



# Pakistan's Political Crises

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## Summary

The year 2007 has seen Pakistan buffeted by numerous and serious political crises culminating in the December 27 assassination of former Prime Minister and leading opposition figure Benazir Bhutto, who had returned to Pakistan from self-imposed exile in October. Bhutto's killing in an apparent gun and bomb attack (the circumstances remain controversial) has been called a national tragedy for Pakistan and does immense damage to already troubled efforts to democratize the country. The assassination came just 12 days after Pakistani President Pervez Musharraf had lifted a 6-week-old emergency order. On November 3, some eight years after he overthrew the elected government in a bloodless 1999 military coup, Musharraf had suspended the country's constitution and assumed emergency powers in his role as both president and army chief. The move came as security circumstances deteriorated sharply across the country, but was widely viewed as being an effort by Musharraf to maintain his own power. His government placed numerous Supreme Court justices under house arrest, and jailed thousands of opposition figures and lawyers who opposed the abrogation of rule of law. It also cracked down on independent media outlets, many of which temporarily were shut down completely.

President Musharraf sought to justify his "second coup" as being necessary to save Pakistan from Islamist extremism and from a political paralysis he blamed largely on the country's Supreme Court. The United States, which had exerted diplomatic pressure on Musharraf to refrain from imposing a state of emergency, views Pakistan as a vital ally in global and regional counterterrorism efforts, and it has provided considerable foreign assistance to Pakistan since 2001, in part with the goal of facilitating a transition to democracy in Islamabad. Washington and other world capitals pressured Musharraf to return Pakistan to its pre-November 3 political circumstances, relinquish his status as army chief, and hold free and fair elections in January 2008. Musharraf vowed to hold such elections (which, following the Bhutto assassination, were rescheduled for February 18) and he finally resigned his military commission in late November. While thousands of previously detained political activists have been released, most of the approximately 100 high court judges who refused to take a new oath of office remain under house arrest.

In the months preceding the emergency declaration, Bhutto had engaged negotiations toward a power-sharing arrangement with Musharraf. The U.S. government supported such accommodation as being in the best interests of both Pakistan and the United States. Bhutto's catastrophic removal from Pakistan's political equation thus dealt a serious blow to U.S. interests. In light of this and other developments that constitute major setbacks for U.S. policy toward Pakistan, U.S. officials are reevaluating their approach, and many in Congress have called for cutting or halting certain types of U.S. assistance to Pakistan. Several bills condemning the emergency declaration were introduced in Congress (S.Res. 372, H.Res. 810, and H.Res. 823), but none has moved out of committee to date. Division J of the Consolidated Appropriations Act, 2008 (H.R. 2764) places conditions on a portion of U.S. military assistance to Pakistan and includes a call for "implementing democratic reforms" there. See also CRS Report RL33498, *Pakistan-U.S. Relations*. This report will be updated.

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## Overview

The year 2007 has seen Pakistan buffeted by numerous and serious political crises culminating in the December 27 assassination of former Prime Minister and leading opposition figure Benazir Bhutto, who had returned to Pakistan from self-imposed exile in October. Bhutto's killing in an apparent gun and bomb attack (the circumstances remain controversial) has been called a national tragedy for Pakistan and does immense damage to already troubled efforts to democratize the country. Bhutto was "chairperson for life" of what arguably is Pakistan's most popular party, the Pakistan People's Party (PPP), which won the most total votes in the 2002 national election. The assassination came just 12 days after Pakistani President Pervez Musharraf had lifted a 6-week-old emergency order. The PPP named her young son, Bilawal, and her husband, Asif Zardari, to succeed her as party leaders. Bhutto's long-time party deputy, Makhdoom Amin Fahim, is expected to be the put forward as the PPP's prime ministerial candidate.

On November 3, 2007, Pakistani President General Pervez Musharraf issued a Proclamation of Emergency suspending the country's Constitution.<sup>1</sup> The proclamation justified the suspension as necessary due to the country's rapidly deteriorating security circumstances ("an unprecedented level of violent intensity posing a grave threat to the life and property of the citizens of Pakistan") and to the allegedly negative role being played by the country's judiciary, which was claimed to be "working at cross purposes with the executive and legislature in the fight against terrorism and extremism thereby weakening the Government and the nation's resolve and diluting the efficacy of its actions to control this menace." According to the proclamation, the situation required "emergent and extraordinary measures."

A Provisional Constitution Order (PCO) was issued by Musharraf (in his role as army chief) on the same day pursuant to the emergency proclamation. The PCO requires, *inter alia*, that the country's judiciary take a new oath of office, and it bars the judiciary from making any orders against the PCO or from taking any action against the President, the Prime Minister, or anyone acting under their authority. It also suspends a number of "Fundamental Rights" listed in Chapter One of the Pakistani Constitution. These include freedom from unlawful arrest and detention, and freedoms of movement, assembly, association, and speech.<sup>2</sup> Seven Supreme Court justices, including the Chief Justice, and scores of High Court judges refused to take a new oath of office under the PCO and were summarily dismissed.

Top U.S. officials repeatedly have urged President Musharraf to make more energetic efforts to restore civilian government and rule of law in Islamabad by respecting the independence of the country's judiciary and by holding free and fair parliamentary elections in early 2008. These admonitions continued following Bhutto's demise. Despite seemingly undemocratic developments in Islamabad, the United States has since 2001 provided billions of dollars in foreign assistance to Pakistan. Developments in Pakistan in 2007 have led many Washington-

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<sup>1</sup> Sources for this document beyond those cited include U.S. and Pakistani government agencies, intergovernmental and nongovernmental organizations, U.S. and regional press reports, and major wire services. See also CRS Report RL33498, *Pakistan-U.S. Relations*.

<sup>2</sup> Proclamation text at [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/emergency.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/emergency.htm); PCO text at [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/order.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/order.htm); Pakistani Constitution at <http://www.pakistani.org/pakistan/constitution/>.

based critics—both governmental and independent—to more forcefully question the Bush Administration's largely uncritical support for President Musharraf.<sup>3</sup>

News of the November emergency decree and PCO elicited immediate criticism from Washington: According to the State Department, Musharraf's move "was a setback":

[W]e had hoped to see this transition unfold differently.... It is our fervent hope that [scheduled] elections will be free, fair, transparent, and credible. We are working closely with Pakistani officials and U.S., Pakistani and international civil society organizations to ensure that these elections are as transparent as possible.<sup>4</sup>

Secretary of State Condoleezza Rice said she had "communicated very clearly to the Pakistanis that the holding of free and fair elections is an absolute necessity" and later said U.S. aid to Pakistan would come under review. The Pentagon announced a postponement of scheduled high-level bilateral defense consultations. In his first public comments on the issue, President George W. Bush said the United States expects elections in Pakistan as soon as possible and that Musharraf should resign his military post. President Bush later telephoned Musharraf for a "very frank discussion" on the strong U.S. belief that the Pakistani leader should resign from the military and hold elections. Islamabad characterized President Bush as showing understanding of the "difficult circumstances" being faced by Musharraf and of the Pakistani leader's commitment to "full democracy and civilian rule."<sup>5</sup>

Several bills condemning the emergency declaration were introduced in Congress (S.Res. 372, H.Res. 810, and H.Res. 823), but none has moved out of committee to date. On November 17, Deputy Secretary of State John Negroponte met with President Musharraf in Islamabad, reportedly delivering a "strong message" on the need to heed U.S. advice or face a possible reduction in military assistance. Islamabad rejected U.S. calls to end the emergency and dismissed the Deputy Secretary's admonitions as "nothing new."<sup>6</sup> The Under Secretary also met with Musharraf ally and National Security Advisor Tariq Aziz and Vice Army Chief Gen. Ashfaq Pervez Kiyani, and spoke by phone with Benazir Bhutto.

Musharraf's "second coup" appeared to many observers to be a desperate power grab by a badly discredited military ruler. While Musharraf insisted the emergency decree was meant to deal with the country's security crisis and spreading Islamist militancy, most analysts believe it was a preemptive assault on the country's judiciary in light of signs that the Supreme Court was set to invalidate Musharraf's October 6, 2007, reelection as president. One international human rights group issued a report making this argument and criticizing the U.S. and other Western governments for "propping up" Musharraf with military and financial assistance.<sup>7</sup>

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<sup>3</sup> Farah Stockman and Byron Bender, "Questions Rise on US Support for Musharraf," *Boston Globe*, December 29, 2007.

<sup>4</sup> See <http://www.state.gov/p/sca/rls/rm/2007/96566.htm>.

<sup>5</sup> See <http://www.state.gov/secretary/rm/2007/11/94586.htm>; <http://www.whitehouse.gov/news/releases/2007/11/20071105-3.html>; "Bush Speaks to Musharraf, Urges Elections," *Reuters*, November 7, 2007; [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/PR\\_273\\_07.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_273_07.htm).

<sup>6</sup> "US Warns Pakistan's Musharraf Over Military Aid: Diplomats," *Agence France Presse*, November 17, 2007; Paul Haven, "Pakistan Rejects Calls to End Emergency," *Associated Press*, November 18, 2007. After meeting with Musharraf, the Deputy Secretary declined to comment directly on the issue of U.S. assistance.

<sup>7</sup> Human Rights Watch, "Destroying Legality," December 2007, at <http://hrw.org/reports/2007/pakistan1207>.

There are fears that the move further destabilized Pakistan and emboldened Islamist militants, while further alienating Pakistani civil society. It also brought a surge in unwanted attention to the Pakistani military's failure to defeat the country's militant extremist elements, as well as to its major and hugely profitable role in the country's economy. The security of Pakistan's nuclear weapons and materials becomes an especially crucial issue during a period of political instability in Islamabad. Moreover, Pakistan's Western allies find themselves in the awkward position of supporting an increasingly unpopular Musharraf who has twice used force to obtain or maintain power.<sup>8</sup>

The Islamabad government's harsh crackdown on political opposition apparently spurred former Prime Minister and opposition leader Benazir Bhutto to end what had been ongoing negotiations toward a power-sharing arrangement with Musharraf. Musharraf, for his part, called Bhutto "too confrontational" and himself ruled out further power-sharing negotiations. The U.S. government had supported a Musharraf-Bhutto accommodation as being in the best interests of both Pakistan and the United States. Bhutto's catastrophic removal from Pakistan's political equation thus dealt a serious blow to U.S. policies aimed at bringing greater stability to that country.

## **Political Upheaval in 2007**

Pakistan in 2007 suffered from considerable political uncertainty as the tenuous governance structure put in place by President Musharraf came under strain. Among ordinary Pakistanis, criticism of the military—typically among the most respected institutions in the country—and its role in governance has become much more common, especially as the army has proven unable to ensure security and stability in both major cities and in the western provinces of Baluchistan and the North West Frontier. Many among the Pakistani public appear increasingly put off by a seemingly arbitrary electoral process that preserves the power of a corrupt elite that demonstrates little meaningful concern with the problems of ordinary citizens. Moreover, there has been an accompanying and widespread dismay among Pakistanis at the appearance of unabashed U.S. interference in their political system, interference that from their perspective serves only to perpetuate the corruption.<sup>9</sup>

## **Judicial Crisis**

A judicial crisis began with President Musharraf's summary March 2007 dismissal of the country's Chief Justice, Iftikhar Chaudhry, on charges of nepotism and misconduct. Analysts widely believe the action was an attempt by Musharraf to remove a potential impediment to his continued roles as president and army chief, given Chaudhry's rulings that exhibited independence and went contrary to government expectations. The move triggered immediate outrage among Pakistani lawyers; ensuing street protests by opposition activists grew in scale. By providing a platform upon which anti-Musharraf sentiments could coalesce, the imbroglio morphed into a full-fledged political crisis.

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<sup>8</sup> "A Desperate Power Grab in Pakistan" (editorial), *Financial Times* (London), November 4, 2007; "Emergency Could Backfire on Musharraf," *Associated Press*, November 4, 2007; Peter Wonacott, "Emergency Rule in Pakistan Puts Military Under the Gun," *Wall Street Journal*, November 5, 2007; Shahan Mufti and Mark Sappenfield, "Emergency Rule in Pakistan: Musharraf's Last Grab for Power?," *Christian Science Monitor*, November 5, 2007.

<sup>9</sup> Henry Chu, "Pakistanis Crave Fresh Faces in Politics," *Los Angeles Times*, November 19, 2007; Emily Wax and Intiaz Ali, "Pakistanis Growing Frustrated With U.S.," *Washington Post*, November 16, 2007.

The deposed Chief Justice became an overnight political celebrity. In May, tens of thousands of supporters lined the streets as Chaudhry drove from Islamabad to Lahore to address the High Court there. Chaudhry later flew to Karachi but was blocked from leaving the city's airport, reportedly by activists of the regional, government-allied Muttahida Qaumi Movement (MQM) party. Ensuing street battles between MQM cadres and opposition activists left at least 40 people dead on May 12, most of them PPP members. Reports had local police and security forces standing by without intervening while the MQM attacked anti-Musharraf protesters, leading many observers to charge the government with complicity in the bloody rioting.<sup>10</sup> In July, in what was widely seen as a major political defeat for Musharraf, the Supreme Court unanimously cleared Chaudhry of any wrongdoing and reinstated him to office. When, in August, Musharraf reportedly came close to declaring a state of emergency, Secretary of State Rice placed a late-night telephone call to Islamabad, by some accounts in a successful effort to dissuade him.

August brought further indications that the Supreme Court would not be subservient to military rule and could derail President Musharraf's political plans. Most significantly, the court ruled that former Prime Minister Nawaz Sharif could return to Pakistan after seven years in exile. When Sharif attempted to return on September 10, the government immediately arrested him on corruption charges and deported him. (On October 24, Pakistan's Chief Justice stated that Sharif still has an "inalienable right" to return to Pakistan, and he accused then-Prime Minister Shaukat Aziz of violating a Supreme Court order by arranging for Sharif's most recent deportation.) In September, the Islamabad government arrested hundreds of opposition political leaders and activists, many of them deputies of Nawaz Sharif, including some sitting members of Parliament. A statement from the U.S. Embassy called the development "extremely disturbing and confusing," and Secretary Rice called the arrests "troubling."<sup>11</sup> At year's end, Pakistan's judicial crisis was far from fully resolved.

Changes made by Musharraf under the emergency remain controversial, perhaps most especially the questionable dismissal of many Supreme Court justices, some of whom remain under house arrest in 2008. Aitzaz Ahsan, the lawyer who led the successful effort to have former Chief Justice Chaudhry reseated earlier in 2007, has been at the forefront of the current effort to have the Supreme Court reconstituted by Musharraf restored to its pre-November status. In early December, he proposed requiring all parliamentary candidates to sign an oath pledging to restore the judiciary, but this tack was rejected by Bhutto and other opposition leaders as unrealistic. Ahsan himself accused the U.S. government of not seeming to care about Musharraf's crackdown on the Supreme Court and making no mention of the issue in various agency briefings.<sup>12</sup>

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<sup>10</sup> The Human Rights Commission of Pakistan called the riots "the result of a calculated adventure hatched by the president and the MQM with the cooperation of the Sindh government" (May 13, 2007, press release at <http://www.hrcp.cjb.net>; see also Isambard Wilkinson and Massoud Ansari, "Pakistan on Brink of Disaster as Karachi Burns," *Telegraph* (London), May 12, 2007 and Griff Witte, "Clashes in Pakistan Kill 28, Injure Scores as Unrest Escalates," *Washington Post*, May 13, 2007).

<sup>11</sup> See <http://usembassy.state.gov/pakistan/h07092402.html>; "Rice Says Arrests of Pakistani Opposition Troubling," *Reuters*, September 24, 2007.

<sup>12</sup> Jane Perlez, "Detained Pakistani Seeks to Revive Judiciary Case," *New York Times*, December 5, 2007; Aitzaz Ahsan, "Pakistan's Tyranny Continues" (op-ed), *New York Times*, December 23, 2007.

## President Musharraf's Reelection

President Musharraf won provisional reelection on October 6, 2007, capturing 98% of the votes cast by Pakistan's 1,170-member Electoral College. About 57% of the total possible vote from the membership of all national and provincial legislatures went to Musharraf; two-fifths of the body had either abstained (members of the Bhutto-led PPP) or resigned in protest (mostly members of the Islamist party coalition). Musharraf vowed to resign his military commission following reelection, even knowing he would become even more politically vulnerable as a civilian president. Controversy had arisen over Musharraf's intention to seek reelection by the current assemblies, as well as his candidacy while still serving as army chief (2002 and 2005 Supreme Court rulings allowed for his dual-role until November 15). Opposition parties called such moves unconstitutional and they petitioned the Supreme Court to block this course.

On October 5, the court ruled the election could take place as scheduled but that official results would be withheld until after the court rules on such legal challenges. While few observers predicted the court would void the result, Musharraf was to some degree left in political limbo—he was not expected to doff his army uniform until his reelection was confirmed. Some analysts feared that a state of emergency would be declared were the court to rule against Musharraf. U.S. and other Western officials, including Secretary Rice, urged Musharraf to refrain from any such move. On November 19, the new Supreme Court (as reconstituted under the PCO) struck down legal challenges to the validity of the reelection, thus paving the way for Musharraf's retirement from the army and swearing in for a second term, which took place on November 29.

## Musharraf-Bhutto Engagement

President Musharraf and former Prime Minister Benazir Bhutto in 2007 had negotiations on a power-sharing arrangement that could facilitate Musharraf's continued national political role while also allowing Bhutto to return to Pakistan from self-imposed exile, potentially to serve as prime minister for a third time. The Bush Administration reportedly encouraged such an arrangement as the best means of both sustaining Musharraf's role and of strengthening moderate political forces in Islamabad. Pakistan's deputy information minister reportedly claimed that the United States essentially forced a reluctant Islamabad to allow Bhutto's return from exile.<sup>13</sup> Some analysts took a cynical view of Bhutto's motives in the negotiations, believing her central goal was personal power and removal of standing corruption cases against her.<sup>14</sup> Bhutto insisted that she engaged Musharraf so as to facilitate "an effective and peaceful transition to democracy."

On October 4, President Musharraf and Bhutto agreed to an accord that could have paved the way for a power-sharing deal. The National Reconciliation Ordinance (NRO) provides amnesty for all politicians who served in Pakistan between 1988 and 1999, thus essentially clearing Bhutto of pending and potential corruption charges. Officials said the amnesty would not apply to former Prime Minister Sharif. In return, Bhutto reportedly agreed (tacitly) to accept Musharraf's reelection plans. (The incumbent ruling party's chief, Chaudhry Shujaat Hussain, was later quoted as saying the NRO was part of "a deliberate strategy to prevent the opposition from uniting and

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<sup>13</sup> Paul Wiseman, "Official: U.S. Forced Pakistan to Allow Bhutto Back," *USA Today*, October 29, 2007.

<sup>14</sup> Ijaz Hussain, "Deal-ing a Bad Hand," *Daily Times* (Lahore), August 29, 2007; Jane Perlez, "Bhutto's Persona Raises Distrust, As Well As Hope," *New York Times*, November 11, 2007; Bruce Wallace, "Skepticism Tinges Support for Bhutto," *Los Angeles Times*, December 3, 2007. Bhutto's own niece has called the political posturing "sheer pantomime" (Fatima Bhutto, "Aunt Benazir's False Promises," *Los Angeles Times*, November 14, 2007).



she [Bhutto] fell for it.”<sup>15</sup> The Supreme Court subsequently put a spanner in Bhutto’s scheme by ruling on October 12 that it would hear challenges to the NRO, thus threatening a Musharraf-Bhutto deal by potentially reinstating corruption charges against the former prime minister. Many Pakistanis were unhappy with news of the potential deal, viewing it as a politically unprincipled arrangement between two opportunistic figures. Following the imposition of emergency, Bhutto stated that she would not meet or negotiate with Musharraf, effectively ending prospects for a deal.

When asked whether the United States still favored a Musharraf-Bhutto power-sharing agreement in the wake of the emergency decree and deteriorating relations between the president and former prime minister, U.S. officials only reiterate a belief that Pakistan’s moderate forces should work together to bring constitutional, democratic rule. Yet reports continued to suggest that Washington pushed for such an accommodation even after Bhutto’s apparently full embrace of the opposition.<sup>16</sup>

## Benazir Bhutto’s Return

On October 18, Benazir Bhutto returned to Pakistan after more than eight years of self-imposed exile and was welcomed in Karachi by hundreds of thousands of jubilant supporters. She proceeded to vigorously re-entered Pakistan’s political stage with a major and polarizing effect; even segments of her own powerful Sindh-based clan were bitterly opposed to her reentry. While Bhutto continued to enjoy significant public support in the country, especially in rural Sindh, there were signs that many PPP members were ambivalent about her return and worried that her credibility as an opponent of military rule has been damaged through deal-making with Musharraf. Only hours after Bhutto’s arrival in Karachi, two blasts near her motorcade—likely perpetrated by at least one suicide attacker—left some 145 people dead, but Bhutto was unharmed. To date, police have made no breakthroughs in the case, but there are signs (along with widely-held suspicions) that the perpetrators are linked to Al Qaeda and other Islamist extremists in Pakistan. Without offering evidence, Bhutto herself implicated elements of Pakistan’s own security apparatus in the attack. (Following Bhutto’s December assassination, a letter was released in which she requested that President Musharraf be held ultimately responsible for her potential violent death; see below).

## State of Emergency Imposed, Then Lifted

As Islamist-related militancy surged and political uncertainty continued unabated in Pakistan in October 2007, observers grew increasingly concerned that President Musharraf would impose martial law through an emergency proclamation. When asked about the possibility on November 1, Secretary Rice said it was “quite obvious that the United States would not be supportive of extra-constitutional means,” and she reiterated Washington’s view that Pakistan “needs to prepare for and hold free and fair elections” as planned.<sup>17</sup> The next day, the Commander of the U.S. Central Command, Adm. William Fallon, met with Musharraf in Islamabad and warned against

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<sup>15</sup> Christina Lamb, “Threat to Strip Benazir Bhutto of Amnesty,” *Sunday Times* (London), November 18, 2007.

<sup>16</sup> “U.S. Trying to Revive Musharraf-Bhutto Deal,” *Reuters*, November 17, 2007.

<sup>17</sup> Griff Witte and Imtiaz Ali, “U.S. Warns Musharraf Not to Use Martial Law,” *Washington Post*, November 2, 2007.

declaring a state of emergency that would “put the [Pakistan-U.S.] relationship at risk.”<sup>18</sup> One report claimed that during this time U.S. diplomats received forewarning from Pakistani officials that an emergency declaration was imminent. According to this report, the reaction of the U.S. diplomats was muted, which some senior Pakistanis took as a sign that they could proceed. However, a U.S. official denied that any “green light” was given.<sup>19</sup>

President Musharraf announced his decision to declare a state of emergency in a late-night televised address to the Pakistani people on November 3. In that speech, Musharraf argued that the country was under existential threat from terrorism and extremism, and that his government and its law enforcement agencies were stricken by paralysis due especially to Supreme Court interference. He also held certain elements in the Pakistani media responsible for deteriorating conditions. Calling his emergency proclamation necessary in the interests of the state, he compared his actions to those of Abraham Lincoln’s “sweeping violations of constitutional limits” as an effort to preserve the union, and he pleaded with Pakistan’s “friends in the United States” to give the country more time to establish democratic rule.<sup>20</sup>

The emergency declaration led to an immediate and harsh crackdown on Pakistan’s independent media outlets. Numerous private television and radio stations were blacked out in the wake of Musharraf’s announcement and a new government order banned any media reports that “defame or bring ridicule” to the government or military. Violations of the order can bring a one-year prison sentence or a five million rupee (\$82,000) fine. For many days after the emergency decree, independent domestic news stations, as well as international outlets such as the BBC and CNN, remained off the air in Pakistan. Indications are that the Musharraf government has continued to clamp down on the country’s media.<sup>21</sup>

Moreover, several thousand opposition figures, human rights activists, and lawyers were rounded up and detained in the days following the emergency proclamation.<sup>22</sup> On the Monday after Musharraf’s weekend speech, thousands of lawyers protested in several Pakistani cities and were met with police beatings and mass arrests. Chief Justice Chaudhry, who was among seven Supreme Court judges dismissed by the Musharraf government, publicly urged the country’s lawyers to continue their protests. The U.S. government expressed “grave concern” at the crackdown, calling such “extreme and unreasonable measures” contradictory to the goal of a fully democratic Pakistan.<sup>23</sup> Musharraf later had Pakistan’s 1952 Army Act amended to allow for military trials of civilians, chilling human rights groups and potentially providing a retroactive sanctioning of “disappearances” traced to the country’s security services and criticized by the Supreme Court.<sup>24</sup>

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<sup>18</sup> “Admiral: U.S. Warned Musharraf Against Emergency Declaration,” *CNN.com* (online), November 6, 2007.

<sup>19</sup> Jay Solomon and Peter Wonacott, “Pakistan Alerted U.S. It Planned Emergency Rule,” *Wall Street Journal*, November 23, 2007.

<sup>20</sup> Unofficial speech transcript at <http://www.indybay.org/newsitems/2007/11/05/18458318.php>.

<sup>21</sup> Paul Alexander, “Pakistan’s Government Threatens Media,” *Associated Press*, December 19, 2007.

<sup>22</sup> On November 6, 33 U.S. Senators signed a letter to President Musharraf urging him to immediately release leading Pakistani lawyer and opposition political figure Aitzaz Ahsan from prison.

<sup>23</sup> Gretchen Peters, “Pakistan Stifles Media, Cuts Phone Lines,” *ABC News* (online), November 4, 2007; Jane Perlez and David Rohde, “Pakistan Attempts to Crush Protests by Lawyers,” *New York Times*, November 6, 2007; U.S. Embassy statement at <http://usembassy.state.gov/pakistan/h07110401.html>.

<sup>24</sup> “Pakistan: Rescind Decree Allowing Military Trials of Civilians,” Human Rights Watch Press Release, November 14, 2007.

As noted above, the United States called the emergency declaration a serious setback to Pakistan's democratization process. Many other world governments, including that of key Pakistani benefactor Britain, echoed U.S. criticisms. Pakistani neighbor and rival India, wary of becoming involved in Pakistan's domestic problems, issued a notably restrained expression of "regret" for "the difficult times that Pakistan is passing through." In response to what it called "unwarranted criticism and excessive reactions" from abroad, Pakistan's Foreign Ministry asked that the international community "show understanding of this difficult decision" and reiterated that the government and President Musharraf are "committed to full civilian democratic rule and holding of elections."<sup>25</sup>

A November session of the 53-member Commonwealth Ministerial Action Group (CMAG) issued a condemnation of the abrogation of the Pakistani Constitution and threatened Pakistan with suspension from the Commonwealth unless Musharraf repeals the emergency provisions, retires from the army, releases all political detainees, and removes curbs on media freedom by November 22. Islamabad expressed "deep disappointment and regret" at the CMAG statement, saying it reflected "ignorance to the ground realities."<sup>26</sup> On November 22, the CMAG made good on its suspension threat pending restoration of democracy and rule of law there. Islamabad expressed "deep regrets" at the "unreasonable and unjustified" decision, saying it "does not take into account the objective conditions prevailing in Pakistan."<sup>27</sup>

International human rights groups were vociferous in their criticisms: New York-based Human Rights Watch decried the "coup against Pakistan's civil society" and demanded that Pakistan immediately return to constitutional rule and end its crackdown on the judiciary, media, human rights activists, and political opponents. London-based Amnesty International warned that the "wholesale abrogation of fundamental human rights protections" represented a "blatant breach of international law" and it also demanded the restoration of human rights and justice.<sup>28</sup> The Pakistani public appeared overwhelmingly opposed to Musharraf's coup, but street protests were relatively modest in scale (due in part to police crackdowns and blockades). The Pakistani media were largely unanimous in their criticism of what was widely seen to be a bald-faced attempt by Musharraf to maintain his own power in the face of increasing pressures.<sup>29</sup> Many leading U.S. press outlets urged the Bush Administration to end its reliance on Musharraf, seeing him as an obstacle both to more effective counterterrorism efforts and to democratization.<sup>30</sup>

On December 15, President Musharraf lifted the state of emergency in what he claimed was a "complete restoration of the constitution." In a speech to the Pakistani nation, he again asserted that the emergency was declared as a last resort—"against my own will"—in order to defeat a "conspiracy" to "derail the democratic process." Musharraf also took credit for laying "the

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<sup>25</sup> See [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/PR\\_271\\_07.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_271_07.htm).

<sup>26</sup> See <http://www.thecommonwealth.org/news/172238/121107cmag.htm> and [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/PR\\_277\\_07.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_277_07.htm).

<sup>27</sup> See [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/PR\\_287\\_07.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_287_07.htm).

<sup>28</sup> See <http://hrw.org/english/docs/2007/11/04/pakist17241.htm> and <http://web.amnesty.org/library/print/ENGASA330412007>. HRW also urged President Bush and key U.S. congressional appropriators to suspend all non-humanitarian aid to Pakistan until Musharraf's emergency policies are reversed.

<sup>29</sup> Sam Dolnick, "World Leaders Condemn State of Emergency in Pakistan," *Associated Press*, November 3, 2007; Indian External Affairs Ministry Press Release, November 3, 2007; "World Reconsiders Pakistan Aid," *CNN.com*, November 5, 2007; David Rohde, "Anger at Decree Runs Deep in Pakistanis," *New York Times*, November 9, 2007; "Simon Gardner, "Pakistan's Media Slams Musharraf's 'Second Coup,'" *Reuters*, November 4, 2007.

<sup>30</sup> An example is "The General Must Go" (editorial), *Washington Post*, November 11, 2007.

foundation of real democracy.”<sup>31</sup> Skeptics saw little evidence that the lifting of the emergency would lead to meaningful change, given what they see as repressive media curbs and a stacked judiciary. One senior Pakistani analyst called Musharraf’s move a “public relations exercise.”<sup>32</sup> Human Rights Watch echoed the sentiments of many in calling the “restoration of the constitution” a “sham” that would do little to restore genuine rule of law unless “arbitrary” laws and amendments made after November 3 were withdrawn.<sup>33</sup> On the day before his action, Musharraf, acting under the PCO, issued several decrees and made amendments the Pakistani Constitution, some of which would ensure that his actions under emergency rule would not be challenged by any court.

## Benazir Bhutto Assassinated

On December 27, 2007, former Prime Minister and key opposition leader Benazir Bhutto was assassinated in a gun and suicide bomb attack following a political rally in the city of Rawalpindi. President Bush and the State Department offered deep sympathy and sincere condolences, strongly condemning the “cowardly” attack. The killing elicited widespread condemnation from around the world. The next day, Bhutto’s body was interred in her ancestral village in Sindh as the Pakistani government ordered a nearly total shutdown of services in anticipation of spreading violence. Serious rioting occurred in the Sindhi capital of Karachi, as well as at numerous other sites.

The circumstances of Bhutto’s death remain controversial. Early reports about the cause were conflicting: a government official claimed that neither bullets nor shrapnel caused her death and that she was killed after her head hit a latch on the vehicle’s sunroof. A more senior official later withdrew the claim, but the government has continued to maintain that gunshots played no role. Emergency room doctors who tried to revive Bhutto may have been pressured to conform to the government’s accounts and later sought to distance themselves from such accounts, calling for an autopsy.<sup>34</sup> Video and photographs of the event appear to show a gunman firing three shots at Bhutto from close range, closely followed by an explosion which left more than 20 bystanders dead. In a blow to subsequent investigations, city fire trucks used high-pressure hoses to clear the crime scene of debris, likely destroying what could be vital forensic evidence.

Many observers have criticized the Musharraf government for providing insufficient security for Bhutto. Questions about how she was killed become more relevant in this context, as death from gunshots fired at close range would be more damning of existing security than would a suicide bombing, which is more difficult to defend against. With Pakistanis widely skeptical of their government’s capacity and intention in launching a probe—and many holding the government directly or indirectly responsible for Bhutto’s death—demands soon came for an international investigation into the assassination. As articulated by one Pakistani daily, “Only an inquiry by a credible, neutral panel of international experts would hold any weight with people.”<sup>35</sup> Some called for a U.N. probe modeled on that which investigated the 2005 assassination of Lebanon’s

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<sup>31</sup> “Text of Pakistan President’s Speech on Lifting Emergency,” *BBC Monitoring South Asia*, December 16, 2007.

<sup>32</sup> Quoted in “Analysts Doubt Change After Pakistan Emergency Ends,” *Agence France Presse*, December 13, 2007.

<sup>33</sup> See <http://hrw.org/english/docs/2007/12/14/pakist17562.htm>.

<sup>34</sup> Jane Perlez, “New Questions Arise in Killing of Ex-Premier,” *New York Times*, December 30, 2007.

<sup>35</sup> “Who Killed Benazir?,” *News (Karachi)*, December 30, 2007.

Prime Minister; Bhutto's widower supported the course. The Islamabad government denied any need for U.N. involvement, a sentiment echoed by Washington. Under international diplomatic pressure, Musharraf on December 30 agreed to consider foreign assistance in the investigation and three days later announced that a team from Britain's Scotland Yard would take a role in the investigation. The U.S. government welcomed Musharraf's decision as positive step and stands ready to provide its own assistance should Pakistan request it.

Pakistani government officials quickly blamed pro-Taliban and Al Qaeda-linked militant Baitullah Mehsud for Bhutto's killing, claiming they had intercepted a telephone conversation in which Mehsud took credit for the act. Through a spokesman, Mehsud has denied any involvement in the killing. A Taliban spokesman suggested that the attack was a "well-planned conspiracy" carried out by Pakistani government agents.<sup>36</sup> The U.S. government has not taken a position on the identity of Bhutto's killers, with some officials saying Islamabad was too abrupt in blaming Mehsud.<sup>37</sup> At least one former U.S. counterterrorism official is convinced that Al Qaeda or one of its Pakistan-based allies was behind the assassination.<sup>38</sup>

U.S. agencies reportedly had provided Bhutto with "nonactionable" intelligence about potential threats to her safety, but Musharraf rebuffed Washington's requests that her security be bolstered. U.S. officials apparently recommended several reputable Pakistani contractors to provide protection, however these were not employed due to Bhutto family fears they might be infiltrated by extremists.<sup>39</sup>

Along with Al Qaeda itself, a number of religious extremist groups indigenous to Pakistan are seen to have had a motive for assassinating Bhutto and the means to do so. These include banned terrorist groups such as Lashkar-e-Taiba and Jaish-e-Mohammed, as well as Sunni extremists in Lashkar-e-Jhangvi or Sipah-e-Sahaba (Bhutto had Shiite ancestry).<sup>40</sup> Conspiracy theories became rampant in Pakistan, with many versions implicating government agencies as complicit.

## Implications for Pakistani Democratization

By imposing what was in essence martial law President Musharraf did harm to the cause of Pakistani democratization. In late November, the newly reconstituted Supreme Court struck down challenges to the validity of Musharraf's October 2007 reelection, clearing the way for Musharraf to resign his military commission, which he did on November 28. The next day he was sworn in as a civilian for a second five-year presidential term. Secretary Rice called Musharraf's resignation "a good first step," but added her view that "the most stabilizing thing [for Pakistan] will be to have of free and fair elections."<sup>41</sup>

In November, Musharraf specified that elections would come by early January, but he declined to set a date for ending the emergency (other government officials had suggested the emergency

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<sup>36</sup> "Al Qaeda Ally Denies Role in Bhutto Slaying," *Reuters*, December 29, 2007.

<sup>37</sup> Eric Schmitt, "U.S. Isn't Ready to Accept Pakistan's Initial Findings," *New York Times*, January 2, 2008.

<sup>38</sup> Bruce Reidel (interview), December 27, 2007, at <http://www.cfr.org/publication/15133>.

<sup>39</sup> Paul Richter, "U.S. Gave Bhutto Intelligence on Dangers She Faced," *Los Angeles Times*, December 29, 2007; "US Gave Bhutto Info About Threats," *Associated Press*, December 31, 2007.

<sup>40</sup> See Josh Meyer, "Bhutto's Long and Tangled List of Enemies," *Los Angeles Times*, December 28, 2007.

<sup>41</sup> See <http://www.state.gov/secretary/rm/2007/11/95758.htm>.

would be lifted by early December). Bhutto responded by ending negotiations with Musharraf and promising to go ahead with a November 13 “long march” protest from Lahore to Islamabad. As the date approached, authorities again placed her under house arrest with a seven-day detention order, and some 600 police surrounded the Lahore home of her host. In a powerful indicator of a major policy change, Bhutto declared, “It’s over for Musharraf,” and she issued her most stringent public demand to date: that Musharraf resign both his military commission *and* presidency. She called on the international community to stop backing the “dictator” and subsequently reached out to other opposition leaders, including former Prime Minister Sharif—who quickly welcomed her shift away from Musharraf—and even Qazi Hussain Ahmed, chief of the Islamist Jamaat-i-Islami party. Musharraf, for his part, called Bhutto “too confrontational” and ruled out further power-sharing negotiations with her.<sup>42</sup>

In Bhutto’s view, the ruling, Musharraf-allied PML-Q party saw its fortunes rapidly declining and expected to lose badly in any free election. Thus, she asserted, its leaders chose to collude with allies in the intelligence agencies to have the polls postponed (she called Musharraf’s electoral plans “a farce”). As Musharraf’s political clout wanes, the PML-Q party faces more daunting odds in convincing a skeptical electorate that it deserves another five years in power.<sup>43</sup> Former Prime Minister Sharif has been even more explicit in his criticisms of Musharraf, calling him a “one-man calamity” who has single-handedly brought ruin to Pakistan through efforts to retain personal power. Sharif calls for restored democracy and urges the U.S. government to support the Pakistani nation rather than a single individual.<sup>44</sup>

Benazir Bhutto’s assassination dramatically altered Pakistan’s political field. As per Bhutto’s will, and in what one Pakistani daily called “the unfortunate reality of South Asia’s dynastic politics,” the PPP on December 30 named her young son, Bilawal, and her husband, Asif Zardari, to succeed her as party leaders. Until Bilawal completes studies at Oxford, Zardari will run the party. Zardari is a controversial figure in Pakistan: he has spent years in prison (without conviction) on charges ranging from corruption to complicity in murder. His rise to leadership of Pakistan’s largest opposition party could present difficulties for U.S. policy makers.<sup>45</sup> Bhutto’s long-time party deputy and recent National Assembly member Makhdoom Amin Fahim is expected to be put forward as the PPP’s prime ministerial candidate. Fahim, who comes from a feudal Sindh background similar to that of Bhutto, led the party competently in her absence, but does not possess national standing and support anything close to that enjoyed by Bhutto herself.

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<sup>42</sup> “Benazir Terms Pledge ‘Vague, Insufficient,’” *News* (Karachi), November 9, 2007; “Bhutto to Musharraf: It’s Time to Quit,” *Agence France Presse*, November 13, 2007; “Pakistan’s Bhutto Building Opposition Alliance,” *Agence France Presse*, November 13, 2007; Emily Wax, “Musharraf, In Interview, Holds Firm on Crackdown,” *Washington Post*, November 17, 2007.

<sup>43</sup> “Musharraf Ally Battles Foes and Apathy in Pakistan Vote,” *Reuters*, December 19, 2007. A public opinion survey undertaken by the Washington-based International Republican Institute during the emergency did not bring good news for Musharraf or the incumbent government: A large majority of Pakistanis expressed their opposition to the measure and nearly two-thirds said they would support a boycott of scheduled elections. Musharraf’s approval rating remained low, with nearly three-quarters of respondents saying they opposed his reelection as president and 67% wanting his resignation. When asked who they thought was the best leader to handle the problems facing Pakistan, 31% chose Bhutto, 25% cited Sharif, and 23% said Musharraf (see <http://www.iri.org/mena/pakistan/pdfs/2007-12-12-pakistan-poll-index.pdf>).

<sup>44</sup> Benazir Bhutto, “Musharraf’s Martial Plan,” *New York Times*, November 7, 2007; Benazir Bhutto, “Musharraf’s Electoral Farce,” *Washington Post*, November 14, 2007; Nawaz Sharif, “Pakistan’s One-Man Calamity,” *Washington Post*, November 17, 2007.

<sup>45</sup> “PPP’s New Leader” (editorial), *Dawn* (Karachi), December 31, 2007; Jay Solomon, et. al., “Pakistan’s Zardari Poses a Quandary for U.S.,” *Wall Street Journal*, January 2, 2008.

Moreover, with Bhutto's demise, Nawaz Sharif has been able to step up as the most visible opposition figure with national credentials. A conservative with long-held ties to Pakistan's Islamist political parties, Sharif is a bitter enemy of Musharraf and is viewed with considerable skepticism by many in Washington, where there are concerns that a resurgence of his party to national power could bring a diminishment of Pakistan's anti-extremism policies and be contrary to U.S. interests.<sup>46</sup>

## Credible Elections Following Crises?

Two major political crises—a November emergency declaration and suspension of the Constitution followed by the December assassination of the leading prime ministerial candidate—led to obvious questions about the credibility of elections held in their immediate wake. Even before the emergency proclamation, some observers saw signs that the government did not intend to conduct credible elections, most prominently controversy surrounding the possible disenfranchisement of scores of millions of Pakistanis from voter rolls and the apparent absence of an effective and neutral Election Commission.

In November, President Musharraf reportedly told a meeting of PML-Q parliamentarians that elections would not be held under U.S. dictation, and he repeatedly refused to give a firm date for ending what was in essence martial law.<sup>47</sup> Deputy Secretary Negroponte met with the Pakistani President days later, delivering a message that emergency rule was “not compatible” with free and fair elections. Musharraf reportedly replied by saying the emergency would be lifted only after Pakistan's security situation was sufficiently improved.<sup>48</sup>

Secretary Rice opined that it would be “very difficult” to have free and fair elections in Pakistan under a state of emergency. Upon his swearing-in to a second presidential term, Musharraf suggested that the emergency order would be lifted in early December, about one month before scheduled polls. When asked about the possibilities for conducting credible elections only weeks after restoration of the country's Constitution, a State Department spokesman said he would “leave that to the experts,” but he went on to suggest that—with a “concerted and dedicated effort”—it would be possible. A White House spokeswoman answered by saying, “We are not going to judge the date of lifting the emergency order.”<sup>49</sup>

Independent analyses were less circumspect. For example, a Pakistani legislative watchdog organization called it “obvious” that free and fair elections were not possible in the given setting. A report by a Brussels-based nongovernmental organization concluded that Musharraf has sought to smother Pakistan's nascent moves toward civilian rule and that no “proper” elections could be held under the circumstances. It called on the international community to recognize Musharraf's negative role and to respond with graduated aid sanctions that would target the military without reducing its counterterrorism capabilities, while at the same time expanding development aid. Especially worrisome for skeptics is Musharraf's demolition of the country's judiciary: deposed

<sup>46</sup> “Former PM Now Leads Pakistan Opposition,” *Associated Press*, January 1, 2008.

<sup>47</sup> Irfan Ghauri, “No Election Decision Under US Dictation, Musharraf Tells MPs,” *Daily Times* (Lahore), November 7, 2007; Jane Perlez and David Rohde, “Musharraf Refuses to Give Date for Ending Rule by Decree,” *New York Times*, November 11, 2007.

<sup>48</sup> “Emergency to Stay for Now, Musharraf Tells US: Aide,” *Agence France Presse*, November 17, 2007.

<sup>49</sup> See <http://www.state.gov/secretary/rm/2007/11/94868.htm>; <http://www.state.gov/r/pa/prs/dpb/2007/nov/95899.htm>; and <http://www.whitehouse.gov/news/releases/2007/11/20071129-16.html>.

Chief Justice Chaudhry remains under house arrest, as does many of the approximately 100 high court judges who refused to take a new oath of office under the PCO.<sup>50</sup>

There have been numerous reports of government efforts to “pre-rig” the polls. Those who see a “stacked judiciary, cowed media, and toothless election commission” have been pessimistic about the chances for a credible process.<sup>51</sup> Bhutto herself reportedly was set to give visiting U.S. Members of Congress a 160-page report detailing the Election Commission’s and major intelligence agency’s alleged plans to illicitly manipulate the outcome.<sup>52</sup>

## Election Calendar

Pakistan’s National Assembly ended its five-year term on November 15. This was the first time in the country’s history that the body had completed a full term without interruption. With Shaukat Aziz’s term also ending, President Musharraf appointed his political ally and current Chairman of the Senate, Mohammadmian Soomro, to serve as caretaker Prime Minister during the election period. Soomro, who also is the constitutional successor to the Pakistani presidency should the office become vacant, is a former banker from an influential Sindhi family. Many analysts view the caretaker cabinet as being stacked with partisan Musharraf supporters and so further damaging to hopes for credible elections.<sup>53</sup> Musharraf repeatedly has promised that the elections will be open and transparent, and he avers that opposition parties make unsubstantiated claims of rigging to justify their own anticipated losses.<sup>54</sup>

On November 20, Pakistan’s Chief Election Commissioner announced that national polls would be held on January 8, 2007. About 13,500 candidates representing 49 parties filed papers to vie for Pakistan’s National Assembly seats and provincial assembly constituencies. Among them were three serious contenders for the premiership: former two-time Prime Ministers Benazir Bhutto and Nawaz Sharif, and recent Punjab Chief Minister Chaudhry Pervaiz Elahi. Elahi, a cousin of the ruling PML-Q’s chief Chaudhry Shujaat Hussain, is viewed as a close ally of Musharraf’s who would likely bolster the president’s continued influence.<sup>55</sup> Sharif’s electoral plans met a major obstacle when, on December 3, his nomination papers were rejected, making him ineligible to compete in the elections because of criminal convictions related to his 1999 ouster from power (his brother Shabaz, a former Punjab Chief Minister and political heavyweight in his own right, saw his own nomination papers rejected days earlier, apparently due to pending criminal charges against him).

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<sup>50</sup> Pakistan Institute of Legislative Development and Transparency, *Election Monitor* 7, November 14, 2007; International Crisis Group, “winding Back Martial Law in Pakistan,” November 12, 2007; Jane Perlez, “Lawyer Says Pakistan Heading Toward ‘Rigged’ Vote,” *New York Times*, December 1, 2007.

<sup>51</sup> Stephen Graham, “Elections That the West Hopes Will Stabilize Pakistan Flawed Before They Even Begin,” *Associated Press*, December 14, 2007. See also David Rohde and Carlotta Gall, “Most Want Musharraf to Quit, Poll Shows,” *New York Times*, December 13, 2007; Robert Birsel, “Election Monitors Fear Rigging of Pakistani Vote,” *Reuters*, December 13, 2007; Najam Sethi, “Don’t Rig the Elections” (editorial), *Friday Times* (Lahore), December 28, 2007.

<sup>52</sup> “Bhutto Had ‘Proof’ of State Rigging Poll,” *Reuters*, January 1, 2008.

<sup>53</sup> Hasan-Askari Rizvi, “Divergent Paths,” *Daily Times* (Lahore), November 18, 2007; “Neutral Caretaker?” (editorial), *News* (Karachi), November 17, 2007; Pakistan Institute of Legislative Development and Transparency, *Election Monitor* 8, November 21, 2007.

<sup>54</sup> “Musharraf Promises ‘Fair’ Elections, to Lift Emergency Rule,” *CNN.com*, December 9, 2007.

<sup>55</sup> Simon Gardner, “Pakistan PM Hopeful is Musharraf’s Man,” *Reuters*, December 2, 2007.



Meanwhile, the Islamist Muttahida Majlis-e-Amal (MMA) coalition has over time become weakened by the increasingly divergent approaches taken by its two main figures—Jamaat-e-Islami (JI) chief Qazi Hussain Ahmed, a vehement critic of the military-led government, and Jamiat Ulema-e-Pakistan chief Fazl ur-Rehman, who largely has accommodated the Musharraf regime. With its two major constituents holding directly opposing views on the wisdom of participating in upcoming elections, the MMA has all but formally split, diminishing its prospects for holding power in Pakistan's two western provincial assemblies.<sup>56</sup>

Opposition parties were placed in the difficult position of choosing whether to participate in elections that were perceived as manipulated by the incumbent government or to boycott the process in protest. Sharif, along with Qazi Hussain's Jamaat-e-Islami party (a member of the Islamist MMA coalition), was for a time clear in his intention to keep his party out of the planned elections he calls a "farce," but Bhutto was less direct about her own intentions. This left the opposition divided until Bhutto announced her intention to participate, which spurred Sharif to reverse course. On December 9, Sharif announced that his party would participate in elections after he failed to convince Bhutto to join a boycott. Bhutto welcomed the decision. Some analysts insisted that an election boycott would only serve the interests of the ruling PML-Q, and they urged full poll participation while stressing the need to minimize any rigging or manipulation of the process.<sup>57</sup>

Upon Bhutto's assassination, a nationwide debate was launched over the issue of postponing the election date. Both Zardari, the new PPP leader, and Sharif demanded that the election be held as scheduled. The Bush Administration appeared to support their demands.<sup>58</sup> Zardari's calculation likely was rooted in expectations of a significant sympathy vote for the PPP. The ruling PML-Q appeared to seek (and later welcome) a decision to postpone the polls. Sharif, for his part, has maintained a hardline stand against Musharraf's continued rule, demanding that a broad-based national unity government be put in place.<sup>59</sup>

While conceding that the Pakistanis must determine whether or not to make changes to the election schedule, a State Department spokesman offered that the best way to honor Bhutto's memory was for the democratic process to continue, and he opined that polls should "by all means" go ahead as scheduled "if an election can be held safely and smoothly on January 8." When asked about the issue, Secretary Rice said "it's just very important that the democratic process go forward."<sup>60</sup> Some analysts believe the U.S. government's apparent push for January elections may have been part of an eagerness to "graft legitimacy" onto Musharraf by anointing a successor to Bhutto. In fact, Bhutto's death appears to leave the United States even more dependent on an increasingly embattled Musharraf as the only major pro-U.S. leader in Pakistan.<sup>61</sup>

<sup>56</sup> Jill McGivering, "Pakistan Islamic Bloc 'Suspended,'" *BBC News*, December 12, 2007; Griff Witte, "Pakistan's Islamic Parties Struggle for Support," *Washington Post*, December 23, 2007.

<sup>57</sup> See, for example, Najam Sethi, "Rigging, Not Boycott, Core Issue," *Friday Times* (Lahore), December 7, 2007.

<sup>58</sup> U.S. Presses Pakistan to Go Ahead With January 8 Vote," *Reuters*, December 31, 2007.

<sup>59</sup> Muhammed Nawaz Sharif, "The Future Pakistan Deserves" (op-ed), *Washington Post*, January 1, 2008.

<sup>60</sup> See <http://www.state.gov/r/pa/prs/dpb/2007/dec/98143.htm> and <http://www.state.gov/secretary/rm/2007/12/98131.htm>.

<sup>61</sup> Michael Hirsh, "Is Rice Rushing to Elections?," *Newsweek*, December 28, 2007; Robin Wright and Glenn Kessler, "U.S. Strives to Keep Footing in Tangled Pakistan Situation," *Washington Post*, December 30, 2007.

The Election Commission's January 2 decision to delay the polls until February 18 was met with vocal denouncement by the main opposition parties, who accuse the government of fearing a substantive loss. The State Department welcomed the setting of a firm date and urged Pakistani officials to use the interim period to ensure that an independent media is able to operate and that all restrictions on political parties are lifted.<sup>62</sup> Even nongovernmental American commentators had urged a delay, arguing that Musharraf can maintain his status only by allowing for a genuine national reconciliation involving all major political parties, and that this can come about only after "a pause and then a bold regrouping."<sup>63</sup> Musharraf defended the postponement as necessary given the scale of destruction in Sindh. It is as yet unclear if opposition parties will organize large-scale street protests against the decision.

## Implications for Pakistani Security and Stability

Islamist extremism and militancy has been a menace to Pakistani society throughout the post-2001 period and became especially prevalent in 2007. In the months since an early July commando raid on a radical Islamabad mosque, religious militants have perpetrated more than three dozen suicide bomb attacks—most of them against security personnel—taking more than 700 lives, and "neo-Taliban" militants have controlled western regions such as Waziristan and Swat, where government troops have engaged costly and, in the former case, losing battles. Despite recent apparent successes in Swat, Pakistan was plagued by at least ten suicide bombings in December alone.

Despite Musharraf's ostensible motives, the imposition of a state of emergency further inflamed anti-Musharraf sentiment among the Pakistani public and aggravated already considerable civil-military tensions. Moreover, by redirecting resources toward subduing Pakistani civil society, the move may even have hindered the military's ability to combat religious extremists, who many argue are strengthened by authoritarian rule that weakens the country's moderate political forces.<sup>64</sup> On the other hand, it is possible that Musharraf and the new army chief, Gen. Kiyani, are dividing their responsibilities so that the former will retain political management of the country while the latter oversees the military's counterinsurgency efforts. This might serve to make more effective Pakistan's anti-extremism efforts over time (in both their political and their militarized aspects).<sup>65</sup>

An International Crisis Group report on "Winding Back Martial Law in Pakistan" warned that,

Martial law will only bring more violence and instability to Pakistan. The imprisonment of secular leaders of civil society boosts jihadi groups. The targeting of moderate political parties empowers the Islamists. Censorship of the media makes the mosque more potent as a

<sup>62</sup> See <http://www.state.gov/r/pa/prs/dpb/2008/jan/98170.htm>.

<sup>63</sup> Wendy Chamberlain and Marvin Weinbaum, "Pakistan's Best Chance" (op-ed), *Washington Post*, December 29, 2007.

<sup>64</sup> Lisa Curtis, "Musharraf's Emergency Rule Will Only Fuel Pakistan Crisis," Heritage Foundation WebMemo No. 1691, November 5, 2007; Ahmed Rashid, "A Second Coup in Pakistan," *Washington Post*, November 5, 2007; Carlotta Gall, "Qaeda Network Expands Base in Pakistan," *New York Times*, December 30, 2007.

<sup>65</sup> Slobodan Lekic, "Pakistan Army Chief to Focus on Military," *Associated Press*, November 28, 2007; B. Raman, "Pakistan: New Strategy Against the Jihadis," South Asia Analysis Group *International Terrorism Monitor* (New Delhi) Paper No. 309, November 20, 2007.

means of communication. The destruction of the institutions of the rule of law opens the door wider to extremism.<sup>66</sup>

Indeed, Musharraf's imposition of emergency did not lead to any immediately noticeable improvement in his government's battle with the militants as Pakistan troops continued to appear on the defensive in provincial conflict regions.<sup>67</sup> By one account, Islamist militants in the Swat Valley more than doubled the territory under their control in the weeks after November 3.<sup>68</sup> By early December, however, following the apparent launch of major Pakistan army offensives in the region, most militant elements in the Swat were reported to be in retreat. On December 15, the Pakistani government claimed victory there, saying fighters loyal to the radical Islamist Mullah Fazlullah had been routed and driven into the hills.<sup>69</sup>

Many Western diplomats, including those from the United States, have expressed dismay with President Musharraf's November fixation on the Pakistani judiciary and on his arrest of civil society elements considered unthreatening to state security. Musharraf has to many observers appeared more interested in battling his domestic political adversaries than in taking on the country's religious militants. When asked about this apparent contradiction, a White House spokeswoman said, "We do not believe that any extra-constitutional means were necessary in order to help prevent terrorism in the region."<sup>70</sup>

Bhutto's killing at year's end led to country-wide rioting. Some 60 people were killed and the caretaker government called the damage from ensuing violence "colossal," saying "manufacturing, revenue, exports have all suffered badly." Whether deserving or not, Musharraf himself took the brunt of the blame for ensuing instability.<sup>71</sup> The developments fueled already considerable concerns that, in focusing on civil strife in the cities, Pakistan's security apparatus would be distracted from what the United States considers to be crucial counterterrorism operations in Pakistan's western regions near Afghanistan.

Pakistan's neighbor and long-time rival India has watched Pakistan's turmoil with great interest, but little public comment. A destabilized Pakistan represents a major security concern for New Delhi, but at the same time history shows that as Pakistan's internal difficulties grow, Pakistani interference in Indian affairs tends to decrease.<sup>72</sup>

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<sup>66</sup> See <http://www.crisisgroup.org/home/index.cfm?id=5156&l=1>.

<sup>67</sup> Hameedullah Khan, "Army Takes Over Command of Security Forces in Swat," *Dawn* (Karachi), November 13, 2007; Griff Witte and Imtiaz Ali, "Musharraf's Army Losing Ground in Insurgent Areas," *Washington Post*, November 13, 2007; Jane Perlez and Ismail Khan, "Militants Gain Despite Decree by Musharraf," *New York Times*, November 16, 2007. Only hours after Musharraf's emergency decree, pro-Taliban militants in South Waziristan released 211 Pakistani paramilitary troops they had been holding hostage since late August. Reports indicate that government authorities had released 25 detained militants in exchange for the troops, including at least two men said to be aspiring suicide bombers.

<sup>68</sup> James Rupert, "Musharraf's Eye is Off the Taliban," *Newsday*, November 16, 2007.

<sup>69</sup> Imtiaz Ali and Griff Witte, "Pakistan Claims Win in Crucial NW Valley," *Washington Post*, December 15, 2007.

<sup>70</sup> David Rohde, "A Detour From a Battle Against Terror," *Washington Post*, November 6, 2007; White House statement at <http://www.whitehouse.gov/news/releases/2007/11/20071105-2.html>.

<sup>71</sup> "Pakistan Suffers 'Colossal' Damage in Violence," *Reuters*, December 31, 2007; Matthew Pennington, "Pakistani Blame Musharraf for Turmoil," *Associated Press*, December 29, 2007; "Yaroslav Trofimov, et. al., "Growing Fury at Musharraf Deepens Crisis," *Wall Street Journal*, December 31, 2007.

<sup>72</sup> Laurie Goering, "As Pakistan Boils, India Watches," *Chicago Tribune*, December 30, 2007.

Pakistan's political crises also have harmed what had been a generally strong national economy. The country's main stock market lost nearly 5% of its value when trading opened on November 5—the market's worst-ever one-day decline—and the country's attractiveness for foreign investors almost certainly has suffered with December's instability. Following Bhutto's killing, the market again fell by nearly 5%, even as it finished the year up by 40%.<sup>73</sup>

## Succession Issues

In the days after the emergency proclamation, rumors abounded in Pakistan that President Musharraf had himself been placed under house arrest. However, the only figures who could potentially unseat Musharraf—intelligence chiefs and corps commanders—all were handpicked by Musharraf on the assumption that they would remain loyal to him (the new Army Chief, Gen. Kiyani, is widely seen to be a moderate, professional, and pro-Western soldier). While Pakistan's influential army corps commanders appear to have fully endorsed the imposition of emergency, they may be much less approving of a power-sharing arrangement that would include Bhutto. Given its collective interest in maintaining a unified chain of command, however, most analysts see the army's top leadership staying united and thus maintaining a relative degree of order in the country. The probability of Musharraf being removed from office by force is therefore considered to be quite low. Should a major outpouring of public protest occur, however, it is possible that Musharraf's powerful military subordinates could seek his resignation in the national interest.<sup>74</sup>

## Nuclear Security<sup>75</sup>

Among the most urgent concerns of U.S. officials during Pakistan's political crisis has been the security of Pakistan's nuclear weapons and materials, which could be degraded as instability persists. While the danger of Islamist extremist gaining possession of a nuclear explosive device is considered remote, the risk of rogue scientists or security officials seeking to sell nuclear materials and/or technology is seen to be higher in a setting of deteriorating security conditions. Pentagon officials backpedaled from early expressions of concern, saying they believe Pakistan's arsenal was "under the appropriate control." According to the *New York Times*, the United States has spent nearly \$100 million since 2001 on a classified program to help secure Pakistan's strategic weapons. Islamabad emphatically rejects suggestions that the country's nuclear arsenal is anything but fully secure, and called the *Times* story "distorted and exaggerated."<sup>76</sup> Most analysts appear to have concluded that the security of Pakistan's nuclear weapons and facilities are much improved in recent years. More worrisome, many claim, is the possibility that

<sup>73</sup> Shabaz Rana, "Political Instability May Dampen Growth," *Nation* (Lahore), November 19, 2007; "Pakistan Stocks Tumble Amid Violence," *Associated Press*, December 31, 2007.

<sup>74</sup> M. Ilyas Khan, "Does Musharraf Face Risk of a Coup?," *BBC News*, November 5, 2007; George Friedman, "Pakistan and Its Army," *Stratfor*, November 6, 2007; Shahan Mufti, "Pakistan's Final Arbiter: The Army," *Christian Science Monitor*, November 9, 2007.

<sup>75</sup> See also CRS Report RL34248, *Pakistan's Nuclear Weapons: Proliferation and Security Issues*, by (name redacted) and Mary Beth Nikitin.

<sup>76</sup> Greg Miller, "Pakistan's Nuclear Arsenal a U.S. Worry," *Los Angeles Times*, November 8, 2007; Kristin Roberts, "US Says Not Concerned About Pakistani Nukes," *Reuters*, November 14, 2007; David Sanger and William Broad, "U.S. Secretly Aids Pakistan in Guarding Nuclear Arms," *New York Times*, November 18, 2007; Pakistan Foreign Ministry statements at [http://www.mofa.gov.pk/Spokesperson/2007/Nov/Spokes\\_12\\_11\\_07.htm](http://www.mofa.gov.pk/Spokesperson/2007/Nov/Spokes_12_11_07.htm) and [http://www.mofa.gov.pk/Press\\_Releases/2007/Nov/PR\\_281\\_07.htm](http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_281_07.htm). See also CRS Report RL34248, *Pakistan's Nuclear Weapons: Proliferation and Security Issues*.

Pakistan's nuclear know-how or technologies could remain prone to leakage.<sup>77</sup> Even India's national security advisor—a figure not expected to downplay the dangers—has stated an opinion that Pakistan's nuclear arsenal is “largely safe.”<sup>78</sup>

## Implications for Pakistan-U.S. Relations

### Policy Discussion

The ability of the United States to effectively exert diplomatic pressure on Pakistan is demonstrably low at present. President Musharraf's emergency decree and its attendant developments, along with widespread violence and the assassination of Bhutto, have led to widespread concerns that the Bush Administration's Pakistan policy—and perhaps its broader anti-extremism effort—had become fragile and ineffective.<sup>79</sup> The Bush Administration generally has not ranked democracy at the top of its list of priorities with Pakistan: at a December 2007 Senate Foreign Relations Committee hearing on Pakistan, one senior analyst offered that, “Overall U.S. policy toward Pakistan until very recently gave no serious attention to encouraging democracy in Pakistan.”<sup>80</sup>

On November 9, five U.S. Senators—including the Majority Leader and the Chairman of the Senate Foreign Relations Committee—signed a letter to President Bush which said Musharraf's assumption of emergency rule raised “very troubling questions” not only about the Administration's Pakistan policy, but also about its overall national security strategy. The Senators called for a broad review of Washington's Pakistan policy, including adjustments to aid programs and new steps to enhance security along the Afghanistan-Pakistan border and to defeat Al Qaeda. The Chairman of the Senate Foreign Relations Committee (SFRC), Senator Joe Biden, warned President Musharraf in December “there will be consequences” if upcoming elections are not fair and open, saying U.S. aid levels could be decreased.<sup>81</sup> Following Bhutto's death, the Speaker of the House, Representative Nancy Pelosi, said Washington should address “troubling questions” about the probe into Bhutto's murder and consider withholding further foreign assistance to Pakistan unless Islamabad allowed international investigators to participate.<sup>82</sup>

An array of former U.S. government officials has insisted that military dictatorship in Pakistan is not in the U.S. interest and called on President Bush to use actions as well as words to push President Musharraf back on the democratic path.<sup>83</sup> In a December 10 opinion article, Benazir Bhutto argued that all the countries of the world had a direct interest in Pakistani democratization,

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<sup>77</sup> See, for example, Andrew Koch and Kristin Rayhack, “Political Fallout: The Threat to Pakistan's Nuclear Stability,” *Jane's Intelligence Review*, January 1, 2008.

<sup>78</sup> Farhan Bokhari, “Pakistan's Nuclear Assets—Myths Vs Reality,” *Tehran Times*, December 11, 2007; “Pakistan Nukes Safely Guarded: Narayanan,” *Hindu* (Chennai), December 18, 2007.

<sup>79</sup> See, for example, Brian Winter, Paul Wiseman, and Jim Michaels, “Pakistan Crisis Reveals Fragile Ties in Terror War,” *USA Today*, November 8, 2007; Jay Solomon, “Discord Exposes Dearth of U.S. Options,” *Wall Street Journal*, November 14, 2007.

<sup>80</sup> Amb. Teresita Schaffer, statement before the Senate Foreign Relations Committee, December 6, 2007.

<sup>81</sup> “Biden Warns Musharraf of Consequences for Poor Elections,” *Associated Press*, December 17, 2007.

<sup>82</sup> “U.S.' Pelosi Questions Pakistan's Bhutto Probe,” *Reuters*, December 30, 2007.

<sup>83</sup> See, for example, Thomas Pickering, Carla Hills, and Morton Abramowitz, “The Answer in Pakistan,” *Washington Post*, November 13, 2007.

reiterating her long-held view that dictatorship had fueled extremism in her country and that credible elections there were a necessary condition for the reduction of religion militancy. As for U.S. policy, she opined that, "At the very least, America can and should prod Musharraf to give Pakistanis an independent election commission, a neutral caretaker administration, and an end to blatant vote manipulation."<sup>84</sup>

In December there was a sense among some in the U.S. government that Pakistan was getting back to a democratic path, especially after the mid-month lifting of the emergency.<sup>85</sup> However, Bush Administration patience with Musharraf may be wearing thin; there are signs that it may be making firmer contingency plans in case Musharraf does not long survive in power.<sup>86</sup> Still, and despite a sense among many independent analysts that continued U.S. support for Musharraf is detrimental to overall U.S.-Pakistan relations and to U.S. interests in the region, there is to date little outward sign that the Bush Administration is preparing to withdraw its support for his continued rule. In an interview weeks after the "second coup," President Bush offered strong support for Musharraf, saying he "hasn't crossed the line" and "truly is somebody who believes in democracy." Some independent analysts, along with SFRC Chairman Senator Biden, expressed incredulity at President Bush's continuing personal investment with the Pakistani leader.<sup>87</sup>

In reaction to the emergency proclamation in Islamabad, Bush Administration officials said they would review relevant U.S. law on aid to Pakistan. However, Pakistan has been under democracy-related U.S. aid sanctions for more than eight years. Musharraf's extra-constitutional 1999 seizure of power triggered automatic penalties under Section 508 of the annual foreign assistance appropriations act, which bans non-humanitarian U.S. assistance "to any country whose duly elected head of government is deposed by military coup or decree." Assistance may be resumed to such government if the President certifies to Congress that subsequent to the termination of assistance a democratically elected government has taken office.

Post-September 2001 circumstances saw Congress take action on such restrictions. P.L. 107-57 (October 2001) waived coup-related sanctions on Pakistan through FY2002 and granted presidential authority to waive them through FY2003. Subsequent Congresses provided further annual waiver authority. In issuing the waiver, the President must certify for Congress that it "would facilitate the transition to democratic rule in Pakistan" and "is important to United States efforts to respond to, deter, or prevent acts of international terrorism." President Bush has exercised this waiver authority five times, most recently in July 2007.<sup>88</sup>

During a November House Foreign Affairs Committee hearing on Pakistan, Deputy Secretary of State Negroponte said the Bush Administration "strongly disagreed" with the emergency imposition in Islamabad, but he also called President Musharraf "an indispensable ally in the global war on terrorism" who has overseen major accomplishments in the battle against Islamist extremism and who has helped to make Pakistan a more moderate and prosperous country. The

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<sup>84</sup> Benazir Bhutto, "Why the World Needs Democracy in Pakistan," *Christian Science Monitor*, December 10, 2007.

<sup>85</sup> "US Breathes Easier Over Pakistan For Now," *Agence France Presse*, December 6, 2007; "US Recovers at Least Some Faith in Musharraf," *Agence France Presse*, December 23, 2007.

<sup>86</sup> Brajesh Upadhyay, "US Hedges Its Bets on Musharraf," *BBC News*, November 14, 2007; "US Signals Impatience With Musharraf," *Agence France Presse*, November 15, 2007.

<sup>87</sup> Michael Abramowitz and Robin Wright, "Bush Gives Stronger Backing to Musharraf," *Washington Post*, November 20, 2007.

<sup>88</sup> See <http://www.whitehouse.gov/news/releases/2007/06/20070629-2.html>.

Deputy Secretary warned that cuts to U.S. aid programs for Pakistan “would send a negative signal” and that “Pakistan’s future is too vital to our interests and our national security to ignore or to downgrade.” Several Members in attendance called for suspending some forms of aid to Pakistan until anti-democratic developments there are reversed.<sup>89</sup>

In discussing the potential implications of new governance issues in Pakistan, Administration officials have emphasized the importance of not allowing Islamabad’s continuing cooperation in anti-terrorism efforts to be undermined. Thus, the Administration likely will continue to see the demands of what it terms the “War on Terror” as trumping concerns about Pakistan’s system of governance, as it has appeared to do since 2001. Many observers viewed President Bush’s initial and overall reaction to the emergency decree and ensuing crackdown as somewhat subdued. Some see developments in Pakistan and the Administration’s allegedly tepid response as evidence that President Bush’s so-called Freedom Agenda is applied selectively and without principle.<sup>90</sup> This perception may contribute to increased anti-American sentiments in Pakistan.<sup>91</sup>

*Foreign Policy* magazine offered a November 2007 exchange between two senior Pakistan experts which captures the main arguments of those who believe the United States must continue to support Musharraf’s flawed leadership in Islamabad so as to maintain “continuity in the face of political instability” there, and those who believe Musharraf has become a liability whose rejection by the United States would signal to the Pakistani military that it must “start negotiating with the country’s political parties and civil society instead of dictating to them.”<sup>92</sup> Many commentators continue to view Musharraf himself as the primary obstacle to both Pakistani democratization and to more effective Pakistani counterterrorism efforts. Some insist that Musharraf’s resignation from the presidency is a necessary step toward democratization and national reconciliation.<sup>93</sup>

## U.S. Assistance

While President Bush has the authority to immediately halt all or some U.S. assistance to Pakistan, there are no signs that he intends to do so. In reviewing U.S. aid programs, Administration officials could place holds on certain items, such as F-16 combat aircraft being purchased by Pakistan as a Foreign Military Sale. Acute and historic Pakistani sensitivities to such U.S. policy choices—combined with repeatedly voiced concerns that Pakistan’s full cooperation in counterterrorism efforts must continue—have most analysts doubting the Administration would halt delivery of defense supplies to Pakistan, in particular those useful for counterinsurgency. Congress already has placed legal conditions on future U.S. military aid to

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<sup>89</sup> House Foreign Affairs Committee hearing on “Democracy, Authoritarianism, and Terrorism in Contemporary Pakistan,” November 7, 2007.

<sup>90</sup> Howard LaFranchi, “Why U.S. Sticks By Musharraf,” *Christian Science Monitor*, November 6, 2007; Mark Mazzetti, “Bush Urges Musharraf to Reverse Course But Signals No Penalty If He Doesn’t,” *New York Times*, November 6, 2007; “Working With a Dictator” (editorial), *Washington Post*, November 6, 2007; Brian Bennett, “Can the US Pressure Musharraf?,” *Time* (online), November 5, 2007; Dana Milbank, “Hitting the Mute Button on the Freedom Agenda,” *Washington Post*, November 6, 2007.

<sup>91</sup> Emily Wax and Imtiaz Ali, “Pakistanis Direct Their Wrath at ‘Busharraf,’” *Washington Post*, November 18, 2007.

<sup>92</sup> See the exchange between Daniel Markey and Husain Haqqani at [http://www.foreignpolicy.com/story/cms.php?story\\_id=4052](http://www.foreignpolicy.com/story/cms.php?story_id=4052).

<sup>93</sup> See, for example, “After Bhutto’s Murder: A Way Forward,” International Crisis Group Asia Briefing 74, January 2, 2008.

Pakistan.<sup>94</sup> Pending legislation would provide for further conditionality.<sup>95</sup> President Musharraf himself reached out to U.S. congressional leaders in November, telephoning the Chairs of the Senate and House Foreign Relations Committees in an apparent effort to discourage any new restrictions being placed on U.S. aid. Many analysts, including those making policy for the Bush Administration, assert that conditioning U.S. aid to Pakistan has a past record of failure and likely would be counterproductive by reinforcing Pakistani perceptions of the United States as a fickle and unreliable partner.

More than \$26 million in U.S. aid to Pakistan has been devoted to bilateral and multilateral democracy-related programs there, including the provision of 430,000 transparent ballot boxes purchased in tandem with the Japanese government, as well as part of an effort to computerize the country's voter rolls.<sup>96</sup> Washington also plans to sponsor election observation programs in support of upcoming parliamentary elections. U.S. officials repeatedly have emphasized that the United States is neutral with regard to the outcome of Pakistan's national elections.

Numerous commentators on U.S. assistance programs for Pakistan—along with some in Congress—have recommended making adjustments to the proportion of funds devoted to military versus economic aid and/or to the objectives of such programs.<sup>97</sup> For most of the post-2001 period, funds have been split roughly evenly between economic and security-related aid programs, with the great bulk of the former going to a general economic (budget) support fund and most of the latter financing “big ticket” defense articles such as maritime patrol aircraft, self-propelled howitzers, and upgrades for F-16 combat aircraft.<sup>98</sup> Only about one-tenth of the more than \$10 billion provided to Pakistan since 2001 (including coalition support) has been specifically devoted to development and humanitarian programs. The Bush Administration and/or Congress may find it useful to better target U.S. assistance programs in such a way that they more

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<sup>94</sup> The Implementing the 9/11 Commission Recommendations Act of 2007 (P.L. 110-53) would end U.S. military assistance and arms sales licensing to Pakistan in FY2008 unless the President reports to Congress a determination that Islamabad is undertaking a comprehensive campaign to “eliminate from Pakistani territory any organization such as the Taliban, al Qaeda, or any successor, engaged in military, insurgent, or terrorist activities in Afghanistan,” and “is currently making demonstrated, significant, and sustained progress toward eliminating support or safe haven for terrorists.” Division J of the Consolidated Appropriations Act, 2008 (H.R. 2764, which became Public Law in late December 2007) appropriates \$250 million in FY2008 Foreign Military Financing for Pakistani counterterrorism activities. Another \$50 million would be appropriated for such purposes after the Secretary of State reports to Congress that Pakistan is “making concerted efforts” to combat both Al Qaeda and Taliban forces on Pakistani territory and is “implementing democratic reforms,” including restoring the constitution; releasing political detainees; “ending harassment and detention” of journalists, human rights activists and government critics; and restoring an independent judiciary.

<sup>95</sup> The National Defense Authorization Act for FY2008 (H.R. 1585, passed by both chambers and presented to the President in late December) would withhold coalition support reimbursements to Pakistan unless the Administration submits to Congress a report on enhancing security and stability along the Afghanistan-Pakistan border. The report must include “detailed description” of Pakistan's efforts to “eliminate safe havens for the Taliban, Al Qaeda and other violent extremists on the national territory of Pakistan” and to “prevent the movement of such forces across the border of Pakistan into Afghanistan....”

<sup>96</sup> See <http://usembassy.state.gov/pakistan/h07110603.html>.

<sup>97</sup> For example, just days after the emergency declaration, the Chairman of the Senate Foreign Relations Committee, Senator Joseph Biden, called for a substantively new policy toward Pakistan that would concentrate on the Pakistani people rather than on the person of President Musharraf. Specifically, this policy would involve tripling non-security aid to Pakistan to \$1.5 billion annually; condition future security aid on Pakistan's performance; provide a “democracy dividend” of an additional \$1 billion in aid upon the restoration of democratic rule in Islamabad; and more energetically engage the Pakistani people through public diplomacy and educational exchanges (<http://biden.senate.gov/newsroom/details.cfm?id=287046&&>).

<sup>98</sup> See also CRS Report RS22757, *U.S. Arms Sales to Pakistan*, by (name redacted).



effectively benefit the country's citizens. Numerous analysts call for improving America's image in Pakistan by making U.S. aid more visible to ordinary Pakistanis.

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