹ Crabtree Vexan, “Why do people hate America? A summary of anti-Americanism”, (<http://www.news.bbc.co.uk>) > (24 September 2001),

globe, particularly in the Muslim World. The media's paranoia about the growing influence of religious schools in Pakistan reaffirmed the misperceptions about militancy in our society. They highlighted the availability of huge funding for these religious schools and organizations, which they depict as the breeding grounds of religious fundamentalism and hostility and intolerance towards the Christian Western World, while in reality, matters were not as bleak as they were portrayed.

The American print and electronic media projected (and continues to project) all veiled woman as anti-American and anti-West, asserting Islamic ideology. The social aspect and significance of the veil as a symbol of resistance against imperialism, monarchies, dictatorships and autocratic regimes within and outside Muslim World has largely been ignored. Although the number of young girls wearing Hijab and attending the gatherings of the organizations of the religious right such as Al-Huda, seems to be on the rise, there is no evidence of an increase in religious extremism as a result of these phenomena. In many situations, the veil becomes instrumental in securing a socially approved, active public role for women, as happened in post-revolution Iran. In Pakistan the veil does not have that role, but it has become more prevalent among many young girls both in urban and rural social settings.

Islamists are worried about the freedom struggles being waged by Muslims in several places, especially in Kashmir. Since the American declaration of War on Terrorism, India attempted to brand the struggle in Indian held Kashmir as acts of terrorism. The Indian reaction caused serious concerns amongst the Islamists and human rights groups about the implications of the Indian stance on the cause of the Kashmiri people's struggle for freedom.

Human Rights Groups' Response

Human rights activists in Pakistan have a history of struggle for democracy and a just civil society in Pakistan. Their response to the situation was two fold; on the one hand they do not support the military regime of Musharraf and on the other are critical of the US bombing in Afghanistan, which killed a large number of civilians. Although most of the time these human rights and feminists groups have taken inspiration from the Western intellectual traditions, they have nevertheless emphasised the relevance of international human rights dialogue within the local context. By posing the question, "Why do they hate us?" George W. Bush opened a new debate within these circles. Human rights activists feel that the West has conferred a new religious or Islamic identity on all Muslims considering them a homogeneous group. Many groups feel frustrated by the imposition of this new identity, as they do not support extremism (in the form of terrorism or fundamentalism). They have

been in conflict with the religious Right, as they do not accept their version of Islam (Talibanisation phenomenon).

The situation is complex as many human rights groups have been receiving funding and financial help from Western donor agencies and in many instances have been working on projects initiated by them. They are now reconsidering their linkages with the Western agencies and support groups and are wary of their intentions. Many of these non-governmental agencies are considering other options and are even ready to quit rather than receiving funds from sources which, supposedly, support the cause of democracy, just civil society, human rights, women, children and oppressed segments of the society but at the same time are silently watching the fallout of the American policies in the Muslim world, particularly in Afghanistan and Iraq. These activists have a strong feeling that they have entered a new arena, where imposed identity could push them to the edge – forcing them to endorse Huntington's proposed views of the world in the form of the "Clash of Civilisations".

Implications

Already, the Bush administration has moved apace by waging an all out war against terrorism, both real and imaginary, without taking into account the objective conditions under which an outburst of anger occurs. Many analysts believe that for every "terror network" that is rooted out, another will emerge – until the injustices and inequalities that create them are addressed. Professor Bassam Tibi argues that, "we need value consensus between the West and Islam on democracy and human rights to combat Islamic fundamentalism. We can't do it with bombs and shooting - that will only exacerbate the problem." Unconstrained by a rival or a system of global governance, the US took advantage by rewriting the global financial and trading system in its own interest, ripped up a string of treaties it found inconvenient and sent troops to every corner of the globe. American intervention and even in some cases support, training, financial aid and arms were given to terrorist groups opposing whichever government it wanted to remove.¹²

The realities of the American war on terrorism in Afghanistan and its violation of human rights have started to emerge in the media. Some of the suspects and alleged Al-Qaida terrorists sent to Guantanamo Bay in Cuba have been gradually released and the emerging stories of basic human rights violations have come to focus before the world community. These alleged terrorists were denied any legal help and never charged for any crime and when released no explanation was given.

Current American policies have invoked different kinds of reaction in various parts of the world. On the one hand Muslim extremist organizations

have reacted with incidents like Bali bombing in Indonesia. While on a regional level, the ASEAN refusal to grant observer status for Australia, is another way to oppose the one sided policies of the Western countries. Muslims as a group have been targeted by several countries such as the US, Britain and Australia; Muslims of Middle Eastern origin in particular been asked to register with the immigration departments in many countries. Worldwide protests organised by human rights organizations have made no impressions on the American government and its policies in the guise of security and intelligence remained as ever, despite all efforts to highlight its discriminatory nature. The main problem is that nationalism, national interest and patriotism have been given new definition and meaning in the changed political scenario and the unique interpretation of international values by the United States has been justified accordingly.

The question of the US role in the New World Order is a source of great concern for the international community and the real intentions of the sole super power has become a topic of heated debate and controversy. David C. Hendrickson, a Professor of Political Science expresses these apprehensions as follows:

The United States has stood apart in power and influence from the rest of the world for many years, but the events (that led to) the stunning use of force in Afghanistan (and followed by in Iraq), have accentuated that nation's unique global military domination. We cannot even speculate on the future of world order without understanding what the United States will do. Its power, for both good and ill, is incalculable.¹³

Within the context of the Pakistani society at this stage, the backdrop of 9/11 and the American response to terrorism remains too complex to comprehend in their entirety. In Pakistan, the opposition continues to challenge the authority of President General Musharaf, demanding amendments in the Legal Framework Order (LFO) and that foreign policy decisions be made by the newly elected parliament. Both "Modernists" and "Islamists" however, are concerned about the binary classification (us and they) used by President Bush and the Western media: they do not accept the homogeneous and conservative religious identity imposed on them. While rejecting religious extremism and Talibanisation of society, they refrained from supporting the US bombing in Afghanistan and Iraq and the killing of innocent civilians – men, women and children.

¹² Milne, op.cit.

¹³ David C. Hendrickson, "Imperialism versus Internationalism: The United States and World Order", *Gaiko Forum: Japanese Perspective on Foreign Affairs*, vol. 2, no. 3 (Fall 2002).

For conservatives it is perhaps a win-win situation, as because of the strong anti-American sentiments in the country the Pakistani government was unable to take effective measures against the Madrassas, which forms a basis of their power. They have also been able to exploit the anti-American sentiments of the masses as reflected in the results of the national and provincial assemblies held in 2002.

The new 'Islamic' identity is manifesting itself in various ways: the wearing of *hijab* by choice and joining *Dawa* group (spread of Islam) are examples. This new identity has implications for relatively more open social situation for women in the rural settings where Jehadi sons and husbands are reducing the previously available public space. Gender relations and the question of identity are being renegotiated in these diverse situations. In Pakistan, feminists and human rights activists perceived a backlash from the religious right, while religious right considers this the beginning of a new era, a reawakening of political Islam and emergence of an Islamic identity in the ranks of the Pakistani people.

Conclusion

The outcome of the recent elections in Pakistan revealed the extent of public anger against the pro-American policies of the regime. Since the inception of Pakistan, this is the first time that religious parties have managed to gain such a heavy representation in the Parliament, both in the National Assembly and the Senate. However, the implications of the presence of religious groups are yet to materialise, though the conflict between the provincial assemblies in the NWFP and Baluchistan – dominated by the religious parties, and the Federal Government has yet to assume a new dimension. However, till recently, there has been little or no conflict with the Federal Government on issues such as the FBI-assisted operations in various cities to locate and arrest alleged terrorists. The fact remains that the anti-American stance of the religious groups did help to win over traditionally fluctuating and indecisive votes along with those opposing the ruling regime. The Muttahida Majlis-e-Amal, a loose grouping of religious parties, was able to cash in on the situation and is in a better bargaining position in the present polity of Pakistan.

In the current scenario it becomes essential for the Pakistani society to reassert those values that were part of the Islamic history in the South Asian context, in the pre-Talibanisation era (pre-1996). The Pakistani society was based on the widely accepted principles of love, kindness, compassion and tolerance, as advocated by the Sufi Saints.¹⁴ The message of these preachers was based in a local setting, where the principles of Islam were introduced in

¹⁴ Syed Farooq Hasnat, "Rescuing Pakistan", *The Weekly Independent*, 4-10 October 2001

their true spirit. The strength and pride of women was one of the central themes of the Sufi poetry and sayings; women have been a symbol of rebellion against injustice and the cultural patterns imposed by the custodians of the power and wealth.

The new identity labels given by the western electronic media in post 9/11 scenario has pushed many liberal elements of the society to rethink their discourse of identity. The traditional liberal sections of society feel that all the Muslims have been labelled and portrayed as a homogeneous group. As Pakistani society has witnessed many societal changes since the rise of Taliban and its linkages across the borders have influenced a segment of Pakistani society trying to rediscover and reassert their Muslim identity. Fears were expressed in various circles that such elements have been able to diffuse the centuries long liberal Sufi traditions; replacing it with a more rigid Talibanisation of the Pakistani society.

In a new setting, which emerged as an after-effect of 9/11, a new world vision emerged where the influence of Talabinisation is being reduced. One can expect that the future Pakistan is poised to return to the spirit of what the region has been for centuries – a culture of love, tolerance, accommodation and understanding. ■

CONSEQUENCES OF THE IRAQ WAR FOR TURKEY

Syed Minhaj ul Hassan *

Introduction:

The war on Iraq is the beginning of the implementation of the “Bush Doctrine”, predicated on two basic principles, namely preemption and hegemony. This means, first, the right to take preemptive military action against supposedly hostile countries (or elements within those countries), and second, maintaining military superiority at a level beyond the possibility of challenge by any other country or party. The doctrine was originally presented during the elder Bush’s administration in 1992 by Paul Wolfowitz, the then Under Secretary of Defence for Policy. But it was shelved at that time because of strong reactions from other policy makers. After the 9/11 events, the proponents of this doctrine once again were revived, this time rather more assertively, and pleaded for a strong and aggressive policy on the part of USA. President George W. Bush also got closer to the neo-conservatives, the supporters of this policy. These hawks particularly became more assertive and aggressive after the successful military attack on Afghanistan. Emboldened by their success in Afghanistan the US administration of G.W.Bush decided to take on Iraq.

However, Iraq was different from Afghanistan. At that time the latter was considered by a significant majority of the international polity as harbouring terrorists, and the US was considered the aggrieved party after the terrorist attacks of 9/11. Nearly all nations extended support to the US for its action in Afghanistan. But in the case of Iraq the international community preferred that difficulties with that country be resolved through peaceful negotiations instead of using military power. Some NATO allies of the US, such as France, Germany and Belgium, played an active role in opposing the war on Iraq. The US tried her best to win over majority support in the United Nations Security Council as well as amongst other UN members, but failed. However, the US decided to go it alone if necessary. Apart from some tangible support and contributions to the war effort from Britain, Spain and Australia, and a little lip service from a few relatively unimportant allies, there was a general atmosphere of disapproval all round the world.

The US wanted overall international support for the war against Saddam Hussain, but she was particularly interested in winning over the

* Dr. Syed Minhaj ul Hassan is Assistant Professor Department of History University of Peshawar.

support of Turkey because of her contiguous boundaries with Iraq, and because of the NATO and American military facilities available there. For example 50 fighter jets of the Allied forces were stationed at Turkey's southern airbase, Incirlik, which could be used in the war on Iraq. The Americans had planned a two-pronged attack on Iraq, one from Kuwait and the other from Turkey. However, like most people all over the world, the common people of Turkey did not support the war. The Government of Turkey was inclined to join hands with the Americans, but they had to bow to the will of the people, expressed through a series of massive demonstrations held across Turkey. These demonstrations compelled the deputies of the Grand National Assembly (GNA) to side with the masses and, in a historic vote, denied permission to the US forces to use Turkish soil for their war on Iraq. The Parliament's 'no' was a big shock to the US because it not only damaged the prestige of the sole superpower, it also frustrated the whole war strategy. The Americans tried to use carrot-and-stick policy to get the desired results, but without success.

The Turkish Parliament's refusal was not a hasty and emotional decision, it was made on sound grounds. It was believed that the Turkish refusal was influenced by many reasons, including the Kurdish problem, a possible influx of refugees from Iraq, and economic losses that might accrue as a result of the war. It was also believed that the refusal was based on the hope of averting the war. However, when this hope remained unrealised, Turkey wanted to facilitate a quick end to the war, and opened her air space for the Allied military aircrafts, agreed to allow emergency landings and gave permission for civil supplies to pass through her soil.

The war on Iraq affected US-Turkey relations. Some American hawks even started demanding an aggressive posture towards Turkey, but the moderates were cautious and pleaded a conciliatory policy. It seemed that the moderates prevailed to some extent, as the US economic aid to Turkey did not stop. In fact, there were talks of new levels of cooperation.

The moderate policy was more pragmatic, because, though Turkey did not cooperate in the war, she could prove to be useful on other fronts, like helping in the war on terrorism, sending trained contingents to Iraq to improve the law and order situation, and facilitating the rapprochement of the US with a largely sceptical, alienated Muslim world and the Middle East in general, and with Syria and Iran in particular. Thus the moderates understood the importance of Turkey in the overall foreign policy of the US, and expected her support on different fronts.

As a consequence of the war, new thinking and planning started about the Middle East in both the US and Turkey. Since Turkey was not sure about the future US policy towards the Kurds, she started patching up her differences with Syria and Iran, two states with whom her relations were

strained. There were even talks about forming a regional block between Turkey, Iran, Syria and Egypt.¹

After the anticipated quick end of the war, it was now expected, contrary to earlier predictions, that Turkey would be able to reap economic benefits by engaging in the reconstruction of Iraq. Turkey already had a lot of first-hand experience in the development of Iraq, as most of the infrastructure in that country had been built by Turkish firms. On top of that, trade activities between Turkey and Iraq would also start picking up and yield economic dividends in the fullness of time. Above all, since Turkey had not joined hands with the Allies in the war, the people of Iraq would have no ill-feelings about Turks, and this could prove more beneficial than anything else in the long run.

The Evolution of the Bush Doctrine and the War On Iraq

The attack on the United States on 11 September 2001 was a pivotal event in the history of the world. Shockwaves spread across America and the world. The sole superpower had been attacked, thousands of innocent people had died, and US prestige had been damaged. The US reaction was characterized by aggression and bluster. Addressing the joint session of Congress on 20 September 2001, the US President declared:

We will pursue nations that provide aid or safe haven to terrorism. Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.²

Osama bin Laden and his organisation, known as al-Qaida, were blamed for these attacks. The Americans demanded that he and his associates be handed over to them by the Taliban government in Afghanistan, which had given them sanctuary. The Taliban refused to comply, and when diplomatic efforts failed to secure the desired results, the US and the coalition against terrorism attacked Afghanistan to dislodge the regime, dismantle the terror network and arrest Osama bin Laden and other al-Qaida operatives. The coalition succeeded in toppling the Taliban regime, but failed to catch Osama bin Laden or the Taliban leader Mullah Mohammad Omar. However,

¹ Philip Robins, *Turkey and the Middle East* (London: The Royal Institute of International Affairs, 1991), pp. 48-49 and "Syria urges joint stand against US", *Arab Times Online*. 14 – 15 August 2003, Web Edition no. 11644
<<http://www.arabtimesonline.com/world/Wiewdet.asp?ID=809&cat=b>> (14 August 2003).

² *Frontline*, "The War Behind Closed Doors: Chronology: The Evolution of the Bush Doctrine", PBS On Line. n.d.
<<http://www.pbs.org/wgbh/pages/frontline/shows/iraq/etc/cron.html>> (2 August 2003).

emboldened by the general success of operations in Afghanistan, the US became more aggressive and assertive in her policies. George W. Bush now declared that the US government would take preemptive measures against any country considered dangerous to American interests. Paul Wolfowitz originally presented this strategy in 1992 when he was Under Secretary of Defence for Policy (the Pentagon's third-highest ranking civilian) in the senior Bush administration. At that time he had argued that with the end of the Cold War, America needed a new military and political strategy:

Containment...is a relic of the Cold War. America should talk loudly, carry a big stick, and use its military power to preempt the proliferation of weapons of mass destruction (WMD). And if America has to act alone, so be it.³

When this draft was leaked to the press, controversy started, and the White House ordered the Defense Secretary (at that time Dick Cheney) to re-write it. The policy of preemption was dropped in the new draft.⁴

When Bill Clinton became the President he adopted the old policy of containment. However the neo-conservatives, the hawks, in an open letter addressed to the President, urged a more aggressive policy towards Iraq. They urged even the removal of Saddam Hussain, the President of Iraq, through military action. The signatories of the letter included Donald Rumsfeld, Paul Wolfowitz, Richard Perle, William Kristol, and other members of George W. Bush's current administration, including Deputy Secretary of State Richard Armitage and John Bolton, the Under Secretary of State for Arms Control.⁵

After the events of 9/11, Wolfowitz, Deputy Secretary of Defence, once again urged that the US should adopt preemptive measures and even called for "ending states who sponsor terrorism."⁶ Though Colin Powell, the US Secretary of State, still pleaded caution, George W. Bush came increasingly under the influence of the neo-conservatives. Addressing the graduation ceremony at West Point in June 2002 he stated that it was time to move from containment to preemption. He stated, "Our security will require all Americans to be forward-looking and resolute, to be ready for preemptive action when necessary to defend our liberty and to defend our lives."⁷ While declaring his intention of making American hegemony supreme, he said, "America has, and intends to keep, military strengths beyond challenge." By these announcements he declared the strategic aims of American policy: preemption and hegemony—henceforth known as the "Bush Doctrine." It was

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

an echo of Wolfowitz's strategic plan, enunciated back in 1992 in his contentious Defense Planning Guidance draft.⁸

The Bush Administration formally issued in September 2002 the key objectives of its foreign policy in a document known as "*National Security Strategy*." Chapter 5 of this document is entitled, "Prevent Our Enemies from Threatening Us, Our Allies, and Our Friends with Weapons of Mass Destruction"⁹ and explains the Bush Doctrine, which is based on speeches delivered to a Joint Session of Congress on 20 September 2001, to the Warsaw Conference on Combating Terrorism on 6 November, his State of the Union Address on 29 January 2002, his remarks before the student body of the Virginia Military Institute on 17 April 2002, year and his address to the graduating class at the US Military Academy at West Point on 1 June.¹⁰

Under this preemptive doctrine the US started talking about disarming Iraq of WMD. Initially the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) was given the task of finding and destroying Iraq's WMD. However, the US administration was not satisfied with the progress of the Weapons Inspection Team. Though Dr. Hans Blix, the Swedish Chief Executive of the Commission, reported that they were making progress and that the Saddam Hussain government was cooperating, the Bush administration was not ready to give them more time. In spite of the fact that the majority of the UN Security Council members and other nations opposed an attack on Iraq, the President of the USA and the Prime Minister of Britain decided to act by themselves. The support of Turkey, which shares around 218 miles of border with Iraq, was crucial to the effort, but Turkey did not agree. The refusal was not a decision made in haste. Turkish leaders had already expressed their opposition to any such adventure several times.¹¹

⁸ Ibid.

⁹ "The National Security Strategy of the United States of America." The White House on Line. 17 September 2002. <<http://www.whitehouse.gov/nsc/nss.html>> (2 August 2003).

¹⁰ Jeffrey Record, "The Bush Doctrine and War with Iraq," *Online Journal, Parameters, US Army War College Quarterly*, Spring 2003. <<http://carlisle-www.army.mil/usawc/Parameters/03spring/record.htm>> (2 August 2003).

¹¹ Masood Haider, "11 Security Council members oppose war against Iraq", *Dawn Online*, 31 January 2003 <<http://www.dawn.com/2003/01/31/top16.htm>> (25 July 2003), Hans Blix, "Notes for the briefing of the Security Council on the Thirteenth Quarterly Report of UNMOVIC", *Iraq Watch Online*, 5 June 2005. <<http://www.iraqwatch.org/un/unmovic-blix-060503.htm>> (24 July 2003) & Annie Schleicher, "Turkey in the Middle", *PBS News Hours Extra Online*, 1 March 2003 <<http://www.pbs.org/newshour/extra/features/jan-june03/turkey.html>> (26 July 2003).

Turkish Refusal: Background and Causes

The Turkish Prime Minister, Bulent Ecevit, visited the United States from the 14th to the 20th of January, 2003. He was given a red carpet welcome. Some analysts believed that by lavishing so much attention the Americans hoped to soften him and make him receptive to the idea of an attack on Iraq. But Ecevit made no secret of his opposition to the ‘Wolfowitz-Perle cabal’ and the policy of launching a ‘preemptive’ military action against neighboring Iraq.¹² He rejected all plans for war on Iraq on the plea that Turkey had suffered a lot in the previous Gulf Crisis and the Gulf War. He stated that particularly after the 1991 Gulf War, when Iraq was virtually divided into two parts, one major part adjoining Turkey (the Kurds’ self-rule territories in Northern Iraq) was declared a no-fly zone for Saddam’s regime by the Allies. This resulted in considerable losses to Turkey both in men and material. He stated firmly, “we don’t want the same thing to happen again.”¹³

However under American pressure and economic inducements, the Justice and Development Party (JDP/AKP) of Prime Minister Recep Tayyip Erdogan’s Government, supported by the powerful National Security Council, introduced a bill in the Grand National Assembly in February 2003 to allow 60,000 US troops to use Turkish soil and bases for the war on Iraq. The motion was also aimed at permitting Turkish troops to take part in the war. It was strongly resented and opposed by the common masses. According to polls 94 per cent of Turks opposed the war. In order to exert pressure on their representatives, massive demonstrations were held all over Turkey opposing the motion as well as the war. During the demonstrations slogans were raised to show their anger. Common amongst these were: “No to War in Iraq”, “The Peoples of the Middle East Are Not Alone”, “US Assassins, DJP Collaborators”, “We Will Not Become US Soldiers” and “Down with US Imperialism.”¹⁴

Under mounting public pressure, in an historic voting session on 1 March 2003, the Turkish Parliament disallowed the US troops to use Turkish bases for their war on Iraq. Though the motion was supported by the majority (264 vs. 250 with 19 abstentions), it fell 4 votes short of the required majority of deputies present. It was a serious blow to the Bush administration’s war efforts and it reacted sharply.¹⁵ Commenting on the rejection, Paul Wolfowitz

¹² William Jone, “War on Iraq Would be ‘Catastrophic’:Ecevit”, *Executive Intelligence Review Online*, 1 February 2002.
<http://www.larouchepub.com/other/2002/2904ecevit_iraq.html> (26 July 2003).

¹³ Ibid.

¹⁴ “Demonstrations Against the War in Iraq Shake Turkey”, *A World To Win Online*. n.d. <http://www.awtw.org/news/dem_against_in_turkey.htm> (26 July 2003).

¹⁵ Niall Mulholland, “Turkey, US imperialism and the popular anti-war mood”, *Committee for a Workers’ International Online*, 7 March 2003 <<http://www.worldsocialist-cwi.org/eng/2003/03/07turkey.html>> (26 July 2003) & Christopher, “Turkey says

observed that Turkey “didn’t quite know what it was doing”. Further he stated that they had made a “big, big mistake.”¹⁶ American anger was not only a reaction to the damage done to their honour, it was also because their war scheme had been questioned and their initial plans stymied. The refusal meant that the US would not be able to open a northern war front, which would deny them “roughly 25% of the heavy armor ... (and) reinforcement of some 225 combat aircraft and 57 helicopters.”¹⁷

In this context, a former US American Ambassador to Turkey’s remarks are worth mentioning. In a policy paper in April 2003 Mark Parris opined that the

...refusal was a setback at personal level to the American Administration, from President down to lowest level, which was pro-Turkish throughout, the refusal was a bitter defeat to them. Though the administration generally refrained from showing anger publicly, in private deep anger and resentment was reported. They felt further harmed by Abdullah Gul and other Turkish official statements that US officials did not understand the difficulties of JDP government in seeking parliament approval...diplomatically it played a decisive role in the Security Council where American-British-Spanish diplomats were trying to win over undecided votes in favor of a resolution; it also had a profound effect on the war strategy of America. The Turkish parliament ‘No’ came at the moment when Americans were finalizing their war planning, the refusal denied them the northern war front and they were forced to re-plan the whole strategy.¹⁸

A question may be asked why a long-term NATO ally like Turkey refused to cooperate. To answer the question one needs to understand the history and politics of Turkey. The Turkish Parliament refusal was deep rooted in their political instinct. Turkey believed that their security interests were better served in the status quo. Therefore a large political segment was suspicious of Bush’s grandiose programme for reshaping the Middle East. Igor

no to U.S. deployment- is this the start of real democracy in Turkey”, *Back in Iraq 2.0 Online*, 1 March 2003 <<http://www.back-to-iraq.com/achives/000259.php>> (26 July 2003).

¹⁶ Ken Guggenheim, “Wolfowitz says Turkey made ‘big, big mistake’ in denying use of land”, *Sign On SanDiego Online*, 27 March 2003. <<http://www.signonsandiego.com/news/world/iraq/20030327-1453-war-us-turkey.html>> (26 July 2003).

¹⁷ Mulholland, “Turkey, US imperialism and the popular anti-war mood”.

¹⁸ Ambassador (ret.) Mark Parris, “Starting Over: U.S.-Turkish Relations in the Post-Iraq Era”, *The Washington Institute for Near East Policy: Turkish Policy Quarterly*, April 2003 <<http://www.washingtoninstitute.org/media/parris/parris0403.htm>> (26 July 2003).

Torbakov while quoting Burak Bekdil, a political analyst, wrote that the refusal was mostly

The product of Washington's failure to convince the Turkish military, which traditionally has an upper hand in deciding on security matters, that its war plans ... did not contain a hidden agenda that might pose a security threat to Turkey.¹⁹

It is also observed that till very recently Turkey was the friendliest neighbour of Iraq, whose other neighbours were generally unfriendly.²⁰ Further, most of the JDP deputies belonged to the southeast of Turkey with Kurdish and Arab blood relations across the borders with Iraq and Syria.²¹ Opposition to the motion could be judged by the fact that almost 100 JDP deputies voted against the motion. It was because of this that Prime Minister Erdogan did not dare present the motion for a second vote in spite of enormous US pressure and the promise of an economic package of \$30 billion, as he was not sure about the fate of the motion and feared that it might split up the party itself. The only thing the government was able to do in favour of the US was permission to use Turkish airspace under certain conditions.²²

Other factors responsible for the Turkish refusal were as follows:

Independent Kurdish State

The war on Iraq had raised the issue of the future status of northern Iraq where a considerable population of Kurds lived. Turkey was particularly worried and concerned about the future status of the Kurdish areas of Turkey and Iraq after the fall of Saddam Hussain.²³ Actually Turkey had already suffered because of the 1991 Gulf War, when the Allies had established a no-fly zone over northern Iraq and expelled the Iraqi Central authorities from the area. This had had a profoundly negative effect on Turkey. Anti-Turkish militant activities by the Kurds had escalated and resulted in more than 30,000

¹⁹ Igor Torbakov, "Historical Factors Influence Turkey's Stance on Iraq War", *Eurasianet Online*, 7 March 2003.

<http://www.eurasianet.org/departments/insight/articles/eav030703_pr.shtml> (26 July 2003).

²⁰ Robins, *Turkey and the Middle East*, pp. 48-49.

²¹ K Gajendra Singh, "US Will ignore Turkey's gray wolves at its peril", *Asia Times Online*, 25 March 2003 <<http://www.harford-hwp.com/archives/27c/266.html>> (26 July 2003).

²² K. Gajendra Singh, "Post Iraq War: US easing tension with Turkey", Paper no. 694. *South Asia Analysis Group Online*, 20 May 2003.

<<http://www.saag.org/papers7/paper694.html>> (26 July 2003).

²³ Dilip Hiro, *Desert Shield to Desert Storm: The Second Gulf War* (London: Paladin, Harper Collins Publications, 1992), p. 406.

Turkish deaths. It was only after a long struggle that the Turkish army was able to bring the situation under control.²⁴ The fragile peace established after 16 years of civil war between Turkish forces and Kurds hangs in the balance. In spite of the fact that in the recent past Turkey lifted the emergency rule, allowed the teaching of the Kurdish language, promoted Kurdish television broadcasts, newspapers and magazines and even tolerated pro-Kurdish political parties, the clouds of war over Iraq threaten the hard won peace.²⁵

To properly understand the Kurdish problem, it would be relevant to know their brief history. Kurds live in the contiguous mountainous areas of Turkey, Iraq, Iran, Armenia and Syria. Their territories are located in Asia Minor and generally known as Kurdistan (Land of the Kurds). They have their distinct culture and language and are mostly Sunni Muslims by religion. Before World War 1 (WW1) they freely moved in the Mesopotamian plains and the Turkish and Iranian highlands, and lived a nomadic life. However, after the war new nation-states were created (but not for the Kurds, who wanted their cherished Kurdistan) which hampered their free movement. The 1920 Treaty of Sevres created Iraq, Syria and Kuwait, and mentioned the possibility of a separate, independent Kurdish state. But it was never implemented and when Kemal Ataturk overthrew the Khilafat, Turkey, Iran and Iraq agreed not to allow the creation of an independent Kurdistan.²⁶

The late Turgut Ozal, Turkey's former Prime Minister and President, once toyed with the idea of integrating Kurdish territories with Turkey as a federated unit, which, in his opinion, would solve the Turkey's Kurdish problem.²⁷ Turkish claims are based on early 1920s arrangements made between Britain and the Turkish Republic, according to which Turkey would receive 10 per cent of all Iraqi oil revenues for a 25-year period in exchange for renouncing her claims over Mosul and Kirkuk. However, as a goodwill gesture towards Iraq in 1958 the Turkish Prime Minister, Adnan Menderes, suspended the treaty. Later Turkish governments tried to revive it.²⁸

²⁴ Ambassador Mark Parris, "Turkey and Regime Change in Iraq", *The Turkish Times Online*, 1 August 2002 <<http://www.theturkishtimes.com/archive/02/08/01/f-parris.htm>> (29 July 2003) & *Washington Post on Line*. "Who are the Kurds?" Feb 1999. <http://www.washingtonpost.com/wp-srv/inatl/daily/feb99/kurdprofile.htm>> (26 July 2003).

²⁵ Doug Vogt, "Turkey's Kurdish dilemma in Iraq", *The Inquisitor Online*, 15 April 2003. <<http://www.inquisitoronline.com/news/0303turkey01.html>> (26 July 2003).

²⁶ *Washington Post*, Who are the Kurds.

²⁷ Martin van Bruinessen, "The Kurds, Turkey and Iran after America's Iraq war: new possibilities?", 25 May 2003. <[http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Kurds after the war. Htm](http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Kurds%20after%20the%20war.Htm)> (26 July 2003).

²⁸ Amerin Zaman, "Turkey prepares to stake claim in Iraq's oil fields", *Online Telegraph*, 1 July 2003.

To counter Kurdish claims, Turkey planned to lay claim to the oil rich cities of Kirkuk and Mosul in Northern Iraq. A former Turkish Foreign Minister, Yasar Yakis, raised the issue in comments published in *Hurriyet* newspaper. He stated that he was examining the treaties signed in the early 20th century in order to have solid proof for his claim. These comments created a stir in the power corridors of the USA and Arab countries, as they wanted Iraq to remain united. The issue was further complicated by claims and counter claims by Turkey and Kurdish groups. The Kurds believed that Kirkuk and Mosul were both Kurdish populated cities, while Turkey believed that they were dominated by a Turkish ethnic group, the Turcomans,²⁹ which accounted for 65 per cent of the population of Kirkuk, while Arabs formed 25 per cent and Kurds and Assyrians only 10 per cent of the 60,000 residents of the city. However, the Kurds contested these figures and claimed that they were in the majority.³⁰

In the latest crisis some Turkish government officials once again raised the claims of Turkey on the basis of the 1920s agreements. However, at this juncture, it seemed that the Turkish government wanted to use these claims to counter the Kurdish demand for an independent state. This was evident from the fact that the top Turkish generals had threatened to invade northern Iraq if Kurds tried to break away from Baghdad.³¹ There were also some analysts who believed that the independent Kurdistan could bring Turkey and Iran together in order to thwart any such move. Dr. Hooman Peimani, a consultant in International Relations, believed,

Should the Iraqi Kurds incorporate Kirkuk and /or Mosul into their self-ruled region, fear of the feasibility of creating an independent Iraqi Kurdish state will likely push Iran and Turkey into the conflict. Concern about the impact of such a scenario on their Kurdish minorities could push Ankara and Tehran to follow the lead of Washington in preemption, with a much stronger case to justify their action.³²

In spite of the fact that there are 20 million Kurds living in different countries and sharing the same vision of an independent state, they are hardly unified. The Kurdistan Democratic Party (KDP), led by Massoud Barzani and

<[http://news.telegraph.co.uk/core/Content/displayPrintable.jhtml;\\$sessionid\\$DIP AQWCEC1F15QF1QMGSF...](http://news.telegraph.co.uk/core/Content/displayPrintable.jhtml;$sessionid$DIP AQWCEC1F15QF1QMGSF...)> (26 July 2003).

²⁹ Zaman, "Turkey prepares to stake claim in Iraq's oil fields".

³⁰ Hooman Peimani, "Power play in northern Iraq", *Asia Times Online*, 29 April 2003, <http://www.atimes.com/cgi-bin/es/cached.asp?URL=http://www.atimes.com/atimes/MiddleEast/ED29Ak0...> (29 July 2003).

³¹ Ibid.

³² Ibid.

the Patriotic Union of Kurdistan (PUK), led by Jalal Talabani, fought a bloody war with each other from 1994 to 1998 for power over northern Iraq; while Abdullah Ocalan's Kurdistan Workers' Party (PKK), involved in a guerrilla war against Turkey, did not accept the decision of Iraqi Kurds to have local self-government within the federation of Iraq, as they looked towards an independent state of Kurds. Further, there were tensions between PKK and KDP over the former's establishment of military bases inside Iraqi Kurd territory to launch attacks within Turkey.³³

After the Turkish refusal to allow American troops passage through Turkish territory, the Americans increased their cooperation with the Kurds. This development made the Turks nervous. Dr. Sarah D. Shields, a historian at University of North Carolina, Chapel Hill, observed, "Kurds promise that they will not tolerate a Turkish invasion. Turks promise they will not tolerate Kurds taking over northern Iraq."³⁴ Turkey fears close relations between Iraqi Kurds and USA. After the 1991 Gulf War the Iraqi Kurds enjoyed self-rule in northern Iraq as the Allies had declared their territories off-limits for the Saddam regime in Iraq. Turkey fears that this experience of self-rule could be used for a take-off point for an independent Kurdish state. However, the US government has declared that it would not allow this to happen.³⁵ Other geo-strategic indicators also show that the US-British coalition wants the Kurds to remain part of the Iraqi set-up, and to forget about their demand for an independent state.³⁶ As part of this plan 5 Kurds are included in the US backed 25-member Governing Council in Iraq.³⁷ The Kurd leadership also understands the new situation and they have publicly stated that they do not wish to secede from Iraq permanently. This is obvious from their slogan: "democracy for all of Iraq, and autonomy for Kurdistan."³⁸

Turkish concerns about these territories had another aspect as well. Turkey traditionally espouses the cause of the Turkish-speaking, Turcoman minority in northern Iraq. So when KDP and PUK proposed on September 25, 2002 the constitution of a "federal Iraq" with Kirkuk as the capital of Kurdish areas, it rang alarm bells in Turkey, as they thought this could lead to the suppression of Turcomans in Kikuk.³⁹ After the fall of the Iraqi regime

³³ *Washington Post*, Who are the Kurds?

³⁴ David Williamson, "Questions about northern Iraq may be troublesome after war", *UNC News Servic.*, 4 April 2003.

<<http://www.unc.edu/newsserv/research/apr03/shields040403.html>> (26 July 2003).

³⁵ *Dawn* (Islamabad), 20 July 2003.

³⁶ *Ibid.*, 24 July 2003.

³⁷ *Ibid.*, 20 July 2003.

³⁸ Bruinessen, "The Kurds, Turkey and Iran after America's Iraq war".

³⁹ Soner Cagaptay, "US Must Address Turkey's War Fears", *The Washington Institute for Near East Policy: Turkish Research Program Online*, 3 November 2002.

some of the Turkish fears gained credibility. When the Iraqi troops left the city of Kirkuk under heavy US bombardments, the forces of PUK and KDP entered the city in spite of their earlier promises not to do so. This alarmed Turkey, as it feared the impact of an independent Iraqi Kurdistan on her own Kurdish population. Turkey threatened to take action against Kurdish forces, which compelled the US forces to ask the Kurds to leave the city. However, the Iraqi Turkoman Front (ITF) alleged that later on the Kurds had re-entered the city and had once again started harassing and threatening Turcomans and Arabs. While the Turcomans suspected the intentions of the Kurds, the latter blamed the Turcomans for atrocities on Kurds and for having a pan-Turkish agenda backed by Ankara.⁴⁰ The ITF further alleged that the PUK and KDP had launched a systematic campaign to force the Turcomans and Arabs out of oil-rich Kirkuk and Mosul, which they believed, were to be incorporated by the Kurds in their self-ruled territory.⁴¹

The Turks are so suspicious of the Kurds that when the war on Iraq started they immediately moved thousands of their troops into northern Iraq without coordinating with the US.⁴² Though publicly they stated that they had taken control to monitor the movements of refugees towards Turkey, privately they confided that their main purpose was to thwart the political ambitions of the Kurds.⁴³ This alarmed the US as it raised the possibility of an open war between the Turkish army and US-allied Kurdish groups. Using their influence, the US was finally able to prevail upon the Turkish government not to send more troops to northern Iraq.⁴⁴ However it is important to note that there was and is a basic mistrust of the US in Turkish quarters. They believed that even if the US understood the security concerns of Turkey, at a later stage, in the process of replacing Saddam Hussain, they could trade off Turkey's interest.⁴⁵

After the quick toppling of Saddam Hussain the geo-strategic situation of the Middle East has changed. Since Turkey refused to take part in the war on Iraq, it has also lost the opportunity of determining the future of Iraqi

<<http://www.washingtoninstitute.org/media/cagaptay/cagaptay110302.htm>> (26 July 2003).

⁴⁰ Peimani, "Power play in northern Iraq".

⁴¹ Ibid.

⁴² "U.S. dismayed as Turkish troops pour into Northern Iraq", *Middle-East Realities Online*, 23 March 2003 <<http://www.hartford-hwp.com/archives/27c/146.html>> (26 July 2003).

⁴³ Gareth Jenkins, "Cold Turkey over Iraq", *Al-Abram Weekly Online*, 631, 27 March – 2 April 2003 <<http://weekly.ahram.org/eg/print/2003/631/sc13.htm>> (26 July 2003).

⁴⁴ Greg Butterfield, "Caught between Turkey and U.S., Kurds are squeezed by oil politics", *Workers World Online*, 3 April 2003 <<http://www.hartford-hwp.com/archives/27c/271.html>> (26 July 2003).

⁴⁵ Parris, "Regime Change in Iraq".

Kurdish areas. Had Turkey participated in the war, she might now have been able to station her troops in northern Iraq.

Refugees

Another reason for Turkish opposition to war on Iraq was their fears of a new influx of Iraqi refugees. They had the experience of the 1991 Gulf War when over 500,000 refugees streamed into Turkey. This time they expected that around 200,000 refugees might seek asylum in Turkey. Since the Turkish economy was in a slump and it was feared that it could further deteriorate due to war, the Turkish government could ill-afford another heavy burden of refugees.⁴⁶

Besides the economic implications, Turkey was also worried about its security, which could be aggravated by a large exodus of Kurdish refugees to Turkey. It was believed that an influx of Iraqi Kurds could heighten feelings of solidarity with their Kurdish counterparts in Turkey who shared tribal and blood ties with them.⁴⁷ Further it was feared that Kurdish separatists might penetrate into Turkey in the garb of refugees.⁴⁸ These concerns were not without foundation as during the 1991 Gulf War many Kurdish guerrillas smuggled arms and fighters into Turkey. Turkey is wary of Iraqi Kurds for political reasons as well; they are considered politically more active and could influence Turkish Kurds.⁴⁹

Economic Losses

Another reason for Turkey's opposition to war on Iraq was based on her fears that it would result in enormous economic losses to Turkey. The 1991 Gulf War caused Turkey an economic loss of \$44 billion due to its impact on trade, tourism, and other revenues.⁵⁰ Over all the Turkish economic growth had

⁴⁶ "Turkey decides to deploy troops in North Iraq", *Baku Today Online*, 25 March 2003. <<http://www.bakutoday.net/view.php?d=3482>> (29 July 2003) [Dr. Meliha Altuniski, Washington based Middle East Institute Scholar-in-Residence, expected that 600,000 Iraqi Kurds would enter Turkey as refugees in Meliha Benali Altuniskik. "Turkish Views on Iraq", *Middle East Institute Online*, 5 March 2003. <<http://www.mideast.org/html/b-islam030503.htm>> (26 July 2003).]

⁴⁷ Ayla Jean Yackley, "Turkey braces itself for refugees from Iraq war", *Relief Web Online*, 16 February 2003. <<http://www.reliefweb.int/w/rwb.nsf/0/A598219C5BD96689C1256CD0004F3473?OpenDocument&Start=1...>> (26 July 2003).

⁴⁸ Jonny Dymond, "Turkey prepares for Iraq refugees." *BBC News Online*, 15 January 2003 <http://www.bbc.co.uk/1/hi/world/middle_east/2662161.stm> (26 July 2003).

⁴⁹ Louis Meixler, "Turkey Prepares for Iraqi Refugees", *The State Online*, 30 November 2002. <<http://www.thestate.com/mld/thestate/news/world/4634741.htm?template=contentModules/printstory.jsp>> (26 July 2003).

⁵⁰ Soner Cagaptay "US Must Address Turkey's War Fears".

dropped from 5 percent to 1 percent.⁵¹ This time Turkey expected that the war would cause them \$14 billion losses.⁵² Thus a Turkey with an economy in recession that had not yet fully recovered from the economic losses of the 1991 Gulf War, could not afford to see another war on her borders.⁵³ The immediate fall out of the war on Turkish economy could be analysed by the fact that when the Turkish Parliament refused to allow American troops pass through their country, the stock market plunged and currency fell to a new low.⁵⁴ The JDP government was looking forward to American aid for Turkish support in the war to plug the deficit in the troubled Turkish economy, but the Parliament's refusal dashed all such hopes to the ground. The result was the introduction of \$2 billion tax hikes and cuts in Turkey. Further the delay in release of \$1.6 billion instalment by IMF added 10 per cent to real interest rates as well. It was also feared that if the same trend continued Turkey might face default in domestic debt servicing, with all sorts of social and political ramifications.⁵⁵

A pro-government business group TOBB estimated that a short war would cause Turkey a minimum economic loss of \$16 billion, while the tourist business could drop to half- \$5 billion. There was also the possibility of high oil prices, falling trade and rising debt services, which could cost the government a further \$11 billion. And all this would ultimately affect the poor masses of Turkey.⁵⁶

International Sanctions on Iraq and their effects on Turkey

The 1990 UN economic sanctions on Iraq had serious negative impacts on Turkey. Before the sanctions, Iraq was Turkey's principal trading partner.⁵⁷ According to former American Ambassador to Turkey, Mark Parris, "The impact of these sanctions was on the order of what Americans would experience if the U.S.-Canadian border were sealed indefinitely." A conservative estimate put the economic losses to Turkey from these sanctions around \$40 to \$80 billion.⁵⁸

⁵¹ Annie Schleicher, "Turkey in the Middle." *PBS News Hour Extra Online*. 26 February 2003 <<http://www.pbs.org/newshour/extra/features/jan-june03/turkey.html>> (26 July 2003).

⁵² Soner Cagaptay, "US Must Address Turkey's War Fears".

⁵³ Donald Crone, "Iraq War Claims First Victim: Turkey", *College News Online*. n.d. <<http://www.collegenews.org/x2269.xml>> (26 July 2003).

⁵⁴ Doug Vogt, "Turkey's Kurdish dilemma in Iraq", *The Inquisitor Online*. 15 April 2003. <<http://www.inquisitoronline.com/news/0303turkey01.html>> (26 July 2003).

⁵⁵ Mulholland, "Turkey, US imperialism and the popular anti-war mood".

⁵⁶ Ibid.

⁵⁷ Hiro, *Desert Shield to Desert Storm*, pp. 117, 132.

⁵⁸ Parris, *Regime Change in Iraq*.

Before the sanctions, Turkey-Iraqi traders did a bustling business. The Iraqis used the Turkish ports of Iskendrun and Mersin for importing goods from Europe, and then carried them in hundreds of trucks over the modern west-east highway. They not only ferried goods from Europe, they also transported goods to Iraq and other countries in the Middle East from Turkey. The Turkish economy benefited tremendously from these business activities.⁵⁹

As part of the economic sanctions imposed by UN on Iraq the pipeline taking oil from Iraq through Turkish territories was sealed. For six years it remained closed and Turkey suffered economically due to a loss of revenues. It was reopened in 1996 as part of the UN oil-for-food programme for Iraq. The new war once again endangered the smooth supply of oil through this pipeline.⁶⁰

Tourism

Turkey suffered losses of billions of dollars in tourism during the 1991 Gulf War.⁶¹ Before the new war on Iraq (2003), when the Turkish economy was passing through recession, many believed that the war would hamper Turkish efforts to reduce their massive debt burden, which was being jacked up by a IMF \$16 billion loan.⁶² In 2002 Turkey earned around \$12 billion from tourism but with the start of the new war on Iraq the Turkish nightmare proved real. Flights were cancelled, hotels remained empty, rooms were vacant and the hustle and bustle of tourists was non-existent. Tourism was a major engine of the Turkish economy, and its failure adversely affected the Turkish people. This was worrisome to the US as well, because the already existing anti-American feelings could grow even stronger. This kind of situation was hardly welcome for the US, as Turkey had been a longstanding strategic ally.⁶³

⁵⁹ K Gajendra Singh, "Northern Iraq and Turkey: Historical setting and strategic objectives", *South Asia Analysis Group Online*, 25 March 2003.

<<http://www.saag.org/papers7/paper640.html>> (26 July 2003).

⁶⁰ Zaman, "Turkey prepares to stake claim in Iraq's oil fields".

⁶¹ Lawrence Freedman and Efraim Karsh, *The Gulf Conflict, 1990-1991: Diplomacy and War in the New World Order* (Princeton, New Jersey: Princeton University Press, 1993), p. 352.

⁶² Bradley Graham, "US Discusses Aid for Turkey to Defray Costs of an Iraq War", *Washington Post Online*, 19 November 2002.

<<http://www.washingtonpost.com/ac2/wp-dyn/A7542-2002Nov18?language=printer>> (26 July 2003).

⁶³ Frank Bruni, "Turkey's tourism market suffers", *International Herald Tribune Online*, 16 April 2003 <<http://iht.com/cgi-bin/generic.cgi?template.tmplh&ArticleId=93398>> (29 July 2003).

Security Concerns

Last but not least Turkey was also afraid that if she joined the war on Iraq, she could face missile attacks from Iraq. Turkey wanted a guarantee from NATO allies for her defence but the latter refused to extend any such commitment.⁶⁴

Positive Effects

The Iraq War has some positive impact on Turkey as well. When the possibility of war loomed large on Iraq, the Turks launched large-scale protests against Turkey's joining the war on the side of US and allowing the US troops to use Turkish soil. Under pressure from these demonstrations the powerful Turkish army and the National Security Council (MGK - the army-dominated highest decision-making body), abstained from recommending permission for US troops. Thus it gave a free hand to the Parliament to decide. Sensing the mood of the people the Parliament did not grant the required permission to US troops.⁶⁵ This gave confidence to the deputies of the GNA to take bold decisions. The emboldened Parliament passed another landmark legislation on 30 July 2003 curbing the political influence of its powerful military. The new legislation curtailed the powers of MGK, which would no more enjoy executive powers and would work only as an advisory body. It also abolished some anti-terror laws, which had curtailed freedom of thought and expression.⁶⁶

Some observers believed that the GNA's refusal to grant permission to American troops had two aspects: one group was sharply disappointed, while the other group believed that for the first time the Turkish Parliament had lived up to the expectations of people and heard their voices.⁶⁷ This change of Parliament's attitude could be termed as the dawn of a new democratic era in Turkey. It is believed that if the Turkish military generals did not step in, as they did in 1997, to restore the previous order of things, for the first time in the history of their young republic the Turks would enjoy real democracy.⁶⁸

World-renowned scholar Noam Chomsky believed that Turkey had taught a lesson of democracy to USA and hailed the Turkish Parliament's decision. In an interview with *Global Aware* he stated:

“The criticism of Turkey in the US is indeed bitter, and extremely revealing. The Turkish government took the position of over 90 per cent of the population. That reveals that the government lacks

⁶⁴ Altunisik, “Turkish Views on Iraq”.

⁶⁵ Singh, “Northern Iraq and Turkey”.

⁶⁶ “Turkey passes EU reform curbing military's power”, *Dawn Online*, 31 July 2003. <<http://www.dawn.com/2003/07/31/int10.htm>> (31 July 2003).

⁶⁷ Meryem Koray, “The Iraq War and Its Reflections on Turkey”, *Turkish Times Online* n.d. <http://www.herseyiletisim.com/tt/14/print/18_1_en_p.htm> (26 July 2003).

‘democratic credentials,’ according to former Ambassador Morris Abramowitz, now a distinguished elder statesman. The government is ‘following the people,’ he wrote, instead of following orders from Washington and Crawford, Texas. That is plainly unacceptable. The view he articulates is standard. Turkey taught the US a lesson in democracy. That is regarded as criminal.... I do not recall ever having seen such demonstration of intense hatred for democracy on the part of elite opinion in the US (and to some extent Britain).⁶⁹

After the war on Iraq is over and there are talks of reconstruction in Iraq, Turkey finds herself the best-placed country to contribute to its reconstruction. Turkey is a neighboring country, with its Mediterranean ports of Mersin and Iskendrun linked to the Iraqi border through a sophisticated highway. With a great deal of experience in the construction and energy sectors, and in telecommunications and food industries, it is hoped by local officials that Turkey may get 20 per cent of the reconstruction projects with a price tag of \$600 billion over the coming decade.⁷⁰

The Future of Turkey – US Relations

After the end of the Cold War in the nineties both Turkey and the US decided that they had become more important to each other than earlier. It was under the perceptions of this realisation that they declared themselves to be “strategic partners.” However it started changing even before Bush declared War on Iraq. The post war situation has brought new realities to the forefront and Turkish-US relations would be determined by these realities.⁷¹

The Turkish Parliament’s ‘no’ has endangered the previous close Turkey-US economic relations. It carries many consequences for Turkey. The refusal has put a question mark on the future attitude of America towards Turkish textiles. The US has remained a long-time trading partner of Turkey. In the backdrop of the war on Iraq and the Turkish policy, it is uncertain whether US would adopt any preferential policy towards Turkish textiles or not, particularly on imports to the United States after the WTO phase-out of quotas in 2005. Further, the Parliament’s refusal left Turkey unprotected from the effects of the war, as the attitude of the Congress hardened towards

⁶⁸ Christopher, “Turkey says no to US deployment”.

⁶⁹ Noam Chomsky, “Turkey and the US War on Iraq: An Interview”, *Global Aware Online*, 3 April 2003, <http://www.globalaware.org/noticeboard/chomsky_turkey.html> (26 July 2003).

⁷⁰ “Turkey Seeks Key Role in Iraq’s Post-War Reconstruction”, *Southeast European Times Online*, n.d. <http://www.setimes.com/default3.asp?lang=english&page=process_print&article_id=19286> (26 July 2003).

⁷¹ Parris, “Starting Over”.

Turkey. Mark Parris opines, “This in turn, reinforced Turkish concerns that Congress would not come through on Administration aid promises, even if Parliament turned its decision around.” He further observed that the Turkish Parliament’s ‘no’ and later efforts to ‘sweeten the deal’ created a negative image of Turkey amongst the American people. It was thought that the Turks were bargaining for a better economic deal. And in Turkey it was supposed that Americans were using strong arms tactics, which increased anti-American feelings.⁷²

Overall, at the end of war on Iraq there were mixed feelings about Turkey in Washington. One group was cautious while the neo-conservatives were critical and vocal. The first critical comments came from the American Deputy Defence Secretary, Paul Wolfowitz, who in an interview with CNN-Turk television stated that the beginning of a new chapter in relations with US depended on Turkey. He also referred to Turkey’s policy towards Syria and Iran, which in his opinion was not to the liking the US. He also recalled the Parliament’s refusal and stated,

Let’s have a Turkey that steps up and says, ‘we made a mistake, we should have known how bad things were in Iraq, but we know now. Let’s figure out how we can be as helpful as possible to the Americans.’ I’d like to see a different sort of attitude than I have yet detected.

These remarks received sharp rebuttals from Turkish leaders. Prime Minister Recep Tayyep Erdogan, while commenting on this remark, stated, “Turkey, from the very beginning, never made any mistakes, and has taken all the necessary steps in all sincerity.” The Turkish Government spokesman, Cemil Cicek was even more vocal and critical, he said that actually USA had made mistakes, which they should accept. Turkey co-operated in the first Gulf War but USA did not keep her promises and Turkey suffered billions of dollars in economic losses. Deniz Baykal, leader of the opposition in Turkish Parliament observed, “Turkey is a democratic country and everybody that appreciates the functioning of the true democracy should respect this.”⁷³

In spite of these critical statements by hawks, efforts were made even during the war by moderate elements in both countries to put the relations back on track. It was part of this effort that once the war started the Turkish government allowed the Allies to use its airspace unconditionally. Then on 2 April 2003, it was announced that Turkey agreed to allow military supplies to pass through her territory earmarked for US and Allied forces in northern Iraq. This was made possible after US Secretary of State Colin Powell and Turkish Foreign Minister Abdullah Gul brokered an agreement in Ankara.

⁷² Ibid.

⁷³ Singh, “US easing tension”.

After the meeting Powell declared Turkey “an important member of the coalition that is now aligned against the regime of Saddam Hussein.”⁷⁴

The efforts to rebuild the damaged relations were made by moderates in both Ankara and Washington. From the Turkish side most of the conciliatory statements were issued by moderate Turkish Foreign Minister, Abdullah Gul, some weakened secular political parties and the establishment and media, but the proud Turkish armed forces kept quiet. From the US side, the moderate and conciliatory group was led by Secretary of State, Colin Powell, who hastily arranged a trip to Ankara in early April 2003. Later George W. Bush and the Turkish Prime Minister Recep Tayyip Erdogan held two telephonic conversations to ward off further damage. From Turkey, too, many senior JDP officials visited Washington as part of the efforts to normalize the strained relations. The statement from the Turkish Prime Minister that his country was “part of the coalition” was also considered an endeavour to warm up the relations. The relations got a further boost when the US government included \$1 billion grant to Turkey in the Supplemental US war budget. The most recent conciliatory statements were issued by the US National Security Advisor, Condoleeza Rice, who stated that though they had had some difficult moments with Turkey in the recent past, their relationship was long and strong and would continue to be so. Both countries had strategic interests in a united Iraq and they could work together in this area. She further stated that actually they had already worked in this area together. She also hoped that Turkey could be involved in the reconstruction of Iraq as it would be in her interest. She also observed that Turkish democracy could be a model for other Muslim countries, as it was a proof that democracy and Islam could go together. She further affirmed that overall they had strong relationship with Turkey and would continue so in the future.⁷⁵

Condoleeza Rice’s statement could be supported by the fact that both the US and Turkey were cooperating with each other to settle the thorny issue. For example, in order to settle the Kurdish problem, Washington and Ankara started negotiations on how to get rid of Kurdish militants holed up in northern Iraq.⁷⁶ The BBC reported on 17 July 2003 that negotiations were held

⁷⁴ Gerry J. Gilmore, “U.S., Turkey Announces Operation Iraqi Freedom Support Agreement”, *American Forces Information Service News Articles Online*, 2 April 2003 <http://www.dod.mil/cgi-bin/dlprint.cgi?http://www.dod.mil/news/Apr2003/n04022003_200304026.html> (26 July 2003) & Ken Guggenheim, “Wolfowitz says Turkey made ‘big, big mistake’ in denying use of land”, *Sign On SanDiego Online* (27 March 2003).

⁷⁵ Bulent Aliriza, “Seeking Redefinition: U.S.-Turkish Relations After Iraq: Turkey Project”, *Centre for Strategic and International Studies Online*, 5 June 2003. <<http://www.csis.org/turkey/TU030605.pdf>> (8 August 2003) & Singh, US easing tension.

⁷⁶ *Dawn* (Islamabad), 20 July 2003.

between General John Abizaid, the new head of US Central Command and General Hilmo Ozkok, the Turkish Armed Forces Chief, on the possibility of cooperating with each other in ousting Kurdish militants from northern Iraq. Both generals also discussed the possibility of setting up an international peacekeeping force for Iraq.⁷⁷ Later in an interview Maj. Gen. David Petraus, the head of the 101st Airborne Division and the top US commander in northern Iraq, stated that joint military exercises had been going on between Turkish and US forces along the Turkish-Iraqi border. He further stated that the staging ground of these exercises was previously used by PKK/KADEK terrorist groups to launch attacks on Turkey.⁷⁸

The war on Iraq has also affected Turkey-European Union relations on the Kurdish question. During the war the Kurdish issue came to the limelight, creating a dilemma for Turkey's Kurd policy. If Turkey adopted a lenient policy, they feared a free Kurdistan, but if they came down hard on the Kurds, it endangered Turkey's bid to become a member of the European Union (which they wanted so dearly), because the European Union opposed the sending of Turkish troops into northern Iraq. For this reason when the Iraqi Kurds increased their militant activities in the wake of the war and Turkey sent her troops to forestall a possible Kurdish insurgency, the European Union warned Turkey against sending troops to Iraq.⁷⁹ The Turkish action also alarmed her NATO allies, particularly anti-war nations like Germany and Belgium, who threatened that the Turkish involvement in the war could lead to the withdrawal of support for defensive NATO measures for Turkey.⁸⁰

In July 2003 Abdullah Gul, the Turkish Foreign Minister, went on a four-day official visit to Washington. Speaking to journalists on his return, he stated that Turkey's offer of cooperation in post-war Iraq was positively received.⁸¹

⁷⁷ "US and Turkey seek Iraq co-operation", *BBC News on line*, 19 July 2003.

<<http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/middle-east/3080901.stm>> (26 July 2003).

⁷⁸ "US Commander: Turkish, American Forces Conducting Joint Training Exercises in Northern Iraq", *Republic of Turkey: Ministry of Foreign Affairs Online*, 28 July 2003.

<<http://www.mfa.gov.tr/grupbd/01.htm>> (29 July 2003).

⁷⁹ "Turkey EU hopes threatened by Iraq War", *The Manila Times Online*, 26 March 2003.

<<http://www.manilatimes.net/national/2003/mar/26/world/20030326wor3.html>> (29 July 2003).

⁸⁰ "Turkey, European Union: Membership Hopes Threatened By War", *Monday Morning Online*, n.d.

<<http://www.mmorning.com/article.asp?Article=5160&CategoryID=6>> (29 July 2003).

⁸¹ Turkey Ministry of Foreign Affairs Online, 28 July 2003.

An important indicator of American efforts to improve relations with Turkey was her continued economic aid to Turkey in spite of tension between these two NATO allies. Turkey remained one of the beneficiaries of regular 2004 foreign aid. The regular military aid request for Turkey increased from \$17.5 million in fiscal year 2003 to \$50 million in First Year 2004, ostensibly to help its armed forces modernize and operate alongside other NATO members. The Administration also requested \$200 million in new economic aid for Turkey 'to mitigate the economic stress Turkey is experiencing as a result of its support for combating international terrorism.' The Export-Import bank approved another \$324 million loan guarantee for the purchase of S-70B Sea Hawk and UH-60 Black Hawk attack helicopters on 16 January 2003.⁸² Further, the USA did not try to hamper loans to Turkey in IMF and World Bank, where American influence was considered crucial; the IMF announced on 1 August 2003 the release of delayed payments of \$ 476 million to Turkey. It also rescheduled some of the loan payments due in 2004-05, to 2005-06.⁸³

To rebuild strained relations and re-establish the strategic partnership, the General Staff Headquarters Secretariat General at Ankara announced on 30 July 2003, that Turkey, Israel and the United States would hold joint naval exercises named 'Reliant Mermaid-VI' in the international waters of the eastern Mediterranean in August 2003.⁸⁴

Importance of Turkey for the USA

In spite of recent tensions in US-Turkey relations, the former cannot ignore Turkey. The USA understands very well the importance of Turkey in her overall foreign policy. Some analysts believe that the Brzezinski faction wants to use "the war on terrorism" against Russia by stationing the US forces in Central Asia. They also believe that in this effort Turkey could be very useful in using her influence in the Turkish speaking Central Asian states.⁸⁵

Americans also understand Turkey's importance in reducing anti-American sentiment in the Islamic World. Turkey, which takes pride in being a secular, liberal and democratic Muslim country, could help to bridge the gap between the USA and hostile Muslim countries. The present JDP government

⁸² "Arms, Aid, and the War with Iraq: Military aid as a diplomatic tool", *Federation of American Scientists Online*, n.d. <<http://www.fas.org/gulfwar2/at/>> (26 July 2003).

⁸³ *Dawn* (Islamabad), 3 August 2003, & "IMF approves Turkey loan review, extends repayments", *Reuters Online*, 1 August 2003. <<http://www.reuters.com/printerlyPopup.jhtml?type=topNews&storyID=3206614>> (4 August 2003).

⁸⁴ "Turkey, Israel And The United States To Participate in Joint Reliant Mermaid-vi Naval Exercise", *Turkish Press Online*, 31 July 2003. <<http://www.turkishpress.com/turkishpress/nes.asp?ID=12155>> (1 August 2003).

⁸⁵ Jone, "War on Iraq".

could play a particularly important role, as the party is considered to be an Islamic religious party.⁸⁶ Dr. Murat Mercan, Vice Chairman of JDP, in an interview with the Washington based Centre for Strategic and International Studies (CSIS), highlighted this aspect and stated that Turkey could become a role model for the Muslim world in general and the Middle East in particular. Turkey could inspire these countries to follow the principles of secularism, liberalism and democracy, and if these principles were adopted by a Muslim country, that country would not be considered a threat to the free world anymore.⁸⁷

Turkey's relations with Israel are also considered very important by the Wolfowitz-Perle faction, as both work very closely with the "Mega" networks comprising the extreme right wing of the Israeli political scene.⁸⁸ Dr. Murat Mercan while pointing towards this relationship stated that Turkey could play the role of facilitator in the Middle East Peace Process or the resolution of the Palestinian-Israeli conflict.⁸⁹

Another area where the US needs Turkey's cooperation is in the deteriorating law and order situation in Iraq. The Americans would like the Turkish government to send troops to help in the restoration of normalcy. *The New York Times* reported in July 2003 that the Turkish Prime Minister, Recep Tayyip Erdogan, had received President Bush's request for Turkish troops in Iraq.⁹⁰ The news was later confirmed by the Pentagon and Capitol Hill when Defense Secretary Donald Rumsfeld and Air Force General Richard Myers, Chairman of the Joint Chiefs of Staff, stated in separate statements that the US was negotiating with Pakistan, India and Turkey to send thousands of troops to help in Iraq.⁹¹ According to the Ankara-based *Hurriyet* newspaper the American administration was lobbying with Ankara to send 10,000 troops to war battered Iraq where Americans were facing mounting resistance and a daily death toll amongst its soldiers.⁹²

⁸⁶ Ibid.

⁸⁷ Dr. Murat Mercan, "The JDP Government at Six Months", *Centre for Strategic and International Studies Online*, 22 May 2003.
<<http://www.csis.org/turkey/030522mercan.pdf>> (7 August 2003).

⁸⁸ Jone, "War on Iraq".

⁸⁹ Mercan, "The JDP Government at Six Months".

⁹⁰ Dexter Filkins, "After the War: Turkey says U.S. Wants It to Send Troops to Iraq", *The New York Times Online*, 21 July 2003.
<<http://query.nytimes.com/gst/abstract.html?res=F30616F934580C728EDDAE0894DB404482>> (29 July 2003).

⁹¹ "U.S. negotiating with Pakistan, India, Turkey to send troops", *The Seattle Times Online*, 25 July 2003 <<http://seattletimes.nwsourc.com/cgi-bin/PrintStory.pl?document id=2001237029&zsection id=268448413...>> (29 July 2003).

⁹² Thalif Deen, "US bartering arms for soldiers for Iraq", *Asia Times Online*. n.d.
<<http://www.atimes.com/atimes/printN.html>> (31 July 2003).

Dr. Murat Mercan, the Vice Chairman of the ruling party in Turkey, observed during a meeting with CSIS that both America and Turkey should forget about the past (referring to tensions created by the refusal of the Turkish Parliament). He stated that Turkey had contributed whatever it could to the war effort, even though this was not exactly what the US expected. Turkey had contributed in permitting overflights, and in giving logistical and humanitarian support. He further observed that in the coming days Turkey could contribute yet more, as it was expected that situations would arise in which Turkey could play a major role.⁹³

As part of American plan to restructure the Middle East she also needs Turkish help in dealing with Iran and Syria. These two countries are considered hurdles in the American plan. However, Turkey's assistance cannot be taken for granted, because if there is a military confrontation with either Syria or Iran, Turkey might find herself in a situation similar to the one she faced in the build up to the war on Iraq.⁹⁴ This is clear from the Turkish policy towards these countries as well. Even before the war Turkey had started improving relations with Syria, inviting the Syrian Chief of Staff to visit Ankara and signing agreements for joint military training and defence production. After the fall of Baghdad relations further strengthened through increased trade activities, and Turkish trucks were allowed to pass through Syrian borders.⁹⁵

In order to reinforce Turkish-Syrian relations the Syrian Prime Minister, Mustapha Miro, visited Turkey in July, 2003. This was the first visit by a Syrian Prime Minister since 1986. While the Turkish Foreign Ministry announced that Ankara considered the visit to be very important, the US expressed concern and stated that Ankara should be careful about upgrading its relationship with Syria. On the eve of his visit, the Syrian Prime Minister stated that Syria, Turkey and Iran should forge closer relations to safeguard their interests in the Middle East and thwart US designs to restructure the area.⁹⁶

In the recent past, Turkish-Iranian relations soured mainly because of Iran's refusal to declare Kadek-the political successor to the Kurdistan

⁹³ Mercan, "The JDP Government at Six Months".

⁹⁴ Aliriza, "Seeking Redefinition".

⁹⁵ Khaled Abddel-Azim, "The Geopolitical Consequences of the US Occupation of Iraq", *Al-Siyassa Al-Dawliya Online*, July 2003.

<http://www.siyassa.org.eg/esiyassa/ahram/2003/7/1/FILES.HTM> (24 July 2003).

⁹⁶ "Turkey to host Syrian PM amid US concerns", *The News International Online*, 26 July 2003. <<http://jang.com.pk/thenews/jul2003-daily/26-07-2003/world/w10.htm>> (29 July 2003), "Syrian premier sees bright future for relations with Turkey", *Clari News Online*, 31 July 2003. <http://quickstart.clari.net/qsse/webnews/wed/dm/Qturkey-syria-us.RnulDIV.html> (14 August 2003) & *Arab Times Online*. 14th – 15th August 2003.

Workers' Party (PKK)- as a terrorist organisation. However, in April 2003, both countries decided to improve their relations, and created a trade zone where customs duties were reduced on many products. The Turkish-Iranian Business Council also held meetings in Istanbul to discuss plans for the improvement of roads and transportation facilities. They also discussed the possibility of exporting Iranian gas via Turkey to Europe.⁹⁷

Another significant development is the proposal for a gas pipeline from al-Arish in Egypt through Syria to Turkey. Thus the increasing ties between Turkey, Iran, Syria and Egypt could fill the gap on the eastern front of the Arab world created by the fall of Iraq.⁹⁸

Conclusion

The American War on Terrorism (especially her military attacks on Afghanistan and Iraq) has opened a new chapter in world history. As the famous American writer Gore Vidal remarked, 'it's the end of American republicanism and the beginning of American imperialism.'⁹⁹ In an international poll conducted through Internet by TIMEurope.com before the start of the war on Iraq, a question was asked of Internet users, "Which country really poses the greatest danger to world peace in 2003?" 706842 people responded, and nearly 87 per cent believed that the USA posed the greatest danger to world peace, while 6.7 per cent voted for North Korea and only 6.3 per cent for Iraq.¹⁰⁰ Bush and his junta have actually put in danger the peace of the whole world. Their policy of preemption and hegemony has no limits; if other regional powers use it as an excuse for aggression the whole world will soon be in flames. The war on Iraq has opened the eyes of the world community. It must rise to the occasion and think of ways and means to counter the dangers that have arisen because of the Bush Doctrine.

The war has also awakened the Turks, compelling them to think more realistically about their own national interests rather than deferring endlessly to the interests of the USA. It was this realisation that led the GNA to refuse the use of Turkish soil to US troops. In the beginning this caused some problems for the economy. In the long run, however, the Turkish people will be the beneficiaries, because they will learn to stand on their own feet instead of looking for crutches. Politically too, the Turks will benefit from the climate of

⁹⁷ Abddel-Azim, "The Geopolitical Consequences of the US Occupation of Iraq".

⁹⁸ Ibid.

⁹⁹ John Mark Ministries, Friends: Ancient and Modern, Interview with Gore Vidal by Johann Hari for *The New Statesman* (15 October 2001)
<<http://www.pastornet.net.au/jmm/afam/afam0075.htm>> (24 September 2003).

¹⁰⁰ "The biggest Threat To Peace: You Vote", *Time Europe Online*. n.d.
<<http://www.time.com/time/eu/printout/0,9869,403139,00.html>> (15 August 2003) & "Quick Vote Result." n.d. *Time Europe Online*.
<<http://www.time.com/gdml.dyn>> 15 August 2003.

change. For the first time in the history of the republic the public representatives have, in line with the wishes of the people, taken a firm stand against the dominant army presence in the government. It can be called the beginning of true democracy in Turkey. This has already started to happen as the Turkish Parliament in the aftermath of the war has taken steps to strip the army of some of its executive powers. One example is the new legislation that has deprived the army of the right to appoint a general as the head of the powerful National Security Council. Though this legislation is also the result of a strong Turkish desire to join the European Union, the historic 'no' to US forces also gave strength to the GNA to take such decisions against the army.

Externally, too, Turkey is bound to benefit because now Turkey will be looking towards regional countries for economic and military cooperation rather than depending wholly on the USA. She has already taken steps to improve her relations with neighboring Muslim countries such as Syria and Iran, with whom she did not have good relations in the past.

Last but not least, the USA cannot ignore Turkey for any length of time because Turkey is a powerful regional country whose support the Americans need on a variety of regional and international issues. It is said that the only things that are permanent in a country's foreign policy are her national interests, and that there is no permanent enemy or friend in international relations. Therefore, if America considers Turkey to be of any benefit for her national interest, she is bound to improve her relations with Turkey and this is exactly what has started happening. For example, the USA, Turkey and Israel are conducting joint military exercises in the aftermath of war on Iraq, the USA has sanctioned economic aid for Turkey for the year 2004 and the Bush administration has issued many statements reaffirming Turkey's status as an important ally. Besides that, many high profile visits have taken place to each other country. ■