
PAKISTAN IN 2007

More Violent, More Unstable

_____ Adeel Khan
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Abstract

In 2007, Pakistan experienced one of the most violent and eventful years in its history. The year included the dismissal and reinstatement of the Supreme Court chief justice, the Red Mosque siege and consequent killings, farcical presidential elections, intensified violence in tribal areas that spread to other regions of the country, the imposition of emergency rule and suspension of the Constitution, and the assassination of former Prime Minister Benazir Bhutto.

Keywords: terrorism, military, elections, Taliban, judiciary

Introduction

For the troubled country of Pakistan, the year 2007 proved to be one of the most violent and eventful in its recent history. Violence that was restricted to the tribal areas of the North West Frontier Province (NWFP) and Balochistan not only intensified and took on more ominous form but also spread to other parts of the country. The president, Pervez Musharraf, dubiously ordered the chief justice of Pakistan, Iftikhar Chaudhry, to resign, thus triggering widespread protests by members of Pakistan's legal community. The capital, Islamabad, witnessed an unprecedented drama that started with female students of a religious seminary demonstrating in the streets and subsequently escalated into the siege and raiding of the Red Mosque, resulting in the deaths of about 150 militants. One former prime minister, Nawaz Sharif, attempted to return to Pakistan but was sent back to Saudi Arabia on another flight after

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Asian Survey, Vol. 48, Issue 1, pp. 144–153, ISSN 0004-4687, electronic ISSN 1533-838X. © 2008 by The Regents of the University of California. All rights reserved. Please direct all requests for permission to photocopy or reproduce article content through the University of California Press's Rights and Permissions website, at <http://www.ucpressjournals.com/reprintInfo.asp>. DOI: AS.2008.48.1.144.

arriving at the airport. Another former prime minister, Benazir Bhutto, came back to Pakistan under an apparent deal with Musharraf. She was welcomed by a massive rally of supporters but became the target of one of the most lethal terrorist attacks in Pakistan's history, escaping injury in a blast that killed over 140 people and injured over 500 in Karachi. Musharraf succeeded in getting himself reelected to a second term as president in a dubious election that was challenged by the Supreme Court. As the court proceedings to decide whether he could constitutionally contest an election while still remaining chief of army staff were underway, the insecure and increasingly impatient Musharraf clamped down emergency rule and suspended the Constitution on November 3.¹ Sharif was allowed to return to Pakistan in late November. Bhutto was assassinated on December 27 in Rawalpindi.

Waziristan

In December 2006, it was reported that around 750 Pakistani soldiers hunting "terrorists" in the Federally Administered Tribal Areas (FATA)—of which Waziristan is the most violent part—had lost their lives in military operations since 2001.² This figure was subsequently adjusted upward and is currently estimated to be more than 1,000.³ Following the Pakistani army's air strikes in the region, pro-Taliban tribal elements scrapped the September 2006 peace accord in July 2007. The conflict subsequently became bloodier with the militants using suicide bombings against the security forces and the military responding by using helicopter gunships and long-range artillery guns. The bloodshed also spread to "even those places that were hitherto untouched."⁴ Since then, both soldiers and tribal fighters have lost their lives in attacks and counter attacks all over the troubled region on almost a daily basis. Militants have also abducted hundreds of soldiers. The situation is so precarious that security forces are often more concerned about how to protect themselves from possible suicide attacks than about prosecuting the fight against the militants.⁵

1. It is unconstitutional for a person to be the president of Pakistan while simultaneously holding another government position. According to Article 43 of the Constitution, "The President shall not hold any office of profit in the service of Pakistan or occupy any other position carrying the right to remuneration for the rendering of services." See *The Constitution of the Islamic Republic of Pakistan, 1973*, edited and introduced by Makhdoom Ali Khan (Karachi: Pakistan Law House, 1996).

2. "The Frontier Spirit," *Economist*, December 13, 2006, <http://www.economist.com/world/asia/PrinterFriendly.cfm?story_id=8413130>.

3. "Where the Jihad Lives Now," *Newsweek*, October 29, 2007, <<http://www.newsweek.com/id/57485>>.

4. Rahimullah Yusufzai, "Jirgas Still the Best Option in Waziristan," *News International Pakistan*, August 17, 2007.

5. "Militants Release 25 Pakistani Soldiers," *Dawn*, Pakistan, September 21, 2007.

There are various interpretations regarding the factors that have led to escalation of the conflict. One of the major factors is believed to be the often disproportionate use of firepower by the armed forces, which has alienated large segments of the tribal population. Another factor is the potentially dubious role of the army's highly secret Inter Services Intelligence (ISI). It is suspected that since the ISI originally helped facilitate the emergence of the Taliban during the Soviet occupation of Afghanistan, elements within the organization still maintain close personal ties with the militants.⁶ Claiming that some Pakistani officials are in close contact with the Taliban, one Western military official in Islamabad was quoted as saying, "They may not be assisting them, but they aren't busting them either."⁷ This assessment has been reiterated by several local journalists in the Peshawar area who have close contacts with military personnel on the ground.⁸ In the words of one local Taliban commander, "Pakistan knows everything about us, but it seems to ignore us."⁹ This assessment suggests that ideological and institutional divisions exist within the Pakistani security apparatus that make fighting militancy in a coordinated and effective way much more challenging.

Creeping Talibanization

Terrorist violence that had been restricted to the tribal areas of the NWFP spread beyond this region to the heart of Pakistan in 2007. In fact, Taliban-style militants have been so emboldened that they have even confronted the government in the capital. Militants associated with the Red Mosque in Islamabad first attracted media attention when they launched a protest campaign in support of the Taliban following the U.S. invasion of Afghanistan in 2001.¹⁰ In January 2007, the world witnessed a demonstration in the streets by burqa-clad, baton-wielding female students of a seminary associated with the Red Mosque, who were protesting against "obscenities" like music and movies and in favor of imposing Islamic law. After this demonstration, both men and women associated with clerics of the Red Mosque tried to impose new rules of morality in the city by forcibly shutting down video and music shops and by abducting women they believed to be of "immoral character."¹¹ For the next six months, the Red Mosque militants raided private homes, attacked shops, and kidnapped

6. "Where the Jihad Lives Now."

7. Ibid.

8. Author's confidential interviews with journalists in Peshawar, Pakistan, January 2006.

9. "Where the Jihad Lives Now."

10. The Red Mosque was used for inciting *jihad* (holy war) against the government, demanding imposition of strict Islamic law, opposing military operation in Waziristan, and calling for the boycott of funerals of Pakistani soldiers killed while fighting Islamic militants. Zaffar Abbas, "The Creeping Coup," *Dawn*, Pakistan, March 31, 2007.

11. Ibid.

not only police officials but also visiting foreigners in a campaign of social “purification.”¹²

Over time, militants associated with the Red Mosque managed to smuggle arms and ammunition into its compound and began demanding the imposition of their brand of Islamic law over the entire country. Growing increasingly weary of the Red Mosque’s disruptive activities, the government demanded the surrender of its leadership and armed activists. Instead of surrendering, they barricaded themselves in the mosque compound along with more than 1,000 women and children who were supposedly receiving religious training there. The government described these women and children as being “hostages” or “human shields,” but the veracity of these characterizations is unclear and open to interpretation. The government initially tried to negotiate through various religious leaders and politicians, but the main clerical leader of the militants, Abdul Rashid Ghazi, refused to budge. On July 3, a majority of the students or, in the government’s words, “hostages,” in the Red Mosque were allowed to leave the compound by the militant leadership. On July 10, after further negotiations, the Pakistani army launched a full-scale commando attack that killed about 150 of the remaining militants holed up in the compound, including Ghazi.¹³ During the attack, nearly a dozen soldiers also died. This brought to an end one of the most bizarre episodes in Pakistan’s recent history.

Militant violence, however, did not end; it subsequently escalated. In protest of the government’s raid on the Red Mosque, suicide bombers began targeting security forces and government buildings in various parts of the NWFP. In the northern area, the Swat Valley became a particularly bloody battleground between militants and security forces. This is not the first time that the Swat Valley has been the scene of violence committed by Islamic conservatives. In 1994, there was an uprising of the Islamic fundamentalist group, Tazim Nifaz Shariat-i-Mohammadi (TNSM, Organization for the Imposition of Prophet Mohammad’s Law), which demanded the enforcement of strict Islamic law.¹⁴ This uprising was eventually subdued by a combination of military force and political concessions, but underlying resentment continued to simmer. The TNSM renewed its violent campaign after the Red Mosque incident, sending suicide bombers to target security forces and beheading several security force personnel. For their part, the security forces responded by using helicopter gunships to pound suspected TNSM hideouts.

Terrorist violence has spread to other parts of the country as well, as evidenced by the suicide bombings in Rawalpindi near the president’s residence

12. Editorial, “A Gruesome End,” *ibid.*, July 11, 2007.

13. *Ibid.*

14. Rahimullah Yusufzai, “Violence Returns to Swat,” *News International Pakistan*, November 2, 2007, <http://www.thenews.com.pk/editorial_detail.asp?id=78352>.

and in Sargodha on a bus carrying Pakistan air force personnel. Fighting between the Pakistan army and Islamic militants in the NWFP also intensified. This deteriorating situation is quite ominous because the government's handling of the various crises—Waziristan, *madrassah* (Islamic religious school) reforms, and the Red Mosque incident—indicates that it either lacks a coherent strategy to deal with the rising tide of religious extremism or that its overall strategy (if any) is ineffective. This remains a continuing challenge for the central Pakistani state.

The Judge and the “Missing Persons”

On March 9, 2007, Musharraf suspended the chief justice of Pakistan's Supreme Court, Iftikhar Chaudhry, replacing him with another senior judge, who was named acting chief justice. The president asked the Supreme Judicial Council to investigate allegations of misconduct against Chaudhry.¹⁵ This was actually not the first time that Musharraf had confronted the judiciary. In 2000, he had dismissed 18 judges, including the chief justice, after they refused to take an oath to accept a provisional Constitution that Musharraf had issued after toppling the elected government of Nawaz Sharif in a coup and coming into power.

It is widely believed that Chaudhry's judicial activism, especially in the cases of “missing persons,” angered Musharraf, who viewed the chief justice's actions as being tantamount to challenging his government and the executive's power.¹⁶ In particular, Chaudhry had ordered investigations into the cases of some 400 missing persons, mostly from his native province of Balochistan, where insurgents are fighting the central state for increased provincial autonomy.¹⁷ Chaudhry had also developed a reputation for independence, regularly summoning police officers and other security officials accused of illegally detaining suspects, and had demanded judicial investigations into their alleged transgressions. Through Chaudhry's actions, many missing persons were actually recovered and produced in court, and many others were expected to be traced and eventually freed.¹⁸ Such judicial activism, however, cast Musharraf and his regime in an extremely bad light internationally and at home.

Despite incessant intimidation, Chaudhry had defiantly refused to resign and had continued to aggressively exercise his powers as chief justice until his suspension. This made the relatively unknown judge an unlikely hero to the

15. Nasir Iqbal, “Judge Suspended, Escorted Home,” *Dawn*, Pakistan, March 9, 2007.

16. *Ibid.*

17. “General Disarray,” *Economist*, May 17, 2007, <http://www.economist.com/world/display_story.cfm?story_id=9189311>.

18. Rahimullah Yusufzai, “Missing Persons,” *News International Pakistan*, September 8, 2007, <http://www.thenews.com.pk/editorial_detail.asp?id=71391>.

legal community and to large sections of the intelligentsia in Pakistan. After a four-month court trial and protests—which cost the lives of 42 of the judge’s supporters—the Supreme Court unanimously struck down the president’s action and on July 20, 2007, reinstated Chaudhry.¹⁹ This further angered Musharraf’s regime and set up a potential battle between the judicial and executive branches of the Pakistani government.

Return of “the Exiles”

On September 9, Nawaz Sharif—clearly banking on the Supreme Court’s support for his right of return to Pakistan—flew from London to Islamabad in a (premature) attempt to end his exile and re-enter Pakistani politics. He was arrested upon landing at Islamabad’s airport and, after four and a half hours of detention, was forced to board another flight to Jeddah to complete the remaining three years of his 10-year exile in Saudi Arabia.²⁰ All this was done against the Supreme Court’s judgment that stated every Pakistani had “an inalienable right” to return home and remain there if they wished.²¹ On November 25, Nawaz Sharif made another attempt to return. This time he was not only allowed to stay in Pakistan but was also allowed to campaign for his party for the then-scheduled (but subsequently postponed) January 8, 2008, parliamentary elections.

The return to Pakistan of another former prime minister, Benazir Bhutto, was an altogether different matter. Bhutto had ostensibly struck a deal with Musharraf for a power sharing arrangement. As a result, Musharraf had promulgated the National Reconciliation Ordinance. This ordinance was designed to waive charges of corruption against select bureaucrats and business persons, thus conveniently dropping charges against Bhutto as well.²² Bhutto was greeted in Karachi by a massive rally of her supporters. As she was being driven home in a caravan, two explosions brought the jubilation to a tragic end: more than 140 people lay dead and hundreds more injured.²³ While it is unclear exactly who was responsible for this assassination attempt, Bhutto blamed the attack on supporters of former President Zia ul-Haq—the former Pakistani dictator who had toppled Benazir’s father, Zulfikar Ali Bhutto, in 1977 and subsequently

19. “Chaudhry Chuffed,” *Economist*, July 26, 2007.

20. Inamullah Khattak et al., “Force and Guile behind New Exile,” *Dawn*, Pakistan, September 11, 2007, <<http://www.dawn.com/2007/09/11/top1.htm>>.

21. Editorial, “Homecoming and Exit,” *ibid.*, September 11, 2007, <<http://www.dawn.com/2007/09/11/ed.htm>>.

22. Rahimullah Yusufzai, “Musharraf-BB [Benazir Bhutto] Relationship,” *News International Pakistan*, October 19, 2007, <http://www.thenews.com.pk/editorial_detail.asp?id=76221>.

23. S. Raza Hassan, “Suicide Bomber Used 14-kg RDX Explosives,” *Dawn*, Pakistan, October 20, 2007, <<http://www.dawn.com/2007/10/20/top2.htm>>.

had him hanged.²⁴ After the assassination attempt, Bhutto stated that she had warned Musharraf that several officials within his government were planning suicide attacks on her, although she refused to name them publicly. The press tended to blame radical Islamists for these blasts.

The reported Musharraf-Benazir power sharing deal was purely an alliance of convenience for both politicians. Musharraf had found himself increasingly isolated and insecure, whereas Bhutto desired to be free of corruption charges that had prevented her from returning to Pakistan. Although the deal was widely reported and was not denied by either side, its details were not made public. It is unclear how a deal with Musharraf, who is essentially a military dictator, would have affected Bhutto's political standing. As for Musharraf, the deal did not end his isolation and insecurity even though he managed to get himself re-elected president by the outgoing legislators in a legally questionable election. After the imposition of emergency rule and the return of Nawaz Sharif, however, Bhutto was forced to distance herself from the Musharraf government.

Election Farce and Emergency Rule

Musharraf took a bizarre but not unprecedented step by having himself re-elected on October 6, 2007, by the outgoing national and provincial assemblies.²⁵ He was in a hurry to do so because his term as president was ending in November. Musharraf could have called parliamentary elections earlier and sought support from the newly elected assemblies, which would have legitimized his power had he been successful, but he clearly was not willing to take this risk.

Not surprisingly, Musharraf won most of the electoral college votes using the existing assemblies—384 out of 702—but there were widespread allegations of parliamentary manipulation to gain the necessary votes to win.²⁶ Musharraf's win, however, did not definitively ensure his reelection as president because the Supreme Court accepted a petition challenging the legality of his contesting while still being chief of army staff. In response, Musharraf promised to "take off his uniform" if the court decided in his favor. The Supreme Court declared that it would announce its verdict on November 6, but the increasingly impatient general—uncertain of the independent judges' decision—clamped "emergency rule" on the country on November 3 and suspended the Constitution. The independent judges, including Chaudhry, were dismissed and

24. Shamim-ur-Rahman, "Zia's Remnants Blamed for Karachi Carnage," *ibid.*, October 20, 2007, <<http://www.dawn.com/2007/10/20/top1.htm>>.

25. The president is elected by an electoral college comprising the national assembly, the senate, and the four provincial (state) assemblies.

26. "Musharraf Sweeps Vote, Victory Hangs on Court," *Dawn*, Pakistan, October 6, 2007, <<http://www.dawn.com/2007/10/06/welcome.htm>>.

put under house arrest. Thousands of protesting lawyers, human rights activists, opposition politicians, and political workers were also detained.

After suspending the Constitution, Musharraf issued a provisional constitutional order. The emergency proclamation began by claiming that a “visible ascendancy in the activities of extremists and incidents of terrorist attacks” necessitated such an extraordinary action. It also contained a long charge-sheet against the judiciary, blaming it for having members who were “working at cross purposes with the executive and legislature in the fight against terrorism and extremism, thereby weakening the government and the nation’s resolve and diluting the efficacy of its actions to control this menace.”²⁷ In essence, the proclamation accused the judiciary of weakening the writ of the government, demoralizing the police force, and thwarting the intelligence agencies’ activities and preventing them from pursuing terrorists.

Musharraf’s claim that the Supreme Court abused the law and impeded the government’s efforts against terrorists and suicide bombers was quite implausible. The claim in the proclamation that “some hard core militants, extremists, terrorists and suicide bombers, who were arrested and being investigated were ordered to be free” by the Supreme Court was also highly questionable.²⁸ The Supreme Court had, in fact, traced and released some of the “missing persons” that government security and intelligence agencies had abducted without legal charges, but this did not necessarily mean that they were proven “terrorists” because they were never convicted in a court of law. Chief Justice Iftikhar Chaudhry, heading a four-member bench of the Supreme Court, directed the government on November 1 to release all the missing persons by November 13, arguing that many suspects were being illegally held by secret agencies, without access to the judicial system.²⁹ He further argued that suspect criminals should not be hidden from the courts but should be produced for prosecution.

As far as combating militancy and terrorism is concerned, the Musharraf government’s performance has been mediocre irrespective of the draconian powers given to the military and security agencies. For example, there are over 100,000 army troops deployed in the NWFP, of which 90,000 are in Waziristan. Despite this huge military presence, the security situation in these regions has deteriorated significantly over the past year. This was exemplified by the fact that militants kidnapped 247 army personnel, including eight officers, on August 30. Shortly thereafter, 31 soldiers were released, but three were shot dead. On November 4—one day after the imposition of emergency rule—the

27. “Gen. Musharraf’s Second Coup,” *ibid.*, November 4, 2007, <<http://www.dawn.com/2007/11/04/top1.htm>>.

28. *Ibid.*

29. “CJ [Chief Justice] Wants All Missing Persons Released by 13th,” *News International Pakistan*, November 2, 2007, <http://www.thenews.com.pk/arc_default.asp>.

government released 25 hardcore militants, many of them convicted by the anti-terrorism court, in exchange for the remaining 213 army personnel.³⁰ By releasing the convicted militants, the government did exactly what it accused the Supreme Court of doing in terms of undermining the war against militancy. This hostage drama clearly demonstrates that the government's ability to fight terrorism is quite precarious.

The Assassination of Benazir Bhutto

Musharraf got his reelection as president legitimized by handpicked judges of the Supreme Court. After retiring from the position of chief of army staff, Musharraf lifted the emergency and announced that national and provincial assembly elections would be held on January 8, 2008. As the election campaign was in full swing, Bhutto was unexpectedly assassinated on December 27, 2007, in Rawalpindi—a garrison city that houses the Pakistani army's general headquarters—after addressing a public rally in the city's Liaquat Bagh (garden). One assassin apparently opened fire on her with a handgun, after which another detonated a bomb strapped to his body. Bhutto's assassination sparked widespread violence throughout the country. For the next three days, normal life was suspended as angry mobs—infiltrated by miscreants—burned public and private property and looted banks and shops. Hundreds of cars, buildings, banks, trains, and railway and police stations were set alight in the worst street violence in Pakistan's history.

The Musharraf government's response to Bhutto's assassination was crude and clumsy. From the very beginning, the government's actions created confusion about the cause of Bhutto's death. For example, the Interior Ministry kept changing its statements relating to the incident. It initially stated she had been killed by the assassin's bullets but later announced that she had actually died by hitting her head against the lever of her vehicle's sunroof during the attack. The government blamed the assassination on al-Qaeda, stating that it had intercepted a telephonic conversation between al-Qaeda leader Baitullah Mehsud and another militant praising the "boys" for the job. In response to these government allegations, al-Qaeda denied any involvement in the incident. The crime scene in Liaquat Bagh was washed soon after the incident by the government, a postmortem was not performed, and the initial medical report by doctors was changed. Later, the medical record was removed from the hospital. The medical team's supervisor, Dr. Fayaz Ahmed Khan, told the media, "It's a terrible position for our medical professions to be in . . . to be caught up in this very emotional and political issue."³¹ The culmination of the government's

30. Alamgir Bhattani, "Govt. Frees 25 Militants in Exchange for 213 Hostages," *Dawn*, Pakistan, November 5, 2007, <<http://www.dawn.com/2007/11/05/top4.htm>>.

31. "Medical Record Removed, Doctors Silenced: Report," *ibid.*, January 2, 2008.

actions raised suspicions in some quarters that Bhutto's assassination was not the work of religious terrorists but rather a calculated plan worked out by individuals within Musharraf's government.³² The national and provincial elections originally scheduled for January 8, 2008, were subsequently rescheduled for February.

Conclusion

Emergency rule, suspension of the Constitution, and the dismissal of independent judges did not give Musharraf and his regime more power to successfully combat militancy and terrorism. After all, the state has been empowered to fight the militants since 2001. Instead, Musharraf's declaration of emergency was aimed at exercising more power over those who either explicitly or implicitly challenged his authority and his regime's legitimacy. Instead of achieving this goal, his actions appear to have backfired: they coalesced important segments of Pakistani society—including all major political parties, the legal community, human rights activists, the independent media, and the intelligentsia—to oppose his increasingly dictatorial style of leadership. As a result, Musharraf and his regime are more isolated and insecure than ever before, both domestically and internationally. Thus, the declaration of emergency ironically weakened his regime instead of strengthening it, further emboldening the militants. At a time when Pakistan has become ever more violent and dangerous, the regime's recent political (mis)adventures do not augur well for the country's future. In addition, Bhutto's assassination has further eroded the Musharraf regime's legitimacy and has added to political uncertainty in Pakistan in these already trying and volatile times.

32. In late-October 2007, Bhutto had expressed concerns to her long-time American friend and lobbyist Mark Siegal that some of Musharraf's "minions" had made her feel insecure and were preventing her from having appropriate security arrangements while in Pakistan. For a discussion about some of the controversies and questions surrounding Bhutto's death, see "Bhutto Murder: The Key Questions," BBC News (International), United Kingdom, December 31, 2007, <http://news.bbc.co.uk/2/hi/south_asia/7165892.stm>.