

PAKISTAN:
THE MULLAHS AND THE MILITARY

20 March 2003



TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS	i
I. INTRODUCTION	1
II. MMA: AN UNNATURAL ALLIANCE	5
A. ROOTS OF DIFFERENCE.....	5
B. JAMAAT-I-ISLAMI: A NATURAL ALLY	6
C. JIHAD AND THE ISLAMIC STATE	7
D. TIES WITH THE MILITARY	8
E. STRUCTURE AND METHODOLOGY	9
F. THE JI’S EXTENDED FAMILY.....	10
G. JUI: DEOBAND’S POLITICAL FACET.....	11
1. Corridors Of Power.....	11
2. Deoband’s Militant Facets	13
H. WHAT BRINGS THE MMA TOGETHER?.....	14
III. MMA’S ELECTORAL VICTORY	15
A. POLITICAL ADVANTAGES	16
B. ELECTION ANOMALIES.....	17
IV. RHETORIC AND REALITY	19
A. MMA AND MUSHARRAF	19
B. INTERNAL DISCORD	20
C. WOMEN AND MINORITIES	20
V. OFFICIAL ISLAM	22
A. THE MINISTRY OF RELIGIOUS AFFAIRS	22
B. THE COUNCIL OF ISLAMIC IDEOLOGY.....	23
VI. SHARIA AND THE LEGAL SYSTEM	25
A. RELIGIOUS DISCRIMINATION.....	26
B. GENDER DISCRIMINATION	28
C. IMPLEMENTING THE SHARIA.....	29
VII. CONCLUSION	31
APPENDICES	
A. MAP OF PAKISTAN	33
B. GLOSSARY OF ACRONYMS	34
C. GLOSSARY OF NON-ENGLISH TERMS	35
D. ABOUT THE INTERNATIONAL CRISIS GROUP	36
E. ICG REPORTS AND BRIEFING PAPERS	37
F. ICG BOARD MEMBERS	42



PAKISTAN: THE MULLAHS AND THE MILITARY

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The resurgence of the religious parties in the October 2002 elections portends ill for Pakistan's political, cultural and social stability. For the first time in the country's history, an alliance of six major religious parties – the Muttahida Majlis-e-Amal (MMA) – has won power in two provinces, vowing to Islamise state and society through Taliban-like policies. The MMA based its electoral campaign on Islam and anti-U.S. slogans, targeting President Pervez Musharraf's pro-U.S. policies and pledging the enforcement of Sharia law. It now runs the government in the Northwest Frontier Province (NWFP), bordering on Afghanistan, and shares power in Baluchistan.

The MMA's zeal might encourage the supporters of its component parties to take up arms against U.S. forces in Afghanistan or their Afghan allies. Pakistani military and paramilitary troops on the border should be able to contain such a threat. More significantly, however, the rise of religious parties threatens to undermine civil liberties, freedom of expression, legal reforms and religious tolerance in Pakistan. In particular, the situation of women and minorities may become more difficult in the two provinces under MMA control.

The MMA program runs counter to President Musharraf's pledges of reform. Having taken power in October 1999, Musharraf promised to end religious extremism and promote moderate Islam – a program that would have been a revolution of sorts. His decision to join the international coalition against terrorism after 11 September 2001 did bolster his image as a reformist and secular ruler. But the general has opted to follow the path of his military predecessors, forging alliances of convenience with religious organisations to counter secular political adversaries.

The Jamaat-i-Islami and the Jamiat Ulema-e-Islam, the largest parties in the MMA, have maintained close ties with the military for decades. Musharraf's aversion to the mainstream political parties led by Benazir Bhutto and Nawaz Sharif and the military's declared intent to keep those two former prime ministers out of power presented the MMA with an open political field. As a result, religious parties have gained political clout, and religion is again at the heart of debates on legislation and public policy.

The MMA's political domain is as yet restricted to two out of four provincial governments. It has chosen not to join the ruling pro-military Muslim League – Quaid-i-Azam (PML-Q) – at the centre, and has adopted a confrontational stance in the National Assembly. However, the alliance shares power with the PML-Q in Baluchistan. This strategy helps it promote an anti-American agenda while avoiding direct confrontation with the military's support for the U.S.-led war on terrorism. Aware that foreign and defence policy is the military's preserve, the MMA restricts its opposition to the generals to rhetoric. Its goal, in any case, is not to confront the military but to consolidate its political gains.

By assisting the military's electoral manoeuvres, including formation of suitable governments in the centre and the provinces, the MMA has obtained major concessions, such as the release from jail of party workers and the dropping of several prosecutions. In the NWFP and Baluchistan, Islamisation is now official policy. Initial steps, such as a ban on music in public, attacks on cable television operators, and police action against video shops are signs of what lies ahead as the MMA implements its program.

Though MMA leaders have tried to allay worries that their governments might adopt Taliban-style policies,

their actions show preference for strict religious rule. The MMA agenda includes an end to co-education, a first step towards the total segregation of women in public life, and the addition of more Islamic texts to school and college curricula. The MMA plans to screen and register NGOs in the NWFP and Baluchistan. Moral policing by the student wings of its parties in NWFP and Baluchistan educational institutions enjoys official backing. Similar trends are visible elsewhere in public life.

It remains to be seen how much room the MMA will be given to apply its version of Sharia law in the two provinces. The MMA stresses that implementation will remain within constitutional confines. Although the constitution is Islamic, the form and substance of Islamisation is determined by the centre, and federal legislation has primacy. The provinces are dependent on Islamabad's financial assistance. Moreover, Musharraf's constitutional amendments empower him to override parliament.

If history is a guide, however, the MMA could succeed with its Islamisation agenda. Many Islamic provisions are already part of the legal system, enacted by previous military governments. Since the military takeover in 1999, the government has demonstrated neither will nor intent to pursue domestic policies opposed by the mullahs, such as madrasa regulation or changes in discriminatory Islamic laws. Although the MMA sits with the opposition in the National Assembly, it has assured the government of Prime Minister Zafarullah Khan Jamali that it will not help dislodge Musharraf's political order. In return, the government might just decide to reward the MMA by tolerating Islamisation in the NWFP and Baluchistan.

The mullahs' usefulness for the military goes beyond domestic politics. The perpetual threat of war with India over Kashmir, a conflict coloured in religious hues, also brings the MMA and the military together. The more Musharraf searches for domestic legitimacy, the more he plays up the Indian threat. The mullahs are more than willing to support the military's policies in Kashmir.

The domestic implications of Musharraf's unwillingness to transfer power are far reaching. The President's constitutional and political distortions have put a fragile federation under immense stress. In the absence of checks on the military's political powers, ethnic tensions are rising, particularly in Sindh and Baluchistan where there is strong

resentment of the Punjabi-dominated military. There is also anger there at Musharraf's efforts to empower religious parties at the expense of their moderate, secular counterparts with an ethnic or regional base.

While moderate sections of Pakistani society are being marginalised, religious parties and their causes are flourishing. The military follows pro-U.S. policies but the compulsions of domestic legitimacy have resulted in an alliance of expediency with the religious sector. As a result of the military's unwillingness to extricate itself from domestic politics, the religious right, jihad and Islamisation are again acceptable currency in political life, threatening regional peace and fundamental political, economic and social rights of Pakistanis.

RECOMMENDATIONS

To the Government of Pakistan:

1. Revise the Legal Framework Order 2002 and other amendments made by the Musharraf administration to remove restrictions on fundamental freedoms, including limits on the freedoms of assembly and expression and participation in government.
2. Revoke constitutional amendments that discriminate on the basis of religion and sex.
3. Revise Islamic laws that undermine rights of minorities and women by:
 - (a) amending the Hudood ordinances, including those on evidence and payment of compensation for murder, to restore the legal rights of women; and
 - (b) tightening procedures for bringing blasphemy prosecutions.
4. Prevent MMA provincial governments from pursuing policies that violate basic constitutional rights by:
 - (a) using the constitutional powers of the federal government to override any provincial legislation that restricts women's participation in public life, or denies them education and employment opportunities;
 - (b) refusing to sanction proposed changes in the educational system or textbooks at the provincial level that are inconsistent with national policy; and

- (c) using federal law enforcement agencies to protect NGOs and their personnel.
5. Channel no federal grants and aid money to educational, health and employment projects specifically designed for promoting segregation or other religious causes.
6. Devise and implement legislation to institutionalise an ad hoc ban on jihadi organisations and curb activities aimed at recruitment, fundraising and publication of jihad literature.
7. Implement existing anti-terrorism laws to disarm and disband private militias.
8. Devise new legislation and implement existing anti-terrorism laws to:
 - (a) counter MMA governments' intentions to relax arms licensing regulations; and
 - (b) implement federal restrictions on the possession and public display of weapons across the board.
9. Regulate madrasas and mosques so as to end their use for the promotion and propagation of extremist political and militant ideologies.
10. Seek parliamentary action to widen the membership of the Council of Islamic Ideology to include the full range of Muslim opinion, including moderate scholars, lawyers, academics, women's organisations and financial experts.
11. Curtail the mandate and scope of the Ministry of Religious Affairs and substantially limit it to public service issues, including the haj and other pilgrimages.
14. Encourage domestic reforms by:
 - (a) funding secular educational projects through international financial institutions and bilateral aid agreements;
 - (b) extending financial support to development NGOs that deliver health, education and social services in the NWFP and Baluchistan; and
 - (c) providing economic and political support, through UN agencies and bilateral funding, for democratic development programs in the NWFP and Baluchistan.
15. Monitor the cooperation of Pakistani military, paramilitary and intelligence forces in preventing jihadis from moving across the Pakistan-Afghanistan border and into Kashmir.

Islamabad/Brussels, 20 March 2003

To the International Community:

12. Monitor and assess, pursuant to the UN Security Council's anti-terrorism resolutions, the Musharraf government's compliance with obligatory domestic reforms to:
 - (a) curb religious extremism and militancy;
 - (b) reform the education sector; and
 - (c) enforce strict anti-terrorism financing laws.
13. Condition aid to Pakistan upon fulfilment of its commitments under international law to protect women and minorities against legal, political and social discrimination.

PAKISTAN: THE MULLAHS AND THE MILITARY

I. INTRODUCTION

*The Muslim state in India was a theocracy... In theory, the sultan's authority in religious matters was limited by the holy law of the Qur'aan and no sultan could clearly divorce religion from politics. But in practice, the Muslim sultan of India was a perfect autocrat and his word was law. The real source of the sultan's authority was military strength, and this was understood and acquiesced in...by the soldiers, the poets and the ulema of the age.*¹

The politics of religion in Pakistan has gained international attention because of the change in U.S.-Pakistan relations after 11 September 2001. General Musharraf's about-turn on Pakistan's Afghan policy resulted in a backlash by pro-Taliban Islamic parties. Although street demonstrations failed to galvanise popular opinion, the Muttahida Majlis-e-Amal (United Council for Action, MMA), an alliance of six Islamic parties,² scored impressive gains in national elections in October 2002.

Exploiting anti-American sentiments, particularly in Pashtun-dominated regions, the alliance won a majority of seats in the Northwest Frontier Province (NWFP) where it now runs the government. In Baluchistan – the other province that borders on Afghanistan – it is the largest party and principal

partner in the pro-Musharraf coalition government.³ With 62 of 342 seats, it holds the balance of power in the lower house, the National Assembly.⁴

The election results appeared to suggest that the military and the mullahs were headed for a showdown that might lead to domestic instability and undermine the U.S.-led war on terrorism. However, analysts who saw the MMA electoral victory as a demonstration of the religious parties' capacity "to outgrow the position of a mere instrument of official policy and become a political

³ In mid-2002, Pakistan's population was estimated at 145,960,000. The NWFP covers 9.1 per cent of the country's total area of 796,095 square kilometres, and accounts for 13.4 per cent of the population. Other than the Pashtuns, the province is home to Hindko speakers. Punjab covers 25.8 per cent of Pakistan's land area but has 55.5 per cent of its population. Southern Punjab is Seraiki speaking. Most of the army is recruited from central Punjab and the Potohar region. Sindh covers 17.7 per cent of the land area and has 23 per cent of the population; Baluchistan constitutes 43.6 per cent of the land area and five per cent of the population. Both Sindh and Baluchistan have a precarious ethnic balance. The urban-rural divide in Sindh, with Sindhi speakers dominating the countryside and Muhajirs (migrants from India or their descendants), the urban centres, has been a source of violent conflict in cities like Karachi – a situation worsened by sectarianism and the presence of many Pashtuns and Afghans. Afghan refugees and an indigenous Pashtun population dominate the urban centres in Baluchistan also, although they make up only 12 to 15 per cent of the population. "Economic Survey of Pakistan 2001-2002", Ministry of Finance, Government of Pakistan, Islamabad, 13 June 2002. See also ICG Asia Report N°40, *Pakistan: Transition to Democracy*, 3 October 2002, p. 7. All ICG briefings and reports are available at www.crisiweb.org.

⁴ The parliament consists of the president and the two elected houses, the National Assembly and the Senate. The National Assembly is directly elected, with seats distributed on the basis of provincial population. The Senate is indirectly elected, with all federal units having 22 members, other than the Federally Administered Tribal Areas (FATA) with eight and the Capital Territory with four. Except for money bills, the Senate can initiate legislation in all areas.

¹ Majumdar, Raychaudhuri and Datta, *An Advanced History of India*, Vol. 1 (Lahore, 1980), p. 391.

² The six parties in the MMA are: the Jamiat Ulema-e-Islam (JUI-Fazlur Rehman), Jamiat Ulema-e-Islam (JUI-Samiul Haq); the Jamaat-i-Islami (JI, headed by Qazi Hussain Ahmed); the Jamiat Ulema-e-Pakistan (JUP, led by Shah Ahmed Noorani)²; the Jamiat Ahle Hadith (JAH, headed by Sajid Mir); and the Islami Tehrik Pakistan (ITP, led by Syed Sajjad Naqvi), representing Shias.

force in their own right”⁵ overstated the MMA’s power and desire to defy the military.

Despite a formal transition to democracy, the military’s authority and policies remain impervious to civilian challenge. The MMA is more than willing to play by the military’s rules. The mullahs and the military worked together against common foes during the Cold War and the Afghan jihad and have identical views on Kashmir and relations with India.

An assumption that the MMA’s electoral performance would spark a political confrontation also ignored the linkages between Islamic politics and the military. In theory, Pakistan is an Islamic theocracy. Article 2 of the 1973 constitution declares Islam is the official state religion and sovereignty belongs to Allah:

All existing laws shall be brought in conformity with the injunctions of Islam as laid down in the holy Qur’aan and Sunnah...and no law shall be enacted which is repugnant to such injunctions (Article 227).

The ulema (Islamic scholars) have played an officially recognised role in shaping the Pakistani polity, including the writing of legislation. As a result of their influence, Islamisation is, at least formally, the ultimate objective of the constitution and the basis of the state’s legitimacy.

In practice, though, the military is the source of central authority and the guardian of state power. This is understood and accepted by the ulema because of the military’s monopoly over the means of coercion and its image as the defender of an Islamic Pakistan against a Hindu India. The religious right is, therefore, the military’s natural ally.

To reward that ally, the military has co-opted the religious sector along with its causes. Pakistan’s political, constitutional and legal development has hinged on how – and how much – its military-led establishment has integrated and rewarded various segments of the clergy in the name of Islamisation. Though the religious parties have never formed a national government, the Islamisation of laws and education is already advanced.

There is little that the Islamic movements and parties do and say that the military-controlled state itself has not supported. From dawa (preaching) to jihad and from pilgrimages to interpretations of the Sharia, the state performs all the functions that are part of the religious movements’ mandate. Mullahs and the military-dominated official machinery use the same language and follow similar methodologies in the cause of Islam. Every government is constitutionally obliged to do so. Instead of confrontation, the military has, therefore, often favoured and promoted Islamic movements and causes.

However, what an Islamic system might mean in practical terms has been subject to sectarian interpretations and unending intellectual debates over the last 55 years. Official adherence to vague notions of a religious system has led to unresolved “political, cultural and ideological confusion”.⁶ Even the ulema differ over so basic a question as the definition of a Muslim.⁷

This ambiguity serves the purposes of a Westernised civilian-military bureaucracy. Strategic alliances with the U.S., for instance, have resulted in political and economic rewards that advance both the military’s institutional interests and its perceived national security needs. A pro-Western foreign policy is justified domestically as accommodating “pro-Westernism in the ideological framework of Pan-Islamism”.⁸ Moreover, the personal proclivities of military leaders have determined the form and substance of Islamisation, as much as changes in the regional and international environments.

Under Pakistan’s first military ruler, General Mohammad Ayub Khan (1958-69), the military vowed to build a modern, pro-Western Islamic state that would serve as a bulwark against Soviet communism. Religious parties and scholars also saw communism as the main threat to Islam. The military and mullahs regarded Pakistanis who professed communism, socialism or secularism as their common enemy.

⁵ Mohammed Waseem, “Turning the Wheels”, *Dawn* (Karachi), 16 October 2002, sec. Op-ed, p. 7.

⁶ Khalid bin Sayeed, *Western Dominance and Political Islam: Challenge and Response* (Oxford, 1997), p. 126.

⁷ Rubya Mehdi, *The Islamization of the Law in Pakistan* (Richmond, 1994) p. 20.

⁸ Mohammed Waseem, “Military in the Power Structure of Pakistan”, Conference Paper, Jakarta (17-19 October 2000), p. 9.

The alliance between Ayub and the clergy was, however, strained by Ayub's liberal religious view. A code of Muslim Family Laws, drawn up by religious scholars of his choice, for instance, provided legal protection to women's matrimonial rights and is still an object of criticism by the ulema.

Another general, Agha Mohammed Yahya Khan, who fought a war against East Pakistan's secession following the country's first national elections in 1970, succeeded Ayub. The religious lobby, led by the Jamaat-i-Islami's youth wings, actively joined the war alongside Pakistani troops fighting their secular Bengali opponents. The war resulted in Bangladesh's independence after India intervened.

That military-mullah alliance expanded and gained strength during the next period of martial law. There was a complete convergence of interests between the religious right and Pakistan's third military ruler, General Mohammed Zia-ul-Haq (1977-88), who joined hands with the religious parties even prior to overthrowing an elected government. Their protest movement created the conditions for his coup d'état.

The military and the mullahs had a common domestic enemy – the secular mainstream parties. Zia's personal proclivities also matched those of his religious partners. Rigid interpretations of Islamic injunctions and jurisprudence were introduced during Zia's eleven years, and the Deobandi ulema and the Jamaat-i-Islami intelligentsia guided his brand of Islamisation.

These religious conservatives were also the military's partners in the Afghan jihad.⁹ The regional and international climate of the 1980s favoured Zia's orthodox Islamisation, and alliance with the West served the military's institutional interests. As a frontline ally of the U.S. in the Soviet-Afghan war, the military benefited from billions of dollars in military and economic assistance while Zia promoted militant versions of Islam to fight the jihad and counter his secular democratic foes. Not surprisingly, Islamic movements and parties were also major beneficiaries. Jihad became the central point of existence for a true Islamic state and society. Madrasas mushroomed, and religious parties used militancy for political gain. The growth in Islamic movements has continued ever since.

Unlike Zia, Pakistan's fourth military ruler, General Pervez Musharraf has had to pursue a two-track policy to gain international and domestic legitimacy. In the interests of self-preservation and to promote the army's institutional interests, he abandoned the Taliban. With Pakistan once again a frontline ally and benefiting politically and economically, his administration is actively assisting the U.S. against Islamist militants in Afghanistan and, ostensibly, against their Pakistani allies.

This change in priorities has strained but not severed the military's links with its religious allies. While his government moves against non-Pakistani Islamic militants, Musharraf has given in to the agenda of the religious parties at home. Although he denounces Islamic militancy, his administration handles domestic extremists with kid gloves.

The official dossier of cooperation in the war on terrorism is long. Arrests of suspected al-Qaeda members have become routine. Pakistani authorities, assisted by the American FBI, have captured more than 500, mostly of Arab origin, who are now in U.S. custody.¹⁰ Some fringe elements within Pakistan's jihadi organisations have also been targeted, and, in many instances, either captured or killed. The government has banned many sectarian organisations and Pakistan-based Kashmiri jihadi groups. It now decrees that "jihad cannot be waged by individuals or independent groups; it is a decision of the Islamic state. Jihad without state sanction and participation is 'fasad' [chaos, disorder]".¹¹

As justification, the government has appealed to narrow national interests. Musharraf has repeatedly stressed that Pakistan's very survival required a change in its Afghan policy and cooperation with the U.S. after 11 September 2001. "There has been a change of reality", Musharraf said, "so we have reformulated our policy...Pakistan is following a policy which is in our national interest".¹² "Pakistan First" was the official slogan of Musharraf's presidential referendum and now of the Jamali government.

⁹ See ICG Report, *Madrasas*, op. cit.

¹⁰ ICG interview with military officials, Islamabad, December 2002.

¹¹ ICG interview with Mahmud Ahmed Ghazi, former minister of religious affairs, Islamabad, March 2002.

¹² "Taliban's Days Are Numbered: Musharraf", *Dawn* (Karachi), 2 October 2002, p. 1.

With the MMA's political resurgence, however, a renewed alliance between Pakistani jihadis and their Afghan counterparts cannot be ruled out. After the MMA took power in the NWFP, there has been a marked increase in attacks on U.S. troops and their Afghan allies by insurgents, who then flee back into the Pakistani Pashtun tribal areas. Expressing dissatisfaction with the Pakistani military's performance in curbing such attacks, U.S. officials have threatened hot pursuit into Pakistan. While it is nearly impossible to assess the extent of MMA support for this resumed cross-border activity, there is little doubt that its anti-U.S. and jihadi slogans have emboldened religious parties such as the JUI to aid fellow Muslims and Pashtuns in Afghanistan. But while these attacks undermine peace in Afghanistan's Pashtun-dominated eastern and southern provinces, they do not constitute a MMA rebellion against the Pakistan military's pro-U.S. policy in Afghanistan.

Neither the MMA nor any other religious group can or desires to confront the military. Nor do they feel the need since the Musharraf administration has simultaneously appeased the clergy, hoping to use them against its domestic opponents. Although Musharraf rules through decrees and ordinances, with virtually absolute authority, he has done next to nothing to restrain or reform the religious sector.¹³

The economic clout of the religious parties remains considerable. They continue to collect funds in the name of madrasas, mosques, welfare projects and jihad. Despite promises, the Musharraf government has yet to introduce a law on financial oversight of religious institutions. Religious fiefs continue to operate without any regulatory framework, and reforms of madrasas were stillborn.¹⁴

The government has reversed even minor steps, such as procedural changes in the blasphemy laws. It has also failed to come up with legal provisions to institutionalise an ad hoc ban on jihadi organisations, currently enforced through executive orders. It has yet to curb activities of banned groups, whose literature circulates unchecked and who routinely hold jihad conferences.

The government's pro-mullah bias has, in fact, been clear before, during and after the 2002 national elections. While moderate, secular parties have been systematically targeted, religious parties function unhindered and receive state patronage. Contrary to conventional wisdom, they have gained concessions from the government in post-11 September Pakistan while exploiting anti-U.S. sentiment to consolidate their hold over the troubled, impoverished Pashtun belt.

Because the religious parties now have a major share of power there, the influence of the religious movements in the NWFP and Baluchistan is likely to expand further. Nationally, Islamisation is already proceeding through state institutions as a matter of constitutional and legal obligation. As the electoral value of religious affiliation increases, so does the clout of the Islamic parties. Secular political parties and democratic liberal sections of society are the main casualties.

¹³ Dating back to the 1999 coup, the military government promulgated 297 ordinances, 150 in 2002 alone. Musharraf has continued to rule by decree even after the formation of an elected government. Rifaqat Ali, "Military government promulgated 297 ordinances in three years", *Dawn* (Karachi), 16 December 2002, p. 4.

¹⁴ ICG Asia Report, *Madrasas*, op. cit.

II. MMA: AN UNNATURAL ALLIANCE

The MMA evolved from the Pak-Afghan Defence Council that was established in October 2001 by as many as 26 religious parties and some smaller groups, across the sectarian divide, opposed to the U.S. military campaign in Afghanistan and Pakistan's partnership in the U.S.-led war on terrorism. The council lost its relevance once Taliban resistance ended and the religious parties failed to galvanise wide support. Six major parties in the council then formed the MMA in January 2002 in order to contest general elections in October on a common platform.

The MMA's component parties are the Jamaat-i-Islami (JI), Jamiat Ulema-e-Pakistan (JUP), Jamiat Ulema-e-Islam (JUI-S, led by Samiul Haq), Jamiat Ulema-e-Islam (JUI-F led by Fazlur Rehman), Islami Tehrik Pakistan (ITP) and the Jamiat Ahle Hadith (JAH). Ahle Hadith and Jamaat-i-Islami are mainly based in urban and semi-urban centres.¹⁵

Except for the JI, all these parties are extended ulema networks. Members and leaders are either religious scholars or have received formal education in their own religious traditions.

A. ROOTS OF DIFFERENCE

As the composition of the MMA itself reflects, there is great diversity in Islamic traditions and revivalist movements in Pakistan. There are hundreds of political parties and religious organisations, and sectarian differences are unbridgeable. The parties are not the sole representatives of their sects. Nor do all ulema of a sect support a specific religious party.

The ulema in the two factions of the JUI are followers of the Deobandi school, a nineteenth century Sunni reform movement. Ulema in the JUP represent the school of Bareilvi, which is the theological nemesis of JUI's Deobandi school.¹⁶ Although both Deobandis and Bareilvis belong to the Sunni system of jurisprudence, the Bareilvis are more

inclusive and follow the traditional culture of saints and sufis, contrary to the puritan Deobandis. Most Pakistanis, however, are simply Sunnis by tradition, and do not consciously adhere to either school.¹⁷

The fundamental theological issue that divides the two Sunni sects is the role of the Prophet and the status of hereditary saints. The Deobandis tend to demystify these roles, whereas the Bareilvis regard saints as intermediaries to communicate with the Prophet and seek divine salvation.¹⁸ Ulema of both JUIs and the JUP view the creed and practices of the other with suspicion. Each sect has its distinct mannerisms in saying prayers and other rituals and disputes over mosque administrations are common.

Maulana Shah Ahmed Noorani, who also acts as the chief of the MMA, heads the JUP. In terms of political clout, the party's only significant presence is in Karachi and Hyderabad in urban Sindh. This does not reflect the overall number of Bareilvis in the country, however.

The JI, on the other hand, headed by Qazi Hussain Ahmed, is a tightly knit community, of mostly urban, educated professional and business people. It tries to bridge the sectarian divide but is a distinct Islamic movement with its own characteristics and vision – more orthodox than the Bareilvi but more modernist than the Deoband.

Headed by Professor Sajid Mir, the Jamiat-e-Ahle Hadith is the political organ of a minuscule Wahhabi-influenced sect whose members consider themselves “the people of the Prophet's tradition” and do not ascribe to any school of law.¹⁹ Their version of an Islamic state is modelled on the Saudi system of Sharia.

The Islami Tehrik Pakistan (ITP), the Shia component in the MMA, is headed by Syed Sajjad Naqvi and seeks to represent the country's main minority sect.²⁰ Shias are divided into further sub-sects, including Ismailis, Bohras, and Twelvers.

¹⁵ Jamal Malik, *Colonialization of Islam: Dissolution of Traditional Institutions in Pakistan* (Lahore, 1996), pp. 197-198.

¹⁶ Besides a presence in Sindh, Deobandis dominate the Pashtun areas of NWFP and Baluchistan. Bareilvi strongholds are in the Punjab and urban Sindh.

¹⁷ Deoband and Bareilvi are towns in Uttar Pradesh, India, where the first seminaries of these Sunni traditions were established.

¹⁸ Malik, op.cit. pp. 4-5.

¹⁹ Ibid. p. 6.

²⁰ Shias are 15 to 20 per cent of the Muslim population. The Sunni – Deobandis and Bareilvis combined – constitute some 77 per cent. No figures for the Ahle Hadith are available, though they are estimated to have increased to perhaps 6 per

All these sects compete religiously, trying to attract as many Muslims to their particular brand of Islam as possible.²¹

Hardline Deobandis and Ahle Hadith consider Shias infidels, beyond the pale of Islam. The Sipah Sahaba Pakistan, an extremist Deobandi party, demands a constitutional amendment to this effect. Sectarian killings, which have increased over the last two decades, are considered a jihad. Even when their leaders are politically allied, the sectarian ulema and their followers continue polemics.

External intervention enhances sectarian conflict. Arab countries, especially Saudi Arabia, fund Sunni and Ahle Hadith movements to counter Iranian financing for the Shia movement.²² An analyst points out: “If it is a matter of prestige in mainstream professions and academia to be associated with, say, American or German institutions, in the realm of religious politics and scholarship, ties in the Arab world or Iran are marks of distinction”.²³

As a result of this deep theological divide, the MMA alliance exists only at the leadership level. The component parties continue to operate as competing entities. Interaction among their cadres has not increased as a result of the electoral alliance. Although the MMA has held together and now works as a single parliamentary group, this is mainly because the two parties with the largest number of seats, the JUI (F) and the JI have agreed to share positions.

In October the JUI (F) and the JI won all but three of the MMA’s 53 National Assembly seats. The JUI (S) gained two seats, the JUP one, and the Jamiat-e-Ahle Hadith and ITP none.

cent of the Muslim population. These statistics are unofficial. Malik, op. cit. p. 4. Khalid Ahmed, “The Power of the Ahle Hadith”, *The Friday Times*, 12-18 July 2002, p. 10.

²¹ Rejection of one another’s belief systems and histories is a favourite theme of mosque sermons and religious literature. A landmark book by a Deobandi scholar, Yusuf Ludhianvi, critiques every other sect and religious party by analysing its creed and ideology, declaring even other conservative Sunnis such as the JI and other followers of Maududi as separate sects. Non-Muslims are expected to be inspired by the character of good Muslims, and their conversion is not a significant aim of any of the movements. See Yusuf Ludhianvi, *Ikhtilaf-e-Ummat aur Sirat-e-Mustaqeem* [Divisions in the Ummah and the Right Path], (Lahore, 1984).

²² ICG Report, *Madrasas*, op.cit., p. 16.

²³ ICG interview with Mujib Afzal, Quaid-i-Azam University, Islamabad, October 2002

A similar pattern is visible in the provincial assemblies. The JUI (F) won all MMA seats in Baluchistan and 27 of its 48 seats in NWFP.²⁴ Other than in those two provinces, however, the JUI (F) was virtually shut out, winning only one seat (in the National Assembly, from Punjab). In Punjab’s 297-seat provincial assembly, the JI holds seven of the eleven MMA seats. The predominance of the JUI (F) and JI has reduced other alliance members to symbolic players demonstrating inter-sect unity against U.S. regional and global policies.

Alliances of convenience and politics of expediency are common to both the JUI and the JI. Each has always had close ties with the military and has played a major role in Islamisation of state and society. Their political roots, political styles, structure and philosophy, however, are so different that theirs is an unnatural alliance, unlikely to last.

B. JAMAAT-I-ISLAMI: A NATURAL ALLY

The JI is the second largest MMA component in the National Assembly, having captured seventeen seats in the October elections. In terms of organisational capability, media skills, political experience and influence within state institutions and in society, it is the most powerful religious lobby in the country.

Its electoral history, however, is modest. The JI contested elections in 1993 in alliance with smaller religious parties – the Pakistan Islamic Front (PIF), which won only six seats – and boycotted the 1997 vote. In the 1980s, it lost its political stronghold, Karachi, to the Muhajir Qaumi Movement (MQM), a party representing Muhajirs in Sindh.²⁵ As part of the MMA, it has reclaimed some of its old Karachi territory, partly because of MQM infighting and partly due to support for the MMA from Pashtun migrants.²⁶ The JI also won a couple of seats in

²⁴ MMA leaders refuse to give a breakdown of the alliance’s seats by party. Journalists base these figures on name recognition and some estimates. See, Ismail Khan, “JUI (F) May Seek Top Offices in NWFP, Baluchistan”, *Dawn* (Karachi), 12 October 2002, p. 1.

²⁵ *Muhajir*, “migrant” in Arabic, is a term used to describe the Muslims who came to Pakistan from areas that are now in India. Mostly Urdu speaking, they are concentrated in Karachi, Hyderabad and other urban centres in Sindh. They form 9 per cent of the Pakistani population and around 40 per cent in Sindh.

²⁶ Karachi is the largest Pashtun city after the NWFP capital, Peshawar.

Punjab's capital, Lahore, ironically with the support of Nawaz Sharif's Muslim League.

In many ways the JI is the main architect of official Islam in Pakistan. The party's founder, Abul A'ala Maududi, is the best-known South Asian Islamic scholar, whose influence is visible in revivalist movements across the Muslim world. The party has wide international contacts, with chapters in Bangladesh and India, and ties to the Ikhwanul Muslimeen, the Islamic Brotherhood of Egypt.

A virulent critic of the Pakistan movement until 1947, Maududi set up the JI six years earlier, arguing that the real duty of Muslims was the "establishment of the Islamic way of life and not the setting up of a national Muslim state".²⁷ Yet, at independence, and amid the communal riots that accompanied partition, Maududi and his staff were escorted into the new country by a contingent of the Pakistan Army, an event now fraught with symbolism. Party headquarters were shifted to Lahore.

The young, ideologically zealous JI focused its early work on relief for refugees from India. The party set up camps and started welfare projects (an exercise it repeated on a much grander scale during the Soviet Afghan war of the 1980s). Its political direction, however, remained ambiguous till Maududi broke his silence with two historic lectures at the Law College in Lahore in 1948.

Speaking on Islamic law and constitution, Maududi explained his concept of Pakistan, which, he said, was not like other Muslim states because it had been created "exclusively with the object of becoming the homeland of Islam".²⁸ The first priority was an Islamic constitution and laws to establish the Kingdom of God.²⁹

In Maududi's ideology the message of Islam is essentially coupled with power: "The ultimate aim of all the Prophets' missions in the world has been to establish the kingdom of God on earth and to enforce the system of life received from Him".³⁰ Power and authority are thus prerequisites to enforce Islam.

Without them, Maududi said, the message "cannot even stick for long in the minds or stay on paper".³¹ All aspects of modern life – arts and sciences, the economy, culture, academics – could be adapted to the divine message. But it is essential to attain power to shape the state's ideology, society and politics according to Islamic principles and so save it from Western, liberal and secular ideologies.

Maududi's contribution to political Islam is also evident in his assertion that Sharia has two parts: one immutable, the other adjustable to needs.³² This conflicts with the views of earlier, liberal thinkers who considered Islamic law static.

At the same time, Maududi rejected the monastic culture of madrasas and hospices. To him, it was blasphemous to limit Islam to worship and textual teachings.³³ Pakistan would not become an Islamic state simply by declaring it to be one, he argued. A new structure had to be built to form an Islamic pattern of social, moral, economic, cultural and political life.

The JI pressed the Constituent Assembly to frame the new constitution within an Islamic perspective. It emerged as the "sole spokesman for Islam and the Islamic state...partly because of the weakness and disorganisation of all other parties".³⁴ The moderate, secular party responsible for Pakistan's creation, the Muslim League, was torn by the civil-military bureaucracy's intrigues. After nine Prime Ministers had been dismissed in ten years, the military formally took power in October 1958.

C. JIHAD AND THE ISLAMIC STATE

During the first six years of Pakistan's existence, two critical issues defined the JI's role and the character of the state: jihad, or holy war, and the Ahmadis, a Sunni minority community.

In September 1947, tribesmen from the NWFP launched a war in Muslim-majority Kashmir when its Hindu maharaja delayed a decision on the state's future, in accordance with British guidelines for the partition of India and Pakistan. Their incursion prompted the maharaja to accede to India and seek

²⁷ Kalim Bahadur, *The Jamaat-e-Islami of Pakistan: Political Thought and Political Action* (Lahore, 1983) p. 13.

²⁸ Ibid. p. 52.

²⁹ S. Zainuddin, "Economic Internationalisation and Islamic Resurgence in India", *The International Scope Review*, Volume 2 Issue 4 (Winter, 2000).

³⁰ Ibid. p. 4.

³¹ Ibid.

³² Bahadur, op. cit. p. 53.

³³ Ibid. 54.

³⁴ Hibbard and Little, op. cit. p. 68.

Indian help.³⁵ The Pakistan army was also involved but the government initially did not acknowledge its presence.

Maududi refused to declare the fighting in Kashmir a jihad, since a holy war was the prerogative of an Islamic state, not of individuals. "If the government openly declares jihad then I would go in the first ranks. I do not consider it [fighting secretly] in accord with Islamic morality".³⁶ Only after Foreign Minister Zafarullah Khan acknowledged Pakistan's involvement did Maududi declare the conflict a jihad. The Pakistan military has since appropriated the symbol of jihad for training and indoctrination and to justify its policy in Kashmir.

Ironically, Zafarullah Khan was an Ahmadi, a community against which the JI launched a campaign in 1953 that transformed into bloody riots. Martial law was declared for the first time in parts of the country, including Lahore. Maududi justified state-sanctioned discrimination against non-Muslim minorities to a commission of inquiry.

Islamic movements, including the JI, had demanded that the Ahmadis be declared apostates and treated as 'dhimmis'³⁷, non-Muslims. Asked how he would feel if Muslims in India were treated by the Indian government as 'shudras' or untouchables and relegated to inferior citizenship, Maududi said he would have no objection.³⁸

As a result of religious party pressure, this perception of minorities has become constitutionally enshrined. In 1974 the constitution was amended to define Muslims in a manner that excluded Ahmadis. They are now legally considered non-Muslim. That constitutional amendment set the scene for the brutal sectarian violence of the 1980s and 1990s.

In the 1960s, the JI did assume a somewhat confrontational stance toward the military, opposing General Ayub Khan's more liberal version of Islam, in particular the Muslim Family Law Ordinance. In the 1964 presidential elections, the JI compromised on conservative Islamic norms and supported Fatima

Jinnah, the sister of Pakistan's founder, Mohammad Ali Jinnah, for president against Ayub.

However, the JI also endorsed many of Ayub's policies. It was the only party to back his madrasa reform plan, which coincided with Maududi's agenda of integrating modern and Islamic education. (The party opposes a similar reform plan proposed by General Musharraf.). More importantly, the JI also joined hands with the military on issues of national security and national identity, including its anti-Indian policies.

D. TIES WITH THE MILITARY

In 1965, when Pakistan again went to war with India on Kashmir, the JI declared a jihad and ran a public campaign to complement the army's effort.

The concept of jihad was further developed during Pakistan's third military government, headed by Army Chief, General Agha Mohammad Yahya Khan. JI front organisations participated in the civil war in East Pakistan, which culminated in the creation of Bangladesh in 1971. Its student wing, the Islami Jamiat-e-Talaba (IJT), was transformed from a "peaceful dawa organisation into a militant force, willing to meet violence with violence".³⁹ Al-Badar and Al-Shams, two front organisations, fought against the Mukti Bahini, the India-backed Bangladeshi secessionist group.

Ties established with the military in East Pakistan served the JI well in the 1970s. It was a key component of the Pakistan National Alliance, whose agitation gave General Zia-ul-Haq the pretext to overthrow the elected government of Prime Minister Zulfikar Ali Bhutto's Pakistan People's Party and impose martial law in 1977. The JI became Zia-ul-Haq's surrogate political party domestically and its closest partner in the U.S. sponsored jihad in Afghanistan.

JI ministers resigned from Zia's cabinet in 1979, irked by repeated postponement of elections. However, the JI remained the military government's staunchest ally on legislation and foreign policy. A senior JI official said:

The Jamaat's support or opposition to military rulers is decided on issue-by-issue basis. We

³⁵ Bahadur, op. cit. p. 56.

³⁶ Ibid.

³⁷ Non-Muslims living in an Islamic state are required to pay a nominal tax, according to the Sharia.

³⁸ Irshad Ahmed Haqqani, "Ideology of Pakistan and the Changing Regional Scenario", *Jang*, Rawalpindi, 17 October 1987, p. III.

³⁹ Hibbard and Little, op. cit., p. 67.

urged Zia to restore democracy but in the jihad effort the JI was in the vanguard to liberate Afghanistan from Soviet occupation. The same is true for the Ayub period.⁴⁰

The JI was, in fact, the face of the Afghan jihad in Pakistan. It ran a decade-long campaign to collect zakat, donations and other material support for the Afghan jihad. Never a madrasa-based party, it set up a network of religious schools to support the war. Although the JI was then based mainly in the Punjab and Karachi, 41 of the 107 madrasas it established during the 1980s were in areas adjoining the Afghan border.

Faithful to Maududi's precepts, the JI only supports militancy for "legitimate" causes – those sanctioned by the state. Following the Afghan episode, its next jihad was in Indian-occupied Kashmir, where JI-affiliated front organisations like the Al-Badar and Hizbul Mujahideen were among the pioneers of the insurgency.

The party's student wing (IJT) has a long record of physical intimidation and violence at educational institutions. This can be partly attributed to its younger cadre's involvement with Afghan mujahidin groups. Weapons and violence were introduced at Pakistani colleges during the 1980s, especially at the Punjab University and the University of Karachi. The suppression of socialist and secular student parties was supported by a military regime that was doing the same in the national political arena.

Zia's death and the general elections in 1988 brought the moderate left-of-centre Pakistan People's Party to power. Benazir Bhutto's government lasted eighteen months, during which it was constantly challenged by an alliance of centre-right and Islamic parties, the Islamic Democratic Front (IJF), which included the Jamaat and Nawaz Sharif's Muslim League. The military patched that alliance together with the objective of destabilising the government.

Lt. General Hameed Gul, the director-general of the Inter-Services Intelligence Directorate (ISI), removed by Benazir Bhutto, has confessed that he provided the funds for and facilitated the formation of the IJI alliance. In June 1996, Benazir Bhutto's interior minister, Lt. General Naseerullah Babar, disclosed in the National Assembly that General Zia's successor as chief of army staff, General Mirza Aslam Beg, had

withdrawn Rs.140 million (U.S.\$400,000) from a secret account prior to the 1990 elections.⁴¹ The money was used to finance the IJI campaign. During hearings in the Supreme Court, another ISI chief, Lt. General Asad Durrani, submitted an affidavit saying that he was instructed to disburse the amount to anti-government politicians to rig elections for the IJI.⁴²

The JI, however, again at the military's behest, turned against the Muslim League, launching protests against Nawaz Sharif's government in 1993. In fact, JI agitation, at the military's urging, heralded the fall of both PPP and Muslim League governments during the failed democratic transition of the 1990s.

E. STRUCTURE AND METHODOLOGY

Ironically, Maududi designed the JI along communist party lines.⁴³ Simply being a Muslim was not enough to become a full member; Maududi demanded "firm ideological commitment, high character and total dedication".⁴⁴ As a result, the JI has become the most organised and dynamic political party in Pakistan. The first Jamaat conference, in Lahore on 26 August 1941, was attended by 75 persons. The JI now has 16,000 members and over four million affiliates.⁴⁵

The party has a sophisticated multi-tiered structure and a well-defined system of recruitment and hierarchical progression. Discipline and cohesion are its trademarks. There are three levels of formal association: *rukniat* (full membership); *karkun*, associate members serving as workers and candidates for full membership; and *muttafiqin*, those who agree with its ideology and politics.

Membership is quite restrictive:

one must understand the meaning and implications of the Kalima (declaration of faith in one God and His last Prophet)...and must fulfil the minimum requirements of Islam".⁴⁶

⁴⁰ Malik, op-cit., p. 208.

⁴¹ Ardeshir Cowasjee, "We Never Learn from History", *Dawn* (Karachi), 25 August 2002, sec. Op-ed, p. 7.

⁴² Ibid.

⁴³ Bahadur, op. cit. p. 27.

⁴⁴ Ibid.

⁴⁵ Zafarullah Khan, "The State of Political Parties in Pakistan", Friedrich Naumann Stiftung, Islamabad, 2002.

⁴⁶ Bahadur, op.cit. p. 13.

For example, members are required to abstain from professions dealing in fiscal interest, alcohol, dance, and music, gambling and other acts disapproved by orthodox Islam. Full membership is only possible after passing tests of knowledge, morality and character. It is not unusual for candidates to remain under observation and trial for months, if not years. Deviation from party standards warrants cancellation of membership or demotion.

The JI describes party literature as a major funding source. Maududi's writings alone brought as much 50,000 rupees (U.S.\$14,300) in 1947, then a large sum. The JI still has copyrights on Maududi's books and pamphlets, which earn a major share of party funds.⁴⁷

Funding campaigns are professionally organised. All members are required to pay zakat to the party treasury, a practice criticised by orthodox schools of Islamic law. Public campaigns are also organised, particularly on Eid, the main Muslim holiday. Collections of jihad funds, earlier for Afghanistan, now for Kashmir, are the JI's forte. Foreign funding, especially from the Saudi and Iraqi governments, dried up after the Afghan jihad. As part of a network of international Islamic organisations, however, the JI is able to get money for research and welfare projects.⁴⁸

F. THE JI'S EXTENDED FAMILY

Ji politics are pegged around an extended structure of subsidiary organisations. Maududi had forbidden women from participating in public life but the JI has a women's wing. In principle it is completely separate from the main party but in practice it is under full party control. Women have long been active from the party platform. They have joined in protest processions and other political activities. Saima Raheel Qazi, party emir (supreme leader) Qazi Hussain Ahmed's daughter, was elected to the National Assembly in 2002. Still, the JI advocates segregation of the sexes and a separate sphere of life

for women, thus opening itself to charges of hypocrisy.⁴⁹

The JI's student wing, the Islami Jamiat-e-Talaba, was set up in 1947. Most of the JI's top leaders, including party emir Qazi Hussain Ahmed and National Assembly member Liaquat Baloch, were active in student politics. Pakistan's largest university, the Punjab University in Lahore, has been an IJT stronghold since the 1980s. The JI's women's wing, the Islami Jamiat-e-Talibaat, is as active as its male counterpart. The JI's formidable street power comes from these students. No other political party has comparable student wings.

Despite the Musharraf government's ban on political activities in educational institutions, the IJT has remained active. It is because of the IJT that Jamaat sympathisers can be found in abundance in the bureaucracy and other mainstream professions. Tanzeem Al-Asatza, or the Jamaat's Teacher's Union, reinforces the IJT's student politics.

Ji labour unions are also well established in organisations ranging from the government-controlled Pakistan Railways to privately owned industrial units. Its Labour Welfare Committees have a different ideology than traditional trade unions. Maududi believed not in class struggle but in eliminating class-consciousness and class divisions.⁵⁰ All social ills, he argued, came from moral ills and deviation from the right path. Themes of social justice and class exploitation and suppression are missing from his writings, helping to make the party a natural ally of the military.⁵¹

Maududi was against land reform or redistribution of wealth, which may explain why the Kisan Board, an association of peasants sympathetic to the JI, is relatively small and ineffective.

Intellectuals and writers are among the JI's most valuable assets. It was the first religious party to include Western-educated academics, a policy that dates to the Jamaat-military alliance during the Cold War. Pro-Jamaat intellectuals, many educated in the U.S., dominate social science research. Intellectuals with past or active affiliations with the JI run

⁴⁷ ICG interviews with Jamaat officials, Mansoor, Lahore, April 2002.

⁴⁸ ICG interviews with JI officials, Islamabad, September 2002.

⁴⁹ For example, Irshad Ahmed Haqqani, "A Reminder to Jamaat-e-Islami", *Jang* (Rawalpindi), 30 October 2002, sec. Op-ed, p. III.

⁵⁰ Bahadur, op. cit. 155.

⁵¹ Haqqani, in *Jang*, op. cit.

research organisations such as the Institute of Policy Studies (Islamabad) and Gallup Pakistan.⁵²

Most Jamaat activists are paid office-holders, unlike the JUI, which relies on volunteers from madrasas and mosques. Again unlike the JUI, educational institutions under JI administrations have modernised their curricula, more evidence of the party's political flexibility and sophistication.

G. JUI: DEOBAND'S POLITICAL FACET

Islam spread swiftly throughout Hindustan [The land of the Hindus; India]. It's a pity that there was no arrangement for the education and training of converts. So, those who converted from the local Hindu religions could not free themselves from customs, rites and social mores of Hindu culture...thus polluting Islam.

Mohammed Yusuf Ludhianvi, a Deobandi movement ideologue⁵³

The Deoband movement reflects an ongoing puritanical streak in the Islamic tradition of South Asia. An aversion to the cult of the saints and syncretism, especially the Hindu cultural influence on popular Islam practised by a majority of Muslims, has been the defining feature of all Islamic reform movements in the region. The colonial experience added Western culture, sciences and English language to the list of threats to the fundamental beliefs and cultural expression of Deobandi Islam.

The madrasa established in Deoband (UP, India) in 1867 became the reference point of Sunni intellectual activity. Its scripture-based religious education fostered an anti-modern, anti-imperialist outlook. The ulema attributed the fall of the Muslim empire to deviation from the path of Sharia. Revival of religion in its pure form through Arabic texts was Deoband's main objective.

The Deobandi ulema formed a political organisation, the Jamiat Ulema-e-Hind (JUH), in 1919. Like Maududi's Jamaat, it opposed the Muslim League.

⁵² The secretary general of the Jamaat, Prof. Khurshid Ahmed, an eminent economist, heads the Institute of Policy Studies. The head of Gallup Pakistan, Dr. Ejaz Shafi Gillani, too, was originally affiliated with the IJT.

⁵³ Yusuf Ludhianvi, *Divisions within the Ummah and the Straight Path*, (Maktaba-e-Ludhianvi, 1995), p. 104.

The JUH political philosophy was firmly grounded in "composite Indian nationalism" rather than separation of Muslim and Hindu communities.⁵⁴ The idea of a separate state or states for India's Muslims was deemed heresy. A majority of JUH leaders and workers opposed Jinnah and the Muslim League and considered the demand for Pakistan a British conspiracy to divide India.⁵⁵

Despite its aversion to Hindu culture, the JUH preferred to ally itself with the Hindu-dominated but anti-British Congress Party. A small but significant segment of Deobandi ulema parted ways with the JUH in 1945 to support the Muslim League. The Jamiat Ulema-e-Islam (JUI) was born out of this dispute, and it joined the Pakistan cause.⁵⁶

The JUI's political agenda is establishment of a state approximating that of the grand caliphs of the seventh century. JUI's first president, Shabbir Ahmed Usmani, proposed the Objectives Resolution of 1949,⁵⁷ which remains the main reference point in Pakistan's constitutional development. The JUI has since been an integral part of all Islamic movements that have emerged in the country.

1. Corridors Of Power

Two factions – denoted by the initials of their leaders as JUI (F), led by Fazlur Rehman, and JUI (S), led by Samiul Haq – are part of the MMA. However, JUI (S) won only two National Assembly seats in October, while JUI (F) emerged as the largest party within the MMA, with 41. JUI (F) also dominated the provincial assembly polls, winning 29 of the MMA's 48 seats in the NWFP and all the provincial (as well as national) MMA seats in Baluchistan.

Though there is little ideological or structural difference between the two parties, there are personal differences between their leaders.⁵⁸ Both Samiul Haq and Fazlur Rehman inherited their religious and political roles. Haq controls a vast chain of madrasas affiliated with the Haqqania seminary where many JUI (F) leaders, including Rehman, studied. But the

⁵⁴ Sayyid A.S. Pirzada, *The Politics of the Jamiat Ulema-e-Islam* (Oxford, 1999), p. 4.

⁵⁵ Ibid.

⁵⁶ Ibid., p. 5.

⁵⁷ The resolution proclaimed divine sovereignty over Pakistan and Islam as the guiding principle in the process of state building.

⁵⁸ A third faction of the party, JUI led by Ajmal Qadri, is not part of the alliance. Its following is mostly in the Punjab.

political influence of JUI (S) is confined to a few districts in the NWFP, whereas Rehman's madrasas cover most of that predominantly Pashtun province and dominate the Pashtun areas of Baluchistan as well. The current split occurred in 1990 when Rehman's alliance with the PPP resulted in Haq setting up his separate faction.

The madrasa and mosque are the basis of JUI religious activism and politics. The two JUIs run over 65 per cent of all madrasas in Pakistan and are in the forefront of the opposition to Musharraf's reforms of the institution.⁵⁹ JUI party workers and leaders are products of the madrasa system. Wafaq al-Madaris al-Arabiya is the umbrella organisation that manages Deobandi seminaries, some of which educated the Afghan mujahidin and later the Pashtun militia in Afghanistan, the Taliban.

The main factor behind Rehman's influence with the Pashtun Deobandi ulema in Pakistan and Afghanistan is the stature of his father, Mufti Mahmud, whose political skills and alliances had made the JUI a political party to reckon with even before the Afghan jihad. Its appeal to Pashtuns is attributed by scholars of religion to three factors: historical connections between Deoband and Kabul through itinerant ulema and preaching missions; rigidly conservative Pashtun social structures; and the lack of Hindu cultural influences on Pashtun communities which, unlike Punjab's, are not based on the caste system.⁶⁰

The JUI's anti-imperialism streak has persisted in the post-colonial period. In the 1960s, for instance, the JUI briefly joined hands with the newly formed PPP of Zulfikar Ali Bhutto in the campaign against General Ayub Khan. Bhutto's "Islamic socialism" was even endorsed by the JUI senior leadership for some time. The JUI contested the 1970 elections in alliance with another socialist party, the Pakistan Labour Party, which called for the abolition of Western capitalism, because it considered the principal enemy of Islam to be "Anglo-American imperialism". Fazlur Rehman's father and then head of the JUI, Mufti Mahmud, was convinced that Maududi, who vociferously opposed Bhutto and his socialism, was an American agent.⁶¹ The JUI continues to employ anti-imperialist rhetoric.

The 1970 elections were held under the Legal Framework Order of Ayub's successor, General Yahya Khan. The JUI won seven seats in the National Assembly and nine in the provincial assemblies. Except for two provincial seats in the Punjab, all its victories were in the NWFP and Baluchistan. Failure to extend its appeal beyond its traditional Pashtun constituency is thus a constant feature of JUI politics.

With four seats in the NWFP assembly and one in Baluchistan in 1971, the JUI allied with the Pashtun nationalist National Awami Party (NAP) and became a partner in the NWFP and Baluchistan provincial governments. JUI chief Mufti Mahmud became the NWFP chief minister in May 1972. It is the only party in the MMA with previous experience of running a provincial administration.

Although short, JUI rule in the NWFP in the 1970s was eventful. After becoming chief minister, Mahmud launched a program of Islamisation. A board of ulema was established to bring the laws in accordance with the Qur'aan and Sunnah. The initial phase of Islamisation included:⁶²

- ❑ a ban on the manufacture, use and trade of alcoholic drinks;
- ❑ declaration of Urdu as the official language of the province;
- ❑ the freeing of farmers from interest on loans;
- ❑ a demonstrable capability to read the Qur'aan with translation made compulsory for admission to universities;
- ❑ Arabic made a compulsory school subject;
- ❑ free movement of a woman without a veil forbidden in shopping centres and bazaars;
- ❑ the wearing of the national dress, *shalwar kamiz*, was made obligatory for government officials;
- ❑ a ban on dowry;
- ❑ prohibition of gambling and other games of chance; and
- ❑ official observance of the fasting month, Ramadhan.

⁵⁹ See ICG Report, *Madrasas*, op.cit., p. 9.

⁶⁰ Malik, op. cit., pp. 244-245.

⁶¹ Ibid., p. 31.

⁶² Pirzada, op. cit, p. 67.

In February 1973, Prime Minister Bhutto dismissed the NWFP and Baluchistan governments after tribal turmoil. According to a federal government white paper, the JUI in its ten months of provincial rule had issued 46,000 arms licences, at times without even registering the name of the gun owner.⁶³

Not surprisingly, the JUI, like the JI, was active in the Pakistan National Alliance that led to Bhutto's ouster in 1977 and General Zia-ul-Haq's martial law. It was during Zia's rule that the JUI forged an alliance with the military that has lasted till today.

2. Deoband's Militant Facets

While the JI was General Zia's favoured political party, the JUI was useful because the jihad tradition was more established in the Deobandi sect and because the JUI had strong support among the Pashtuns of the NWFP and Baluchistan. In the NWFP, jihads led by the ulema date back to 1831 when the army of Syed Ahmed Shaheed was routed by Sikh forces. Deobandi volunteers also participated in an ill-fated and short-lived anti-imperialist jihad, the *Reshmi Roomal Tahrir* (Silk Handkerchief), in the early 20th century. In 1947, it was Pashtun tribes that launched the Kashmir conflict.

During the 1980s, the years of the Afghan jihad, the JUI's biggest asset was its chain of madrasas. Afghan students have always been part of the study body of JUI madrasas in the NWFP and Baluchistan, alongside their Pakistani Pashtun kin.

Samiul Haq, the head of the JUI (S), said:

Even before the Pakistani government had an Afghan policy, we were sending our mujahids to fight alongside the Afghan mujahidin. We did not need the ISI; the ISI and the CIA needed us.⁶⁴

The mainly Pashtun Pakistani JUI volunteers were also ideally suited for the Afghan jihad because of close cultural, linguistic and sectarian affinity with the Afghan mujahidin.

JUI madrasas increased rapidly with the influx of Afghan refugees, patronage by the Pakistani military

and Arab and Western financial aid.⁶⁵ These madrasas did not necessarily conduct military training or provide arms to students. But the students were indoctrinated and encouraged to join the mujahidin inside Afghanistan.

Madrasas affiliated with the Haqqaniya chain of Samiul Haq and the JUI faction led by Fazlur Rahman established jihad networks across Pakistan's major urban centres. Jihadi seminaries with Afghan and Arab volunteers spread to Karachi and later the Punjab. Central Asian, North African and Caucasian Muslims also arrived to participate in the Afghan war.

The Taliban movement was founded in JUI seminaries. Most Taliban commanders and leaders, including supreme leader Mullah Omar, were graduates. Even after the fall of the Taliban, these madrasas continue to preach jihad within and without Pakistan, which is why Kabul is concerned that an MMA government in the NWFP, spearheaded by the JUI, could result in a resumed jihad inside Afghanistan.⁶⁶

The jihadi culture of the JUI has also radicalised the sectarian divide and promoted sectarian conflict within Pakistan. The Deobandis are anti-Shia. The hardliners among them – the vast majority – consider the Shias “kafir”, or non-Muslim infidels. The Iranian revolution of 1979 had galvanised the minority Shia population of Pakistan. Protest against General Zia-ul-Haq's zakat and ushr ordinance as a violation of the Shia Sharia had forced Zia to exempt Shias from the Sunni Hanafi tithes.⁶⁷ With money and support from Iran, the Shias also organised a political party, the Tehrik Nifaz-e-Fiqh Jafaria (TNFJ). Banned by Musharraf and renamed Islami Tehrik Pakistan, this party is now a JUI partner in the MMA, underscoring the tenuous nature of that alliance.

Since the 1980s, Pakistan has been a surrogate battleground for the Arab states and Iran through its radical Sunni and Shia groups. Some Punjabi veterans of the Afghan jihad formed the Sunni militant organisation, the Sipah Sahaba Pakistan. After Shia militants killed Sipah Sahaba leader Haq

⁶³ Ibid, pp. 71-72.

⁶⁴ ICG interview with Samiul Haq, Akora Khattak, March 2002.

⁶⁵ ICG Report, *Madrasas*, op.cit.

⁶⁶ ICG interview with Afghan political leaders, Islamabad, January 2003.

⁶⁷ Zakat is the Islamic tithe on wealth and ushr on agricultural produce.

Nawaz Jhangvi, his disciples launched an even more violent group, the Lashkar-e-Jhangvi, which is linked to al-Qaeda. The founders of the Sipah Mohammed, a Shia militant group banned by Musharraf, were also Afghan veterans.⁶⁸

After 11 September 2001, under bilateral commitments with the U.S. and obligations under UN Security Council Resolution 1373, Musharraf banned eight militant groups, including some active in Kashmir, froze their accounts and arrested thousands of activists. A number of these groups have Deobandi origins, and their leaders were, at some stage of their careers, affiliated with the JUI. Of the first eight banned, four, Lashkar-e-Jhangvi, Tehreek-e-Nifaz-e-Shariat-e-Mohammadi, Sipah Sahaba Pakistan and Harkatul Mujahiddin, have Deobandi origins.⁶⁹

The sympathies of the JUI-dominated MMA lie with these jihadi groups. Its lobbying resulted in the release of detainees from the extremist organisations in Baluchistan even before it formed the coalition government there. After taking over the NWFP government, the MMA has pressed the police not to take further action against members of these groups. In January 2003, the NWFP police arrested 21 Harkat men and seized their weapons, communication devices and jihad literature. They were soon released on orders of Chief Minister Akram Durrani.⁷⁰

H. WHAT BRINGS THE MMA TOGETHER?

Although the MMA as an election alliance of the major Islamic parties has no precedent, some of its component parties had previously forged electoral alliances with secular parties. Most had military backing. The Pakistan National Alliance (PNA), which in 1977 successfully campaigned against Zulfikar Ali Bhutto, was not a purely religious alliance though it used the slogan of Islam. The same was true of the Islami Jamhoori Ittehad (IJI), the Islamic Jamhoori Mahaz (IJM) and Pakistan Islamic Front (PIF) in the 1988, 1990 and 1993 elections. What was common to all, as well as to the MMA, was the military's active participation and support.

In 2002, U.S. military operations against the Taliban gave the Pakistani Islamic parties a common platform. Although MMA leaders overplay religious unity and underplay the ethnic factor, the U.S. operations also presented the Islamic parties, particularly the JUIs, an opportunity to exploit Pashtun sentiments in the NWFP and Baluchistan.

Abdul Malik of the JI said:

We decided to put behind our sectarian differences and fight for Islam as one unit in the face of a Western onslaught. The madrasa alliance was the beginning that culminated into MMA's formation. It's a logical progression.⁷¹

Malik also pointed to a long history of the religious parties' joint struggle for various Islamic causes. Pakistan's prompt acceptance of U.S. demands to join the war against terrorism has put the "Islamic identity of the country in danger", he added.

The first indications of unity emerged when Musharraf proposed to reform the madrasa system. The fighting in Afghanistan and the military's electoral manipulation hastened the process. Uniting religious parties under the MMA banner remains, wrote the *Economist*, "something of a miracle, brought about, some say, by the army, which wanted a counterweight to the mainstream political parties besides PML-Q".⁷² Indeed, mainstream parties attribute the alliance to back stage engineering by the military establishment.

"The first visible step towards MMA formation were taken months before 11 September", said Khurram Dastgir Khan, who was defeated in the Punjab by the MMA's Qazi Hameedullah, a tutor of the Taliban leader, Mullah Omar.⁷³ A meeting was held in Akora Khattak in the NWFP, the largest JUI (S) madrasa, in spring 2001, around the same time when the pro-military Muslim League (Quaid-i-Azam), PML-Q, was being formed.

"Isn't it strange that the same parties now holding hands (are those) whose militant wings were busy

⁶⁸ ICG interviews, October 2002.

⁶⁹ The other are Jaish-e-Mohammed, Sipah Mohammed, Tehreek-e-Fiqhe Jafaria and Lashkar-e-Tayaba.

⁷⁰ Iqbal Khattak, "21 Jihadis freed on CM's orders" *Daily Times* (Islamabad), 31 January 2003, p. 12.

⁷¹ ICG interview with Abdul Malik, Lahore, April 2002.

⁷² "Oh, What a Lovely Ally", *The Economist*, 19 October 2002, Sec. Asia, p. 25.

⁷³ Khan, from the PML-N, was defeated by an MMA candidate from Gujranwala, one of only four seats won by the alliance in Punjab, the largest province of the country. ICG interview with Khurram Dastgir Khan, Gujranwala, November 2002.

decimating each other in the last decade?" Khan asked. In his view, the military needed an alternative right-wing ally to counter Nawaz Sharif's centre-right PML (N). "Recognising the two major components of the right-of-centre vote, the regime's technicians created PML-Q to absorb the anti-PPP sentiment and MMA to absorb the religious vote".⁷⁴

The Pakistan People's Party, the country's largest, also sees the MMA as the result of the military's tactics. During the campaign, PPP leaders complained that parliamentary candidates and their political leaders were manipulated by, among others, the ISI.

A senior PPP leader compared the rigging to "targeted, selective killing" by the military to obtain a hung parliament with a predominance of pro-military right-wing parties, including the MMA. He added that:

[The] MMA's formation and victory in certain areas was facilitated to brandish to the West the threat of Islamic extremism and to show the United States that the only alternative to military rule is the rule of the mullahs.⁷⁵

III. MMA'S ELECTORAL VICTORY

Independent observers have supported complaints by anti-Musharraf political parties about pre-election rigging. A mission from the European Union described the elections in October 2002 as "seriously flawed".⁷⁶ The EU Observers Mission (EUEOM) had noted official interference before and on polling day. Significant objections raised by the EU mission and other observers include:

- misuse of official resources by the authorities to favour certain parties, particularly the PML-Q; and
- "solid evidence", according to the EU, that local authorities up to senior level were actively involved in partisan electioneering that helped several pro-military, political parties, mainly the PML-Q, while others cited the MMA among those benefiting.⁷⁷

The code of conduct set by the Election Commission provided limited campaign time and imposed unusual restrictions on freedom of assembly and freedom of speech, particularly for anti-military parties. These seriously hampered the opportunities for anti-Musharraf parties and candidates, while a chosen few, including the MMA, were allowed to campaign unhindered.

The education requirement – that a candidate needed a Bachelors degree – was not in accordance with international standards and eliminated almost half of all former legislators, but since madrasa degrees were accepted, MMA candidates were not affected.⁷⁸

Coverage in the government-controlled media also reflected bias. Although it fielded fewer candidates than anti-Musharraf parties, the MMA received maximum coverage on PTV, the state-run television. According to a survey conducted by an independent NGO, during the first phase of the campaign – 7 August to 9 September 2002 – the MMA received seven minutes and 48 seconds of coverage, and the largest party, the PPP, two minutes and 53 seconds

⁷⁴ ICG interview.

⁷⁵ ICG interview with Benazir Bhutto's spokesman, Farhatullah Babar, November 2002.

⁷⁶ Nasir Iqbal, "Observers term polls seriously flawed", *Dawn* (Karachi), 13 October 2002, p. 1.

⁷⁷ ICG interview with an Awami National Party politician, Kohat, 8 March 2003.

⁷⁸ Preconditions for University Grants Committee recognition of madrasa degrees were also waived for the elections.

in the prime time, state-controlled television news bulletin, *Khabarnama*.⁷⁹

The survey also noted that the PPP was the only party to receive negative coverage with footage of the sacking of its previous governments on corruption charges. The only “negative” coverage of the MMA was on the inconvenience of its train march – Pakistan’s version of a whistle-stop political tour.⁸⁰

A. POLITICAL ADVANTAGES

While the weakened mainstream, moderate political parties, Benazir Bhutto’s Pakistan People’s Party and Nawaz Sharif’s Muslim League, with their leaders in exile, faced multiple restrictions, the MMA violated the election code with impunity and received the government’s overt and covert support.

For instance, though hundreds of politicians were disqualified on one ground or another, the government directed the provincial home departments to withdraw cases against religious leaders and workers of their parties.⁸¹ These cases were for activities such as violation of the ban on loudspeakers, incendiary speeches, disturbing law and order and holding unlawful public rallies. Among many prominent MMA leaders who benefited and were subsequently elected to the National or Provincial Assemblies were the alliance’s secretary-general and the JUI (F) leader Fazlur Rehman.

A Punjab home department official said that his ministry did not require special instructions to free religious workers and leaders arrested in the wake of the ban on extremist groups and during the election campaign. “Most of them faced no specific criminal

charges and were released after they signed affidavits of good behaviour.”⁸²

Azam Tariq, leader of the banned anti-Shia sectarian party, Sipha Sahaba Pakistan, accused of numerous acts of anti-Shia violence, was released and allowed to run (successfully) for a National Assembly seat from Jhang. Openly backing Musharraf’s policies, Tariq now sits on the government bench. Leaders of other banned groups, including the heads of the Jaish-i-Mohammad and the Lashkar-e-Tayaba, are also either free or in protective custody.

The government ban on processions and rallies did not affect the religious parties partly because mosques and madrasas were their campaign bases. However, before the government removed its ban on public meetings, the MMA was also allowed to hold such rallies even in Rawalpindi, the military’s headquarters, while the Muslim League (Nawaz) and the PPP were denied permission .

Not surprisingly, the MMA claims that the alliance’s performance can be attributed to the lack of popular support for the mainstream political parties. According to Amir-ul-Azim of the JI, those parties have lost touch with grass root realities. Another JI official argued:

The MMA ran a better campaign. No other political party could develop even a website for the elections. None of the other parties could manage to hold public meetings at Karachi’s Nishtar Park, Lahore’s Minar-e-Pakistan, Faisalabad’s Dhobi Ghat, Peshawar’s Shahi Bagh, Rawalpindi’s Liaqat Bagh and at other traditional campaign sites. But we did.⁸³

The MMA also credits its victory to the fact that all religious parties, unlike their secular counterparts, run educational and welfare projects, such as schools, colleges, hospitals, medical centres, policy and research institutes and even residential schemes.

While acknowledging that the MMA was helped by measures such as the education disqualification clause, Amir-ul-Azim argues that no other party

⁷⁹ Overall, the prime time bulletin devoted six hours and twenty minutes to election-related news up to election day. The PML-Q received 44 minutes, MMA 36 minutes and the PPP 29 minutes “Media Monitoring: Elections 2002”, Pakistan Liberal Forum, Islamabad, October 2002.

⁸⁰ Ibid.

⁸¹ Shamimur Rehman wrote in *Dawn* that: “There is official record suggesting that, in August 2002, directives were issued to public prosecutors by the Baluchistan home department for taking ‘necessary action’ for withdrawal of cases registered against the leaders and activists of religious parties”. “Did the government strike a deal with MMA?” *Dawn* (Karachi), 30 December 2002, p. 1.

⁸² ICG interview, Lahore, October 2002.

⁸³ ICG interview with JI’s central information secretary, Lahore, December 2002.

matches the political and educational qualifications and experience of the religious leadership:

The MMA is not a party of feudal lords or moneyed tycoons. Our cadres come through a political process and education is a prerequisite for becoming member in almost every religious party.⁸⁴

However, Azim fails to acknowledge that, unlike the JI's Qazi Hussain Ahmed, who holds an MSc degree from Peshawar University, most JUI politicians are products of madrasa education.

The Islamic parties owe their seats also to the military's success in dividing the vote pool of moderate, secular political parties. Thus, in the NWFP the head of a PPP splinter group, Aftab Ahmed Sherpao, released after fiscal impropriety charges were dropped, cut into the PPP's Pashtun vote. He is now federal minister for Water and Power. The Awami National Party, a secular Pashtun party, became a casualty of the U.S. operations in Afghanistan when its support for the Taliban's ouster alienated Pashtun voters.

Although perceptions that the U.S. targets Muslims in its war on terrorism are not confined to Pashtun areas or religious parties,⁸⁵ anti-American sentiments are clearly insufficient to explain the MMA victory since they are not reflected in election results elsewhere. In fact, the PPP, which openly supports Pakistan's cooperation in U.S. operations in Afghanistan, won the largest number of votes countrywide.

The ethnic factor was far more important for the MMA victory in NWFP and Baluchistan. "Destruction caused by the war in Afghanistan and the impression that the war was Pashtun-specific has incited anger," the PPP's Farhatullah Babar (now a PPP Senator from the NWFP) observed. "The impact has been felt across the border. The Afghan

tragedy cannot be wished away, and the MMA took advantage of it".⁸⁶

Within the MMA, the JUI was best placed to appeal to Pashtun sentiments with its vast network of madrasas. JUI leaders are more willing than the JI to acknowledge use of the Pashtun vote. "Unlike other ethnic groups, the Pashtuns have deep fraternal links [and] felt the pain of the Afghan from close quarters. The backlash has been expressed more strongly by the Pashtuns", a JUI-F leader said.⁸⁷

B. ELECTION ANOMALIES

Many analysts depict the MMA's performance as a surge of fundamental Islam in a hitherto moderate Muslim state. This strengthens perceptions that the military is the sole bulwark against the growing power of the religious right. However, an analysis of voting patterns reveals several anomalies that helped to amplify the actual strength and popular base of these religious parties. Statistics also show that despite an uneven playing field much to its disadvantage, the secular, anti-Musharraf PPP won the most popular votes.

According to the consolidated results of the Election Commission of Pakistan, fewer than 30 million out of just over 70 million registered voters participated. The MMA received the fourth highest number of votes. The pro-Musharraf Pakistan Muslim League (PML-Q) emerged as the single largest party with 77 National Assembly seats but only 7.33 million votes (24.81 per cent), compared to Benazir Bhutto's PPP, with 62 seats from 7.39 million votes (25.01 per cent). The Muslim League of exiled ex-prime minister Nawaz Sharif, PML(N), received 3.32 million votes (11.23 per cent) and fourteen seats.

While the MMA came in a poor fourth in the popular vote (3.19 million or 11 per cent), it initially won 53 National Assembly seats and gained an additional fourteen of the 60 seats reserved for women and ten reserved for minorities that were awarded roughly according to the percentage of elected seats a party captured.⁸⁸ The military's post-election manoeuvres

⁸⁴ ICG interview with Amir-ul-Azim, Islamabad, December 2002.

⁸⁵ A Pew survey noted in December 2002 that only 10 per cent of Pakistanis had a favourable view of the U.S., while 81 per cent opposed its global influence. See, "What the World Thinks in 2002", The Pew Global Attitudes Project (Pew Research Centre for the People and the Press, Washington D.C.) December 2002, pp. 53-63.

⁸⁶ ICG interview, Islamabad, November 2002.

⁸⁷ ICG interview.

⁸⁸ The initial 53 seats included those of some parliamentarians from tribal areas who sit with the MMA in the National Assembly. Pakistani laws do not govern FATA, the Federally Administered Tribal Areas. . The British had

and defections from the PPP have helped the MMA become the second largest party in the lower house, where Qazi Hussain Ahmed of the JI is, for practical purposes, the opposition leader.

In Pakistan's most populated provinces, Punjab and Sindh, voters did not respond to the MMA's anti-U.S. rhetoric and Islamic fervour. The religious parties won only eight of 297 general seats for the provincial assembly in the Punjab. In Sindh, whose capital Karachi is considered by some observers the emerging epicentre of extremist organisations, the MMA won just eleven of the 130 provincial assembly seats.

Even in the NWFP, where the MMA has formed the government and won 82 per cent of the National Assembly seats, its share of total votes was merely 13.7 per cent. In Baluchistan, where it formed a coalition government with the PML-Q, the MMA has only fourteen of 51 seats, all in Pashto-speaking areas.

MMA leaders attribute their poor showing outside NWFP and Baluchistan to campaign restrictions and "old voting habits". Since the religious parties were not known for winning elections, the MMA says, people were reluctant to vote for their candidates. "Now, the myth has been broken that the religious parties cannot win elections and, in future, these provinces shall also vote for the religious parties".⁸⁹

Contradicting his party's stance that the MMA's victory was one of Islam over narrow ethnic and sectarian identities,⁹⁰ a JI leader admitted that "With the exception of JUP's Shah Ahmed Noorani, all our top leaders are Pashtuns and voters in the NWFP and Baluchistan found it easier to identify with them". The Pashtuns, he said, have chosen to express their

resentment against U.S. operations in Afghanistan and Musharraf's pro-U.S. policies through support for the religious parties.⁹¹

But the grievances of the smaller provinces go deeper than anti-U.S. sentiment. According to Haji Adeel, a leader of the Pashtun, secular, centre-left Awami National Party, the military uses Islam and the Indian threat as distractions from the real issues of resource distribution and the rights of smaller ethnic groups. He argues that the MMA also uses Islam as a slogan while acting essentially as a pro-establishment force.⁹² If peace returns to Afghanistan, Pashtuns could go back to ethnic parties that oppose the Punjabi-dominated military.

In Baluchistan, where the MMA victory has intensified the Pashtun-Baluch divide, the marginalisation of Baluch leaders and secular parties by the military is already manifesting itself through violence against the Punjabi-dominated centre.⁹³ In Sindh, anti-military sentiments are also on the rise since the military has prevented the PPP, which won the most provincial parliament seats, from forming the government. It is not surprising that questions are once again being asked in Sindh and Baluchistan about the nature and implications of the resurgent alliance between the military and the mullahs.

divided the tribal areas into seven administrative units, called the agencies. In the seven agencies, all inhabited by Pashtun tribes, Khyber, Kurram, Orakzai, Mohmand, Bajaur, North Waziristan and South Waziristan, customary tribal laws prevailed. The arrangement has remained in place. There are 1,283,974 registered voters for FATA's 12 National Assembly seats.

⁸⁹ ICG interview with JUI-F's central secretary general, Abdul Ghafoor Haideri, November 2002.

⁹⁰ A senior JI leader calls "the success of the religious parties and the defeat of the centrifugal regional political forces a triumph of Islamic nationalism". He adds, "even if they did not vote for the MMA this time and may never vote for religious parties, most Pakistani share the view that the war on terrorism is turning out to be a war on Islam".

⁹¹ ICG interview with Amir-ul-Azim, JI's central information secretary, Lahore, December 2002.

⁹² ICG interview with Haji Adeel, Islamabad, April 2002.

⁹³ In January 2003, attacks by Baluch tribesmen on gas pipelines traversing through Baluch tribal territory repeatedly disrupted essential energy supplies to industries and domestic consumers in the Punjab.

IV. RHETORIC AND REALITY

The MMA's anti-Musharraf rhetoric contrasts sharply with its willingness to work with the pro-Musharraf government. Initially, the alliance negotiated with the two largest parliamentary parties, PML(Q) and PPP, to form the federal government. Its candidate for prime minister, Maulana Fazlur Rehman, won little support from either. The MMA then refused to support the PML-Q at the centre and in the Punjab Assembly while giving an assurance it would not help the Bhutto or Sharif parties to destabilise the Jamali government.

In Baluchistan, the MMA sits comfortably with the PML-Q, with the military's approval. It has been amply rewarded for participation in the Baluchistan provincial cabinet. Although it is a junior partner, the MMA received seven of fourteen portfolios. Its ministers control over 90 per cent of the provincial budget as well as all funding, including international aid, channelled by Islamabad.⁹⁴

The MMA has many explanations for its political flexibility. "There is no duality", Haideri explained. "We want the system to work, to ensure continuity of the democratic process".⁹⁵ The Punjab President, Hafiz Muhammad Idrees, adds: "We had apprehended that the federal government would impose governor's rule in the NWFP and Baluchistan". His suggestion that the MMA had few options to save the assemblies does little to change Pakistani perceptions that the mullahs have again made an alliance of convenience with the military.⁹⁶

A. MMA AND MUSHARRAF

Acceptance of the military's political preferences and alignment with the ruling pro-Musharraf party have given the MMA a commanding position in Baluchistan and ensured a smooth transition for its government in the NWFP. There have been other tangible rewards as well. Scores of jailed members have been released in Baluchistan,⁹⁷ including two

former JUI (F) provincial ministers held on corruption charges.

While the MMA has not changed its anti-U.S. rhetoric, it will not risk losing the military's patronage.⁹⁸ To justify a softer stance on cooperation with the U.S., the leadership stresses that confrontation does not pay and "has adopted political means of pressuring the government by raising the issue in the parliament".⁹⁹

Similarly, while the MMA cadre might resent a change in official rhetoric towards the Kashmir jihad, its leaders have not questioned the military's right to formulate national security policy. "It is the federal government that takes such policy decisions. We are not part of the federal government. And our provincial governments will have to remain within the constitution," the JUI (F) general secretary said.¹⁰⁰ In any case, MMA leaders are well aware that the military has not abandoned anti-Indian policies or support for the Kashmir jihad.

The MMA continues to criticise Musharraf's Legal Framework Order and even his presidential legitimacy. In practise, however, it will continue to accept the military's political predominance in return for a share in power.

This dual game, opposition to Musharraf's pro-U.S. policies and an alliance of convenience with him, could come under strain, however, if the JUI's Pashtun followers accept their party's rhetoric at face value and opt for a jihad against Coalition forces and the Karzai government in Afghanistan.

As yet attacks on U.S. troops and their Afghan allies by insurgents from sanctuaries in Pakistan's Pashtun belt are uncoordinated. Yet even these incidents have increased tensions between the U.S. and Pakistani military establishments, with the former accusing the latter of unwillingness or inability to prevent them.¹⁰¹ MMA governments in the two

⁹⁴ Siddiq Baluch, "What the Formation of Baluchistan Govt. Foretells," *Dawn* (Karachi), 19 December 2002, Sec. National, p. 3.

⁹⁵ ICG interview with Hafiz Idrees, Lahore, November 2002.

⁹⁶ ICG interview, Lahore, November 2002.

⁹⁷ Staff Correspondent, "MMA reaches deal with PML-Q in Baluchistan", *Dawn* (Karachi), 30 November 2002, p. 1.

⁹⁸ Justifying the Pakistani jihadis who fought the Taliban against the U.S.-led Coalition, an MMA minister said "People went to fight in Afghanistan because Muslims were being attacked". He added, "We sided with the Taliban and opposed U.S. military operation on moral grounds". ICG interview, Peshawar, March 2003.

⁹⁹ ICG interview with Haideri, Islamabad, 27 November 2002.

¹⁰⁰ ICG interview.

¹⁰¹ Marc Kaufman, "Allies Rout Rebels in Afghanistan: At least 18 Killed in Major Battle", *The Washington Post*, 29 January 2003, p. A01.

border provinces are also a cause of concern for Kabul. For now, the MMA has no choice but to rein in its jihadi cadre. To do otherwise could threaten the continuation of the military's support and attendant political and economic benefits. The question is how effectively it can control those who want to resume the jihad in Afghanistan.

B. INTERNAL DISCORD

Even if the MMA decides to challenge the military's policies, its effectiveness would be undermined by inherent contradictions. Differences are well publicised, and there is little policy cohesion. Just months after their electoral victories, the smaller parties such as the Jamiat Ahle-Hadith and the ITP are only nominally associated with the alliance and (especially the JAH) have threatened to quit. In fact, Sajid Mir, the JAH leader, contested and won a Senate election from a PML (N) platform.

The Shia Tehrik-i-Islami has also been given a wide berth by the MMA Sunni heavyweights. It won no seats in the provincial and national assemblies. Its alliance with its Sunni opponents in the JUI and JAH is unnatural and doomed to fail.

Mutual suspicion shapes the internal decision-making of the main alliance partners, the JI and JUI (F), though their leaders thus far have managed to contain their differences. Thus, when the JI criticised the JUI (F) for nominating Akram Durrani as chief minister of NWFP because he lacked a beard, he obliged the JI by growing one.

Their discord, however, was more than visible when they ran candidates against each other in NWFP by-elections for National Assembly seats from Charsadda and other places in December 2002, and the JI threatened to quit the NWFP government. Local electoral deals with the PML-Q and others have exposed the MMA's shallow unity. A JI candidate, for example, contested a Lahore National Assembly by-election in alliance with the PML (N). The JI also accused the JUI (F) of violating an agreement on cabinet posts by keeping the more significant portfolios for itself.¹⁰² Although these disputes have been resolved, tensions run deep, reflecting real differences among all MMA partners.

The very fact that the JUI has become almost exclusively a Pashtun party and also controls the major share of the MMA's electoral strength is a particular cause of dissatisfaction. Playing to its constituents, it has been more vocal in matters relating to Pashtun areas and interests. Parties such as the JI and JUP have a wider base in Punjabi and migrant communities and hence competing interests with the Pashtuns.

Even on relations with the Muslim world, the alliance parties have different views. Whereas the JI advocates pan-Islamism and closer ties with Iran, the JUIs and the JAH are wary of the Shia state. The JAH, JI and JUIs are pro-Saudi but the JUP and ITP have strong objections to the Saudi royal family and its practices. After a year of alliance, the religious parties are thus no closer to agreement on any substantial issue, theological or otherwise, except the desire to retain the military's goodwill. Even there, internal rivalries hamper cooperation.

In fact, a majority of MMA parties do not want to make the alliance permanent. The JUI (F) and others ignore the JI suggestion to make the MMA a long-term, single Islamic party.

"Being members of the MMA does not mean that we abandon the separate identities of our parties. We are functioning well as a parliamentary alliance and there is no need to venture into political mergers", said the general secretary of the JUI (F).¹⁰³ Given fundamental differences in beliefs, cultures and rituals, the MMA's continued existence is unlikely. Party interests and sectarian identities remain paramount and as divisive as ever.

C. WOMEN AND MINORITIES

The MMA's major parties, the JUI (F) and the JI, do cooperate in at least one sphere: the Islamisation of the NWFP and Baluchistan. MMA leaders, particularly those in the NWFP government, assert that their primary concerns are efficient provincial administration and development projects and their responsibility "to voters and their needs".¹⁰⁴ MMA ministers in the NWFP stress that the imposition of the Sharia is also a major priority for their

¹⁰² Bureau Report, "JI threatens to quit NWFP government", *Dawn* (Karachi), 27 December 2002, p. 1.

¹⁰³ ICG interview with Haideri, November 2002.

¹⁰⁴ ICG interview.

government.¹⁰⁵ In fact, MMA initial policies in both provinces have focused far more on implementing an Islamisation agenda. Their political preferences bode ill for the civil and social-economic rights of women and minorities.

In principle, all religious parties are against participation of women in politics and public life and believe they should be confined to the household. The MMA opposed seats for women in parliament. Since power was more important than principle, it reluctantly fielded candidates for reserved seats for women to increase its parliamentary strength. As a result, the daughter of the JI's Qazi Hussain Ahmed, three sisters-in-law of the JUI's Fazlur Rehman, and other women represent the MMA in the assemblies. "The number of such seats should be reasonable" is the new policy line.¹⁰⁶

The MMA advocates sexual segregation, particularly in education, although it has toned down its rhetoric to assuage international concerns. While the implementation of such a policy could be delayed until the MMA is assured of a more conducive environment, its governments are unlikely to abandon it fully but rather concentrate on the social segregation of men and women. MMA leaders continue to call repeatedly for enforcement of Islamic values in society. Stressing that sexual segregation is Islamic, the MMA Minister for Women Development, Hafiz Hashmat, said: "We want women to have the status given to them by Islam, as mothers, wives and sisters" but "we will not force them to follow the Islamic code of behaviour. We will no use force but persuasion and education".¹⁰⁷

Much of the change in rhetoric is obviously for Western audiences since the mullahs are well aware that the military might have to withdraw its support if faced with strong external pressure. "Western governments feared that the religious parties, as soon as they come to power, would start chopping limbs, public floggings or beat up women. This is

propaganda. Our government in the NWFP has dispelled such propaganda", Haideri asserted.¹⁰⁸

This token deference, combined with a pragmatic desire to increase parliamentary strength, has resulted in inclusion of two Christians, Pervaiz Masih and a woman, Asiya Nasir, on the MMA roll in the National Assembly, although non-Muslims cannot join religious parties. In the NWFP, the MMA has obtained three provincial assembly seats reserved for non-Muslims.

While MMA leaders emphasise that "a government of religious parties is more capable of protecting the minorities",¹⁰⁹ their Islamisation agenda focuses on implementation of Sharia, and their vehicle of choice is the Council of Islamic Ideology, whose recommendations are a blueprint to recast Pakistan in the mould of the Saudi theocracy.

¹⁰⁵ ICG interviews with MMA ministers, Peshawar, 7 March 2003.

¹⁰⁶ ICG interview with Haideri, Islamabad, November 2002.

¹⁰⁷ "Women must take upon themselves as much of a burden as they can deal with", said the Minister, "They must acknowledge their limitations, physically and intellectually". ICG interview, Peshawar, 7 March 2003.

¹⁰⁸ ICG interview, Islamabad, November 2002.

¹⁰⁹ ICG interviews, Islamabad, November 2002.

V. OFFICIAL ISLAM

As a result of the mullahs' successful bargaining and the military's tacit and overt support,¹¹⁰ religious activism has become a function of the Pakistani state. The state has become the biggest promoter of religion and religious culture, assuming the task of "enabling and encouraging the Muslims of Pakistan to order their lives individually and collectively, in all respects, in accordance with the holy Qur'aan and Sunnah".¹¹¹

But the lack of a uniform, universally accepted code of Islamic laws and customs means, constitutionally, that "in the application of this clause to the personal law of any Muslim sect, the expression Qur'aan and Sunnah shall mean...as interpreted by that sect".¹¹² Although Hanafi Sunni ulema and scholars dominate government institutions for Islamisation, smaller sects are also represented.

Government ministries, institutes and councils serve as a means to co-opt and appease clerics and religious scholars. The degree of actual Islamisation depends on the political will and personal preferences of rulers and the extent of their domestic legitimacy.

A. THE MINISTRY OF RELIGIOUS AFFAIRS

The chief organ of the official Islamic movement is the federal Ministry of Religious Affairs and Auqaf and its provincial chapters. The ministry has handled matters of zakat and ushr since the introduction of these tithes by General Zia-ul-Haq in 1980, the first time the Pakistani state took upon itself the task of collecting and distributing such funds. The functions of the ministry and its departments reveal the immense outreach of official Islam:¹¹³

- The Research and Reference Wing, created by Zulfikar Ali Bhutto's government, prepares "model Friday sermons" which are distributed "from time to time for guidance of ulema" but are not mandatory. Ulema choose their issues

but are likely to be influenced by the official line. Those employed in the official networks of mosques are, however, known to follow such "guidance scrupulously".¹¹⁴

- Production of Islamic material on different themes and studies on issues referred by federal and provincial authorities.
- Training of ulema and khatib (orators) for service in government and private mosques.
- Liaison with Islamic scholars and institutions.
- Control of the Pakistan Madrasa Education Board.
- Collection, administration, disbursement and accounting of zakat and ushr. The former process is managed by a Central Zakat Council and percolates down to town-level committees. The government expects to collect and distribute five billion rupees (U.S.\$8,588,000) in zakat in 2002-2003. More than 66,000 people benefited from zakat funds in 2001-02.¹¹⁵

Ten per cent of zakat is earmarked for distribution among the needy by local and district committees. Some is invested in non-profit development ventures. NGOs, social security projects and welfare organisations are also recipients of zakat, which is used as a co-option and patronage tool.¹¹⁶ The ministry also collects zakat and other religious donations received by Pakistani missions abroad, makes arrangements for the annual haj to Mecca, the most important event on the Islamic calendar, and looks after pilgrimages such as umra and ziarat.¹¹⁷

- Tabligh, or preaching: the ministry's Dawa and Ziarat (Pilgrimage) Wing propagate Islam "in the country and abroad by dissemination of Islamic knowledge".

¹¹⁰ More than any of its predecessors, General Zia-ul-Haq's government was instrumental in institutionalising state-sponsored Islam.

¹¹¹ Constitution of Pakistan, 1973, Article 230 (a).

¹¹² Ibid. Explanation to Article 227.

¹¹³ The material is obtained from the ministry's brochures and pamphlets, also available at <http://www.mra.gov.pk>.

¹¹⁴ The government administers 89 mosques in the federal area but a consolidated figure of mosques and shrines managed by the Auqaf Department are not known. Conservative estimates put the number of such mosques anywhere between 1,500 and 2000. Communities, religious groups and individuals independently run most of the mosques.

¹¹⁵ "Zakat fund being increased to Rs5 bn", *Dawn* (Karachi), 20 May 2002, sec. Metropolitan, p. 22.

¹¹⁶ Malik, op. cit., pp 143-153.

¹¹⁷ Pilgrimages to Mecca and Madina other than Hajj are called umra. Ziarat means visits to other holy places in, for example, Iran, Iraq and India.

- ❑ Circulation of religious literature and books.
- ❑ Financial assistance to Islamic institutions in and outside the country, including financial aid for construction and maintenance of mosques and Islamic centres for expatriate Pakistanis and the visits of ulema abroad.
- ❑ Publishing of error-free Qur'aan, and examination of imported religious books, magazines, and other literature for objectionable or controversial material that hurts Muslim sensibilities or the feelings of sects or groups.

Official propagation of Islam is also done through the state-controlled electronic media. Islamic programs are a regular feature to project the government's Islamisation policies.

The most important organ of the ministry, the Council of Islamic Ideology (CII), is a permanent, constitutionally mandated body.

B. THE COUNCIL OF ISLAMIC IDEOLOGY

The MMA's top policy priority is implementation of all recommendations made by the Council of Islamic Ideology. General Ayub Khan originally constituted the CII in the 1960s. However, the traditional ulema were poorly represented since Ayub's primary objective was "reinterpretation of Islam according to modernist parameters...to legitimise national policies in Islamic terms".¹¹⁸

Under JUI pressure, the CII was incorporated in the 1973 constitution, with a mandate to examine existing laws and recommend ways of bringing them into conformity with Islam's injunctions. The constitution thus enhanced its functions and also pledged full Islamisation of laws and society within ten years, a target the secular Bhutto government made little effort to achieve.¹¹⁹ The CII, for instance, was supposed to produce a yearly interim report for the parliament's consideration but only one was submitted until July 1977 when the military ousted Zulfikar Ali Bhutto.

Civilian governments have often recommended CII prescriptions only in times of political crises. For example, Zulfikar Ali Bhutto enforced the prohibition of alcohol in 1977, in a desperate attempt to appease the mullahs who had launched a campaign, with military support, to bring down his government.

Most CII work was done during General Zia-ul-Haq's Islamisation campaign. During his eleven-year rule, eight annual reports were prepared for consideration by the parliament. It was also in this period that the orthodox Sunni ulema gained considerable power through military patronage. The influence of the Jamaat-i-Islami and Deobandi ulema was so dominant that even the Barelvīs felt neglected.¹²⁰

Zia expanded the CII's role. As the Chief Advisory Council to the president, it was asked to review even the political system. Its 1983 report suggested that a presidential system was closer to Islam than parliamentary democracy and that political parties were inconsistent with Islam, conclusions that suited the military's agenda.¹²¹

The CII has a maximum membership of twenty and a minimum of eight, with at least four ulema and two senior judges. It has completed review of all 3,840 federal and provincial laws passed till July 1977 and recommended 865 for repeal for violating Islamic injunctions.¹²² Review of laws of the past 25 years is in progress.¹²³

The Council's 1996 report sets the priorities for Islamic reform. The CII and the Islamic parties support an economy without monetary interest and Islamisation of the financial system. The CII declares that "All laws which provide legal cover to interest or seek to provide legal shelter to such transactions should be abolished or suitably amended."¹²⁴ The Federal Shariat Court has upheld this principle, but successive governments have opposed implementation as impractical.

¹¹⁸ Malik, *op. cit.*, p. 35.

¹¹⁹ *Ibid.*, p. 37. So far, the CII has produced 68 reports recommending changes in the legal, economic and educational system and suggestions for social reform and media policy. All figures are from "An Introduction to the Council of Islamic Ideology", an undated CII brochure.

¹²⁰ Malik, *op. cit.*, p. 42.

¹²¹ "Constitutional Recommendations for the Islamic System of Governance", Council of Islamic Ideology, Government of Pakistan, Islamabad, June 1983.

¹²² CII brochure.

¹²³ Rifaqat Ali, "Handcuffing, shackling may go under CII advice", *Dawn* Karachi, 18 October 2002, p. 3.

¹²⁴ Rifaqat Ali, *Dawn*, 18 October 2002.

Council officials admit that “overall, very little” progress has been made to implement its recommendations.¹²⁵ However, examples of CII recommendations made over the years that would further erode the rights of women include:¹²⁶

- ❑ mandatory observance and strict enforcement of the veil for women;
- ❑ veil-observing women seeking employment should not be forced to submit photographs;
- ❑ Pakistani women officials should not be obliged to receive foreigners at airports;
- ❑ men should not be allowed entry in female hospitals, especially gynecology wards;
- ❑ women should not go to male doctors, nor have their clothing stitched by male tailors; and
- ❑ the state policy of family planning should be abandoned because it is un-Islamic, and the size of the population is not a burden on the economy.

Other recommendations, which focus on restructuring Pakistani society and transforming the state into a full-fledged practicing theocracy, are closely in tune with the policies and priorities of the MMA government in the NWFP. These include:

- ❑ governments should give priority to developing localities where people pray five times a day;
- ❑ regular prayers should be mandatory for appointment and promotion in the public and private sectors, and those failing to comply could be dismissed after first being warned;
- ❑ police should be taught the Qur’aan, and its verses should be displayed in offices;
- ❑ consumption patterns should be changed, and a person’s dress, house and office should reflect simplicity;
- ❑ a religious scholar should be appointed in every Pakistani mission abroad to propagate Islam;
- ❑ music in public transport should be disallowed, and un-Islamic posters and banners should be removed (a recommendation already enforced by the MMA government in the NWFP);

- ❑ festivities on *Basant* (the spring festival) and Valentine’s Day should be banned;
- ❑ Arabic should be compulsory in schools; and
- ❑ the upper age of the juvenile justice system should be fixed not by age but by puberty.

A Law Commission was set up on the CII’s recommendation to assist the judiciary and help create legal procedures in conformity with Islam. In 1979, Zia-ul-Haq added Sharia benches to the provincial high courts and a Sharia appellate bench to the Supreme Court. These were consolidated into a Federal Sharia Court in 1986, a sop to the mullahs since it has limited jurisdiction and spends most of its time deciding which cases it can consider.

A Sharia Law Faculty was established at Quaid-i-Azam University, Islamabad, in 1979 and merged the following year into the International Islamic University, with financial help from the Saudi government. The university, called a “modern madrasa”,¹²⁷ has the following affiliates:

- ❑ Sharia Academy, offering sixteen-week training courses for judges and lawyers;
- ❑ Institute of Dawa and Usul-al-din (Islamic principles), to train teachers and mullahs for mosques;
- ❑ Institute of Sharia Training;
- ❑ Islamic Research Institute;
- ❑ Institute of Islamic Education;
- ❑ Institute of Islamic History, Culture and Civilisation; and
- ❑ International Institute of Islamic Economics.

Although the religious parties complain that little has been done to implement all CII recommendations, a plethora of Islamic laws and regulations have been introduced to co-opt, reward or placate the religious lobby. Laws and regulations, once Islamised, are virtually impossible to reverse or even modify since the religious constituency depicts any proposals for change as attempts to undermine the fundamental principles of the state. No government has so far demonstrated the political will to defy the Islamic

¹²⁵ ICG Interview, Islamabad, September 2002.

¹²⁶ Nadeem Iqbal, “The Religious Writ”, *Newsline*, November 2002, pp. 43-44.

¹²⁷ ICG interview with Mahmud Ahmed Ghazi, former minister of religious affairs and rector of the Dawa Academy, March 2002.

lobby and to push back this tide of Islamic legislation.

VI. SHARIA AND THE LEGAL SYSTEM

The relevant test [of a law] is not whether it can ever be misused but whether it is worth enacting at all given the potential for its abuse and the results its enforcement would produce.

Justice Nasir Aslam Zahid, in the 1997 Report of the Commission of Inquiry for Women.¹²⁸

Pakistan has multiple legal systems, including Pakistan Penal Law, Sharia, the customary law that is practised particularly in rural areas, and a separate legal system for Shias and other sects. The influence of the Islamic parties is most conspicuously reflected in changes that have been incorporated in the constitution and laws – both criminal and civil – based on the Sunni interpretation of Sharia. The Pakistan Penal Code, the Criminal Procedure Code and the Evidence Act of 1872 have all been Islamised, mostly by enactments of the Zia military government, in the absence of parliament.

On 16 February 1979, Zia issued a set of four ordinances (the Hudood ordinances) prescribing punishments in accordance with orthodox Islamic law, including amputation of limbs, flogging, stoning and other forms of the death penalty for crimes ranging from theft, adultery and fornication to consumption of liquor and blasphemy.¹²⁹

Flogging has not been practised, except for a brief period during the early days of the Zia government when it was used mostly against the military's political opponents, including journalists. No person has been stoned or hanged under the Hudood ordinances, although there have been many convictions. There is, however, little proof of their effectiveness in "reforming" or, as the mullahs would prefer, "Islamising" Pakistani society. In fact, the crime rate for theft, robbery, adultery and drinking

¹²⁸ Report of the Commission of Inquiry for Women, Government of Pakistan, August 1997, p. 70.

¹²⁹ The Hudood ordinances are the "Offences Against Property Ordinance", "Prohibition Order", the "Offence of Qazf (false accusation of adultery) Ordinance and the "Offence of Zina (adultery and fornication) Ordinance. These ordinances divide each crime into two categories, Hadd and Tazeer. Hadd punishments are considered unusual and harsh but for their application the standard of proof is practically impossible to meet. See Rubaya Mehdi, op. cit., pp. 109-153.

increased under the Zia government, reaching its highest point in 1985.¹³⁰

The political symbolism aside, Hudood ordinances relating to blasphemy and sex out of wedlock have been systematically used to target the most vulnerable segments of society, including Christians, Ahmadis and women.

A. RELIGIOUS DISCRIMINATION

Discrimination on the basis of religion is a fundamental precept of the constitution. The highest constitutional offices are open only to Muslims. The president and the prime minister have to affirm their religious faith when they take their oaths of office.¹³¹

Article 31 of the constitution, laying down fundamental rights and principles of policy, epitomises the state's religious orientation:

1. Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the holy Qur'aan and Sunnah.
2. The state shall endeavour, as respects the Muslims of Pakistan:
 - (a) To make the teaching of the holy Qur'aan and Islamiat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the holy Qur'aan;
 - (b) To promote unity and the observance of the Islamic moral standards; and
 - (c) To secure the proper organisation of zakat, [ushr,] auqaf and mosques.

The constitution also defines the basic beliefs of a professing Muslim and thus the state's definition of a non-Muslim. The 1973 constitution (second amendment, Article 260) reads:

A person who does not believe in the absolute and unqualified finality of The prophethood of Muhammad (peace be upon him), the last of the prophets or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him), or recognises such a claimant as a prophet or religious reformer, is not a Muslim for the purposes of the constitution or law.

This amendment was passed in 1974 by Zulfikar Ali Bhutto's government after anti-Ahmadi riots broke out following an attack on JI students at Rabwah station, a Punjab town that is the centre of the Ahmadi community. Bhutto agreed to the amendment in an attempt to placate the religious parties. It aimed at excommunicating the Ahmadi sect from Islam, thus treating its members as non-Muslims – a longstanding demand of all major Sunni and Shia ulema.

Sections 295 and 298 of the Pakistan Penal Code (PPC), as amended, expand upon provisions introduced by the British in 1860 to deter communal violence that were part of the Indian Penal Code Pakistan inherited. Section 298 reads:

Uttering words etc. with deliberate intent to wound religious feelings: Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

New clauses added in the 1980s by General Zia-ul-Haq made defiling the holy Qur'aan or the name of the holy Prophet subject to heavy penalties:

Section 295-B: Defiling... etc. of the Holy Qur'aan: Whoever wilfully defiles, damages or desecrates a copy of the holy Qur'aan or an extract therefrom, or uses it in any derogatory manner, or for any unlawful purposes, shall be punishable with imprisonment for life.

Section 295-C: Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the holy Prophet (PBUH), shall be punished with the

¹³⁰ Ibid., p. 154.

¹³¹ Third Schedule of the Constitution of 1973.

death sentence or imprisonment for life and shall be liable to fine.

In 1991, the Nawaz Sharif government made the death penalty mandatory for blaspheming the name of the Prophet. From 1948 to 1979, eleven cases of blasphemy were registered. Three were reported from 1979 to 1986 and 44 from 1987 to 1999, the period of parliamentary democracy. Under General Musharraf's military rule, 52 cases were brought in 2000 – 43 against Muslims and nine against non-Muslims.¹³² Death sentences are imposed on a regular basis though the penalty has thus far been either overturned by superior courts or an appeal is still pending. In 2001, three persons were sentenced to death and in 2002, lower courts awarded death penalties in at least four cases. Fellow convicts, most likely with the connivance of prison staff, have murdered some prisoners sentenced to death for blasphemy. Religious vigilantes have killed others whose death sentences have been overturned on grounds of insanity.¹³³

Blasphemy against any other Islamic holy person was also criminalised by Zia:

Section 298-A: Use of derogatory remarks, etc. in respect of holy personages: Whoever by words, either spoken or written or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of any wife or members of the family of the holy Prophet (PBUH), or any of the righteous caliphs or companions of the holy Prophet (PBUH), shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

This provision is Shia-specific since the Shias, in religious sermons, writings and rituals, vilify some companions of the Prophet and other persons

considered holy by the Sunnis. These disagreements over the status and position of early Muslims of the Prophet's era are often responsible for instigating sectarian terrorism.

Two other provisions of the penal code added by Zia's government in 1984 are aimed specifically at the Ahmadis:

Section 298-B: MISUSE OF EPITHET, DESCRIPTIONS AND TITLES, ETC, RESERVED FOR CERTAIN HOLY PERSONAGES OR PLACES.

1. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or by any other name) who by words, either spoken or written or by visible representation:

(a) refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (PBUH), as 'Ameer-ul-Mumineen', 'Khalifa-tul-Mumineen', 'Khalifa-tul-Muslimeen', 'Sahaabi' or 'Razi Allah Anho';¹³⁴

(b) refers to or addresses, any person, other than a wife of the holy Prophet Muhammad (PBUH), as Ummul-Mumineen;¹³⁵

(c) refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the holy Prophet Muhammad (PBUH), as Ahle-bait¹³⁶; or

(d) refers to, or names, or calls, his place of worship as Masjid (mosque); shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

2. Any person of the Qadiani group or Lahori group, (who call themselves

¹³² Mohammed Shahzad, "Impact of the Blasphemy Law", *Dawn* (Karachi), 18 July 2002, Op-ed, p. 7.

¹³³ See, for instance, "Pakistan: Another person sentenced to death under blasphemy law", Asian Human Rights Commission, 1 August 2002 at <http://www.ahrchk.net/ua/mainfile.php/2002/286/>; "Pakistan: Blasphemy Acquittal welcome but Law must be Amended", Amnesty International, 16 August 2002 at <http://www.amnestyusa.org/news/2002/pakistan08162002.html>; "Pakistan: Violence Rises against Blasphemy Law Victims", 16 July 2002 at <http://www.humanrightsmonitor.org/modules.php?op=modload&name=News&file=articl...>

¹³⁴ Ameerul Mumineen, the leader of the faithful; Khalifat-ul-Mumineen, caliph of the faithful; Khalifa-tul-Muslimeen, caliph of the Muslims; Sahaabi, a companion of the Prophet; Razi Allah Anho, May God be pleased with them, an Islamic honorific reserved usually for the companions of the Prophet.

¹³⁵ Mother of the Faithful, a title reserved for the wives of the Prophet.

¹³⁶ The family of the Prophet.

Ahmadis or by any other names), who by words, either spoken or written, or by visible representations, refers to the mode or form of call to prayers followed by his faith as "Azan"¹³⁷ or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may be extended to three years and shall also be liable to fine.

Section 298-C: PERSONS OF QADIANI GROUP, ETC, CALLING HIMSELF A MUSLIM OR PREACHING OR PROPAGATING HIS FAITH. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or any other name), who directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representation or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

Around 1,300 members of the Ahmadi community have been charged under these clauses. The cases brought between April 1984 and April 1999 include: 189 for blasphemy, ten for burning copies of the Qur'aan, 378 for posing as Muslims, 93 for praying as Muslims, 27 for celebrating the Ahmadi Centenary, 50 for celebrating the Centenary of the Eclipses of the Sun and Moon, 748 for displaying the Kalima (the Muslim vow of faith written in Arabic).¹³⁸

In December 1989, the entire population of Rabwah (some 35,000 persons) was charged collectively under Section 298-C with the crime of inscribing the Kalima and other Qur'aanic verses on their graves, buildings, offices, places of worship and business centres, as well as with using the Islamic greeting

"Assalamo Alaikum" to Muslims, reciting the Kalima, and indulging in similar Islamic activities.¹³⁹

B. GENDER DISCRIMINATION

While women are the main victims of societal discrimination, Islamic legislation such as the Hudood ordinances related to adultery and fornication have further eroded their legal and social status and made them vulnerable to state-sanctioned abuse.

Most of this discriminatory legislation was prepared by the CII and introduced into law by the Zia government in 1981. According to the Qisas and Diyat ordinance (the Sharia law for murder), compensation money for the life of a Muslim woman is half that for a Muslim man.¹⁴⁰

The Human Rights Commission of Pakistan notes that the Islamic provision for pardon by a murder victim's family abets "honour" killings of women by family members, and there is a linkage between the rise of such murders and introduction of the Qisas and Diyat ordinance.¹⁴¹ Moreover, in cases of premeditated murder, the testimony of women is not accepted as evidence. The law also prescribes punishments for abortion, regardless of the stage or state of pregnancy.¹⁴²

The Qanoon-i-Shahadat (the law of evidence) ordinance, based on classical Islamic law, equates the evidence of a male with that of two females. Amended by a presidential order by Zia in 1984, it gives courts the authority to determine whether a person, regardless of gender, is competent to be a witness under the criteria in the Qur'aan and Sunnah. However, a judge can decide whether to accept the evidence of a single female witness or to insist that the evidence of two female witnesses is equal to that of one male. This has created complications and inconsistencies in interpretation and left women at

¹³⁷ The call for prayers.

¹³⁸ Ardeshir Cowasjee, "Homegrown Terrorism-II", *Dawn* (Karachi), 12 May 2002. sec. Op-ed, p. 7. The number of individuals charged and cases brought do not track on a 1:1 basis since a single individual may be charged with multiple related offences, for example, both posing as a Muslim and praying as a Muslim. These laws are still enforced. In 2001, nine cases were brought against Ahmadis.

¹³⁹ *Ibid.*

¹⁴⁰ Qisas means "life for life". "Diyat" is the compensation money paid by the convicted individual.

¹⁴¹ The killing of a woman by a father, husband or brothers can be pardoned by a family member, "State of Human Right in 2001", Human Rights Commission of Pakistan, Lahore, December 2001, p. 206.

¹⁴² Rubya Mehdi, *op. cit.*, p. 152.

the mercy of judges and a male-dominated legal system.¹⁴³

These laws diminish the role of women in many ways. Because a single female witness can be considered unreliable and her evidence insufficient in financial matters, her capacity to act as a principal party in transactions is in jeopardy. The order also affects women working as “administrators, bankers, lawyers and judges for they often have to request their male clerks and peons to attest documents drawn up by them”.¹⁴⁴

The onus of proving rape under the Hudood ordinances lies with the victim. A raped woman who becomes pregnant is vulnerable to a charge under the Hudood ordinances of sexual intercourse outside marriage and having her pregnancy used as evidence of the crime.

A commission appointed by the government of Benazir Bhutto in 1994 considered changes in these laws for three years. Justice Nasir Aslam Zahid, the head of the commission, concluded that the adultery law failed the test of basic human rights as espoused in UN treaties to which Pakistan is a party:

Abundant data testifies that the result of this law has been the victimisation rather than the protection of people, and that the law has had a particularly adverse effect on the least privileged members of society.¹⁴⁵

However, due to opposition from the religious lobby, these laws remain in force.

Limited safeguards are provided by laws such as the Muslim Family Laws Ordinance of 1961, which use a liberal interpretation of Islamic injunctions to protect women in matters involving polygamy, marriage, divorce, dowry and childcare.

Replacement of these laws by orthodox Islamic legislation is a major objective of almost all the MMA parties.¹⁴⁶ Lobbying by women’s groups and other segments of society has thus far blocked their efforts. Unless the MMA is pressed by its military

allies to exercise restraint, however, the limited political and socio-economic rights women enjoy could face a systematic onslaught in the NWFP and Baluchistan.

C. IMPLEMENTING THE SHARIA

The MMA has made its intentions clear during its first months in power in NWFP and Baluchistan. The MMA chief minister in NWFP has formed a Nifaz-e-Shariat Council to help his government implement CII recommendations. The provincial government has decided to form a ministry for the “promotion of virtue and prevention of vice”. That ministry, the NWFP minister for religious affairs argues, will be different from the Taliban body of the same name: “The Taliban had gained power after a bloody conflict whereas the MMA is part of the political process and will employ a gradual approach to total Islamisation of society as recommended by the Shariat Council”.¹⁴⁷

Other agenda items of the Shariat Council include the closure of businesses for prayers; alternative employment for those practicing un-Islamic vocations such as music and dance; and the segregation of women in the health and education sectors.

Though MMA leaders try to ease international concern by distancing themselves from the radical and aggressive ways of the Taliban, their provincial governments have detailed programs to tailor legislation and policies according to the Sharia. The central MMA leadership, for instance, repeatedly states that the rights of women will be protected. However, their interpretation of the Islamic code could well mean subjecting women to a strict dress code and segregating them in educational institutions and public life. To meet these and other Islamisation objectives, the NWFP government has constituted a commission of provincial legislators to devise means to translate CII recommendations into operative laws.¹⁴⁸

However, the legislative jurisdiction of provincial governments is subservient to that of the federal parliament. The 1973 constitution delimits areas of

¹⁴³ Ibid., p. 148.

¹⁴⁴ Ibid., p. 149.

¹⁴⁵ Report of the Commission of Inquiry for Women, Government of Pakistan, August 1970, p. 70.

¹⁴⁶ “Qazi says all MMA component parties united for enforcement of Sharia throughout Pakistan”, *The Nation*, 16 December 2002, p. 12.

¹⁴⁷ ICG interview with Hafiz Akhter Ali, NWFP minister for Religious Affairs and Auqaf, Peshawar, 3 January 2003.

¹⁴⁸ Bureau Report, “No one will be allowed to take law into hand: Durrani”, *The Nation*, 27 December 2002, p. 1.

federal and provincial legislation in two extensive lists: the Federal Legislative List and the Concurrent Legislative List. There is no list of exclusive provincial competence. The first list contains 67 topics including defence and security, external affairs, currency, nationality, communications, nuclear energy, shipping, air navigation, import and export, national planning, taxation, and jurisdiction and powers of courts. The concurrent list contains 47 subjects over which both federal and provincial legislatures have jurisdiction. These include criminal law, policing and legal procedures, education, marriage and divorce, transfer of property, drugs and medicines, pollution and electricity. The national parliament can reverse legislation by any provincial assembly and thus has overriding authority.¹⁴⁹

The MMA governments have thus far enacted mainly cosmetic measures since they are not in a position to require parliament to implement their Islamic agenda. The steps taken thus far include police action against businesses and professions considered un-Islamic, such as video shops, music and cinema, curbs on the performing arts, gambling, liquor and cable networks.¹⁵⁰

The religious zeal of the MMA's madrasa-educated cadres is, however, often expressed in vigilantism and violence. Soon after the formation of the provincial government, religious leaders in Bajaur agency threatened that if the political administration did not remove dish antennas from houses and business centres and close video shops within a week, they would raise a "lashkar to wipe out elements spreading obscenity and un-Islamic culture".¹⁵¹ While this threat has yet to be carried out, the MMA government has used law-enforcing agencies to clamp down on public musical performances and to force cinema and video shop owners to obey its directives throughout the province.

An increase in the frequency of such incidents is causing alarm among development NGOs, who have long faced pressure from local clergymen and now under MMA provincial governments find

themselves in an even more precarious situation. Repeated denunciations of NGOs as un-Islamic and pro-Western and a declared intent to subject them to strict screening and registration have created an atmosphere of harassment. Placing restrictions on NGOs is high on the MMA's Islamisation agenda even though such organisations often provide the only available health, education and other vital services. "The activities of NGOs will have to be monitored", says Hafiz Hashmat, MMA minister for Zakat, Ushr, Social Welfare and Women Development, "because of grassroots concerns about a hidden agenda that could undermine Islamic values and cultural traditions". He added that this adverse reaction is partly due to the role of NGO's in educating women.¹⁵²

In areas where the province cannot legislate or requires the centre's approval, the NWFP assembly has resorted to pressure on the federal government through resolutions. So far, it has used this method to call for a Friday holiday, educational segregation, waiver of fees for arms licences, condemnation of U.S. policies and return of Pakistani prisoners from Afghanistan.¹⁵³

The social background and orientation of its legislators accounts for the MMA's ultra-orthodox inclination. A monthly publication, surveying a sample of 31 MMA National Assembly members from the JUI (F), JUI (S) and the JI, shows all obtained at least one degree in religious education. While a majority of ten JI members had higher degrees in formal education, every representative of the JUI, the dominant party in the NWFP government, is or has been associated with the madrasa sector as teacher or administrator. At least a dozen were directly involved in the Afghan jihad.¹⁵⁴ This pattern holds also for provincial assemblies.

There is a wide gap between the MMA and its secular political opponents, many of whom are professionals and urban-based. Although the latter are careful not to question Pakistan's Islamic identity, their approach to legislation, governance and social mores is more liberal and secular. Even a

¹⁴⁹ The Constitution of Pakistan, 1973, Articles 145-152

¹⁵⁰ For example, Bureau Report, "Government crackdown on cinemas video shops", *The News*, Rawalpindi, 28 December 2002, Sec. National, p. 5; "42 arrested during anti-obscenity drive", *The News*, 15 December 2002, Sec. National p. 5.

¹⁵¹ Anwarullah Khan, "Video shops given a week to close", *Dawn* (Karachi), 29 December 2002, p. 22.

¹⁵² ICG interview, Peshawar, 7 March 2003.

¹⁵³ Bureau Report, "Abolition of three taxes demanded", *Dawn* (Karachi), 3 January 2003, Sec. National, p. 4.

¹⁵⁴ Ilyas Khan and Azizullah Khan, "Meet the Maulanas", *Herald* (Karachi), November 2002, Sec. Cover, pp. 50-54, and "Meet the Maulanas-II", *Herald*, December 2002, Sec. Perspectives, pp. 53-55.

simple issue such as seating arrangement in the National Assembly (sexually segregated or not) illustrates the difference.

The place of religion in Pakistani politics and state policy needs to be discussed and settled through democratic means. The MMA's large presence in elected assemblies provides the moderate political parties – and civil society groups – an opportunity to embark on this crucial and long overdue discourse. Whether there is a fair debate depends importantly, of course, on the military, represented by President Musharraf, who would need to resist the temptation to continue to use the mullahs to counter its political adversaries.

VII. CONCLUSION

Despite his propensity to rule through decrees and ordinances, President Musharraf has been unwilling to use his powers to implement his pledges to control religious extremism. On the contrary, his constitutional amendments, contained in the Legal Framework Order 2002, have undermined the domestic standing of moderate secular parties. Moreover, the military has actively supported the religious parties during and after the October 2002 elections. The MMA is a major beneficiary of the military's use of all available means to manipulate parliamentary alliances and forge acceptable governments.

Musharraf's policies have also added to the contradictions that riddle Pakistan's constitution and legal system. Much of his legislation contravenes the fundamental rights of citizenship provided in the 1973 constitution, which states that "every citizen shall have the right to assembly, association and to profess, practise and propagate his religion" (Article 16-20). Other military governments, including General Zia-ul-Haq's, also watered down these constitutional freedoms. The beneficiary, as often as not, of these manoeuvres has been the religious lobby since curbs on fundamental freedoms have selectively targeted the military's secular political rivals.

Exploiting their utility for the military and successfully pressuring elected governments, the religious lobby has managed to "Islamise" legislation by increments. The weakest segments of society, women and minorities, both Muslim and non-Muslim, are their specific targets.

The review of discriminatory laws has been a longstanding demand of Pakistani civil society. However, no Islamic law has ever been reversed. As the MMA presses to widen Islamisation, Musharraf and his Prime Minister will have two choices: either to resist or to acquiesce in the Islamisation agenda. If it adopts the latter course, the government will set the stage for more social conflict, undermine domestic stability, and further erode its domestic legitimacy.

As part of its power sharing deal with the MMA, the ruling PML-Q government has agreed to debate CII recommendations in parliament. One way of neutralising the MMA's pressure tactics would be to

hold an open debate on these in the broadcast media. The government could also make structural changes in the composition and procedures of the CII.

That council is a bureaucratic institution with a limited membership and a narrow base. As a body dependent on public money, it should be made more accessible and accountable to public scrutiny and debate. Women, lawyers, liberal religious scholars, economists, traders, bankers, and public interest groups should be encouraged to have more of an input into its deliberations.

Every Islamic movement and party promotes a particular brand of Islam, and state-sponsored Islamisation inevitably favours or discriminates against targeted groups. The mandate and role of the Ministry of Religious Affairs, therefore, should be substantially limited to public service matters such as the haj and other pilgrimages. The manner in which the Pakistani state has sponsored religion and religious causes within its borders and in the region has tainted the country's interests and damaged its image. If the damage is to be undone, the government should limit its role to enacting constitutional provisions that protect all sects, socially, politically, and economically.

The federal government should exercise, within constitutional limits, its responsibilities of overseeing the performance and policies of provincial governments. If it is to prevent the MMA from damaging Pakistan's international image further through a Taliban-influenced Islamisation agenda, it will have to caution the NWFP and Baluchistan governments against implementing policies that undermine the rights of women and the work of developmental NGOs, whose services are direly needed.

Donors could play a constructive role by channelling funding, through the federal government to women

and minorities in the NWFP and Baluchistan. They should also link funding, with positive incentives, to the state of fundamental freedoms under the MMA governments. Civil society organisations, lawyers associations, women's and rights groups and development NGOs, moreover, need donor support since they cannot match the resources of the religious parties. Democracy and good governance programs directed toward the NWFP and Baluchistan would pay dividends by strengthening moderate forces and curbing the power of the mullahs.

The federal government will also have to restrain MMA provincial governments from inciting jihadi sentiments and encouraging a gun culture in the name of local traditions. Even President Musharraf's U.S. allies are understandably questioning his government's pledge to control extremism since private militias continue to display weapons in public, disseminate their literature and collect funds, and banned groups are still allowed to re-emerge under changed names. A nation-wide process of disarming the jihadi groups and institutionalisation of an ad hoc ban on their organisations would lend credence to government claims of ending their activities. More pressure from key donors might expedite this process.

The dangers of inaction are evident. Should the MMA leaders continue to exploit anti-U.S. sentiments to further their political ends, they might eventually even find it nearly impossible to curb the religious zeal of their followers to undo perceived wrongs in Afghanistan and elsewhere in the region. Should that occur, Pakistan could find itself isolated regionally and a target, as opposed to a partner, in the U.S.-led war against terrorism.

Islamabad/Brussels, 20 March 2003

APPENDIX B

GLOSSARY OF ACRONYMS

ANP	Awami National Party
CII	Council of Islamic Ideology
GNA	Grand National Alliance
IJM	Islami Jamhoori Mahaz
IJT	Islami Jamiat-e-Talaba
IPS	Institute of Policy Studies
ITP	Islami Tehrik Pakistan
JAH	Jamiat Ahle Hadith
JI	Jamaat-i-Islami
JUI (F)	Jamiat Ulema-e-Islam (Fazlur Rehman group)
JUI (S)	Jamiat Ulema-e-Islam (Samiul Haq group)
JUP	Jamiat Ulema-e-Pakistan
JUH	Jamiat Ulema-e-Hind
MMA	Muttahida Majlis-e-Amal
NAP	National Awami Party
PAT	Pakistan Awami Tehrik
PIF	Pakistan Islamic Front
PML (N)	Pakistan Muslim League (Nawaz Sharif group)
PML-Q	Pakistan Muslim League (Quaid-i-Azam group)
PNA	Pakistan National Movement
PPP	Pakistan People's Party
SDA	Sindh Democratic Alliance
SSP	Sipahe Sahaba Pakistan
TNFJ	Tehrik Nifaz-e-Fiqh Jafaria

APPENDIX C

GLOSSARY OF NON-ENGLISH TERMS

Ahle Bait	Family of the Prophet
Ahmadis	Followers of Mirza Ghulam Ahmed, a 20 th century South Asian prophet
Ameerul Mumineen	Leader of the faithful
Auqaf	Endowments dedicated for religious causes
Azan	Call for daily prayers
Barelvi	Followers of the synergetic Sunni tradition, named after a town in Uttar Pradesh, India
Dawa	Invitation, or preaching for religion
Deoband	A town in Uttar Pradesh, India, known for an eponymous Sunni movement and sect
Hanafi	Followers of one of four major schools of Islamic jurisprudence
Kalima	The basic vow of the Islamic faith
Khalifa-tul-Mumineen	Caliph of the faithful
Khalifa-tul-Muslimeen	Caliph of the Muslims
Qazf	False accusation of adultery
Qisas and Diyat	Islamic laws on murder
Razi Allah Anho	May God be Pleased with Them, an Islamic honorific reserved usually for the companions of the Prophet
Sunnah	The way of the Prophet
Sahabi (pl. sahaba)	A companion of the Prophet
Tabligh	To preach and propagate
Ummul-Mumineen	Mother of the faithful, a title reserved for the wives of the Prophet
Ushr	One-tenth of farm produce meant to be deducted as tax
Zakat	Islamic tithe on income and wealth

APPENDIX D

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, www.crisisweb.org. ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York and Paris and a media liaison office in London. The organisation currently operates eleven field offices (in Amman, Belgrade, Bogota, Islamabad, Jakarta,

Nairobi, Osh, Pristina, Sarajevo, Sierra Leone and Skopje) with analysts working in over 30 crisis-affected countries and territories across four continents.

In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East*, the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

Foundation and private sector donors include The Atlantic Philanthropies, Carnegie Corporation of New York, Ford Foundation, Bill & Melinda Gates Foundation, William & Flora Hewlett Foundation, The Henry Luce Foundation, Inc., John D. & Catherine T. MacArthur Foundation, The John Merck Fund, Charles Stewart Mott Foundation, Open Society Institute, Ploughshares Fund, The Ruben & Elisabeth Rausing Trust, the Sasakawa Peace Foundation, the Sarlo Foundation of the Jewish Community Endowment Fund and the United States Institute of Peace.

March 2003

APPENDIX E

ICG REPORTS AND BRIEFING PAPERS*

AFRICA

ALGERIA**

The Algerian Crisis: Not Over Yet, Africa Report N°24, 20 October 2000 (also available in French)

The Civil Concord: A Peace Initiative Wasted, Africa Report N°31, 9 July 2001 (also available in French)

Algeria's Economy: A Vicious Circle of Oil and Violence, Africa Report N°36, 26 October 2001 (also available in French)

ANGOLA

Dealing with Savimbi's Ghost: The Security and Humanitarian Challenges in Angola, Africa Report N°58, 26 February 2003

BURUNDI

The Mandela Effect: Evaluation and Perspectives of the Peace Process in Burundi, Africa Report N°21, 18 April 2000 (also available in French)

Unblocking Burundi's Peace Process: Political Parties, Political Prisoners, and Freedom of the Press, Africa Briefing, 22 June 2000

Burundi: The Issues at Stake. Political Parties, Freedom of the Press and Political Prisoners, Africa Report N°23, 12 July 2000 (also available in French)

Burundi Peace Process: Tough Challenges Ahead, Africa Briefing, 27 August 2000

Burundi: Neither War, nor Peace, Africa Report N°25, 1 December 2000 (also available in French)

Burundi: Breaking the Deadlock, The Urgent Need for a New Negotiating Framework, Africa Report N°29, 14 May 2001 (also available in French)

Burundi: 100 Days to put the Peace Process back on Track, Africa Report N°33, 14 August 2001 (also available in French)

Burundi: After Six Months of Transition: Continuing the War or Winning the Peace, Africa Report N°46, 24 May 2002 (also available in French)

The Burundi Rebellion and the Ceasefire Negotiations, Africa Briefing, 6 August 2002

A Framework For Responsible Aid To Burundi, Africa Report N°57, 21 February 2003

DEMOCRATIC REPUBLIC OF CONGO

Scramble for the Congo: Anatomy of an Ugly War, Africa Report N°26, 20 December 2000 (also available in French)

From Kabila to Kabila: Prospects for Peace in the Congo, Africa Report N°27, 16 March 2001

Disarmament in the Congo: Investing in Conflict Prevention, Africa Briefing, 12 June 2001

The Inter-Congolese Dialogue: Political Negotiation or Game of Bluff? Africa Report N°37, 16 November 2001 (also available in French)

Disarmament in the Congo: Jump-Starting DDRRR to Prevent Further War, Africa Report N°38, 14 December 2001

Storm Clouds Over Sun City: The Urgent Need To Recast The Congolese Peace Process, Africa Report N°38, 14 May 2002 (also available in French)

The Kivus: The Forgotten Crucible of the Congo Conflict, Africa Report N°56, 24 January 2003

RWANDA

Uganda and Rwanda: Friends or Enemies? Africa Report N°15, 4 May 2000

International Criminal Tribunal for Rwanda: Justice Delayed, Africa Report N°30, 7 June 2001 (also available in French)

"Consensual Democracy" in Post Genocide Rwanda: Evaluating the March 2001 District Elections, Africa Report N°34, 9 October 2001

Rwanda/Uganda: a Dangerous War of Nerves, Africa Briefing, 21 December 2001

The International Criminal Tribunal for Rwanda: The Countdown, Africa Report N°50, 1 August 2002 (also available in French)

Rwanda At The End of the Transition: A Necessary Political Liberalisation, Africa Report N°53, 13 November 2002 (also available in French)

SOMALIA

Somalia: Countering Terrorism in a Failed State, Africa Report N°45, 23 May 2002

Salvaging Somalia's Chance For Peace, Africa Briefing, 9 December 2002

Negotiating a Blueprint for Peace in Somalia, Africa Report N°59, 6 March 2003

SUDAN

God, Oil & Country: Changing the Logic of War in Sudan, Africa Report N°39, 28 January 2002

Capturing the Moment: Sudan's Peace Process in the Balance, Africa Report N°42, 3 April 2002

Dialogue or Destruction? Organising for Peace as the War in Sudan Escalates, Africa Report N°48, 27 June 2002

Sudan's Best Chance For Peace: How Not To Lose It, Africa Report N°51, 17 September 2002

Ending Starvation as a Weapon of War in Sudan, Africa Report N°54, 14 November 2002

Power and Wealth Sharing: Make or Break Time in Sudan's Peace Process, Africa Report N°55, 18 December 2002

* Released since January 2000.

** The Algeria project was transferred to the Middle East Program in January 2002.

Sudan's Oilfields Burn Again: Brinkmanship Endangers The Peace Process, Africa Briefing, 10 February 2003

WEST AFRICA

Sierra Leone: Time for a New Military and Political Strategy, Africa Report N°28, 11 April 2001

Sierra Leone: Managing Uncertainty, Africa Report N°35, 24 October 2001

Sierra Leone: Ripe For Elections? Africa Briefing, 19 December 2001

Liberia: The Key to Ending Regional Instability, Africa Report N°43, 24 April 2002

Sierra Leone After Elections: Politics as Usual? Africa Report N°49, 12 July 2002

Liberia: Unravelling, Africa Briefing, 19 August 2002

Sierra Leone's Truth and Reconciliation Commission: A Fresh Start?, Africa Briefing, 20 December 2002

ZIMBABWE

Zimbabwe: At the Crossroads, Africa Report N°22, 10 July 2000

Zimbabwe: Three Months after the Elections, Africa Briefing, 25 September 2000

Zimbabwe in Crisis: Finding a way Forward, Africa Report N°32, 13 July 2001

Zimbabwe: Time for International Action, Africa Briefing, 12 October 2001

Zimbabwe's Election: The Stakes for Southern Africa, Africa Briefing, 11 January 2002

All Bark and No Bite: The International Response to Zimbabwe's Crisis, Africa Report N°40, 25 January 2002

Zimbabwe at the Crossroads: Transition or Conflict? Africa Report N°41, 22 March 2002

Zimbabwe: What Next? Africa Report N° 47, 14 June 2002

Zimbabwe: The Politics of National Liberation and International Division, Africa Report N°52, 17 October 2002

Zimbabwe: Danger and Opportunity, Africa Report N°60, 10 March 2003

ASIA

CAMBODIA

Cambodia: The Elusive Peace Dividend, Asia Report N°8, 11 August 2000

CENTRAL ASIA

Central Asia: Crisis Conditions in Three States, Asia Report N°7, 7 August 2000 (also available in Russian)

Recent Violence in Central Asia: Causes and Consequences, Central Asia Briefing, 18 October 2000

Islamist Mobilisation and Regional Security, Asia Report N°14, 1 March 2001 (also available in Russian)

Incubators of Conflict: Central Asia's Localised Poverty and Social Unrest, Asia Report N°16, 8 June 2001 (also available in Russian)

Central Asia: Fault Lines in the New Security Map, Asia Report N°20, 4 July 2001 (also available in Russian)

Uzbekistan at Ten – Repression and Instability, Asia Report N°21, 21 August 2001 (also available in Russian)

Kyrgyzstan at Ten: Trouble in the "Island of Democracy", Asia Report N°22, 28 August 2001 (also available in Russian)

Central Asian Perspectives on the 11 September and the Afghan Crisis, Central Asia Briefing, 28 September 2001 (also available in French and Russian)

Central Asia: Drugs and Conflict, Asia Report N°25, 26 November 2001 (also available in Russian)

Afghanistan and Central Asia: Priorities for Reconstruction and Development, Asia Report N°26, 27 November 2001 (also available in Russian)

Tajikistan: An Uncertain Peace, Asia Report N°30, 24 December 2001 (also available in Russian)

The IMU and the Hizb-ut-Tahrir: Implications of the Afghanistan Campaign, Central Asia Briefing, 30 January 2002 (also available in Russian)

Central Asia: Border Disputes and Conflict Potential, Asia Report N°33, 4 April 2002 (also available in Russian)

Central Asia: Water and Conflict, Asia Report N°34, 30 May 2002 (also available in Russian)

Kyrgyzstan's Political Crisis: An Exit Strategy, Asia Report N°37, 20 August 2002 (also available in Russian)

The OSCE in Central Asia: A New Strategy, Asia Report N°38, 11 September 2002

Central Asia: The Politics of Police Reform, Asia Report N°42, 10 December 2002

Cracks in the Marble: Turkmenistan's Failing Dictatorship, Asia Report N°44, 17 January 2003

Uzbekistan's Reform Program: Illusion or Reality?, Asia Report N°46, 18 February 2003

INDONESIA

Indonesia's Crisis: Chronic but not Acute, Asia Report N°6, 31 May 2000

Indonesia's Maluku Crisis: The Issues, Indonesia Briefing, 19 July 2000

Indonesia: Keeping the Military Under Control, Asia Report N°9, 5 September 2000 (also available in Indonesian)

Aceh: Escalating Tension, Indonesia Briefing, 7 December 2000

Indonesia: Overcoming Murder and Chaos in Maluku, Asia Report N°10, 19 December 2000

Indonesia: Impunity Versus Accountability for Gross Human Rights Violations, Asia Report N°12, 2 February 2001

Indonesia: National Police Reform, Asia Report N°13, 20 February 2001 (also available in Indonesian)

Indonesia's Presidential Crisis, Indonesia Briefing, 21 February 2001

Bad Debt: The Politics of Financial Reform in Indonesia, Asia Report N°15, 13 March 2001

Indonesia's Presidential Crisis: The Second Round, Indonesia Briefing, 21 May 2001

Aceh: Why Military Force Won't Bring Lasting Peace, Asia Report N°17, 12 June 2001 (also available in Indonesian)

Aceh: Can Autonomy Stem the Conflict? Asia Report N°18, 27 June 2001

Communal Violence in Indonesia: Lessons from Kalimantan, Asia Report N°19, 27 June 2001 (also available in Indonesian)

Indonesian-U.S. Military Ties, Indonesia Briefing, 18 July 2001

The Megawati Presidency, Indonesia Briefing, 10 September 2001

Indonesia: Ending Repression in Irian Jaya, Asia Report N°23, 20 September 2001

Indonesia: Violence and Radical Muslims, Indonesia Briefing, 10 October 2001

Indonesia: Next Steps in Military Reform, Asia Report N°24, 11 October 2001

Indonesia: Natural Resources and Law Enforcement, Asia Report N°29, 20 December 2001 (also available in Indonesian)

Indonesia: The Search for Peace in Maluku, Asia Report N°31, 8 February 2002

Aceh: Slim Chance for Peace, Indonesia Briefing, 27 March 2002

Indonesia: The Implications of the Timor Trials, Indonesia Briefing, 8 May 2002

Resuming U.S.-Indonesia Military Ties, Indonesia Briefing, 21 May 2002

Al-Qaeda in Southeast Asia: The case of the "Ngruki Network" in Indonesia, Indonesia Briefing, 8 August 2002

Indonesia: Resources And Conflict In Papua, Asia Report N°39, 13 September 2002

Tensions on Flores: Local Symptoms of National Problems, Indonesia Briefing, 10 October 2002

Impact of the Bali Bombings, Indonesia Briefing, 24 October 2002

Indonesia Backgrounder: How The Jemaah Islamiyah Terrorist Network Operates, Asia Report N°43, 11 December 2002

Aceh: A Fragile Peace, Asia Report N°47, 27 February 2003

MYANMAR

Burma/Myanmar: How Strong is the Military Regime? Asia Report N°11, 21 December 2000

Myanmar: The Role of Civil Society, Asia Report N°27, 6 December 2001

Myanmar: The Military Regime's View of the World, Asia Report N°28, 7 December 2001

Myanmar: The Politics of Humanitarian Aid, Asia Report N°32, 2 April 2002

Myanmar: The HIV/AIDS Crisis, Myanmar Briefing, 2 April 2002

Myanmar: The Future of the Armed Forces, Asia Briefing, 27 September 2002

AFGHANISTAN/SOUTH ASIA

Afghanistan and Central Asia: Priorities for Reconstruction and Development, Asia Report N°26, 27 November 2001

Pakistan: The Dangers of Conventional Wisdom, Pakistan Briefing, 12 March 2002

Securing Afghanistan: The Need for More International Action, Afghanistan Briefing, 15 March 2002

The Loya Jirga: One Small Step Forward? Afghanistan & Pakistan Briefing, 16 May 2002

Kashmir: Confrontation and Miscalculation, Asia Report N°35, 11 July 2002

Pakistan: Madrasas, Extremism and the Military, Asia Report N°36, 29 July 2002

The Afghan Transitional Administration: Prospects and Perils, Afghanistan Briefing, 30 July 2002

Pakistan: Transition to Democracy?, Asia Report N°40, 3 October 2002

Kashmir: The View From Srinagar, Asia Report N°41, 21 November 2002

Afghanistan: Judicial Reform and Transitional Justice, Asia Report N°45, 28 January 2003

Afghanistan: Women and Reconstruction, Asia Report N°48, 14 March 2003

BALKANS

ALBANIA

Albania: State of the Nation, Balkans Report N°87, 1 March 2000

Albania's Local Elections, A test of Stability and Democracy, Balkans Briefing, 25 August 2000

Albania: The State of the Nation 2001, Balkans Report N°111, 25 May 2001

Albania's Parliamentary Elections 2001, Balkans Briefing, 23 August 2001

Albania: State of the Nation 2003, Balkans Report N°140, 11 March 2003

BOSNIA

Denied Justice: Individuals Lost in a Legal Maze, Balkans Report N°86, 23 February 2000

European Vs. Bosnian Human Rights Standards, Handbook Overview, 14 April 2000

Reunifying Mostar: Opportunities for Progress, Balkans Report N°90, 19 April 2000

Bosnia's Municipal Elections 2000: Winners and Losers, Balkans Report N°91, 28 April 2000

Bosnia's Refugee Logjam Breaks: Is the International Community Ready? Balkans Report N°95, 31 May 2000

War Criminals in Bosnia's Republika Srpska, Balkans Report N°103, 2 November 2000

Bosnia's November Elections: Dayton Stumbles, Balkans Report N°104, 18 December 2000

Turning Strife to Advantage: A Blueprint to Integrate the Croats in Bosnia and Herzegovina, Balkans Report N°106, 15 March 2001

No Early Exit: NATO's Continuing Challenge in Bosnia, Balkans Report N°110, 22 May 2001

Bosnia's Precarious Economy: Still Not Open For Business; Balkans Report N°115, 7 August 2001 (also available in Bosnian)

The Wages of Sin: Confronting Bosnia's Republika Srpska, Balkans Report N°118, 8 October 2001 (also available in Bosnian)

Bosnia: Reshaping the International Machinery, Balkans Report N°121, 29 November 2001 (also available in Bosnian)

Courting Disaster: The Misrule of Law in Bosnia & Herzegovina, Balkans Report N°127, 26 March 2002 (also available in Bosnian)

Implementing Equality: The "Constituent Peoples" Decision in Bosnia & Herzegovina, Balkans Report N°128, 16 April 2002 (also available in Bosnian)

Policing the Police in Bosnia: A Further Reform Agenda, Balkans Report N°130, 10 May 2002 (also available in Bosnian)

Bosnia's Alliance for (Smallish) Change, Balkans Report N°132, 2 August 2002 (also available in Bosnian)

The Continuing Challenge Of Refugee Return In Bosnia & Herzegovina, Balkans Report N°137, 13 December 2002 (also available in Bosnian)

CROATIA

Facing Up to War Crimes, Balkans Briefing, 16 October 2001

A Half-Hearted Welcome: Refugee Return to Croatia, Balkans Report N°138, 13 December 2002 (also available in Serbo-Croat)

KOSOVO

Kosovo Albanians in Serbian Prisons: Kosovo's Unfinished Business, Balkans Report N°85, 26 January 2000

What Happened to the KLA? Balkans Report N°88, 3 March 2000

Kosovo's Linchpin: Overcoming Division in Mitrovica, Balkans Report N°96, 31 May 2000

Reality Demands: Documenting Violations of International Humanitarian Law in Kosovo 1999, Balkans Report, 27 June 2000

Elections in Kosovo: Moving Toward Democracy? Balkans Report N°97, 7 July 2000

Kosovo Report Card, Balkans Report N°100, 28 August 2000

Reaction in Kosovo to Kostunica's Victory, Balkans Briefing, 10 October 2000

Religion in Kosovo, Balkans Report N°105, 31 January 2001

Kosovo: Landmark Election, Balkans Report N°120, 21 November 2001 (also available in Albanian and Serbo-Croat)

Kosovo: A Strategy for Economic Development, Balkans Report N°123, 19 December 2001 (also available in Serbo-Croat)

A Kosovo Roadmap: I. Addressing Final Status, Balkans Report N°124, 28 February 2002 (also available in Albanian and Serbo-Croat)

A Kosovo Roadmap: II. Internal Benchmarks, Balkans Report N°125, 1 March 2002 (also available in Albanian and Serbo-Croat)

UNMIK's Kosovo Albatross: Tackling Division in Mitrovica, Balkans Report N°131, 3 June 2002 (also available in Albanian and Serbo-Croat)

Finding the Balance: The Scales of Justice in Kosovo, Balkans Report N°134, 12 September 2002 (also available in Albanian)

Return to Uncertainty: Kosovo's Internally Displaced and The Return Process, Balkans Report N°139, 13 December 2002 (also available in Albanian and Serbo-Croat)

MACEDONIA

Macedonia's Ethnic Albanians: Bridging the Gulf, Balkans Report N°98, 2 August 2000

Macedonia Government Expects Setback in Local Elections, Balkans Briefing, 4 September 2000

The Macedonian Question: Reform or Rebellion, Balkans Report N°109, 5 April 2001

Macedonia: The Last Chance for Peace, Balkans Report N°113, 20 June 2001

Macedonia: Still Sliding, Balkans Briefing, 27 July 2001

Macedonia: War on Hold, Balkans Briefing, 15 August 2001

Macedonia: Filling the Security Vacuum, Balkans Briefing, 8 September 2001

Macedonia's Name: Why the Dispute Matters and How to Resolve It, Balkans Report N°122, 10 December 2001 (also available in Serbo-Croat)

Macedonia's Public Secret: How Corruption Drags The Country Down, Balkans Report N°133, 14 August 2002 (also available in Macedonian)

Moving Macedonia Toward Self-Sufficiency: A New Security Approach for NATO and the EU, Balkans Report N°135, 15 November 2002 (also available in Macedonian)

MONTENEGRO

Montenegro: In the Shadow of the Volcano, Balkans Report N°89, 21 March 2000

Montenegro's Socialist People's Party: A Loyal Opposition? Balkans Report N°92, 28 April 2000

Montenegro's Local Elections: Testing the National Temperature, Background Briefing, 26 May 2000

Montenegro: Which way Next? Balkans Briefing, 30 November 2000

Montenegro: Settling for Independence? Balkans Report N°107, 28 March 2001

Montenegro: Time to Decide, a Pre-Election Briefing, Balkans Briefing, 18 April 2001

Montenegro: Resolving the Independence Deadlock, Balkans Report N°114, 1 August 2001

Still Buying Time: Montenegro, Serbia and the European Union, Balkans Report N°129, 7 May 2002 (also available in Serbian)

SERBIA

Serbia's Embattled Opposition, Balkans Report N°94, 30 May 2000

Serbia's Grain Trade: Milosevic's Hidden Cash Crop, Balkans Report N°93, 5 June 2000

Serbia: The Milosevic Regime on the Eve of the September Elections, Balkans Report N°99, 17 August 2000

Current Legal Status of the Republic of Yugoslavia (FRY) and of Serbia and Montenegro, Balkans Report N°101, 19 September 2000

Yugoslavia's Presidential Election: The Serbian People's Moment of Truth, Balkans Report N°102, 19 September 2000

Sanctions against the Federal Republic of Yugoslavia, Balkans Briefing, 10 October 2000

Serbia on the Eve of the December Elections, Balkans Briefing, 20 December 2000

A Fair Exchange: Aid to Yugoslavia for Regional Stability, Balkans Report N°112, 15 June 2001

Peace in Presevo: Quick Fix or Long-Term Solution? Balkans Report N°116, 10 August 2001

Serbia's Transition: Reforms Under Siege, Balkans Report N°117, 21 September 2001 (also available in Serbo-Croat)

Belgrade's Lagging Reform: Cause for International Concern, Balkans Report N°126, 7 March 2002 (also available in Serbo-Croat)

Serbia: Military Intervention Threatens Democratic Reform, Balkans Briefing, 28 March 2002 (also available in Serbo-Croat)

Fighting To Control Yugoslavia's Military, Balkans Briefing, 12 July 2002 (also available in Serbo-Croat)

Arming Saddam: The Yugoslav Connection, Balkans Report N°136, 3 December 2002

Serbia After Djindjic, Balkans Report N°141, 18 March 2003

REGIONAL REPORTS

After Milosevic: A Practical Agenda for Lasting Balkans Peace, Balkans Report N°108, 26 April 2001

Milosevic in The Hague: What it Means for Yugoslavia and the Region, Balkans Briefing, 6 July 2001

Bin Laden and the Balkans: The Politics of Anti-Terrorism, Balkans Report N°119, 9 November 2001

LATIN AMERICA

Colombia's Elusive Quest for Peace, Latin America Report N°1, 26 March 2002 (also available in Spanish)

The 10 March 2002 Parliamentary Elections in Colombia, Latin America Briefing, 17 April 2002 (also available in Spanish)

The Stakes in the Presidential Election in Colombia, Latin America Briefing, 22 May 2002

Colombia: The Prospects for Peace with the ELN, Latin America Report N°2, 4 October 2002 (also available in Spanish)

Colombia: Will Uribe's Honeymoon Last?, Latin America Briefing, 19 December 2002 (also available in Spanish)

MIDDLE EAST

A Time to Lead: The International Community and the Israeli-Palestinian Conflict, Middle East Report N°1, 10 April 2002

Middle East Endgame I: Getting to a Comprehensive Arab-Israeli Peace Settlement, Middle East Report N°2, 16 July 2002 (also available in Arabic)

Middle East Endgame II: How a Comprehensive Israeli-Palestinian Settlement Would Look, Middle East Report N°3; 16 July 2002 (also available in Arabic)

Middle East Endgame III: Israel, Syria and Lebanon – How Comprehensive Peace Settlements Would Look, Middle East Report N°4, 16 July 2002 (also available in Arabic)

Iran: The Struggle for the Revolution's Soul, Middle East Report N°5, 5 August 2002

Iraq Backgrounder: What Lies Beneath, Middle East Report N°6, 1 October 2002

The Meanings of Palestinian Reform, Middle East Briefing, 12 November 2002

Old Games, New Rules: Conflict on the Israel-Lebanon Border, Middle East Report N°7, 18 November 2002

Voices From The Iraqi Street, Middle East Briefing, 4 December 2002

Yemen: Indigenous Violence and International Terror in a Fragile State, Middle East Report N°8, 8 January 2003

Radical Islam In Iraqi Kurdistan: The Mouse That Roared?, Middle East Briefing, 7 February 2003

Red Alert In Jordan: Recurrent Unrest In Maan, Middle East Briefing, 19 February 2003

Iraq Policy Briefing: Is There An Alternative To War?, Middle East Report N°9, 24 February 2003

War In Iraq: What's Next For The Kurds? Middle East Report N°10, 19 March 2003

ALGERIA*

Diminishing Returns: Algeria's 2002 Legislative Elections, Middle East Briefing, 24 June 2002

ISSUES REPORTS

HIV/AIDS

HIV/AIDS as a Security Issue, Issues Report N°1, 19 June 2001

Myanmar: The HIV/AIDS Crisis, Myanmar Briefing, 2 April 2002

EU

The European Humanitarian Aid Office (ECHO): Crisis Response in the Grey Lane, Issues Briefing, 26 June 2001

EU Crisis Response Capability: Institutions and Processes for Conflict Prevention and Management, Issues Report N°2, 26 June 2001

EU Crisis Response Capabilities: An Update, Issues Briefing, 29 April 2002

* The Algeria project was transferred from the Africa Program in January 2002.

APPENDIX F

ICG BOARD MEMBERS

Martti Ahtisaari, Chairman

Former President of Finland

Maria Livanos Cattau, Vice-Chairman

Secretary-General, International Chamber of Commerce

Stephen Solarz, Vice-Chairman

Former U.S. Congressman

Gareth Evans, President & CEO

Former Foreign Minister of Australia

S. Daniel Abraham

Chairman, Center for Middle East Peace and Economic Cooperation, U.S.

Morton Abramowitz

Former U.S. Assistant Secretary of State and Ambassador to Turkey

Kenneth Adelman

Former U.S. Ambassador and Director of the Arms Control and Disarmament Agency

Richard Allen

Former U.S. National Security Adviser to the President

Saud Nasir Al-Sabah

Former Kuwaiti Ambassador to the UK and U.S.; former Minister of Information and Oil

Louise Arbour

Supreme Court Justice, Canada; Former Chief Prosecutor, International Criminal Tribunal for former Yugoslavia

Oscar Arias Sanchez

Former President of Costa Rica; Nobel Peace Prize, 1987

Ersin Arioglu

Chairman, Yapi Merkezi Group, Turkey

Emma Bonino

Member of European Parliament; former European Commissioner

Zbigniew Brzezinski

Former U.S. National Security Adviser to the President

Cheryl Carolus

Former South African High Commissioner to the UK; former Secretary General of the ANC

Victor Chu

Chairman, First Eastern Investment Group, Hong Kong

Wesley Clark

Former NATO Supreme Allied Commander, Europe

Uffe Ellemann-Jensen

Former Minister of Foreign Affairs, Denmark

Mark Eyskens

Former Prime Minister of Belgium

Marika Fahlen

Former Swedish Ambassador for Humanitarian Affairs; Director of Social Mobilization and Strategic Information, UNAIDS

Yoichi Funabashi

Chief Diplomatic Correspondent & Columnist, The Asahi Shimbun, Japan

Bronislaw Geremek

Former Minister of Foreign Affairs, Poland

I.K.Gujral

Former Prime Minister of India

HRH El Hassan bin Talal

Chairman, Arab Thought Forum; President, Club of Rome

Carla Hills

Former U.S. Secretary of Housing; former U.S. Trade Representative

Asma Jahangir

UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; Advocate Supreme Court, former Chair Human Rights Commission of Pakistan

Ellen Johnson Sirleaf

Senior Adviser, Modern Africa Fund Managers; former Liberian Minister of Finance and Director of UNDP Regional Bureau for Africa

Mikhail Khodorkovsky

Chairman and Chief Executive Officer, YUKOS Oil Company, Russia

Elliott F. Kulick

Chairman, Pegasus International, U.S.

Joanne Leedom-Ackerman

Novelist and journalist, U.S.

Todung Mulya Lubis

Human rights lawyer and author, Indonesia

Barbara McDougall

Former Secretary of State for External Affairs, Canada

Mo Mowlam

Former Secretary of State for Northern Ireland, UK

Ayo Obe

President, Civil Liberties Organisation, Nigeria

Christine Ockrent

Journalist and author, France

Friedbert Pflüger

Foreign Policy Spokesman of the CDU/CSU Parliamentary Group in the German Bundestag

Surin Pitsuwan

Former Minister of Foreign Affairs, Thailand

Itamar Rabinovich

President of Tel Aviv University; former Israeli Ambassador to the U.S. and Chief Negotiator with Syria

Fidel V. Ramos

Former President of the Philippines

Mohamed Sahnoun

Special Adviser to the United Nations Secretary-General on Africa

Salim A. Salim

Former Prime Minister of Tanzania; former Secretary General of the Organisation of African Unity

Douglas Schoen

Founding Partner of Penn, Schoen & Berland Associates, U.S.

William Shawcross

Journalist and author, UK

George Soros

Chairman, Open Society Institute

Eduardo Stein

Former Minister of Foreign Affairs, Guatemala

Pär Stenbäck

Former Minister of Foreign Affairs, Finland

Thorvald Stoltenberg

Former Minister of Foreign Affairs, Norway

William O. Taylor

Chairman Emeritus, The Boston Globe, U.S.

Ed van Thijn

Former Netherlands Minister of Interior; former Mayor of Amsterdam

Simone Veil

Former President of the European Parliament; former Minister for Health, France

Shirley Williams

Former Secretary of State for Education and Science; Member House of Lords, UK

Jaushieh Joseph Wu

Deputy Secretary General to the President, Taiwan

Grigory Yavlinsky

Chairman of Yabloko Party and its Duma faction, Russia

Uta Zapf

Chairperson of the German Bundestag Subcommittee on Disarmament, Arms Control and Non-proliferation